

RESOLUTION NO. 25-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN AGREEMENT WITH BJCE, INC., FOR MANAGEMENT SERVICES FOR THE DELRAY BEACH GOLF CLUB AND LAKEVIEW GOLF COURSE, PURSUANT TO A BID WAIVER; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach (the “City”) is authorized to enter into agreements to provide services, programming, and products in accordance with its Charter; and

WHEREAS, the City requires management services for the Delray Beach Golf Club and Lakeview Golf Course; and

WHEREAS, on May 2, 2017, the City and BJCE, Inc. (the “Contractor”), pursuant to Request for Proposals No. 2016-079, entered into a two-year agreement with two one-year renewal options to provide management services for the Delray Beach Golf Club and Lakeview Golf Course (the “Original Agreement”); and

WHEREAS, the Original Agreement also permitted the City to request a six-month extension to the term of the Agreement in the event of its expiration; and

WHEREAS, the City exercised both options to renew and the six-month extension, extending the Original Agreement through October 31, 2021; and

WHEREAS, during the August 24, 2021, City Commission Budget Workshop Meeting, the City Commission expressed a desire to seek Letters of Interest for a Public Private Partnership (P3) for the redesign, construction, and management of the Delray Beach Golf Club; and

WHEREAS, on September 23, 2021, due to the City Commission’s intention to seek Letters of Interest for a P3, the full and open competitive acquisition process was waived, and the City and Contractor entered into a new one year agreement to continue providing management services for the Delray Beach Golf Club and the Lakeview Golf Course, from October 31, 2021, through October 30, 2022 (the “Second Agreement”); and

WHEREAS, on August 10, 2022, the City issued a Request for Proposals (RFP) No. 2022-053 for a P3 to redesign, construct, and manage the Delray Beach Golf Club; and

WHEREAS, on September 21, 2022, in accordance with the Purchasing Policies and Procedures Manual, the City Manager extended the Second Agreement for one hundred eighty (180) days, extending the term through March 22, 2023; and

WHEREAS, the solicitation process for RFP 2022-053 was not going to be completed prior to the

expiration of the Second Agreement; and

WHEREAS, given the ongoing solicitation for the redevelopment of the Delray Beach Golf Club, the City waived the full and open competitive acquisition process to continue receiving management services from the Contractor for the Delray Beach Golf Club and Lakeview Golf Course through March 27, 2024; and

WHEREAS, the City rejected all proposals associated with RFP 2022-053; and

WHEREAS, on January 5, 2024, the City issued Request for Information (RFI) No. 2024-013 to obtain management services for the Delray Beach Golf Club and Lakeview Golf Course; and

WHEREAS, the solicitation process for RFI 2024-013 will not be completed prior to March 27, 2024; and

WHEREAS, on March 5, 2024, the City waived the full and open competitive acquisition process to continue receiving management services from the Contractor for the Delray Beach Golf Club and Lakeview Golf Club; and

WHEREAS, the City rejected all proposals associated with RFI2024-013; and

WHEREAS, the City continues to require management services for the Delray Beach Golf Club and Lakeview Golf Course; and

WHEREAS, it is in the best interest of the City to waive the full open and competitive acquisition process to receive uninterrupted management services for the Delray Beach Golf Club and the Lakeview Golf Course; and

WHEREAS, on January 8, 2025, in accordance with Section 38 of the City's Purchasing Policies and Procedures Manual, the City approved a bid waiver to enter into an agreement with Contractor for management services pursuant to the Memorandum attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the City desires to enter into an agreement with the Contractor in accordance with the City's Bid Waiver policy (the "Agreement"); and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. The City Commission of the City of Delray Beach has reviewed and hereby approves the Agreement between the City and Contractor, attached hereto and incorporated herein as Exhibit "B".

Section 3. The City Commission authorizes the City Manager to take any actions necessary to effectuate the intent of this Resolution.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the ____ day of _____, 2025.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney