

### **DETERMINATION TO PROCEED WITH PUBLIC-PRIVATE PARTNERSHIP**

The Lexington-Fayette Urban County Government has determined it will be most advantageous for it to utilize the public-private partnership method of procurement provided under KRS 65.028 ("P3") in soliciting proposals for a new City Hall (RFP. No. 48-2023). In making this determination all of the appropriate departments and divisions of the government were consulted and the regulatory analysis required by 200 KAR 5:355 was undertaken.

This project will be a significant undertaking and one of the most important and capital intensive undertakings in the recent history of the government. We are at the point where it no longer makes sense to continue to make the significant required repairs that would be needed to stay long term in our current government center, which was designed to be a hotel more than 100 years ago.

In addition to being the most transparent method of procurement for this project and the one that would best serve the public, the majority of the regulatory evaluation factors weigh in favor of using a P3. Given the scope of this project, it would not be feasible to proceed without a public-private partnership. LFUCG will have the ability to control the risk, costs, and performance associated with this project using this method. This method will be timely and efficient, and the benefits from using it are anticipated to outweigh any potential additional costs that may be associated with using it. Sealed bidding is inappropriate due to the complexity of the project, specifications cannot be sufficiently specific to award based on the lowest bid price or lowest evaluated bid price, and the time and place of performance cannot be determined in advance.

I am also further designating the Division of Procurement and the Department of Finance to take the lead on undertaking the additional quantitative analysis of this project required under the law, which will be determinative of whether the government ultimately chooses to proceed.

 11-14-2023  
Linda Gorton, Mayor