

## RESOLUTION NO. 2018-\_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PURSUANT TO INVITATION TO NEGOTIATE (ITN) NO. 2018-003-JC, FOR INSURANCE CERTIFICATE TRACKING SYSTEM AND RELATED SERVICES, AND AUTHORIZING THE ADMINISTRATION TO ENTER INTO SIMULTANEOUS NEGOTIATIONS, WITH EXIGIS, LLC, AS THE TOP RANKED PROPOSER, AND COMPLIANCE HUB, AS THE SECOND HIGHEST RANKED PROPOSER; FURTHER, AUTHORIZE THE CITY MANAGER TO SELECT THE FINAL PROPOSER DEEMED BY THE CITY MANAGER TO OFFER THE BEST OVERALL TERMS AND SERVICE TO THE CITY; AND FURTHER AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE FINAL SELECTED PROPOSER, UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.**

**WHEREAS**, the Human Resources Department - Risk Management Office requires a certificate of insurance tracking system for contractors, firms or individuals doing business with the City to ensure they carry and maintain the appropriate levels of insurance as determined by the City; and

**WHEREAS**, the Palm Beach County Contract No. 13-100-MW, for certificate of insurance tracking system was competitively bid and awarded to Insurance Tracking Services, Inc.; and

**WHEREAS**, on or about May 21, 2014, pursuant to Section 2-369 of the City Code, the City Manager approved the award of a "piggyback" contract, for the City to utilize the competitively solicited Palm Beach County Contract No. 13-100-MW, for a certificate of insurance tracking system; and

**WHEREAS**, in preparation for the future expiration of Palm Beach County Contract No. 13-100-MW, the Administration prepared Invitation to Negotiate (ITN) 2018-003-JC, as a replacement option; and

**WHEREAS**, on December 13, 2017, the City Commission approved the issuance of Invitation to Negotiate (ITN) No. 2018-003-JC, for Insurance Certificate Tracking System and Related Services; and

**WHEREAS**, on December 18, 2017, the ITN was issued; and

**WHEREAS**, a non-mandatory pre-proposal conference to provide information to the proposers submitting a response was held on January 10, 2018; and

**WHEREAS**, ITN responses were due and received on February 9, 2018; and

**WHEREAS**, the City received a total of five (5) proposals from the following proposers: American Management Control Systems; Compliance Hub; Exigis, LLC; Insurance Tracking Services, Inc; and JDI Data Corporation; and

**WHEREAS**, Procurement performed due diligence and determined that the proposals received from American Management Control Systems, and JDI Data Corporation, failed to meet the Minimum Eligibility Requirements of the ITN (Appendix C (pg. 25), and Insurance Tracking

Services, Inc, and failed to include the fully completed and executed Proposal Certification, Questionnaire & Requirements Affidavit Certification Form (Appendix A (pg. 22), as stated in the ITN, and, accordingly, each of the foregoing proposers was deemed non-responsive; and

**WHEREAS**, on February 18, 2018, via LTC # 067-2018, the City Manager appointed the Evaluation Committee (the "Evaluation Committee"), which convened on February 28, 2018, to consider the proposals submitted; and

**WHEREAS**, the Evaluation Committee's process resulted in Exigis, LLC, as the top-ranked proposer, and Compliance Hub, as the second-ranked proposer; and

**WHEREAS**, after reviewing the qualifications of each firm, and having considered the Evaluation Committee's comments and rankings, the City Manager has recommended that the Mayor and City Commission authorize the Administration to enter into simultaneous negotiations with Exigis, LLC, as the top ranked proposer, and Compliance Hub, as the second highest ranked proposer; and,

**WHEREAS**, the City's current contractor is in default of its contractual obligations to the City, making it more difficult for the City to administer its insurance program and proactively identify lapses in vendor insurance policies, thereby creating the potential for gaps in insurance and increasing the risk of liability to the City; and

**WHEREAS**, in view of the circumstances, it is imperative that a replacement contract be awarded as quickly as possible to mitigate risks and limit the City's exposure; and

**WHEREAS**, pursuant to Section 2-371(a)(2) of the City Code, bidders are afforded the opportunity to file a protest concerning the City Manager's award recommendation, for up to two (2) days following the release of the notice of the City Manager's written recommendation to the City Commission for award of the bid in question; and

**WHEREAS**, notwithstanding the above, in view of the unforeseen circumstances relating to the default of the current provider's contractual obligations, the City Manager finds that, pursuant to Section 2-371(h) of the City Code, the award of the ITN "must be made without delay, in order to protect the substantial interests of the City."

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, accept the recommendation of the City Manager pursuant to of Invitation to Negotiate (ITN) No. 2018-003-JC, for Insurance Certificate Tracking System and Related Services, and authorize the Administration to enter into simultaneous negotiations, with Exigis, LLC, as the top ranked proposer, and Compliance Hub, as the second highest ranked proposer; further, authorize the City Manager to select the final proposer deemed by the City Manager to offer the best overall terms and service to the City; and further authorize the Mayor and City Clerk to execute an agreement with the final selected proposer, upon conclusion of successful negotiations by the Administration.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

ATTEST:

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

RLC 3-6-18  
City Attorney RLC Date