

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT AGREEMENT) RELATING TO THE INSTALLATION OF DIGITAL KIOSKS AT APPROVED LOCATIONS ON FDOT RIGHTS-OF-WAY; AND FURTHER APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH IKE SMART CITY, LLC (AMENDMENT NO. 1 TO THE IKE AGREEMENT), FOR IKE TO ASSUME THE CITY'S OBLIGATIONS UNDER THE FDOT AGREEMENT; AND FURTHER, AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE THE FDOT AGREEMENT AND AMENDMENT NO. 1 TO THE IKE AGREEMENT.

WHEREAS, on August 25, 2021, the Administration received an unsolicited proposal from IKE Smart City, LLC ("IKE"), pursuant to Section 255.065, Florida Statutes, to Design, Manufacture, Install, Operate and Maintain Interactive Digital Media Kiosks at certain sites throughout the City; and

WHEREAS, on January 20, 2022, the Mayor and City Commission approved Resolution 2022-31989, accepting the unsolicited proposal pursuant to Section 255.065, Florida Statutes and authorizing the Administration to issue Request for Proposals (RFP) No. 2022-040-KB, seeking proposals from other interested parties for the same project purpose as the unsolicited proposal; and

WHEREAS, on December 14, 2022, via Resolution 2022-32422, the Mayor and City Commission authorized the Administration to enter into negotiations with IKE, the top-ranked proposer, and if unsuccessful, to negotiate with Smart City Media, the second-ranked proposer, with the final negotiated agreement being subject to the prior approval of the Mayor and City Commission; and

WHEREAS, on June 28, 2023, the Mayor and City Commission approved the essential business terms for the Agreement with IKE Smart City, LLC to design, manufacture, install, maintain, and operate interactive digital media kiosks; and further authorized the City Manager and City Clerk to execute an agreement with IKE consistent with the approved terms; and

WHEREAS, on July 28, 2023, the City of Miami Beach executed an agreement with IKE Smart City, LLC ("IKE Agreement") for the design, manufacture, installation, maintenance, and operation of interactive digital media kiosks in the City of Miami Beach; and

WHEREAS, some of the IKE digital media kiosks will be placed along or abutting certain rights-of-way under the jurisdiction of the Florida Department of Transportation ("FDOT Rights-of-Way")

WHEREAS, before IKE can place any digital media kiosks along or abutting any FDOT Rights-of-Way, the City must enter into an agreement with the Florida Department of Transportation ("FDOT Agreement"), a copy of which is attached to the Memorandum accompanying this Resolution; and

WHEREAS, under the FDOT Agreement, the City shall be responsible for installing, operating, and maintaining digital media kiosks and the necessary utilities along the approved FDOT Rights-of-Way pursuant to the terms and conditions of the FDOT Agreement; and

WHEREAS, IKE has agreed to assume all of the City's responsibilities under the FDOT Agreement pursuant to Amendment No. 1 to the IKE Agreement ("Amendment No. 1 to the IKE Agreement"), a copy of which is attached to the Memorandum accompanying this Resolution; and

WHEREAS, the Administration seeks the Mayor and City Commission's approval of the FDOT Agreement and Amendment No. 1 to the IKE Agreement and authorization to execute same.

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 hereby approve the agreement between the City and the Florida Department of Transportation (FDOT Agreement) relating to the installation of digital kiosks at approved locations on FDOT Rights-of-Way; and further approve Amendment No. 1 to the Agreement with IKE Smart City, LLC (Amendment No. 1 to the IKE Agreement), for IKE to assume the City's obligations under the FDOT Agreement; and further, authorize the City Manager and the City Clerk to execute the FDOT Agreement and Amendment No. 1 to the IKE Agreement.

PASSED AND ADOPTED this _____ day of _____ 2023.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney 

8-31-23

Date