Meeting Date: 9/22/2026 **Agenda Item Number:** 54.

Broward County Commission Regular Meeting
Director's Name: Leonard Vialpando
Department: Public Works and Environmental Services
Division: Administration

Information

Requested Action

MOTION TO DETERMINE, after consideration of the factors required by Section 255.065(3)(c), Florida Statutes, including the public comments received, that the unsolicited public-private partnership proposal submitted by Dependable Equities, LLC ("Dependable Equities"), as amended by its August 12, 2026, addendum, for demolition of an existing County-owned structure and site clearing of County-owned property located at 400 NE 4th Street, Fort Lauderdale, Florida 33301 ("400 Property"), and for the temporary use of the cleared 400 Property and the additional County-owned property located at 408 NE 4th Street, Fort Lauderdale, Florida 33301, for construction logistics and support activities, is in the public's interest; to approve the findings supporting the public interest determination set forth in the Staff Report to be distributed as Exhibit 3, to include the public comments received at the September 10, 2026, duly noticed public meeting; to direct the County Administrator to publish the report required by Section 255.065(3)(d), Florida Statutes, in the Florida Administrative Register for at least seven days; and to direct the County Administrator to proceed with further evaluation and negotiation of a comprehensive agreement with Dependable Equities, subject to satisfaction of the remaining requirements of Section 255.065, Florida Statutes, and to return any proposed comprehensive agreement to the Board for approval. **(Commission District 4)**

Why Action is Necessary

Section 255.065(3)(c), Florida Statutes, establishes the process by which a responsible public entity may proceed with an unsolicited proposal without engaging in a public bidding process. The statute requires the proposal to be presented at a duly noticed public meeting at which affected public entities and members of the public are provided an opportunity to comment and, a second duly noticed public meeting, at which the responsible public entity considers the statutory factors and determines whether the proposal is in the public's interest.

What Action Accomplishes

Satisfies the requirement of Section 255.065(3)(c), Florida Statutes, for the second duly noticed public meeting; considers the statutory factors and supporting findings; determines whether the unsolicited proposal is in the public's interest; and, if the Board determines that the proposal is in the public's interest, authorizes the publication of the report required by Section 255.065(3)(d), Florida Statutes, and continued evaluation and negotiation of a comprehensive agreement, subject to the remaining statutory requirements and subsequent Board approval of any comprehensive agreement.

Goal Related Icon(s)

☐County Commission
☐Go Green
☐MAP Broward

Previous Action Taken
On August 20, 2026 (Agenda Item No. 44), the Board directed the County Administrator to proceed with further evaluation of the unsolicited public-private partnership proposal submitted by Dependable Equities, LLC, as amended by its August 12, 2026, addendum, and to utilize the process set forth in Section 255.065(3)(c), Florida Statutes, rather than the public bidding process set forth in Section 255.065(3)(b), Florida Statutes. On September 10, 2026 (Agenda Item No. 52), the Board held the first duly noticed public meeting required by Section 255.065(3)(c), Florida Statutes, received a presentation of the unsolicited proposal, provided affected public entities and members of the public an opportunity to comment, and directed the County Administrator to return the proposal to the Board for the second duly noticed public meeting required by Section 255.065(3)(c), Florida Statutes.

Summary Explanation/Background
THE COUNTY ADMINISTRATOR AND THE PUBLIC WORKS AND ENVIRONMENTAL SERVICES DEPARTMENT RECOMMEND APPROVAL OF THE ABOVE MOTION.

On May 22, 2026, Broward County ("County") Administration received an unsolicited proposal from Dependable Equities, LLC ("Proposer"), concerning County-owned property located at 400 NE 4th Street, Fort Lauderdale, Florida 33301, formerly known as the Sexual Assault Treatment Center ("400 Property"), see Exhibit 1. On August 12, 2026, the Proposer submitted an addendum to its initial proposal requesting inclusion of additional County-owned property located at 408 NE 4th Street, Fort Lauderdale, Florida 33301 ("408 Property"), as part of the proposal, see Exhibit 2.

Under the unsolicited proposal, as amended, the Proposer is offering to demolish the existing County -owned structure and perform site cleaning at the 400 Property at its sole cost and expense and is requesting temporary use of the cleared 400 Property and the 408 Property for construction logistics and support activities, all associated with Proposer's adjacent Ombelle mixed-use development located at 316 NE 4th Street, Fort Lauderdale, Florida 33301. The Proposer seeks a 36-month Temporary Use Agreement that would permit the County to terminate the Proposer's temporary use upon 30 days' notice.

On August 20, 2026, the Board directed the County Administrator to proceed with further evaluation of the proposal and to initiate the process set forth in Section 255.065(3)(c), Florida Statutes. On September 10, 2026, the Board held the first duly noticed public meeting required by Section 255.065 (3)(c), Florida Statutes. At that meeting, County staff presented the unsolicited proposal and affected public entities and members of the public were provided an opportunity to comment. The Board thereafter directed the County Administrator to return the proposal to the Board for the second duly noticed public meeting required by Section 255.065(3)(c), Florida Statutes.

In accordance with Section 255.065(3)(c), Florida Statutes, this item constitutes the second duly noticed public meeting, at which the Board may determine whether the proposal is in the public's interest after considering the factors specified in Section 255.065(3)(c), Florida Statutes. These factors include:

1. The benefits to the public;

2. The financial structure of and the economic efficiencies achieved by the proposal;
3. The qualifications and experience of the private entity that submitted the proposal and such entity's ability to perform the project;
4. The project's compatibility with regional infrastructure plans; and
5. Public comments submitted at the first duly noticed public meeting.

The Staff Report to be distributed as Exhibit 3 will set forth staff's analysis and proposed findings addressing each of the five statutory factors. Because the September 22, 2026, agenda was prepared before the September 10, 2026, duly noticed public meeting, the Staff Report (which must address public comments received at the September 10, 2026, first duly noticed public meeting) will be completed following the September 10, 2026 meeting, and provided to the Board as Additional Material before consideration of this item.

Exhibit 3 will constitute staff's proposed findings for the Board's consideration in determining whether the unsolicited proposal is in the public's interest.

If the Board determines that the proposal is in the public's interest and decides that the proposal should proceed, Section 255.065(3)(d), Florida Statutes, requires the County to publish in the Florida Administrative Register for at least seven days a report that includes:

1. The public interest determination;
2. Factors considered in making the public interest determination; and
3. The County's findings based on each considered factor.

If the Board determines that the proposal is in the public's interest, the requested action would also direct the County Administrator to proceed with further evaluation and negotiation of a comprehensive agreement with the Proposer. The Board's public interest determination would not constitute approval of a comprehensive agreement or otherwise obligate the County to proceed with the project. Any comprehensive agreement would remain subject to satisfaction of the remaining requirements of Section 255.065, Florida Statutes, and subsequent Board approval. Additionally, before any contract is awarded, the County must perform the independent analysis required by Section 255.065(5)(d), Florida Statutes, demonstrating the cost-effectiveness and overall public benefit of the proposed public-private partnership.

Source of Additional Information
Dr. Jennifer Jurado, Deputy Director, PWESD, 954-519-1464.

Fiscal Impact

Fiscal Impact/Cost Summary
No additional fiscal impact is anticipated as a result of this action. Costs incurred by the County in evaluating the unsolicited proposal are intended to be paid from the application fee submitted by the Proposer and any additional evaluation fees required from the Proposer pursuant to Section 255.065, Florida Statutes.