

R9 AD UPDATE ON OUTFRONT MEDIA CONTRACT.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Eric Carpenter, City Manager
DATE: September 11, 2024
TITLE: UPDATE ON OUTFRONT MEDIA CONTRACT.

RECOMMENDATION

See Memorandum Attached.

BACKGROUND/HISTORY

ANALYSIS

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on . See BIE at:

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

FINANCIAL INFORMATION

N/A

CONCLUSION

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): N/A

Department

Transportation and Mobility

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

Update on OutFront Media Group Contract. (Rosen Gonzalez) TR

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Rickelle Williams, Interim City Manager *RW*
DATE: July 24, 2024
TITLE: UPDATE ON OUTFRONT MEDIA CONTRACT.

RECOMMENDATION

The City Administration ("Administration") recommends that the Mayor and City Commission ("City Commission") discuss this item and take action, as appropriate.

BACKGROUND/HISTORY

On September 2, 2021, the City Commission adopted Resolution No. 2021-31853 (Attachment A) authorizing the Administration to enter into a revenue-sharing agreement ("Agreement") with Outfront Media Group, LLC ("Outfront") for the design, construction, operation, and maintenance of bus shelters and other street furniture at designated locations within the City of Miami Beach ("City"). The Agreement was executed on October 1, 2021 and covers a 20-year term with a 5-year renewal option. The goal of the bus shelter Agreement is to install a minimum of 200 and a maximum of 250 bus shelters throughout the City such that every existing bus stop in the City (currently over 200) will have a bus shelter. The estimated revenue share to the City over a 20-year contract term is estimated between \$44 million and \$48 million; and between \$62 million and \$69 million for a 25-year term. The total value to the City, including capital expenditure, revenue share, and operating/maintenance costs, is estimated to be between \$82 million (for a 20-year term with 200 shelters) and \$119 million (for a 25-year term with 250 shelters).

On May 4, 2022, the City Commission adopted Resolution No. 2022-32156 (Attachment B), approving, in concept, the bus shelter design pursuant to the Agreement with Outfront. Design concept approval was obtained from the Historic Preservation Board ("HPB") on September 13, 2022, and from the Design Review Board ("DRB") on November 1, 2022, with the final bus shelter design, including materials and finishes, to be reviewed and approved by Planning Department staff. The bus shelter design concept required additional design and engineering, specifically: 1) manufacturing feasibility design to refine the build/deployment plan; 2) value engineering to meet the program budget; and 3) structural engineering design to meet the requirements of the Florida Building Code. The result of this design refinement for the new "standard" bus shelter is depicted in Attachment C. Planning Department staff reviewed and administratively approved the final bus shelter design and determined it was consistent with the design concept previously approved by HPB and DRB. It is worth noting that Outfront has designed three (3) variations of the new bus shelter based on size and amenities (standard, enhanced, and minimal). Furthermore, every bus shelter is anticipated to be equipped with digital "next bus" estimated time of arrival signs, either incorporated as part of the new bus shelter structure or as a stand-alone sign.

At the December 13, 2023 City Commission meeting, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred an item (R9 V) to the Public Safety and

Neighborhood Quality of Life Committee ("PSNQLC" or "Committee") to discuss the City's contract with Outfront, including possible termination.

At the April 17, 2024 PSNQLC meeting, the Committee discussed this item and requested that the Administration return at a future date with an update on the implementation of the prototype bus shelter.

Pursuant to the Agreement, Outfront shall install a prototype bus shelter subject to City Manager approval prior to commencing mass production and installation of bus shelters throughout the City. As such, Outfront is in the process of manufacturing the prototype bus shelter, which is proposed to be installed on the west side of Washington Avenue north of Lincoln Road (adjacent to Soundscape Park) by October 2024. The installation of the new bus shelters is anticipated to commence in early 2025 upon the City Manager's approval of the prototype. A phasing plan has been developed to ensure a smooth transition between the installation of new bus shelters and the removal of existing bus shelters. The phasing plan is as follows:

- Priority 1: Installation of enhanced shelters at locations with high ridership;
- Priority 2: Installation of new shelters at bus stop locations without shelters and more than 50 boardings per day;
- Priority 3: Installation of new shelters at bus stop locations without shelters and fewer than 50 boardings per day;
- Priority 4: Installation of minimal shelters due to low ridership and/or adjacent single-family land use; and
- Priority 5: Replacement of the existing bus shelters with new shelters.

In compliance with the terms of the Agreement, Outfront anticipates commencing the installation of new bus shelters in late 2024 and completing the installation of approximately 200 new bus shelters citywide by November 2026.

At the June 5, 2024 PSNQLC meeting, the Committee discussed this item and expressed a concern with the current maintenance of the existing bus shelters and bus benches in the City. Additionally, the Committee requested that the item return to the July 24, 2024 City Commission meeting with an update after having completed an assessment of all existing bus shelters and bus stops with benches, and, if appropriate, review the terms of the Agreement to ensure Outfront is in compliance. **It is important to note that while the Agreement requires Outfront to maintain each bus stop in "first class/like-new" condition, the existing bus shelters were constructed and installed approximately 20 years ago and have reached the end of their service life. Furthermore, the current Agreement focuses on the installation of the new bus shelters citywide; and the current program budget does not include funding for the replacement of existing shelters as an interim measure.**

ANALYSIS

Pursuant to the Agreement, Outfront conducts daily high-pressure washing of 40 bus stops with the highest amount of passenger activity in the City. In addition, all remaining bus stops are required to be cleaned at least once a week. The Transportation and Mobility Department staff communicates regularly with the Outfront team, through bi-weekly recurring coordination meetings, to monitor the status of the new bus shelter design and permitting as well as maintenance of the existing bus shelters and bus stops to ensure compliance with the terms of the Agreement.

During March and April 2024, Transportation and Mobility Department staff, in conjunction with Outfront, conducted an assessment of the current condition of all existing bus stops (i.e. bus shelters and bus benches) throughout the City. Based on the assessment, staff identified multiple locations which required comprehensive maintenance and refurbishment of all bus shelters, benches, and leaning rails within the City. As such, Outfront repainted and refurbished approximately 45 bus shelters and approximately 60 bus benches and leaning rails in April 2024.

Subsequently, pursuant to the recommendation of the Committee at the June 5, 2024 PSNQLC meeting, Transportation and Mobility Department staff conducted a second assessment of the current condition of all existing bus stops (i.e. bus shelters and bus benches) throughout the City and rated the condition of each bus stop. The assessment evaluated cleanliness and appearance, including presence and condition of stop amenities such as trash cans, bus and trolley maps/signs; presence of graffiti, stickers, and/or other blemishes; and the overall structural condition of the bus stops/shelters.

A rating system was used to evaluate the existing condition of bus stops (i.e. bus shelters and bus benches) and ensure that the maintenance and safety standards outlined in the Agreement are met. The scores range from 1 to 5, with 5 being the highest/best rating, indicating a first-class, like-new condition, and 1 being the lowest/worst rating, indicating a dangerous condition requiring immediate attention.

- Rating of five (5): first-class, like-new condition
The bus stop is in pristine condition with no visible signs of wear and tear. It has no graffiti, stickers, or other markings, with no rust or corrosion on any metal parts. All components (i.e. seats, shelter, roof, benches, etc.) are intact and functioning perfectly. The overall appearance is clean and well-maintained, requiring no maintenance or repairs.
- Rating of four (4): minor maintenance required
The bus stop is generally in good condition but requires some minor upkeep. There might be graffiti, stickers, or minor dirt that can be removed by cleaning or pressure washing. There could be slight discoloration or minor cosmetic issues that do not affect functionality. No structural damage or significant wear present, and only simple cleaning or minor touch-ups are required.
- Rating of three (3): moderate maintenance required
The bus stop shows signs of wear and requires moderate maintenance. A paint job may be needed due to fading, chipping, or minor rust. Minor structural issues such as small dents or scratches were present, however, all components are still functional, though aesthetic improvements are needed. No immediate safety hazards were observed.
- Rating of two (2): significant repairs required
The bus stop has notable damage that requires significant repairs to ensure functionality and safety. There may be broken seats, damaged advertisement box covers, or other noticeable damage. Rust or corrosion might be affecting structural integrity but not posing an immediate danger. Non-functional components need fixing or replacement, with noticeable issues affecting usability but not being immediately dangerous to public safety.
- Rating of one (1): dangerous condition requiring immediate attention
The bus stop is in a hazardous condition and poses a safety risk. Structural damage such as cracks on the roof, broken glass, or exposed wires were observed. Broken or missing components make the bus stop unusable or unsafe, presenting immediate safety hazards that need urgent attention. The bus stop is not considered safe for public use and requires immediate repair or replacement.

The Transportation and Mobility Department staff assessed a total of 233 bus stops, consisting of 89 bus shelters and 144 bus stops with either bus benches or leaning rails. This comprehensive evaluation aimed to document the existing conditions of each bus stop, identify areas requiring immediate attention, and provide actionable short-term recommendations for maintenance and improvement ensuring that all relevant details were captured with accompanying photographs. Attachment D includes the Bus Stop Evaluation Report ("Report"). Below is a summary of the Report findings:

Bus shelters (89):

Rating	Number of Stops	Percentage
1	0	0%
2	2	2.25%
3	47	52.81%
4	27	30.34%
5	13	14.61%
Total	89	100%

Bus stops with benches and/or leaning rails (144):

Rating	Number of Stops	Percentage
1	0	0%
2	5	3.47%
3	19	13.19%
4	31	21.53%
5	89	61.81%
Total	144	100%

Based on City staff's assessment, 40 bus shelters and 120 bus stops with benches and/or leaning rails are in like-new condition or require minor maintenance to be categorized as like-new condition. However, staff found that 49 bus shelters and 24 bus stops with benches and/or leaning rails require moderate to significant repairs. The Transportation and Mobility Department staff has shared those locations with Outfront to expedite the necessary repairs.

It is important to note that multiple bus stops in the City experience high ridership, particularly bus stops equipped with bus shelters. These bus shelters are strategically installed at the busiest bus stops, some of which serve more than 1,000 passenger boardings daily. While these critical bus shelters are frequently pressure washed by the Outfront team, the high volume of daily usage significantly impact their appearance and condition for the following reasons:

- Frequent use - high ridership leads to constant use of bus shelters, resulting in accelerated wear and tear. Seating, shelter frames, and other structural components endure extensive daily stress, which can quickly deteriorate their condition.
- Vandalism and graffiti - the busier bus stops are more prone to vandalism and graffiti. The high foot traffic makes these bus shelters attractive targets, often requiring a more intense level of cleaning and maintenance to maintain a presentable appearance.

City Attorney's Office Compliance Review

Pursuant to the recommendation of the PSNQLC at its June 5, 2024 meeting, the City Attorney's Office reviewed the Agreement with Outfront and determined that **Outfront is in compliance with the existing contract**. However, due to the prolonged time taken by Outfront for the design and installation of the prototype bus shelter, on July 11, 2024, the City Attorney's Office issued a formal letter to Outfront requesting adequate assurance that Outfront will be able to deliver the full deployment of new bus shelters within the four (4) year deployment period allotted by the Agreement (Attachment E). Ensuring contract compliance is essential for maintaining the quality and availability of bus shelters throughout the City, particularly given the high ridership and significant wear and tear observed during the City staff's assessment. The Administration is currently pending Outfront's response to this letter.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on . See BIE at:

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

FINANCIAL INFORMATION

N/A

CONCLUSION

The outlined schedule for mass production and installation of new bus shelters citywide provides a clear roadmap for the successful completion of this project. The Administration remains committed to continue working with Outfront to expedite the timeline and ensure the smooth and successful execution of this project in compliance with the terms of the current Agreement.

Based on City staff's recent assessment of all existing bus shelters and bus stops with benches and leaning rails, the Administration recommends that Outfront take the following immediate actions:

1. Prioritize maintenance efforts on the two (2) bus shelters and five (5) bus stops which received a rating of two (2). These bus stops have notable damage that requires repairs to ensure functionality and public safety.
2. Pressure wash the 27 bus shelters and 31 bus stops with benches and/or leaning rails which received a rating of four (4), and remove all remnants of graffiti, stickers, and dirt. This will address minor maintenance needs and improve the overall appearance of these stops.
3. Repaint all 47 bus shelters which received a rating of three (3). These bus shelters require moderate maintenance as a result of high ridership. A fresh coat of paint will address fading, chipping, and minor rust, enhancing the aesthetic appeal and extending the life of these bus shelters.
4. Repaint all 19 bus stops with benches and leaning rails which received a rating of three (3). Similar to the bus shelters which received the same rating, these bus stops require moderate maintenance, and repainting will address cosmetic issues and improve their overall appearance.

Through Outfront's implementation of the above recommendations, the Administration can ensure that its bus stop infrastructure remains safe, clean, and well-maintained, providing a better transit experience for all passengers. The new bus shelter designs, utilizing best-in-class durable materials, will also significantly enhance the appearance and longevity of these critical public transit amenities.

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): N/A

Department

Transportation and Mobility

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

Update on OutFront Media Group Contract. (Rosen Gonzalez) TR

ATTACHMENT A

RESOLUTION NO. 2021-31853

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN SUBSTANTIAL FORM, AN AGREEMENT WITH OUTFRONT MEDIA GROUP LLC, PURSUANT TO INVITATION TO NEGOTIATE NO. 2020-239-KB REVENUE SHARING AGREEMENT FOR THE CONSTRUCTION, OPERATION, AND MAINTENANCE OF BUS SHELTERS AND OTHER STREET FURNITURE AT DESIGNATED LOCATIONS CITYWIDE, FOR AN INITIAL TERM OF TWENTY (20) YEARS AND ONE (1) FIVE (5) YEAR RENEWAL OPTION, EXERCISABLE BY MUTUAL AGREEMENT OF THE PARTIES; AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE FINAL AGREEMENT.

WHEREAS, in October 2001, the City and Clear Channel executed an agreement for Clear Channel to construct, operate, and maintain the current bus shelter structures on the public rights-of-ways throughout the City; and

WHEREAS, the agreement resulted in the installation of 107 bus shelters on City rights-of-way and provided for commercial static advertising on the bus shelters with an escalating revenue share with the City; and

WHEREAS, to date, the City Commission has approved five amendments to the agreement with Clear Channel; and

WHEREAS, most significantly, Amendment No. 5, executed in October 2020, established a termination date of September 30, 2021, and enabled for transfer of ownership of all existing bus shelters and street furniture from Clear Channel to the City upon expiration or termination of the agreement; and

WHEREAS, given that the existing bus shelters were installed in 2001, the City Commission has expressed a desire to update the current design; and

WHEREAS, on September 16, 2020, the Mayor and City Commission authorized the issuance of Invitation to Negotiate (ITN) 2020-239-KB for Revenue Sharing Agreement for the Design, Construction, Operation, and Maintenance of Bus Shelters and Other Street Furniture (the "Program"); and

WHEREAS, the City received one proposal from Outfront Media Group, LLC (OUTFRONT); and

WHEREAS, on February 16, 2021, the City Manager appointed an Evaluation Committee via LTC # 071-2021; and

WHEREAS, the Evaluation Committee convened on February 25, 2021 and scored the OUTFRONT proposal with an average score of 93 points; and

WHEREAS, on March 17, 2021, the City Commission adopted Resolution No. 2021-31644, approving the City Manager's recommendation to enter into negotiations with OUTFRONT, the sole bidder, and authorizing the Administration to bring the final negotiated

agreement, and subsequently, the new bus shelter design, back to the City Commission for approval; and

WHEREAS, pursuant to Resolution No. 2021-31644, the City entered negotiations with OUTFRONT and was able to negotiate the following essential terms for the agreement ("Agreement"):

- Initial term of twenty (20) years, with one (1) five (5) year renewal term, by mutual agreement of the parties, pursuant to the terms and conditions of the agreement;
- Installation of a minimum of 200 and maximum of 250 bus shelters and ETA signs Citywide (as compared to OUTFRONT's original proposal of a maximum of 200 bus shelters and ETA signs), including 40 double-sided digital advertising displays;
- Installation of up to 100 bus benches/leaning rails and 100 bicycle racks Citywide;
- Capital Expenditure (CapEx) commitment by OUTFRONT of \$25 million over a 20-year term or \$27 million over a 25-year term (If renewal term is exercised), as compared to originally proposed \$25 million over a 25-year term;
- Negotiated increase in Minimum Annual Guarantee (MG), in the amount of \$264,000 annually, payable \$66,000 quarterly, which is an increase from the initial proposal of \$96,000/year;
- In addition to MG, negotiated percentage of gross receipts (PG) payments during each phase of development;
- The MG and PG payments are estimated to provide the City between \$44 million (minimum 20-year term with a minimum of 200 shelters) and \$69 million (maximum 25-year term with a maximum of 250 shelters), for an overall increase in revenue shares, by a minimum of \$6 million, as compared to OUTFRONT's original proposal;
- City and OUTFRONT agree that it is beneficial for both parties to spend the full amount of committed CapEx on the Program; however, if upon full deployment of the new bus shelters and other street furniture, the City has not utilized all of the total committed CapEx, upon the City's request, the Concessionaire will seek in good faith to spend the unspent portion of such allocation on mutually agreed additional bus shelter structures that may benefit the Program; if, after such good faith discussions, any remaining portion of the CapEx commitment remains unspent, upon the City's request, the Concessionaire will increase each subsequent quarterly guarantee payment such that the City benefits by fifty percent (50%) of the amount of the unspent CapEx; however, it is important to note that the likelihood of having unspent CapEx on this Program is very low;
- Agreement provides for a high level of maintenance of bus shelters. The City has negotiated that OUTFRONT pressure-wash up to 40 bus stops daily (except on weekends and holidays) to ensure the highest level of cleanliness at the City's busiest bus stops;
- Agreement allows for the installation of additional digital advertising displays (in addition to the 40 proposed by OUTFRONT), subject to City Manager's approval; per OUTFRONT, digital advertising generates 3-4 times more revenue than static advertising; and

- Allocation of digital and static advertising space for the City's use as follows:
 - 11% share-of-voice on OUTFRONT's digital inventory (i.e. total amount of time that all digital displays are available to the City for advertising at no charge plus any unsold space at no charge, as available);
 - 5% initial share-of-voice on OUTFRONT's static inventory, growing to 11% once the full digital deployment is complete; and
 - In the event of a public emergency, the City will have immediate access to 100% of OUTFRONT's entire digital inventory to assist with public communications; and

WHEREAS, the Agreement provides for a phased implementation described below along with key business terms:

Phase 1: During Phase 1, OUTFRONT will assume ownership of 95 existing bus shelters (Clear Channel will remove eight existing bus shelters that are located on inactive transit corridors). OUTFRONT will operate and maintain the 95 existing bus shelters and benches, sell advertisements, and provide 30% revenue share to the City;

Phase 1 will commence on October 1, 2021 and expire upon the commencement of Phase 2 of the Program, for a period not-to-exceed 12 months from October 1, 2021 (Commencement Date). OUTFRONT will not remit MG payment to the City for the first quarter of the first contract year to allow for Program "ramp-up";

Phase 2: Within six months from the Commencement Date of the Agreement, OUTFRONT will secure approval from the City Manager and any governmental approvals required for the design and installation of the new digital displays at up to 40 existing bus shelters. Additionally, OUTFRONT will commence installation of new bus benches and ETA signs at various existing bus stop locations;

Within 18 months from the Commencement Date, in close coordination with the City, OUTFRONT will develop the new bus shelter design. The design will be presented to the City Commission for review and approval. Once approved by the City Commission, OUTFRONT will seek DRB and HPB approvals and any other governmental approvals required for the design;

During this phase, OUTFRONT will continue to operate, maintain, and sell advertising on the existing bus shelters and provide 10% gross revenue share to the City. Phase 2 will terminate when deployment of digital displays at 40 bus shelter locations is completed, however, no later than 24 months from the Commencement Date, whichever occurs first;

Phase 3: During this phase, OUTFRONT will secure City Manager approval of a full-scale/in-field and operational bus shelter prototype. Once the prototype is approved, OUTFRONT will commence manufacturing/construction/installation, operation and maintenance of new bus shelters and other street furniture, while prioritizing bus stop locations that currently do not have shelters. OUTFRONT will continue to sell advertisements on the existing and new bus shelters and provide 10% gross revenue share to the City;

Phase 3 commences upon securing all requisite approvals for the design of new bus shelters and terminates when the full deployment of all new bus shelters is complete; however, no-to-exceed 48 months from securing such design approvals;

Phase 4: During this phase, OUTFRONT will continue to operate and maintain new bus shelters and other street furniture, sell advertisements on new bus shelters, and provide 20% gross revenue share to the City. Phase 4 commences when full deployment of new bus shelters is completed and terminates when the Agreement expires or is otherwise terminated pursuant to the terms of the Agreement; and

WHEREAS, the Agreement with OUTFRONT will result in the installation of premium bus stop amenities (minimum of 200 and maximum of 250 bus shelters and ETA signs), 100 bicycle racks and up to 100 bus benches; and

WHEREAS, the total value to the City including CapEx, revenue share and operating/maintenance cost is estimated to be between \$82.4 (20-year term with 200 shelters) and \$119.2 million (25-year term and 250 shelters); and

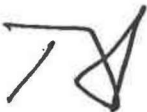
WHEREAS, all payments made by the OUTFRONT to the City will be inclusive of any required Florida State Sales and Use Tax(es), as applicable; and

WHEREAS, the City Manager recommends approving, in substantial form, the Concession Agreement, incorporated herein by reference and attached to the City Commission Memorandum accompanying this Resolution, containing the essential terms set forth in this Resolution.

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, an Agreement with Outfront Media Group LLC, pursuant to Invitation to Negotiate No. 2020-239-KB Revenue Sharing Agreement for the Construction, Operation, and Maintenance of Bus Shelters and Other Street Furniture at designated locations citywide, for an initial term of twenty (20) years and one (1) five (5) year renewal option, exercisable by mutual agreement of the parties; and further authorize the City Manager and City Clerk to execute the final Agreement.

PASSED and ADOPTED this 17th day September 2021.

ATTEST:

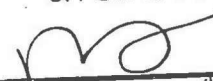


Rafael E. Granado, City Clerk

SEP 22 2021


Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION


City Attorney

9-13-21
Date

ATTACHMENT B

RESOLUTION NO. 2022-32156

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, IN CONCEPT, THE BUS SHELTER DESIGN, ATTACHED TO THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION, PURSUANT TO THE AGREEMENT WITH OUTFRONT MEDIA GROUP, LLC FOR THE CONSTRUCTION, INSTALLATION, OPERATION AND MAINTENANCE OF BUS SHELTERS AT DESIGNATED LOCATIONS WITHIN THE CITY PURSUANT TO INVITATION TO NEGOTIATE NO. 2020-239-KB.

WHEREAS, on September 16, 2020, the Mayor and City Commission authorized the issuance of Invitation to Negotiate (ITN) 2020-239-KB for Revenue Sharing Agreement for the Design, Construction, Operation, and Maintenance of Bus Shelters and Other Street Furniture (the "ITN") with the goal of negotiating an agreement that resulted in new and improved bus shelters and revenue to the City; and

WHEREAS, on October 21, 2020, the City issued the ITN which allowed bidders to bid on the previously developed ACAI/Pininfarina bus shelter design or suggest an alternative bus shelter design, with all costs related to design, construction, and installation of the new bus shelters and other street furniture to be the responsibility of the successful bidder; and

WHEREAS, the ITN also included stand-alone digital Estimated Time of Arrival (ETA) signs at bus shelter locations and the sale of bus shelter advertising space; and

WHEREAS, ITN responses were due and received on January 7, 2021 and the City received one proposal from Outfront Media Group, LLC. (Outfront); and

WHEREAS, on September 17, 2021, the Mayor and City Commission adopted Resolution No. 2021-31853, approving the Agreement with Outfront for the construction, installation, operation and maintenance of bus shelters at designated locations within the City pursuant to the ITN; and

WHEREAS, pursuant to the Agreement, Outfront was tasked with developing a new bus shelter design within 18 months from the commencement date to be presented to the City Commission for approval; and

WHEREAS, once approved by the City Commission, Outfront will seek Design Review Board (DRB) and Historic Preservation Board (HPB) approvals for further design development; and

WHEREAS, the Agreement was executed on October 22, 2022 and will result in the installation of premium bus shelters and bus stop amenities citywide (minimum of 200 and maximum of 250 bus shelters and ETA signs, 100 bicycle racks, and up to 100 bus benches); and

WHEREAS, over the past six months, Outfront has been working closely with the City staff to develop a new bus shelter design; and

WHEREAS, during the process, alternative design and engineering approaches were taken to develop a design concept that is in line with the City's original design developed by

ACAI/Pininfarina while reducing fabrication cost to maximize the total number of bus shelters to be installed under the Agreement; and

WHEREAS, it is important to note that the original design developed by ACAI/Pininfarina was determined to not be financially viable; and

WHEREAS, the goal of the design is to create an attractive bus shelter equipped with advertising (digital or static), security camera (only at key locations), digital ETA sign, passenger seating, and security lighting at every bus stop in the City; and

WHEREAS, this is a significant improvement over the current conditions wherein only one third of all bus stops in the City have a bus shelter; and

WHEREAS, in order to meet key project milestones stipulated in the Agreement between the City and Outfront for the design, construction, operation, and maintenance of bus shelters and other street furniture citywide, including approvals from DRB and HPB, the City Manager recommends that the Mayor and City Commission approve the conceptual design for the bus shelters that will be located within the City limits, subject to further design development by Outfront and as may be required by the City's regulatory boards.


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, in concept, the bus shelter design, attached to the City Commission Memorandum accompanying this Resolution, pursuant to the Agreement with Outfront Media Group, LLC for the construction, installation, operation and maintenance of bus shelters at designated locations within the City pursuant to Invitation to Negotiate No. 2020-239-KB.

PASSED and ADOPTED this 4th day of May 2022.



Dan Gelber, Mayor

ATTEST:




Rafael E. Granado, City Clerk

MAY 10 2022



APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

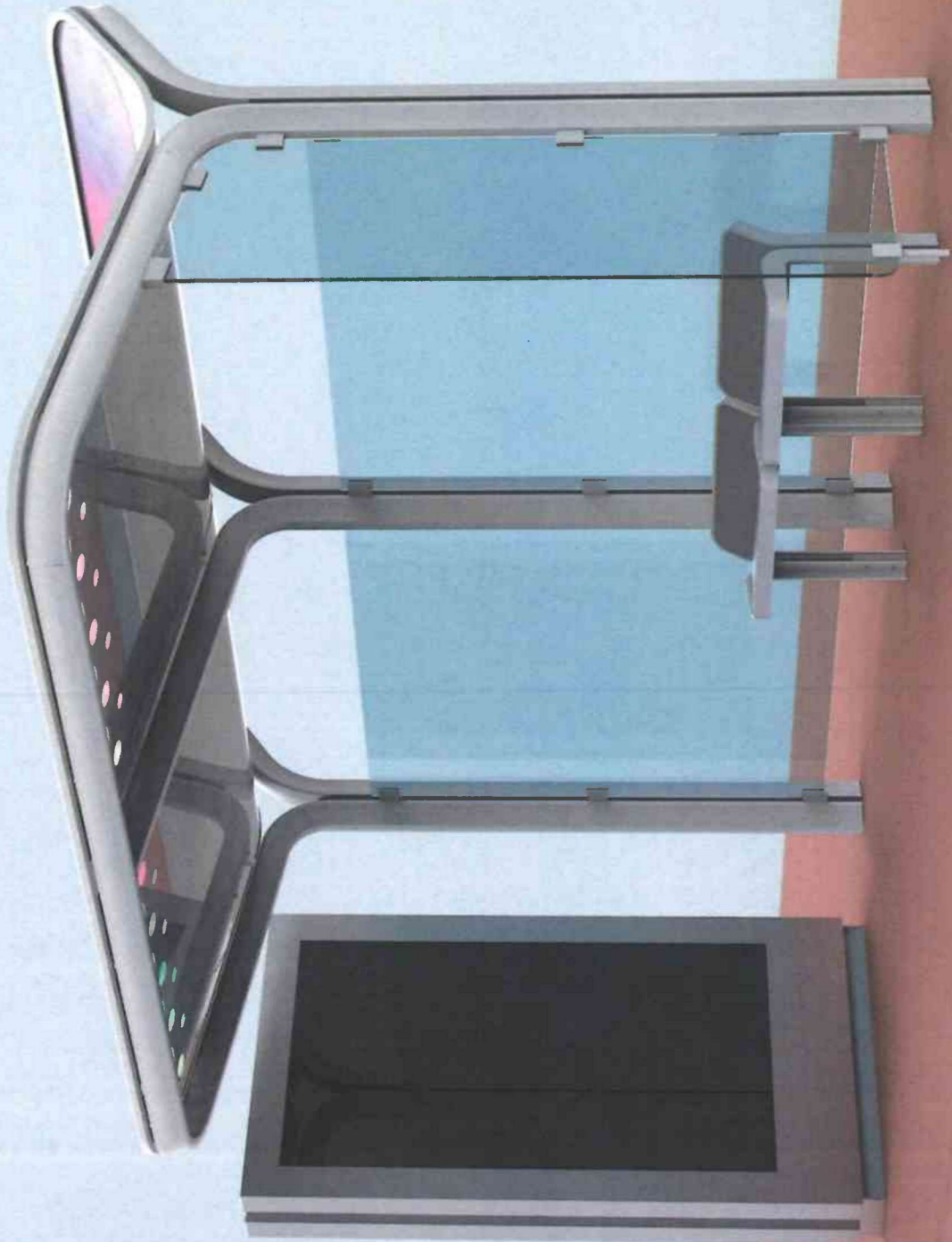


City Attorney







4-21-22

Date


ATTACHMENT C









ATTACHMENT D







No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
1	16 Street	Michigan Avenue	WB	5		No bench, sign only	
2	16 Street	Lenox Avenue	EB	5		No bench, sign only	
3	16 Street	Michigan Avenue	EB	5		No bench, sign only	
4	16 Street	Jefferson Avenue	EB	5		No bench, sign only	
5	16 Street	Jefferson Avenue	WB	5		No bench, sign only	
6	17 Street	Meridian Avenue	EB	4		Pressure wash	









No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
7	17 Street	Pennsylvania Avenue	EB	4	 A photograph of a bus shelter with a white canopy and metal frame, situated on a sidewalk. A timestamp in the bottom right corner reads: "Jun 26, 2024 at 11:05:03 AM 640 17th St Miami Beach, FL 33139".	Pressure wash	Yes
8	17 Street	Convention Center Dr	WB	3	 A photograph of a bus shelter with a white canopy and metal frame, situated on a sidewalk. A timestamp in the bottom right corner reads: "Jun 26, 2024 at 11:05:03 AM 640 17th St Miami Beach, FL 33139".	Repaint	Yes
9	17 Street	Meridian Avenue	WB	5	 A photograph of a green bus bench with metal armrests, situated on a sidewalk. A timestamp in the bottom right corner reads: "Jun 26, 2024 at 11:17:12 AM 777 17th St Miami Beach, FL 33139".		
10	17 Street	Lenox Avenue	EB	4	 A photograph of a bus shelter with a white canopy and metal frame, situated on a sidewalk. A timestamp in the bottom right corner reads: "Jun 26, 2024 at 11:28:11 AM 1128 17th St Miami Beach, FL 33139".	Graffiti	Yes
11	17 Street	Washington Avenue	WB	3	 A photograph of a bus shelter with a white canopy and metal frame, situated on a sidewalk. A timestamp in the bottom right corner reads: "Jun 26, 2024 at 11:57:27 AM 1128 17th St Miami Beach, FL 33139".	Repaint	Yes
12	17 Street	Lenox Avenue	WB	4	 A photograph of a green bus bench with metal armrests, situated on a sidewalk. A timestamp in the bottom right corner reads: "Jun 26, 2024 at 12:02:14 AM 1119 Lenox Ave Miami Beach, FL 33139".	Pressure wash, graffiti	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
13	17 Street	Jefferson Avenue	EB	4		Pressure wash	
14	17 Street	Meridian Avenue	WB	4		Pressure wash	Yes
15	18 Street	Purdy Avenue	WB	5			
16	19 Street	Alton Road	EB	5			
17	20 Street	Bay Rd	EB	3		Repaint	Yes
18	20 Street	Liberty Avenue	EB	4		Pressure wash	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
19	23 Street	Liberty Avenue	EB	5			
20	41 Street	Alton Road	WB	3		Repaint	Yes
21	41 Street	Prairie Avenue	EB	5			Yes
22	41 Street	Prairie Avenue	WB	3		Repaint	Yes
23	41 Street	Pine Tree Dr	EB	3		Repaint	
24	41 Street	Alton Road	EB	5			







No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
25	41 Street	Sheridan Avenue	WB	5			
26	41 Street	Sheridan Avenue	EB	5			
27	41 Street	Meridian Avenue	WB	4		Pressure wash	
28	41 Street	Meridian Avenue	EB	5			
29	41 Street	Pine Tree Dr	WB	3		Repaint	
30	5 Street	Lenox Avenue	WB	3		Repaint	Yes







No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
31	5 Street	Lenox Avenue	EB	3		Repaint	Yes
32	5 Street	Meridian Avenue	WB	3		Repaint	Yes
33	5 Street	Michigan Avenue	WB	3		Repaint	Yes
34	5 Street	Michigan Avenue	EB	4		Pressure wash	Yes
35	5 Street	Meridian Avenue	EB	4		Pressure wash	Yes
36	6 Street	Lenox Avenue	EB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
37	65 Street	Collins Avenue	EB	5			
38	71 Street	Biarritz Dr	EB	5			Yes
39	71 Street	Rue Versailles Dr	EB	3		Repaint	Yes
40	71 Street	Dickens Avenue	WB	3		Repaint	Yes
41	71 Street	Bay Dr	EB	4		Pressure wash	Yes
42	71 Street	Trouville Esplanade	EB	3		Repaint	Yes
43	71 Street	Indian Creek Dr	EB	3		Repaint	Yes
44	71 Street	Rue Notre Dame	EB	4		Pressure wash	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
45	71 Street	Byron Avenue	WB	2		Missing deliniator	
46	71 Street	Bonita Dr	WB	2		Missing deliniator	
47	71 Street	Rue Bordeaux Dr	EB	5			
48	71 Street	Rue Granville	EB	5			
49	71 Street	Byron Avenue	EB	4		Pressure wash	
50	73 Street	Byron Avenue	EB	4		Pressure wash	
51	73 Street	Dickens Avenue	EB	5			
52	77 Street	Carlyle Avenue	EB	4		Pressure wash	







No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
53	77 Street	Tatum Waterway Dr	EB	2		Missing deliniator	
54	77 Street	Dickens Avenue	WB	2		Missing deliniator	
55	85 Street	Hawthorne Avenue	WB	5			
56	85 Street	Byron Avenue	WB	5			
57	Abbott Avenue	Indian Creek Dr	SB	3		Repaint	Yes
58	Abbott Avenue	69 Street	SB	3		Repaint	Yes
59	Alton Road	6 Street	NB	5			





No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
60	Alton Road	2 Street	SB	5			Yes
61	Alton Road	Lincoln Road	SB	5			
62	Alton Road	8 Street	SB	3		Repaint	Yes
63	Alton Road	10 Street	SB	3		Repaint	Yes
64	Alton Road	41 Street	NB	5			Yes
65	Alton Road	14 Street	SB	3		Repaint	Yes








No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
66	Alton Road	10 Street	NB	3		Repaint	Yes
67	Alton Road	16 Street	NB	3		Repaint	Yes
68	Alton Road	11 Street	NB	4		Pressure wash	Yes
69	Alton Road	14 Street	NB	4		Pressure wash	Yes
70	Alton Road	2 Street	NB	4		Pressure wash	Yes
71	Alton Road	8 Street	NB	5			Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
72	Alton Road	15 Street	NB	4		Pressure wash	Yes
73	Alton Road	6 Street	SB	5			
74	Alton Road	15 Street	SB	5			
75	Alton Road	13 Street	SB	5			
76	Alton Road	4 Street	SB	5			
77	Alton Road	4 Street	NB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
78	Alton Road	39 Street	SB	5			
79	Alton Road	13 Street	NB	4		Pressure wash	
80	Alton Road	19 Street	NB	4		Pressure wash	
81	Alton Road	17 Street	NB	4		Pressure wash	
82	Alton Road	17 Street	SB	4		Graffiti	
83	Collins Avenue	69 Street	NB	3		Repaint	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
84	Collins Avenue	72 Street	NB	3		Repaint	Yes
85	Collins Avenue	38 Street	NB	3		Repaint	Yes
86	Collins Avenue	22 Street	NB	4		Minor touch-ups	Yes
87	Collins Avenue	21 Street	SB	3		Repaint	Yes
88	Collins Avenue	85 Street	NB	3		Repaint	Yes
89	Collins Avenue	24 Street	NB	3		Repaint	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
90	Collins Avenue	24 Street	SB	3		Repaint	Yes
91	Collins Avenue	4747	NB	5			Yes
92	Collins Avenue	77 Street	NB	3		Repaint	Yes
93	Collins Avenue	76 Street	NB	3		Repaint	Yes
94	Collins Avenue	4700 BLK	SB	3		Repaint	Yes
95	Collins Avenue	81 Street	NB	4		Pressure wash	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
96	Collins Avenue	18 Street	SB	3		Repaint	Yes
97	Collins Avenue	65 Street	NB	3		Repaint	Yes
98	Collins Avenue	5445	NB	4		Pressure wash	Yes
99	Collins Avenue	5601	NB	4		Pressure wash	Yes
100	Collins Avenue	4500 BLK	SB	3		Repaint	Yes
101	Collins Avenue	5875	NB	4		Pressure wash	Yes
102	Collins Avenue	79 Street	NB	3		Repaint	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
103	Collins Avenue	35 Street	NB	4		Pressure wash	Yes
104	Collins Avenue	83 Street	NB	3		Repaint	Yes
105	Collins Avenue	5333	SB	4		Pressure wash	
106	Collins Avenue	5200 BLK	SB	4		Minor touch-ups	Yes
107	Collins Avenue	4925	NB	3		Repaint	Yes
108	Collins Avenue	5101	NB	4		Minor touch-ups	Yes
109	Collins Avenue	5750	SB	3		Repaint	


No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	BusShelter
110	Collins Avenue	43 Street	NB	3		Repaint	
111	Collins Avenue	17 Street	NB	5			
112	Collins Avenue	17 Street	SB	5			
113	Collins Avenue	67 Street	NB	5			
114	Collins Avenue	31 Street	NB	3		Repaint	
115	Collins Avenue	27 Street	NB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
116	Collins Avenue	4833	NB	5			
117	Collins Avenue	5005	NB	4		Pressure wash	
118	Collins Avenue	87 Street	NB	5			
119	Collins Avenue	63 Street	NB	5			
120	Collins Avenue	23 Street	SB	5			
121	Collins Avenue	5000 BLK	SB	3		Repaint	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
122	Collins Avenue	5660	SB	4		Minor touch-ups	Yes
123	Collins Avenue	4441	NB	3		Repaint	
124	Collins Avenue	4900 BLK	SB	4		Pressure wash	
125	Collins Avenue	18 Street	NB	5			
126	Collins Avenue	5500 BLK	SB	3		Repaint	
127	Collins Avenue	29 Street	NB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
128	Collins Avenue	20 Street	NB	5			
129	Collins Avenue	41 Street	NB	5			
130	Collins Avenue	26 Street	NB	5			
131	Collins Avenue	44 Street	NB	3		Repaint	
132	Collins Avenue	6365	NB	3		Repaint	
133	Collins Avenue	5400	SB	4		Pressure wash	
134	Collins Avenue	5313	NB	4		Pressure wash	



No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
135	Collins Avenue	4525	NB	5			
136	Collins Avenue	5555	NB	5			
137	Collins Avenue	5775	NB	5			
138	Collins Avenue	5225	NB	5			
139	Collins Avenue	33 Street	NB	4		Graffiti	
140	Collins Avenue	5800	SB	4		Pressure wash	
141	Collins Avenue	5401	NB	5			
142	Collins Avenue	4441 Entrance	SB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
143	Collins Avenue	23 Street	NB	5			
144	Crespi Boulevard	79 Street	SB	5			
145	Dade Blvd	Convention Center Dr	EB	5			
146	Dade Blvd	Michigan Avenue	WB	5			
147	Dickens Avenue	75 Street	SB	5			
148	Harding Avenue	72 Street	SB	3		Repaint	Yes
149	Harding Avenue	75 Street	SB	3		Repaint	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
150	Harding Avenue	87 Street	SB	3		Repaint	Yes
151	Harding Avenue	85 Street	SB	3		Repaint	
152	Harding Avenue	83 Street	SB	4		Pressure wash	
153	Harding Avenue	81 Street	SB	4		Pressure wash	
154	Harding Avenue	79 Street	SB	5			
155	Harding Avenue	77 Street	SB	4		Pressure wash	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
156	Hawthorne Avenue	83 Street	NB	5			
157	Hawthorne Avenue	Stillwater Dr	SB	5			
158	Hawthorne Avenue	81 Street	SB	5			
159	Indian Creek Dr	43 Street	SB	3		Repaint	Yes
160	Indian Creek Dr	65 Street	SB	3		Repaint	Yes
161	Indian Creek Dr	44 Street	SB	3		Repaint	Yes
162	Indian Creek Dr	41 Street	SB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
163	Indian Creek Dr	29 Street	SB	5			
164	Indian Creek Dr	27 Street	SB	5			
165	Indian Creek Dr	63 Street	SB	3		Repaint	
166	Indian Creek Dr	31 Street	SB	5			
167	Indian Creek Dr	37 Street	SB	5			
168	Indian Creek Dr	33 Street	SB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
169	Lincoln Road	Washington Avenue	EB	2		Ad box repairs, repaint leaning rail and seat	Yes
170	Lincoln Road	Washington Avenue	WB	5			
171	Mac Arthur Cswy	Bridge Road	WB	4		Pressure wash	Yes
172	Mac Arthur Cswy	Fountain Street	WB	3		Repaint	Yes
173	Mac Arthur Cswy	Terminal Isle	EB	4		Pressure wash	Yes
174	Mac Arthur Cswy	Bridge Road	EB	5		No bench, sign only	
175	Mac Arthur Cswy	Fountain Street	EB	5		No bench, sign only	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
176	Mac Arthur Cswy	Terminal Isle	WB	5		No bench, sign only	
177	Meridian Avenue	Lincoln Road	NB	5			
178	Meridian Avenue	19 Street	NB	5			
179	Meridian Avenue	Lincoln Road	SB	5			
180	Mt. Sinai Hospital	Main Door	SB	5		No bench, sign only	
181	Mt. Sinai Hospital	Gurmenick Bldg.	WB	5		No (City) bench, sign only	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
182	Normandy Dr	Rue Versailles Dr	WB	3		Repaint	Yes
183	Normandy Dr	W Bay Drive	WB	4		Pressure wash	Yes
184	Normandy Dr	Trouville Esplanade	WB	4		Pressure wash	Yes
185	Normandy Dr	Rue Granville	WB	5			
186	Normandy Dr	Rue Notre Dame	WB	5			
187	Normandy Dr	Bay Rd	WB	2		Missing delineator	







No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
188	Normandy Dr	Rue Bordeaux Dr	WB	5			
189	Pine Tree Drive	41 Street	NB	5			
190	Purdy Avenue	18 Street	NB	5			
191	S Pointe Dr	Washington Avenue	EB	3		Repaint	
192	Sheridan Avenue	41 Street	SB	5			
193	Venetian Way	Elisland Avenue	EB	5			Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
194	Venetian Way	E Island Avenue	WB	5			Yes
195	Venetian Way	W Island Avenue	WB	4		Pressure wash	
196	Venetian Way	W Island Avenue	EB	4		Pressure wash	
197	Venetian Way	E Riva Alto Dr	WB	5			
198	Venetian Way	E Dilido Dr	WB	4		Pressure wash	
199	Venetian Way	E San Marino Dr	WB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
200	Venetian Way	E San Marino Dr	EB	4		Pressure wash	
201	Venetian Way	E Dilido Dr	EB	4		Pressure wash	
202	Venetian Way	E Rivo Alto Dr	EB	5			
203	Washington Avenue	17 Street	SB	5			Yes
204	Washington Avenue	Lincoln Road	SB	2		Ad box repairs, repaint leaning rail and simme seat	Yes
205	Washington Avenue	S Street	NB	5			Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
206	Washington Avenue	13 Street	SB	4		Pressure wash	Yes
207	Washington Avenue	5 Street	SB	3		Repaint	Yes
208	Washington Avenue	9 Street	SB	3		Repaint	Yes
209	Washington Avenue	12 Street	SB	5			Yes
210	Washington Avenue	7 Street	NB	4		Minor touch-ups	Yes
211	Washington Avenue	7 Street	SB	5		Pending installation of ad box covers	Yes

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
212	Washington Avenue	14 Street	SB	5			Yes
213	Washington Avenue	18 Street	NB	4		Pressure wash	Yes
214	Washington Avenue	21 Street	SB	4		Pressure wash	Yes
215	Washington Avenue	9 Street	NB	5			
216	Washington Avenue	13 Street	NB	3		Repaint	
217	Washington Avenue	4 Street	NB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
218	Washington Avenue	15 Street	SB	5			
219	Washington Avenue	2 Street	NB	5			
220	Washington Avenue	11 Street	NB	3		Repaint	
221	Washington Avenue	1 Street	NB	3		Repaint	
222	Washington Avenue	16 Street	NB	5			
223	Washington Avenue	1 Street	SB	5			

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
224	Washington Avenue	20 Street	NB	4		Pressure wash	
225	Washington Avenue	19 Street	SB	4		Pressure wash	
226	Washington Avenue	18 Street	SB	3		Repaint	
227	Washington Avenue	15 Street	NB	5			
228	Washington Avenue	4 Street	SB	4		Pressure wash	
229	Washington Avenue	Lincoln Road	NB	3		Repaint	

No.	Main Street	Cross Street	Direction	Rating	Picture	Notes	Bus Shelter
230	Washington Avenue	2 Street	SB	3		Repaint	
231	Washington Avenue	17 Street	NB	5			
232	Washington Avenue	S Pointe Dr	SB	3		Repaint	
233	West Avenue	20 Street	SB	5			

ATTACHMENT E
OFFICE OF THE CITY ATTORNEY

City of Miami Beach

F L O R I D A



RICARDO J. DOPICO
City Attorney

Telephone: (305) 673-7470
Facsimile: (305) 673-7002

July 11, 2024

Via E-mail and Overnight Courier Service
(Tracking No. 7773 4797 1416)
damian.gutierrez@outfront.com

Mr. Damian Gutierrez
Vice President, Transit
Outfront Media Group, LLC
90 Park Avenue, 9th Floor
New York, NY 10016

Re: Agreement dated October 22, 2021 between the City of Miami Beach ("City") and Outfront Media Group, LLC ("Outfront") for the Construction, Installation, Operation and Maintenance of Bus Shelters at Designated Locations Within the City Pursuant to Invitation to Negotiate No. 2020-239-KS ("Agreement").

Dear Mr. Gutierrez:

The requisite approvals for the design of the new Bus Shelters were secured from the Historic Preservation Board (HPB) on September 13, 2022 and from the Design Review Board (DRB) on November 1, 2022. Based upon the Agreement, the Project Schedule is currently between Phases 2 and Phase 3, with Phase 3 concluding when the full deployment of all new Bus Shelters is complete; however, not to exceed four (4) years from securing such design approvals; to wit: October 31, 2026 ("Outside Deployment Date").

Due to the fact that almost two (2) years have passed since securing the design approvals for the Bus Shelters, and that Outfront has failed to construct the prototype for the new Bus Shelters or secure the requisite building permits to install the new Bus Shelters, the City is highly concerned that Outfront will not be able to meet its obligations to construct and install, in operating condition, the full deployment of all of the new Bus Shelters within the four-year window provided under the Agreement.

This letter shall serve as a formal request to provide the City with adequate assurance that Outfront will be able to deliver the full deployment of all new Bus Shelters by or before the Outside Deployment Date. Pursuant to Florida Statutes Section 672.609, a response is required within a reasonable amount of time, not exceeding thirty (30) days. The City hereby requests that Outlook enclose with its adequate assurance correspondence copies of any and all documents evidencing that Outfront has ordered and paid for the prototype Bus Shelter and all written communication from the manufacturer of the new Bus Shelter including, without limitation, any communication relating to when the prototype and the

Request for Adequate Assurance Letter to Outfront

July 11, 2024

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remainder of the new Bus Shelters will be constructed and when/where they will be delivered. Additionally, please provide the Transportation Department Director and Interim City Manager and her successor with a monthly written status report as to the good faith efforts which Outfront has made to perform in accordance with the terms of the Agreement via e-mail, currently to RickelleWilliams@miamibeachfl.gov. and JoseGonzalez@miamibeachfl.gov.

Nothing contained herein shall constitute a waiver of any defaults by Outfront, whether known or unknown, or a waiver and/or limitation of any rights or remedies afforded to the City, whether conferred by the Agreement or otherwise in equity or law.

Sincerely,



Gisela Nanson Torres
Senior Assistant City Attorney

Via E-mail and Overnight Courier Service – Tracking No. 7773 4797 1416:

Glen Rectenwald, Esq.
Outfront Media Group, LLC
90 Park Avenue, 9th Floor
New York, NY 10016
Glen.rectenwald@outfront.com

Via E-mail only:

Ricardo J. Dopico, City Attorney
Rickelle Williams, Interim City Manager
David Martinez, Interim Assistant City Manager
Jose Gonzalez, Transportation and Mobility Department Director and
Interim Parking Department Director
Otniel Rodriguez, Transportation Department Assistant Director
Mikhail Ryabov, P.E., Transportation Manager
Michael.Llorente@lsnpartners.com