

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 5/7<sup>TH</sup> VOTE, THE COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND AUTHORIZING CITY MANAGER TO EXECUTE TWO AGREEMENTS WITH FLORIDA POWER AND LIGHT (FPL). AT A TOTAL COST OF \$52,579.27, TO UPGRADE AND ENHANCE THE STREET LIGHTING ON OCEAN COURT, BETWEEN 5TH AND 15TH STREETS, FOR THE PURPOSES OF ASSISTING THE POLICE DEPARTMENT WITH ITS CRIME DETERRENCE EFFORTS.**

**WHEREAS**, FPL owns and maintains the street lighting system currently installed on Ocean Court, between 5<sup>th</sup> and 15<sup>th</sup> Streets; 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 has approached the Public Works Department to upgrade the lighting along the adjacent streets, and the City replaced the existing cobra style street lights on the streets perpendicular to Ocean Drive with new 400 watt LED fixtures; 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**, to expand these crime deterrence efforts, the Police Department has recommended that similar action be taken for Ocean Court, from 5<sup>th</sup> Street to 15<sup>th</sup> Street; and

**WHEREAS**, the existing lights are owned by FPL and mounted on FPL poles; and

**WHEREAS**, FPL has identified that two steps need to be taken in order to implement the new lighting program: (1) 25 existing fixtures need to be removed from Ocean Court; and (2) 35 new 168 watt LED cobra light fixtures need to be installed; and

**WHEREAS**, as 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 two (2) separate agreements to accomplish these tasks with corresponding cost estimates: with the removal will cost \$14,521.27, and the installation of the new lighting will cost \$38,058; 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 Agreements authorizing FPL to complete the work of upgrading the street light along Ocean Court in an effort to enhance 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 two agreements with Florida Power and Light (FPL). at a total cost of \$52,579.27, to upgrade and enhance the street lighting on Ocean Court, between 5th and 15th Streets, for the purposes of assisting the Police Department with its crime deterrence efforts.

PASSED AND ADOPTED this \_\_\_\_ day of September, 2016.

ATTEST:

\_\_\_\_\_  
Philip Levine, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

\_\_\_\_\_  
City Attorney

9/27/16  
\_\_\_\_\_  
Date

*AMB*