RESOLUTION NO. ____________

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN BIG WIRELESS, LLC AND THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO REQUEST FOR PROPOSAL (RFP) NO. 37-07/08, FOR THE CITY'S MICROWAVE RADIO SYSTEM; SAID AMENDMENT NO. 1 MEMORIALIZING PREVIOUSLY AUTHORIZED PURCHASE ORDERS FOR ADDITIONAL GOODS AND SERVICES FROM BIG WIRELESS, LLC, IN THE AMOUNT OF $156,952.25, AND INCREASING THE CONTRACT NOT-TO-EXCEED AMOUNT SET FORTH IN CITY RESOLUTION NO. 2009-27019 TO $1,307,448.00, TO FUND THE MAINTENANCE SCHEDULE FOR THE REMAINING FOUR (4) YEARS OF THE CONTRACT, WITH THE MAINTENANCE AMOUNTS FOR EACH YEAR TO BE FUNDED THROUGH THE ANNUAL BUDGET PROCESS.

WHEREAS, on February 25, 2009, the Mayor and City Commission adopted Resolution No. 2009-27019, approving and authorizing the City Manager to negotiate and execute an Agreement, pursuant to the Request of Proposal No. 37-07/08 (the "RFP") for a microwave radio system (the "Agreement"), with the top-ranked firm BIG Wireless, LLC. (the "Contractor"), in an not-to-exceed amount of $800,000; and

WHEREAS, on March 25, 2011, the Mayor and City Clerk executed an Agreement between the City and Contractor; and

WHEREAS, the Agreement provided for the turnkey design, delivery, installation, implementation, and 24/7 maintenance for a period of ten (10) years of the City's new Microwave Radio System, pursuant to the RFP; and

WHEREAS, the Microwave Radio System serves as the critical infrastructure under which the City's radio system operates; the system is used by numerous City departments for their normal and emergency operations, and is essential to the City's public safety infrastructure, as it is the infrastructure through which the Miami Beach Police Department's public safety radio system operates; and

WHEREAS, the Agreement established a lump sum amount of $627,360.66 for the installation of the microwave radio system, a ten (10) year remote monitoring maintenance schedule in the total amount of $90,562, a ten (10) year preventative maintenance schedule in the total amount of $400,783; and $31,790.09 for the purchase of spare parts for a grand total of $1,150,495.75; and

WHEREAS, the Administration believes that the originally established not-to-exceed limit of $800,000 included in Resolution 2009-27019 was a srivenor's error, as the $800,000 only referred to the portion of the overall funding for the project provided by a U.S. Department of Homeland Security Emergency Operations Center grant in the amount of $800,000, and did not include other funding available for the project; and

WHEREAS, in addition to the overall contract amount of $1,150,495.75, in 2011 the IT Department purchased ancillary goods and services which included; (i) a three (3) month extension of the maintenance plan to run concurrent with the City's fiscal year; (ii) four (4) FCC license fees for the Tower 41 Ceragon and Nera backhaul links; and (iii) additional parts and services required for the implementation of the system, in the total amount of $156,952.25, all of which were deemed necessary for successful implementation of the system and approved with previously authorized funding; and

WHEREAS, no additional appropriation is requested or necessary, except to fund the remaining four (4) years of the term through the regular budgetary process; and

WHEREAS, the Addendum memorializes the above-referenced prior purchases, to reflect the current status of contract, and does not involve any new purchases or require any additional funding beyond what was originally contemplated for approval of each year's maintenance schedule, as part of the regular budget process.

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 authorize the Mayor and City Clerk to execute Amendment No. 1 of the Agreement between BIG Wireless, LLC and the City of Miami Beach, Florida, pursuant to Resolution 2009-27019 and Request for Proposal (RFP) No. 37-07/08 for the City's Microwave Radio System; said Amendment No. 1 memorializing previously authorized purchase orders for additional goods and services from Big Wireless, LLC, in the amount of $156,952.25, and increasing the contract not-to-exceed amount set forth in City Resolution No. 2009-27019 to $1,307,448, to fund the maintenance schedule for the remaining four (4) years of the contract, with the maintenance amounts for each year to be funded through the annual budget process.

PASSED AND ADOPTED this ________ day of May 2018.

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Dan Gelber, Mayor

ATTEST:

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Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

5/1/18

City Attorney RAP Date