

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND KIMLEY-HORN AND ASSOCIATES, INC, PURSUANT TO REQUEST FOR QUALIFICATIONS 2015-115-JR FOR PROGRAM MANAGEMENT SERVICES FOR AN INTELLIGENT TRANSPORTATION SYSTEM AND PARKING MANAGEMENT SYSTEM PROJECT; SAID AMENDMENT, IN MATERIAL PART, EXTENDING THE TERM OF THE AGREEMENT THROUGH A DATE THAT IS SIX MONTHS FROM THE CITY'S ACCEPTANCE OF THE COMPLETED PROJECT, WITHOUT EXCEEDING THE ORIGINAL APPROVED NOT-TO-EXCEED CONTRACT SUM OF \$2,250,000.

WHEREAS, most major events and high impact periods generate significant congestion in the City's roadway network; and

WHEREAS, between 2013 and 2020, the City's Transportation and Mobility Department managed a Traffic Monitoring and Management Program, consisting of the deployment, monitoring (14 hours per day, 365 days a year), and maintenance of portable travel time data collectors and temporary closed circuit television traffic monitoring cameras; and

WHEREAS, the program reduced travel time on all monitored corridors by an average of 18% as compared to pre-program traffic conditions; however, the program was discontinued in March 2020 due to impacts to the Transportation and Mobility Department's budget as a result of the COVID-19 pandemic; and

WHEREAS, given the success of the Traffic Monitoring and Management Program, the City issued Request for Qualifications (RFQ) 2015-115-JR to obtain Program Management Services to assist in the planning and management of a state-of-the-art Intelligent Transportation System and Smart Parking System ("ITS/SPS" or "Project"); and

WHEREAS, at the July 8, 2015 meeting, the Mayor and City Commission adopted Resolution No. 2015-29084, accepting the recommendation of the selection committee and the City Manager, authorizing the Administration to enter into negotiations with Kimley-Horn and Associates, Inc. (KHA), as the top-ranked proposer; and

WHEREAS, on October 23, 2015, the City and KHA executed a Professional Services Agreement (Agreement) for Program Management Services in connection with the Project, for an initial term of three (3) years and two (2) one-year renewal terms; and

WHEREAS, KHA coordinated with the Procurement Department, to develop the Scope of Services for Request for Proposals (RFP) 2016-199-KB (Phase 1), which included the Project Plan, Concept of Operations, Systems Engineering Management Plan, and Minimum Technical Requirements, all of which were approved by the City and external agencies prior to inclusion in the ITS/SPS DBOM procurement package; and

WHEREAS, KHA also collaborated with the Procurement Department and the City Attorney's Office to develop a comprehensive Design, Build, Operation, and Maintenance

(DBOM) contract, included in Phase 2 of this RFP process, released to the short-listed firms on May 8, 2017; and

WHEREAS, on October 18, 2017, the Mayor and City Commission adopted Resolution No. 2017-30064, accepting the City Manager's recommendation and awarding the ITS/SPS DBOM contract to Transcore ITS, LLC (Transcore); and

WHEREAS, KHA assisted the City in the lengthy negotiation process, resulting in the execution of a DBOM contract with Transcore on April 16, 2019; and

WHEREAS, the negotiations headed by KHA and the City team resulted in reductions of 50% in capital costs and 47% in annual operations and maintenance costs without significant modifications to the scope of work; and

WHEREAS, the contract with Transcore has an initial term of eight (8) years, with one (1) five (5) year renewal term; therefore, a shorter term than the Agreement with KHA for the Program Management Services component of the Project did not align with the term of the longer DBOM contract with Transcore, and

WHEREAS, in November 2019, the City Manager directed the Transportation and Mobility Department and Police Department to temporarily pause the Project in order to explore the feasibility of integrating the communications systems for the Project and the citywide Police camera installation project; thus, the Police Department chose to not move forward with a change order to the Transcore contract for the ITS/SPS integration; and

WHEREAS, the comprehensive evaluation performed by Transcore resulted in a delay of 300 days to the Project; and

WHEREAS, the DBOM contract with Transcore was extended via a change order; however, the Agreement with KHA was not extended; and

WHEREAS, on September 16, 2020, the Mayor and City Commission authorized a month-to-month extension of the Agreement with KHA for a period of one year, which extension is set to expire on October 22, 2021; and

WHEREAS, however, KHA has not been able to complete the Scope of Services under the Agreement, including the construction engineering inspection, occupancy of the Traffic Management Center, and final system acceptance, due to the Project delays; and

WHEREAS, construction of the ITS/SPS will commence in late October 2021 and final system acceptance is currently slated to occur in January 2023, following occupancy of the Transportation Management Center; and

WHEREAS, given KHA's familiarity with the ITS/SPS Project history, system design, operation, maintenance specifications, and the City's overall vision for the project, it would not be advantageous to the City to re-advertise the Program Management Services contract as it would likely result in further delays to the ITS/SPS implementation; and

WHEREAS, based upon the foregoing the Administration recommends executing Amendment No. 1 to the Agreement, substantially in the form attached to the City Commission Memorandum accompanying this Resolution; said amendment extending the Term of the Agreement until a date that is six (6) months from the acceptance, by the City, of the ITS/SPS

installation, and including other miscellaneous provisions, in order to bring the Agreement into compliance with current standard provisions; and

WHEREAS, the extension of the Term would not increase the cost of the Agreement, which was originally approved with a not-to-exceed sum of \$2,250,000, but would allow KHA to complete the Program Management Services, through completion of the installation of the ITS/SPS Project and for an additional six (6) months thereafter in order to ensure a smooth transition into the operation and maintenance of the ITS/SPS, and compliance with performance metrics, all of which are part of the original scope of the Agreement.

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 approve and authorize the City Manager to execute Amendment No 1 to the Professional Services Agreement between the City and Kimley-Horn and Associates, Inc., pursuant to Request for Qualifications 2015-115-JR for Program Management Services for an Intelligent Transportation System and Parking Management System Project; said amendment, in material part, extending the term of the Agreement through a date that is six months from the City's acceptance of the completed Project, without exceeding the original approved not-to-exceed contract sum of \$2,250,000.

PASSED and ADOPTED this 13th day of October 2021.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney 

10-8-21
Date