

1 Introduced by Council Members Carlucci and DeFoor:
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4 **ORDINANCE 2020-703-W**

5 AN ORDINANCE APPROPRIATING \$26,500 FROM
6 SPECIAL EVENTS - FLORIDA GEORGIA GAME
7 CONTINGENCY TO PROVIDE FUNDING TO ROBERT
8 CHARLES LESSER & CO., LLC ("RCLCO") FOR LOT J
9 CONSULTING AND RELATED PROFESSIONAL SERVICES;
10 AUTHORIZING THE MAYOR, OR HIS DESIGNEE, AND
11 CORPORATION SECRETARY TO EXECUTE AN AGREEMENT
12 BETWEEN THE CITY OF JACKSONVILLE AND RCLCO
13 FOR STRATEGIC REVIEW AND ANALYSIS OF THE LOT J
14 DEVELOPMENT PROJECT; INVOKING THE EXCEPTION OF
15 SECTION 126.107(G) (EXEMPTIONS), PART 1
16 (GENERAL REGULATIONS), CHAPTER 126
17 (PROCUREMENT CODE), *ORDINANCE CODE*, TO ALLOW
18 FOR A DIRECT CONTRACT WITH RCLCO; WAIVING
19 SECTION 110.112 (ADVANCE OF CITY FUNDS;
20 PROHIBITION AGAINST), PART 1 (THE CITY
21 TREASURY), CHAPTER 110 (CITY TREASURY),
22 *ORDINANCE CODE*, TO ALLOW FOR A PARTIAL ADVANCE
23 PAYMENT BY THE CITY; REQUESTING EMERGENCY
24 PASSAGE UPON INTRODUCTION; REQUESTING THE
25 MAYOR EXPEDITE SIGNATURE OF THIS LEGISLATION
26 AND RELATED CONTRACT TO AFFORD TIME FOR RCLCO
27 TO REVIEW THE LOT J DEVELOPMENT PROJECT;
28 PROVIDING FOR OVERSIGHT BY THE OFFICE OF THE
29 COUNCIL SECRETARY; PROVIDING AN EFFECTIVE
30 DATE.
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1 Section 1 is to provide funding in the amount of \$26,500 to allow
2 Robert Charles Lesser & Co., LLC ("RCLCO") to assist with
3 evaluating the market viability and feasibility of the Lot J
4 Project as part of its due diligence for the City. A statement of
5 qualifications is attached hereto as **Exhibit 2**.

6 **Section 3. Authorization.** The Mayor, or his designee,
7 and Corporation Secretary are hereby authorized to execute and
8 deliver that certain Professional Services Agreement between the
9 City of Jacksonville ("City") and RCLCO, in substantially the form
10 attached hereto as **Exhibit 3** and incorporated herein (the
11 "Agreement"). A copy of RCLCO's statement of qualifications is
12 attached hereto as **Exhibit 2**. The Mayor, or his designee, and the
13 Corporation Secretary is further authorized to execute an amendment
14 to the Agreement for the sole purpose only of increasing the
15 maximum indebtedness amount in the Agreement, subject to the
16 availability of lawfully appropriated funds, to engage RCLCO to
17 perform the Optional Additional Phase 2 Services (as defined in the
18 Agreement) in accordance with the fee summary and payment schedule
19 for such services as set forth in the Agreement.

20 **Section 4. Invoking the exception to Section 126.107(g),**
21 **Ordinance Code.** The City is hereby authorized to procure the
22 use of the professional services of RCLCO, to evaluate the
23 viability and feasibility of the Lot J Project. Pursuant to Section
24 126.107(g) (Exemptions), Part 1 (General Regulations), Chapter 126
25 (Procurement Code), *Ordinance Code*, such procurement is exempted
26 from competitive solicitation because the supplies or services are
27 to be provided by those specifically prescribed within authorizing
28 legislation that appropriates the same. With the exception of the
29 foregoing, all other provisions of Chapter 126, *Ordinance Code*,
30 shall remain in full force and effect. The Scope of Services is
31 more particularly described in **Exhibit 3** and designates specific

1 services to be performed by RCLCO, as a subrecipient/contractor for
2 the City.

3 **Section 5. Waiving Section 110.112, Ordinance Code.**

4 Section 110.112 (Advance of City funds; prohibition against), Part
5 1 (The City Treasury), Chapter 110 (City Treasury), Ordinance Code,
6 is hereby waived to allow for a partial advance payment as
7 described in the fee summary and payment schedule set forth in
8 Exhibit A-2 of the Agreement.

9 **Section 6. Requesting emergency passage upon introduction**
10 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon

11 introduction of this legislation is requested. The nature of the
12 emergency is that Ordinance 2020-648 is currently pending before
13 Council and there is an immediate need for a third-party
14 independent market analysis.

15 **Section 7. Requesting the Mayor expedite signature of**
16 **this legislation and related contract to afford the time for RCLCO**
17 **to review the Lot J development project.** The Mayor is requested to

18 expedite signature of this legislation and related contract to
19 afford time to RCLCO to review the Lot J Project considering need
20 for transparency to the Council, Administration and the public
21 since the Lot J Project is arguably the largest public private
22 partnership in the history of Jacksonville and merits a third-party
23 independent market analysis.

24 **Section 8. Oversight.** The Office of the Council Secretary
25 shall oversee the agreement described herein.

26 **Section 9. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

29 Form Approved:

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31 /s/ Paige H. Johnston

1 Office of General Counsel
2 Legislation prepared by: Margaret M. Sidman
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