

Legislation Text

File #: 19-240, **Version:** 1

P.H. 2019-31: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 32.49, "CONE OF SILENCE," PROVIDING DEFINITIONS, PROHIBITING CERTAIN COMMUNICATIONS DURING CERTAIN TIME PERIODS WITHIN COMPETITIVE SOLICITATIONS, PROVIDING EXEMPTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Otis Thomas)

Summary Explanation/Background:

The cone of silence establishes a prohibition on any communication regarding a particular Request for Proposals (RFP), Request for Qualifications (RFQ), Request for Letters of Interest (RLI), Invitation for Bid (IFB), or other competitive solicitation between: Any person who seeks an award, including a potential vendor or vendor's representative and any member of the City Commission, all other City employees, and any non-employee appointed to evaluate or recommend selection in such procurement process.

The Cone of Silence limits communications held between vendors/vendor's representative and elected City of Pompano Beach officials, City Manager, Selection/Evaluation Committee, and City staff during the period in which a Formal Solicitation is open. A Formal Solicitation involves purchases of goods, supplies, and contractual services when the estimated cost will exceed \$75,000.

Staff is requesting approval of this Ordinance to revise the Code of Ordinances section 32 "Departments" to Create Section 32.49 "Cone of Silence."

Origin of request for this action: Staff

Fiscal impact and source of funding: N/A