

Request for Proposals (RFP)

2024-274-DF

SPEED DETECTION CAMERA SYSTEM FOR SCHOOL ZONES

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SECTION 0100

INSTRUCTIONS TO BIDDERS

1. GENERAL. This Request for Proposals (RFP) is issued by the City of Miami Beach, Florida (the "City"), as the means for prospective Bidders to submit their qualifications, proposed scopes of work, and revenue proposals (the "proposal") to the City for the City's consideration as an option in achieving the required scope of services and requirements as noted herein. All documents released in connection with this solicitation, including all appendixes and addenda, whether included herein or released under separate cover, comprise the solicitation and are complementary to one another and together establish the complete terms, conditions, and obligations of the Bidders and, subsequently, the successful Bidder(s) (the "contractor[s]") if this RFP results in an award.

The City utilizes Periscope S2G (formally known as BidSync) (www.periscopeholdings.com or www.bidsync.com) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addendum to this RFP. Any prospective Bidder who has received this RFP by any means other than through Periscope S2G must register immediately with Periscope S2G to ensure it receives any addendum issued to this RFP. Failure to receive an addendum may result in disqualification of proposal submitted.

2. BACKGROUND.

In 2023, the State of Florida Legislature enacted Section 316.008(9), Florida Statutes, effective on July 1, 2023, pertaining to the use of speed detection systems ("SDS") to enforce speed limits in school zones.

The statute authorizes counties and municipalities to place or install, or contract with a vendor to place or install, SDS to enforce school zone speed limits for violations in excess of 10 miles per hour over the applicable speed limit; and to enforce the posted speed limit at other times during the entirety of the school session.

Sec. 316.008(9), Florida Statutes, authorizes municipalities to enact an ordinance regarding the placement or installation of SDS upon determining that the location of such system(s) warrant additional enforcement action based on traffic data and/or other evidence supporting the need for SDS in such location(s). In accordance with the statute, on April 3, 2024, the City Commission enacted an ordinance governing the deployment of SDS within the City (see Attachment E).

3. PURPOSE.

The City of Miami Beach is requesting proposals from qualified Bidders for a school zone SDS program in accordance with Sec. 316.008(9), Florida Statutes. The Bidder shall provide and install all equipment and monitor the camera system for violations. The equipment and monitoring will be provided at no cost to the City with revenue sharing of any collections. The Bidder must implement school zone speed detection systems in accordance with Florida State Statute 316.0776, 316.008(9), and all applicable other laws, ordinances, and administrative orders. Further details and requirements are included in Attachment A.

3.1 Interested Parties. Interested parties are invited to submit proposals in accordance with Section 0300. A Pre-proposal conference will be held in accordance with Section 0100, Sub-sections 4 and 6. All proposals will be evaluated in accordance with the criteria found in Section 0400.

4. ANTICIPATED RFP TIMETABLE. The tentative schedule for this solicitation is as follows:

RFP Issued	April 4, 2024
Pre-Proposal Meeting	<p>April 18, 2024 at 10:00 am ET</p> <p>Join on your computer, mobile app or room device</p> <p>Click here to join the meeting</p> <p>Meeting ID: 285 548 222 834</p>

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	Passcode: jKY6zz Download Teams Join on the web Or call in (audio only) Phone Number: 786-636-1480 Phone Conference ID: 120 126 493, then # Find a local number Reset PIN Learn More Meeting options
Deadline for Receipt of Questions	May 7, 2024 at 5:00 pm ET
Responses Due	May 20, 2024 at 3:00 pm ET Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 295 123 468 380 Passcode: qqjLr3 Download Teams Join on the web Or call in (audio only) Phone Number: 786-636-1480 Phone Conference ID: 538 312 144, then # Find a local number Reset PIN Learn More Meeting options
Evaluation Committee Review	June 6, 2024
Tentative Commission Approval	July 24, 2024
Contract Negotiations	Following Commission Approval

5 PROCUREMENT CONTACT. Any questions or clarifications concerning this solicitation shall be submitted to the Procurement Contact noted below:

Procurement Contact:

Danny Flores

Telephone:

(305) 673-7000, Ext. 26652

E-mail:

dannyflores@miamibeachfl.gov

Additionally, the City Clerk is to be copied on all communications via e-mail at: RafaelGranado@miamibeachfl.gov; or via facsimile: 786-394-4188.

The Bid title/number shall be referenced on all correspondence. All questions or requests for clarification must be received no later than ten (10) calendar days prior to the date proposals are due as scheduled in Section 0200-3. All responses to questions/clarifications will be sent to all prospective Bidders in the form of an addendum.

6. PRE-PROPOSAL MEETING OR SITE VISIT(S). A pre-proposal meeting or site visit(s) may be scheduled. Attendance for the pre-proposal meeting shall be via web conference and recommended as a source of information but is not mandatory. Bidders interested in participating in the Pre-Proposal Meeting must follow these steps:

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

Phone Number: 1 786-636-1480

Bidders who are participating should send an e-mail to the contact person listed in this RFP expressing their intent to participate.

7. PRE-PROPOSAL INTERPRETATIONS. Oral information or responses to questions received by prospective Bidders are not binding on the City and will be without legal effect, including any information received at pre-submittal meeting or site visit(s). The City by means of Addenda will issue interpretations or written addenda clarifications considered necessary by the City in response to questions. Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. Addendum will be released through *Periscope S2G*. Any prospective bidder who has received this RFP by any means other than through *Periscope S2G* must register immediately with *Periscope S2G* to ensure it receives any addendum issued to this RFP. Failure to receive an addendum may result in disqualification of proposal. Written questions should be received no later than the date outlined in the **Anticipated RFP Timetable** section.

8. CONE OF SILENCE. This RFP is subject to, and all bidders are expected to be or become familiar with, the City's Cone of Silence Requirements, as codified in Section 2-486 of the City Code. Bidders shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with, and shall be subject to any and all sanctions, as prescribed therein, including rendering their response voidable, in the event of such non-compliance. Communications regarding this solicitation are to be submitted in writing to the Procurement Contact named herein with a copy to the City Clerk at rafaelgranado@miamibeachfl.gov.

9. ADDITIONAL INFORMATION OR CLARIFICATION. After proposal submittal, the City reserves the right to require additional information from Bidders (or Bidder team members or sub-consultants) to determine: qualifications (including, but not limited to, litigation history, regulatory action, or additional references); and financial capability (including, but not limited to, annual reviewed/audited financial statements with the auditors notes for each of their last two complete fiscal years).

10. BIDDER'S RESPONSIBILITY. Before submitting a response, each Bidder shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the Bidder from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Bidder.

11. DETERMINATION OF AWARD. The City Manager may appoint an evaluation committee to assist in the evaluation of proposals received. The evaluation committee is advisory only to the city manager. The city manager may consider the information provided by the evaluation committee process and/or may utilize other information deemed relevant. The City Manager's recommendation need not be consistent with the information provided by the evaluation committee process and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:

- (1) The ability, capacity and skill of the Bidder to perform the contract.
- (2) Whether the Bidder can perform the contract within the time specified, without delay or interference.
- (3) The character, integrity, reputation, judgment, experience and efficiency of the Bidder.
- (4) The quality of performance of previous contracts.
- (5) The previous and existing compliance by the Bidder with laws and ordinances relating to the contract.

The City Manager may recommend to the City Commission the Bidder(s) s/he deems to be in the best interest of the

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City or may recommend rejection of all proposals. The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another Proposal or Proposals which it deems to be in the best interest of the City, or it may also reject all Proposals.

12. NEGOTIATIONS. Following selection, the City reserves the right to enter into further negotiations with the selected Bidder. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Bidder in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Bidders that no property, contract or legal rights of any kind shall be created at any time until and unless an Agreement has been agreed to; approved by the City; and executed by the parties.

13. E-VERIFY. As a contractor you are obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility." Therefore, you shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Contractor during the term of the Contract and shall expressly require any subcontractors performing work or providing services pursuant to the Contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Contract term.

14. PERISCOPE S2G (FORMERLY BIDSYNC). The Procurement Department utilizes Periscope S2G, Supplier-to-Government electronic bidding (e-Bid) platform. If you would like to be notified of available competitive solicitations released by the City you must register and complete your vendor qualifications through Periscope S2G, Supplier-to-Government www.bidsync.com/Miami-Beach. Registration is easy and will only take a few minutes. For detailed instructions on how to register, complete vendor qualifications and submit electronic bids visit <https://www.miamibeachfl.gov/city-hall/procurement/for-approval-how-to-become-a-vendor/>.

Should you have any questions regarding this system or registration, please visit the above link or contact Periscope S2G, Supplier-to-Government at support@bidsync.com or 800.990.9339, option 1, option 1.

15. HOW TO MANAGE OR CREATE A VENDOR PROFILE ON VENDOR SELF SERVICE (VSS). In addition to registering with Periscope S2G, the City encourages vendors to register with our online Vendor Self-Service web page, allowing City vendors to easily update contacts, attachments (W-9), and commodity information. The Vendor Self-Service (VSS) webpage (<https://selfservice.miamibeachfl.gov/vss/Vendors/default.aspx>) will also provide you with purchase orders and payment information.

Should you have any questions and/or comments, do not hesitate to submit them to vendorsupport@miamibeachfl.gov.

16. SUPPLIER DIVERSITY. The City has established a registry of LGBT-owned businesses, as certified by the National LGBT Chamber of Commerce (NGLCC) and small and disadvantaged businesses, as certified by Miami-Dade County. See authorizing resolutions [here](#).

If your company is certified as an LGBT-owned business by NGLCC, or as a small or disadvantaged business by Miami-Dade County, click on the link below to be added to the City's supplier registry (Vendor Self-Service) and bid system (Periscope S2G, Supplier-to-Government). These are two different systems and it is important that you register for both.

Click to see acceptable certification and to register: <https://www.miamibeachfl.gov/city-hall/procurement/how-to-become-a-vendor/>.

SECTION 0200

GENERAL CONDITIONS

FORMAL SOLICITATIONS TERMS & CONDITIONS - GOODS AND SERVICES. By virtue of submitting a proposal in response to this solicitation, bidder agrees to be bound by and in compliance with the Terms and Conditions for Services (dated 10.27.2022), incorporated herein, which may be found at the following link:

<https://www.miamibeachfl.gov/city-hall/procurement/standard-terms-and-conditions/>

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SECTION 0300

PROPOSAL SUBMITTAL INSTRUCTIONS AND FORMAT

1. ELECTRONIC RESPONSES (ONLY). Proposals must be submitted electronically through Periscope S2G (formerly BidSync) on or before the date and time indicated. Hard copy proposals or proposals received through e-mail or facsimile are not acceptable and will be rejected.

A bidder may submit a modified proposal to replace all or any portion of a previously submitted proposal until the deadline for proposal submittals. The City will only consider the latest version of the bid.

Electronic proposal submissions may require the uploading of attachments. All documents should be attached as separate files in accordance with the instructions included in Section 4, below. Attachments containing embedded documents or proprietary file extensions are prohibited. It is the Bidder's responsibility to ensure that its bid, including all attachments, is uploaded successfully.

Only proposal submittals received, and time stamped by Periscope S2G (formerly BidSync) prior to the proposal submittal deadline shall be accepted as timely submitted. Late bids cannot be submitted and will not be accepted. Bidders are cautioned to allow sufficient time for the submittal of bids and uploading of attachments. Any technical issues must be submitted to Periscope S2G (formerly BidSync) by contacting (800) 990-9339 (toll free) or S2G@periscopeholdings.com. The City cannot assist with technical issues regarding submittals and will in no way be responsible for delays caused by any technical or other issue.

It is the sole responsibility of each Bidder to ensure its proposal is successfully submitted in BidSync prior to the deadline for proposal submittals.

2. NON-RESPONSIVENESS. Failure to submit the following requirements shall result in a determination of non-responsiveness. Non-responsive proposals will not be considered.

1. Bid Submittal Questionnaire
2. Failure to comply with Minimum Eligibility Requirement (See Appendix A, Section A1).
3. Revenue Proposal (Tab 5).

3. OMITTED OR ADDITIONAL INFORMATION. Failure to complete and submit the Bid Submittal Questionnaire (submitted electronically) and the Revenue Proposal with the bid and by the deadline for submittals shall render a proposal non-responsive. Non-Responsive proposals will not be considered. With the exception of the Bid Submittal Questionnaire (completed and submitted electronically) and the Revenue Proposal, the City reserves the right to seek any omitted information/documentation or any additional information from Bidder or other source(s), including but not limited to: any firm or principal information, applicable licensure, resumes of relevant individuals, client information, financial information, or any information the City deems necessary to evaluate the capacity of the Bidder to perform in accordance with contract requirements. Failure to submit any omitted or additional information in accordance with the City's request shall result in proposal being deemed non-responsive.

4. ELECTRONIC PROPOSAL FORMAT. In order to maintain comparability, facilitate the review process and assist the Evaluation Committee in review of proposals, it is strongly recommended that proposals be organized and tabbed in accordance with the tabs, and sections as specified below. The electronic submittal should be tabbed as enumerated below and contain a table of contents with page references. The electronic proposal shall be submitted through the "Line Items" attachment tab in Periscope S2G.

TAB 1	Cover Letter
1.1 Cover Letter and Table of Contents. The cover letter must indicate Bidder and Bidder Primary Contact for the purposes of this solicitation.	

TAB 2	Experience & Qualifications
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2.1 Qualifications of Bidder. Submit detailed information regarding the relevant experience and proven track record of the firm and/or its principals in providing the scope of services similar as identified in this solicitation, including experience in providing similar scope of services to public sector agencies.

For each project that the Bidder submits as evidence of similar experience for the firm and/or any principal, the following is required: project description, agency name, agency contact, contact telephone & e-mail, and year(s) and term of engagement. For each project, identify whether the experience is for the firm or for a principal (include name of principal).

2.2 Qualifications of Bidder Team. Provide an organizational chart of all personnel and any subconsultants (if applicable) to be used for this project if awarded, the role that each team member will play in providing the services detailed herein and each team members' qualifications. A resume of each individual, including education, experience, and any other pertinent information, shall be included for each Proposal team member to be assigned to this contract.

2.3 Prior History Collaborating. If any subconsultant or subcontractor is proposed, state the bidder's prior history collaborating with the proposed subconsultant or subcontractor. For each project that the Bidder submits as evidence of history collaborating, the following is required: project description, agency name, agency contact, contact telephone & e-mail, and year(s) and term of engagement.

TAB 3	Scope of Services Proposed
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Submit detailed information addressing how Bidder will achieve each portion of the scope of services and technical requirements outlined in Appendix A, Minimum Requirements and Specifications, including but not limited to the following:

1. Provide a detailed level of overview of the proposed system, including its compliance with all local, county, state, and federal requirements.
2. Provide details on equipment (image quality, storage capacity, self-test capabilities, operating in varying weather conditions, reliability, parts and assembly country(ies) of origin, etc.).
3. Provide details on software and data capabilities of proposed system and compliance with retention requirements of all applicable local, county, state, and federal laws and ordinances.
4. Provide details on the infraction processing system proposed.
5. Provide details on the reporting, statistical analysis, and log maintenance capabilities of the system proposed.
6. Provide details on the proposed system's security measures, including image transmission, data storage, access control(s), and any single sign-on integrations that are available.
7. Describe the bidder's approach to present testimony in court or legal proceedings, when necessary, as to the system design, operation, maintenance, calibration, and violation parameters, etc.
8. Submit detailed information on the manufacturer of the proposed system including where the equipment components are manufactured and local authorized service agents.

Responses shall be in sufficient detail and include supporting documentation, as applicable, which will allow the Evaluation Committee to complete a fully review and score the proposed scope of services.

TAB 4	Approach and Methodology
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Submit detailed information on how Bidder plans to accomplish the required scope of services, including detailed information, as applicable, which addresses, but need not be limited to:

1. Provide details on maintenance throughout the life of any resulting agreement.
2. Provide details on customer support and expected response/repair times via phone/virtual or in-person.
3. Provide details on implementation/installation process, including coordination with any third-party stakeholder and project schedule.
4. Provide details on the creation of a public awareness campaign.
5. Provide any other details or value-added services that documents bidder's superior capabilities for the related services.
6. Bidder must identify its proposed gateway and merchant processor, and if the bidder cannot use the City's current providers they must provide justification as to why.
7. Provide details on how the Bidder will bear all costs and fees associated with litigation surrounding its system design, operations, maintenance, calibration, and violation parameters.

TAB 5	Revenue Proposal
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Submit a completed Revenue Proposal Form (Appendix B). The Revenue Proposal Form is considered as a quantitative criterion. Refer to Section 0400 – Proposal Evaluation No. 6 Quantitative Criteria for additional information.

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SECTION 0400

PROPOSAL EVALUATION

1. EVALUATION COMMITTEE. An Evaluation Committee, appointed by the City Manager, may meet to evaluate each Proposal in accordance with the qualitative criteria set forth below. In doing so, the Evaluation Committee may review and score all proposals received, with or without requiring presentations. It is important to note that the Evaluation Committee is advisory only and does not make an award recommendation to the City Manager or the City Commission. The City Manager will utilize the results to take one of the following actions:

- a. In the event that only one responsive proposal is received, the City Manager, after determination that the sole responsive proposal materially meets the requirements of the RFP, may, without an evaluation committee, recommend to the City Commission that the Administration enter into negotiations; or
- b. The City Manager may recommend that the City Commission authorize negotiations or award a contract to one or more firms in accordance with Section 0100, Sub-section 12; or
- c. The City Manager may Recommend that the City Commission short-list one or more firms for further consideration by the Evaluation Committee; or
- d. The City Manager may recommend to the City Commission that all firms, if more than one (1) responsive submittal is received, be rejected.

2. PRESENTATIONS BY SHORT-LISTED FIRMS. If a short-listing of firms responding to this RFP is approved, the short-listed firms may be required to make presentations to and be interviewed by the Evaluation Committee. In further considering the short-listed firms, the Evaluation Committee will utilize the criteria set forth in Sub-section 4 below.

3. TECHNICAL ADVISORS. The City, at its discretion, may utilize technical or other advisers to assist the evaluation committee or the City Manager in evaluating proposals.

4. EVALUATION CRITERIA. Responsive, responsible proposals will be evaluated in accordance with the following criteria:

Qualitative Criteria (Points Assigned by Evaluation Committee)	Maximum Points
Experience & Qualifications (Tab 2)	35
Scope of Services Proposed (Tab 3)	20
Approach & Methodology (Tab 4)	20
TOTAL AVAILABLE POINTS for Qualitative Criteria	75
Quantitative Criteria (Points Assigned by Procurement Department)	Maximum Points
Revenue Proposal	25
Veteran's Preference Points	5
TOTAL AVAILABLE POINTS for Qualitative and Quantitative	105

5. QUALITATIVE CRITERIA. The Evaluation Committee shall review responsive, responsible proposals and assign points for the qualitative factors only. The Evaluation Committee shall not consider quantitative factors (e.g. veteran's preference) in its review of proposals. The Evaluation Committee shall act solely in an advisory capacity to the City Manager. The results of the Evaluation Committee process do not constitute an award recommendation. The City Manager may utilize, but is not bound by, the results of the Evaluation Committee process, as well as consider any feedback or information provided by staff, consultants or any other third-party in developing an award recommendation in accordance with Section 0100, Sub-section 10. In its review of proposals received, the Evaluation Committee may review and score all proposals, with or without conducting interview sessions, in accordance with the evaluation criteria.

6. QUANTITATIVE CRITERIA. The Evaluation Committee shall not consider Quantitative factors. Quantitative factors will be considered by the City Manager in preparing a recommendation to the City Commission. In considering quantitative factors, the City Manager may also consider any feedback or information provided by staff, consultants or any other third-party in developing an award recommendation in accordance with Section 0100, Sub-section 10. Procurement Department staff will assign points for the quantitative criteria. Veterans' Preference points will be assigned in accordance with Section 2-374 of the City Code.

Quantitative factors shall not be considered by the Evaluation Committee. Quantitative factors will be considered by the City Manager in preparing his recommendation to the City Commission. In considering quantitative factors, the City Manager may also consider any feedback or information provided by staff, consultants or any other third-party in developing an award recommendation in accordance with Section 0400.

Revenue Proposal Evaluation. The Revenue proposal points in accordance with the following formula:

Sample Objective Formula for Revenue Points				
Vendor	Vendor Revenue Proposal	Example Maximum Allowable Points (Points noted are for illustrative purposes only. Actual points are noted above.)	Formula for Calculating Points (revenue proposal being evaluated / highest revenue proposal X maximum allowable points = awarded points) Round to	Total Points Awarded
Vendor A	\$200	20	$\$200 / \$200 \times 20 = 20$	20
Vendor B	\$150	20	$\$150 / \$200 \times 20 = 15$	15
Vendor C	\$100	20	$\$100 / \$200 \times 20 = 10$	10

7. DETERMINATION OF FINAL RANKING. The sum of the evaluation criteria points will be converted to rankings in accordance with the example below:

		Bidder A	Bidder B	Bidder C
Committee Member 1	Qualitative Points	82	76	80
	Quantitative Points	22	15	12
	Total	104	91	92
	Rank	1	3	2
Committee Member 2	Qualitative Points	79	85	72
	Quantitative Points	22	15	12
	Total	101	100	84
	Rank	1	2	3
Committee Member 2	Qualitative Points	80	74	66
	Quantitative Points	22	15	12
	Total	102	89	78
	Rank	1	2	3
Low Aggregate Score		3	7	8
Final Ranking*		1	2	3

It is important to note that the results of the proposal evaluation process in accordance with Section 0400 does not represent an award recommendation. The City Manager will utilize the results of the proposal evaluation process,

and any other information he deems appropriate, to develop an award recommendation to the City Commission, which may differ from the results of the proposal evaluation process and final rankings.

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APPENDIX A

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Minimum Requirements & Specifications

2024-274-DF SPEED DETECTION CAMERA SYSTEM FOR SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

A1. Scope of Work.

The Contractor will supply a school zone speed detection system (SDS) for up to an initial eight (8) locations identified through the city's traffic consultant with potentially additional locations determined at a later date. The Contractor shall provide and install all equipment (to the satisfaction of the City) and monitor the camera system for violations. The equipment, installation, and monitoring will be provided at no cost to the City with revenue sharing of any collections. All installation, capital, electrical, maintenance, calibration, administration, and regulatory compliance costs are the responsibility of the vendor. The Contractor is responsible for ensuring the program meets and maintains compliance with all local, state, and federal laws. In addition, the Contractor's solution must conform to Florida Department of Transportation ("FDOT") School Zone Speed Detection System Placement and Installation specifications found in Appendix E herein.

A2. Specifications:

- Contractor must provide high level of overview for the proposed system, including its country of origin and its compliance with local, county, state, and federal requirements.
- Contractor shall provide details of its equipment, such as the image quality, storage capacity, self-test capabilities, operating in varying weather conditions, reliability, and parts and assembly country(ies) of origin.
- Contractor shall provide details on software and data capabilities of proposed system and compliance with retention requirements of all applicable local, county, state, and federal laws and ordinances.
- Contractor shall provide details on the infraction processing system proposed.
- Contractor's solution shall have the ability to export violation and citation information for use in other analytical platform(s).
- Contractor shall provide details on the reporting, statistical analysis, and log maintenance capabilities of the system proposed.
- Contractor's system shall provide appropriate security measures and controls for data in transit and at rest, access control(s), and any single sign-on integrations. Further, Contractor shall describe all applicable security measures within its proposal.
- Contractor shall describe the approach to present testimony in court or legal proceedings, when necessary, as to the system design, operation, maintenance, calibration, violation parameters, and other related matters.
- Contractor shall provide details on maintenance throughout the life of any resulting agreement.
- Contractor shall provide details on customer support and expected response/repair times

via phone, virtual, or in-person.

- Contractor shall provide details on implementation/installation process, including coordination with any third-party stakeholders and project schedule.
- Contractor shall provide details on the creation of a public awareness campaign in accordance with the Florida Statute Section 316.008(9).
- Contractor must identify its proposed gateway and merchant processor, and if the awarded bidder cannot use the City's current providers the must provide justification as to why.
- Contractor must provide details on how it will bear all costs and fees associated with litigation surrounding its system design, operations, maintenance, calibration, and violation parameters.
- Contractor must perform all necessary needs testing as part of the specified site location determination.
- Contractor must provide a site plan, pursuant to the FDOT school zone specifications in Appendix E.
- Contractor must provide and install all signage and equipment related to the program pursuant to applicable laws and regulations.
- Contractor must maintain all equipment, documentation, certifications, and permissions related to the program.
- Contractor must provide system training to the City at no cost.
- Contractor must provide the City with the ability to review stored footage pursuant to statutory requirements.
- Contractor must provide the City with the ability to securely live stream video from the ONVIF camera feeds into the City's video management system, Milestone.
- Contractor must provide software for the approval and management of citations, review of video, and input of "hot list" data.
- Contractor must provide software for accessing automated license plate reader features.
- Contractor's speed detection camera system must be a high-definition video camera system that uses only infrared for lighting.
- Contractor's system must comply with relevant laws and regulations regarding speed enforcement and data privacy.

- Contractor's solution must include automated license plate readers for each location.
- Contractor's solution must have the ability to merge automated license plate readers data with Motorola Vigilant/Axon/Flock/Genetec database systems.
- Contractor's solution must provide traffic data for speed and volume based on time of day.
- Contractor's solution must be programmable for school calendar, specific enforcement times, and variable speed thresholds.
- Contractor's solution must be fixed location in nature.
- Contractor's solution must manage multi-lane roads with high volumes of traffic.
- Contractor must provide all necessary documentation of certifications, citations, self-tests, maintenance logs, and evidence needed for court and legal proceedings.
- Contractor's Automated license plate readers and video system capabilities must be maintained 24 hours a day without regard to school calendar or the volume of citations generated at any location.
- Contractor is responsible for the cost of returning physical locations to their previous state if any equipment is removed or uninstalled for any reason.
- Contractor is responsible for modifying, replacing, or repairing any equipment or system component to the satisfaction of the City.

A3. Special Conditions

- 1. TERM OF CONTRACT.** The term of the Agreement resulting from this RFP shall be for an initial term of three (3) years. Any agreement pursuant to this RFP shall be contingent upon the Mayor and City Commission's prior approval of the agreement at a regular or special Commission meeting. An item to approve the Agreement under this RFP shall not be placed on a City Commission consent agenda.
- 2. OPTION TO RENEW.** The City will have the option to extend for one (1) two-year renewal term or two (2) one-year renewal terms at the City's sole discretion. The successful contractor shall maintain, for the entirety of any renewal period, the same revenue share, terms, and conditions included within the originally awarded contract. Continuation of the contract beyond the initial period, and any option subsequently exercised, is a City prerogative and not a right of the successful contractor. Any renewal option exercised pursuant to this RFP shall be presented to the Mayor and City Commission as its own single item and open for public comment during a regular or special commission meeting. This item is prohibited from being placed on a City Commission consent agenda.

3. **ADDITIONAL SERVICES.** Similar services not specifically identified in this request may be added to, or deleted from, any resultant contract upon the contracting parties' successful negotiations and mutual consent and approval by the City Manager.
4. **PROTECTION OF PROPERTY.** The successful contractor will at all times guard against damage to or loss of property belonging to the City of Miami Beach. It is the responsibility of the successful contractor to replace or repair any property lost or damaged by any of its employees. The City of Miami Beach may withhold payment or make such deductions as it might deem necessary to ensure reimbursement for loss or damage to property through negligence of the successful contractor, its employees, or agents.
5. **LICENSES, PERMITS, AND FEES.** The contractor shall obtain and pay for all licenses, permits, and inspection fees required for this project; and shall comply with all laws, ordinances, regulations, and building code requirements applicable to the work contemplated herein. Damages, penalties, and or fines imposed on the City or the contractor for failure to obtain required licenses, permits, or fines shall be borne by the contractor.
6. **EXAMINATION OF SITE RECOMMENDED.** Prior to submitting its offer, it is advisable that the contractor visit the site of the proposed locations and become familiar with any conditions which may in any manner affect the work to be done or affect the equipment, materials, and or labor required. The contractor is also advised to examine carefully the specifications and become thoroughly aware regarding any and all conditions and requirements that may in any manner affect the work to be performed under the contract. No additional allowances will be made because of lack of knowledge of these conditions.

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APPENDIX B

MIAMI BEACH

Revenue Proposal Form

2024-274-DF
SPEED DETECTION CAMERA SYSTEM
FOR SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

APPENDIX B REVENUE PROPOSAL FORM

Failure to submit Appendix B, Revenue Proposal Form, in its entirety by the deadline established for the receipt of proposals will result in proposal being deemed non-responsive and being rejected.

Bidder affirms that the prices stated on the revenue proposal form below represent the entire cost of the items in full accordance with the requirements of this RFP, inclusive of its terms, conditions, specifications and other requirements stated herein, and that no claim will be made on account of any increase in wage scales, material prices, delivery delays, taxes, insurance, cost indexes or any other unless a cost escalation provision is allowed herein and has been exercised by the City Manager in advance. The Revenue Proposal Form (**Appendix B**) shall be completed in its entirety. All corrections on the Revenue Proposal Form (**Appendix B**) shall be initialed.

Item	Estimated Annual Collections ¹ (A)	Percentage of Revenue Share Vendor to Retain (B)	Annual Estimated Revenue to the City ² (C)
			$A - (A \times B) = C$
1	\$100,000.00	_____ %	\$ _____

¹The estimated amounts stated herein are for calculation purposes only. Actual amounts may be greater or less than the estimated amounts.

²The total annual estimated cost to the City shall be utilized to allocate Cost Points in the Evaluation of Proposals.

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APPENDIX C

MIAMI BEACH

Insurance Requirements

2024-274-DF SPEED DETECTION CAMERA SYSTEM FOR SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

MIAMI BEACH

TYPE 9A – CONSTRUCTION W/ DESIGN AND PROFESSIONAL SERVICES INSURANCE REQUIREMENTS

The Contractor shall maintain the below required insurance in effect prior to awarding the contract and for the duration of the contract. The maintenance of proper insurance coverage is a material element of the contract and failure to maintain or renew coverage may be treated as a material breach of the contract, which could result in withholding of payments or termination of the contract.

- A. Workers' Compensation Insurance for all employees of the Contractor as required by Florida Statute Chapter 440 and Employer Liability Insurance with a limit of no less than \$1,000,000 per accident for bodily injury or disease. Should the Contractor be exempt from this Statute, the Contractor and each employee shall hold the City harmless from any injury incurred during performance of the Contract. The exempt contractor shall also submit (i) a written statement detailing the number of employees and that they are not required to carry Workers' Compensation insurance and do not anticipate hiring any additional employees during the term of this contract or (ii) a copy of a Certificate of Exemption.
- B. Commercial General Liability Insurance on an occurrence basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence, and \$2,000,000 general aggregate.
- C. Automobile Liability Insurance covering any automobile, if Contractor has no owned automobiles, then coverage for hired and non-owned automobiles, with limit no less than \$1,000,000 combined per accident for bodily injury and property damage.
- D. Professional Liability (Errors & Omissions) Insurance appropriate to the Consultant's profession, with limit no less than \$1,000,000 per occurrence, and \$2,000,000 general aggregate.
- E. Cyber Liability with limits no less than \$1,000,000 per occurrence, and \$2,000,000 general aggregate covering claims involving privacy violations, information theft, damage to or destruction of electronic information, intentional and/or unintentional release of private information, alteration of electronic information, extortion and network security.
- F. Umbrella Liability Insurance in an amount no less than \$2,000,000 per occurrence. The umbrella coverage must be as broad as the primary General Liability coverage.
- G. Contractors' Pollution Legal Liability (*if project involves environmental hazards*), with limits no less than \$1,000,000 per occurrence or claim, and \$2,000,000 policy aggregate.
- H. Installation Floater Insurance against damage or destruction of the materials or equipment in transit to, or stored on or off the Project Site, which is to be used (installed into a building or structure) in the Project. (*City of Miami Beach shall Named as a Loss Payee on this policy, as its interest may appear. This policy shall remain in force until acceptance of the project by the City.*)

Additional Insured - City of Miami Beach must be included by endorsement as an additional insured with respect to all liability policies (except Professional Liability and Workers' Compensation) arising out of work or operations performed on behalf of the contractor including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired or borrowed in the form of an endorsement to the contractor's insurance.

Notice of Cancellation - Each insurance policy required above shall provide that coverage shall not be cancelled, except with notice to the City of Miami Beach c/o EXIGIS Insurance Compliance Services.

Waiver of Subrogation – Contractor agrees to obtain any endorsement that may be necessary to affect the waiver of subrogation on the coverages required. However, this provision applies regardless of whether the City has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers – Insurance must be placed with insurers with a current A.M. Best rating of A:VII or higher. If not rated, exceptions may be made for members of the Florida Insurance Funds (i.e. FWCIGA, FAJUA). Carriers may also be considered if they are licensed and authorized to do insurance business in the State of Florida.

Verification of Coverage – Contractor shall furnish the City with original certificates and amendatory endorsements, or copies of the applicable insurance language, effecting coverage required by this contract. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements, required by these specifications, at any time.

CERTIFICATE HOLDER MUST READ:

City of Miami Beach
c/o Exigis Insurance Compliance Services
P.O. Box 947 Murrieta, CA 92564

Kindly submit all certificates of insurance, endorsements, exemption letters to our servicing agent, EXIGIS, at:

Certificates-miamibeach@riskworks.com

Special Risks or Circumstances - The City of Miami Beach reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Compliance with the foregoing requirements shall not relieve the Contractor of his liability and obligation under this section or under any other section of this agreement.

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APPENDIX D

MIAMI BEACH

State of Florida Statute Section
316.008

2024-274-DF
SPEED DETECTION CAMERA SYSTEM FOR
SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

316.008 Powers of local authorities.—

(1) The provisions of this chapter shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power, from:

- (a) Regulating or prohibiting stopping, standing, or parking.
- (b) Regulating traffic by means of police officers or official traffic control devices.
- (c) Regulating or prohibiting processions or assemblages on the streets or highways, including all state or federal highways lying within their boundaries.
- (d) Designating particular highways or roadways for use by traffic moving in one direction.
- (e) Establishing speed limits for vehicles in public parks.
- (f) Designating any street as a through street or designating any intersection as a stop or yield intersection.
- (g) Restricting the use of streets.
- (h) Regulating the operation of bicycles.
- (i) Regulating or prohibiting the turning of vehicles or specified types of vehicles.
- (j) Altering or establishing speed limits within the provisions of this chapter.
- (k) Requiring written crash reports.
- (l) Designating no-passing zones.
- (m) Prohibiting or regulating the use of controlled access roadways by any class or kind of traffic.
- (n) Prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic.
- (o) Designating hazardous railroad grade crossings in conformity to criteria promulgated by the Department of Transportation.
- (p) Designating and regulating traffic on play streets.
- (q) Prohibiting pedestrians from crossing a roadway in a business district or any designated highway except on a crosswalk.
- (r) Regulating pedestrian crossings at unmarked crosswalks.
- (s) Regulating persons upon skates, coasters, and other toy vehicles.
- (t) Adopting and enforcing such temporary or experimental regulations as may be necessary to cover emergencies or special conditions.
- (u) Enacting ordinances or erecting signs in the rights-of-way to control, regulate, or prohibit hitchhiking on streets or highways, including all state or federal highways lying within their boundaries.
- (v) Regulating, restricting, or prohibiting traffic within the boundary of any airport owned by the state, a county, a municipality, or a political subdivision and enforcing violations under the

provisions of this chapter and chapter 318.

(w) Regulating, restricting, or monitoring traffic by security devices or personnel on public streets and highways, whether by public or private parties and providing for the construction and maintenance of such streets and highways.

(2) The municipality, through its duly authorized officers, shall have nonexclusive jurisdiction over the prosecution, trial, adjudication, and punishment of violations of this chapter when a violation occurs within the municipality and the person so charged is charged by a municipal police officer. The disposition of such matters in the municipality shall be in accordance with the charter of that municipality. This subsection does not limit those counties which have the charter power to provide and regulate arterial, toll, and other roads, bridges, tunnels, and related facilities from the proper exercise of those powers pertaining to the consolidation and unification of a traffic court system within such counties.

(3) No local authority shall erect or maintain any official traffic control device at any location so as to regulate the traffic on any state road unless approval in writing has first been obtained from the Department of Transportation.

(4) A county or municipality may enact an ordinance providing a fine for the violation of s. 316.1955 in excess of the fine specified by s. 318.18(6), except that such a fine may not exceed \$250. Any such ordinance may provide for the deposit of such fines in a separate county or municipal account to be used in the following manner:

(a) One-third to be used to defray expenses for the administration of this subsection.

(b) Two-thirds to be used to provide funds to improve accessibility and equal opportunity to qualified persons who have disabilities in the county or municipality and to provide funds to conduct public awareness programs in the county or municipality concerning persons who have disabilities.

(5)(a) A county or municipality may enact an ordinance providing a fine for the violation of s. 316.1945(1)(b)2. or 5. in excess of the fine specified by s. 318.18(2), except that such fine may not exceed the fine specified in s. 318.18(2) by more than \$3. However, such ordinance shall provide that the fines collected pursuant to this subsection in excess of the fines which would be collected pursuant to s. 318.18(2) for such violations shall be used by the county or municipality for the purpose of funding a firefighter education program. The amount of the fines collected pursuant to this subsection in excess of the fines which would be collected pursuant to s. 318.18(2) for such violations shall be reported on a monthly basis by the clerk of the court to the appropriate county or municipality.

(b) A county or municipality may enact an ordinance which dedicates a portion of any fine collected for a violation of such ordinance for the purpose of funding a firefighter education program, if such ordinance is limited to the regulation of parking within a firesafety zone.

(6) A county or municipality may enact an ordinance providing for the establishment of a “combat automobile theft” program, and may charge a fee for the administration of the program

and the cost of the decal. Such a program shall include:

- (a) Consent forms for motor vehicle owners who wish to enroll their vehicles.
- (b) Decals indicating a vehicle's enrollment in the "combat automobile theft" program. The Department of Law Enforcement shall approve the color, design, and other specifications of the program decal.
- (c) A consent form signed by a motor vehicle owner provides authorization for a law enforcement officer to stop the vehicle when it is being driven between the hours of 1 a.m. and 5 a.m., provided that a decal is conspicuously affixed to the bottom left corner of the back window of the vehicle to provide notice of its enrollment in the "combat automobile theft" program. The owner of the motor vehicle is responsible for removing the decal when terminating participation in the program, or when selling or otherwise transferring ownership of the vehicle. No civil liabilities will arise from the actions of a law enforcement officer when stopping a vehicle with a yellow decal evidencing enrollment in the program when the driver is not enrolled in the program provided that the stop is made in accordance with the requirements of the "combat automobile theft" program.

(7)(a) A county or municipality may enact an ordinance to permit, control, or regulate the operation of vehicles, golf carts, mopeds, motorized scooters, electric bicycles, and electric personal assistive mobility devices on sidewalks or sidewalk areas when such use is permissible under federal law. The ordinance must restrict such vehicles or devices to a maximum speed of 15 miles per hour in such areas.

(b)1. Except as provided in subparagraph 2., a personal delivery device and a mobile carrier may be operated on sidewalks and crosswalks within a county or municipality when such use is permissible under federal law. This paragraph does not restrict a county or municipality from otherwise adopting regulations for the safe operation of personal delivery devices and mobile carriers.

2. A personal delivery device may not be operated on the Florida Shared-Use Nonmotorized Trail Network created under s. 339.81 or components of the Florida Greenways and Trails System created under chapter 260.

(8)(a) A county or municipality may use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal on streets and highways under its jurisdiction under s. 316.0083. Only a municipality may install or authorize the installation of any such detectors within the incorporated area of the municipality. Only a county may install or authorize the installation of any such detectors within the unincorporated area of the county.

(b) Pursuant to paragraph (a), a municipality may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the incorporated area of the municipality, and a county may install or, by contract or interlocal agreement, authorize the installation of any such detectors only within the unincorporated area of the county. A county may authorize installation of any such detectors by interlocal agreement on roads under its jurisdiction.

(c) Pursuant to s. 316.0083, a county or municipality may use traffic infraction detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a driver fails to stop at a traffic signal on state roads under the original jurisdiction of the Department of Transportation when permitted by the Department of Transportation.

(9)(a) A county or municipality may enforce the applicable speed limit on a roadway properly maintained as a school zone pursuant to s. 316.1895:

1. Within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program;
2. Within 30 minutes before through 30 minutes after the start of a regularly scheduled school session;
3. During the entirety of a regularly scheduled school session; and
4. Within 30 minutes before through 30 minutes after the end of a regularly scheduled school session

through the use of a speed detection system for the detection of speed and capturing of photographs or videos for violations in excess of 10 miles per hour over the speed limit in force at the time of the violation. A school zone's compliance with s. 316.1895 creates a rebuttable presumption that the school zone is properly maintained.

(b) A county or municipality may place or install, or contract with a vendor to place or install, a speed detection system within a roadway maintained as a school zone as provided in s. 316.1895 to enforce unlawful speed violations, as specified in s. 316.1895(10) or s. 316.183, on that roadway.

(c) A county or municipality must enact an ordinance in order to authorize the placement or installation of a speed detection system on a roadway maintained as a school zone as authorized by this subsection. As part of the public hearing on such proposed ordinance, the county or municipality must consider traffic data or other evidence supporting the installation and operation of each proposed school zone speed detection system, and the county or municipality must determine that the school zone where a speed detection system is to be placed or installed constitutes a heightened safety risk that warrants additional enforcement measures pursuant to this subsection.

History.—s. 1, ch. 71-135; s. 3, ch. 71-982; s. 1, ch. 76-72; s. 2, ch. 83-164; s. 1, ch. 84-234; s. 1, ch. 85-227; s. 1, ch. 85-325; s. 3, ch. 86-154; s. 1, ch. 89-34; s. 25, ch. 90-330; s. 1, ch. 93-30; s. 33, ch. 94-306; s. 1, ch. 96-200; s. 4, ch. 96-350; s. 81, ch. 99-248; s. 4, ch. 2010-80; s. 1, ch. 2010-163; s. 44, ch. 2010-223; s. 16, ch. 2011-4; s. 2, ch. 2017-150; s. 2, ch. 2018-130; s. 3, ch. 2020-69; s. 2, ch. 2023-174.

APPENDIX E

MIAMI BEACH

City of Miami Beach Ordinance on the Deployment of School Zone Cameras - DRAFT

2024-274-DF SPEED DETECTION CAMERA SYSTEM FOR SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY CREATING ARTICLE XII, ENTITLED "SCHOOL ZONES AND SPEED DETECTION SYSTEMS," BY CREATING SECTION 106-495 THEREOF, ENTITLED "SPEED DETECTION SYSTEMS IN SCHOOL ZONES," TO AUTHORIZE THE PLACEMENT, INSTALLATION, AND OPERATION OF SPEED DETECTION SYSTEMS ON SPECIFIED ROADWAYS MAINTAINED AS SCHOOL ZONES; ESTABLISH TRAFFIC ENFORCEMENT PROCEDURES WHEN SPEED DETECTION SYSTEMS ARE UTILIZED FOR SCHOOL ZONE SPEED LIMIT VIOLATIONS; AND CREATE HEARING PROCEDURES RELATING TO SUCH SCHOOL ZONE SPEED LIMIT VIOLATIONS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, on July 1, 2023, House Bill 657 ("HB 657"), as codified in Chapter 2023-174 of the Laws of Florida, went into effect authorizing counties and municipalities to use speed detection systems ("SDS Systems") to enforce school zone speeding violations in excess of 10 miles over the posted speed limit during certain times and days; and

WHEREAS, pursuant to HB 657, prior to installing and utilizing SDS Systems to enforce eligible school zone speeding violations, counties and municipalities are required to adopt an ordinance authorizing the placement and installation of SDS Systems, and create traffic enforcement procedures relating to the enforcement of school zone speed limits through the use of SDS Systems; and

WHEREAS, HB 657 also requires the governing body of the municipality to first determine whether each school zone constitutes a heightened safety risk that warrants additional traffic enforcement measures, based on traffic data or other evidence, prior to the installation and operation of an SDS System in any school zone; and

WHEREAS, the City contracted with The Corradino Group ("Corradino") to conduct and complete a speed evaluation study relating to the potential implementation of SDS Systems in school zones within the City; and

WHEREAS, Corradino completed the study and provided the City with its Miami Beach School Zones Speed Study (the "Report") for consideration by the City; and

WHEREAS, the Report evaluated seventeen (17) school zones spread across eight (8) different schools in the City; and

WHEREAS, after consideration of the traffic data, information, and conclusions provided in the Report (which Report is on-file with the City Clerk), and any other relevant evidence presented at the public hearing held on March 13, 2024, the City Commission has determined that the following school zones constitute a heightened safety risk that warrant additional enforcement measures pursuant to Section 316.008(9), Florida Statutes:

1. School Zone 1 - Alton Road from north of 4th Street to 180 feet south of 2nd Street (South Pointe Elementary School)
2. School Zone 8 – Dade Boulevard from west of Prairie Avenue to approximately 23rd Street (Miami Beach Senior High School)
3. School Zone 9 – Prairie Avenue from north of Dade Boulevard north to approximately 2500 Prairie Avenue (Miami Beach Senior High School)
4. School Zone 10 – 41st Street from east of Alton Road to west of Royal Palm Avenue (North Beach Elementary School)
5. School Zone 14 – Meridian Avenue from 43rd Court to north of 41st Street (Miami Beach Nautilus Middle School)
6. School Zone 17 – Pine Tree Drive from 23rd Street to approximately 2500 Pine Tree Drive (Hebrew Academy) (collectively, the “School Zones”); and

WHEREAS, in order to mitigate the heightened safety risks in the School Zones, the City Commission desires to adopt this Ordinance to, among other things, make findings that the School Zones constitute heightened safety risks that warrant additional enforcement measures pursuant to Section 316.008(9), Florida Statutes, based on the Report and any other relevant evidence presented at the March 13, 2024, public hearing; authorize the placement, installation, and operation of SDS Systems in the School Zones; create procedures for the issuance of notice of violations for school zone speeding violations by duly qualified traffic infraction enforcement officers pursuant to Section 316.1896, Florida Statutes; and establish a hearing framework whereby a local hearing officer(s) will determine whether

school zone speeding violations have occurred; and

WHEREAS, the City Commission finds that speeding violations in school zones present a real hazard not only to the general public's health and safety, but also specifically to children who are arriving at or departing from school; and

WHEREAS, enforcement of speed limits in school zones with law enforcement officers alone can be difficult, as in the time a law enforcement officer has stopped and cited a speeding driver, other motorists can commit speeding violations and escape the issuance of a citation; and

WHEREAS, the City Commission finds it to be in the best interest of the public, health, safety, and welfare of the residents of Miami Beach to adopt this Ordinance amending the City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. That Article XII of Chapter 106 of the Code of the City Miami Beach is hereby created as follows:

CHAPTER 106 – TRAFFIC AND VEHICLES

* * *

ARTICLE XII. – School Zones and Speed Detection Systems

* * *

Section 106-495. Speed Detection Systems in School Zones.

(a) Purpose and Intent. The City desires to protect the public health, safety, and welfare of individuals traveling to and from schools in the City, especially students and their parents and/or legal guardians, and school employees. Accordingly, the City seeks to enforce School Zone speed limits by authorizing the installation, implementation, and operation of Speed Detection Systems on those roadways properly maintained as school zones, that constitute a heightened safety risk warranting additional enforcement measures pursuant to Section 316.008(9), Florida Statutes, in accordance with Chapter 2023-174, Laws of Florida, as may be amended from time to time.

(b) Definitions. The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

- (1) Local Hearing Officer means a Special Magistrate, or such other qualified person designated by Resolution of the City Commission, to conduct hearings relating to notices of violation issued pursuant to Sections 316.1896 and 316.0083, Florida Statutes.
- (2) Person means a natural person, the registered owner or co-owner of a motor vehicle, or the person identified in an affidavit as having actual care, custody, or control of the motor vehicle at the time of a Violation.
- (3) Petitioner means a person who elects to request a hearing before the Local Hearing Officer for the purpose of determining whether a Violation under Section 316.1896, Florida Statutes, has occurred.
- (4) School Zone means a roadway located within the City and maintained as a School Zone pursuant to Section 316.1895, Florida Statutes, which constitutes a heightened safety risk that warrants additional enforcement measures, as determined by the City Commission after consideration of traffic data and other relevant evidence.
- (5) Speed Detection System means a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR, and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the Violation.
- (6) Traffic Infraction Enforcement Officer means the Police Department employee(s) designated by the City who meet the qualifications set forth in Fla. Stat. 316.640(5), and/or any other relevant statute, and are vested with the authority to enforce Violations.
- (7) Violation means a person that drives a motor vehicle on a roadway designated as a School Zone at a speed as follows:
 - (A) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled breakfast program in violation of Section 316.1895, Florida Statutes.
 - (B) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the start of a regularly scheduled school session in violation of Section 316.1895, Florida Statutes.

(C) In excess of 10 miles per hour over the posted speed limit during the entirety of a regularly scheduled school session in violation of Section 316.183, Florida Statutes.

(D) In excess of 10 miles per hour over the School Zone speed limit which occurs within 30 minutes before through 30 minutes after the end of a regularly scheduled school session in violation of Section 316.1895, Florida Statutes.

(c) Findings. After consideration of the traffic data provided in the “Miami Beach School Zones Speed Study” prepared by The Corradino Group (which is on-file with the City Clerk), and any other relevant evidence presented at the public hearing held on ~~February 21, 2024~~ March 13, 2024, the City Commission hereby finds that the following School Zones where Speed Detection Systems are to be placed or installed constitute a heightened safety risk that warrant additional enforcement measures pursuant to Section 316.008(9), Florida Statutes:

1. Alton Road from north of 4th Street to 180 feet south of 2nd Street (South Pointe Elementary School)
2. Dade Boulevard from west of Prairie Avenue to approximately 23rd Street (Miami Beach Senior High School)
3. Prairie Avenue from north of Dade Boulevard north to approximately 2500 Prairie Avenue (Miami Beach Senior High School)
4. 41st Street from east of Alton Road to west of Royal Palm Avenue (North Beach Elementary School)
5. Meridian Avenue from 43rd Court to north of 41st Street (Miami Beach Nautilus Middle School)
6. Pine Tree Drive from 23rd Street to approximately 2500 Pine Tree Drive (Hebrew Academy).

(d) Placement and Installation of Speed Detection Systems. Consistent with and pursuant to Chapter 316, Florida Statutes, and Chapter 2023-174, Laws of Florida, as may be amended from time to time, the City Commission authorizes the placement, installation, and operation of automated Speed Detection Systems on School Zone roadways, as identified herein under subsection 106-495(c), to enforce Violations.

(e) Notice of Violation, Designation of Local Hearing Officer, and Hearing Procedures.

(1) Within thirty (30) days after a Violation, a notice of violation shall be sent by first class mail to the registered owner of the motor vehicle involved in the Violation. The notice of violation must include:

- a. The name and address of the vehicle owner;
- b. a photograph, video, or other recorded image showing the license plate of the motor vehicle;
- c. The make, model, and year of the vehicle;
- d. The date, time, and location of the Violation;
- e. Notice that the infraction charged is pursuant to this section;
- f. The maximum speed at which the motor vehicle was traveling within the School Zone;
- g. The speed limit within the School Zone at the time of the Violation;
- h. A statement that the owner has a right to review, in person or remotely, the photograph or video captured by the Speed Detection System(s) and the evidence of the speed of the motor vehicle detected by the Speed Detection System(s) which constitutes a rebuttable presumption that the motor vehicle was used in a Violation;
- i. Instructions as to the time and the place when, or website at which, the photograph or video captured, and evidence of speed detected, by the Speed Detection System(s) may be examined and observed;
- j. Information that advises the Violator on the person's right to request a hearing and on all costs related thereto and a form used to request a hearing, or alternatively, a web address to a website that provides such information;
- k. Instructions on all methods of payment of the penalty;
- l. A statement specifying the remedies available under Section 318.14, Florida Statutes;
- m. A statement that the owner must pay a penalty in the amount provided under Section 318.18(3)(d), Florida Statutes, or furnish an affidavit that complies with

Section 316.1896(8), Florida Statutes, within thirty (30) days in order to avoid court fees, costs, and the issuance of a uniform traffic citation against the owner; and

- n. A signed statement by the Traffic Infraction Enforcement Officer that, based on inspection of recorded photographs or video captured by the Speed Detection System(s), the vehicle was involved in and was utilized to commit a Violation.

(2) Except as may be otherwise provided by resolution of the City Commission, the City shall utilize its Special Magistrates to serve as the Local Hearing Officer(s) who shall preside over notice of violation hearings, as established by Section 316.1896, Florida Statutes, as amended.

(3) The City of Miami Beach Clerk's Office shall serve as the clerical staff, as designated by the City of Miami Beach Clerk, to serve as the clerk(s) to the Local Hearing Officer(s).

(4) Pursuant to 316.1896(1), the City Manager, or the City Manager's designee, may elect to authorize Traffic Infraction Enforcement Officer(s) to issue uniform traffic citations, as set forth in 316.1896(6), for violations of Sections 316.1895 and 316.183, as authorized by 316.008(9), Florida Statutes, and the City Commission shall designate, by resolution, existing staff to serve as the clerk to the Local Hearing Officer.

(5) Any Petitioner that elects to request a hearing shall be scheduled for a hearing by the clerk of the Local Hearing Officer, with notice of the hearing to be sent to the Petitioner by first-class mail. Upon receipt of the notice, the Petitioner may reschedule the hearing up to two (2) times by submitting a written request to reschedule to the clerk of the Local Hearing Officer, at least five (5) calendar days before the day of the originally scheduled hearing. The Petitioner may cancel his or her appearance before the Local Hearing Officer by paying the penalty assessed by Section 316.1896(2), Florida Statutes, as amended, plus the administrative costs established under Section 316.0083(5)(c), Florida Statutes, before the start of the hearing.

(6) All testimony at the hearing shall be taken under oath and shall be recorded. The Local Hearing Officer shall take testimony from a Traffic Infraction Enforcement Officer and the Petitioner, and may take testimony from others. The Local Hearing Officer must review the photograph or video captured by the Speed Detection System and the evidence of the speed of the motor vehicle detected by

the Speed Detection System. The formal rules of evidence do not apply, but due process shall be observed and govern the proceedings.

(7) At the conclusion of the hearing, the Local Hearing Officer must determine whether a Violation has occurred, in which case the Local Hearing Officer shall uphold or dismiss the Violation. The Local Hearing Officer shall issue a final administrative order including the determination and, if the notice of the violation is upheld, must require the Petitioner to pay the penalty assessed under Section 318.18(3)(d), Florida Statutes, as amended, and may also require the Petitioner to pay the City's costs, not to exceed the amount established under Section 316.0083(5)(e), Florida Statutes. The final administrative order shall be mailed to the Petitioner by first-class mail.

(8) An aggrieved party may appeal a final administrative order consistent with the process provided under Section 162.11, Florida Statutes, as such may be amended from time to time.

(9) The City, or the City Manager's designee, shall assess penalties, and remit applicable portions of assessed penalties, consistent with the requirements of Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

(10) A uniform traffic citation must be issued by mailing the uniform traffic citation via certified mail to the address of the registered owner of the motor vehicle involved in the Violation if payment has not been made within 30 days after notification pursuant to Fla. Stat. 316.1896 (2) and subsection (e)(1)(m) herein; if the registered owner has not requested a hearing in accordance with Fla. Stat. 316.1896(3) and subsection (e)(1)(j) herein; and if the registered owner has not submitted an affidavit in accordance with Fla. Stat. 316.1896(8) and subsection (e)(1)(m) herein.

(e) *Signage and Public Awareness Campaign.* The City Manager, or the City Manager's designee, shall post signage, make a public announcement, and conduct a public awareness campaign regarding the City's placement and installation of Speed Detection Systems consistent with the requirements of Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

(f) *Reporting.* The City Manager, or the City Manager's designee, shall comply with the reporting requirements of Chapter 2023-174, Laws of Florida, as such may be amended from time to time.

(g) *Supplemental Authority.* The provisions of this Section supplement the enforcement of Sections

316.1895 and 316.183, Florida Statutes, by law enforcement officers, and does not prohibit law enforcement officers from issuing uniform traffic citations for violations of Sections 316.1895 or 316.183.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the ____ day of _____, 2024.

PASSED and **ADOPTED** this ____ day of _____, 2024.

ATTEST:

Steven Meiner
Mayor

Rafael E. Granado
City Clerk

(Sponsored by Commissioner Alex J. Fernandez and Co-sponsored by Commissioners Laura Dominguez, Joseph Magazine, David Suarez, and Tanya Bhatt)

Underline denotes additions.

Double underline denotes additions after First Reading.

~~Double strikethrough~~ denotes deletions after First Reading.

APPENDIX F

MIAMI BEACH

FDOT School Zone Speed Detection System Placement and Installation Specifications

2024-274-DF SPEED DETECTION CAMERA SYSTEM FOR SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139



School Zone Speed Detection System
Placement and Installation Specifications
December 28, 2023

Section 1.0 General

Section 316.0776, Florida Statutes (F.S.), was amended and signed into law with an effective date of July 1, 2023. Section 316.0776 (3), F.S., was created to authorize the installation of Speed Detection Systems (SDSs) in School Zones and require the Florida Department of Transportation (FDOT) to establish placement and installation specifications by December 31, 2023. As defined by Section 316.003(83), F.S., an SDS is a portable or fixed automated system used to detect a motor vehicle's speed using radar or LiDAR and to capture a photograph or video of the rear of a motor vehicle that exceeds the speed limit in force at the time of the violation. Any approved SDS shall be installed in accordance with the FDOT SDS Placement and Installation Specifications set forth herein.

Section 2.0 Definitions

The following words and phrases, when used in the FDOT SDS Placement and Installation Specifications, shall have the following meanings:

- AASHTO— American Association of State Highway and Transportation Officials.
- SZM—FDOT Manual on Speed Zoning for Highways, Roads, and Streets in Florida (Rule 14-15.012, Florida Administrative Code (F.A.C.)), also known as Speed Zone Manual.
- School Zone—the portion of a street or highway located within a school area that includes an established school speed limit posted thereof with signs and flashing beacons, consistent with Chapter 15 of the SZM.

Section 3.0 Application and Documentation

A County or Municipality requesting to install an SDS, fixed or portable, in a school zone on the State Highway System (SHS) for school zone speed enforcement shall complete and submit a General Use Permit (GUP) application using FDOT's online permitting system, One Stop Permitting (<https://osp.fdot.gov/>), or by completing the FDOT Form 850-040-05 (<https://pdl.fdot.gov/Forms>), to the local FDOT Operations Center with the following documentation (Applicants are encouraged to contact the local FDOT Operations Center prior to submitting the GUP application):

1. Letter from the County or Municipality using agency letterhead and signed by Chief Executive requesting the installation of an SDS and authorizing an individual to submit the GUP application on behalf of the agency.
2. A copy of the County or Municipality Ordinance authorizing the SDS, including the time of day and the speed limits that are to be enforced.
3. Site Plans denoting the location(s) of each proposed fixed or portable SDS installation, location(s) of the nearby FDOT infrastructure (e.g., traffic control devices and Intelligent Transportation System (ITS) devices), and other location and offset criteria (i.e., offset direction and offset distance) denoted in Section 4.0. Site Plans shall include all pertinent electrical, communication, and Speed Limit Photo Enforced sign assembly (see Attachment A, attached and made a part of these FDOT SDS Placement and Installation Specifications) details.
4. Standard structural installation and foundation details, signed and sealed by a Florida-licensed Professional Engineer, for the use of fixed SDS on the SHS.
5. A certification statement signed by an authorized official of the County, Municipality, or their contracted vendor indicating that the SDS conforms to FDOT SDS Placement and Installation Specifications described in Section 4.0.

A new GUP application with the above documentation will be required when an existing portable SDS is proposed to be relocated to a new school zone.

Section 4.0 SDS Placement and Installation Specifications

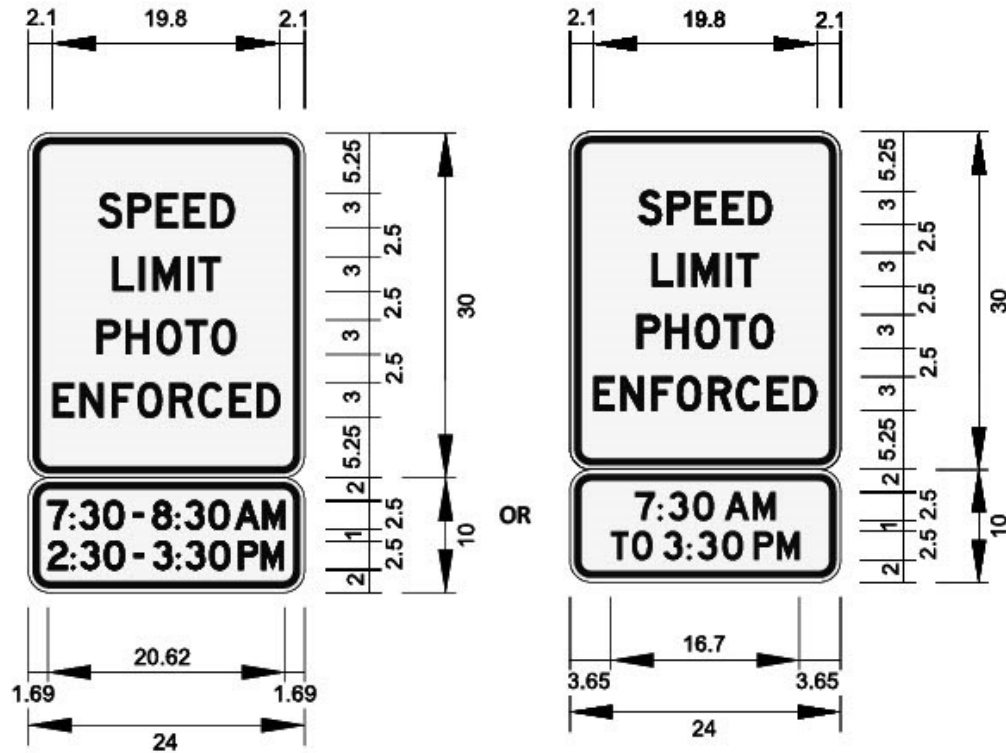
The following requirements apply to the placement and installation of an SDS in a school zone on the SHS or on a street or highway under the jurisdiction of a County or Municipality:

1. The placement and installation of an SDS and the structure supporting the SDS shall not reduce, impede, restrict, or obstruct driver view or sight distance of any intersection, driveway, crosswalk, or existing traffic control devices. An SDS shall be installed at a location where it does not detect vehicles beyond the beginning and end points of school zone limits.
2. An SDS, fixed or portable, shall be an independent standalone device with independent communications and an independent power source. The FDOT traffic signal system communications interconnect or fiber communications shall not be used to access, receive, or transfer SDS communications data.
3. Fixed SDS shall have breakaway support mechanisms meeting the requirements published in the current *AASHTO LRFD Specifications for Structural Supports for Highway Signs, Luminaires, and Traffic Signals* and the *AASHTO Manual for Assessing Safety Hardware (MASH)*.
4. An SDS, fixed or portable, shall not be placed within sidewalks. Any placement adjacent to sidewalks shall meet or exceed the current minimum Americans with Disabilities Act (ADA) requirements. An SDS shall be installed as close to the right-of-way line as possible and in compliance with the following criteria:

- (a) For urban curb and gutter roadways with posted speed limit of 45 miles per hour (mph) or less, placement shall be located no closer than 4 feet from the face of the curb.
 - (b) For all other roadways, placement shall be located no closer than 12 feet from the traveled way, unless placed behind an existing barrier with the appropriate setback distance. W-beam guardrail requires a minimum of 5-foot setback from the face of the barrier and concrete barriers require a minimum of 2-foot setback from the face of the barrier.
- 5. An SDS equipped with a flashing or illuminator device shall be mounted, positioned, filtered, or angled in such a way that the driver's visual field of view is not obstructed.
- 6. For all school zones where an SDS, fixed or portable, is to be installed, a ground-mounted Speed Limit Photo Enforced sign assembly as depicted in Attachment A shall be installed 100 feet prior to the furthest most upstream point of the existing S1-1 school zone warning sign. In cases where other signs exist within this area, engineering judgment should be applied to determine the appropriate location of the Speed Limit Photo Enforced sign assembly. Ground-mounted signs shall meet requirements of FDOT Standard Specifications Section 700 and be designed in accordance with FDOT Standard Plans, Index 700-010.
 - (a) The Speed Limit Photo Enforced sign assembly as depicted in Attachment A shall be placed on all side street approaches to a school zone where an SDS is to be placed or installed.
 - (b) For school zones located along multilane divided roadways with a physical median, the Speed Limit Photo Enforced sign assembly as depicted in Attachment A shall be installed on both the roadside and the median.

Attachment A

Speed Limit Photo Enforced Sign Assembly for Roadways with Posted Speed Limit 40 mph or less



FTP - MINIMUM, SPEED LIMIT PHOTO ENFORCED;
1.5" Radius, 0.63" Border, 0.38" Indent, Black on White;
"SPEED" D 2K;
"LIMIT" D 2K;
"PHOTO" D 2K;
"ENFORCED" D 2K;

AUX PANEL, FTP MINIMUM;
1.5" Radius, 0.63" Border, 0.38" Indent, Black on White;
"7:30 - 8:30 AM" D 2K 75% Letter Spacing;
"2:30-3:30 PM" D 2K 75% Letter Spacing

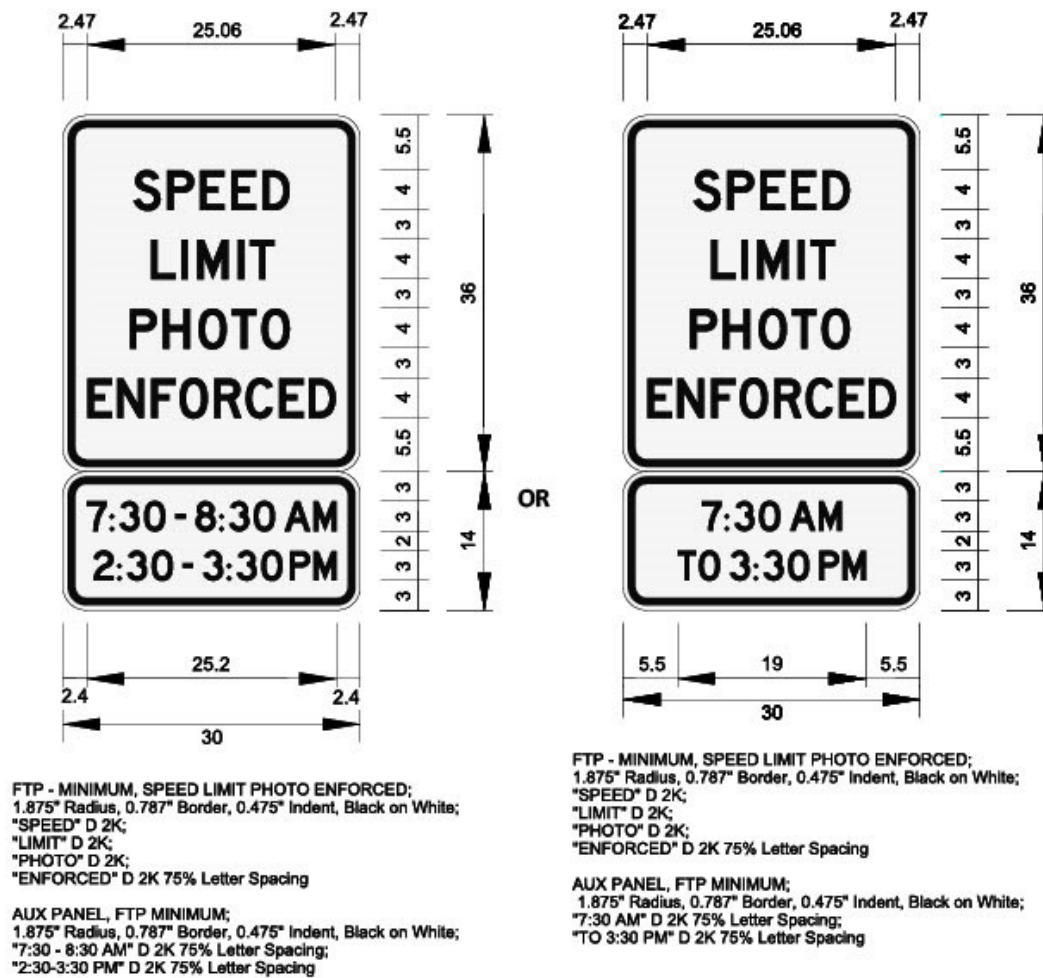
When the SDS is to be used for school zone speed enforcement within 30 minutes before through 30 minutes after the start of a regularly scheduled school session or breakfast program and within 30 minutes before through 30 minutes after the end of a regularly scheduled school session.

FTP - MINIMUM, SPEED LIMIT PHOTO ENFORCED;
1.5" Radius, 0.63" Border, 0.38" Indent, Black on White;
"SPEED" D 2K;
"LIMIT" D 2K;
"PHOTO" D 2K;
"ENFORCED" D 2K;

AUX PANEL, FTP MINIMUM;
1.5" Radius, 0.63" Border, 0.38" Indent, Black on White;
"7:30 AM" D 2K 75% Letter Spacing;
"TO 3:30 PM" D 2K 75% Letter Spacing

When the SDS is to be used for school zone speed enforcement during the entirety of a regularly scheduled school session.

Speed Limit Photo Enforced Sign Assembly for Roadways with Posted Speed Limit 45mph or above



When the SDS is to be used for school zone speed enforcement within 30 minutes before through 30 minutes after the start of a regularly scheduled school session or breakfast program and within 30 minutes before through 30 minutes after the end of a regularly scheduled school session.

When the SDS is to be used for school zone speed enforcement during the entirety of a regularly scheduled school session.

Note: The time period shown shall be consistent with the time period during which the school zone speed limits are enforced using an SDS.

APPENDIX G

MIAMI BEACH

School Zone Map

2024-274-DF SPEED DETECTION CAMERA SYSTEM FOR SCHOOL ZONES

PROCUREMENT DEPARTMENT
1755 Meridian Avenue, 3rd Floor
Miami Beach, Florida 33139

