

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER, PURSUANT TO RFP 2023-628-LB FOR WIDE AREA NETWORK AND INTERNET SERVICES; AUTHORIZING THE ADMINISTRATION TO ENTER NEGOTIATIONS WITH HOTWIRE COMMUNICATIONS LTD FOR INTERNET CONNECTIVITY (GROUP 1) AND AT&T CORP FOR WIDE AREA NETWORK SERVICES (GROUP 2); AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AGREEMENTS WITH EACH FIRM UPON THE CONCLUSION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

WHEREAS, on September 13, 2023, the Mayor and City Commission authorized the issuance of Request for Proposals (RFP) No. RFP 2023-628-LB for Wide Area Network and Internet Connectivity Services; and

WHEREAS, on October 18, 2023, the City received proposals from the following four (4) firms: AT&T Corp, Comcast Business Communications LLC, Crown Castle Fiber LLC, Hotwire Communications LTD; and

WHEREAS, the bid submitted by Crown Castle Fiber LLC failed to provide a completed Cost Proposal Form as required in the RFP; and

WHEREAS, the proposal has been deemed non-responsive and cannot be further considered; and

WHEREAS, on October 12, 2023, the City Manager appointed the Evaluation Committee via LTC # 458-2023; and

WHEREAS, the Committee was comprised of Francisco Garcia, Fleet and Facilities Division Director; Lazaro Guerra, Public Safety Communications Division PSCU Administrator; Shari Lipner, Emergency Management Division Administrator; Omar Mendoza, Public Works Principal Engineer; and Frank Quintana, Information Technology Chief Information Officer; and

WHEREAS, the Evaluation Committee convened on October 27, 2023, to consider the proposals received; and

WHEREAS, the Committee was provided an overview of the project, information relative to the City's Cone of Silence Ordinance, the Government Sunshine Law, and general information on the scope of services and a copy of each proposal; and

WHEREAS, the Committee was instructed to score and rank each proposal pursuant to the evaluation criteria established in the RFP; and

WHEREAS, the evaluation process resulted in the proposers being ranked by the Evaluation Committee in the following order:

Group 1 Internet Connectivity

1st – Comcast Business Communications LLC

2nd – Hotwire Communications LTD

3rd – AT&T Corp.

Group 2 Wide Area Network (WAN) Connectivity

1st – AT&T Corp.

2nd – Comcast Business Communications LLC

WHEREAS, with regard to Group 1 – internet connectivity, the evaluation process, which includes a consideration of qualifications, scope of services, and cost, resulted in Comcast as the top-ranked bidder, closely followed by AT&T as the second-ranked bidder; and

WHEREAS, Section 2-369 of the City Code requires that, in determining the lowest and best bidder, in addition to price, there shall be considered the following:

- (1) The ability, capacity, and skill of the bidder to perform the contract.
- (2) Whether the bidder can perform the contract within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience, and efficiency of the bidder.
- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the bidder with laws and ordinances relating to the contract; and

WHEREAS, both Comcast and Hotwire have previously performed work for the City. Hotwire Communications has performed well, with the City not experiencing any major deficiencies in the internet services that are so critical to City operations; and

WHEREAS, the City has, however, experienced significant deficiencies with Comcast's performance; and

WHEREAS, the City has experienced inconsistent internet services relating to the revenue control and access systems at the City's parking garage; and

WHEREAS, during this term, Comcast experienced multiple extended outages that forced the Skidata system to be unavailable, with these service interruptions forcing the Parking Department to open access to garages without the ability to collect payments, resulting in a loss of revenue for the City; and

WHEREAS, based on this prior performance, the Chair of the Evaluation Committee stated that they could not support continuing to do business with Comcast Business Communications LLC as the City continues to experience an extended outage relating to critical data center connectivity that began in December of 2021 and remains ongoing; and

WHEREAS, when services transitioned to Hotwire in 2018 under the current agreement, Comcast was the only vendor capable of providing the required services in the affected area, and, therefore, those services were not transitioned to Hotwire. However, despite multiple attempts by the City to correct the outage with Comcast, the matter remains unresolved; and

