

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER AND WAIVING, BY 5/7THS VOTE, THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING AMENDMENT NO. 4, SUBSTANTIALLY IN THE FORM ATTACHED TO THIS RESOLUTION, TO THE AGREEMENT, DATED MAY 8, 2014, BETWEEN THE CITY AND LIMOUSINES OF SOUTH FLORIDA, INC., FOR TURN-KEY OPERATIONS AND MAINTENANCE SERVICES OF A MUNICIPAL TROLLEY SYSTEM FOR THE CITY OF MIAMI BEACH; SAID AMENDMENT, AMONG OTHER THINGS, INCREASING THE SCOPE OF THE AGREEMENT TO INCLUDE THE FOLLOWING: (1) THE ADDITION OF ONE (1) BI-DIRECTIONAL ROUTE IN SOUTH BEACH FOR A TERM OF SIXTY (60) MONTHS, COMMENCING AS OF THE ROLL-OUT DATE FOR THE LOW-FLOOR TROLLEY VEHICLES; (2) THE ADDITION OF TWELVE (12) NEW LOW-FLOOR TROLLEY VEHICLES FOR USE IN ALL CITY TROLLEY ROUTES; (3) A NEGOTIATED NEW HOURLY RATE FOR THE LOW-FLOOR TROLLEY VEHICLES AND ADDITIONAL ASSOCIATED SERVICES; (4) AUTHORIZING THE CITY MANAGER TO APPROVE THE PURCHASE OF ADDITIONAL OPTIONAL EQUIPMENT FOR THE LOW-FLOOR TROLLEY VEHICLES, AS MAY BE NEEDED IN THE ADMINISTRATION'S DISCRETION, SUBJECT TO FUNDING AVAILABILITY; (5) INCREASING THE ANNUAL COST OF THE AGREEMENT, FROM A NOT TO EXCEED COST OF \$6,700,000 TO A NOT TO EXCEED COST OF \$12,000,000; AND AUTHORIZING THE CITY MANAGER TO TERMINATE THE CURRENT INTERLOCAL AGREEMENT WITH MIAMI-DADE COUNTY FOR THE SOUTH BEACH LOCAL SERVICE, IN CONNECTION WITH THE NEGOTIATION OF A NEW INTERLOCAL AGREEMENT FOR THE SOUTH BEACH TROLLEY ROUTE; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FINAL NEGOTIATED INTERLOCAL AGREEMENT AND THE AMENDMENT.

**WHEREAS**, on April 30, 2014, the City Commission approved the award of Invitation to Bid (ITB) No. 2014-154-SR for Turnkey Trolley Operations and Maintenance Services to Limousines of South Florida, Inc. (LSF), and following the approval of the ITB, an agreement between the City and LSF was executed on May 8, 2014 (the Agreement); and

**WHEREAS**, the Agreement provided for the operation of the existing North Beach trolley service, and included provisions for the addition of routes, at the City's sole discretion, and for the subsequent re-negotiation of hourly rates if change in service increased or decreased by more than 20%; and

**WHEREAS**, on July 30, 2014, the City Commission adopted Resolution No. 2014-28708, authorizing the City to execute Amendment No. 1 to the Agreement, increasing the scope of the Agreement to include optional equipment, as well as additional automated stop announcement equipment, in an amount not to exceed \$150,000; and

**WHEREAS**, On March 18, 2015, pursuant to Resolution No. 2015-28967, the City Commission approved Amendment No. 2 to the Agreement, increasing the scope of the

Agreement, in order to accommodate additional transportation expenses needed for the City's Centennial celebration during the 2014-2015 fiscal year in an amount not to exceed \$100,000; and

**WHEREAS**, on October 21, 2015, the Mayor and City Commission adopted Resolution No. 2015-29194, waiving, by 5/7<sup>th</sup> vote, the competitive bidding requirement and authorizing the Mayor and City Clerk to execute Amendment No. 3 to the Agreement with LSF, increasing the scope of the Agreement to include the addition of the operation and maintenance services for two new routes in Middle Beach (the Middle Beach loop and the Collins Link); and

**WHEREAS**, On January 13, 2016, the City Commission adopted Resolution No. 2016-29269, approving the South Beach route and service plan and authorizing the City Manager to negotiate an Interlocal Agreement, subject to approval by the City Commission; and

**WHEREAS**, an Interlocal Agreement for the South Beach trolley route would require the termination of the existing South Beach Local Service being provided by Miami-Dade County and any City funding currently used to fund the South Beach Local Service will then be used to fund the South Beach trolley route; and

**WHEREAS**, the Administration recommends executing Amendment No. 4 (the Amendment), which Amendment, among other things, will contain the following modifications to the existing Agreement:

1. New Route - the addition of the trolley operation and maintenance services for the new bi-directional South Beach route, which extends from South Pointe Drive on the south side to 17th and 20th Street on the north, and from Washington Avenue on the east to Alton Road and Belle Isle on the west. Ten (10) trolley vehicles will be providing service along the bi-directional South Beach route.
2. New Vehicles - the addition of twelve (12) new low-floor trolley vehicles for use in connection with the operation of the South Beach route, North Beach route, and Middle Beach routes (the Middle Beach loop and the Collins link). These vehicles would be used sparsely on all trolley routes to improve accessibility for wheelchair passengers.
3. Hourly Rate for Low-Floor Vehicles – the negotiated new hourly rate of \$77.35, commensurate with the cost of the new low-floor trolley vehicles and the additional services for the new South Beach route.
4. Optional Equipment. This Amendment will include a provision giving authority to the City Manager to increase the cap as needed in order to secure the purchase and installation of optional equipment for new vehicles and service including, but not limited to, the GPS trackers, modems automatic passenger counters, monitors, video systems, and automated voice information system. The increase will be subject to budget availability; and

**WHEREAS**, funding, in the amount not to exceed \$12,000,000 per year, for the anticipated costs of the operation of the North Beach Loop, Collins Link, Middle Beach Loop and South Beach Loop will be provided from the Transportation Fund and People's Transportation Plan (PTP) Fund; and

**WHEREAS**, LSF was the lowest bidder during the ITB process, is the current largest operator of trolley services in the area, has performed satisfactorily during its operation of the

South Beach and North Beach routes, and has provided the City with a lower rate than previously negotiated during the negotiations relating to the Middle Beach routes; and

**WHEREAS**, at the July 13, 2016 City Commission meeting, the state of the trolley vehicles for the City's routes was discussed and the City Commission directed the Administration to pursue the third option presented, of waiving the competitive bidding requirement with respect to the South Beach route, and further approving Amendment No. 4 to the current Agreement for the purchase of low-floor trolley vehicles based upon the new negotiated hourly rate; and

**WHEREAS**, the Administration recommends authorizing the City Manager to terminate the current Interlocal Agreement for the South Beach Local Service with Miami-Dade County, in connection with the negotiation of a new Interlocal Agreement for the approval of the South Beach route; and

**WHEREAS**, the City Manager recommends waiving, by 5/7ths vote, the competitive bidding requirement, finding said waiver to be in the best interest of the City, and approving Amendment No. 4, substantially in the form attached to this Resolution as Exhibit "A".

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby accept the recommendation of the City Manager and waive, by 5/7ths vote, the competitive bidding requirement, finding such waiver to be in the best interest of the City, and approve Amendment No. 4, substantially in the form attached to this Resolution, to the Agreement, dated May 8, 2014, between the City and Limousines of South Florida, Inc., for turn-key operations and maintenance services of a municipal trolley system for the City of Miami Beach; said Amendment, among other things, increasing the scope of the Agreement to include the following: (1) the addition of one (1) bi-directional route in South Beach for a term of sixty (60) months, commencing as of the roll-out date for the low-floor trolley vehicles; (2) the addition of twelve (12) new low-floor trolley vehicles for use in all City trolley routes; (3) a negotiated new hourly rate for the low-floor trolley vehicles and additional associated services; and (4) increasing the annual cost of the Agreement, from a not to exceed cost of \$6,700,000 to a not to exceed cost of \$12,000,000; authorize the City Manager to approve the purchase of additional optional equipment for the low-floor trolley vehicles, as may be needed in the Administration's discretion, subject to funding availability; and authorize the City Manager to terminate the current Interlocal Agreement with Miami-Dade County for the South Beach Local Service, in connection with the negotiation of a new Interlocal Agreement for the South Beach trolley route; and further authorize the Mayor and City Clerk to execute the final negotiated Interlocal Agreement and the Amendment.

**PASSED and ADOPTED this \_\_\_\_\_ day of July, 2016.**

**ATTEST:**

---

**PHILIP LEVINE, MAYOR**

---

**RAFAEL E. GRANADO, CITY CLERK**

*T:\AGENDA\2016\July\Transportation\Transit Related\Amendment No. 4 to Turnkey Trolley Operations and Maintenance Services Agreement RESO.doc*