

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 REQUEST FOR PROPOSALS (RFP) NO. 2017-074-WG, FOR INTERACTIVE DIGITAL MEDIA KIOSKS, AND AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A CONTRACT WITH ORANGE BARREL MEDIA, LLC; FURTHER, SHOULD THE ADMINISTRATION BE UNABLE TO SUCCESSFULLY NEGOTIATE A CONTRACT WITH ORANGE BARREL MEDIA, LLC, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A CONTRACT WITH SMART CITY MEDIA, LLC; AND FURTHER, PROVIDING THAT THE FINAL NEGOTIATED CONTRACT SHALL BE SUBJECT TO THE PRIOR APPROVAL OF THE MAYOR AND CITY COMMISSION.

WHEREAS, at its February 14, 2018 meeting, the Mayor and City Commission adopted Resolution No. 2018-30196 approving the City Manager's recommendation to short-list Orange Barrel Media LLC ("Orange Barrel") and Smart City Media LLC ("Smart City") for further consideration pursuant to RFP 2017-074-WG (the "RFP"); and

WHEREAS, pursuant to Resolution No. 2018-30196, Smart City and Orange Barrel were both required to install a demonstration kiosk on Lincoln Road for a period of approximately thirty (30) days to provide the Mayor and City Commissioners, as well as the general public, the opportunity to interact with and understand the functionality and size of the kiosks; and

WHEREAS, Resolution No. 2018-30196 further provided that following the demonstration period, each short-listed proposer would be permitted to make a presentation to the Mayor and City Commission, (scheduled to take place on June 6, 2018) which, at a minimum, addresses the following components:

- a. Proposed functionality, size, scale and final design; and
- b. Compliance with the Miami-Dade County Sign Ordinance (Chapter 33, Article VI of the Miami-Dade County Code of Ordinances); and
- c. How maintenance and performance issues will be addressed; and

WHEREAS, having had the benefit of further interaction with each short-listed proposer's kiosks, the City Manager recommends, for the reasons as set forth in the Commission Memorandum accompanying this Resolution, that the Mayor and City Commission authorize the Administration to negotiate a contract with Orange Barrel Media and, should the Administration be unable to successfully negotiate a contract with Orange Barrel Media, authorize the Administration to negotiate a contract with Smart City Media, with the final negotiated contract subject to prior approval of the Mayor and City Commission; and

WHEREAS, consistent with the requirements of the RFP, the final negotiated contract shall provide, among other terms, that any installation, placement, operation or use of kiosks within the City shall be subject to and contingent upon (1) regulatory review and approval by the City's Design Review Board or Historic Preservation Board, as applicable; (2) a waiver or amendment of the pertinent provisions of Chapter 82 and Chapter 138 of the City Code relating to signs and/or general advertising, at the City Commission's sole discretion; and (3) contractor's compliance with all applicable laws in connection with the installation or operation of the kiosks, including, without limitation, the requirements of the Miami-Dade County Sign Ordinance regarding signs, including illuminated and/or digital signs.

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 of the City of Miami Beach, Florida, hereby accept the recommendation of the City Manager to authorize the Administration to negotiate a contract with Orange Barrel Media, LLC; further, should the Administration be unable to successfully negotiate a contract with Orange Barrel Media, LLC, authorize the Administration to negotiate a contract with Smart City Media, LLC; and further, provide that the final negotiated contract shall be subject to the prior approval of the Mayor and City Commission.

PASSED AND ADOPTED this _____ day of _____ 2018.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

DAN GELBER, MAYOR

T:\AGENDA\2018\06 June\Procurement\RFP2017-074-WG Interactive Digital Media Kiosks\RFP-2017-074-WG-RESO Jun6 20180631.doc

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Paul C. [Signature] 5/31/19
City Attorney Date