

Request for Proposals (RFP)
2022-450-KB
Open-Source Intelligence (OSINT) Aggregator and
Processing Platform

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SECTION 0100

INSTRUCTIONS TO PROPOSERS

1. GENERAL. This Request for Proposals (RFP) is issued by the City of Miami Beach, Florida (the "City"), as the means for prospective Proposers to submit their qualifications, proposed scopes of work, and cost proposals (the "proposal") to the City for the City's consideration as an option in achieving the required scope of services and requirements as noted herein. All documents released in connection with this solicitation, including all appendixes and addenda, whether included herein or released under separate cover, comprise the solicitation, and are complementary to one another and together establish the complete terms, conditions, and obligations of the Proposers and, subsequently, the successful Proposer(s) (the "contractor[s]") if this RFP results in an award.

The City utilizes Periscope S2G (formally known as BidSync) (www.periscopeholdings.com or www.bidsync.com) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addendum to this RFP. Any prospective Proposer who has received this RFP by any means other than through Periscope S2G must register immediately with Periscope S2G to assure it receives any addendum issued to this RFP. Failure to receive an addendum may result in disqualification of proposal submitted.

2. BACKGROUND.

The City of Miami Beach Police Department (MBPD) seeks to engage an Open-Source Intelligence (OSINT) aggregator and processing platform. Open-source intelligence (OSINT) is referred to as the gathering of data from such sources as social media, news sources, and the internet in general that allows public safety agencies to stay informed and better prepare of potential community impacts.

The expectation surrounding the City's capabilities to effectively investigate suspects, review data associated with criminal acts within the digital landscape, and ultimately identify, analyze, and submit evidence from digital sources for forensic use has increased directly with society's ever-increasing immersion into the digital frontier. In addition to law enforcement sensitive information gathered via dedicated law enforcement platforms, the department requires publicly available electronic information across social media, the open web, the clear web, the deep web, and breaches from the dark web. Detectives and analysts who provide support during investigations currently carry out multiple time-consuming, individual searches across numerous platforms and websites to find critical investigative leads and information.

More than 90% of the world's data has been created in the last two years. Every two years, the volume of data worldwide doubles in size. OSINT tools, which alleviate the City from mounting demands for manual review by City personnel of vast amounts of data, are critical to the City's ability to continue baseline services. Therefore, this solicitation seeks a secure, verified, effective, and efficient social media, public records, and information search platform. The platform shall save time and provide accurate and broad information on individuals of interest as part of investigations, fraud detection and prevention, identity verification, risk assessment, and legislative compliance.

The platform selected shall have tools that improve efficiency and accuracy and serve as force multipliers for investigative efforts that currently take considerable time and effort. Information provided by Proposers should only cover tools that leverage the use of open-source information that is compliant with applicable laws and copyrights. Proposers should have significant experience with configuring their solutions for use in law enforcement.

3. PURPOSE.

The City of Miami Beach is looking for a platform that can search and retrieve data from a multitude of OSINT sources in a time-saving manner, including but not limited to:

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- All major social media platforms include *Facebook, LinkedIn, Twitter, Instagram, TikTok, Snapchat, and Reddit*, at a minimum, with *Telegram, Parler, Gab*, and other social and chatting platforms.
- Publicly available local, state, federal, and international government to include:
 - vital records
 - driver and vehicles
 - active-duty status
 - verified place of employment
 - verified bank account locates
 - insurance
 - corporate records
 - tax and bankruptcy records
 - property and real estate records
 - court records
 - deceased records
- Publicly available skip tracing data and records
- Business and company information and records to include review sites and marketplaces
- Publicly available personal information for identity resolution such as reverse mobile and phone numbers, email addresses, physical addresses, IP addresses, employment records, usernames, and domains

The platform should also:

- Allow users to set alerts or notifications to track and proactively learn about any pertinent changes
- Provide association searches between individuals and entities across social media sites, forums, blogs, feeds, and open web
- Prioritize actionable intelligence through which to triage pertinent information
- Identify objects, images, text, and behaviors
- Provide training and technical support as required

The successful Bidder's platform should have comprehensive search capabilities and return results in a simple to read and understand. Additionally, the platform shall allow for court-ready report format to fully document and reference the source of each result (metadata and data information) to preserve evidence and authenticities. Queries and results may need to be presented in court, and the platform should be able to document and audit all user activities. The platform must allow the City to audit all user activity, including but not limited to logins and logouts, searches, results, downloads, items printed, etc. The platform must provide real-time data collection and data flow via a secure cloud environment where the user's IP address and computer attributes are never exposed.

Other Platform Capabilities:

- No volume or search restrictions – cost-effective flat-rate pricing for unlimited searches
- Facial recognition capabilities
- Custom solution capabilities
- Secure file transferring
- Historical location data access
- Link analysis capabilities to include relatives and neighbor associations
- Cell phone analysis capabilities
- Website and app-based platforms
- GIS fencing capabilities
- Scrub suppression

Ideally, the City would like to consider a proven, established (currently functional) platform that meets the stated needs.

The City may consider solutions that require some customization from providers experienced in similar platforms.

4. SPECIAL CONDITIONS.

1. **TERM OF CONTRACT.** The initial term of the contract shall be five (5) years from the acceptance of the platform.
2. **OPTIONS TO RENEW.** The City Manager may approve additional renewal periods, to be negotiated with the successful proposer.
3. **CHANGE OF PROJECT MANAGER.** A change in the Consultant's project manager (as well as any replacement) shall be subject to the prior written approval of the City Manager or his designee (who in this case shall be an Assistant City Manager. Replacement (including reassignment) of an approved project manager or public information officer shall not be made without submitting a resume for the replacement staff person and receiving prior written approval of the City Manager or his designee (i.e. the City project manager).

5. ANTICIPATED RFP TIMETABLE. The tentative schedule for this solicitation is as follows:

RFP Issued	June 23, 2022
Pre-Proposal Meeting	July 7, 2022 at 11:00am
Deadline for Receipt of Questions	August 1, 2022 at 5:00pm Join on your computer or mobile app Click here to join the meeting Or call in (audio only) Phone No.: +1 786-636-1480 (United States, Miami) Phone Conference ID: 320 268 421#
Responses Due	August 11, 2022 at 3:00pm Join on your computer or mobile app Click here to join the meeting Or call in (audio only) Phone No.: +1 786-636-1480 (United States, Miami) Phone Conference ID: 375 021 530#
Evaluation Committee Review	TBD
Tentative Commission Approval	TBD
Contract Negotiations	Following Commission Approval

6. PROCUREMENT CONTACT. Any questions or clarifications concerning this solicitation shall be submitted to the Procurement Contact noted below:

Procurement Contact:	Telephone:	Email:
Kristy Bada, Contracting Manager	(305) 673-7490 x26218	KristyBada@miamibeachfl.gov
Additionally, the City Clerk is to be copied on all communications via email at: RafaelGranado@miamibeachfl.gov or via facsimile: 786-394-4188.		

The Bid title/number shall be referenced on all correspondence. All questions or requests for clarification must be received no later than ten (10) calendar days prior to the date proposals are due as scheduled in Section 0200-3. All responses to questions/clarifications will be sent to all prospective Proposers in the form of an addendum.

7. PRE-PROPOSAL MEETING OR SITE VISIT(S). A pre-proposal meeting or site visit(s) may be scheduled.

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Attendance for the pre-proposal meeting shall be via web conference and recommended as a source of information but is not mandatory. Proposers interested in participating in the Pre-Proposal Meeting must follow these steps:

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

Phone No.: +1 786-636-1480 (United States, Miami)

Phone Conference ID: 320 268 421#

Proposers who are participating should send an email to the contact person listed in this RFP expressing their intent to participate.

8. PRE-PROPOSAL INTERPRETATIONS. Oral information or responses to questions received by prospective Proposers are not binding on the City and will be without legal effect, including any information received at pre-submittal meeting or site visit(s). The City by means of Addenda will issue interpretations or written addenda clarifications considered necessary by the City in response to questions. Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. Addendum will be released through *Periscope S2G*. Any prospective proposer who has received this RFP by any means other than through *Periscope S2G* must register immediately with *Periscope S2G* to assure it receives any addendum issued to this RFP. Failure to receive an addendum may result in disqualification of proposal. Written questions should be received no later than the date outlined in the **Anticipated RFP Timetable** section.

9. CONE OF SILENCE. This RFP is subject to, and all proposers are expected to be or become familiar with, the City's Cone of Silence Requirements, as codified in Section 2-486 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with, and shall be subject to any and all sanctions, as prescribed therein, including rendering their response voidable, in the event of such non-compliance. Communications regarding this solicitation are to be submitted in writing to the Procurement Contact named herein with a copy to the City Clerk at rafaelgranado@miamibeachfl.gov

10. ADDITIONAL INFORMATION OR CLARIFICATION. After proposal submittal, the City reserves the right to require additional information from Proposers (or Proposer team members or sub-consultants) to determine: qualifications (including, but not limited to, litigation history, regulatory action, or additional references); and financial capability (including, but not limited to, annual reviewed/audited financial statements with the auditors notes for each of their last two complete fiscal years).

11. PROPOSER'S RESPONSIBILITY. Before submitting a response, each Proposer shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the Proposer from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Proposer.

12. DETERMINATION OF AWARD. The City Manager may appoint an evaluation committee to assist in the evaluation of proposals received. The evaluation committee is advisory only to the city manager. The city manager may consider the information provided by the evaluation committee process and/or may utilize other information deemed relevant. The City Manager's recommendation need not be consistent with the information provided by the evaluation committee process and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:

- (1) The ability, capacity and skill of the Proposer to perform the contract.
- (2) Whether the Proposer can perform the contract within the time specified, without delay or interference.

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- (3) The character, integrity, reputation, judgment, experience and efficiency of the Proposer.
- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the Proposer with laws and ordinances relating to the contract.

The City Manager may recommend to the City Commission the Proposer(s) s/he deems to be in the best interest of the City or may recommend rejection of all proposals. The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another Proposal or Proposals which it deems to be in the best interest of the City, or it may also reject all Proposals.

13. NEGOTIATIONS. Following selection, the City reserves the right to enter into further negotiations with the selected Proposer. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Proposer in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Proposers that no property, contract or legal rights of any kind shall be created at any time until and unless an Agreement has been agreed to; approved by the City; and executed by the parties.

14. E-VERIFY. As a contractor you are obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility." Therefore, you shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Contractor during the term of the Contract and shall expressly require any subcontractors performing work or providing services pursuant to the Contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term.

15. PERISCOPE S2G (FORMALLY BIDSINC). The Procurement Department utilizes Periscope S2G, Supplier-to-Government electronic bidding (e-Bid) platform. If you would like to be notified of available competitive solicitations released by the City you must register and complete your vendor qualifications through Periscope S2G, Supplier-to-Government www.bidsync.com/Miami-Beach. Registration is easy and will only take a few minutes. For detailed instructions on how to register, complete vendor qualifications and submit electronic bids visit <https://www.miamibeachfl.gov/city-hall/procurement/for-approval-how-to-become-a-vendor/>.

Should you have any questions regarding this system or registration, please visit the above link or contact Periscope S2G, Supplier-to-Government at support@bidsync.com or 800.990.9339, option 1, option 1.

16. HOW TO MANAGE OR CREATE A VENDOR PROFILE ON VENDOR SELF SERVICE (VSS). In addition to registering with Periscope S2G, the City encourages vendors to register with our online Vendor Self-Service web page, allowing City vendors to easily update contacts, attachments (W-9), and commodity information. The Vendor Self-Service (VSS) webpage (<https://selfservice.miamibeachfl.gov/vss/Vendors/default.aspx>) will also provide you with purchase orders and payment information.

Should you have any questions and/or comments, do not hesitate to submit them to vendorsupport@miamibeachfl.gov

17. SUPPLIER DIVERSITY. In an effort to increase the number and diversity of supplier options in the procurement of goods and services, the City has established a registry of LGBT-owned businesses, as certified by the National LGBT Chamber of Commerce (NGLCC) and small and disadvantaged businesses, as certified by Miami-Dade County. See authorizing resolutions [here](#).

If your company is certified as an LGBT-owned business by NGLCC, or as a small or disadvantaged business by Miami-Dade County, click on the link below to be added to the City's supplier registry (Vendor Self-Service) and bid system (Periscope S2G, Supplier-to-Government). These are two different systems and it is important that you register for both.

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Click to see acceptable certification and to register: <https://www.miamibeachfl.gov/city-hall/procurement/how-to-become-a-vendor/>.

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SECTION 0200

GENERAL CONDITIONS

TERMS & CONDITIONS –SERVICES. By virtue of submitting a proposal in response to this solicitation, proposer agrees to be bound by and in compliance with the Terms and Conditions for Services (version dated April 13, 2020), incorporated herein, which may be found at the following link:

<https://www.miamibeachfl.gov/city-hall/procurement/standard-terms-and-conditions/>

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SECTION 0300

PROPOSAL SUBMITTAL INSTRUCTIONS AND FORMAT

1. ELECTRONIC RESPONSES (ONLY). Proposals must be submitted electronically through Periscope S2G (formerly BidSync) on or before the date and time indicated. Hard copy proposals or proposals received through email or facsimile are not acceptable and will be rejected.

A proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal until the deadline for proposal submittals. The City will only consider the latest version of the bid.

Electronic proposal submissions may require the uploading of attachments. All documents should be attached as separate files in accordance with the instructions included in Section 4, below. Attachments containing embedded documents or proprietary file extensions are prohibited. It is the Bidder's responsibility to assure that its bid, including all attachments, is uploaded successfully.

Only proposal submittals received, and time stamped by Periscope S2G (formerly BidSync) prior to the proposal submittal deadline shall be accepted as timely submitted. Late bids cannot be submitted and will not be accepted. Bidders are cautioned to allow sufficient time for the submittal of bids and uploading of attachments. Any technical issues must be submitted to Periscope S2G (formerly BidSync) by contacting (800) 990-9339 (toll free) or S2G@periscopeholdings.com. The City cannot assist with technical issues regarding submittals and will in no way be responsible for delays caused by any technical or other issue.

It is the sole responsibility of each Bidder to ensure its proposal is successfully submitted in BidSync prior to the deadline for proposal submittals.

2. NON-RESPONSIVENESS. Failure to submit the following requirements shall result in a determination of non-responsiveness. Non-responsive proposals will not be considered.

1. Bid Submittal Questionnaire (Submitted electronically via Periscope S2G)
2. Minimum Requirement Compliance (Tab 1)
2. Cost Proposal (Tab 5)

3. OMITTED OR ADDITIONAL INFORMATION. Failure to complete and submit the Bid Submittal Questionnaire (submitted electronically) and the Cost Proposal with the bid and by the deadline for submittals shall render a proposal non-responsive. Non-Responsive proposals will not be considered. With the exception of the Bid Submittal Questionnaire (completed and submitted electronically) and the Cost Proposal, the City reserves the right to seek any omitted information/documentation or any additional information from Proposer or other source(s), including but not limited to: any firm or principal information, applicable licensure, resumes of relevant individuals, client information, financial information, or any information the City deems necessary to evaluate the capacity of the Proposer to perform in accordance with contract requirements. Failure to submit any omitted or additional information in accordance with the City's request shall result in proposal being deemed non-responsive.

4. ELECTRONIC PROPOSAL FORMAT. In order to maintain comparability, facilitate the review process and assist the Evaluation Committee in review of proposals, it is strongly recommended that proposals be organized and tabbed in accordance with the tabs, and sections as specified below. The electronic submittal should be tabbed as enumerated below and contain a table of contents with page references. The electronic proposal shall be submitted through the "Line Items" attachment tab in Periscope S2G.

TAB 1	Cover Letter, Table of Contents and Minimum Requirement(s)
1.1 Cover Letter and Table of Contents. The cover letter must indicate Proposer and Proposer Primary Contact for the purposes of this solicitation.	
1.2 Minimum Requirement(s).	

- 1.2.1** The Bidder or its principal(s) must have a minimum of three (3) contracts with other government, legal, and/or law enforcement agencies within the last five (5) years.

Submittal Requirement: For each contract that complies with the requirement above, submit the name, detailed contract description, start and completion dates, contract agency, and project contact information (phone and email).

TAB 2 Experience & Qualifications

2.1 Qualifications of Proposing Firm. Provide evidence that the proposed solution is an established, proven platform explicitly designed to meet the needs defined herein and used by public sector agencies successfully.

For each project that the Proposer submits as evidence of experience for the firm and/or any principal, the following is required: 1) project description, 2 application solution furnished & implemented, 3) agency name, 4) agency contact, 5) contact telephone & email. For each project, identify whether the experience is for the firm or for a principal (include name of principal).

2.2 Qualifications of Proposer Team. Provide an organizational chart of all personnel and consultants to be used for this project if awarded, the role that each team member will play in providing the services detailed herein, including but not limited to platform development, installation, implementation, and support of the software product and each team members' qualifications. A resume of each individual, including education, experience, and any other pertinent information, shall be included for each team member to be assigned to this contract.

TAB 3 Platform Functionality

Submit detailed information on the proposed platform functionalities, including but not limited to the following:

- 3.1 Users' ability to set alerts or notifications to track and proactively learn about any pertinent changes
- 3.2 Association of searches between individuals and entities across social media sites, forums, blogs, feeds, and open web
- 3.3 Prioritization of actionable intelligence through which to triage pertinent information
- 3.4 Identifying objects, images, text, and behaviors audits all user activity, including but not limited to logins and logouts, searches, results, downloads, items printed, etc.
- 3.5 Real-time data collection and data flow
- 3.6 No volume or search restrictions – cost-effective flat-rate pricing for unlimited searches
- 3.7 Facial recognition capabilities
- 3.8 Custom solution capabilities
- 3.9 Secure file transferring
- 3.10 Historical location data access
- 3.11 Link analysis capabilities to include relatives and neighbor associations
- 3.12 Cell phone analysis capabilities
- 3.13 Website and app-based platforms
- 3.14 GIS fencing capabilities
- 3.15 Scrub suppression
- 3.17 Provision of information suitable for link analysis and data mining
- 3.18 Utilization and automation of complex algorithms and analysis relevant to OSINT work with social media content
- 3.19 Data anonymization of user activity and full control over user activity logs
- 3.20 Ability to analyze OSINT social media content and dark web sources
- 3.21 Ability to pull and/or analyze and present data from company and people search sites (i.e. Pipl, Spokeo, etc.)
- 3.22 Ability to display videos from social media sources on a geospatial platform in real-time

3.23 "Single pane of glass" or centralized graphical user interface for improved user experience

TAB 4 Approach and Methodology

Submit detailed information addressing how the proposed solution will achieve each portion of the scope of services and technical requirements outlined in Appendix A, Scope of Work and Specifications, including but not limited to project planning and implementation (4.1), training (4.2), and maintenance/support information (4.3):

4.1 Project Planning and Implementation Information

4.1.1 Provide a complete sample project plan for this project. Include your firm's approach to project management, implementation, migration, and training issues. Describe any integration capabilities and existing integrations available. Describe the implementation strategy that would be employed to successfully complete the project as well as meet the requirements of the City within the required timeline.

4.1.2 Include a sample project schedule based on the above project plan. Indicate the significant "milestones" in a project of this nature and magnitude.

4.2 Training Information

4.2.1 Describe the training program approach for the City. Include Administrator, Power User, and Full User roles, including in-house training ("Live").

4.2.2 Describe all training manuals and formats available. Describe other methods or training available to City users.

4.3 Maintenance/Support

4.3.1 Describe the levels and types of ongoing platform support and maintenance provided by your firm. Specify the current version of your platform, next major upgrade, how often the platform is upgraded, and how the upgrades are accomplished.

4.3.2 Indicate how support would be provided to the City (hotline telephone support, email, on-site, helpdesk, etc.). Describe the support escalation process should initial methods of support not adequately address the issue(s).

TAB 6 Cost Proposal

Pricing: Provide complete, detailed pricing on all aspects of the project. Prices should be provided on the following, at a minimum:

6.1 License(s) – Indicate whether licensing is based on site licenses, concurrent users, or named users or combinations thereof. Provide relevant firm pricing. If applicable, indicate the next level of pricing if the number of users is increased.

6.2 Support/Maintenance – Indicate support/maintenance costs for the initial term of the contract and also for the renewal years. Define whether these costs are fixed or based on a percentage of licensing costs. Indicate which services are included and which are optional. Indicate when support/maintenance costs are due in relation to "go-live" and when they become effective.

6.3 Costs per Project Phases – Provide a lump sum price for integration, data conversion, and implementation. Provide details of anticipated effort and time required.

6.3.1 Other Additional/Optional Services Costs– Provide an hourly/daily rate, as well as an estimate of the amount of time required to provide each of the following services, if applicable:

- customization of platform;

- additional training sessions, if required;
- report customization; and
- any other potential costs not included in the above.

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SECTION 0400

PROPOSAL EVALUATION

1. EVALUATION COMMITTEE INITIAL REVIEW OF PROPOSALS. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate and rank each responsive Statement of Qualifications received in accordance with the criteria set forth in Sub-section 4 below. The Evaluation Committee may complete the initial review of proposals with or without presentations. The Evaluation Committee's scores and rankings are only advisory to the City Manager, who will utilize the results to take one of the following actions:

- a. Recommend that the City Commission authorize negotiations or award a contract to one or more firms in accordance with Section 0100, Sub-section 10; or
- b. Recommend that the City Commission short-list one or more firms for further consideration by the Evaluation Committee; or
- c. Recommend to the City Commission that all firms, if more than one (1) responsive submittal is received, be rejected.

2. PRESENTATIONS BY SHORT-LISTED FIRMS. If a short-listing of firms responding to this RFP is approved, the short-listed firms may be required to make presentations to and be interviewed by the Evaluation Committee. In further considering the short-listed firms, the Evaluation Committee will utilize the criteria set forth in Sub-section 4 below.

3. TECHNICAL ADVISORS. The City, in its discretion, may utilize technical or other advisers to assist the evaluation committee or the City Manager in the evaluation of proposals.

4. QUALITATIVE AND QUANTITATIVE CRITERIA. The first step will consist of the qualitative criteria listed below to be considered by the Evaluation Committee. The second step will consist of quantitative criteria established below to be added to the Evaluation Committee results by the Procurement Department.

Qualitative Criteria	Maximum Points
Experience and Qualifications	30
Platform Functionalities	45
Approach and Methodology	10
Cost	15
TOTAL AVAILABLE POINTS	100

Quantitative Criteria	Maximum Points
Veterans Preference	5
TOTAL AVAILABLE POINTS	5

4. COST. In considering cost, or any other factor, quantitative factors, the City Manager may consider any feedback or information provided by staff, consultants or any other third-party in developing an award recommendation in accordance with Sub-section 5 below.

5. DETERMINATION OF AWARD. The City Manager shall consider qualitative and quantitative factors, in accordance with Sub-section 2 and 3 above, to recommend the proposer(s) he deems to be in the best interest of the City, or may recommend rejection of all proposals. The City Manager's recommendation need not be consistent with the scoring results of the Evaluation Committee process, if applicable, and shall take into consideration Miami Beach City Code Section 2-369, including the following considerations:

- (1) The ability, capacity and skill of the Proposer to perform the contract.
- (2) Whether the Proposer can perform the contract within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the Proposer.

- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the Proposer with laws and ordinances relating to the contract.

The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another Proposer(s) which it deems to be in the best interest of the City, or it may also reject all Proposals.

6. NEGOTIATIONS. Following selection, the City reserves the right to enter into further negotiations with the selected Proposer(s). Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Proposer in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Proposers that no property, contract or legal rights of any kind shall be created at any time until and unless an Agreement has been agreed to; approved by the City; and executed by the parties.

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APPENDIX A

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Insurance Requirements

RFP 2022-450-KB

Open-Source Intelligence (OSINT)
Aggregator and Processing Platform

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

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INSURANCE REQUIREMENTS

This document sets forth the minimum levels of insurance that the contractor is required to maintain throughout the term of the contract and any renewal periods.

The vendor shall maintain the below required insurance in effect prior to awarding the contract and for the duration of the contract. The maintenance of proper insurance coverage is a material element of the contract and failure to maintain or renew coverage may be treated as a material breach of the contract, which could result in withholding of payments or termination of the contract.

- A. Worker's Compensation Insurance for all employees of the vendor as required by Florida Statute 440, and Employer Liability Insurance for bodily injury or disease. Should the Vendor be exempt from this Statute, the Vendor and each employee shall hold the City harmless from any injury incurred during performance of the Contract. The exempt Vendor shall also submit (i) a written statement detailing the number of employees and that they are not required to carry Workers' Compensation insurance and do not anticipate hiring any additional employees during the term of this contract or (ii) a copy of a Certificate of Exemption.
- B. Professional Liability (Errors & Omissions) Insurance appropriate to the Consultant's profession, with limit no less than \$2,000,000.
- C. Cyber Liability in an amount sufficient to cover the full replacement value of damage to, alteration of, loss of, or destruction of electronic data and/or information "property" of the City of Miami Beach that will be in the care, custody, or control of the vendor.

Additional Insured - City of Miami Beach must be included by endorsement as an additional insured with respect to all liability policies (except Professional Liability and Workers' Compensation) arising out of work or operations performed on behalf of the contractor including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired or borrowed in the form of an endorsement to the contractor's insurance.

Notice of Cancellation - Each insurance policy required above shall provide that coverage shall not be cancelled, except with notice to the City of Miami Beach c/o EXIGIS Insurance Compliance Services.

Waiver of Subrogation – Vendor agrees to obtain any endorsement that may be necessary to affect the waiver of subrogation on the coverages required. However, this provision applies regardless of whether the City has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers – Insurance must be placed with insurers with a current A.M. Best rating of A:VII or higher. If not rated, exceptions may be made for members of the Florida Insurance Funds (i.e. FWCIGA, FAJUA). Carriers may also be considered if they are licensed and authorized to do insurance business in the State of Florida.

Verification of Coverage – Contractor shall furnish the City with original certificates and amendatory endorsements, or copies of the applicable insurance language, effecting coverage required by this contract. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City

reserves the right to require complete, certified copies of all required insurance policies, including endorsements, required by these specifications, at any time.

CERTIFICATE HOLDER MUST READ:

CITY OF MIAMI BEACH
c/o EXIGIS Insurance Compliance Services
P.O. Box 4668 – ECM #35050
New York, NY 10163-4668

Kindly submit all certificates of insurance, endorsements, exemption letters to our servicing agent, EXIGIS, at:

Certificates-miamibeach@riskworks.com

Special Risks or Circumstances - The City of Miami Beach reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Compliance with the foregoing requirements shall not relieve the vendor of his liability and obligation under this section or under any other section of this Agreement.