

PUBLIC PROCUREMENT | APRIL 22, 2026

City of Miami Adopts New Procurement Ordinances: Enhanced Commission Authority over Unsolicited Proposals and Expanded Cooperative Purchasing Authority

Diana C. Mendez & Crystal Singh

Following the trend of procurement modernization efforts across South Florida, the City of Miami (“City”) has recently adopted two significant ordinances—[Ordinance No. 14453](#), which amended [Section 18-119](#) of the City of Miami Code (“City Code”), titled “Unsolicited Proposals,” and [Ordinance No. 14455](#), amending Sections [18-73](#) and [18-111](#) of the City Code to allow the City Manager to use cooperative purchasing arrangements to procure goods and services. The amendments refine the City’s procurement process to enhance Commission involvement in the receipt and consideration of unsolicited proposals and potentially reduce the time required for the City’s purchase of goods and services. Together, these amendments meaningfully change how and when procurement decisions are made, who is involved in those decisions, and how quickly contracts can be executed.

Amendments to the Unsolicited Proposal Process

Ordinance No. 14453 revises the City’s unsolicited proposal process under Section 18-119 of the City Code. The City Commission found that the existing language in Section 18-119(e) could be construed to require placement of an unsolicited proposal on a Commission agenda only when the City desired to enter into an agreement with the submitting entity, potentially allowing proposals to remain at the staff level without Commission consideration. The amendment clarifies the process: once an

unsolicited proposal is received by the City, the City Manager must formally notify the District Commissioner(s) where the project is located and, if the Commissioner(s) wish to further consider the proposal, the City Manager must present the proposal to the City Commission.

The amendment ensures that unsolicited proposals receive Commission attention earlier in the process, rather than potentially languishing without elected official review. In practical terms, this creates a defined path for Commissioners to signal interest in advancing a proposal, request modifications, or decline to proceed. It also enhances transparency by bringing unsolicited proposals into the public meeting process sooner. As a result, pursuing unsolicited opportunities will now depend not only on technical merit and financial feasibility, but also on early alignment with Commission priorities and the ability to withstand public scrutiny at a preliminary stage.

It is worth noting that Section 255.065, Florida Statutes, which governs public-private partnerships and the receipt of unsolicited proposals, now provides an alternative pathway that allows public entities to proceed with negotiations directly with the unsolicited proposal submitter under certain conditions, without first conducting a competitive solicitation. The City's amended ordinance does not incorporate this alternative pathway, instead retaining the requirement that the City publish notice and solicit competing proposals before awarding an unsolicited proposal project. While the ordinance's competitive framework ensures transparency and enhanced market participation, private entities considering an unsolicited proposal to the City should be aware that the process will likely involve a public solicitation period following Commission approval.

Expanded Cooperative Purchasing Authority

Cooperative purchasing is a strategy that allows government entities to procure goods and services through contracts that have already been competitively solicited by other entities, rather than conducting their own independent procurement. As we have discussed in a [prior post](#) on

cooperative purchasing in public procurement, this approach can save time and administrative resources, though it does not always guarantee the lowest prices due to the open-ended nature of many cooperative contracts. Cooperative purchasing can take several forms, including “piggybacking” on contracts awarded by other governmental entities or utilizing third-party cooperative purchasing programs—organizations dedicated to developing solicitations and conducting procurement processes on behalf of their members.

Ordinance No. 14455 amends Sections 18-73 and 18-111 of the City Code to expand the City’s cooperative purchasing authority. Prior to the amendment, Section 18-111 already permitted the City to piggyback on contracts competitively awarded by other governmental entities. The ordinance now formally defines “Cooperative Purchasing Organizations” (“Cooperatives”) and adds these third-party programs to the types of contract vehicles the City may utilize. The ordinance also delegates authority to the City Manager to make purchases under these contracts without approval by the City Commission, provided certain conditions are met, including, among others: (i) equivalent pricing structure and equal or better pricing than the vehicle being utilized, (ii) confirmation of required funding and budgetary approvals, and (iii) quarterly reporting to the City Commission.

The ordinance establishes thresholds for Commission review for large purchases. Purchases exceeding \$1.5 million under contracts with other governmental entities, or purchases exceeding \$5 million under Cooperatives, require advance notice to the Commission. If a City Commissioner objects, then the award must be presented at the next available City Commission meeting. The potential impact of this delegation is significant. According to the ordinance’s recitals, the City expects to reduce procurement cycle times by five to ten months depending on the type of solicitation, while freeing Procurement staff to focus on complex City-specific solicitations rather than routine agenda items.

Practical Considerations

Taken together, these ordinances reflect a dual-track approach to procurement. For routine purchases, the City is prioritizing speed and flexibility through expanded cooperative purchasing authority and delegated decision-making. For unsolicited proposals, the City is clarifying the process to ensure Commission involvement earlier in the review cycle. As such, City vendors and potential private partners should consider the following strategic adjustments:

- **Early Stakeholder Engagement.** For unsolicited proposals for public-private partnerships with the City, invest in understanding Commission priorities before submission. The new requirement for Commission presentation at a preliminary stage means that political alignment is now a threshold consideration.
- **Inform the City of Available Contracts.** Given the expanded role of cooperative purchasing, vendors seeking City business should proactively inform the City of contracts they hold with other governmental entities or Cooperatives that may be available for the City's use.
- **Piggyback-Ready Contracts.** Vendors should also consider structuring contracts with other governmental entities to be "piggyback-ready," ensuring the scope and terms are flexible enough to accommodate City needs and meet the ordinance's pricing and other conditions.
- **Commission Agenda Monitoring.** For unsolicited proposals and cooperative purchasing awards above the specified thresholds, monitoring Commission agendas will be important to track opportunities and decisions.

As with any significant procedural change, the true impact of these ordinances will become clearer as the City implements them and participants adapt their strategies accordingly. We will continue to monitor developments in City of Miami procurement and provide updates as the practical implications of these amendments come into sharper focus.



Diana C. Mendez
Partner, Public-Private Partnerships,
Government Contracting



Crystal Singh
Associate, Land Development & Government
Relations