

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER AND WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE CITY'S BEST INTEREST, AND APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 4 TO THE AGREEMENT BETWEEN THE CITY AND SKIDATA, INC. (CONTRACTOR) FOR THE DESIGN, CONSTRUCTION, INSTALLATION AND MAINTENANCE OF A PARKING GARAGE GATED REVENUE CONTROL SYSTEM (ITN 2014-170-SW) FOR THE CITY'S PARKING GARAGES; SAID AMENDMENT EXPANDING THE SCOPE OF THE AGREEMENT TO INCLUDE THE PURCHASE AND INSTALLATION OF LICENSE PLATE RECOGNITION CAMERAS AT ALL GARAGE ENTRANCES AND EXITS IN AN AMOUNT NOT TO EXCEED \$722,000, PLUS MAINTENANCE IN THE AMOUNT OF \$205,632 FOR THE EXISTING TEN (10) GARAGES FOR A PERIOD OF SIX (6) YEARS; AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL AMENDMENT; AND FURTHER APPROVING, RETROACTIVELY, AMENDMENT NO. 2 TO THE AGREEMENT; SAID AMENDMENT AUTHORIZING THE ADMINISTRATION TO PURCHASE REPLACEMENT PARTS AND LABOR ASSOCIATED WITH CONSUMABLES AND REPAIRS NOT COVERED UNDER THE MAINTENANCE AGREEMENT WITH CONTRACTOR, ON AN AS NEEDED BASIS, DURING THE TERM OF THE AGREEMENT.

WHEREAS, on September 30, 2015, the Mayor and City Commission adopted Resolution No. 2015-29149, authorizing the Mayor and City Clerk to execute an Agreement between the City and Skidata, Inc. (Contractor), pursuant to Invitation to Negotiate (ITN) 2014-170-SW, for a Gated Revenue Control System for the City's parking garages, for an initial term of ten (10) years, with two (2) five (5) year options, at the City's sole discretion; and

WHEREAS, the City and Contractor entered into an Agreement, dated October 15, 2015 (the "Agreement"), for the design, construction, installation, and maintenance of a parking garage gated revenue control system, pursuant to ITN 2014-170-SW; and

WHEREAS, pursuant to Section 2.5 of the Agreement, additional garage facilities may be added to the scope of the Agreement through the approval of the Mayor and City Commission, and additional equipment, products and services (Items) through the approval of the City Manager (for additional items up to \$100,000) or the City Commission (for additional items greater than \$100,000); and

WHEREAS, Amendment No 1, dated May 19, 2016, was approved under the City Manager's authority for the software development cost of the resident parking rate discount program integration and in-lane validation system in the amount of \$28,975; and

WHEREAS, Amendment No. 2, dated May 26, 2017, was approved under the City Manager's authority for the purchase of consumables, and the cost of labor hours and items not covered under the maintenance agreement with Contractor; and

WHEREAS, Amendment No. 2 established a 21% discount from Manufacturer's Suggested Retail Price (MSRP) and fixed hourly rates for service and system engineers of \$145 and \$195, respectively; and

WHEREAS, the garage equipment is proprietary to Contractor and replacement parts would have to be purchased from Contractor in order to ensure the functionality of the equipment and not waive the warranty and maintenance obligations of Contractor under the Agreement; and

WHEREAS, with the addition of new garages, expenditures under Amendment No. 2 are expected to exceed the current City Manager's authority throughout the 10-year Term of the Agreement and therefore the City Commission's approval is required; and

WHEREAS, Amendment No. 3, dated May 8, 2018, was approved by the Mayor and City Commission on April 11, 2018, pursuant to Resolution No. 2018-30252, expanding the scope of the Agreement to include the purchase, installation and maintenance of the Convention Center Garage; and

WHEREAS, the City wishes to purchase and install License Plate Recognition (LPR) cameras, which is an option offered by Skidata, which camera system will be integrated with the gated revenue control system and will offer additional features such as:

- the ability to record the entrance and exit times of all vehicle license plates in municipal garages;
- the option to use the vehicle license plate as a credential for entering and exiting garages (for most garages) in lieu of a ticket or access card;
- the ability to use the stored LPR database as an invaluable crime fighting tool, which ability has been a longstanding goal of the City's Police Department; and
- the ability to enhance internal controls to monitor/address abuse by garage access card holders; and

WHEREAS, the total cost of the LPR equipment is \$655,730, plus a 10% contingency, for a total amount not to exceed \$722,000, which costs are comparable with those charged in the industry; and

WHEREAS, funding is available in the 2010 Parking Bonds and was included in the FY 2020 Capital Budget request; and

WHEREAS, the total cost of the LPR equipment maintenance is \$205,632 for the ten 10 garages covered under the Agreement for a total of six (6) years; and

WHEREAS, The City Manager recommends waiving the formal competitive bidding requirement, as permitted under Section 2-367 of the City's Code, as being in the best interest of the City, when considering Contractor's comparable proposal and the benefits of having an integrated system; and

WHEREAS, the Administration is recommending the approval, in substantial form, of Amendment No. 4 to the Agreement, incorporated herein by reference and attached to this Resolution as Exhibit "1"; said amendment approving the LPR camera purchases described herein; and

WHEREAS, the Administration is recommending the retroactive approval of Amendment No. 2 to the Agreement, incorporated herein by reference and attached to this Resolution as Exhibit "2".

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the written recommendation of the City Manager and waive, by 5/7th vote, the formal competitive bidding requirement, finding such waiver to be in the City's best interest, and approve, in substantial form, Amendment No. 4 to the Agreement between the City and Skidata, Inc. (Contractor) for the Design, Construction, Installation and Maintenance of a Parking Garage Gated Revenue Control System (ITN 2014-170-SW) for the City's current parking garages; said amendment expanding the scope of the Agreement to include the purchase and installation of License Plate Recognition cameras at all garage entrances and exits in the amount not to exceed \$722,000, plus maintenance in the amount of \$205,632 for the existing ten (10) garages for a period of six (6) years; and further approve, retroactively, Amendment No. 2 to the Agreement; said amendment authorizing the Administration to purchase consumables and replacement parts and labor associated with repairs not covered under the maintenance agreement with Contractor, on an as needed basis, during the Term of the Agreement.

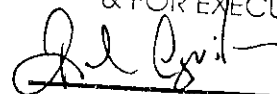
PASSED and **ADOPTED** this _____ day of _____ 2019.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

10/7/19

Date