

# JEA Announces Negotiation Team Changes

11/22/2019

Jacksonville, FL - After several months of strategic planning, on August 2, 2019 JEA issued Invitation to Negotiate (ITN) #127-19 for Strategic Alternatives pursuant to JEA's Procurement Code and Section 21.09 of the City Charter and consistent with Florida Statutes Chapters 119 (public records), 286 (public meetings) and Chapter 112 Part III (ethics) and the Jacksonville Ethics Code (Code of Ordinances Chapter 602). An "invitation to negotiate" is one of several competitive government procurement methods. The purpose of public bidding is to ensure fair competition upon equal terms to all bidders to generate the best value for the citizens of Jacksonville.

JEA announced today that the utility has selected three new team members to continue the negotiations phase of the ITN. Effective today, JEA will be represented by the City of Jacksonville's Deputy Chief Administrative Officer Stephanie Burch, City Treasurer Randall Barnes, and City Engineer Robin Smith. Burch, Barnes and Smith were made available by the City at the request of JEA Senior Leadership.

On November 13, 2019, JEA requested the assistance of the State of Florida Commission on Ethics to offer an advisory opinion on behalf of ITN 127-19 previous negotiation team members Melissa Dykes, Herschel Vinyard, Jordan Pope and Camille Lee-Johnson. The request, made by Lynne Rhode, Office of General Counsel and JEA Chief Legal Officer, was made out of an overabundance of caution and JEA's desire to avoid any potential conflict of interest. Ms. Dykes is JEA's President and Chief Operating Officer. Mr. Vinyard serves as JEA's Chief Administrative Officer. Mr. Pope serves as the Director of Economic Development and Real Estate. Ms. Lee-Johnson is a member of the JEA Board of Directors and is the current Chair of the Compensation Committee. She is not a JEA employee, and receives no compensation for being a member of the JEA board or for being on the negotiating team. Ms. Lee-Johnson will receive no benefit from any potential future transaction.

At issue with the previous request was whether a prohibited conflict of interest arises under section 112.313(7), Florida Statutes, for the ITN Negotiation Team Members as a result of the Employee Protection and Retention Program or Executive Employment Agreements that exist as part of the ITN process. Also at issue was whether having a board committee chair as a member of the ITN Negotiation Team presented a voting conflict under section 112.3143(3)(a), Florida Statutes. Together, the three designees will ultimately develop a recommendation identifying the award representing the best overall value to JEA based on the selection criteria. That recommendation will be made to the JEA board of directors for their consideration.

"JEA appreciates the work completed to date by the initial negotiations team members even while the conflicts review by the OGC and State Commission on Ethics was pending," said Ms. Rhode, "Our initial analysis showed no conflict of interest however we thought it was necessary to proceed in a manner that takes away any indication that even the possibility of a conflict exists."

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