

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE CITY MANAGER'S RECOMMENDATION AND WAIVING, BY 5/7TH VOTE, THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY, (FPL) FOR THE CONVERSION OF EXISTING FPL STREET LIGHTS TO LOW EMITTING DIODE (LED) LIGHTING AND TO INSTALL ADDITIONAL LED LIGHTS AS MAY BE NEEDED, AT A RATE INCREASE OF \$27,088.68, ANNUALLY, OVER THE EXISTING FPL RATES, WITH NO CAPITAL OUTLAY REQUIRED FROM THE CITY TO PAY FOR THE CONVERSION, FOR THE PURPOSES OF IMPROVING THE LIGHTING OF THE CITY'S RIGHT-OF-WAY'S (ROW'S), REDUCING ENERGY CONSUMPTION AND ENHANCING PUBLIC SAFETY.

WHEREAS, the City executed resolution 2012-3754 providing Florida Power and Light Company, (FPL) a franchise agreement providing for the payment of fees to the City in exchange for the non-exclusive right and privilege of supplying electricity and other electricity-related services within the City of Miami Beach free of competition from the City of Miami Beach, pursuant to certain terms and conditions; and

WHEREAS, FPL is the exclusively authorized agent to replace (remove existing and replace with new) lighting fixtures installed on FPL light poles; and

WHEREAS, the Police Department approached the Public Works Department to upgrade the lighting within the Entertainment District of the City as crime prevention measures; and

WHEREAS, in 2017 the previously existing FPL along Ocean Drive and Collins Court from 5th Street to Española Way were converted to Low Emitting Diode (LED) lights; and

WHEREAS, the Police Department believes the use of the new lights has proven successful in deterring criminal activity on those streets where the LED lighting has been installed; and

WHEREAS, there are approximately 7,200 City owned and operated street lights and approximately 1,600 street lights which are owned by FPL and mounted on FPL poles; and

WHEREAS, the Public Works Department has approached FPL to convert all of the remaining existing High Pressure Sodium (HPS) lights citywide to LED lights; and

WHEREAS, FPL owns the existing poles upon which no other party may install lights, it is not feasible to competitively bid the upgrade of the street lights; and

WHEREAS, FPL has provided an agreement to accomplish this conversion with a cost estimate of an annual increase of \$27,088.68 over the existing FPL rates and no capital outlay required by the City; and

WHEREAS, after considering the Administration's review and analysis, the City Manager recommends that the Mayor and City Commission waive the competitive bidding requirement by a 5/7ths vote, and approve this Resolution authorizing the City Manager to execute the Agreement authorizing FPL to complete the work of converting the existing citywide FPL lighting to LED lights in an effort to improve the street lighting on the City's ROW's, reducing energy consumption and enhancing public safety.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission of Miami Beach, Florida, hereby accept the City Manager's recommendation and waive, by 5/7th vote, the competitive bidding requirement, finding such waiver to be in the best interest of the City, and authorize City Manager to execute the agreement with Florida Power and Light (FPL), at a rate increase of \$27,088.68, annually, and no out front capital outlay required by the City to pay for the conversion, for the purposes of improving the lighting on the City's ROW's, reducing energy consumption and enhancing public safety.

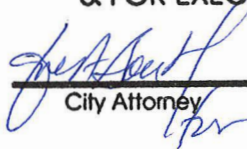
PASSED AND ADOPTED this ____ day of _____, 2018.

ATTEST:

Rafael Granado, City Clerk

Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/2/18

Date