RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY AND TRANSCORE ITS, LLC, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2016-199-KB FOR THE DESIGN, BUILD, OPERATION, AND MAINTENANCE SERVICES FOR AN INTELLIGENT TRANSPORTATION AND SMART PARKING SYSTEM; SAID AMENDMENT (1) EXTENDING THE CONTRACT TIME FOR TWO (2) ADDITIONAL YEARS; (2) EXPANDING THE SCOPE OF WORK TO INCLUDE (I) TEMPORARY MAINTENANCE OF MIAMI-DADE COUNTY TRAFFIC SIGNALS DURING CONSTRUCTION OF THE PROJECT, IN THE APPROXIMATE AMOUNT OF $150,000.00; AND (II) INSTALLATION OF A BLUETOOTH SENSOR, IN THE APPROXIMATE AMOUNT OF $56,000, FOR A TOTAL APPROXIMATE SUM OF $206,000.00; AND (3) APPROVING A $600,000.00 CONTINGENCY TO COVER THE COST OF ANY REQUIRED CHANGE ORDERS IN CONNECTION WITH THE DESIGN AND CONSTRUCTION OF PHASES 1 AND 2 OF THE PROJECT, THEREBY INCREASING THE INITIAL CONTRACT PRICE FOR PHASES 1 AND 2 OF THE PROJECT FROM $12,468,178.00 TO $12,904,661.17, INCLUDING THE $600,000 CONTINGENCY, UTILIZING PREVIOUSLY APPROVED FUNDING FOR THIS PROJECT; AND (4) ADDING TEMPORARY TRAFFIC MONITORING/MANAGEMENT SERVICES, ON AN AS-NEEDED BASIS DURING CONSTRUCTION, SUBJECT TO FUNDING AVAILABILITY, AND PROVIDED THAT THE COST OF THESE SERVICES DOES NOT EXCEED THE CITY MANAGER'S PURCHASING AUTHORITY UNDER THE CITY CODE; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND SUBSEQUENT RELATED SERVICE ORDERS.

WHEREAS, on October 18, 2017, the Mayor and City Commission adopted Resolution No. 2017-30064, accepting the recommendation of the City Manager to award an agreement, pursuant to Request for Proposals No. 2016-199-KB for Design, Build, Operate, and Maintain Services for an Intelligent Transportation System (ITS) and Smart Parking system (SPS), to TransCore, ITS, LLC ("TransCore") as the top-ranked proposer, and authorized the Administration to enter into negotiations with TransCore; and

WHEREAS, on April 16, 2019, the City and TransCore executed a Design/Build/Operate/Maintain Agreement for ITS and SPS services ("Agreement"), for a total Guaranteed Maximum Price of $25,000,000.00 ("Total Contract Price"), with an Initial Contract Price, in the amount of $12,468,178.00, for the design and construction of Phase 1 and Phase 2 of the project; and

WHEREAS, the work associated with this project includes the installation of various ITS devices supporting a traveler information system, such as freeway dynamic message signs, arterial dynamic message signs along major thoroughfares, real-time data collection devices throughout the City, closed-circuit television cameras to support situational awareness and traffic

monitoring and SPS devices at 10 City parking garages and 5 surface parking lots to disseminate real-time parking availability; and

WHEREAS, once completed, this network will give the City the ability to monitor and manage traffic congestion and report real-time traffic and parking conditions to motorists; and

WHEREAS, the project planning and design development phases were closely coordinated with the Florida Department of Transportation (FDOT) and Miami-Dade County Department of Transportation and Public Works (DTPW); and

WHEREAS, the first phase of the ITS/SPS project, currently in construction, consists of nearly 20 miles of the City's arterial roadway network, which will be managed in real-time from a Transportation Management Center (TMC) established in conjunction with the FDOT SunGuide TMC located at FDOT District 6; and

WHEREAS, a future phase of the ITS/SPS project is proposed to provide coverage along all major thoroughfares in the City; and

WHEREAS, following the issuance of Notice to Proceed by the City in 2019, TransCore commenced design of all components of the project; however, the project schedule includes design, permitting, manufacturing, and installation of ITS infrastructure, devices, and communication systems, has been significantly affected in 2020 due to the COVID-19 Pandemic; and

WHEREAS, on October 23, 2020, the parties agreed to reduce the scope of work pursuant to a change order, in the amount of $369,795.38; and

WHEREAS, at this time, TransCore has successfully completed the design and has commenced construction of permitted components of phases 1 and 2 of the project; and

WHEREAS, under the Agreement, the warranty period on devices and system components installed as part of the project does not start until the devices or systems have been installed and accepted by the City; and

WHEREAS, the term of the Agreement is for eight (8) years with a five (5) year extension at the City's discretion; and

WHEREAS, the contract end dates and end-of-life cycles for the equipment are industry standard for the ITS and SPS projects; and

WHEREAS, given the delay to the project schedule due to the pandemic, an extension of the contract term by two (2) years will enable TransCore to recoup this time and operate and maintain the devices for the originally anticipated time following installation and for the maximum allowable time; and

WHEREAS, to reduce the number of pole structures to be installed in City rights-of-way and reduce capital and operating costs, the project includes the installation of cameras and other equipment on existing traffic signal mast arms, property of the DTPW; and

WHEREAS, as part of the permitting phase, DTPW has requested that TransCore assume responsibility of the maintenance of the affected traffic signals during the construction phase of

the ITS project, on an as-needed basis, which was not originally included in the Agreement, at an estimated cost of $150,000.00; and

WHEREAS, following denial by DTPW for the installation of Bluetooth sensors on a County streetlight pole on the Venetian Causeway, TransCore is pursuing the installation of the Bluetooth sensor as a stand-alone device on a dedicated pole in proximity to the original location at an approximate cost of $56,000.00; and

WHEREAS, the proposed Amendment will permit the City to advance the traffic monitoring and management phase/services and use TransCore resources, included in the existing project scope, on an as-needed basis, including during special events and high-impact periods, while the ITS project is in construction; and

WHEREAS, the cost for these traffic monitoring services is to be negotiated between the City and TransCore and will be paid from the Transportation and Mobility Department's operating budget on an annual basis; provided that the limit does not exceed the City Manager's purchasing authority under the City Code; and

WHEREAS, pursuant to the Agreement, the City Manager may approve change orders or other amendments to the contract term or contract price up to an amount equal to the total amount remaining in the project contingency; and

WHEREAS, given that the Agreement did not include any contingency, the proposed Amendment seeks to allocate $600,000.00 (approximately 5% of the total project cost) as the contingency, which would cover the cost of any required change order associated with the design and construction of phases 1 and 2 of the project; and

WHEREAS, the proposed Amendment increases the Initial Contract Price for phases 1 and 2 from $12,468,178.00 to $12,904,661.17 ($12,468,178.00 – $369,795.38 + $56,278.55 + $150,000.00 + $600,000.00), utilizing previously approved funding for this capital project, and delegates to the City Manager the authority to approve service orders authorized under the Amendment; and

WHEREAS, based upon the foregoing, the City Manager recommends approving, in substantial form, the Amendment, a draft copy of which is attached to the City Commission Memorandum accompanying this Resolution.

NOW, THEREFORE, BE IT RESLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve, in substantial form, Amendment No. 1 to the Agreement between the City and TransCore ITS, LLC, pursuant to Request for Proposals (RFP) No. 2016-199-KB for the Design, Build, Operation, and Maintenance Services for an Intelligent Transportation and Smart Parking System; said Amendment (1) extending the contract time for two (2) additional years; (2) expanding the scope of work to include (i) temporary maintenance of Miami-Dade County traffic signals during construction of the project, in the approximate amount of $150,000.00; and (ii) installation of a Bluetooth sensor, in the approximate amount of $56,000.00, for a total approximate sum of $206,000.00; and (3) approving a $600,000.00 contingency to cover the cost of any required change orders in connection with the design and construction of phases 1 and 2 of the project, thereby increasing the Initial Contract Price for phases 1 and 2 of the project from $12,468,178.00 to $12,904,661.17, including the $600,000 contingency, utilizing previously

approved funding for this project; and (4) adding temporary traffic monitoring/management services, on an as-needed basis during construction, subject to funding availability, and provided that the cost of these services does not exceed the City Manager's purchasing authority under the City Code; and further authorize the City Manager to execute the Amendment and subsequent related service orders.

PASSED and **ADOPTED** this 14th day of September 2022.

ATTEST:

_____
Dan Gelber, Mayor

_____
Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney AM 9-1-22
Date