



To: Pamela Katsaris

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in black ink, appearing to be "Craig E. Leen", is written over the name in the "From:" field.

RE: Legal Opinion Regarding Agenda Item for Emergency Management Services

Date: April 6, 2016

The purpose of the item was to allow the present contract to be extended so there would not be a gap between the expiration of the present contract and the effective date of a new contract. This purpose would be served whether the new contract is by piggyback or whether it is by RFP. I would also note that the item did not remove Procurement's discretion to proceed with something other than a piggyback if that was determined in Procurement's professional opinion to be in the City's interests.

As the representation regarding the piggyback was made in good faith, and the purpose of the item was to prevent a gap period, it is my opinion that Procurement may proceed with the contract extension and an RFP. This opinion is issued pursuant to section 2-201(e)(1) and (8) of the City Code, and is also a ruling pursuant to section 2-584 of the Procurement Code.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: FW: Opinion Requested: Agenda Item for Emergency Management Services
Date: Wednesday, April 06, 2016 2:57:25 PM
Attachments: [Signed Emergency Mgmt Services Cover Memo.pdf](#)
[Reso Emergency Mgmt Services.pdf](#)
[image001.png](#)
[image002.png](#)

Please publish.

Craig E. Leen, City Attorney

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From: Leen, Craig
Sent: Wednesday, April 06, 2016 2:57 PM
To: Katsaris, Pamela
Cc: Ramos, Miriam; Figueroa, Yaneris; Gomez, Diana
Subject: RE: Opinion Requested: Agenda Item for Emergency Management Services

Good afternoon, Pam. The purpose of the item was to allow the present contract to be extended so there would not be a gap between the expiration of the present contract and the effective date of a new contract. This purpose would be served whether the new contract is by piggyback or whether it is by RFP. I would also note that the item did not remove Procurement's discretion to proceed with something other than a piggyback if that was determined in Procurement's professional opinion to be in the City's interests.

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Celebrating 90 years of a dream realized.

From: Katsaris, Pamela

Sent: Wednesday, April 06, 2016 1:37 PM

To: Leen, Craig

Cc: Ramos, Miriam; Figueroa, Yaneris; Gomez, Diana

Subject: Opinion Requested: Agenda Item for Emergency Management Services

Good afternoon Craig,

The enclosed commission agenda item, C-6, was approved at the last meeting on March 29.

The title of the item indicates extending the contract until such time as a new contract is executed.

The body of the item indicates "In order to allow time to complete a new piggyback agreement with Witt O'Brien's, LLC, utilizing the City of Pompano Beach, Florida contract (Request for Proposal E67-14, titled Disaster Recovery Management Services), it is recommended that the current contract be extended until June 30, 2016, or until such time as a new agreement is executed."

Procurement is now leaning toward competitively soliciting these services via an RFP to select a contractor, instead of "piggybacking" the Pompano Beach contract with Witt O'Brien's.

Please provide your opinion as to whether we can begin processing the RFP, while extending the

existing contract, given the enclosed agenda item that was passed.

If Procurement is required to bring a new resolution specifying we will not be “piggybacking” Pompano’s contract with Witt O’Brien’s, but instead processing our own solicitation, we will need to bring this to the April 26 commission meeting.

Your opinion is greatly appreciated.

Thanks and regards,

Pamela J. Leja-Katsaris, CPPO, CPPB

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