

C7 I A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CAMILLUS HOUSE, INC. FOR EMERGENCY SHELTER SERVICES; AMENDING SECTION 3.1 OF THE AGREEMENT, "FIXED FEE" TO STIPULATE THE RENEWAL TERMS OF THE AGREEMENT, APPROVING THE INCREASE IN THE DAILY BED RATE FOR EMERGENCY SHELTER BEDS FROM \$30.54 PER BED, PER DAY, TO \$57.00 PER BED, PER DAY, AND AMENDING "EXHIBIT A," "SCOPE OF SERVICES," DECREASING THE AMOUNT OF CONTRACTED BEDS FROM EIGHTEEN (18) BEDS PER DAY TO EIGHT (8) BEDS PER DAY, BASED ON BUDGET APPROPRIATION; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 26, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CAMILLUS HOUSE, INC. FOR EMERGENCY SHELTER SERVICES; AMENDING SECTION 3.1 OF THE AGREEMENT, "FIXED FEE" TO STIPULATE THE RENEWAL TERMS OF THE AGREEMENT, APPROVING THE INCREASE IN THE DAILY BED RATE FOR EMERGENCY SHELTER BEDS FROM \$30.54 PER BED, PER DAY, TO \$57.00 PER BED, PER DAY, AND AMENDING "EXHIBIT A," "SCOPE OF SERVICES," DECREASING THE AMOUNT OF CONTRACTED BEDS FROM EIGHTEEN (18) BEDS PER DAY TO EIGHT (8) BEDS PER DAY, BASED ON BUDGET APPROPRIATION; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT.

RECOMMENDATION

The Administration recommends approving the Resolution to authorize the execution of Amendment No.5 to the Professional Services Agreement ("Agreement") between the City of Miami Beach and Camillus House, Inc. ("Contractor") for emergency shelter services.

BACKGROUND/HISTORY

On September 25, 2017, the Mayor and City Commission ("City Commission") adopted Resolution No. 2017-30000, approving the award of Request for Proposal ("RFP") No. 2017-293-KB for Emergency Shelter Beds to Serve Homeless Population.

On March 9, 2018, the City and Contractor entered into an Agreement for the provision of twelve (12) emergency shelter beds for a five (5)-year term at the rate of \$26.35 per bed, per day, for Year 1, with a total not-to-exceed amount of \$198,125.65. Each subsequent year of the agreement included a 3% increase in the daily rate with the option of two, one-year renewal terms at the City Manager's discretion. The Agreement has since been amended as follows:

- **Amendment No.1** was executed on November 10, 2020, to remove the not-to-exceed amounts incorporated in the Agreement to permit the purchase of additional emergency shelter beds, and to correct the renewal terms from two (2), one-year renewal options to two (2), two-year renewal options at the City Manager's discretion.
- **Amendment No. 2** was executed on April 5, 2023, following the City Commission's approval of item C2J at its December 14, 2022, Commission meeting to increase daily bed rates by 3% for each bed for the first renewal term, increasing the approved rate to \$30.55 per bed, per day.
- **Amendment No. 3** was executed on March 4, 2024, following the City Commission's approval of item C2K, authorizing the purchase of six (6) additional emergency shelter

beds at Camillus House, increasing the City's shelter bed inventory from twelve (12) shelter beds to a total of eighteen (18) shelter beds, at the rate of \$30.54 per bed, per day.

- **Amendment No. 4** was approved by the City Commission on November 22, 2024. On June 20, 2024, the Contractor informed the City of rising operational costs and proposed a daily bed rate increase to \$67.44. The City rejected this increase, stating the rate could not exceed the amount stipulated in Amendment No. 2, which was \$30.54. The Contractor subsequently notified the City of its intent to discontinue services by September 30, 2024. The City responded, stating the discontinuance was an anticipatory breach of the Agreement and demanded revocation and confirmation of full performance. The Contractor further agreed to continue services, but requested the option to receive advanced monthly payments for services and for the City to attempt to reduce its shelter bed roster, offering to absorb the difference in daily bed rate costs with another shelter provider, if secured. Following the City Commission's adoption of Resolution 2024-33369, the Amendment was executed on January 25, 2025, to amend the following:
 - o Section 3.1, "Fixed Fee", to include terms of future renewal terms of the Agreement, stipulating that if the City elects to exercise its option to extend the Agreement for the second two-year renewal term, the City and Contractor acknowledge and agree that they shall negotiate, in good faith, the rate of emergency shelter beds.
 - o Section 3.2, "Invoicing", to permit up to forty-five days advanced payment for emergency shelter bed services and associated costs.
 - o "Exhibit A", "Scope of Services", to indicate that if the City secures shelter beds with alternative providers to specifically reduce the current bed roster for the duration of the Agreement, the Contractor will absorb the difference in daily bed rate costs.

ANALYSIS

The initial 5-year term of the Agreement with the Contractor ended on March 8, 2023, with the option to extend the Agreement for an additional two (2), two-year renewals. The first renewal is set to expire on March 8, 2025.

In response to the City's "Intent to Renew" letter for the second term, the Contractor informed the City that, due to the previously reported increase in operational costs, the requested rate remains \$67.44 per bed, per day. However, following negotiations, the Administration and Contractor agreed on a fixed rate of \$57.00 per bed, per day. To cover the remaining operational costs, the Contractor plans to utilize the Case Manager funded through the City of Miami Beach Lazarus Project to also provide case management services to homeless individuals placed into City-contracted beds. The Contractor's intent to renew is contingent upon the City's approval of the rate adjustment.

The estimated cost to fund eight (8) beds at the daily rate of \$57.00 per bed for the remaining 206 days of the fiscal year is \$93,936.00. The Office of Housing and Community Services has identified funds within its operating budget to support eight (8) beds at the increased rate, effective March 9, 2025, which will result in a total fiscal year cost that is approximately \$22,000 less than the amount approved in the Department's Fiscal Year 2025 operational budget for Camillus House shelter beds. The Department will work to relocate any individuals exceeding the eight (8) contracted beds to alternative facilities.

FISCAL IMPACT STATEMENT

\$93,936.00

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

011-0560-000349-23-405-575-00-00-00- Housing and Community Services

CONCLUSION

The Administration recommends approving Amendment No. 5 to the Professional Services Agreement with Camillus House, Inc. and authorizing the City Manager to execute the Amendment.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

No

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Housing and Community Services

Sponsor(s)**Co-sponsor(s)****Condensed Title**

Amendment 5 to PSA with Camillus House, Inc., Emergency Shelter Bed Services. HCS

Previous Action (For City Clerk Use Only)

**AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICE AGREEMENT
BETWEEN
THE CITY OF MIAMI BEACH, FLORIDA
AND
CAMILLUS HOUSE, INC.
FOR
EMERGENCY SHELTER SERVICES**

This Amendment No. 5 (Amendment) to the Agreement, dated March 9, 2018, is entered into this ____, day of _____, 20__, with an effective date of March 9, 2025 (Effective Date), by and between the City of Miami Beach, Florida, a municipal corporation organized and existing under the laws of the State of Florida, having its principal place of business at 1700 Convention Center Drive, Miami Beach, Florida 33139 (City), and Camillus House Inc., a non-profit Corporation, having its principal place of business at 1603 NW 7 Avenue, Miami, FL, 33136 (Contractor), and hereby amends the Contract as follows:

RECITALS

WHEREAS, on September 25, 2017, the Mayor and City of Miami Beach ("City") Commission adopted Resolution No. 2017-30000, approving the award of Request for Proposal ("RFP") No. 2017-293-KB for Emergency Shelter Beds to Serve Homeless Population; and

WHEREAS, on March 9, 2018, the City and Contractor executed the Agreement; and

WHEREAS, the Agreement included an initial term of five (5) years, with the option to renew for two-year renewal terms at the City Manager's sole option and discretion; and

WHEREAS, Section 3.1 of the Agreement established the following

Year 1- \$26.35 per bed, for a minimum of 12 beds not to exceed \$198,126.65
Year 2- \$27.14 per bed, for a minimum of 12 beds not to exceed \$ 204,069.42
Year 3- \$27.95 per bed, for a minimum of 12 beds not to exceed \$ 210,191.35
Year 4- \$28.79 per bed, for a minimum of 12 beds not to exceed \$ 216,497.25
Year 5- \$29.66 per bed, for a minimum of 12 beds not to exceed \$ 222,992.16; and

WHEREAS, although the RFP stipulated two (2) two-year renewal terms, Section 4.2 of the Agreement inadvertently states two (2) one-year renewal terms; and

WHEREAS, on November 10, 2020, following the determination that the City may require a greater amount of beds per year than originally anticipated to effectively manage the rise in demand for said beds, the City executed Amendment No. 1 to the Agreement, removing the not to exceed amount inadvertently incorporated in the Contract and correcting the renewal terms of the Agreement from a two (2) one-year renewal terms to two (2) two-year renewal terms with the approval of the City Manager; and

WHEREAS, on December 14, 2022, the Mayor and City Commission approved item C2J, which authorized the increase in the rates by 3% for each additional daytime bed, pursuant to Section 4.6 of the Agreement, and further authorized the City Manager to

execute the Amendment; and

WHEREAS, on April 5, 2023, the City executed Amendment No. 2 to the Agreement, adjusting the fixed fee price per bed, per day for the term of the renewal agreement, to reflect a 3% increase, for a fixed fee price of \$30.55 per bed, per day, and to stipulate that all expenditures are contingent upon annual budget appropriations; and

WHEREAS, on December 19, 2023, Camillus House presented the Office of Housing and Community Services with a proposal to increase the City's emergency shelter bed roster by six (6) beds, for a total of eighteen (18) emergency shelter beds at the current rate of \$30.54 per bed, per day; and

WHEREAS, on January 31, 2024, the Mayor and City Commission approved item C2K, authorizing the purchase of six (6) additional emergency shelter beds at the current rate of \$30.54 per bed, per day; and

WHEREAS, on March 4, 2024, the City executed Amendment No. 3 to the Agreement, increasing the City's emergency shelter bed roster by six (6) beds, for a total of eighteen (18) emergency shelter beds at the rate of \$30.54 per bed, per day; and

WHEREAS, on June 20, 2024, the Contractor notified the City of significant increases in operational costs that pose challenges in maintaining shelter beds and related services at the current rate of \$30.54; and

WHEREAS, on January 25, 2025, the City executed Amendment No. 4 to the current Agreement, amending Section 3.1, "Fixed Fee", to include terms of future renewal terms of the Agreement, stipulating that if the City elects to exercise its option to extend the Agreement for the second two-year renewal term, the City and Contractor acknowledge and agree that they shall negotiate, in good faith, the rate of emergency shelter beds, Section 3.2, "Invoicing", to permit up to forty-five days advanced payment for emergency shelter bed services and associated costs, and "Exhibit A", "Scope of Services", to indicate that if the City secures shelter beds with alternative providers to specifically reduce the current bed roster for the duration of the Agreement, the Contractor will absorb the difference in daily bed rate costs ; and

WHEREAS, the initial 5-year term of the Agreement with the Contractor ended on March 8, 2023, with the option to extend the Agreement for an additional two (2), two-year renewals; and

WHEREAS, following the submission of an "Intent to Renew" letter to the City, the City Manager approved the first two-year renewal term of the Agreement; and

WHEREAS, the first renewal term is set to expire on March 8, 2025; and

WHEREAS, in response to the City's "Intent to Renew" letter for the second term, the Contractor informed the City that, due to rising operational costs, the requested rate remains \$67.00 per bed, per day; and

WHEREAS, after negotiations, the Administration and Contractor agreed on a fixed rate of \$57.00 per bed, per day, as to cover the remaining operational costs, the Contractor plans to utilize the Case Manager currently funded through the City of Miami Beach

Lazarus Project to also provide case management services to homeless individuals placed in the City's contracted beds; and

WHEREAS, the Office of Housing and Community Services has identified funds within its operating budget to support eight (8) beds at the increased rate, effective March 9, 2025.

NOW THEREFORE, in consideration of the mutual promises and conditions contained herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the City Manager and Contractor hereby agree to amend the Agreement as follows:

1. ABOVE RECITALS.

The above recitals are true and correct and are incorporated as part of this Amendment.

2. MODIFICATIONS.

The Agreement is hereby modified (deleted items ~~struck through~~, and inserted items are underlined) as follows:

- a) Section 3.1, "Fixed Fee" is hereby amended as follows:

The fixed fee price per bed, per day, is hereby adjusted to reflect ~~a 3% an~~ adjusted rate increase, for a fixed price of ~~\$30.54~~ \$57.00 per bed, per day.

- b) "Exhibit A", "Scope of Services"

Service	Units of Service	Documentation of Service
Emergency Housing	18 <u>8</u> beds per day, 365 days per year	Attendance Roster

3. RATIFICATION.

Except as amended herein, all other terms and conditions of the Contract shall remain unchanged and in full force and effect. In the event there is a conflict between the provisions of this Amendment and the Contract, the provisions of this Amendment shall govern.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their appropriate officials, as of the date first entered above.

FOR CITY:

CITY OF MIAMI BEACH, FLORIDA

ATTEST:

By:

Rafael E. Granado, City Clerk

Eric Carpenter, City Manager

Date

FOR CONSULTANT/CONTRACTOR:

CAMILLUS HOUSE, INC.

ATTEST:

By:

Secretary

President

Print Name

Print Name

Date

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AMENDMENT NO. 5 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MIAMI BEACH AND CAMILLUS HOUSE, INC. FOR EMERGENCY SHELTER SERVICES; AMENDING SECTION 3.1 OF THE AGREEMENT, "FIXED FEE" TO STIPULATE THE RENEWAL TERMS OF THE AGREEMENT, APPROVING THE INCREASE IN THE DAILY BED RATE FOR EMERGENCY SHELTER BEDS FROM \$30.54 PER BED, PER DAY, TO \$57.00 PER BED, PER DAY, AND AMENDING "EXHIBIT A," "SCOPE OF SERVICES," DECREASING THE AMOUNT OF CONTRACTED BEDS FROM EIGHTEEN (18) BEDS PER DAY TO EIGHT (8) BEDS PER DAY, BASED ON BUDGET APPROPRIATION; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT.

WHEREAS, on September 25, 2017, the Mayor and City of Miami Beach ("City") Commission adopted Resolution No. 2017-30000, approving the award of Request for Proposal ("RFP") No. 2017-293-KB for Emergency Shelter Beds to Serve Homeless Population; and

WHEREAS, on March 9, 2018, the City and Contractor executed the Agreement; and

WHEREAS, the Agreement included an initial term of five (5) years, with the option to renew for two-year renewal terms at the City Manager's sole option and discretion; and

WHEREAS, Section 3.1 of the Agreement established the following

Year 1- \$26.35 per bed, for a minimum of 12 beds not to exceed \$198,126.65
Year 2- \$27.14 per bed, for a minimum of 12 beds not to exceed \$ 204,069.42
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Year 4- \$28.79 per bed, for a minimum of 12 beds not to exceed \$ 216,497.25
Year 5- \$29.66 per bed, for a minimum of 12 beds not to exceed \$ 222,992.16; and

WHEREAS, although the RFP stipulated two (2) two-year renewal terms, Section 4.2 of the Agreement inadvertently states two (2) one-year renewal terms; and

WHEREAS, on November 10, 2020, following the determination that the City may require a greater amount of beds per year than originally anticipated to effectively manage the rise in demand for said beds, the City executed Amendment No. 1 to the Agreement, removing the not to exceed amount inadvertently incorporated in the Contract and correcting the renewal terms of the Agreement from a two (2) one-year renewal terms to two (2) two-year renewal terms with the approval of the City Manager; and

WHEREAS, on December 14, 2022, the Mayor and City Commission approved item C2J, which authorized the increase in the rates by 3% for each additional daytime bed, pursuant to Section 4.6 of the Agreement, and further authorized the City Manager to execute the Amendment; and

WHEREAS, on April 5, 2023, the City executed Amendment No. 2 to the Agreement, adjusting the fixed fee price per bed, per day for the term of the renewal agreement, to reflect a

3% increase, for a fixed fee price of \$30.55 per bed, per day, and to stipulate that all expenditures are contingent upon annual budget appropriations; and

WHEREAS, on December 19, 2023, Camillus House presented the Office of Housing and Community Services with a proposal to increase the City's emergency shelter bed roster by six (6) beds, for a total of eighteen (18) emergency shelter beds at the current rate of \$30.54 per bed, per day; and

WHEREAS, on January 31, 2024, the Mayor and City Commission approved item C2K, authorizing the purchase of six (6) additional emergency shelter beds at the current rate of \$30.54 per bed, per day; and

WHEREAS, on March 4, 2024, the City executed Amendment No. 3 to the Agreement, increasing the City's emergency shelter bed roster by six (6) beds, for a total of eighteen (18) emergency shelter beds at the rate of \$30.54 per bed, per day; and

WHEREAS, on or around June 20, 2024, the Contractor notified the City of significant increases in operational costs that pose challenges in maintaining shelter beds and related services at the current rate of \$30.54, and proposed an increase to the daily bed rate to \$67.44 effective October 1, 2024; and

WHEREAS, the City indicated to the Contractor that it could not agree to pay a rate other than the rate required by the Agreement; and

WHEREAS, on October 18, 2024, the City agreed to amend certain terms of the Agreement, solely as an accommodation to Contractor; and

WHEREAS, on January 21, 2025, the City executed Amendment No. 4 to the Agreement, amending Section 3.1 "Fixed Fee" to include terms of future renewal terms of the Agreement to stipulate that if the City elects to exercise its option to extend the Agreement for the second two-year renewal term, the City and Contractor acknowledge and agree that they shall negotiate, in good faith, the rate of emergency shelter beds to permit up to forty-five days advanced payment for emergency shelter bed services and associated costs, and further stipulate that if the City secures shelter beds with alternative providers to specifically reduce the current bed roster for the duration of the Agreement, the Contractor will absorb the difference in daily bed rate costs; and

WHEREAS, the initial 5-year term of the Agreement with the Contractor ended on March 8, 2023, with the option to extend the Agreement for an additional two (2), two-year renewals; and

WHEREAS, following the submission of an "Intent to Renew" letter to the City, the City Manager approved the first two-year renewal term of the Agreement, which is set to expire on March 8, 2025; and

WHEREAS, in response to the City's "Intent to Renew" letter for the second term, the Contractor informed the City that, due to rising operational costs, the requested rate remains \$67.44 per bed, per day; and

WHEREAS, after negotiations, the Administration and Contractor agreed on a fixed rate of \$57.00 per bed, per day, as to cover the remaining operational costs, the Contractor plans to utilize the Case Manager currently funded through the City of Miami Beach Lazarus Project to

also provide case management services to homeless individuals placed in the City's contracted beds; and

WHEREAS, the Contractor indicated that exercising the second renewal term of the Agreement is contingent upon the City's approval of the adjusted rate increase to \$57.00 per bed, per day; and

WHEREAS, the estimated cost to fund eight (8) beds at the rate of \$57.00 per bed for the remaining 206 days of the fiscal year is \$93,936.00; and

WHEREAS, the Office of Housing and Community Services has the funds within its operating budget to support eight (8) beds at the increased rate, effective March 9, 2025; and

WHEREAS, the Administration seeks the authorization of the Mayor and City Commission to execute Amendment No. 5 to the Professional Services Agreement between the City and Camillus House.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve Amendment No. 5 to the Professional Services Agreement between the City of Miami Beach and Camillus House, Inc. for Emergency Shelter Services; amend Section 3.1 of the Agreement, "fixed fee" to stipulate the renewal terms of the Agreement, approving the increase in the daily bed rate for emergency shelter beds from \$30.54 per bed, per day, to \$57.00 per bed, per day, and amending "Exhibit a," "Scope of Services," decreasing the amount of contracted beds from eighteen (18) beds per day to eight (8) beds per day, based on budget appropriation; and authorize the City Manager to execute the amendment.

PASSED AND ADOPTED this _____ day of _____ 2025.

ATTEST:

RAFAEL E. GRANADO, CITY CLERK

STEVEN MEINER, MAYOR

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

2/18/2025

Date