

1 Introduced by Council Member Peluso:
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4 **ORDINANCE 2023-832**

5 AN ORDINANCE AUTHORIZING THE MAYOR AND
6 CORPORATION SECRETARY TO EXECUTE A CONTRACT WITH
7 JACKSONVILLE UNIVERSITY FOR THE CONTINUING
8 MANATEE PROTECTION STUDIES FOR FISCAL YEAR 2023-
9 2024, WITH UP TO FOUR ANNUAL RENEWALS, SUBJECT
10 TO APPROPRIATION BY CITY COUNCIL; INVOKING
11 SECTION 126.107(G), *ORDINANCE CODE*, TO WAIVE
12 COMPETITIVE SOLICITATION AND BIDDING FOR SAID
13 CONTRACT; PROVIDING AN EFFECTIVE DATE.
14

15 **WHEREAS**, over the last many years the City of Jacksonville has
16 engaged Jacksonville University to provide marine science support,
17 particularly in developing and refining the City's Manatee Protection
18 Plan; and

19 **WHEREAS**, the University's Gerard Pinto, Ph.D., a highly-regarded
20 expert on marine mammals, especially manatees, is currently the
21 principal scientist under the contract with Jacksonville University;
22 and

23 **WHEREAS**, effective on September 11, 2018, the City Council
24 approved legislation, Ordinance 2018-540-E, authorizing the City to
25 enter into a contract with Jacksonville University for supporting a
26 manatee protection plan in the St. Johns River; and

27 **WHEREAS**, subsequently, from October 1, 2018 through September
28 30, 2022, the City of Jacksonville entered into amendments to the
29 contract, exercising renewal options in Ordinances 2019-045-E, 2020-
30 588-E, 2021-718-E and 2023-54-E; and

31 **WHEREAS**, Jacksonville University has compiled a comprehensive

1 database for the Duval County Manatee Protection Plan over the last
2 20 years; and

3 **WHEREAS**, the City of Jacksonville desires to continue the study
4 of the manatees and boaters in the most cost effective manner without
5 interruption; and

6 **WHEREAS**, the current contract, as renewed, with Jacksonville
7 University expired on September 30, 2023, and is not eligible for
8 renewal; now therefore

9 **BE IT ORDAINED** by the Council of the City of Jacksonville:

10 **Section 1. Authorizing the Mayor and Corporation Secretary**
11 **to Execute Contract for Continuing Manatee Protection Studies.**

12 Subject to appropriation by the City Council, the Mayor, or her
13 designee, and Corporation Secretary are authorized to execute a
14 contract with Jacksonville University for the services of Dr. Gerard
15 Pinto for continuing manatee protection studies for fiscal year 2023-
16 2024, with up to four (4) annual renewals, in substantially the same
17 form as contained in **Exhibit 1** attached hereto and, by this reference
18 made a part hereof. The Agreement may include such additions,
19 deletions, and changes as may be reasonable, necessary, and incidental
20 for carrying out the purpose thereof, as may be acceptable to the
21 Mayor or her designee, with such inclusion and acceptance being
22 evidenced by execution of the Agreement by the Mayor or her designee.
23 No modification of the Agreement may increase the financial
24 obligations or the liability of City and any such modification shall
25 be technical only and shall be subject to appropriate legal review
26 and approval of the General Counsel or his or her designee and all
27 other appropriate action required by law.

28 **Section 2. Invoking the exception pursuant to Section**
29 **126.107(g), Ordinance Code; Authorization to execute contract.**

30 Considering the expertise of Dr. Pinto, the long-standing
31 relationship between the City and Jacksonville University concerning

1 manatee research in the Lower St. Johns River, and the continuing
2 need for marine science support, the Council hereby invokes Section
3 126.107(g), *Ordinance Code*, to exempt such services from competitive
4 solicitation. The City is hereby authorized to directly procure the
5 services of Jacksonville University without the necessity of
6 competitive bidding, to perform continuing manatee protection studies
7 for fiscal year 2023-2024, with up to four (4) annual renewals. With
8 the exception of the foregoing, all other provisions of Chapter 126,
9 *Ordinance Code*, shall remain in full force and effect.

10 **Section 3. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

13 Form Approved:

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15 /s/ Harry M. Wilson, IV

16 Office of General Counsel

17 Legislation Prepared By: Harry M. Wilson, IV

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