



To: Marc Stolzenberg

From: Bridgette Thornton, Deputy City Attorney for the City of Coral Gables

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

RE: Legal Opinion Regarding Fire Department Grant Funded Procurement

Date: January 27, 2015

After reviewing the grant materials I agree with Michael's assessment that Procurement Code Section 2-583 provides relief from compliance with the normal procurement process in this situation because the expenditure is necessary to comply with the terms of a federal grant. Moreover, the grant agreement was previously approved by the Commission.

Herbello, Stephanie

From: Leen, Craig
Sent: Tuesday, January 27, 2015 6:13 PM
To: Chen, Brigitte; Herbello, Stephanie
Subject: FW: Fire Department Grant Funded Procurement

Please place in opinion folder.

Craig E. Leen, City Attorney
*Board Certified by the Florida Bar in
City, County and Local Government Law*
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Leen, Craig
Sent: Tuesday, January 27, 2015 6:12 PM
To: Thornton, Bridgette; Stolzenberg, Marc
Cc: Pounds, Michael; Figueroa, Yaneris; Chen, Brigitte; Parramore, Carol
Subject: RE: Fire Department Grant Funded Procurement

Pursuant to section 2-201(e)(1) and (8), and section 2-584, I agree with the Deputy City Attorney's interpretation, and adopt it as my own.

Craig E. Leen, City Attorney
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From: Thornton, Bridgette
Sent: Tuesday, January 27, 2015 3:08 PM
To: Stolzenberg, Marc; Leen, Craig
Cc: Pounds, Michael; Figueroa, Yaneris; Chen, Brigitte; Parramore, Carol
Subject: RE: Fire Department Grant Funded Procurement
Importance: High

Good Afternoon Chief,

After reviewing the grant materials I agree with Michael's assessment that Procurement Code Section 2-583 provides relief from compliance with the normal procurement process in this situation because the expenditure

is necessary to comply with the terms of a federal grant. Moreover, the grant agreement was previously approved by the Commission.

Craig, please advise if you agree. This is a very time-sensitive matter.

Thank you,
Bridgette

Bridgette N. Thornton
Deputy City Attorney for the City of Coral Gables
405 Biltmore Way, 2nd Floor
Coral Gables, FL 33134
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Fax: (305) 476-7795

From: Stolzenberg, Marc
Sent: Friday, January 23, 2015 2:00 PM
To: Thornton, Bridgette
Cc: Pounds, Michael
Subject: Fwd: Fire Department Grant Funded Procurement

Thanks for taking a look.

Marc Stolzenberg
Coral Gables Fire Department
Fire Chief
Sent from my iPhone

Begin forwarded message:

From: "Pounds, Michael" <mpounds@coralgables.com>
Date: January 22, 2015 at 12:29:44 PM EST
To: "Leen, Craig" <cleen@coralgables.com>
Cc: "Gomez, Diana" <dgomez@coralgables.com>, "Stolzenberg, Marc" <mstolzenberg@coralgables.com>
Subject: Fire Department Grant Funded Procurement

Craig:

Please give me a call at your earliest opportunity. The Fire Department requires a timely purchase to meet the terms of their grant, which may not be achieved by waiting for the February 10, 2015 Commission Meeting. I would like to discuss Procurement Code Section 2-583. Application of this Code, which may provide relief in this situation, as followed below:

Sec. 2-583. Application of this Code.

(b) *Application to procurement.* This Code shall apply to every purchase/procurement of supplies, services and construction by the city commissioners, the city manager, the city clerk, the city attorney and all city departments/divisions, regardless of the source of funds, including state, federal, county assistance monies, except as otherwise specified by law. It shall also apply to the disposal of surplus. Nothing in this Code or in the administrative regulations promulgated hereunder shall

prevent the city from complying with terms and conditions of any grant, gift, bequest, or cooperative agreement.

Mike Pounds
Chief Procurement Officer
City of Coral Gables
2800 SW 72nd Avenue
Miami, FL 33155
Phone (305) 460-5101