RESOLUTION NO. 2022-32423

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER AND AUTHORIZING THE ADMINISTRATION TO ISSUE A COMPETITIVE SOLICITATION FOR A REPLACEMENT CONTRACT FOR MOBILE PARKING PAYMENT SOLUTIONS.

WHEREAS, on May 8, 2013, the Mayor and City Commission approved the issuance of Request for Proposals (RFP) 177-2013ME, seeking proposals from qualified providers of pay-by-phone systems that enabled parking payments for the City's on-street and off-street metered facilities via phone, mobile applications, or text; and

WHEREAS, the pay-by-phone system was intended to supplement the existing payment options and provide discounted rates and service fees to Miami Beach residents; and

WHEREAS, the RFP resulted in responses from five firms, including Pango USA, LLC, Pasport Parking, LLC, QuickPay Corp., PayByPhone Technologies, Inc. (PayByPhone), and Park Mobile USA, Inc. (ParkMobile); and

WHEREAS, in part, the RFP was awarded to ParkMobile because they were the only bidder to waive the convenience fee for Miami Beach residents; and

WHEREAS, following the competitive solicitation process on February 1, 2014, the City entered into an agreement with ParkMobile to provide parking pay-by-phone services; and

WHEREAS, the agreement had an initial term of five (5) years with two (2) additional 2-year renewal terms; and

WHEREAS, the Agreement is scheduled to expire on February 23, 2023; and

WHEREAS, on October 26, 2022, the City Commission adopted Resolution No. 2022-37370, directing the Administration to explore options for contracting with the best mobile parking payment application service with a specific interest in considering mobile parking payment applications being used by neighboring jurisdictions with the intent of maximizing convenience to residents and local visitors; and

WHEREAS, the City Commission discussed whether the City should consider options for piggybacking existing agreements executed by neighboring jurisdictions or whether it was best to issue a competitive solicitation for the City to negotiate and execute its own agreement; and

WHEREAS, pursuant to the City Commission's direction on October 26, 2022, staff researched the mobile parking payment solutions utilized by neighboring jurisdictions to determine whether any of these agencies or municipalities had appropriate contracts for piggybacking; and

WHEREAS, the City of Miami/Miami Parking Authority responded that its contract had been competitively solicited and awarded to PayByPhone in 2014 and is scheduled to expire

in 2025; and

WHEREAS, the City of Coral Gables, City of Doral, City of Hallandale Beach, and City of Fort Lauderdale confirmed that they were piggybacking off of the City of Miami/Miami Parking Authority contract; and

WHEREAS, the City of Miami/Miami Parking Authority's contract with PayByPhone is similar to the City's current contract with ParkMobile in that it allows for a resident discount rate and does not charge residents a transaction fee; and

WHEREAS, unlike the City's current contract, under which the City does not pay any charges (resident transaction fees are absorbed by visitors in the visitor rates charged), the City of Miami/Miami Parking Authority contract would allow the City to absorb the resident transaction fees; and

WHEREAS, however, based on approximately 503,000 resident transactions at the current PayByPhone convenience fee of $0.27, doing so is estimated to cost the City $136,000.00 annually; and

WHEREAS, staff also identified competitive contracts awarded to PayByPhone by the National Cooperative Purchasing Alliance (NCPA) and the City of Tampa; and

WHEREAS, the NCPA contract does not allow for discounted rates and no transaction fees to residents; and

WHEREAS, further, the Agreement with the City of Tampa contains local preference language that typically precludes other agencies from piggybacking; and

WHEREAS, staff was unable to identify a contract awarded to PayByPhone that meets the City's current requirements to offer residents discount rates and fee waivers; and

WHEREAS, this is an important distinction because piggybacking typically requires that the agency desiring to piggyback accept the terms, conditions, and pricing of the other agency's contract without modification; and

WHEREAS, during the research process, staff learned that some jurisdictions (e.g., the City of Tampa) awarded contracts for mobile parking payment solutions to more than one provider as a means of extending convenience to visitors traveling into the City from areas serviced by other providers; and

WHEREAS, based on the above findings, the Administration recommends the City Commission authorize the preparation of a competitive solicitation for a replacement contract for mobile parking payment solutions that appropriately prioritizes, among other relevant factors, the convenience to the customer and potential benefits to the City of utilizing a mobile parking payment solution provider used by a majority of neighboring jurisdictions; and

WHEREAS, if deemed by the City Commission to be in the best interest of the City, the solicitation will allow for an award of contract to more than one mobile parking payment solutions provider.

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 approve the Resolution accepting the City Manager's recommendation and authorize the Administration to issue a competitive solicitation for a replacement contract for mobile parking payment solutions.

PASSED AND ADOPTED this 14 day of December 2022.

ATTEST:

DEC 16 2022

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

MIAMI BEACH INCORPORATED MARCH 26 1915

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney DA 12-5-22 Date

MIAMIBEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Alina T. Hudak, City Manager
DATE: December 14, 2022

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER AND AUTHORIZING THE ADMINISTRATION TO ISSUE A COMPETITIVE SOLICITATION FOR A REPLACEMENT CONTRACT FOR MOBILE PARKING PAYMENT SOLUTIONS.

RECOMMENDATION

The Administration recommends that the City pursue a replacement contract for mobile parking payment solutions through a competitive solicitation.

BACKGROUND/HISTORY

On May 8, 2013, the Mayor and City Commission approved the issuance of Request for Proposals (RFP) 177-2013ME, seeking proposals from qualified providers of pay-by-phone systems that enabled parking payments for the City's on-street and off-street metered facilities via phone, mobile applications, or text. The pay-by-phone system was intended to supplement the existing payment options and have the capability of providing discounted rates and service fees to residents.

The RFP resulted in responses from five firms, including Pango USA, LLC, Pasport Parking, LLC, QuickPay Corp., PayByPhone Technologies, Inc. (PayByPhone), and Park Mobile USA, Inc. (ParkMobile). In part, The RFP was awarded to ParkMobile because they were the only bidder able to waive the convenience fee for residents.

Following the competitive solicitation process on February 1, 2014, the City entered into an Agreement with ParkMobile to provide parking pay-by-phone services. The agreement had an initial term of five (5) years with two (2) additional 2-year renewal terms. The Agreement is presently scheduled to expire on February 23, 2023.

On October 26, 2022, the City Commission adopted Resolution No. 2022-37370, directing the Administration to explore options for contracting with the best mobile parking payment application service. Specifically, the City Commission expressed an interest in considering mobile parking payment applications being used by neighboring jurisdictions with the intent of maximizing convenience to residents and local visitors.

A discussion ensued on whether the City should consider options for piggybacking existing agreements executed by neighboring jurisdictions or whether it was best to issue a competitive solicitation for the City to negotiate and execute its own agreement.

ANALYSIS

Pursuant to the City Commission's direction on October 26, 2022, staff researched which mobile parking payment solutions were being utilized by neighboring jurisdictions and whether any of the contracts executed by these agencies could be piggybacked by the City. All local jurisdictions were queried, and responses were received from the following:

1) City of Miami/Miami Parking Authority;
2) City of Coral Gables;
3) City of Doral;
4) City of Hallandale Beach; and
5) City of Fort Lauderdale.

The City of Miami/Miami Parking Authority responded that its contract had been competitively solicited and awarded to PayByPhone in 2014 and is scheduled to expire in 2025. The other four agencies responded that they were piggybacking off the City of Miami/Miami Parking Authority Contract.

The City of Miami/Miami Parking Authority's contract with PayByPhone is similar to the City's current contract with ParkMobile in that it allows for a resident discount rate and does not charge residents a transaction fee. However, unlike the City's current contract, under which the City does not pay any charges (resident transaction fees are absorbed by visitors in the visitor rates charged), the City of Miami/Miami Parking Authority contract would allow the City to absorb the resident transaction fees. Doing so is estimated to cost the City $136,000.00 annually. This estimate is based on approximately 503,000 resident transactions at the current PayByPhone convenience fee of $0.27.

Staff also identified competitive contracts awarded to PayByPhone by the National Cooperative Purchasing Alliance (NCPA) and the City of Tampa. However, the NCPA contract does not allow for discounted rates and no transaction fees to residents. Further, the Agreement with the City of Tampa contains local preference language that typically precludes other agencies from piggybacking.

Staff was unable to identify a contract awarded to PayByPhone that meets the City's current requirements to offer residents discount rates and fee waivers. This is an important distinction because piggybacking typically requires that the agency desiring to piggyback accept the terms, conditions, and pricing of the other agency's contract without modification.

During the research process, staff learned that some jurisdictions (e.g., the City of Tampa) had awarded contracts for mobile parking payment solutions to more than one provider as a means of extending convenience to visitors traveling into the City from areas serviced by other providers.

SUPPORTING SURVEY DATA

Not Applicable.

FINANCIAL INFORMATION

Not Applicable.

CONCLUSION

Based on the above findings, the Administration recommends the City Commission authorize the preparation of a competitive solicitation for a replacement contract for mobile parking payment solutions that appropriately prioritizes, among other relevant factors, the convenience to the customer and potential benefits to the City of utilizing a mobile parking payment solution provider used by a majority of neighboring jurisdictions. The solicitation will also allow an award of a contract to more than one mobile parking payment solutions provider if the City Commission deems that doing so is in the City's best interest.

It is anticipated that the solicitation will be presented to the City Commission for approval at its next regularly scheduled meeting in February 2023.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?	**Does this item utilize G.O. Bond Funds?**
No	No

Legislative Tracking

Parking/Procurement

Sponsor

Co-sponsored by Commissioner Alex Fernandez

ATTACHMENTS:

Description

- Resolution