



To: Diana Gomez, Finance Director
Peter Iglesias, Interim City Manager

From: Miriam Soler Ramos, City Attorney *MSR*

RE: Legal Opinion Regarding Ordinance Procurement Exemption

Date: September 13, 2018

In my opinion, notifying the Commission within 7 days of the execution date is appropriate and in line with the spirit of the Ordinance. Generally, it is preferable to have the effective date be the same as the execution date. However, where that is not possible, then the date the contract is executed should be the date that starts the clock for the 7 days required under the Ordinance.

This opinion is issued in accordance with Sec. 2-252(e)(1) and (8) of the City Code.

From: [Ramos, Miriam](#)
To: [Paulk, Enga](#)
Subject: FW: Ordinance regarding procurement exemption
Date: Thursday, September 13, 2018 2:11:36 PM
Attachments: [image002.png](#)
[image005.png](#)

Please publish.

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

*Board Certified by the Florida Bar in
City, County, and Local Government Law*
City of Coral Gables
405 Biltmore Way, 3rd Floor
Coral Gables, FL 33134
(305) 460-5218
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From: Ramos, Miriam
Sent: Thursday, September 13, 2018 2:11 PM
To: Gomez, Diana <dgomez@coralgables.com>; Iglesias, Peter <piglesias@coralgables.com>
Cc: Suarez, Cristina <csuarez@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>
Subject: RE: Ordinance regarding procurement exemption

Diana,

In my opinion, notifying the Commission within 7 days of the execution date is appropriate and in line with the spirit of the Ordinance. Generally, it is preferable to have the effective date be the same as the execution date.

However, where that is not possible, then the date the contract is executed should be the date that starts the clock for the 7 days required under the Ordinance.

This opinion is issued in accordance with Sec. 2-252(e)(1) and (8) of the City Code.

Sincerely,

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

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From: Gomez, Diana

Sent: Thursday, September 13, 2018 12:01 PM

To: Iglesias, Peter <piglesias@coralgables.com>; Ramos, Miriam <mramos@coralgables.com>

Cc: Suarez, Cristina <csuarez@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>

Subject: RE: Ordinance regarding procurement exemption

Miriam,

The ordinance says “effective date” however, it should be “execution date” ... sometimes departments back date the effective date even though it was executed by the Clerk afterwards. Could you, by City Attorney Opinion, add clarification that the date after which the CM must provide

notice to the Commission be within 7 days of having the contract “fully executed”...? Let me know if that would be ok.

As for the one item that was fully executed yesterday, Celeste is adding a column to the memo that provides for the execution date (because the effective date was back in August)... at least this way it should be clear to the Commission that the contract was signed yesterday and they will be notified today.... See attached.

Let me know.

Thanks.

Diana M. Gomez

Finance Director

City of Coral Gables

dgomez@coralgables.com

PH: 305.460.5275

FX: 305.460.5376



From: Iglesias, Peter

Sent: Wednesday, September 12, 2018 10:34 PM

To: Ramos, Miriam <mramos@coralgables.com>

Cc: Gomez, Diana <dgomez@coralgables.com>; Suarez, Cristina <csuarez@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>

Subject: Re: Ordinance regarding procurement exemption

Diana,

I would also like to streamline the process, let's incorporate the edits by the City Attorney and proceed.

Thank you

Peter J Iglesias, P.E.

Assistant City Manager

Building Official

Sent from my iPhone

On Sep 12, 2018, at 3:21 PM, Ramos, Miriam <mramos@coralgables.com> wrote:

Diana, this is a good way to streamline the notification. Attached please see my suggested edits.

Thanks,

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

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<image003.png>

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From: Gomez, Diana

Sent: Wednesday, September 12, 2018 1:54 PM

To: Ramos, Miriam <mramos@coralgables.com>; Iglesias, Peter <piglesias@coralgables.com>

Cc: Suarez, Cristina <csuarez@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>

Subject: RE: Ordinance regarding procurement exemption

FYI. Celeste has developed a memo template (see attached) whereby upon execution she will inform the Commission. Please review the attached and advise if the format satisfies the requirement... Is it ok that the memo come directly from Celeste? The contract listed on the attached is expected to be executed today or tomorrow and the memo will be sent out shortly thereafter.

Regards,

Diana M. Gomez

Finance Director

City of Coral Gables

dgomez@coralgables.com

PH: 305.460.5275

FX: 305.460.5376

<image004.jpg>

From: Ramos, Miriam

Sent: Wednesday, September 12, 2018 1:46 PM

To: Iglesias, Peter <piglesias@coralgables.com>

Cc: Suarez, Cristina <csuarez@coralgables.com>; Gomez, Diana <dgomez@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>

Subject: Ordinance regarding procurement exemption

Peter,

At yesterday's Commission meeting, an ordinance was passed on second reading that provides for a notice requirement for contracts entered into with consultants for professional services under Sec. 2-607(24) of the City Code. Please note that for any contract over \$25,000, not including related expenses, the City Manager must now notify the City Commission within 7 days via memorandum.

Sincerely,

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

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<image005.png>

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<Commission Memo - PSA Report - MSR edits 9-12-18.docx>