

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-notices/>

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

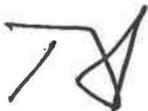
WHEREAS, all payments made by the OUTFRONT to the City will be inclusive of any required Florida State Sales and Use Tax(es), as applicable; and

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.

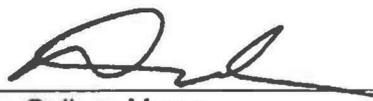
PASSED and ADOPTED this 17th day September 2021.

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

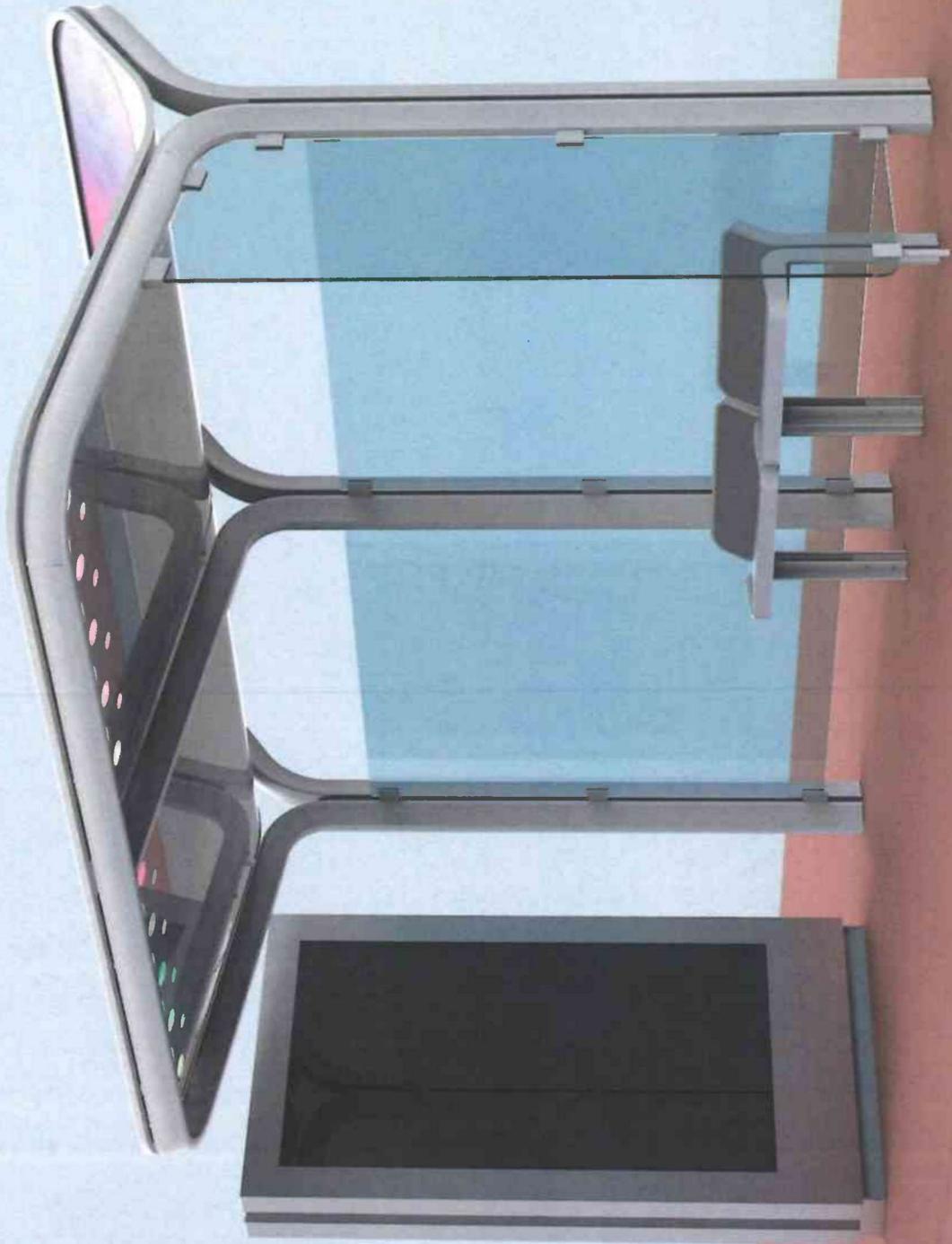


City Attorney

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 | | Pressure wash | Yes |
| 8 | 17 Street | Convention Center Dr | WB | 3 | | Repaint | Yes |
| 9 | 17 Street | Meridian Avenue | WB | 5 | | | |
| 10 | 17 Street | Lenox Avenue | EB | 4 | | Graffiti | Yes |
| 11 | 17 Street | Washington Avenue | WB | 3 | | Repaint | Yes |
| 12 | 17 Street | Lenox Avenue | WB | 4 | | 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 | Bus Shelter |
|-----|----------------|--------------|-----------|--------|--|---------|-------------|
| 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 | E Island 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 Rivo 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
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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:

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Outfront Media Group, LLC
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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
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