

December 29, 2005

Mr. Jerome Ryans  
President/CEO  
The Housing Authority of  
the City of Tampa  
1529 Main Street  
Tampa, Florida 33607

**RE: OPINION LETTER REGARDING FURTHER NEGOTIATIONS WITH  
SELECTED FINALIST TO PRESENT A FINAL PROPOSAL FOR THE  
REVITALIZATION OF THE CENTRAL PARK PROPERTY**

Dear Mr. Ryans:

You have asked that I provide you with an opinion letter regarding whether you may continue negotiations with the selected finalist to present a final proposal to the Board of Commissioners ("Board") of the Housing Authority of the City of Tampa ("*THA*") pursuant to the procurement process for the revitalization of the Central Park property and in compliance with *THA*'s procurement policy and practices. This request was made necessary because the initial proposed revitalization plan proffered by the selected finalist has not fully materialized and consideration of an alternative revitalization plan has been proposed by the selected finalist. If this representation of your request is different in any material way from your recollection of your request, please contact me immediately. This analysis shall consider the information contained in the RFQ documents, the *THA* procurement policy, my previous opinion letter related to this procurement and my knowledge of consideration of the revitalization plan that has not fully materialized to this point. With that as an overview, I am of the opinion that considering an alternative revitalization plan for the Central Park property with the selected finalist is consistent with the selection criteria used for the procurement of the selected finalist, the RFQ documents, information provided to the Board to this point, and *THA*'s procurement policy and practices. A detailed analysis will follow.

The selection process that *THA* utilized relative to the revitalization of the Central Park property procurement required respondents to first provide their qualifications to serve as developer for the subject revitalization project. The review committee that had been established to review, eliminate and rank the respondents reviewed the responses to the RFQ and selected three (3) finalists to submit "...more detailed plans for their respective visions of development of the subject revitalization project for the review committee to evaluate and eventually propose the best submission to the Board of Commissioners of *THA*." Eventually,

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only one finalist was left after two (2) of the three (3) finalists decided not to submit a proposal when it was determined that they could not submit a joint proposal at that stage of the procurement process. At that point *THA* through Board action, selected the remaining finalist to enter into negotiations for more detailed plans for its vision of the revitalization of the central Park property. Even though the first proposed revitalization project plan has not fully materialized, the same finalist is proposing an alternative revitalization project plan for the Central Park property. In my opinion it is still part of the same process with the same participants to achieve hopefully a finalized revitalization plan to be presented to the Board for review and acceptance or rejection.

I hope this opinion letter provides enough clarity on this matter. If you require any future analysis or have any questions, please feel free to contact me.

Sincerely,



**RICARDO L. GILMORE, ESQ.**

RLG/rg

cc: Board of Commissioners, *THA*