



To: Walter Foeman, City Clerk

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

RE: Legal Opinion Regarding Procurement Code - Procurement Officer Change

Date: September 28, 2017

The title “chief procurement officer” is no longer in use and has been changed, consistent with applicable administrative authority, to “procurement officer.” The Code is now incorrect and superseded, and must therefore be corrected to reflect this administrative change. The City Attorney has been granted express authority to take such action under section 2-201(e)(9) of the City Code. Accordingly, pursuant to that section, as well as the City Attorney’s authority to issue rulings regarding the Procurement Code in section 2-584, please make the following administrative corrections:

1. Change “chief procurement officer” to “procurement officer” throughout the Code.
2. Change the following definition in the Procurement Code:

Chief procurement officer means the person holding the position as the director of the finance department of the City of Coral Gables, or their designee, that is responsible for procuring supplies, services and construction.

to now read as follows:

Procurement officer means the person holding the position as the director of the finance department of the City of Coral Gables, or the duly authorized designee, assuming the responsibility for procuring supplies, equipment, services and construction, and recommending contract approval by the City Manager.

Please note, the additional language in the procurement officer definition is consistent with the procurement officer’s authority in other provisions of the procurement code (including section 2-650), and would thereby improve the format and understandability of the Code to include here, so may be administratively included pursuant to sections 2-201(e)(9) and 2-584 of the City Code.

Please notify the Municipal Code Corporation of these administrative corrections.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: FW: Procurement Code - Procurement Officer Change
Date: Thursday, September 28, 2017 4:35:13 PM
Attachments: [image001.png](#)
[image002.png](#)

Please publish.

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



Celebrating 90 years of a dream realized.

From: Leen, Craig
Sent: Thursday, September 28, 2017 4:34 PM
To: Foeman, Walter <wfoeman@coralgables.com>
Cc: Gomez, Diana <dgomez@coralgables.com>; Ramos, Miriam <mramos@coralgables.com>;
Urquia, Billy <burquia@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>; Suarez,
Cristina <csuarez@coralgables.com>; Throckmorton, Stephanie <sthrockmorton@coralgables.com>
Subject: RE: Procurement Code - Procurement Officer Change

Mr. Clerk,

The title "chief procurement officer" is no longer in use and has been changed, consistent with applicable administrative authority, to "procurement officer." The Code is now incorrect and superseded, and must therefore be corrected to reflect this administrative change. The City Attorney has been granted express authority to take such action under section 2-201(e)(9) of the

City Code. Accordingly, pursuant to that section, as well as the City Attorney's authority to issue rulings regarding the Procurement Code in section 2-584, please make the following administrative corrections:

1. Change "chief procurement officer" to "procurement officer" throughout the Code.
2. Change the following definition in the Procurement Code:

Chief procurement officer means the person holding the position as the director of the finance department of the City of Coral Gables, or their designee, that is responsible for procuring supplies, services and construction.

to now read as follows:

Procurement officer means the person holding the position as the director of the finance department of the City of Coral Gables, or the duly authorized designee, assuming the responsibility for procuring supplies, equipment, services and construction, and recommending contract approval by the City Manager.

Please note, the additional language in the procurement officer definition is consistent with the procurement officer's authority in other provisions of the procurement code (including section 2-650), and would thereby improve the format and understandability of the Code to include here, so may be administratively included pursuant to sections 2-201(e)(9) and 2-584 of the City Code.

Please notify the Municipal Code Corporation of these administrative corrections.

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



Celebrating 90 years of a dream realized.

From: Leen, Craig

Sent: Wednesday, September 27, 2017 10:13 PM

To: Gomez, Diana <dgomez@coralgables.com>

Cc: Ramos, Miriam <mramos@coralgables.com>; Foeman, Walter <wfoeman@coralgables.com>;
Urquia, Billy <burquia@coralgables.com>; Walker, Celeste <cwalker@coralgables.com>; Suarez,
Cristina <csuarez@coralgables.com>; Throckmorton, Stephanie <sthrockmorton@coralgables.com>

Subject: Re: Procurement Code - Procurement Officer Change

Yes, I have reviewed, and this can be done administratively. My office will issue an opinion doing so tomorrow.

Sent from my iPhone

On Sep 26, 2017, at 6:01 PM, Gomez, Diana <dgomez@coralgables.com> wrote:

Hi Craig:

Can you please advise if the following changes can be done administratively?

Change **“Chief Procurement Officer”** to **“Procurement Officer”** throughout the Code.

Change the following definition:

From:

Chief procurement officer means the person holding the position as the director of the finance department of the City of Coral Gables, or their designee, that is responsible for procuring supplies, services and construction.

To:

Procurement officer means the person holding the position as the director of the finance department of the City of Coral Gables, or the duly authorized designee, assuming the responsibility for procuring supplies, equipment, services and construction, and recommending contract approval by the City Manager.

Thanks.

Diana M. Gomez

Finance Director

City of Coral Gables

dgomez@coralgables.com

PH: 305.460.5275

FX: 305.460.5376

<image002.jpg>