

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AMENDMENT NO. 2 TO THE AGREEMENT DATED APRIL 16, 2019, BETWEEN THE CITY AND TRANSCORE ITS, LLC, PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2016-199-KB FOR THE DESIGN, BUILD, OPERATION, AND MAINTENANCE SERVICES FOR AN INTELLIGENT TRANSPORTATION AND SMART PARKING SYSTEM ("ITS/SPS" OR "PROJECT"); SAID AMENDMENT (1) APPROPRIATING FUNDING FOR PHASES 3 THROUGH 6 OF THE PROJECT, TO INCLUDE THE REMAINING CORRIDORS AND INSTALLATION OF ADDITIONAL DEVICES CITYWIDE, IN THE AMOUNT OF \$7,502,842.60, INCLUSIVE OF A 10% CONTINGENCY, THEREBY INCREASING THE TOTAL CONTRACT AMOUNT FOR DESIGN AND CONSTRUCTION OF PHASES 1 THROUGH 6 FROM \$12,904,661.17 TO \$20,407,503.77; AND (2) INCREASING THE GUARANTEED MAXIMUM PRICE ("GMP") FOR DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE OF THE PROJECT DURING PHASES 1 THROUGH 6 FROM \$25,000,000 TO \$31,130,482.11; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT AND SUBSEQUENT RELATED SERVICE ORDERS, SUBJECT TO FUNDING APPROVAL AS PART OF THE SEVENTH AMENDMENT TO THE FY 2024 CAPITAL BUDGET AT THE JUNE 26, 2024 CITY COMMISSION MEETING.

WHEREAS, on April 16, 2019, pursuant to Request for Proposals ("RFP") No. 2016-199-KB for Design, Build, Operate, and Maintain Services for an Intelligent Transportation System and Smart Parking System ("ITS/SPS" or "Project"), the City of Miami Beach ("City") and TransCore ITS, LLC ("TransCore") executed a design, build, operate, and maintain agreement ("Agreement") for a citywide ITS/SPS, for a total guaranteed maximum price ("GMP") of \$25,000,000.00, with an initial contract price, in the amount of \$12,468,178.00, for the design and construction of Phases 1 and 2 only, with Phases 3 through 6 to be subsequently negotiated by the Administration and a funding appropriation approved by the City Commission as a contract amendment; and

WHEREAS, on September 14, 2022, the City Commission adopted Resolution No. 2022-32297, authorizing the City to execute Amendment No. 1 to the Agreement, (1) extending the contract time for two (2) additional years for a total of 10 years (until April 2029); (2) expanding the scope of work to include (i) temporary maintenance of Miami-Dade County traffic signals during construction of the Project, in the amount of \$150,000.00; (ii) installation of a Bluetooth sensor as a stand-alone device on a dedicated pole on the Venetian Causeway, in the amount of \$56,278.55, for a total sum of \$206,278.55; and (iii) reducing the scope of work in the amount of \$369,795.38; (3) approving a \$600,000.00 contingency to cover the cost of any required change orders in connection with the design and construction of Phases 1 and 2 of the Project, thereby increasing the initial Contract Price for design and construction of Phases 1 and 2 of the

Project from \$12,468,178.00 to \$12,904,661.17, including the \$600,000.00 contingency for Phases 1 through 2, utilizing previously approved funding for this Project; and (4) adding temporary traffic monitoring and management services, on an as-needed basis during construction of the Project, subject to funding availability, and provided that the cost of these services does not exceed the City Manager's purchasing authority under the City Code; and

WHEREAS, on November 16, 2022, the City Commission adopted Resolution No. 2022-32408, amending Resolution No. 2022-32297 which approved Amendment No. 1 to the Agreement, said amendment modifying Item No. 4 of the Resolution to authorize the City Manager to approve expenditures for temporary traffic monitoring and management services in an amount not-to-exceed \$500,000.00 per year; and

WHEREAS, the scope of the Project as stipulated in the Agreement includes the following components:

- Traffic monitoring closed-circuit television ("CCTV") cameras with built-in data analytics;
- Travel time data collection devices to track and forecast congestion levels;
- Full color permanent digital message signs ("DMS") throughout the City to inform motorists of lane closures, congestion, and parking availability information in real-time;
- Volume and speed data collection sensors;
- DMSs at the entrances of all City parking garages and key surface parking lots to inform motorists of real-time parking availability;
- Communication system and dashboard for monitoring and management of devices and data; and
- Traffic Management Center ("TMC") to house the contractor's traffic monitoring and management equipment and operators with the capabilities to manage traffic incidents and parking conditions, communicate with the City's Public Safety Communications Division, Transportation and Mobility Department, Marketing and Communications Department, and other agencies/entities as appropriate, and disseminate traffic and parking information to the motoring public in real-time; and

WHEREAS, as per the design criteria documents, the Project is divided into six (6) phases, strategically sequenced based on the deployment schedule of devices along the City's major thoroughfares:

- Phase 1: MacArthur Causeway, Alton Road (from 5 Street to Julia Tuttle Causeway), Julia Tuttle Causeway, 17 Street (from Alton Road to Washington Avenue), and Dade Boulevard (from Alton Road to Washington Avenue);
- Phase 2: 5 Street, 41 Street, and Washington Avenue;
- Phase 3: Collins Avenue (23 Street to 44 Street), Indian Creek Drive/Collins Avenue (44 Street to 87 Terrace), Alton Road (from Julia Tuttle Causeway to 63 Street), and 63 Street (from Alton Road to Collins Avenue);

- Phase 4: Collins Avenue (from 5 Street to 23 Street) and Indian Creek Drive (from 26 Street to 44 Street);
- Phase 5: Harding Avenue/Abbott Avenue; and
- Phase 6: Meridian Avenue and West Avenue; and

WHEREAS, Phases 1 and 2 of the Project are currently in the construction phase and expected to commence operation as devices are installed and come on-line throughout 2024. Full operation of Phases 1 and 2 of the Project is expected to occur within the next 12 months; and

WHEREAS, pursuant to the Agreement, the work associated with Phases 3 through 6 of the Project is subject to funding appropriation by the City Commission, with the estimated cost for design, permitting and construction of Phases 3 through 6 being \$7,502,842.60, inclusive of a 10% contingency, thereby increasing the total contract amount for design and construction of Phases 1 through 6 from \$12,904,661.17 to \$20,407,503.77; and

WHEREAS, the current partial GMP of \$25,000,000 is the total amount established in the Agreement which the City will pay for the full and complete performance (i.e. design, construction, operation, and maintenance) of Phases 1 and 2 of the Project, as required by Contract Documents, for the duration of the Agreement (April 2029); and

WHEREAS, given the funding appropriation required for the design, permitting, and construction of Phases 3 through 6 of \$7,502,842.60, and the costs associated with the operation and maintenance of the Project for the duration of the Agreement (April 2029) in the approximate amount of \$10,722,978.34, the GMP needs to be increased to \$31,130,482.11 ($\$12,904,661.17 + \$7,502,842.60 + \$10,722,978.34$) to cover the costs for design, permitting, construction, operation and maintenance for Phases 1 through 6; and

WHEREAS, the cost for operation and maintenance of Phases 1 through 6, in the approximate amount of \$10,722,978.34, is an estimated cost based on the original operation and maintenance costs, which includes a 3% escalation cost every year, since the effective date of the agreement; and

WHEREAS, funds for the operation and maintenance are included in the Transportation and Mobility Department's operating budget on an annual basis; and

WHEREAS, in order for the City to fully fund and complete Phases 1 through 6 of the Project, the Interim City Manager recommends approving, in substantial form, Amendment No. 2 to the Agreement, a draft copy of which is attached to the City Commission Memorandum accompanying this Resolution; and further authorizing the Interim City Manager to finalize negotiations and execute the Amendment.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve, in substantial form, Amendment No. 2 to the Agreement dated April 16, 2019, between the City and TransCore ITS, LLC, pursuant to Request For Proposals (RFP) No. 2016-199-KB for the Design, Build, Operation, and Maintenance Services for an Intelligent Transportation and Smart Parking System ("Project"); said Amendment, (1) appropriating funding for Phases 3 through 6 of the Project, to include the remaining corridors and installation of additional devices citywide, in the amount of \$7,502,842.60, inclusive of a 10% contingency, thereby increasing the total contract amount for design and construction of Phases 1 through 6 from \$12,904,661.17 to \$20,407,503.77; and (2) increasing the Guaranteed Maximum Price ("GMP") for design, construction, operation and maintenance of the Project during Phases 1 through 6 from \$25,000,000 to \$31,130,482.11, subject to funding approval as part of the Seventh Amendment to the FY 2024 Capital Budget at the June 26, 2024 City Commission meeting.

PASSED and **ADOPTED** this 26th day June, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

6/26/24

Date