



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	File No.:	Item Type:	1 st Reading	2 nd Reading	
10/30/2024	24-465	<input type="checkbox"/> Resolution	Ordinance Reading	10/9/2024	10/30/2024
		<input checked="" type="checkbox"/> Ordinance	Public Hearing	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/> Other	Advertising Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
			Quasi-Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number:		
N/A	N/A	N/A	N/A		
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Andrea Lues, Director	Procurement		
Strategic Plan Focus Areas:					
<input checked="" type="checkbox"/> Fiscal Stability	<input type="checkbox"/> Resident Services	<input type="checkbox"/> Public Safety	<input type="checkbox"/> Infrastructure & Mobility	<input type="checkbox"/> Economic Development & Affordable Housing	
Implementation Timeline:					
Estimated Start Date: 10/30/2024			Estimated End Date: Upon Adoption		

SHORT TITLE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES CHAPTER 23 PROCUREMENT CODE, SECTION 23-12(2) RELATING TO SECURITY (BID BONDS); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Summary:

The Procurement Department is proposing a code amendment to the Procurement Code to allow for compliance with granting agencies. The proposed ordinance amends language in Section 23-12 (2) Security (Bid Bond).

The first reading of the proposed Ordinance amendment was approved at the October 9, 2024 City Commission meeting. Staff recommends that the City Commission adopt the proposed Ordinance.

Background:

The City of Hallandale Beach received a grant agreement from the Florida Department of Commerce (FDC). As a requirement to receive the funds, all construction solicitations must be approved by FDC prior to release. Upon FDC review, the City's current Security (Bid Bond) section of the Procurement Ordinance is too restrictive to comply with federal guidelines.

Current Situation:

To maintain continuity with the State of Florida and compliance with grantors, Procurement recommends the following revision to Section 23-12 (2) Security (Bid Bond) of the Procurement Ordinance:

Section 23-12. – Procedures for Purchases in Excess of \$50,000

(2) *Security (bid bonds)*. When the estimated cost of a construction contract is one hundred and fifty thousand dollars (\$150,000.00) or higher, or when otherwise deemed necessary by the city manager, security in the form of a bid bond issued by a surety company licensed to do business in the state or a cash bond in an amount equal to ten percent of the bid shall be prescribed in the public notices inviting bids. When the city manager deems it necessary to require a bid bond for bids less than \$150,000.00, the bond shall be in an amount equal to five percent of the bid. A vendor shall forfeit a bid security upon a refusal or failure to execute the contract within 15 calendar days of the notice of award of contract, unless the city is solely responsible for the delay in executing the contract. The city commission may, upon the refusal or failure of the successful vendor to execute the contract, award the contract to the next lowest vendor. When eligibility for county, state or federal grants requires differing security bond requirements than those enacted in this section, the requirements of this section shall be waived in favor of the requirements of the grant.

Why Action is Necessary:

Pursuant to Article V, Division I, Section 5.01 of the City of Hallandale Beach Charter, a City Ordinance is required to amend an existing Ordinance.

Cost Benefit:

There is no cost associated with this proposed code amendment.

PROPOSED ACTION:

The City Commission considers the attached Ordinance.

ATTACHMENT(S):

Exhibit 1 – Proposed Draft Ordinance

Prepared By: Andrea Lues
Andrea Lues
Procurement Director

Reviewed By: Noemy Sandoval
Noemy Sandoval
Assistant City Manager