

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER TO APPROVE THE MATERIAL TERMS, AS SET FORTH IN THIS RESOLUTION, PURSUANT TO REQUEST FOR PROPOSALS (“RFP”) 2018-233-KB, FOR DESIGN, BUILD, OPERATE AND MAINTAIN WATER, WASTEWATER AND STORMWATER SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) & PROGRAMMABLE LOGIC CONTROLLER (“PLC”) (THE “PROJECT”) WITH DATA FLOW SYSTEMS, INC. FOLLOWING PHASE II OF THE RFP EVALUATION PROCESS IN ACCORDANCE WITH FLA. STAT. SECTION 287.055, IN AN AMOUNT NOT TO EXCEED \$3,756,169.00, INCLUDING A TEN PERCENT (10%) OWNER’S CONTINGENCY IN THE AMOUNT OF \$375,616.90; AND AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO TAKE THE NECESSARY AND APPROPRIATE STEPS FOR THE IMPLEMENTATION THEREOF; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH DATA FLOW SYSTEMS, INC.

WHEREAS, on June 6, 2018, the City Commission approved the issuance of RFP 2018-233-KB for Design, Build, Operate and Maintain Water, Wastewater And Stormwater SCADA & Programmable Logic Controller (the “Project”); the RFP was issued on June 2, 2018, with an opening date of August 15, 2018; and

WHEREAS, as it relates to this Project, Supervisory Control and Data Acquisition (SCADA) refers to an industrial computer system that monitors and controls substations, transformers and other electrical assets, as well as sensors (either digital or analog) and control relays that directly interface with the managed system; and

WHEREAS, in accordance with Section 287.055 of the Florida Statutes, the RFP provides for a two-step, phased evaluation process; and

WHEREAS, the Phase I selection process evaluates the qualifications, experience and availability of the proposers and key members of the design-build team, including the lead designer and lead construction firm, and only those proposers short-listed during Phase I are authorized to proceed to Phase II; and

WHEREAS, Phase II of the RFP selection process involves price and detailed technical proposals that are submitted based on the approved Design Criteria Requirements (the “DCR”); and

WHEREAS, the Phase I proposals were evaluated on September 13, 2018 by an Evaluation Committee appointed by the City Manager pursuant to LTC# 456-2018; and

WHEREAS, on October 17, 2018, via Resolution No. 2018-30541, the Mayor and City Commission approved the shortlisting of the three top-ranked proposers, namely (1) SICE, Inc. (“SICE”), (2) Data Flow Systems, Inc. (“DFS”), and (3) Revere Control Systems, Inc. (“Revere”), to be further considered in Phase II of the evaluation process; and

WHEREAS, the Administration engaged Hazen and Sawyer Engineering towards the end of 2018 to develop the DCR, and Phase II of the RFP commenced on June 21, 2019 when Hazen and Sawyer Engineering completed the DCR; and

WHEREAS, following the release of the DCR, Phase II proposals were due from the short-listed firms on October 18, 2019.; and

WHEREAS, prior to the due date for Phase II proposals, Revere Control Systems, Inc. notified the City that it had elected not to participate in Phase II; and

WHEREAS, the Evaluation Committee convened on January 13, 2020 to review and score the remaining proposals; and

WHEREAS, the Committee's ranking was as follows: Sice, Inc., as the first ranked proposer; and Data Flow Systems, Inc., as the second ranked proposer; and

WHEREAS, on February 12, 2020, via Resolution No. 2020-31162, the City Commission authorized the Administration to enter into simultaneous negotiations with (1) SICE, Inc., the top ranked proposer, and (2) Data Flow Systems, Inc., the second ranked proposer; and further provided that the final selection of the recommended proposer, including the Project costs and approval of material terms for the Project shall be subject to the prior approval of the Mayor and City Commission; and

WHEREAS, as directed by City Commission, staff proceeded with simultaneous negotiations and requested a Best and Final Offer (BAFO) from both firms and successfully negotiated the material terms, as articulated in the memorandum accompanying this Resolution; and

WHEREAS, both proposals have met the overall intent of providing a turnkey SCADA system for the City's wastewater, water, and stormwater pump stations; and

WHEREAS, DFS has proposed a total Project cost of \$3,756,169.00 for the design, construction, operation and maintenance (five years), of the water, wastewater and stormwater supervisory control and data acquisition (SCADA), programmable logic controller (PLC), and the proposal provided by DFS is \$1,545,841.00 less than the proposed Project cost by SICE (\$5,302,010.00); and

WHEREAS, DFS is a full-service manufacturer and installer of its SCADA system and is proposing to install a system that has been deployed extensively throughout the U.S.;

WHEREAS, accordingly, the Administration recommends proceeding with DFS because DFS is the only proposer that is a full-service manufacturer and installer of the SCADA system, and DFS has provided the best overall technical proposal and cost by providing a system that is manufactured, installed and maintained by a single entity at significant cost savings.

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 of the City of Miami Beach, Florida accepts and approves the recommendation of the City Manager to approve the material terms, as set forth in this Resolution, pursuant to Request for Proposals ("RFP") 2018-233-KB for Design, Build, Operate and Maintain Water, Wastewater and Stormwater Supervisory Control and Data Acquisition (SCADA) & Programmable Logic Controller (PLC) (The "Project") with Data Flow Systems, Inc. following Phase II of the RFP evaluation process in accordance with Fla. Stat. Section 287.055, in an amount not to exceed \$3,756,169.00, including a ten percent (10%) Owner's Contingency in the amount of \$375,616.90; and authorizing the City Manager and the City Attorney to take the

necessary and appropriate steps for the implementation thereof; and further authorizing the Mayor and City Clerk to execute and agreement with Data Flow Systems, Inc. ("DFS").

PASSED AND ADOPTED this _____ day of _____ 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

Rafael Granado 7/16/20
City Attorney ff Date