


MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager 
DATE: October 27, 2021

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 10 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND BEEFREE, LLC (D/B/A FREEBEE) FOR THE CITY OF MIAMI BEACH ON-DEMAND TRANSIT SERVICE; SAID AMENDMENT: (1) EXTENDING SERVICES FOR THE ELDERLY THROUGH MARCH 31, 2022; AND (2) AUTHORIZING THE CITY MANAGER TO APPROVE ADDITIONAL SERVICES, DEEMED NECESSARY BY THE CITY MANAGER, SUBJECT TO FUNDING AVAILABILITY.**

RECOMMENDATION

Given the importance of protecting our elderly residents during the ongoing pandemic, the Administration recommends that the Mayor and City Commission adopt this Resolution, approving and authorizing the City Manager to execute Amendment No. 10 to the professional services agreement between the City and Beefree, LLC (d/b/a Freebee) for the City of Miami Beach on-demand transit service; said amendment: (1) extending services for the elderly through March 31, 2022; and (2) authorizing the City Manager to approve additional services, deemed necessary by the City Manager, subject to funding availability.

BACKGROUND

On May 29, 2019, the City and Freebee executed an Agreement for an On-Demand Transit Service Pilot Program in Middle Beach. Due to the success of the pilot, in December 2019, the City Commission adopted Resolution No. 2019-31110, waiving by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code and approving an extension to the Agreement for an additional three (3) years through December 31, 2022 for the Middle Beach On-Demand Transit Service.

The Middle Beach on-demand transit service operates in the areas of Mid-Beach underserved by Miami-Dade County bus service and not served by City's trolley service. The program provides first mile/last mile service connecting to the City's trolley and County's bus service within the geo-fenced service area and door-to-door service for trips originating and ending within the geo-fenced service area. The service operates as an eco-friendly vanpool, dynamically adjusting vehicle routing to appropriately meet ridership demand and service needs within the Mid-Beach service area.

As a result of the COVID-19 pandemic, on April 1, 2020, the City suspended all services under the Agreement. In November 2020, the City modified the Agreement to temporarily repurpose the Middle Beach on-demand transit service to provide essential mobility services for elderly residents living in affordable housing facilities throughout the City to the closest Publix supermarket or pharmacy. The Freebee service is also available to elderly residents who participate in any of the programs provided by

Unidad, Jewish Community Services, and Little Havana Activities and Nutrition Center. Hours of operation are from 7AM to 5:30PM, 7 days a week. Attachment A depicts a flyer with pertinent information on the current Freebee service for elderly residents.

Pursuant to Resolution No. 2021-31563, Freebee service for elderly residents was extended through September 30, 2021 using funds originally budgeted for the operation of the Middle Beach on-demand transit service in Fiscal Year 2020/21. On October 1, 2021, the City resumed operation of the Middle Beach on-demand transit service.

Due to the anticipated termination of the Freebee service for elderly residents on September 30, 2021, the Administration received numerous concerns and complaints from elderly residents living in affordable housing facilities who used the Freebee service.

At the September 30, 2021 City Commission meeting, during the second hearing of the proposed Fiscal Year 2021/2022 Budget, the City Commission approved \$90,000 for a six (6) month extension of the Freebee service for elderly residents.

On October 1, 2021, the Freebee service for elderly residents was extended temporarily through November 30, 2021 via Amendment No. 9 to the Agreement, under the City Manager's authority. Amendment No. 9 authorized a two-month continuation of the Freebee service as a stop gap measure to allow the Administration an opportunity to draft a new amendment (Amendment No. 10) and present it to the City Commission for approval at the October 2021 meeting.

ANALYSIS

The Freebee service for elderly residents was launched in response to the COVID-19 pandemic and intended to be a temporary service providing essential trips for elderly residents during the pandemic. Given the current existence of the COVID-19 Delta variant in our community, through Amendment No. 10 (Attachment B), the Administration is amending the term of the Agreement with Freebee to extend the Freebee service for elderly residents through March 31, 2022. At that time, the Administration will evaluate the need for further extension of the service. Additional funding will be required if the Freebee service is extended beyond March 31, 2022 given the current budget approved by the City Commission. Furthermore, given the limited capacity remaining in the contract, through Amendment No. 10, the City Manager is requesting authorization to approve additional services that the City Manager deems necessary, subject to funding availability.

While the Freebee service for elderly residents provided prior to October 1, 2021 utilized three (3) Freebee vehicles during service hours, based on an analysis of passenger demand over the past 10 months, staff has determined that as of October 1, 2021, two (2) vehicles would be sufficient to accommodate the ridership demand, thereby increasing vehicle utilization, reducing the operating cost per passenger, and resulting in a more cost-effective service. All other aspects of the Freebee service for elderly residents would remain the same.

It is important to note that as part of the Middle Beach on-demand transit service resumption on October 1, 2021, Freebee service is also being provided on a temporary basis along Collins Avenue between 23 Street and 44 Street in order to address current mobility and parking challenges along the corridor due to the active Indian Creek Drive Flood Mitigation Project, until construction is completed in 2022.

CONCLUSION

The Freebee service for elderly residents was launched in response to the COVID-19 pandemic as a temporary service providing essential trips for elderly residents during the pandemic. Given the current existence of the COVID-19 Delta variant in our community, the Administration is amending the term of the Agreement with Freebee to extend the Freebee service for elderly residents through March 31, 2022. Furthermore, given the limited capacity remaining in the contract, the City Manager is requesting authorization to approve additional services that the City Manager deems necessary, subject to funding availability, even if the value of the services exceeds the City Manager's authority under the City Code.

SUPPORTING SURVEY DATA

Based on the 2019 Miami Beach Resident Survey, 63% of respondents use their automobile as a primary mode of transportation for trips within Miami Beach, and 73% of respondents consider trolleys and local bus circulators as the most viable alternative to using a personal automobile within the City.

STRATEGIC CONNECTION

Mobility - Increase multi-modal mobility citywide and connectivity regionally.

FINANCIAL INFORMATION

The estimated cost of providing Freebee service for elderly residents from October 1, 2021 through March 31, 2022 is approximately \$105,000. Funding is available in the adopted FY2021/22 Transportation and Mobility Department's operating budget in Account # 106-9615-000349-30-403-529-00-00-00.

LEGISLATIVE TRACKING

Transportation and Mobility

ATTACHMENTS

Attachments:

- A. Freebee Service for Elderly Residents Flyer
- B. Amendment No. 10

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 10 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND BEEFREE, LLC D/B/A FREEBEE FOR THE CITY OF MIAMI BEACH ON-DEMAND TRANSIT SERVICE; SAID AMENDMENT: (1) EXTENDING SERVICES FOR THE ELDERLY THROUGH MARCH 31, 2022; AND (2) AUTHORIZING THE CITY MANAGER TO APPROVE ADDITIONAL SERVICES, AS DEEMED NECESSARY BY THE CITY MANAGER, SUBJECT TO FUNDING AVAILABILITY.

WHEREAS, on May 29, 2019, the City and Beefree, LLC d/b/a Freebee ("Freebee") executed a Professional Services Agreement ("Agreement") for the City of Miami Beach On-Demand Transit Service Pilot Program in Middle Beach; and

WHEREAS, on September 11, 2019, the Mayor and City Commission adopted Resolution No. 2019-30997, authorizing the City Manager to negotiate Amendment No. 1 to the Agreement, extending the pilot program through October 31, 2019, adding two more vehicles in service, and permitting advertisement on the vehicles to offset some of the operating costs to the City; and

WHEREAS, on October 16, 2019, the Mayor and City Commission adopted Resolution No. 2019-31057, unanimously approving the extension of the pilot program for two additional months, through December 31, 2019; and

WHEREAS, Amendment No. 1 to the Agreement was executed on November 8, 2019, incorporating the foregoing modifications to the scope of the Agreement and extending the pilot program to December 31, 2019; and

WHEREAS, on December 11, 2019, the Mayor and City Commission adopted Resolution No. 2019-31110, waiving, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, and approving an extension of the term of the Agreement for an additional three (3) years, commencing on January 1, 2020 and expiring on December 31, 2022; and

WHEREAS, Amendment No. 2 to the Agreement was executed on February 24, 2020; and

WHEREAS, as a result of the COVID-19 pandemic and various State, County and City emergency orders, on March 23, 2020, via a Letter Agreement, the City partially suspended the on-demand transportation services ("Services") under the Agreement by modifying the scope of Services to provide Services for the elderly ("Amendment No. 3"); and

WHEREAS, based upon the emergency orders in effect at the time, on April 1, 2020, via a Letter Agreement, the City suspended all Services under the Agreement ("Amendment No. 4"); and

WHEREAS, on November 16, 2020, via Letter Agreement, the City modified the Agreement ("Amendment No. 5"), to repurpose the Middle Beach Services to provide essential mobility services for elderly residents living in affordable housing facilities throughout the City and the closest Publix supermarket or pharmacy; and

WHEREAS, the Services for elderly residents were provided 7 days a week from 7:00 AM to 5:30 PM and, pursuant to City Commission direction, were to operate in that manner through December 30, 2020; and

WHEREAS, on December 30, 2020, via a Letter Agreement, the City extended the period of Services for the elderly residents for a limited period of time, through January 20, 2021 ("Amendment No. 6"); and

WHEREAS, on January 19, 2021, the City, via a Letter Agreement, extended the Services under the Agreement through September 30, 2021 ("Amendment No. 7"); and

WHEREAS, on May 26, 2021, the Mayor and City Commission adopted Resolution No. 2021-31721, approving and authorizing the City Manager to execute Amendment No. 8 to the Agreement; said amendment approving additional Services: (1) during Memorial Weekend, 2021, in the approximate amount of \$4,000; and (2) along the Collins Avenue corridor, from 23rd Street to 44th Street, as a temporary traffic mitigation strategy during the construction of the Indian Creek Drive flood mitigation project, through September 30, 2021, in the initial approximate amount of \$61,000, subject to extension and/or modification by the City Manager, as needed; and further authorizing the City Manager to approve future additional services, subject to funding availability and provided that the cost does not exceed the City Manager's authority under the City code; and

WHEREAS, Amendment No. 8 was executed on May 28, 2021; and

WHEREAS, while the Services for elderly residents living in affordable housing facilities throughout the City were to be discontinued on September 30, 2021, given the current state of the pandemic, service for elderly was extended via Amendment No. 9 to the Agreement through November 30, 2021, under the City Manager's authority; and

WHEREAS, Amendment No. 9, executed on October 1, 2021, also updated in the scope of services for the Agreement to reflect the use of two vehicles, instead of three, based upon an analysis conducted by staff, which determined that two vehicles would be sufficient to accommodate the ridership demand, resulting in a more cost-effective service; and

WHEREAS, given the current state of the pandemic, the Administration recommends extending the Services for elderly residents through March 31, 2022; and

WHEREAS, all other aspects of the Services for elderly residents would remain the same going forward; and

WHEREAS, the Administration recommends authorizing the City Manager to approve additional Services, deemed necessary by the City Manager, subject to funding availability, even if the cost of the Services exceeds the City Manager's purchasing authority under the City Code; and

WHEREAS, based upon the foregoing, the City Manager recommends approving Amendment No. 10 to the Agreement, incorporated herein by reference and attached to the City Commission Memorandum accompanying this Resolution as Attachment B.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve and authorize the City Manager to execute Amendment No. 10 to the Professional Services Agreement between the City and Beefree, LLC d/b/a Freebee for the City of Miami Beach On-Demand Transit Service; said Amendment: (1) extending Services for the elderly through March 31, 2022; and (2) authorizing the City Manager to approve additional Services, as deemed necessary by the City Manager, subject to funding availability.

PASSED and **ADOPTED** this 27th day of October 2021.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

10-25-21

Date

MIAMI BEACH SENIORS CAN TAKE A FREE SHUTTLE TO A LOCAL PUBLIX OR PHARMACY

LAS PERSONAS MAYORES RESIDENTES DE MIAMI BEACH PUEDEN TOMAR UN SERVICIO DE TRANSPORTE GRATUITO A UN PUBLIX O UNA FARMACIA LOCAL

The City of Miami Beach and Freebee have teamed up to offer Miami Beach seniors (65 and older) in your building a FREE shuttle service to the closest Publix or pharmacy. The service is also available to Miami Beach seniors who participate in any of the elder programs provided by UNIDAD, Jewish Community Services or Little Havana Activities and Nutrition Center (advanced registration with Freebee is required). The service operates seven days a week from 7 a.m. to 5:30 p.m. To schedule a ride, seniors can call **855.918.3733** at least 30 minutes before their desired pickup time. They will be asked to provide their name, phone number, pickup location, desired pickup time and number of passengers in their party (maximum four passengers).

To ensure the safety of operators and passengers, the following precautions are being taken:

- * High touch areas in vehicles are sanitized after each trip.
- * All drivers must undergo daily health screenings.
- * No more than four passengers are permitted in any single trip.
- * Passengers are responsible for managing their own groceries unless assistance is absolutely necessary.
- * Passengers must wear masks.

*La Ciudad de Miami Beach y Freebee se han unido para ofrecer un servicio de transporte GRATIS a Publix o farmacia más cercano a los residentes mayores (65 años o más) de su edificio. El servicio también está disponible para los residentes mayores de Miami Beach que participan en cualquiera de los programas para personas mayores que UNIDAD ofrece, Jewish Community Services y Little Havana Activities and Nutrition Center (se requiere estar inscrito por adelantado con Freebee). El servicio estará disponible todos los días de la semana de 7 a.m. a 5:30 p.m. Para solicitar el servicio, llame al **855.918.3733** con 30 minutos de anticipación como mínimo. Se les pedirá que proporcionen su nombre, número de teléfono, dirección, hora de recogida y la cantidad de pasajeros (cuatro pasajeros máximo).*

Para proteger la seguridad de los choferes y pasajeros, se han implementado las siguientes medidas:

- * Todas las áreas de contacto frecuente en los vehículos serán desinfectadas después de cada viaje.
- * Todos los choferes serán diariamente sometidos a chequeos de salud.
- * No se permiten más de cuatro pasajeros por viaje.
- * Los pasajeros son responsables de cargar sus compras, al menos que no les sea posible y necesiten ayuda.
- * Los pasajeros deben usar máscaras.



**A FUN, FREE &
GREEN ON-DEMAND
TRANSIT SERVICE**



COURTESY OF

MIAMI BEACH

AMENDMENT NO. 10 TO THE PROFESSIONAL SERVICES AGREEMENT

BETWEEN

THE CITY OF MIAMI BEACH

AND

BEEFREE, LLC D/B/A FREEBEE

FOR

THE CITY OF MIAMI BEACH ON-DEMAND TRANSIT SERVICE

REQUEST FOR QUOTE

This Amendment No. 10 ("Amendment") to the Professional Services Agreement, dated May 29, 2019 ("Agreement"), by and between the City of Miami Beach, Florida, a municipal corporation, organized and existing under the laws of the State of Florida, having its principal place of business at 1700 Convention Center Drive, Miami Beach, Florida 33139 (the "City"), and Beefree, LLC, a Florida limited liability company, d/b/a Freebee, having its principal place of business at 2312 N. Miami Avenue, Miami, Florida 33127 ("Contractor"), is entered into this ____ day of _____, 2021:

WHEREAS, on May 29, 2019, the City and Beefree, LLC d/b/a Freebee ("Freebee") executed a Professional Services Agreement ("Agreement") for the City of Miami Beach On-Demand Transit Service Pilot Program in Middle Beach; and

WHEREAS, on September 11, 2019, the Mayor and City Commission adopted Resolution No. 2019-30997, authorizing the City Manager to negotiate Amendment No. 1 to the Agreement, extending the pilot program through October 31, 2019, adding two more vehicles in service, and permitting advertisement on the vehicles to offset some of the operating costs to the City; and

WHEREAS, on October 16, 2019, the Mayor and City Commission adopted Resolution No. 2019-31057, unanimously approving the extension of the pilot program for two additional months, through December 31, 2019; and

WHEREAS, Amendment No. 1 to the Agreement was executed on November 8, 2019, incorporating the foregoing modifications to the scope of the Agreement and extending the pilot program to December 31, 2019; and

WHEREAS, on December 11, 2019, the Mayor and City Commission adopted Resolution No. 2019-31110, waiving, by 5/7th vote, the formal competitive bidding requirement in Section 2-367(e) of the City Code, and approving an extension of the term of the Agreement for an additional three (3) years, commencing on January 1, 2020 and expiring on December 31, 2022; and

WHEREAS, Amendment No. 2 to the Agreement was executed on February 24, 2020; and

WHEREAS, as a result of the COVID-19 pandemic and various State, County and City emergency orders, on March 23, 2020, via a Letter Agreement, the City partially suspended the on-demand transportation services ("Services") under the Agreement by modifying the scope of Services to provide Services for the elderly ("Amendment No. 3"); and

WHEREAS, based upon the emergency orders in effect at the time, on April 1, 2020, via a Letter Agreement, the City suspended all Services under the Agreement ("Amendment No. 4"); and

WHEREAS, on November 16, 2020, via Letter Agreement, the City modified the Agreement ("Amendment No. 5"), to repurpose the Middle Beach Services to provide essential mobility services for elderly residents living in affordable housing facilities throughout the City and the closest Publix supermarket or pharmacy; and

WHEREAS, the Services for elderly residents were provided 7 days a week from 7:00 AM to 5:30 PM and, pursuant to City Commission direction, were to operate in that manner through December 30, 2020; and

WHEREAS, on December 30, 2020, via a Letter Agreement, the City extended the period of Services for the elderly residents for a limited period of time, through January 20, 2021 ("Amendment No. 6"); and

WHEREAS, on January 19, 2021, the City, via a Letter Agreement, extended the Services for the elderly residents under the Agreement through September 30, 2021 ("Amendment No. 7"); and

WHEREAS, on May 26, 2021, the Mayor and City Commission adopted Resolution No. 2021-31721, approving and authorizing the City Manager to execute Amendment No. 8 to the Agreement; said amendment approving additional Services: (1) during Memorial Weekend, 2021, in the approximate amount of \$4,000; and (2) along the Collins Avenue corridor, from 23rd Street to 44th Street, as a temporary traffic mitigation strategy during the construction of the Indian Creek Drive flood mitigation project, through September 30, 2021, in the initial approximate amount of \$61,000, subject to extension and/or modification by the City Manager, as needed; and further authorizing the City Manager to approve future additional services, subject to funding availability and provided that the cost does not exceed the City Manager's authority under the City code; and

WHEREAS, Amendment No. 8 was executed on May 29, 2021; and

WHEREAS, while the Services for elderly residents living in affordable housing facilities throughout the City were to be discontinued on September 30, 2021, given the current state of the pandemic, service for the elderly was extended via Amendment No. 9 to the Agreement through November 30, 2021, under the City Manager's authority; and

WHEREAS, Amendment No. 9 was executed on October 1, 2021 (the Agreement, as amended by Amendments No. 1 through No. 9 shall be collectively referred to as the "Agreement"); and

WHEREAS, given the current state of the pandemic, the City desires to extend the Services for the elderly residents through March 31, 2022; and

WHEREAS, on October 27, 2021, the Mayor and City Commission adopted Resolution No. _____: (1) extending Services for the elderly residents through March 31, 2022, and (2) authorizing the City Manager to approve additional Services, as deemed necessary by the City Manager, subject to funding availability.

NOW THEREFORE, in consideration of the mutual promises and conditions contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the City and Contractor hereby agree to amend the Agreement as follows:

1. ABOVE RECITALS.

The recitals set forth above are true and correct and are incorporated herein by reference.

2. MODIFICATIONS.

Subsection 2.3 is hereby deleted in its entirety and replaced as follows:

2.3 ADDITIONAL SERVICES

Contractor hereby acknowledges that the City Manager may modify, add or remove Services under the Agreement, upon providing Contractor with written notification. Said change in the level of Services provided under the Agreement shall be memorialized in the form of an amendment to the Agreement, executed by the City and Contractor.

3. RATIFICATION.

Except as amended herein, all other terms and conditions of the Agreement shall remain unchanged and in full force and effect. In the event there is a conflict between the provisions of this Amendment and the Agreement, the provisions of this Amendment shall govern.

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IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 10 to be executed by their appropriate officials, as of the date first entered above.

FOR CITY:

CITY OF MIAMI BEACH, FLORIDA

ATTEST:

By: _____
Rafael E. Granado, City Clerk

Alina T. Hudak, City Manager

Date: _____

FOR CONTRACTOR:

BEEFREE, LLC D/B/A FREEBEE

ATTEST:

By: _____

Print Name and Title

Print Name and Title

Date: _____