

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

**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) 2021-227-AY PRE-EMPLOYMENT TESTING & PSYCHOLOGICAL SERVICES FOR SWORN & PUBLIC SAFETY PERSONNEL; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH LAW ENFORCEMENT PSYCHOLOGICAL & COUNSELING ASSOCIATES, INC, AS THE TOP RANKED PROPOSER; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN AGREEMENT UPON CONCLUSION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.**

**WHEREAS**, the City utilizes professional services to conduct valid, reliable and cross-cultural testing of applicants for public safety-related positions, including the position of police officer, police public service aide, detention officer, communications operator, police dispatcher, police complaint officer, firefighter and fire rescue dispatcher, at the Contractor's facility located in Miami-Dade County; and

**WHEREAS**, since 2014, the City's pre-employee testing and psychological services contractor has been Law Enforcement Psychological and Counseling Associates, Inc. ("Contractor"); and

**WHEREAS**, the current contract is on a month-to-month extension until December 31, 2021; and

**WHEREAS**, in anticipation of the expiring contract, on November 18, 2019, the Mayor and City Commission approved the issuance of Request for Proposals (RFP) No. 2021-020-KB, for Pre-Employment Testing & Psychological Services for Sworn & Public Safety Personnel; and

**WHEREAS**, on November 19, 2020, the RFP was issued and advertised with an opening date of January 8, 2021; and

**WHEREAS**, a non-mandatory pre-proposal meeting was held on November 30, 2020; and

**WHEREAS**, on December 22, 2020, the City Manager appointed the Evaluation Committee ("the Committee") via Letter to Commission (LTC); and

**WHEREAS**, on January 8, 2021, the City received a sole proposal from Psybar, LLC, which was deemed responsive; and

**WHEREAS** the sole proposal received from Psybar LLC was deemed responsive; however, the total amount in the cost proposal significantly exceeds the budgeted amount for these services; and

**WHEREAS**, pursuant to Section 2-367 of the City Code, where only one response bid response is received, the City Manager, without any action by the City Commission, shall have the power to reject the bid and, if he determines that same is in the best interest of the City, re-

advertise the item for bidding; and

**WHEREAS**, on June 4, 2021, Request for Proposals (RFP) 2021-227-AY for Pre-Employment Testing & Psychological Services for Sworn & Public Safety Personnel was issued (the "RFP"); and

**WHEREAS**, the RFP responses were due by August 31, 2021; and

**WHEREAS**, the City received proposals from the following two (2) firms: Law Enforcement Psychological & Counseling Associates, Inc., and Mount Sinai Medical Center; and

**WHEREAS**, on June 21, 2021, the City Manager appointed an Evaluation Committee, comprised of Ramon Suarez, Administrator II, Human Resources Department; Digna Abello, Deputy Chief, Fire Rescue Department; Sonia Bridges, Division Director, Risk Management Department; and Elise Spina-Taylor, Lieutenant Police, Police Department; and

**WHEREAS**, the Committee received an overview of the project, information relative to the City's Cone of Silence Ordinance and the Government Sunshine Law; and

**WHEREAS**, the Committee also received general information on the scope of services, and a copy of each proposal, and was further instructed to score and rank each proposal pursuant to the evaluation criteria established in the RFP; and

**WHEREAS**, the Evaluation Committee process resulted in the proposers being ranked in the following order:

- 1<sup>st</sup> Law Enforcement Psychological & Counseling Associates, Inc.
- 2<sup>nd</sup> Mount Sinai Medical Center

**WHEREAS**, after reviewing all of the submissions and the Evaluation Committee's rankings, the City Manager concurs with the Evaluation Committee and recommends negotiating an agreement with Law Enforcement Psychological & Counseling Associates, Inc., as the best qualified firm to provide pre-employment testing and psychological services for sworn and public safety personnel on behalf of the City.

**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 accept the recommendation of the City Manager, pursuant to Request for Proposals (RFP) 2021-227-AY for Pre-Employment Testing & Psychological Services for Sworn & Public Safety Personnel; authorize the Administration to enter into negotiations with Law Enforcement Psychological & Counseling Associates, Inc., as the top ranked proposer; and further authorize the City Manager and City Clerk to execute an Agreement, upon conclusion of successful negotiations by the Administration.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

**ATTEST:**

\_\_\_\_\_  
RAFAEL E. GRANADO, CITY CLERK

APPROVED AS TO  
FORM & LANGUAGE  
\_\_\_\_\_  
DAN GELBER, MAYOR

\_\_\_\_\_  
City Attorney  
10-5-21  
Date