

# MIAMI BEACH

## City Commission Meeting SUPPLEMENTAL MATERIAL 1

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive  
March 9, 2016

Mayor Philip Levine  
Commissioner John Elizabeth Alemán  
Commissioner Ricky Arriola  
Commissioner Kristen Rosen Gonzalez  
Commissioner Michael Grieco  
Commissioner Joy Malakoff  
Commissioner Micky Steinberg

City Manager Jimmy L. Morales  
City Attorney Raul J. Aguila  
City Clerk Rafael E. Granado

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### ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

### SUPPLEMENTAL AGENDA

#### C4 - Commission Committee Assignments

- C4I Referral To The Neighborhood/Community Affairs Committee - Traffic Management Alternatives Discussed At The February 24, 2016 Commission Workshop On Traffic Management.  
(Transportation)  
(Memorandum)

#### R7 - Resolutions

- R7L A Resolution Approving Addendum 5 To The Solicitation Of Alternative Proposals For A Public-Private Partnership, In Accordance With Florida Statute 287.05712, For An Off-Wire Or "Wireless" Light Rail/Modern Streetcar System.  
(Transportation/Office of the City Attorney)  
(Memorandum, Resolution & Exhibits)

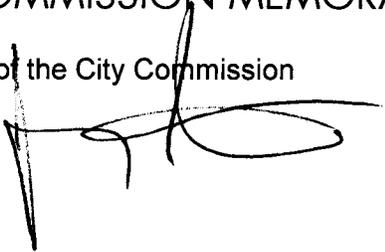
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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager 

DATE: March 9, 2016

SUBJECT: **REFERRAL TO THE NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE - TRAFFIC MANAGEMENT ALTERNATIVES DISCUSSED AT THE FEBRUARY 24, 2016 COMMISSION WORKSHOP ON TRAFFIC MANAGEMENT**

### BACKGROUND

On February 24, 2016, the City Commission held a Workshop on Traffic Management. At the Workshop, staff highlighted regional and local traffic volume data and growth in recent years. It was mentioned that while County-wide traffic volumes on regional highways have grown an average of 1% in the last 5 years, highways serving Miami Beach have grown significantly more. In the last 5 years, northbound I-95 traffic volumes have grown by approximately 20%. From 2013 to 2015, eastbound and westbound volumes on the MacArthur Causeway have grown by 3% and 7%, respectively. From 2010 to 2015, eastbound and westbound volumes on the Julia Tuttle Causeway grew by 15% and 12%, respectively.

Additionally, staff discussed population trends in the City as documented in the 2015 Environmental Scan and the impact of population growth on traffic. Over the past 5 years, the City of Miami Beach resident population has grown by 4%, while the national average growth for mid-sized cities has been only 1% over the same 5-year period. Average daily population, consisting of daily resident population, labor force in Miami Beach, hotel guests, and other visitors, has grown by 37% over a 10-year period.

At the Workshop, staff presented an overview of current conditions; ongoing traffic management initiatives; as well as potential policy considerations to mitigate traffic. Traffic management and mitigation concepts and alternatives were discussed by the City Commission and the public in attendance.

The following information regarding development impacts was requested by the Commission at the Workshop:

Mayor Philip Levine asked for information on how many new construction projects have been approved in the City during the last two and a half (2 ½) years, and how the population has increased during that time. Vice-Mayor John Elizabeth Alemán asked to provide information on how the density has changed in the last two and a half years. Commissioner Michael Grieco asked to include how many buildings have been built in the five (5) years prior to 2013.

Below is the information provided by the Building Department for building permits issued for the last 2 and 5 years. These figures represent all building permits issued including both new developments and renovation projects:

	<u>9/01/13-03/01/16</u>	<u>09/01/08-9/01/13</u>
• Number of Commercial Permits	668	1,286
• Number of Multi-Family Residence Permits	3,392	4,155
• Number of Single Family Residence Permits	773	1,008

While there is no specific information available regarding changes in density throughout the City, the number of vehicular trips reflected in concurrency log data as well as concurrency revenues collected are surrogate indicators. Table A below, provided by the Planning Department, reflects estimated net vehicular trips generated by approved development orders from March 2014 to date. It is important to note that some of the projects are in the building permit phase and may not move forward to construction.

Table A

<b>Vehicular Trips (March 2014 to Date)</b>			
<b>Concurrency Paid/Permanently Reserved and Concurrency Unpaid/Temporarily Reserved</b>			
<b>South Beach Trips</b>	<b>Mid Beach Trips</b>	<b>North Beach Trips</b>	<b>Total</b>
3807.37	742.48	143.81	4693.66

Table B below, provided by the Planning Department, reflects estimated net vehicular trips based on concurrency revenues collected (i.e. concurrency paid/permanently reserved) for each of the last ten (10) years.

Table B

<b>Fiscal Year</b>	<b>Trip Increases</b>			
	<b>South Beach</b>	<b>Mid Beach</b>	<b>North Beach</b>	<b>Total</b>
<b>2006</b>	481	72	208	760
<b>2007</b>	723	209	26	959
<b>2008</b>	656	116	40	813
<b>2009</b>	389	90	17	496
<b>2010</b>	251	130	51	432
<b>2011</b>	319	96	6	422
<b>2012</b>	330	137	4	471
<b>2013</b>	523	64	20	608
<b>2014</b>	610	220	5	835
<b>2015</b>	933	215	10	1,159
<b>Total</b>	<b>5,217</b>	<b>1,350</b>	<b>387</b>	<b>6,955</b>

Below is the information regarding changes in demographics in our City based on the 2015 City of Miami Beach Environmental Scan:

Resident Population

Calendar Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Permanent Residents*	84,086	84,880	85,036	84,633	86,916	87,779	88,349	89,546	90,588	91,540

Average Daily Population

Calendar Year	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Daily Population	157,593	161,780	163,062	161,669	174,808	182,077	183,588	201,640	203,765	206,847

Activities Underway

It is important to note that the following alternatives raised at the Workshop are already being pursued by the Administration:

- No left turn at Indian Creek Drive/42<sup>nd</sup> Street
- 41<sup>st</sup> Street Intercept Garage/Intermodal facility
- Pedestrian safety concern - Publix at Collins Avenue/69<sup>th</sup> Street due to confusing pedestrian signal
- I-95 Express Lane access from/to I-195/Julia Tuttle Causeway
- Failing intersection at Biscayne Boulevard/I-195 causing back-ups
- Bike lane on Julia Tuttle Causeway separated from the roadway
- Dickens Avenue/71<sup>st</sup> Street intersection improvements
- Improve reliability of Miami-Dade Transit bus service
- WAZE messaging discouraging use of residential streets
- New baseline signal timing plans for corridors
- Permanent trolley/bus operating on the shoulder of the Julia Tuttle Causeway

In addition, the following suggestions from the Workshop are already being evaluated or are in progress of being implemented:

- Text when traffic problem is resolved
- No right turn on Chase Avenue from northbound Alton Road
- Reinstate Miami-Dade Transit A-Bus route from Omni to Collins Park and Convention Center
- Additional intercept garages/intermodal facilities
- Additional southbound right turn lane at Collins Avenue/41<sup>st</sup> Street

Commission Directive

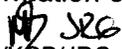
Some of the other recommendations require policy direction from the Commission, either because of the resources required or because of impacts to the Community. It is recommended that the following recommendations be referred to NCAC for further direction:

- Revisit pilot on Prairie Avenue to allow right turns to travel eastbound
- Increased police staffing for traffic enforcement in the FY 2016/17 budget
- Further restrictions on construction work on rights-of-way
- Further restrictions on hours for special events permits blocking rights-of-way

- Limitations on parking during special events complemented with shuttle and water taxi services
- More aggressive requirements for employee transportation plans
- Expanding construction parking plan requirements to construction transportation plan requirements
- Additional dedicated lanes for transit throughout the City
- Transport of public school children within 2-mile limit
- Removal of bump outs to facilitate additional turn lanes
- Intercept tolls/congestion pricing on causeways and arterials entering the City
- Neighborhood greenway for Bayshore Neighborhood
- Slow-down in development permits
- Second level/reversible lanes on causeways/tunnel
- Reversible lanes on Indian Creek/Abbott Avenue
- No side street parking by Publix in North Beach
- Signal at 72<sup>nd</sup> Street
- End afternoon Publix deliveries in North Beach (allow only in the morning)

**CONCLUSION**

At the Neighborhood/Community Affairs Committee meeting, staff will provide additional information on all the alternatives discussed at the Workshop.

  
JLM/KGB/JRG

**Condensed Title:**

**APPROVAL OF ADDENDUM 5 TO THE SOLICITATION OF ALTERNATIVE PROPOSALS FOR A PUBLIC-PRIVATE PARTNERSHIP FOR AN OFF-WIRE OR "WIRELESS" LIGHT RAIL/MODERN STREETCAR SYSTEM.**

**Key Intended Outcome Supported:**

Ensure Comprehensive Mobility Addressing All Modes Throughout The City

**Supporting Data (Surveys, Environmental Scan, etc):** N/A

**Item Summary/Recommendation:**

On December 16, 2015, the Mayor and Commission adopted Resolution No. 2015-29247, accepting receipt of an unsolicited proposal from Greater Miami Tramlink Partners for a Light Rail/Modern Streetcar Project in Miami Beach, and authorizing the Administration to solicit alternative proposals for a public/private partnership ("P3") for an off-wire or "wireless" light rail/modern streetcar system from 5th Street, via Washington Avenue to the Miami Beach Convention Center (the "Project").

On January 11, 2016, the Administration issued LTC #009-2016, a copy of which is attached as Exhibit "1" to the Commission Memorandum accompanying this Resolution, informing the Mayor and City Commission of the issuance of the public notice and Proposal Requirements Document ("PRD") outlining the City's submission and other requirements for the Project.

On February 10, 2016, the Mayor and City Commission approved Resolution 2016-29304, authorizing the Administration to conduct voluntary one-on-one meetings with prospective proposers for fact-finding purposes, to permit consideration of the best available information from the industry, in an effort to ensure the successful implementation for the Project.

On February 19, 2016, the City conducted a mandatory pre-proposal conference for the Project, and on February 19, 2016 and February 26, 2016, representatives of Kimley-Horn, Parsons Brinkerhoff, HDR, Clary Consulting and LTK Engineering (collectively, "City's Consultants") and representatives of the City conducted one-on-one meetings with prospective proposers and industry participants.

As a result of the one-on-one meetings, and in an effort to maximize competition for the benefit of the City, the City's Consultants recommend certain modifications to the solicitation of the Project that require policy direction from the City Commission, including modifications to the anticipated timeline for completion of the procurement process and modifications to the minimum requirements set forth in the PRD.

The Administration and City's Consultants recommend the proposed Addendum 5, attached as Exhibit "3" to the Commission Memorandum accompanying this Resolution.

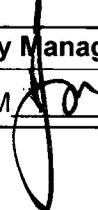
**Advisory Board Recommendation:**

**Financial Information:**

Source of Funds:	Amount	Account
<b>Total</b>		

**Financial Impact Summary:**

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager
JRG _____	KGB 	JLM 



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: March 9, 2016

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ADDENDUM 5 TO THE SOLICITATION OF ALTERNATIVE PROPOSALS FOR A PUBLIC-PRIVATE PARTNERSHIP, IN ACCORDANCE WITH FLORIDA STATUTE 287.05712, FOR AN OFF-WIRE OR "WIRELESS" LIGHT RAIL/MODERN STREETCAR SYSTEM.**

### BACKGROUND

On December 16, 2015, the Mayor and Commission adopted Resolution No. 2015-29247, accepting receipt of an unsolicited proposal from Greater Miami Tramlink Partners for a Light Rail/Modern Streetcar Project in Miami Beach, and authorizing the Administration to solicit alternative proposals for a public/private partnership ("P3"), in accordance with Florida Statute 287.05712, for an off-wire or "wireless" light rail/modern streetcar system from 5th Street, via Washington Avenue to the Miami Beach Convention Center (the "Project").

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On February 10, 2016, the Mayor and City Commission approved Resolution 2016-29304, authorizing the Administration to conduct voluntary one-on-one meetings with prospective proposers for fact-finding purposes, to permit consideration of the best available information from the industry, in an effort to ensure the successful implementation for the Project.

On February 19, 2016, the City conducted a mandatory pre-proposal conference for the Project, which was extremely well-attended with approximately 140 representatives from various firms, including infrastructure development teams from the United States, Canada Europe, and Australia.

On February 19, 2016, and February 26, 2016, the Kimley Horn Team (representatives of Kimley-Horn, Parsons Brinkerhoff, HDR, Clary Consulting and LTK Engineering - collectively, "City's Consultants") and representatives of the City conducted 10 one-on-one meetings with prospective proposers and industry participants.

The City's Procurement Department has released four prior addendums to the PRD, attached hereto as Exhibit "2," primarily addressing the details regarding the mandatory pre-proposal conference, one-on-one meetings and questions and answers related to the procurement document and proposal response format.

As a result of the one-on-one meetings, the Administration has identified certain policy matters that require direction from the City Commission. Accordingly, a proposed addendum is attached hereto as Exhibit "3" ("Addendum") for the City Commission's consideration.

## **ANALYSIS**

### **The Ongoing Environmental Reviews**

The critical path for the Project continues to revolve around the various environmental reviews that are being conducted in parallel to this procurement, and that are required in order to obtain environmental clearances to permit the Project to move forward and that City's Consultants advise are required to secure approvals for the portion of the alignment along State roadways, two of which are being considered (5<sup>th</sup> Street and Alton Road) and that also relates to State funding for capital cost of the project. Currently, the City anticipates the draft environmental analysis and report will be completed August, 2016, with follow on public hearings and comment period as required by law.

The City's Consultants have aggressively pursued the advancement of the procurement and the environmental review process since they were first engaged a few months ago. Tasks completed or underway include the following:

- Corridor Assessment – Preliminary Project Definition: Initiation of environmental analysis and assessment of the proposed corridor, including analysis of the full loop alternative. Activities performed to date include:
  - Review of all existing studies, as-built plans, and franchise agreements with private utilities;
  - Analysis of potential maintenance and storage facility locations;
  - Identification of potential manufacturers of off-wire vehicles;
  - Preparation of GIS mapping of project corridor/features and base map;
  - Outlines of Project development, engineering, and environmental compliance documentation required for project;
  - Research and analysis for advancing the Project without harming the opportunity for federal funds for the Beach Corridor Transit Connection project, along with support to Miami-Dade County for parallel development of the re-defined Beach Corridor Transit Connection Project.
- Preliminary Finance and P3 Procurement Activities: Supporting the City in several early-on P3 Procurement and Finance activities. Activities performed to date include:
  - Industry Outreach – Members of the City's Consultants reached out to the P3, construction, engineering and LRT/Modern Streetcar industry prior to issuance of the procurement documents to encourage participation in the procurement process. This occurred at national meetings such as the Transportation Research Board annual meeting and other outreach with a wide range industry members that is reflected in the strong participation at the Pre-Proposal Meeting and in One-on-One sessions.
  - Research regarding the applicability of Federal Transit Administration's Program of Interrelated Projects as a strategy for City of Miami Beach transit project; serving as a local match to Beach Corridor Transit Connection project.

- Support for development of the procurement documents, Pre-Proposal Meeting and One-on-One meetings.
- Development of a Project funding plan and financial plan. This includes identification of very preliminary Project cost and the screening of funding options for the Project that will be covered in upcoming briefings for the Mayor and Commissioners.
- Start-Up Coordination
  - Analysis of potential locations for intermodal hub along Alton Road and 5th Street;
  - Preparation of presentation and support for the MPO Policy Executive Committee meeting for the Beach Transit Connection project, resulting in the Policy Executive Committee endorsement of the two parallel projects (Miami Beach transit project and Beach Transit Connection project);
  - Identification of requirements for topographic survey and subsurface utility exploration (SUE) along the Project corridors;
- Development of the preliminary Project schedule
- Research of comparable transit projects to determine range of costs for Project development and environmental studies as a share of construction costs.

**Resolution No. 2015-29247 directed the Administration to proceed with the environmental analysis during the 120 day solicitation period for this procurement, in order to preserve state funding and permit proposers to incorporate the environmental analysis within their proposals.**

The City's Consultants recommended the above approach because the environmental analysis is critical for establishing the City's technology and infrastructure requirements. Specifically, because the Project's technical requirements will be developed through the environmental process, the environmental reviews will establish the baseline by which the City may evaluate which technology and proposer team is best positioned to deliver the Project as expeditiously and economically as possible for the City.

For example, the environmental reviews may inform matters as fundamental as whether a light rail system or a streetcar system is suitable for the Project, as well as matters relating to the alignment for the Project, stop locations, underground utility conflicts, and resiliency program requirements that will outline the major capital build requirements for the Project. In addition, the environmental reviews will address key items related to Project operations such as operating hours, headways (how frequent the trains run during the day such as every 5 minutes, 10 minutes or 15 minutes), and major performance requirements such as on-time percentage, all of which could affect the selection of the best value proposals for delivery of the Project.

The environmental review process contemplates that the City Commission will be briefed on these key major items, to ensure the solicitation is aligned with the City's needs (as determined by the City Commission), permit proposers to best respond with proposals that meet the Commission's requirements, and encourage price competition and "best value" proposals for delivery of the Project. In addition, the City's Consultants are concerned that the selection of a proposer team before the pertinent portions of the environmental reviews are completed may compromise the City's ability to obtain funding from partners on the Project such as the State and County.<sup>1</sup>

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<sup>1</sup> Were the City to pursue federal funding or financing for the Project, the execution of the agreement with the proposer before approvals of the environmental documents would definitively foreclose federal funding for the Project.

### The Evaluation Process in the PRD and the Proposed Addendum

Based on the timeline for the environmental reviews, the PRD identified a two phase evaluation process, with proposers being ranked and short-listed in Phase 1 based on qualifications and experience, followed by Phase 2 whereby the short-listed proposers provide cost and technical proposals that respond to the Project definition and technical requirements developed through the environmental reviews.

The Administration contemplated that all details of the Phase 2 process would be released by Addendum following review and approval by the City Commission, including any key policy details involving Project definition, the performance specifications required for the Project, the submittal of price proposals or best and final offers, and the criteria for evaluating the Phase 2 cost and technical proposals.

**At the time of issuance of the PRD, the City anticipated that the environmental reviews and the submittal of the critical cost and technical proposals would largely overlap, and that the two-phase evaluation approach would best advance the Project as quickly as possible, consistent with the directives in Resolution No. 2015-29247. However, based on additional information received in the past few weeks, including information received during the recent one-on-one meetings, the Administration believes that further Commission direction is now required to address certain policy issues relating to the procurement of the Project, including direction with respect to the proposed Phase 2 evaluation process.**

### **ADDENDUM 5**

The proposed Addendum addresses the following:

#### 1. Clarification of the Project solicitation timetable

Based on the industry input received during the one-on-one meetings, the City anticipates that proposers will need approximately five (5) months following Commission approval of the key policy issues/Project documents (as referenced above on Page 3 of this Memorandum), to submit detailed technical and price proposals during the Phase 2 evaluation process. **The foregoing timeframes would contemplate selection of the preferred proposer team by December, 2016.** To meet this aggressive schedule, the Administration will be coordinating closely with the City Commission on key policy items including the Project funding plan; major Project definition (Project alignment, stops, operating hours, headways and related items); and Phase 2 evaluation criteria.

The above approach for a parallel environmental review and development of firm technical and price proposals extends the City's contemplated timeline by several months, the City's Consultants strongly recommend the above approach and timeline to facilitate:

- Obtaining Commission direction on the major policy decisions regarding the Project funding plan, Project definition (as these are developed during the Environmental Review process) and input regarding evaluation criteria;
- Providing the most expeditious competitive process (number of teams, and technical and price competition) to advance the Project;
- Encouraging maximum innovation in Project design and delivery (enhances the project

- and generally reduces cost) that meets the City’s policy requirements for the Project;
- Providing transparency and a competitive process for technical and price proposals to support requests for State or other partner funding;
- Ensuring that the selection of a technology through the procurement does not proceed ahead of, and jeopardize the selection of a technology required by the environmental review process and completion of the draft environmental documentation; and
- Proceeding to a financial close as quickly as possible with the team that has the best ability to deliver the Project based on the City’s policy direction on technical and other requirements, to ultimately permit the Project to open to the public on the shortest schedule.

**Accordingly, the Addendum includes the following timetable for the Commission’s consideration:**

Proposal submittals:	May 10, 2016
Evaluation Committee	June, 2016
City Commission short-list:	June/July, 2016
Phase 2 docs released to short-listed proposers:	June/July, 2016
Submittal of Phase 2 cost/technical proposals:	November, 2016
Evaluation of Phase 2 cost/technical proposals:	December, 2016
Commission selection of proposer:	December, 2016
Commercial Close of Project Agreement:	January, 2017
Financial Close:	February, 2017*

\*The anticipated financial close date assumes the environmental approvals have been achieved at or before this time.

## 2. Clarification of Minimum Requirements Regarding “Catenaryless” Technology.

In the PRD, the City specified certain minimum requirements with respect to the alternative proposals for the Project, including the requirement that “the Proposer’s Vehicle/Systems Technology shall have demonstrated capacity of fully catenaryless for revenue operations in Miami Beach, following an alignment on a dedicated right of way.”

The proposed Addendum:

(a) clarifies that the requirement of fully catenaryless (i.e., “wireless”) technology, means that the technology solution must be wireless while in operation between stops along the Project route. Specifically, for purposes of satisfying the minimum requirements, the Vehicle/System Technology does not have to be catenaryless at or within the maintenance facility depot, and City will allow for charging of the vehicles in the air or via ground at passenger stops along the route, provided the application of the power supply is unobtrusive and is incorporated within the architectural features of the canopy design for the passenger stops This clarification will open up competition with Vehicle/System Suppliers.

(b) clarifies that the requirement of a “demonstrated capacity” for fully catenaryless technology may be satisfied if the proposed Vehicle/Systems Technology is in revenue operation as part of any portion or segment of track within any project anywhere in the world;

(c) adds a requirement that the Vehicle/Systems Technology include low floor, low step

design throughout each vehicle to maximize and facilitate accessibility and more timely passenger loading and unloading.

3. Modification to Permit Proposers to Identify More than One Potential Vehicle/System Supplier as Part of Phase 1 Evaluation Process.

The City's Consultants advise that it may be premature to require proposers to be exclusively "tied" to one Vehicle/Systems Technology before the City, through the pending environmental reviews, provides proposers with information concerning its infrastructure requirements, schedule/delivery requirements, maintenance depot facility requirements, and operational requirements and the like. To require proposers to be "tied" exclusively to one Vehicle Supplier during Phase 1, before City's requirements are established, may have the unintended effect of reducing competition among Vehicle/System Suppliers and P3 teams, not only in terms of the pricing offered (either for vehicles or long-term operations or maintenance work), but in terms of schedule and delivery requirements.

In an effort to increase competition and ensure Vehicle/System Suppliers have the incentives to deliver streetcars to the City as expeditiously as possible, the Addendum permits proposer teams to identify more than one proposed (1) Vehicle/System Supplier as part of their Phase 1 proposals, provided that each Vehicle/System Supplier must meet the minimum requirements and also deliver to the proposer team a commitment letter confirming that it will provide final pricing and other terms to the proposer team. As part of the Phase 2 cost and technical proposals, proposer teams may then finalize terms with the Vehicle/Systems Supplier that best meets the major policy technical requirements and that offers the P3 team and ultimately the City the best and most competitive package.

4. Clarification Regarding Federal Requirements

Although City officials and the City Commission have made public statements indicating it is unlikely that the City will apply for federal New Starts funding for the Project, the City has **not** made the final decision that it will not seek **any** federal funding or federal financing for the Project. City's Consultants will provide a cost benefit assessment as part of the draft Project Funding Plan in June, 2016 that compares pursuing Federal eligibility benefits (such as a Federal TIFIA Loan versus more traditional financing) to the additional cost, limits on competition and schedule impacts of meeting Federal requirements for items like "Buy America" requirements and the longer Federal environmental review process.

Accordingly, the PRD instructs proposers to "assume that the Project will be federally and/or State funded and that the Project shall incorporate all applicable federal and State requirements." However, this instruction effectively means that, for purposes of the Minimum Requirements, proposers *must* satisfy federal requirements, including "Buy America" requirements.

With respect to the Vehicle Systems component of the Project, the application of Buy America requirements will significantly impact pricing for the Project and significantly limit the competitive field of potential Vehicle/Systems Suppliers, as there are very few Vehicle/Systems Suppliers that can currently satisfy the Buy America requirements that also meet the minimum requirements under the procurement documents for the fully catenaryless technology.

Given the impact Buy America requirements will have on competition and on the pricing for the

vehicles, the Administration recommends that Buy America requirements should only be imposed if necessary for the Project, and that Proposers need not assume, for purposes of the Minimum Requirements, that federal requirements will apply for the Phase 1 proposal.

#### 5. Clarification of Application Fee

Resolution No. 2015-29247 requires an application fee of \$100,000 with each proposal, provided, however, that if the application fees collected ultimately exceed the costs for fully evaluating proposals, the City will refund to proposers any excess amounts on a pro rata basis.

If the Commission continues to proceed with the two-phase evaluation process, the Administration recommends clarifying in the Addendum that at the conclusion of the Phase 1 evaluation process, the City will evaluate its average review cost per proposal for Phase 1. Any proposers who are not short-listed and do not proceed to Phase 2 shall receive a refund consisting of the difference between the \$100,000 application fee and the per proposal review cost for Phase 1. The Administration recommends the above approach to equitably take into account the lower costs associated with review of Phase 1 proposals, and in an effort to ensure that the application fee does not discourage teams from participation in this solicitation.

#### 6. Stipends.

During the one-on-one meetings, several proposers inquired as to whether the City is willing to provide stipends to short-listed proposers, to mitigate the significant preparation costs associated with cost and technical proposals (costs which could easily exceed \$500,000 for this Project). Many large public infrastructure projects typically include stipends to stimulate competition, as some firms may otherwise be discouraged from taking on procurement risk due to the costs involved. Many public agencies also structure stipends to provide for the agency's purchase or license of the work product of all the proposers, including work product of proposers that are not ultimately selected, for purposes of permitting the agency to potentially incorporate any innovative design elements from any proposal.

To date, the City as a matter of policy has not approved stipends to any proposed vendor or developer for any portion of their bid preparation costs. If a proposed vendor or developer wants to do business with the City, the City has routinely required proposers to assume all procurement-related risk and expenses, including for City projects that are subject to voter referendum approval and where there is no guarantee of success.

Although the issue of stipends is at the discretion of the City Commission, the Administration does not recommend stipends to short-listed proposers at this time. As mentioned more fully above, the City intends to release significant technical reference materials during Phase 2 that will be useful to proposers in developing their submittals, and the Administration believes that the development of these materials will likely mitigate some of the costs involved.

### **CONCLUSION**

The Administration recommends that the Mayor and City Commission of the City of Miami Beach, Florida, hereby approve Addendum 5 to the Solicitation Of Alternative Proposals For A Public-Private Partnership, In Accordance With Florida Statute 287.05712, For An Off-Wire Or "Wireless" Light Rail/Modern Streetcar System.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ADDENDUM 5 TO THE SOLICITATION OF ALTERNATIVE PROPOSALS FOR A PUBLIC-PRIVATE PARTNERSHIP, IN ACCORDANCE WITH FLORIDA STATUTE 287.05712, FOR AN OFF-WIRE OR "WIRELESS" LIGHT RAIL/MODERN STREETCAR SYSTEM.**

**WHEREAS**, on December 16, 2015, the Mayor and Commission adopted Resolution No. 2015-29247, accepting receipt of an unsolicited proposal from Greater Miami Tramlink Partners for a Light Rail/Modern Streetcar Project in Miami Beach, and authorizing the Administration to solicit alternative proposals for a public/private partnership ("P3"), in accordance with Florida Statute 287.05712, for an off-wire or "wireless" light rail/modern streetcar system from 5th Street, via Washington Avenue to the Miami Beach Convention Center (the "Project"); and

**WHEREAS**, on January 11, 2016, the Administration issued LTC #009-2016, a copy of which is attached as Exhibit "1" to the Commission Memorandum accompanying this Resolution, informing the Mayor and City Commission of the issuance of the public notice and Proposal Requirements Document ("PRD") outlining the City's submission and other requirements for the Project; and

**WHEREAS**, on February 10, 2016, the Mayor and City Commission approved Resolution 2016-29304, authorizing the Administration to conduct voluntary one-on-one meetings with prospective proposers for fact-finding purposes, to permit consideration of the best available information from the industry, in an effort to ensure the successful implementation for the Project; and

**WHEREAS**, on February 19, 2016, the City conducted a mandatory pre-proposal conference for the Project, and on February 19, 2016 and February 26, 2016, Parsons Brinkerhoff and Kimley Horn (collectively, the "City's Consultants") and representatives of the City conducted one-on-one meetings with prospective proposers and industry participants; and

**WHEREAS**, the City's Procurement Department has released four prior addendums to the PRD, primarily addressing the details regarding the mandatory pre-proposal conference and one-on-one meetings, a copy of which is attached as Exhibit "2" to the Commission Memorandum accompanying this Resolution; and

**WHEREAS**, the City's Consultants recommend certain modifications to the solicitation of the Project that require policy direction from the City Commission, including modifications to the anticipated timeline for completion of the procurement process and modifications to the minimum requirements set forth in the PRD; and

**WHEREAS**, the recommendations of the City's Consultants are set forth in the proposed Addendum 5, attached as Exhibit "3" to the Commission Memorandum accompanying this Resolution.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission of the City of Miami Beach, Florida, hereby approve Addendum 5 to the Solicitation Of Alternative Proposals For A Public-Private Partnership, In Accordance With Florida Statute 287.05712, For An Off-Wire Or "Wireless" Light Rail/Modern Streetcar System.

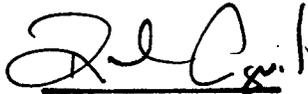
PASSED AND ADOPTED this \_\_\_\_ day of March, 2016.

ATTEST:

\_\_\_\_\_  
Rafael Granado, City Clerk

\_\_\_\_\_  
Philip Levine, Mayor

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

 3-2-16  
City Attorney RAP Date

# **EXHIBIT 1**

OFFICE OF THE CITY MANAGER

NO. LTC# **009-2016**

LETTER TO COMMISSION

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: January 11, 2016

SUBJECT: **SOLICITATION FOR PROPOSALS FOR A LIGHT RAIL/MODERN STREETCAR PROJECT IN MIAMI BEACH IN ACCORDANCE WITH FLORIDA STATUTE 287.05712**

At the December 16, 2015, Commission meeting the City Administration presented various options to the Commission with regard to proceeding with the solicitation of an off-wire or "wireless" light rail transit/modern streetcar system in Miami Beach, consistent with the Miami Beach portion of the Beach Corridor Transit Connection project (the City Project). The Beach Corridor Transit Connection project was recommended by a Miami-Dade Metropolitan Planning Organization (MPO) study completed in June, 2015. Phase 1 of the recommended route alignment for the Beach Corridor Transit Connection is from downtown via MacArthur Causeway, 5<sup>th</sup> Street, and Washington Avenue, directly to the Miami Beach Convention Center (the "Direct Connect Project"), and a second phase of the Beach Corridor Transit Connection Project includes an alignment along Alton Road and 17<sup>th</sup> Street.

At that meeting, and in consideration of an unsolicited proposal from Greater Miami Tramlink Partners which the City received for a Light Rail/Modern Streetcar Project in Miami Beach in accordance with Florida Statute 287.05712, the Mayor and City Commission accepted receipt of the unsolicited proposal and authorized the Administration to solicit alternative proposals for the City Project in accordance with Florida Statute 287.05712, and established certain parameters with respect to the solicitation of proposals for the City Project, as outlined in Resolution 2015-29247 (Attachment A).

Pursuant to this direction, a Public Notice of Receipt of Unsolicited Proposal for a Light Rail/Modern Streetcar project in Miami Beach (Attachment B) has been submitted for publication in the Florida Administrative Register on January 12 and January 19, 2016; as well as in the Miami Herald of January 14 and January 21, 2016. The Proposal Requirements Document (PRD) referenced in the notice (Attachment C) will be available through the City's bid notification system on January 12, 2016.

SOLICITATION FOR PROPOSALS A LIGHT RAIL/MODERN STREETCAR PROJECT  
IN MIAMI BEACH

Page 3

The City has engaged Kimley-Horn for preparation of an environmental analysis for the South Beach Component of the Direct Connect Project, to be completed in parallel with this solicitation. Kimley-Horn estimates that the environmental review (including up to 30 percent design plans) for the South Beach Component can be accomplished in 10 to 15 months depending on the approach and term of the environmental review. As of the date of issuance of the PRD, the City's planning efforts for the Project are intended to preserve eligibility for federal funding, should the City Commission subsequently decide to pursue federal funding for the Project, if available. Based on this schedule, this solicitation will overlap the environmental review and analysis for the Project, so that both efforts are accomplished within the same timeframe.

Please contact me with any comments or questions.

Attachments

  
JLM/KGB

## RESOLUTION NO. 2015-29247

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING RECEIPT OF AN UNSOLICITED PROPOSAL FROM GREATER MIAMI TRAMLINK PARTNERS FOR A LIGHT RAIL/MODERN STREETCAR PROJECT IN MIAMI BEACH, AUTHORIZING THE ADMINISTRATION TO SOLICIT ALTERNATIVE PROPOSALS FOR THE CITY PROJECT IN ACCORDANCE WITH FLORIDA STATUTE 287.05712, AND ESTABLISHING CERTAIN PARAMETERS WITH RESPECT TO THE SOLICITATION OF PROPOSALS FOR THE CITY PROJECT.**

**WHEREAS**, over 10 years ago, the Miami-Dade Metropolitan Planning Organization (MPO) prepared the Draft Environmental Impact Statement (DEIS) that recommended a light rail transit/modern streetcar system powered by overhead catenary wires to connect the cities of Miami Beach and Miami via dedicated right-of-way along the MacArthur Causeway, a project formerly referred to as the Baylink Project and now referred to as the Beach Corridor Transit Connection Project; and

**WHEREAS**, in October 2013, pursuant to requests from the cities of Miami Beach and Miami, the MPO commenced a planning-level study entitled, The Beach Corridor Transit Connection Study (the "Study"), that refreshed and updated the decade-old Baylink study, in partnership with Miami-Dade Transit (MDT), Florida Department of Transportation (FDOT), the City of Miami Beach and the City of Miami; and

**WHEREAS**, the Study was completed in June 2015 and reaffirmed the MacArthur Causeway as the preferred alignment to connect the City of Miami Beach and City of Miami, recommended an off-wire or "wireless" light rail transit/modern streetcar system for the portion within each urban area as the preferred vehicle technology, and further recommended the use of exclusive lanes for the transit vehicles in order to provide reliable service; and

**WHEREAS**, Phase 1 of the recommended route alignment is from downtown via MacArthur Causeway, 5<sup>th</sup> Street, and Washington Avenue, directly to the Miami Beach Convention Center (the "Direct Connect Project"), and

**WHEREAS**, the portion of the Direct Connect Project located within the City of Miami Beach, from 5<sup>th</sup> Street, via Washington Avenue to the Miami Beach Convention Center, is referred to as the South Beach Component (the "City Project"); and

**WHEREAS** a second phase of the Beach Corridor Transit Connection Project includes an alignment along Alton Road and 17<sup>th</sup> Street; and

**WHEREAS**, the Study recommended a Public Private Partnership (P3) to design, build, operate, maintain and finance the system; and

**WHEREAS**, FDOT was directed to develop an approach that would expedite the portions of the Direct Connect Project located in the City of Miami Beach and City of Miami, while not jeopardizing federal funding to the maximum extent possible; and

**WHEREAS**, the County, FDOT, City of Miami Beach, and City of Miami developed a proposed Memorandum of Understanding, included as Attachment J to the December 16, 2015 Commission Memorandum accompanying this Resolution, to provide for FDOT to take primary responsibility for the overall Direct Connect Project while at the same time permitting the City of Miami Beach the flexibility to initiate its own procurement for the City Project; and

**WHEREAS**, on or about December 15, 2015, the City Administration learned that FDOT and the City of Miami were proposing additional revisions to the Memorandum of Understanding, including revisions that were inconsistent with the parties' prior discussions and not in final form, and accordingly, the City Administration advised the Commission that it was not in a position to recommend the proposed Memorandum of Understanding; and

**WHEREAS**, on or about June, 2015, the City received an unsolicited proposal for the City Project, in accordance with Florida Statute 287.05712; and

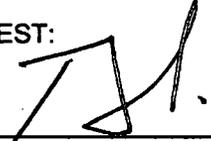
**WHEREAS**, on December 16, 2015, the City Administration presented various options to the Commission with regard to proceeding with the solicitation of the City Project, as set forth more fully in the December 16, 2015 Commission Memorandum accompanying this Resolution.

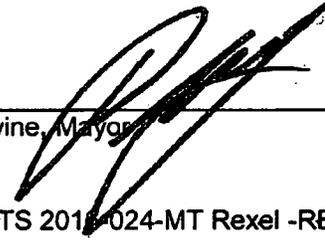
**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that Mayor and City Commission of the City of Miami Beach, Florida, accepting receipt of an unsolicited proposal from Greater Miami Tramlink Partners for a Light Rail/Modern Streetcar Project in Miami Beach, authorizing the Administration to solicit alternative proposals for the City Project in accordance with Florida Statute 287.05712, and establishing certain parameters with respect to the solicitation of proposals for the City Project, as follows:

- (i) An application fee of \$100,000 shall apply to each proposal submitted for the City Project, provided, however, that if the application fees collected ultimately exceed the costs for fully evaluating proposals, the City will refund to proposers any excess amounts on a pro rata basis; and
- (ii) the proposal submission deadline shall be 120 days after initial publication of a public notice, as required by Florida Statute 287.05712; and
- (iii) during the 120 day notice/proposal submission period, the City will advance the environmental analysis required for the City Project, shall proceed with such environmental analysis as required to preserve the opportunity for state funding for the City Project and the Direct Connect Project, and shall provide proposers with the opportunity to incorporate the City's environmental analysis within their proposals for the City Project; and
- (iv) as a result of the passage of time since the submission of the initial June 2015 unsolicited proposal from Greater Miami Tramlink Partners, the initial proposer shall have the opportunity to re-submit its proposal in the same manner as all other proposers; and
- (v) the City Manager shall issue the public notice for the City Project, with a copy sent to the Commission via LTC, which notice shall require prospective proposers to register with the City's Procurement Department to receive project-related information to assist in the development of their proposals; and
- (vi) the Cone of Silence, as set forth in Section 2-486 of the City Code, shall apply to this procurement process; and
- (vii) the City shall continue to work with the Florida Department of Transportation, Miami-Dade County and the City of Miami to continue to pursue funding for the City Project, and to aggressively pursue the remainder of the Direct Connect Project.

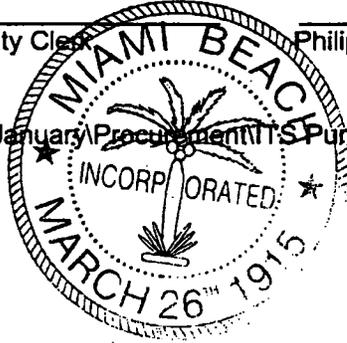
PASSED AND ADOPTED this 16 day of December, 2015.

ATTEST:

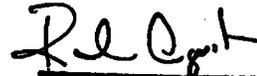
  
\_\_\_\_\_  
Rafael Granado, City Clerk

  
\_\_\_\_\_  
Philip Levine, Mayor

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APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney R. O. R. P.

1-6-16  
Date

## Notice of Bid/Request for Proposal

**OTHER AGENCIES AND ORGANIZATIONS****City of Miami Beach Procurement Department****Notice of receipt of Unsolicited Proposal and Request for Alternative Proposals for Light Rail/Modern Streetcar Project in Miami Beach****PUBLIC NOTICE****Proposal Requirements Document (PRD) 2016-071-KB****Notice of Receipt of Unsolicited Proposal for Light Rail/Modern Streetcar Project in Miami Beach**

NOTICE IS HEREBY GIVEN that the City of Miami Beach, Florida, a municipal corporation of the State of Florida, has received an unsolicited proposal for a qualifying public-private partnership project in accordance with Florida Statute 287.05712 for an off-wire or "wireless" light rail/modern streetcar system (the "Project"). The City requests, and in accordance with Florida Statute 287.05712, will accept alternative proposals for the Project until 3:00 p.m. on May 10, 2016.

Persons or entities wishing to submit alternative proposals for the Project ("Proposers") may do so by delivering sealed proposals to: City of Miami Beach, Procurement Department, Attn: Alex Denis, 1755 Meridian Avenue, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139. Each sealed proposal submitted should be clearly marked on the outside: "Sealed Proposal - Light Rail/Modern Streetcar System and Related Services."

All proposals must be timely submitted no later than 3:00 p.m. on May 10, 2016, and must contain the information and materials required under Fla. Stat. 287.05712(5), the additional proposal submission requirements required by the City as provided below, and a \$100,000 application fee payable to the City of Miami Beach, Florida. Any proposal received after 3:00 p.m. on May 10, 2016 will be returned unopened, and will not be considered. Responsibility for submitting timely proposals rests solely with Proposers; City will not be responsible for any delays caused by mail, courier service or other occurrence.

Proposals will be ranked in order of preference by the City. In ranking the proposals, the City will consider factors in accordance with Florida Statute 287.05712 that include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost-reduction terms, and finance plans. A more complete listing of factors that the City will consider in ranking proposals, associated Project and proposal submission requirements ("Proposal Requirements") can be obtained through the City's proposal notification system, PublicPurchase ([www.PublicPurchase.com](http://www.PublicPurchase.com)). Interested parties must register with PublicPurchase for access to the Proposal Requirements. Registration will allow Proposers to receive any additional information that may be issued with respect to this procurement.

The City reserves the right to reject any or all proposals, or as provided under Section 287.05712, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the firm whose proposal best serves the interests of the City. Nothing contained herein shall be interpreted as an obligation or binding agreement by the City regarding the Project.

The City's Cone of Silence shall be in effect during the procurement process in accordance with Section 2-486 of the City Code. A link to certain applicable City of Miami Beach procurement-related provisions is available at [www.miamibeachfl.gov/procurement](http://www.miamibeachfl.gov/procurement). All communications regarding the Project and/or Proposal Requirements shall be directed in writing to: City of Miami Beach Procurement Department, Attn: Kristy Bada, email: [kristybada@miamibeachfl.gov](mailto:kristybada@miamibeachfl.gov), with a copy to the City Clerk, Rafael Granado, at [rafaelgranado@miamibeachfl.gov](mailto:rafaelgranado@miamibeachfl.gov). The City will provide notice of a decision or proposed decision regarding contract award. Any person who is, or claims to be, adversely affected by the City's decision or proposed decision shall file a written protest in accordance with Section 2-371 of the City Code.

All proposals received in response to this Notice will become the property of the City of Miami Beach and will not be returned. Such proposals and related information shall be subject to applicable provisions of the Florida Public Records Law.

**MIAMI BEACH**  
**PROPOSAL REQUIREMENTS**  
**DOCUMENT (PRD)**  
**PRD 2016-071-KB**

Notice of Receipt  
of Unsolicited Proposal and Request for  
Alternative Proposals  
for  
Light Rail/Modern Streetcar Project  
in  
Miami Beach

**PRD Issuance Date:** January 12, 2016

**Mandatory Pre-Proposal Conference:** Date and location to be determined and noticed via Addendum

**Proposals Due:** May 10, 2016 @ 3:00 p.m.

Issued By:

**CITY OF MIAMI BEACH**

Procurement Department

Attention: Kristy Bada, Contracting Officer

1700 Convention Center Drive, Miami Beach; FL 33139

305.673.7490 | [KristyBada@MiamiBeachFL.gov](mailto:KristyBada@MiamiBeachFL.gov) | [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## PUBLIC NOTICE

### Proposal Requirements Document (PRD) 2016-071-KB

#### Notice of Receipt of Unsolicited Proposal for Light Rail/Modern Streetcar Project in Miami Beach

NOTICE IS HEREBY GIVEN that the City of Miami Beach, Florida, a municipal corporation of the State of Florida, has received an unsolicited proposal for a qualifying public-private partnership project in accordance with Florida Statute 287.05712 for an off-wire or "wireless" light rail/modern streetcar system (the "Project"). The City requests, and in accordance with Florida Statute 287.05712, will accept alternative proposals for the Project until 3:00 p.m. on May 10, 2016.

Persons or entities wishing to submit alternative proposals for the Project ("Proposers") may do so by delivering sealed proposals to: City of Miami Beach, Procurement Department, Attn: Alex Denis, 1755 Meridian Avenue, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139. Each sealed proposal submitted should be clearly marked on the outside: "Sealed Proposal - Light Rail/Modern Streetcar System and Related Services."

All proposals must be timely submitted no later than 3:00 p.m. on May 10, 2016, and must contain the information and materials required under Fla. Stat. 287.05712(5), the additional proposal submission requirements required by the City as provided below, and a \$100,000 application fee payable to the City of Miami Beach, Florida. Any proposal received after 3:00 p.m. on May 10, 2016 will be returned unopened, and will not be considered. Responsibility for submitting timely proposals rests solely with Proposers; City will not be responsible for any delays caused by mail, courier service or other occurrence.

Proposals will be ranked in order of preference by the City. In ranking the proposals, the City will consider factors in accordance with Florida Statute 287.05712 that include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost-reduction terms, and finance plans. A more complete listing of factors that the City will consider in ranking proposals, associated Project and proposal submission requirements ("Proposal Requirements") can be obtained through the City's proposal notification system, PublicPurchase ([www.PublicPurchase.com](http://www.PublicPurchase.com)). Interested parties must register with PublicPurchase for access to the Proposal Requirements. Registration will allow Proposers to receive any additional information that may be issued with respect to this procurement.

The City reserves the right to reject any or all proposals, or as provided under Section 287.05712, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the firm whose proposal best serves the interests of the City. Nothing contained herein shall be interpreted as an obligation or binding agreement by the City regarding the Project.

The City's Cone of Silence shall be in effect during the procurement process in accordance with Section 2-486 of the City Code. A link to certain applicable City of Miami Beach procurement-related provisions is available at [www.miamibeachfl.gov/procurement](http://www.miamibeachfl.gov/procurement). All communications regarding the Project and/or Proposal Requirements shall be directed in writing to: City of Miami Beach Procurement Department, Attn: Kristy Bada, email: [kristybada@miamibeachfl.gov](mailto:kristybada@miamibeachfl.gov), with a copy to the City Clerk, Rafael Granado, at [rafaelgranado@miamibeachfl.gov](mailto:rafaelgranado@miamibeachfl.gov). The City will provide notice of a decision or proposed decision regarding contract award. Any person who is, or claims to be, adversely affected by the City's decision or proposed decision shall file a written protest in accordance with Section 2-371 of the City Code.

All proposals received in response to this Notice will become the property of the City of Miami Beach and will not be returned. Such proposals and related information shall be subject to applicable provisions of the Florida Public Records Law.

**SECTION 0200****INSTRUCTIONS TO RESPONDENTS & GENERAL CONDITIONS**

**1. GENERAL.** This Proposal Requirements Document (PRD) is issued by the City of Miami Beach, Florida (the "City"), pursuant to Section 287.05712(4), Florida Statutes, notifying interested parties that it has received an unsolicited proposal for the development of an off-wire or "wireless" light rail/modern streetcar system in Miami Beach as a public-private partnership (the "Project"). The City of Miami Beach will accept other Proposals from qualified firms to deliver the Project and design, build, finance, operate and maintain the Project in accordance with the specifications set forth in this PRD ("Proposals").

The City utilizes **PublicPurchase** ([www.publicpurchase.com](http://www.publicpurchase.com)) for automatic notification of competitive solicitation opportunities and document fulfillment, including the issuance of any addendum to this PRD. Any prospective Proposer who has received this PRD by any means other than through **PublicPurchase** must register immediately with **PublicPurchase** to assure it receives any addendum issued to this PRD. **Failure to receive an addendum and to comply with the requirements of this PRD, including, without limitation, payment of the requisite \$100,000 application fee, shall result in disqualification of a Proposal.**

**2. BACKGROUND.** As early as 1969, a rail connection between the City of Miami and the City of Miami Beach was identified as a priority in Miami-Dade County's Long Range Transportation Plan. Over 10 years ago, the Miami-Dade Metropolitan Planning Organization (MPO) prepared the Draft Environmental Impact Statement (DEIS) for a light rail transit/modern streetcar system to connect the cities of Miami Beach and Miami via dedicated right-of-way along the MacArthur Causeway (the Baylink Project). More recently, the MPO conducted a planning-level study that refreshed and updated the decade-old Baylink study in June 2015 and reaffirmed the MacArthur Causeway as the preferred alignment to connect Miami Beach and Miami and recommended an off-wire or "wireless" light rail transit/modern streetcar system for the portion within each urban area as the preferred vehicle technology as well as the use of exclusive lanes for the transit vehicles. Phase 1 of the recommended route alignment is from downtown via MacArthur Causeway, 5<sup>th</sup> Street, and Washington Avenue directly to the Miami Beach Convention Center referred to as the Direct Connect Project. The portion of the Direct Connect Project located within Miami Beach and consisting of a 2-way connection on 5th Street and Washington Avenue, is referred to as the "South Beach Component." This PRD, and the request for other Proposals for the Project, relates solely to the South Beach Component of the Direct Connect Project. For additional background on the local and regional efforts with respect to the Direct Connect Project, see City Commission Resolution No. 2015-29247.

The City has engaged Kimley-Horn for preparation of an environmental analysis for the South Beach Component of the Direct Connect Project, to be completed in parallel with this solicitation. Kimley-Horn estimates that the environmental review (including up to 30 percent design plans) for the South Beach Component can be accomplished in 10 to 15 months depending on the approach and term of the environmental review. As of the date of issuance of this PRD, the City's planning efforts for the Project are intended to preserve eligibility for federal funding, should the City Commission subsequently decide to pursue federal funding for the Project, if available. Based on this schedule, this solicitation will overlap the environmental review and analysis for the Project, so that both efforts are accomplished within the same timeframe.

**3. SCOPE.** The scope of the Project contemplates a full "turn-key" delivery approach that consists of and includes the design, construction, financing, operation, and maintenance of the Project, including vehicles and associated power, communications, signalization, and other systems required for the functionality of the Project ("Vehicle/Systems Technology"); operation and maintenance facilities, related civil infrastructure, including "curb-to-curb" road reconstruction, and related services pertaining to the Project. The City will make a site available for a maintenance facility, with such site location to be identified by the City during the Phase 2 Proposal period referenced in Section 0300(1) below, and managed/operated by the successful Proposer as part of the Project.

Further, the City, as part of its resiliency program for sea level rise, intends to raise the level of many streets, install pumps, etc. To the extent the Project alignment is affected by the resiliency program, the scope of work impacted by the alignment may form part of the scope of work for the Project, and funded separately by the City.

The City anticipates a performance-based availability payment structure over the operating period. The City will consider negotiating with the successful Proposer an option for milestone payments during the construction phase of the Project, if funds are available and appropriated for such purposes.

The lead team participants include the following firms: (i) the firm that will be responsible for the construction of the Project and is licensed as a general contractor in Florida ("Lead Contractor"), (ii) the firm responsible for operation of the proposed vehicle/streetcar system ("Lead Operator"), (iii) the firm primarily responsible for coordinating the development and completion of all Project-related engineering ("Lead Engineer"), (iv) the firm responsible for maintenance of the Project, including the proposed streetcar system ("Lead Maintenance Entity"), (v) the entity primarily responsible for providing equity for the Project ("Lead Investor"), and (vi) the streetcar vehicle or systems technology suppliers ("Vehicle/Systems Suppliers") (entities (i) through (vi) above collectively referred to as "Lead Team Participants").

The Vehicle/Systems Suppliers may participate on more than one Proposer team. Except as to the Vehicle/System Suppliers, all other Lead Team Participants shall not participate on more than one Proposer team.

The City Commission has not made a final decision on the environmental clearance approach and final funding plan, and such plans may potentially include federal or state funding. Proposers need to be knowledgeable of state and federal requirements, in addition to City requirements, and have the ability to meet and comply with those requirements. For purposes of the Proposals, Proposers must assume that the Project will be federally and/or state funded and that the Project shall incorporate all applicable federal and state requirements.

**Any comprehensive agreement entered into with a successful Proposer shall be subject to and contingent upon environmental clearance/approval of Project components by applicable governmental entities.**

**4. MINIMUM ELIGIBILITY REQUIREMENTS.** The minimum requirements for the Project and this PRD ("Minimum Requirements") are listed below. Proposer shall submit documentation of compliance with each Minimum Requirement. Any Proposer that fails to include the required submittals with its Proposal, or fails to comply with the Minimum Requirements, shall be deemed non-responsive and shall not have its Proposal considered.

A. Project and Proposer Minimum Requirements.

1. The Proposer's Vehicle/Systems Technology shall have demonstrated capacity of fully catenaryless for revenue operations in Miami Beach, following an alignment on a dedicated right of way.
2. The Proposer's Vehicle/Systems Technology shall have demonstrated full performance capabilities, including maintaining air conditioning in all vehicles in a climate similar to the climate in the City of Miami Beach.
3. The Proposer's Vehicle/Systems Technology shall be able to operate in a typical centenary system in the United States (750V DC).
4. The Proposer's Vehicle/Systems Technology shall have demonstrated capacity to address minimum ridership of 20,075 people on a daily basis, should it be extended across the MacArthur Causeway as part of the Direct Connect Project.
5. The Proposer's Lead Contractor shall demonstrate a bonding capacity of not less than \$200 million by submitting a letter stating its bonding capacity from an A-rated, Financial Class V, Surety Company. The statement of bonding capacity shall be directly from the Surety firm on its official letterhead and signed by an authorized agent of the firm.
6. The Proposer's Lead Contractor must have successfully delivered, as a general contractor under a design/build or other form of construction contract, at least (1) public or public/private infrastructure project with minimum hard construction costs of \$150 million in the last (5) five years.

B. Application Fee. Proposals must be accompanied by a Proposal application fee in the amount of \$100,000, payable to the City of Miami Beach, payable by wire transfer, prior to the due date for proposals, pursuant to the wire instructions below, as follows:

Bank: SunTrust

ABA: 061000104

SWIFT #: SNTRUS3A (foreign wires)

Account #: 0360002236568

Account Name: City of Miami Beach General Depository Account

**The wire transfer receipt number must be included in the Proposal submitted. Failure to submit the application fee in accordance with this provision shall render a Proposal non-responsive and City shall disqualify Proposer from any further consideration.**

If the application fees collected ultimately exceed the City's costs for fully evaluating proposals, including the City's consultant and legal fees, the City will refund to Proposers any excess application fee amounts, if any, on a pro rata basis.

**5. MANDATORY PRE-PROPOSAL CONFERENCE (INDUSTRY FORUM):** A Mandatory Pre-Proposal Conference will be held as follows:

**DATE, TIME AND LOCATION TO BE DETERMINED AND RELEASED VIA ADDENDUM**

Attendance is mandatory and each interested party shall have at least one representative at the Mandatory Pre-Proposal Conference. **The City will not consider Proposals from parties not represented at the Pre-Proposal Conference by at least one Lead Team Participant.**

**6. PROPOSAL DUE DATE.** Proposals are to be received on or before 3:00 p.m. on May 10, 2016. Any Proposal received after the deadline established for receipt of Proposals will be considered late and not be accepted or will be returned to Proposer unopened. The City does not accept responsibility for any delays caused by mail, courier service or other occurrence.

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

Procurement Contact:  
**Kristy Bada**

Telephone:  
**305-673-7490**

Email:  
**KristyBada@MiamiBeachFL.gov**

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

The PRD title/number shall be referenced on all correspondence. All questions or requests for clarification must be received no later than thirty (30) calendar days prior to the date Proposals are due. All responses to questions/clarifications will be sent to all prospective Proposers in the form of an addendum.

**8. DETERMINATION OF AWARD.** Proposals will be ranked in order of preference by the City. In ranking the proposals, the City will consider factors in accordance with Florida Statute 287.05712 that include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost-reduction terms, finance plans, and any other considerations identified in this PRD. The final ranking results of Step 1 & 2 outlined in Section 0400, Evaluation of Proposals, will be considered by the City Manager who may recommend to the City Commission the Proposer(s) s/he deems to be in the best interest of the City, or may recommend rejection of all Proposals. The City Manager's recommendation need not be consistent with the ranking identified herein and takes into consideration Miami Beach City Code Section 2-369, including the following considerations:

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

The City Commission shall consider the City Manager's recommendation and may approve such recommendation. The City Commission may also, at its option, reject the City Manager's recommendation and select another Proposal or Proposals which it deems to be in the best interest of the City, or it may also reject all Proposals. Upon approval of selection by the City Commission, negotiations between the City and the selected Proposer(s) will take place to arrive at a mutually acceptable interim agreement and/or comprehensive agreement for delivery of the Project or any portion thereof, in accordance with Florida Statute 287.05712. If the City and selected Proposer cannot agree on contractual terms, the City will terminate negotiations and may begin negotiations with the next ranked Proposer, continuing this process with each Proposer in rank order until agreeable terms can be met or the RFP process is terminated, unless otherwise specified by the City Commission. Contract negotiations and execution will take place as quickly as possible after selection.

**9. NEGOTIATIONS.** The City reserves the right to enter into further negotiations with the selected Proposer for an interim agreement or comprehensive agreement for delivery of the Project or any portion thereof, and which agreement shall, at a minimum, comply with Florida Statute 287.05712 and the Minimum Requirements set forth herein. Notwithstanding the preceding, the City is in no way obligated to enter into an interim agreement or comprehensive agreement with the selected Proposer in the event the parties are unable to negotiate a mutually acceptable agreement. It is also understood and acknowledged by Proposers that no property, contract or binding rights of any kind shall be created at any time until and unless a final interim agreement or comprehensive agreement has been fully negotiated, approved by the City Commission, and executed by the parties. Any comprehensive agreement entered into with a successful Proposer shall be subject to and contingent upon environmental clearance/approval of Project components by applicable governmental entities.

**10. PRE-PROPOSAL INTERPRETATIONS.** Oral information or responses to questions received by prospective Proposers are not binding on the City and will be without legal effect, including any information received at pre-submittal meeting or site visit(s). The City by means of Addenda will issue interpretations or written addenda clarifications considered necessary by the City in response to questions. Only questions answered by written addenda will be binding and may supersede terms noted in this solicitation. Addendum will be released through *PublicPurchase*. Any prospective Proposer who has received this PRD by any means other than through *PublicPurchase* must register immediately with *PublicPurchase* to assure it receives any addendum issued to this PRD. Failure to receive an addendum may result in disqualification of Proposal. Written questions should be received no later than April 9, 2016.

**11. CONE OF SILENCE.** In Resolution No. 2015-29247, the City Commission elected, at its discretion, to apply the City's Cone of Silence to this solicitation. Except as may be otherwise specified by the City Commission, this PRD is subject to the Cone of Silence requirements as set forth in Section 2-486 of the City Code. All Proposers are expected to be or become familiar with the above requirements. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Cone of Silence are complied with, and shall be subject to any and all sanctions, as prescribed therein, including rendering their Proposal response voidable, in the event of such non-compliance. Communications regarding this PRD solicitation are to be submitted in writing to the Procurement Contact named herein with a copy to the City Clerk at [rafaelgranado@miamibeachfl.gov](mailto:rafaelgranado@miamibeachfl.gov)

**12. PUBLIC ENTITY CRIME.** A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a Proposal on a contract to provide any goods or services to a public entity, may not submit a Proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit Proposals on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

**13. COMPLIANCE WITH THE CITY'S LOBBYIST LAWS.** This PRD is subject to, and all Proposers are expected to be or become familiar with, all City lobbyist laws. Proposers shall be solely responsible for ensuring that all City lobbyist laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including, without limitation, disqualification of their responses, in the event of such non-compliance.

**14. DEBARMENT ORDINANCE:** This PRD is subject to, and all Proposers are expected to be or become familiar with, the City's Debarment Ordinance as codified in Sections 2-397 through 2-406 of the City Code.

**15. CAMPAIGN FINANCE REFORM LAWS.** This PRD is subject to, and all Proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their responses, in the event of such non-compliance.

**16. CODE OF BUSINESS ETHICS.** Pursuant to City Resolution No.2000-23879, the Proposer shall adopt a Code of Business Ethics ("Code") and submit that Code to the Procurement Division with its response or within five (5) days upon receipt of request. The Code shall, at a minimum, require the Proposer, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.

**17. POSTPONEMENT OF DUE DATE FOR RECEIPT OF PROPOSALS.** The City reserves the right to postpone the deadline for submittal of Proposals and will make a reasonable effort to give at least three (3) calendar days written notice of any such postponement to all prospective Proposers through *PublicPurchase*.

**18. PROTESTS.** Proposers that are not selected may protest any recommendation for selection of award in accordance with the proceedings established pursuant to the City's bid protest procedures, as codified in Sections 2-370 and 2-371 of the City Code (the City's Bid Protest Ordinance). A protest not timely made pursuant to the requirements of the City's Bid Protest Ordinance shall be barred.

**19. POSTPONEMENT/CANCELLATION/ACCEPTANCE/REJECTION.** The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, Proposals; re-advertise this PRD; postpone or cancel, at any time, this PRD process; or waive any irregularities in this PRD, or in any Proposal responses received as a result of this PRD, in accordance with Florida law. Reasonable efforts will be made to either award the successful Proposer the contract or reject all Proposals within one-hundred twenty (120) calendar days after the Phase 2 Proposal opening date. A Proposer may withdraw its Proposal after expiration of one hundred twenty (120) calendar days from the date of the Phase 2 Proposal opening by delivering written notice of withdrawal to the Department of Procurement Management prior to award of the contract by the City Commission.

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

**21. COSTS INCURRED BY PROPOSERS.** All expenses involved with the preparation and submission of Proposals, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost and expense) of the Proposer, and shall not be reimbursed by the City.

**22. RELATIONSHIP TO THE CITY.** It is the intent of the City, and Proposers hereby acknowledge and agree, that the successful Proposer is considered to be an independent contractor, and that neither the Proposer, nor the Proposer's employees, agents, and/or contractors, shall, under any circumstances, be considered employees or agents of the City.

**23. MISTAKES.** Proposers are expected to examine the terms, conditions, specifications, delivery schedules, proposed pricing, and all instructions pertaining to the goods and services relative to this PRD. Failure to do so will be at the Proposer's risk and may result in the Proposal being non-responsive.

**24. DEFAULT:** Failure or refusal of the selected Proposer to execute a contract following approval of such contract by the City Commission, or untimely withdrawal of a response before such award is made and approved, may result in a claim for damages by the City and may be grounds for removing the Proposer from the City's vendor list.

**25. MANNER OF PERFORMANCE.** Proposer agrees to perform its duties and obligations in a professional manner and in accordance with all applicable Local, State, County, and Federal laws, rules, regulations and codes. Lack of knowledge or ignorance by the Proposer with/of applicable laws will in no way be a cause for relief from responsibility. Proposer agrees that the services provided shall be provided by employees that are educated, trained, experienced, certified, and licensed in all areas encompassed within their designated duties. Proposer agrees to furnish to the City any and all documentation, certification, authorization, license, permit, or registration currently required by applicable laws, rules, and regulations. Proposer further certifies that it and its employees will keep all licenses, permits, registrations, authorizations, or certifications required by applicable laws or regulations in full force and effect during the term of this contract. Failure of Proposer to comply with this paragraph shall constitute a material breach of this contract.

**26. SPECIAL CONDITIONS.** Any and all Special Conditions that may vary from these General Terms and Conditions shall have precedence.

**27. NON-DISCRIMINATION.** The Proposer certifies that it is in compliance with the non-discrimination clause contained in Section 202, Executive Order 11246, as amended by Executive Order 11375, relative to equal employment opportunity for all persons without regard to race, color, religion, sex or national origin. In accordance with the City's Human Rights Ordinance, codified in Chapter 62 of the City Code, Proposer shall prohibit (and cause hotel operator to prohibit) discrimination by reason of race, color, national origin, religion, sex, intersexuality, gender identity, sexual orientation, marital and familial status, and age or disability in the sale, lease, use or occupancy of the Hotel Project or any portion thereof.

**28. DEMONSTRATION OF COMPETENCY.** The City may consider any evidence available regarding the financial, technical, and other qualifications and abilities of a Proposer, including past performance (experience) in making an award that is in the best interest of the City, including:

- A. Pre-award inspection of the Proposer's facility may be made prior to the award of contract.
- B. Proposals will only be considered from firms which are regularly engaged in the business of providing the goods and/or services as described in this solicitation.
- C. Proposers must be able to demonstrate a good record of performance for a reasonable period of time, and have sufficient financial capacity, equipment, and organization to ensure that they can satisfactorily perform the services if awarded a contract under the terms and conditions of this solicitation.
- D. The terms "equipment and organization", as used herein shall, be construed to mean a fully equipped and well established company in line with the best business practices in the industry, and as determined by the City of Miami Beach.
- E. The City may consider any evidence available regarding the financial, technical, and other qualifications and abilities of a Proposer, including past performance (experience), in making an award that is in the best interest of the City.
- F. The City may require Proposers to show proof that they have been designated as authorized representatives of a manufacturer or supplier, which is the actual source of supply. In these instances, the City may also require material information from the source of supply regarding the quality, packaging, and characteristics of the products to be supply to the City.

**29. ASSIGNMENT.** The successful Proposer shall not assign, transfer, convey, sublet or otherwise dispose of the contract, including any or all of its right, title or interest therein, or his/her or its power to execute such contract, to any person, company or corporation, without the prior written consent of the City.

**30. LAWS, PERMITS AND REGULATIONS.** The Proposer shall obtain and pay for all licenses, permits, and inspection fees required to complete the work and shall comply with all applicable laws.

**31. FLORIDA PUBLIC RECORDS LAW.** Proposers are hereby notified that all Proposal including, without limitation, any and all information and documentation submitted therewith, are exempt from public records requirements under Section 119.07(1), Florida Statutes, and s. 24(a), Art. 1 of the State Constitution until such time as the City provides notice of an intended decision or until thirty (30) days after opening of the Proposals, whichever is earlier. Additionally, the successful Proposer agrees to be in full compliance with Florida Statute 119.0701 including, but not limited to, agreement to (a) keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the services; (b) provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law; (c) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law; (d) meet all requirements for retaining public records and transfer, at no cost, to the City all public records in its possession upon termination of the interim agreement or comprehensive agreement and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the City in a format that is compatible with the information technology systems of the City.

**32. CONFLICT OF INTEREST.** All Proposers must disclose, in their Proposal, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates.

**33. MODIFICATION/WITHDRAWALS OF PROPOSALS.** A Proposer may submit a modified Proposal to replace all or any portion of a previously submitted Proposal up until the Proposal due date and time. Modifications received after the Proposal due date and time will not be considered. Proposals shall be irrevocable until contract award unless withdrawn in writing prior to the Proposal due date, or after expiration of 120 calendar days from the opening of Phase 2 Proposals without a contract award. Letters of withdrawal received after the Proposal due date and before said expiration date, and letters of withdrawal received after contract award will not be considered.

**34. EXCEPTIONS TO PRD.** Proposers must clearly indicate any exceptions they wish to take to any of the terms in this PRD, and outline what, if any, alternative is being offered. All exceptions and alternatives shall be included and clearly delineated, in writing, in the Proposal. The City, at its sole and absolute discretion, may accept or reject any or all exceptions and alternatives. In cases in which exceptions and alternatives are rejected, the City shall require the Proposer to comply with the particular term and/or condition of the PRD to which Proposer took exception to (as said term and/or condition was originally set forth on the PRD).

**35. ACCEPTANCE OF GIFTS, FAVORS, SERVICES.** Proposers shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City, for the purpose of influencing consideration of this Proposal. Pursuant to Sec. 2-449 of the City Code, no officer or employee of the City shall accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties.

**36. SUPPLEMENTAL INFORMATION.** City reserves the right to request supplemental information from Proposers at any time during the PRD solicitation process, unless otherwise noted herein.

**37. NO WARRANTIES OR REPRESENTATIONS BY CITY.** Any information provided by City under this PRD is solely to provide background information for the convenience of the Proposers. City makes no representations or warranties, express or implied, of any kind whatsoever with respect to any of the matters identified in this PRD.

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**SECTION 0300**

**PROPOSAL SUBMITTAL INSTRUCTIONS AND FORMAT**

**1. TWO PHASE PROPOSAL EVALUATION.** Proposals will be considered in two phases. Phase I will consist of the evaluation of qualifications of the Proposer and the Lead Team Participants. Phase 2 will consist of the evaluation of technical and cost Proposals. The information to be submitted in each phase, as well as the evaluation criteria to be utilized for each phase, is stated below, and may be modified by Addendum to this PRD. Each phase will be considered by an Evaluation Committee appointed by the City Manager. The City reserves the right to engage the advice of its consultant or other technical experts in assisting the Evaluation Committee in the review of Proposals received. Following Phase I review of Proposals, the City may short-list one or more parties to be considered in Phase 2 . Phase 2 Proposals will only be considered from short-listed Proposers.

**2. SEALED RESPONSES.** Each phase will require one (1) original Proposal (preferably in 3-ring binder) must be submitted in an opaque, sealed envelope or container on or before the due date established for the receipt of Proposals, ten (10) bound copies and one (1) electronic format (CD or USB format) to be submitted. The following information should be clearly marked on the face of the envelope or container in which the Proposal is submitted: solicitation number, solicitation title, Proposer name, Proposer return address. Proposals received electronically, either through email or facsimile, are not acceptable and will be rejected.

**3. PROPOSAL FORMAT.** In order to maintain comparability, facilitate the review process and assist the Evaluation Committee in review of Proposals, it is strongly recommended that Proposals be organized and tabbed in accordance with the sections and manner specified below. Hard copy submittal should be tabbed as enumerated below and contain a table of contents with page references. Electronic copies should also be tabbed and contain a table of contents with page references. Proposals that do not include the required information will be deemed non-responsive and will not be considered.

**4. PHASE I PROPOSAL FORMAT REQUIREMENTS.** In order to maintain comparability, facilitate the review process, and assist the Evaluation Committee in review of responses, it is recommended that responses be organized and tabbed in accordance with the sections and manner specified below. Hard copy submittals should be bound and tabbed as enumerated below and contain a table of contents with page references. Electronic copies should also be tabbed and contain a table of contents with page references. Proposers should prepare their submittal on 8.5 x 11 paper. Please feel free to include other materials, such as covers, appendices, brochures, etc. at your discretion. The recommended number of pages the City desires for each submittal item is indicated below. These are recommendations only and actual pages may exceed the recommendation. The City reserves the right to require additional information to determine financial capability. Proposer shall have ten (10) calendar days respond to such a request.

TAB 1	Executive Summary, Forms & Compliance with Minimum Requirements (4 page limit)
<ol style="list-style-type: none"> <li>1. <b>Cover Page, Letter, and Table of Contents.</b> The cover letter must indicate Prime Proposer and be signed by same.</li> <li>2. <b>Required Forms.</b> Provide Certification, Questionnaire &amp; Requirements Affidavit (Appendix A). Attach Appendix A fully completed and executed. The Certification, Questionnaire &amp; Requirements Affidavit (Appendix A) must be signed by the Prime Respondent.</li> <li>3. <b>Minimum Requirements.</b> Submit verifiable information documenting compliance with each of the Minimum Requirements in Section 0200, Pages 3-4.</li> </ol>	

**1. Qualifications of Proposer and Lead Team Participants.** Submit detailed information regarding the Proposer's and each Lead Team Participant's experience in the design, construction, financing, operation and maintenance which documents expertise, competence, capability, and capacity in, and record of producing quality work on projects similar to the Project. Include, at a minimum, the following information:

**a. Company Information.** Provide background information, including company history/organizational structure, years in business for Proposer and each Lead Team Participant, number of employees, and any other information communicating capabilities and experience.

**b. Experience and Qualifications on Other Infrastructure Projects.** Provide a list of the Proposer's and each Lead Team Participant's experience with comparable design-build, design-build-operate-maintain, or other public or public-private infrastructure projects of size and scope similar to or larger than the Project. Include additional information, as well as a table that includes the project name, type of project, scope of project, years the Project was constructed, hard construction costs for the project or operating/maintenance budget for the project (as applicable), and delivery approach or method. For Lead Investor and Contractor, provide record of projects completed within the contract time and contract price.

**c. Experience and Qualifications on Rail or Transit Projects in Urban Settings.** Summarize the Proposer's and each Lead Team Participant's experience with similar rail or transit projects in urban or sensitive environmental areas and community areas of comparable size and scope. Include the project name, type of project, scope of project, years constructed, hard costs, and delivery approach or method, and names of key personnel. Highlight any key personnel who will also work on this Project. Identify experience in managing the maintenance of traffic, roadway (or bridge) design and construction, environmental and other permitting, and implementing community relations and outreach programs on projects of similar size and complexity to this Project. For Lead Engineer, provide information demonstrating completion of at least one or more transit facility comparable to the Project.

**d. Capacity to Manage and Implement the Project.** Provide additional information sufficient to identify Proposer's and each Lead Team Participant's demonstrated capacity to manage and implement the Project.

**e. Prior Working Relationships Between and Among Team Members.** Provide information identifying prior working relationships between or among Proposer or Lead Team Participants. Include the project name, type of project, scope of project, years constructed, hard costs, and delivery approach or method, and names of key personnel. Highlight any key personnel who will also work on this Project.

**f. Key Personnel and Level of Commitment.** Identify and provide job descriptions, resumes and references for the qualified personnel for key positions on the Project, including number of years of experience and areas of expertise for each individual, and list of prior projects comparable in size and scope (or greater) of this Project. Key Personnel (at a minimum) shall include:

- Project Manager
- Construction Manager
- Construction Superintendent
- Design Manager
- Lead Design Engineer
- Independent Quality Manager
- Design Quality Manager

Affirm that all key personnel will be required to be on-site 100% of the time during activities that involve their areas of responsibility. Substitution of Key Personnel will be subject to review and acceptance by the City.

**g. Prime Constructor Safety Record .** For Prime Constructor, provide its Experience Modification Rate (EMR) and OSHA forms 300 and 300A for the past three (3) years.

TAB 3

Financial Capacity

(4 page limit, not counting financial statements and related information)

Submit detailed information sufficient to demonstrate the financial capacity of Proposer and Lead Team Participants and financial guarantors. Include Proposer's, Lead Investor's, financial guarantors, Lead Contractor, Lead Operator and Lead Maintenance most recent annual reviewed/audited financial statement with the auditors' notes. Such statements should include, at a minimum, balance sheets (statements of financial position), and statements of profits and loss statement of net income). City reserves the right to request additional information from any Proposer to determine financial capacity. Proposer shall have no more than ten (10) days to respond to such request.

**1. Management and Organization:** Proposer shall describe the approach and methodology in accomplishing the following goals of this Project i) an understanding of and approach to the management, technical aspects, and maintenance of traffic issues and risks associated with the Project ii) an understanding of and approach to how the public-private partnership, or "P3", process and the Proposer's organization will contribute to the success of the Project and meet the City of Miami Beach's Project goals; and iii) an understanding of the risk sharing and the teaming relationship between the Proposer and the City of Miami Beach.

**a. Methodology for integrating the Proposer and Lead Team Participants and their respective areas of expertise:** The narrative should describe the methodology for integrating the Proposer and the different areas of expertise of Lead Team Participants into an efficient and effective organization.

**b. Management Approach:** The management approach must reflect an understanding of the use of the P3 project delivery methodology for transportation projects.

**c. Organization Chart:** Provide an organizational chart(s) showing the "chain of command," with lines identifying participants who are responsible for major functions to be performed, and their reporting relationships, in managing, designing, and building the Project. The chart(s) must show the functional structure of the organization down to the design discipline leader or construction superintendent level and must identify Key Personnel by name. Key Personnel will be committed to the Project. Identify all Lead Team Participants in the chart(s). Identify the critical support elements and relationships of Project management, Project administration, construction management, quality control, safety, environmental compliance, and subcontractor administration.

**d. Organizational Chart Functional Relationships:** For each organizational chart, provide a brief, written description of significant functional relationships among participants and how the proposed organization will function as an integrated team.

**2. Approach to P3/Design-Build-Operate-Maintain-Finance.** Provide information on a sample approach to finance the Project assuming an availability payment approach that is supported by annual payments during the operation period subject to annual appropriation.

**3. Approach to Design and Construction.** Provide information demonstrating an understanding of and sound approach to the development, design and construction of the Project.

**a.** Provide information identifying how Proposer will incorporate innovative design and other techniques in the Project through the lifecycle of the Project.

**b.** Describe approach to plan, organize, and execute the design and construction of, and assure the quality and safety of the Project.

**c.** Describe approach to effectively manage all aspects of the Contract in a quality, timely, and effective manner and integrate the different parts of its organization with the City of Miami Beach in a cohesive and seamless manner.

**4. Approach to Implementation in Complex Urban Environments.**

- a. Describe Proposer's general approach to integrating the City and identified stakeholders in the various phases of the Project.
- b. Describe Proposer's general approach to traffic management, utility identification and relocation, access during construction, pedestrian and parking accommodation, and community outreach.
- c. Describe, in general terms, Proposer's anticipated operating approach for the Project.

**5. Approach to Vehicle Systems Technology.**

- a. Provide a detailed description of Proposer's Vehicle/Systems Technology, including but not limited to detailed descriptions and depictions of the proposed vehicles.
- b. Provide description of operations and maintenance for the Proposer's Vehicle/Systems Technology, including site requirements;
- c. Provide service history for the Vehicle/Systems Technology,, including vehicles; and
- d. Describe capability to meet Buy America Requirement (now or in the future) and other applicable federal requirements should the City decide to pursue federal funding for the Project.
- e. Explain how the Proposer's streetcar system/technology will be interoperable with the Direct Connect Project.

**5. PHASE 2 RESPONSE FORMAT.** Following City Commission selection of the short-listed Proposers, the short-listed Proposers will be required to prepare detailed Phase 2 Proposals for the Project, which will include technical and cost/financial Proposals. The instructions for Phase 2 submittals are planned to be issued to the Phase 1 short-listed proposers in Summer 2016, and will include comprehensive Project definition, environmental information, funding plan, preliminary engineering, performance specifications, and any additional conditions or requirements that may be applicable (e.g., prevailing wage rates, bonding, insurance), as well as the draft Project agreement. Proposals are anticipated to be due within 60 days of the final instructions, including submittal of a Best and Final Offer.

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**SECTION 0400      PHASE 1 PROPOSAL EVALUATION**

**1. Evaluation Committee.** An Evaluation Committee, appointed by the City Manager, shall meet to evaluate and rank each Proposal during Phase 1 and Phase 2 in accordance with the requirements set forth in this PRD. If the City desires further information, Proposers may be requested to make additional written submissions of a clarifying nature or oral presentations to the Evaluation Committee. The evaluation of Proposals will proceed in a two-step process as specified in Section 0300(1). The Evaluation Committee is advisory only. The results of Phase 1 and Phase 2 evaluations will be forwarded to the City Manager who will utilize the results to make a recommendation to the City Commission. The City Manager will make the final recommendation concerning the ranking of Proposers, both during Phase 1 and Phase 2, and such final recommendation may or may not be consistent with the Evaluation Committee's ranking, and will consider the following:

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

**1. Phase 1 Evaluation Process.** The Evaluation Committee shall meet to evaluate each response and rank Proposers in order of preference, as provided in Florida Statute 287.05712, and based on consideration of the professional qualifications of the Proposers (including Lead Team Participants), and the following factors:, in no particular order:

- Compliance with the Minimum Requirements;
- Experience and Qualifications of Proposer and each of the Lead Team Participants, including consideration of the information requested in Tab 2 of Section 0300 of the PRD;
- Financial capability of the Proposer; and
- Proposer's Approach and Methodology, including consideration of the information requested in Tab 4 of Section 0300.

**2. Phase 2 Evaluation Process.** Additional information concerning the Phase 2 evaluation process shall be released by Addendum to this PRD at a later date.

# APPENDIX A



# MIAMI BEACH

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## Proposal Certification, Questionnaire & Requirements Affidavit

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**PRD 2016-071-KB**

Notice of Receipt  
of Unsolicited Proposal and Request for Alternative Proposals  
for  
Light Rail/Modern Streetcar Project  
in  
Miami Beach

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PROCUREMENT DEPARTMENT  
1755 Meridian Avenue, 3<sup>rd</sup> Floor  
Miami Beach, Florida 33139

Solicitation No: PRD 2016-071-KB	Solicitation Title: Notice of Receipt of Unsolicited Proposal and Request for Alternative Proposals for Light Rail/Modern Streetcar Project in Miami Beach	
Procurement Contact: Kristy Bada	Tel: 305-673-7490	Email: KristyBada@MiamiBeachFL.gov

### PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT

**Purpose:** The purpose of this Proposal Certification, Questionnaire and Requirements Affidavit Form is to inform prospective Proposers of certain solicitation and contractual requirements, and to collect necessary information from Proposers in order that certain portions of responsiveness, responsibility and other determining factors and compliance with requirements may be evaluated. **This Proposal Certification, Questionnaire and Requirements Affidavit Form is a REQUIRED FORM that must be submitted fully completed and executed.**

#### 1. General Proposer Information.

FIRM NAME:	
No of Years in Business:	No of Years in Business Locally:
OTHER NAME(S) PROPOSER HAS OPERATED UNDER IN THE LAST 10 YEARS:	
FIRM PRIMARY ADDRESS (HEADQUARTERS):	
CITY:	
STATE:	ZIP CODE:
TELEPHONE NO.:	
TOLL FREE NO.:	
FAX NO.:	
FIRM LOCAL ADDRESS:	
CITY:	
STATE:	ZIP CODE:
PRIMARY ACCOUNT REPRESENTATIVE FOR THIS ENGAGEMENT:	
ACCOUNT REP TELEPHONE NO.:	
ACCOUNT REP TOLL FREE NO.:	
ACCOUNT REP EMAIL:	
FEDERAL TAX IDENTIFICATION NO.:	

The City reserves the right to seek additional information from Proposer or other source(s), including but not limited to: any firm or principal information, applicable licensure, resumes of relevant individuals, client information, financial information, or any information the City deems necessary to evaluate the capacity of the Proposer to perform in accordance with contract requirements.

1. **Veteran Owned Business.** Is Proposer claiming a veteran owned business status?  
 YES  NO

**SUBMITTAL REQUIREMENT:** Proposers claiming veteran owned business status shall submit a documentation proving that firm is certified as a veteran-owned business or a service-disabled veteran owned business by the State of Florida or United States federal government, as required pursuant to ordinance 2011-3748.

2. **Conflict Of Interest.** All Proposers must disclose, in their Proposal, the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Proposers must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates.

**SUBMITTAL REQUIREMENT:** Proposers must disclose the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Proposers must also disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Proposer entity or any of its affiliates

3. **Suspension, Debarment or Contract Cancellation.** The Proposer and each Lead Team Participant must not have been indicted, disqualified, debarred, or suspended from the performance of any work for any federal, state or local government in the United States in the last seven (7) years, or removed via contract cancellation due to non-performance of work for any federal, state or local government in the United States in the last seven (7) years. Has Proposer or Lead Team Participant ever been indicted, disqualified, removed, debarred or suspended, or had a contract cancelled due to non-performance by any public sector agency?  
 YES  NO

**SUBMITTAL REQUIREMENT:** If answer to above is "YES," Proposer shall submit a statement detailing the reasons that led to action(s).

4. **Vendor Campaign Contributions.** Proposers are expected to be or become familiar with, the City's Campaign Finance Reform laws, as codified in Sections 2-487 through 2-490 of the City Code. Proposers shall be solely responsible for ensuring that all applicable provisions of the City's Campaign Finance Reform laws are complied with, and shall be subject to any and all sanctions, as prescribed therein, including disqualification of their Proposals, in the event of such non-compliance.

**SUBMITTAL REQUIREMENT:** Submit the names of all individuals or entities (including your sub-consultants) with a controlling financial interest as defined in solicitation. For each individual or entity with a controlling financial interest indicate whether or not each individual or entity has contributed to the campaign either directly or indirectly, of a candidate who has been elected to the office of Mayor or City Commissioner for the City of Miami Beach.

5. **Code of Business Ethics.** Pursuant to City Resolution No.2000-23879, each person or entity that seeks to do business with the City shall adopt a Code of Business Ethics ("Code") and submit that Code to the Department of Procurement Management with its Proposal/response or within five (5) days upon receipt of request. The Code shall, at a minimum, require the Proposer, to comply with all applicable governmental rules and regulations including, among others, the conflict of interest, lobbying and ethics provision of the City of Miami Beach and Miami Dade County.

**SUBMITTAL REQUIREMENT:** Proposer shall submit firm's Code of Business Ethics. In lieu of submitting Code of Business Ethics, Proposer may submit a statement indicating that it will adopt, as required in the ordinance, the City of Miami Beach Code of Ethics, available at [www.miamibeachfl.gov/procurement/](http://www.miamibeachfl.gov/procurement/).

6. **Public Entity Crimes.** Section 287.133(2)(a), Florida Statutes, as currently enacted or as amended from time to time, states that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a Proposal, Proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a Proposal, Proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit Proposals, Proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s. 287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

**SUBMITTAL REQUIREMENT:** No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees with the requirements of Section 287.133, Florida Statutes, and certifies it has not been placed on convicted vendor list.

7. **Litigation History.** Has Proposer or any of its Lead Team Participants or principal or employee of the Proposer (relating to professional endeavors only) been the subject of any claims, arbitrations, administrative hearings and lawsuits brought by or against the Proposer (including Lead Team Participants) or its predecessor organization(s) during the last five (5) years.

YES       NO

**SUBMITTAL REQUIREMENT:** If yes, list all case names; case, arbitration or hearing identification numbers; the name of the project over which the dispute arose; a description of the subject matter of the dispute; and the final outcome of the claim.

8. **Bankruptcy.** Has the Proposer or any of its Lead Team Participants filed any bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Proposer, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description the disposition of each such petition.

YES       NO

**SUBMITTAL REQUIREMENT:** If yes, list and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Proposer, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description the disposition of each such petition.

9. **Principals.** Provide the names of all individuals or entities with a controlling financial interest in Proposer. The term "controlling financial interest" shall mean the ownership, directly or indirectly, of 10% or more of the outstanding capital stock in any corporation or a direct or indirect interest of 10% or more in a firm. The term "firm" shall mean any corporation, partnership, business trust or any legal entity other than a natural person.
10. **Surety Companies.** Has a surety company ever intervened to assist a governmental agency or other client of the Proposer or Lead Contractor in completing work that the Proposer or Lead Contractor failed to complete?

YES       NO

**SUBMITTAL REQUIREMENT:** If yes, submit owner names, addresses and telephone numbers, and surety and project names, for all projects for which you have performed work, where your surety has intervened to assist in completion of the project, whether or not a claim was made.

11. Has Proposer or Lead Team Participants ever failed to complete performance of a contract? If so, where and why?

YES       NO

12. **Acknowledgement of Addendum.** After issuance of solicitation, the City may release one or more addendum to the solicitation which may provide additional information to Proposers or alter solicitation requirements. The City will strive to reach every Proposer having received solicitation through the City's e-procurement system, PublicPurchase.com. However, Proposers are solely responsible for assuring they have received any and all addendum issued pursuant to solicitation. This Acknowledgement of Addendum section certifies that the Proposer has received all addendum released by the City pursuant to this solicitation. Failure to obtain and acknowledge receipt of all addendum may result in Proposal disqualification.

Initial to Confirm Receipt		Initial to Confirm Receipt		Initial to Confirm Receipt	
	Addendum 1		Addendum 6		Addendum 11
	Addendum 2		Addendum 7		Addendum 12
	Addendum 3		Addendum 8		Addendum 13
	Addendum 4		Addendum 9		Addendum 14
	Addendum 5		Addendum 10		Addendum 15

If additional confirmation of addendum is required, submit under separate cover.

## DISCLOSURE AND DISCLAIMER SECTION

The solicitation referenced herein is being furnished to the recipient by the City of Miami Beach (the "City") for the recipient's convenience. Any action taken by the City in response to Proposals made pursuant to this solicitation, or in making any award, or in failing or refusing to make any award pursuant to such Proposals, or in cancelling awards, or in withdrawing or cancelling this solicitation, either before or after issuance of an award, shall be without any liability or obligation on the part of the City.

In its sole discretion, the City may withdraw the solicitation either before or after receiving Proposals, may accept or reject Proposals, and may accept Proposals which deviate from the solicitation, as it deems appropriate and in its best interest. In its sole discretion, the City may determine the qualifications and acceptability of any party or parties submitting Proposals in response to this solicitation.

Following submission of a Proposal or Proposal, the applicant agrees to deliver such further details, information and assurances, including financial and disclosure data, relating to the Proposal and the applicant including, without limitation, the applicant's affiliates, officers, directors, shareholders, partners and employees, as requested by the City in its discretion.

The information contained herein is provided solely for the convenience of prospective Proposers. It is the responsibility of the recipient to assure itself that information contained herein is accurate and complete. The City does not provide any assurances as to the accuracy of any information in this solicitation.

Any reliance on these contents, or on any permitted communications with City officials, shall be at the recipient's own risk. Proposers should rely exclusively on their own investigations, interpretations, and analyses. The solicitation is being provided by the City without any warranty or representation, express or implied, as to its content, its accuracy, or its completeness. No warranty or representation is made by the City or its agents that any Proposal conforming to these requirements will be selected for consideration, negotiation, or approval.

The City shall have no obligation or liability with respect to this solicitation, the selection and the award process, or whether any award will be made. Any recipient of this solicitation who responds hereto fully acknowledges all the provisions of this Disclosure and Disclaimer, is totally relying on this Disclosure and Disclaimer, and agrees to be bound by the terms hereof. Any Proposals submitted to the City pursuant to this solicitation are submitted at the sole risk and responsibility of the party submitting such Proposal.

This solicitation is made subject to correction of errors, omissions, or withdrawal from the market without notice. Information is for guidance only, and does not constitute all or any part of an agreement.

The City and all Proposers will be bound only as, if and when a Proposal (or Proposals), as same may be modified, and the applicable definitive agreements pertaining thereto, are approved and executed by the parties, and then only pursuant to the terms of the definitive agreements executed among the parties. Any response to this solicitation may be accepted or rejected by the City for any reason, or for no reason, without any resultant liability to the City.

The City is governed by the Government-in-the-Sunshine Law, and all Proposals and supporting documents shall be subject to disclosure as required by such law. All Proposals shall be submitted in sealed Proposal form and shall remain confidential to the extent permitted by Florida Statutes, until the date and time selected for opening the responses. At that time, all documents received by the City shall become public records.

Proposers are expected to make all disclosures and declarations as requested in this solicitation. By submission of a Proposal, the Proposer acknowledges and agrees that the City has the right to make any inquiry or investigation it deems appropriate to substantiate or supplement information contained in the Proposal, and authorizes the release to the City of any and all information sought in such inquiry or investigation. Each Proposer certifies that the information contained in the Proposal is true, accurate and complete, to the best of its knowledge, information, and belief.

Notwithstanding the foregoing or anything contained in the solicitation, all Proposers agree that in the event of a final unappealable judgment by a court of competent jurisdiction which imposes on the City any liability arising out of this solicitation, or any response thereto, or any action or inaction by the City with respect thereto, such liability shall be limited to \$10,000.00 as agreed-upon and liquidated damages. The previous sentence, however, shall not be construed to circumvent any of the other provisions of this Disclosure and Disclaimer which imposes no liability on the City.

In the event of any differences in language between this Disclosure and Disclaimer and the balance of the solicitation, it is understood that the provisions of this Disclosure and Disclaimer shall always govern. The solicitation and any disputes arising from the solicitation shall be governed by and construed in accordance with the laws of the State of Florida.

**PROPOSER CERTIFICATION**

I hereby certify that: I, as an authorized agent of the Proposer, am submitting the following information as my firm's Proposal; Proposer agrees to complete and unconditional acceptance of the terms and conditions of this document, inclusive of this solicitation, all attachments, exhibits and appendices and the contents of any Addenda released hereto, and the Disclosure and Disclaimer Statement; Proposer agrees to be bound to any and all specifications, terms and conditions contained in the solicitation, and any released Addenda and understand that the following are requirements of this solicitation and failure to comply will result in disqualification of Proposal submitted; Proposer has not divulged, discussed, or compared the Proposal with other Proposers and has not colluded with any other Proposer or party to any other Proposal; Proposer acknowledges that all information contained herein is part of the public domain as defined by the State of Florida Sunshine and Public Records Laws; all responses, data and information contained in this Proposal, inclusive of the Proposal Certification, Questionnaire and Requirements Affidavit are true and accurate.

Name of Proposer's Authorized Representative:	Title of Proposer's Authorized Representative:
Signature of Proposer's Authorized Representative:	Date:

State of FLORIDA                    )  
                                                  )  
County of \_\_\_\_\_)  
of \_\_\_\_\_, a corporation, and that the instrument was signed in behalf of the said corporation by authority of its board of directors and acknowledged said instrument to be its voluntary act and deed. Before me:

On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, personally appeared before me \_\_\_\_\_ who stated that (s)he is the \_\_\_\_\_

\_\_\_\_\_  
Notary Public for the State of Florida  
My Commission Expires: \_\_\_\_\_.

# **EXHIBIT 2**

# MIAMI BEACH

City of Miami Beach, 1755 Meridian Avenue, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
PROCUREMENT DEPARTMENT  
Tel: 305-673-7490 Fax: 786-394-4002

**ADDENDUM NO. 1**  
**PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2015-245-KB**  
**Notice of Receipt of Unsolicited Proposal and**  
**Request for Alternative Proposals for**  
**Light Rail/Modern Streetcar Project in Miami Beach**  
**January 15, 2016**

The PRD is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

I. **REVISIONS.**

SECTION 0200 INSTRUCTIONS TO RESPONDENTS & GENERAL CONDITIONS, subsection 5. MANDATORY PRE-PROPOSAL CONFERENCE (INDUSTRY FORUM) has been revised as follows:

A Mandatory Pre-Proposal Conference will be held as follows:

~~DATE, TIME AND LOCATION TO BE DETERMINED AND RELEASED VIA ADDENDUM~~

Date and Time: Friday, February 19, 2016 at 10:00am

Location: City of Miami Beach, Commission Chambers  
1700 Convention Center Drive, Miami Beach, FL 33139

Attendance is mandatory and each interested party shall have at least one representative at the Mandatory Pre-Proposal Conference. **The City will not consider Proposals from parties not represented at the Pre-Proposal Conference by at least one Lead Team Participant.**

**PLEASE BE ADVISED THAT ATTENDANCE AT THE PRE-  
PROPOSAL CONFERENCE IS MANDATORY.**

Any questions regarding this Addendum should be submitted **in writing** to the Procurement Department to the attention of the individual named below, with a copy to the City Clerk's Office at [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov).

Procurement Contact: Kristy Bada	Telephone: 305-673-7000, ext. 6218	Email: <a href="mailto:KristyBada@miamibeachfl.gov">KristyBada@miamibeachfl.gov</a>
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Proposers are reminded to acknowledge receipt of this addendum as part of your PRD submission.

Sincerely,  
  
Alex Denis  
Procurement Director

# MIAMI BEACH

City of Miami Beach, 1755 Meridian Avenue, Coral Gables, FL 33134, Phone: 305-375-3332, www.miamibeachfl.gov  
PROCUREMENT DEPARTMENT  
Tel: 305-673-7490 Fax: 305-394-4002

**ADDENDUM NO. 2**  
**PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB**  
**Notice of Receipt of Unsolicited Proposal and**  
**Request for Alternative Proposals for**  
**Light Rail/Modern Streetcar Project in Miami Beach**  
**February 10, 2016**

The PRD is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

**I. CLARIFICATION**

1. The "Project" is defined in Sections 1 and 2 of the Proposal Requirements Document. The City, at its sole discretion, will also consider alternative proposals that may include, as part of the Project, additional routes along Alton Road, 17th Street, Dade Blvd., Meridian Avenue, or Convention Center Drive

**II. ANSWERS TO QUESTIONS BY PROSPECTIVE PROPOSERS:**

Q1: Would it be possible to view a plan holder's list for the subject bid?

**A1: Attached as Exhibit A.**

Q2: If available, I would like to request a copy of the Unsolicited Proposal submitted to the City of Miami Beach for the light rail/modern streetcar project?

**A2: Attached as Exhibit B.**

Q3: As a supplier of NiCad and LiOn batteries for the transit / rail market, I have read through the specifications released and cannot find the quantity of streetcars that are to be supplied. Do you know the answer to this?

**A3: Specifications regarding the quantity of streetcars that are to be supplied will be provided as part of the instruction for Phase II submittals.**

Q4: I would like to request a meeting with the appropriate representatives from the City of Miami Beach and its procurement department to discuss the "Request for Alternative Proposals for Light Rail/Modern Streetcar Project in Miami Beach" advertisement issued on January 12. If there are any other steps that should be taken to facilitate a meeting please let me know.

**A4: One-on-one meetings will be held on February 19, 2016, following the Pre-Proposal Conference. One-on-one meetings will be scheduled on a first come, first served basis, based on the priorities established in Exhibit C. The City will allow for 50 minute meetings beginning on the hour from 2:00pm to 8:00pm. Additional meetings may be scheduled on**

Saturday February 20, 2016, or in the following weeks, as needed.

Interested parties will be required to execute and submit the Proposer Consent Form (Exhibit C) prior to the City providing a scheduled time for its one-on-one meeting.

Parties interested in scheduling a one-on-one meeting should submit their Proposer Consent Form (Exhibit C) with a meeting request to Kristy Bada, Procurement Contracting Officer II, at [kristybada@miamibeachfl.gov](mailto:kristybada@miamibeachfl.gov). A maximum of 10 representatives per team is allowed at the one-on-one meetings.

Q5: Is there a pre-registration requirement for the Feb 19<sup>th</sup> Pre-Proposal Conference?

**A5: There is no pre-registration requirement for the Pre-Proposal Conference.**

Q6: Citing the requirements under Tab 3 (Page 14) and the instructions in Section 0300-Paragraph 2 (number of copies to be provide): given the aggressive corporate sustainability programs many of the industry players have in place, would the City find it acceptable to provide only 1 (one) hard copy of the most recent financial statements and 1 (one) electronic copy in lieu of the request for 11 hard copies and 1 (one) electronic version?

**A6: Yes, it acceptable to provide only 1 (one) hard copy of the most recent financial statements and 1 (one) electronic copy in lieu of the request for 11 hard copies and 1 (one) electronic version.**

Q7: Citing Tab 4, Item 1 – request for organizational charts, would the City consider 1) removing the organizational charts from the overall page count for this section, given that providing the City a comprehensive view of the “chain of command” may be best achieved in multiple charts; and 2) allowing the organizational charts to be printed on 11x17 sized paper, which will assist the reader in reviewing the charts.

**A7: 1) The organizational chart will not be removed from the overall page count. 2) The organizational chart may be submitted on a 11 x 17 sheet, which shall account for a single page.**

Any questions regarding this Addendum should be submitted **in writing** to the Procurement Department to the attention of the individual named below, with a copy to the City Clerk's Office at [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov)

Procurement Contact:	Telephone:	Email:
Kristy Bada	305-673-7000, ext. 6218	KristyBada@miamibeachfl.gov

Proposers are reminded to acknowledge receipt of this addendum as part of your PRD submission.

  
Alex Denis  
Procurement Director

**EXHIBIT A  
PLAN HOLDER LIST**

Access Report  
 Agency City of Miami Beach  
 Bid Number 2016-071-KB  
 Bid Title Notice of Receipt of Unsolicited Proposal for Light R

Vendor Name	Accessed First Time	Most Recent Access
Resource Systems Group, Inc.	2016-01-12 10:44 AM EST	2016-01-18 01:23 PM EST
Environmental Systems Resea	2016-01-12 02:26 PM EST	2016-01-12 02:27 PM EST
The Consulting Group of South	2016-01-21 07:54 AM EST	2016-01-21 07:57 AM EST
Worldwide Technologies	2016-01-13 08:11 PM EST	2016-01-19 01:34 AM EST
Hunton & Williams LLP	2016-02-03 05:27 PM EST	2016-02-04 08:21 AM EST
Vendor Support Account	2016-01-21 01:17 PM EST	2016-01-21 01:35 PM EST
MS Transit Solutions	2016-01-12 10:02 AM EST	2016-01-15 12:42 PM EST
BMO Capital Markets Corp	2016-01-13 05:24 PM EST	2016-01-19 05:48 PM EST
The Blue Book Building & Cons	2016-01-13 02:58 AM EST	2016-02-10 12:41 AM EST
Railroad Controls LP	2016-01-25 09:50 AM EST	2016-01-26 09:11 AM EST
Transdev	2016-01-20 01:42 PM EST	2016-02-10 01:36 PM EST
Meridiam	2016-01-15 01:22 PM EST	2016-01-15 01:31 PM EST
GLHN Architects & Engineers	2016-01-25 02:04 PM EST	2016-01-25 05:26 PM EST
Actec Engineering Group	2016-02-01 09:09 AM EST	2016-02-02 06:27 PM EST
GrayRobinson	2016-01-18 01:03 PM EST	2016-01-18 01:03 PM EST
Jorge Luis Lopez Law Firm	2016-01-12 11:24 AM EST	2016-01-15 12:42 PM EST
RFD & Associates, Inc.	2016-01-28 02:29 PM EST	2016-01-28 02:29 PM EST
AECOM	2016-01-18 11:57 AM EST	2016-02-02 03:27 PM EST
GC WORKS INC	2016-02-01 09:42 AM EST	2016-02-01 09:42 AM EST
RATP Dev. America	2016-01-13 10:06 AM EST	2016-01-15 02:53 PM EST
Atwater Infrastructure	2016-01-22 12:58 PM EST	2016-01-22 01:04 PM EST
Premiere Design Solutions, Inc	2016-01-12 10:54 AM EST	2016-01-12 10:54 AM EST
Lea+Elliott, Inc.	2016-01-12 04:27 PM EST	2016-01-12 04:27 PM EST
Safedesign Institute	2016-01-13 03:26 PM EST	2016-01-13 03:26 PM EST
ACS Infrastructure Developme	2016-01-15 02:42 PM EST	2016-02-09 03:44 PM EST
CH2M	2016-01-28 02:37 PM EST	2016-01-28 02:44 PM EST
Hunt	2016-02-02 05:51 PM EST	2016-02-02 05:59 PM EST
Spartan Solutions LLC	2016-01-25 02:06 PM EST	2016-02-08 10:58 AM EST
VIAS USA, INC	2016-01-25 09:44 AM EST	2016-01-25 02:53 PM EST
Interfleet Technology Inc.	2016-01-12 10:20 AM EST	2016-01-15 02:17 PM EST
Thales Transport & Security	2016-01-14 01:19 PM EST	2016-02-08 12:41 PM EST
Alfro Safety Flooring	2016-01-13 08:36 AM EST	2016-01-15 01:08 PM EST
First Transit, Inc.	2016-01-26 03:27 PM EST	2016-01-28 02:11 PM EST
Skanska USA	2016-01-20 05:52 PM EST	2016-01-21 09:34 AM EST
Wabtec Passenger Transit	2016-01-12 03:17 PM EST	2016-01-12 03:17 PM EST
Lindsay Circle LLC	2016-01-12 08:08 AM EST	2016-02-03 12:09 AM EST
PACC Group	2016-01-25 04:26 PM EST	2016-01-25 04:26 PM EST
Storr Davies Gleave	2016-01-20 12:23 PM EST	2016-01-20 12:39 PM EST
Terracon Consultants, Inc.	2016-01-18 12:44 PM EST	2016-01-18 12:54 PM EST
Leo A Daly	2016-01-12 08:25 AM EST	2016-01-12 08:25 AM EST
Mass Electric Construction Co	2016-01-19 04:44 PM EST	2016-01-19 05:07 PM EST
KPMG	2016-01-21 10:10 AM EST	2016-01-21 10:42 AM EST
P3 Bulletin	2016-01-14 08:31 AM EST	2016-02-08 09:46 AM EST
CSM Power Systems LLC	2016-02-09 10:06 AM EST	2016-02-09 10:15 AM EST
Bergeron Land Development	2016-01-29 12:34 PM EST	2016-01-29 04:07 PM EST

Caribbean Project Manager	2016-01-20 12:23 PM EST	2016-01-20 12:25 PM EST
Kimley-Horn and Associates, Inc.	2016-01-12 07:25 AM EST	2016-01-12 07:26 AM EST
Meridian North America Corp.	2016-01-25 04:28 PM EST	2016-01-26 04:14 PM EST
FCC CONSTRUCTION	2016-01-16 04:26 PM EST	2016-01-20 11:45 AM EST
Parsons Brinckerhoff, Inc.	2016-01-15 09:20 AM EST	2016-01-15 05:02 PM EST
JM Fiber Optics, Inc.	2016-01-14 02:45 PM EST	2016-01-14 02:45 PM EST
Sacyr Infrastructure USA, LLC	2016-01-25 12:37 PM EST	2016-01-25 12:46 PM EST
The Corradino Group	2016-01-12 09:15 AM EST	2016-01-12 09:15 AM EST
Aldridge Electric, Inc.	2016-01-27 03:14 PM EST	2016-01-28 09:35 AM EST
PFAL	2016-01-22 02:57 PM EST	2016-02-09 09:46 AM EST
Hitachi Rail Italy	2016-01-18 04:56 AM EST	2016-01-18 05:02 AM EST
Perkins WS Corporation	2016-01-18 01:41 AM EST	2016-02-08 06:40 PM EST
Globalvia Inversiones	2016-01-18 06:35 PM EST	2016-01-18 07:04 PM EST
Wabtec Corporation	2016-01-25 04:34 PM EST	2016-01-27 08:55 AM EST
Loop Capital Markets	2016-01-22 09:12 AM EST	2016-01-22 09:12 AM EST
ALSTOM TRANSPORTATION	2016-01-29 05:06 PM EST	2016-02-01 08:42 AM EST
Gannett Fleming Transit & Rail	2016-01-12 05:56 PM EST	2016-01-12 05:56 PM EST
RE Chisholm Architects.com	2016-01-12 09:38 AM EST	2016-01-12 09:40 AM EST
GHI Infrastructure, Inc.	2016-02-02 09:39 AM EST	2016-02-05 12:21 PM EST
Nova Engineering and Envoror	2016-01-19 01:12 PM EST	2016-01-19 01:12 PM EST
Vendor Support	2016-01-14 11:42 AM EST	2016-01-14 11:43 AM EST
Balfour Beatty Infrastructure, Inc.	2016-01-20 07:39 PM EST	2016-01-20 07:42 PM EST
Herczog Contracting Corp.	2016-02-05 03:08 PM EST	2016-02-05 03:48 PM EST
GLOBECONNECT,LLC	2016-01-15 01:16 PM EST	2016-01-15 02:15 PM EST
CSN Partners	2016-01-25 09:21 AM EST	2016-01-29 03:24 PM EST
Thales Transport & Security, Inc.	2016-01-13 11:22 AM EST	2016-02-02 06:51 AM EST
Serco Inc.	2016-01-12 09:35 AM EST	2016-01-29 11:17 AM EST
Bombardier Transportation	2016-01-12 09:15 AM EST	2016-01-12 09:28 AM EST
Construction Journal	2016-01-12 09:12 AM EST	2016-01-12 09:12 AM EST
DILAX Systems inc.	2016-01-12 07:48 AM EST	2016-01-15 12:54 PM EST
terracon	2016-01-14 08:33 PM EST	2016-01-14 08:33 PM EST
AECOM Technical Services, Inc.	2016-01-12 12:13 PM EST	2016-01-15 12:54 PM EST
Walsh Investors, L.L.C.	2016-02-10 12:27 PM EST	2016-02-10 12:28 PM EST
TLC Engineering for Architecture	2016-01-15 02:18 PM EST	2016-01-15 02:19 PM EST
Willowglen Systems	2016-02-09 12:01 PM EST	2016-02-09 12:09 PM EST
Arsalzo S T S USA, Inc.	2016-01-13 11:01 AM EST	2016-01-18 01:04 PM EST
O Mate	2016-02-02 04:49 PM EST	2016-02-02 04:49 PM EST
PrachtConsult	2016-01-15 05:04 PM EST	2016-02-05 02:49 PM EST
IMS	2016-01-12 10:12 AM EST	2016-01-18 02:08 PM EST
Gray Manufacturing Industries	2016-01-20 08:47 AM EST	2016-01-21 03:29 PM EST
Isclux Corsan, LLC	2016-01-21 04:13 PM EST	2016-02-02 11:28 AM EST
Clary Consulting, LLC	2016-01-23 12:57 PM EST	2016-01-23 12:57 PM EST
Ric Man Construction Florida	2016-01-29 08:02 AM EST	2016-01-29 08:09 AM EST
TK Engineering Services	2016-02-01 11:31 AM EST	2016-02-01 11:32 AM EST
Brookville Equipment Corporat	2016-01-12 03:39 PM EST	2016-01-18 11:53 AM EST
Ernst & Young Infrastructure Ar	2016-01-15 03:53 PM EST	2016-01-15 05:02 PM EST
Stantec Consulting Services, Inc.	2016-01-12 02:13 PM EST	2016-01-12 02:17 PM EST
LINK-Demstock National Trans	2016-01-26 10:18 AM EST	2016-01-26 10:26 AM EST
FLORIDA RESEARCH	2016-01-20 04:42 PM EST	2016-01-20 04:42 PM EST
WIC International Group, Inc.	2016-01-13 09:32 AM EST	2016-02-04 11:29 AM EST
So Supply Co LLC	2016-01-12 09:56 AM EST	2016-01-12 09:56 AM EST

TY Lin International	2016-01-28 12:03 PM EST	2016-01-28 01:37 PM EST
North America Procurement Co	2016-01-13 08:08 AM EST	2016-02-10 04:49 AM EST
Langan Engineering and Environ	2016-01-12 10:27 AM EST	2016-02-09 02:18 PM EST
CAF USA Inc	2016-01-12 12:20 PM EST	2016-02-08 03:59 PM EST
Pirtle Construction Company, L	2016-02-04 11:03 AM EST	2016-02-04 11:04 AM EST
London Trackwork, Inc.	2016-01-12 09:36 AM EST	2016-01-12 09:39 AM EST
URS Corporation Southern	2016-01-12 04:40 PM EST	2016-02-04 12:37 PM EST
Bizin	2016-01-26 09:20 AM EST	2016-01-26 09:21 AM EST
Leo A Daly	2016-01-12 08:50 AM EST	2016-01-12 08:50 AM EST
TY Lin International	2016-01-28 01:16 PM EST	2016-01-28 01:22 PM EST
MBeach Consulting & Solutions	2016-01-18 06:54 PM EST	2016-01-18 07:03 PM EST
Astom Transport	2016-01-13 09:22 AM EST	2016-01-13 09:35 AM EST
WORX Architecture Company	2016-01-15 03:12 PM EST	2016-01-15 03:12 PM EST
EAC Consulting, Inc	2016-01-20 09:26 AM EST	2016-01-20 09:30 AM EST
Integrated Management Servic	2016-01-12 10:26 AM EST	2016-01-12 10:26 AM EST
ADDING VALUE PPP INFRA	2016-01-27 04:06 AM EST	2016-01-27 04:28 AM EST
HNTB Corporation	2016-01-18 11:31 AM EST	2016-01-18 11:34 AM EST
P3 Management	2016-01-12 09:56 AM EST	2016-02-04 10:26 AM EST
Commercial Insurance Associa	2016-01-13 09:57 AM EST	2016-01-13 10:00 AM EST
LM HEAVY CIVIL CONSTRUCTIO	2016-02-09 09:22 AM EST	2016-02-09 09:22 AM EST
Zyscovich Architects	2016-01-18 11:00 AM EST	2016-01-18 11:00 AM EST
Ralferr	2016-01-25 10:55 AM EST	2016-01-25 11:00 AM EST
InfraAmericas	2016-01-14 03:40 PM EST	2016-01-15 12:46 PM EST
Hoppecke Batteries, Inc.	2016-01-12 08:39 AM EST	2016-01-15 12:47 PM EST
Archer Western Contractors, LI	2016-01-14 11:40 AM EST	2016-01-19 12:27 PM EST
Am Rail Construction, Inc	2016-01-12 10:03 AM EST	2016-01-12 10:03 AM EST
Marlin Engineering	2016-01-12 01:41 PM EST	2016-01-28 10:04 AM EST
CH Acoustics 2, LLC	2016-01-21 01:32 PM EST	2016-01-21 01:43 PM EST
Florida Bid Reporting	2016-01-17 08:39 AM EST	2016-01-17 08:39 AM EST
MCM	2016-01-21 01:43 PM EST	2016-02-09 11:58 AM EST
Macquarie Capital	2016-01-20 02:05 PM EST	2016-01-20 02:20 PM EST
Orvia	2016-01-12 04:09 PM EST	2016-01-26 05:17 AM EST
TBE Group, Inc. dba Cardio Ti	2016-01-18 01:37 PM EST	2016-01-18 01:37 PM EST
Kiewit Infrastructure South Co.	2016-01-13 11:29 AM EST	2016-01-13 11:30 AM EST
Star America Infrastructure Par	2016-01-15 01:55 PM EST	2016-01-15 03:57 PM EST

**EXHIBIT B  
UNSOLICITED PROPOSAL SUBMITTED  
TO THE CITY OF MIAMI BEACH  
FOR THE LIGHT RAIL/MODERN STREETCAR  
PROJECT**

**COPY OF EXHIBIT B PROPOSAL**  
**ON FILE WITH CITY CLERK AS PART OF RESOLUTION NO. 2015-**  
**29247**  
**AND INTENTIONALLY OMITTED HEREIN FOR ADMINISTRATIVE**  
**ECONOMY**

**EXHIBIT C  
ONE-ON-ONE MEETING REGISTRATION  
AND  
PROPOSER CONSENT FORM**

# MIAMI BEACH

City of Miami Beach, 1755 Meridian Avenue, Suite 100, Miami Beach, Florida 33139, www.miamibeachfl.gov  
PROCUREMENT DEPARTMENT  
Tel: 305-671-0747 Fax: 305-671-4302

## PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB

Notice of Receipt of Unsolicited Proposal and  
Request for Alternative Proposals for  
Light Rail/Modern Streetcar Project in Miami Beach

### ONE-ON-ONE MEETING REGISTRATION

Name of Requesting Firm: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone \_\_\_\_\_

Email: \_\_\_\_\_

Team Members \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please check the statement that best describes the status of the requesting team.

\_\_\_\_\_ Priority 1: Team is already formed or partially formed to pursue the Project that includes key elements of the team such as equity investors, major contractor and/or technology company.

\_\_\_\_\_ Priority 2: Equity investors that are considering forming a team to pursue the Project.

\_\_\_\_\_ Priority 3: Major contractors and technology companies considering teaming to pursue the Project

\_\_\_\_\_ Priority 4: Major engineering firms considering teaming to pursue the Project.

\_\_\_\_\_ Priority 5: Lenders (banks, investment bankers) considering teaming to pursue the Project

## PROPOSER CONSENT REGARDING ONE-ON-ONE MEETINGS

This acknowledgment is made this \_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_ who is authorized to sign on behalf of \_\_\_\_\_ ("Proposer") with reference to the following:

**WHEREAS**, on January 11, 2016, the City initially advertised its request for alternative proposals for a public/private partnership ("P3"), in accordance with Florida Statute 287.05712, for an off-wire or "wireless" light rail/modern streetcar system from 5th Street, via Washington Avenue to the Miami Beach Convention Center (the "Project"); and

**WHEREAS**, as part of an industry review process for the Project, the City and its consultants intends to hold one-on-one meetings with proposer teams, including the Proposer, to discuss various issues relating to the RFP.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth herein, the Proposer acknowledges and agrees to comply with the following rules and restrictions applicable to these meetings

1. The purpose of the meetings are for the City and its consultants to perform fact-finding activities, provide proposers with the opportunity to better understand the Project, and provide the City and its consultants with the ability to obtain a better understanding from the industry on relevant Project-related issues.
2. City participants in the meetings with proposer teams will have no decision-making authority to modify Project documents or the Project procurement process generally.
3. The proposer teams shall not rely on statements made by City and/or its representatives that may be interpreted as a commitment to change or modify the Project documents or to otherwise change the Project procurement process. The City will formally communicate any such changes to all proposers through an addendum to the Proposal Requirements Document, if any.
4. Subject to Paragraph 5 below, the Proposer and City will maintain the confidentiality of information discussed during the one-on-one meetings to the fullest extent allowed under applicable law.

5. If City deems it advisable at its sole discretion, City may issue formal written responses to all of the proposer teams addressing written questions raised at the one-on-one meetings. If City elects to issue written responses, it will not identify the proposer team(s) which raised the questions or issues.

6. The proposer teams may seek input from the City regarding the Project, but shall not seek to obtain commitments from City in the one-on-one meetings or otherwise seek to obtain an unfair competitive advantage over any other proposer team.

7. No aspect of the one-on-one meetings is intended to provide any proposer team with access to information that is not similarly available to other proposer teams, and no part of the evaluation of Project proposals will be based on the conduct or discussions that occur during these meetings.

8. Proposer waives any protest rights regarding City or its consultants conducting the one-on-one meetings with Project proposer teams.

Proposer: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

# MIAMIBEACH

City of Miami Beach, 1755 Meridian Avenue, 3rd Floor, Miami Beach, Florida 33139 | www.miamibeachfl.gov  
PROCUREMENT DEPARTMENT  
Tel: 305.673.7493 | Fax: 305.344.4700

**ADDENDUM NO. 3**  
**PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB**  
**Notice of Receipt of Unsolicited Proposal and**  
**Request for Alternative Proposals for**  
**Light Rail/Modern Streetcar Project in Miami Beach**  
**February 25, 2016**

The PRD is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

## I. ATTACHMENTS

Exhibit A: Presentation from Pre-Proposal Meeting held on February 19, 2016

Exhibit B: Sign-in sheet from Pre-Proposal Meeting held on February 19, 2016

Any questions regarding this Addendum should be submitted **in writing** to the Procurement Department to the attention of the individual named below, with a copy to the City Clerk's Office at [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov)

Procurement Contact:	Telephone:	Email:
Kristy Bada	305-673-7000, ext. 6218	KristyBada@miamibeachfl.gov

Proposers are reminded to acknowledge receipt of this addendum as part of your PRD submission.

  
Alex Denis  
Procurement Director

**EXHIBIT A  
PRESENTATION FROM PRE-PROPOSAL  
MEETING HELD ON FEBRUARY 19, 2016**

# MIAMI BEACH LIGHT RAIL/MODERN STREETCAR

**MANDATORY  
PRE-PROPOSAL MEETING  
February 19, 2016  
10 AM**

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## Overview of Miami Beach

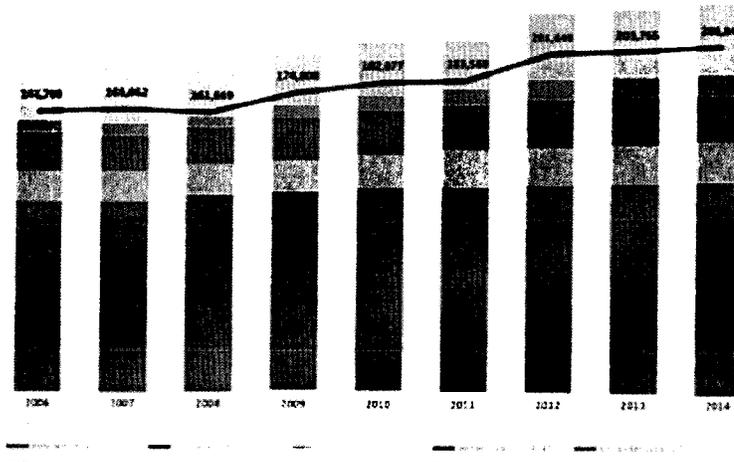
- Incorporated in 1915, celebrated 100 year anniversary
- 2014 population of 92,000\*
- Art Deco Historic District, one of greatest concentrations of Art Deco architecture in U.S.
- World famous South Beach, Art Basel and Ocean Drive
- Major industries are tourism, health care, construction, food & beverage
- Blend of residential, business and visitor community



\*Source: U.S. Department of Commerce, Bureau of Census  
Photo: Greater Miami Convention and Visitors Bureau

# AVERAGE DAILY POPULATION INDICATOR

Average Daily Population

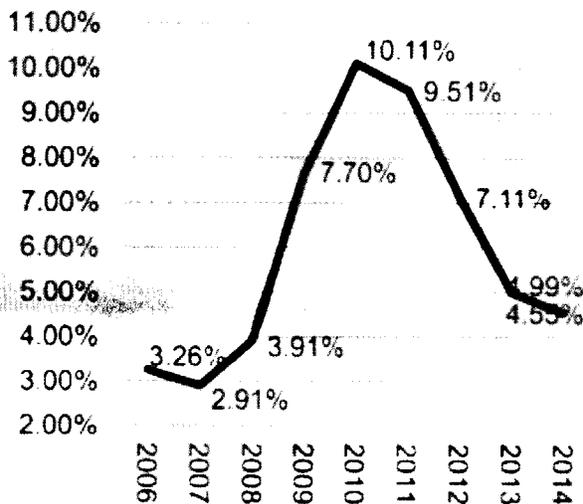


MIAMI BEACH

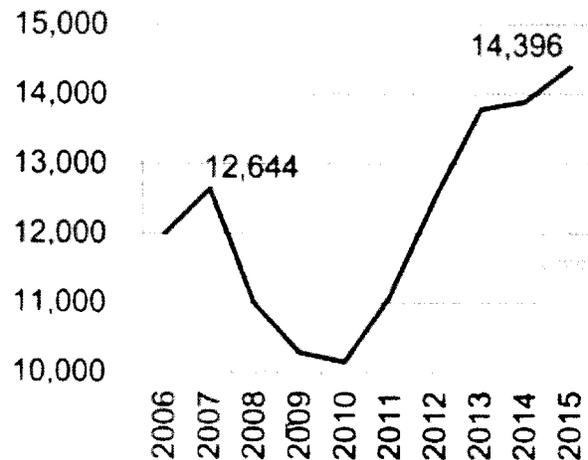
3

## Strong Recovery From Recession

Unemployment Rate



Building Permits



# Real Estate Transaction Highlights

- One Block of Lincoln Road sold for record \$374mm
- 140 room SLS South Beach Hotel sold for \$125mm
- 90 room Setai Miami Beach hotel sold for \$90mm
- Over \$55mm being invested in group of hotels and apartments in Collins Park neighborhood
- **Faena House - Upscale 44 unit condo**
  - 22 units sold thus far for total of \$193mm, averaging \$3,010/sf
  - Penthouse unit sold for record \$60mm, at \$5,295/sf



Photo and image: Greater Miami Convention and Visitors Bureau. The Setai above, Faena hotel below.

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## Miami Beach Top 10 Taxpayers

Taxpayer	Use	Taxable Value	% of FY4 Gross TV
Fountainbleau Hotel	Hotel	\$327,513,062	1.33%
MB Redev/Loews Hotel	Hotel	229,900,000	0.93
2201 Collins Fee LLC	Apartments	200,811,436	0.81
Florida Power & Light	Industrial	186,802,731	0.76
Di Lido Beach Hotel Corp.	Hotel	112,860,000	0.46
2377 Collins Resort LP	Hotel	110,925,385	0.45
VCP Lincoln Road LLC	Retail	98,000,000	0.40
Eden Roc LLP	Hotel	97,429,200	0.40
MCZ/Centrum Flamingo II	Apartments	95,590,000	0.39
MCZ/Centrum Flamingo III	Apartments	79,860,000	0.32
<b>Total</b>		<b>\$1,539,691,814</b>	<b>6.25%</b>

Source: 2013 Miami-Dade County Ad Valorem Assessment Roll for Miami Beach and Miami Beach FY14 CAFR

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# City of Miami Beach Tax Base

FYE	Real Property Final Assessed Value (in billions)	% Increase YOY	Millage Rates	Property Tax Revenues (in millions)	% Increase YOY
2006	17.15	23.7%	7.4810	111.69	40.7%
2007	22.26	29.8%	7.3740	140.31	25.6%
2008	26.14	17.4%	5.6555	125.33	-10.7%
2009	25.89	-1.0%	5.6555	125.94	0.5%
2010	23.24	-10.2%	5.6555	115.73	-8.1%
2011	20.97	-9.8%	6.2155	112.14	-3.1%
2012	20.75	-1.0%	6.1655	111.29	-0.8%
2013	22.02	6.1%	6.0909	114.32	2.7%
2014	23.64	7.4%	5.8634	117.41	2.7%
2015	26.27	11.1%	5.7942	127.76	8.8%
2016	<i>Preliminary: 30.70</i>	16.9%	5.7092	143.16	12.1%

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# City of Miami Beach Other Funding Sources

Funding Sources	FYE 2011	FYE 2012	FYE 2013	FYE 2014	FYE 2015
<b>General Fund</b>					
Building Development Fees	11,700,670	14,945,812	17,004,150	18,916,093	22,472,009
Franchise and Utility Taxes	24,074,326	24,998,295	22,903,167	24,457,161	24,194,434
Total Sales Tax Proceeds incl. Local Govt-Half Cent Sales Tax	7,422,264	7,485,716	7,900,129	8,360,029	8,843,124
<b>Non-General Fund</b>					
Resort Tax	48,773,891	53,920,167	58,617,992	61,760,518	67,999,916
Parking	41,075,824	42,856,519	44,330,388	43,485,969	45,924,806
Transportation Concurrency Management	922,418	1,054,061	1,269,498	1,939,072	2,598,829
Fees in Lieu of Parking	1,025,469	4,334,823	998,329	1,371,852	7,668,823
Citizens' Independent Transportation Trust (CITT)	2,910,064	2,978,058	3,149,589	3,137,570	3,571,376
<b>RDA</b>	<b>33,310,194</b>	<b>31,049,966</b>	<b>32,331,774</b>	<b>37,787,668</b>	<b>38,333,514</b>

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# New Parking Rates

- Rates increased in October 2015
- Increased revenues directed to fund
  - Increased parking capacity
  - Transportation Initiatives



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## Overnight Visitors

	2010	2015	% Change Since 2010
# Overnight Visitors to Miami-Dade County	12,604,100	15,400,200	22%
# Stayed on Miami Beach	5,558,408	7,238,000	30%
% Stayed on Miami Beach	44%	47%	7%



Source and Photo: Greater Miami Convention and Visitors Bureau

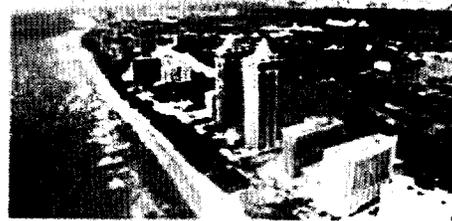
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# Miami Beach Hotel Performance

	FY 2014	FY 2015
# Hotel Rooms	17,751	19,545
Room Nights Sold	4,791,978	5,059,500
Occupancy	77%	75%
Room Rate	\$252	\$266
Rev PAR (Rev per Avail Room)	\$194	\$198

Despite increase of over 5,400 rooms since 2008, occupancy has remained above 70% And room rates and RevPAR have steadily increased



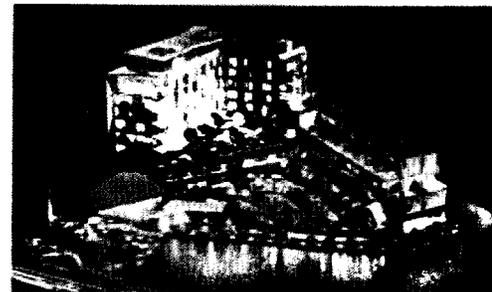
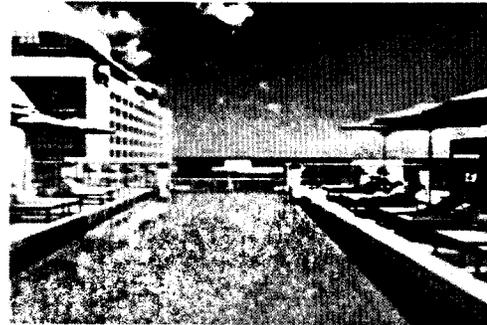
Source: Smith Travel Research; Photo: Greater Miami Convention and Visitors Bureau

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# New Hotels in Miami Beach

Area	Property Name	Opening Date	# of Rooms
MB	Thompson Miami Beach	Mar-15	380
MB/RDA	1 Hotel & Residences	Apr-15	426
MB	AC Hotel by Marriott	Jun-15	150
MB	The Angler's Boutique Hotel	Jun-15	45
MB/RDA	Hyatt Centric South Beach	Jun-15	105
MB/RDA	Aloft South Beach	Jun-15	235
MB	The Hall South Beach	Oct-15	163
MB	Faena Hotel	Dec-15	169
MB	Berkeley Hotel	Dec-15	110
<b>Total 2015</b>			<b>1,783</b>
MB	Hilton Garden Inn South Beach	Jan-16	96
MB	Residence Inn	Jan-16	116
MB	Jade Hotel	Jun-16	70
<b>Total 2016</b>			<b>282</b>
<b>Total New Hotel Supply</b>			<b>2,065</b>



Source: Miami Beach Planning Department, updated 9/29/15. Dates after June 2015 are estimated.

Photos: Greater Miami Convention and Visitors Bureau; AC Hotel (above); Aloft South Beach (below).

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# Credit Ratings

## **City of Miami Beach, Florida Resort Tax Revenue Bonds Series 2015**

• Ratings: Aa3/AA-

## **Miami Beach Redevelopment Agency Tax Increment Revenue and Revenue Refunding Bonds, Series 2015A and Taxable 2015B Ratings: A1/A**

## **City of Miami Beach, Florida Parking Revenue Bonds, Series 2015**

• Ratings: A2/A+

## **City of Miami Beach Bond Rating, Aa2/AA+**

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## **WHY THIS PROJECT NOW**

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# Project Location



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## Traffic Conditions

### Regional Highways

- In the last 5 years, northbound I-95 traffic volumes have grown by approximately 20%
- Indicative of the growth in the region

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# Traffic Conditions

## **I-395 MacArthur Causeway**

### **From 2013 to 2015**

- Daily eastbound traffic along MacArthur Causeway grew 7% Equivalent to approximately 3,500 vehicles per day.
- Daily westbound traffic along MacArthur Causeway grew 3%

### **2014 to date**

- average daily westbound traffic has grown 5%
- 2014 drop due to the Alton Road reconstruction

# Traffic Conditions

## **I-195 Julia Tuttle Causeway**

### **From 2010 to 2015**

- Eastbound and westbound traffic grew by 15% and 12%, respectively
- Equivalent to an additional daily traffic of approximately 15,400 vehicles in a 5-year period
- Represents an additional 11 vehicles per minute entering or leaving the City

# Miami Beach Mode Share

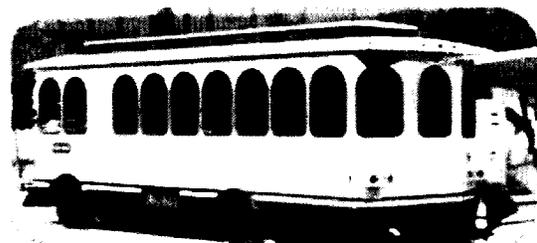
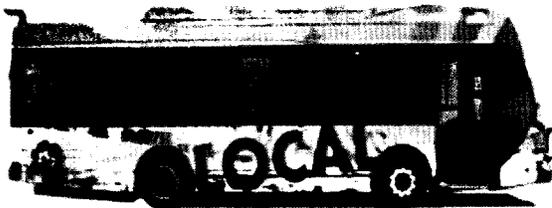
- Miami Beach Population is already pre-disposed for alternatives to the automobile
- In 2014, 47% of South Beach Residents surveyed responded that do not use a car as their primary mode of transportation

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## Circulator Ridership in South Beach

	FYE 2013	FYE 2014	FYE 2015
SOUTH BEACH LOCAL	1,309,300	1,222,163	1,079,327
ALTON-WEST TROLLEY		213,930	360,131
<b>TOTAL</b>	<b>1,309,300</b>	<b>1,436,093</b>	<b>1,439,458</b>



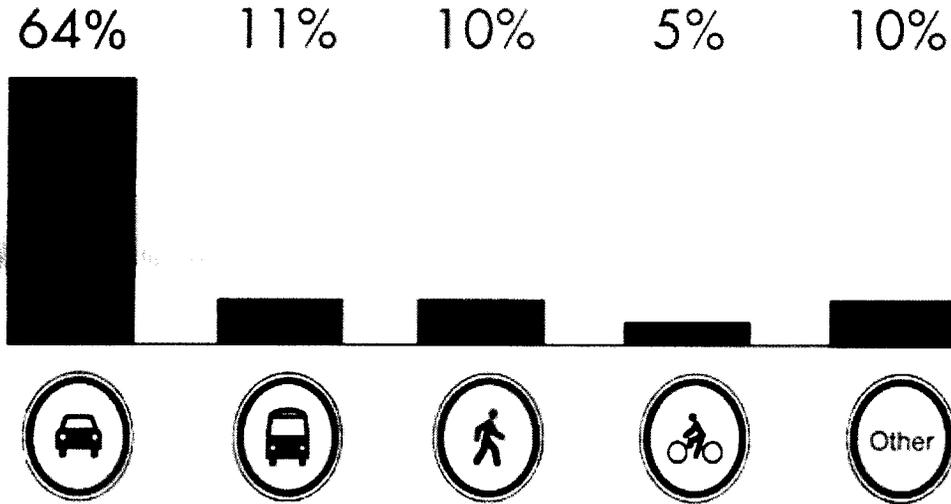
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# Miami Beach Mode Share

**Existing\***  
(To, From, and Within City)

As compared to transit mode share of 2% in Florida

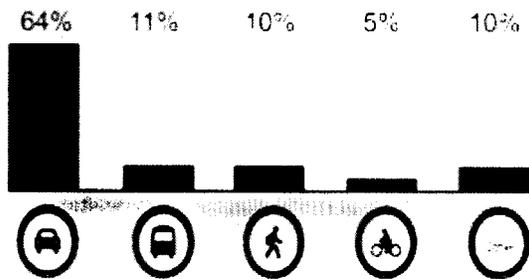


\* Source: Miami Beach Draft Transportation Master Plan  
Percentages are based on an appropriate average of the existing available data gathered

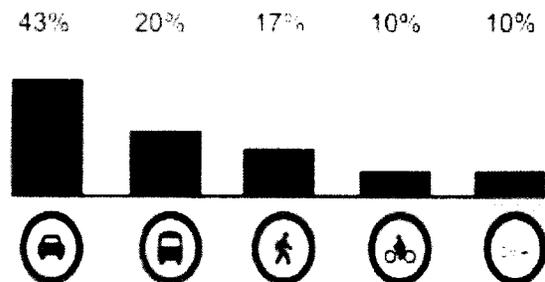
# Miami Beach Mode Share

And we want to do more

**Existing**



**2035**



Represents a reduction of approximately  
99.2 Metric Tons of Green-  
house Gases per day

# Transportation Master Plan

- **The City's Draft Transportation Master Plan (TMP) is in the process of review with adoption anticipated this Spring**
- **The Draft TMP is based on a Mode Prioritization approach which prioritizes transit, pedestrians and bicycles over vehicles**  
**The City Commission adopted the mode prioritization by resolution in July 2015**
- **The Draft TMP recommends Dedicated Lanes for Transit on Washington Avenue and 5<sup>th</sup> Street as a Priority 1 project**

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## Washington Avenue Master Plan

- **Facilitated by Stakeholder Taskforce**
- **Supported Dedicated Lanes for Transit**

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# CONVENTION CENTER RENOVATION

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## Connectivity Needed to Major City Investment

Project Cost	(in \$ millions)
Convention Center	551.0
Convention Center Parking	64.8
Total Convention Center Cost	<u>615.8</u>



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# Connectivity Needed to Major City Investment

2014 Convention Center Attendance	752,832
Incremental Jobs Impact*	1,600



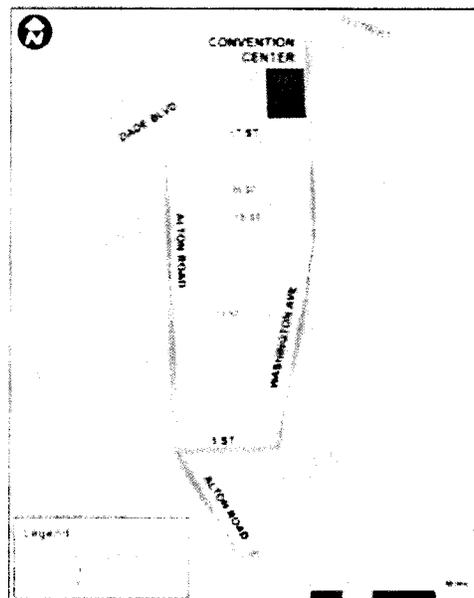
\*Direct, indirect and induced jobs supported by the ongoing spending by Convention District Guests. Source: IMPLAN

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## Convention Center Compared to Alignment

Miami Beach Light Rail/Modern Streetcar Project



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# PROJECT DEFINITION

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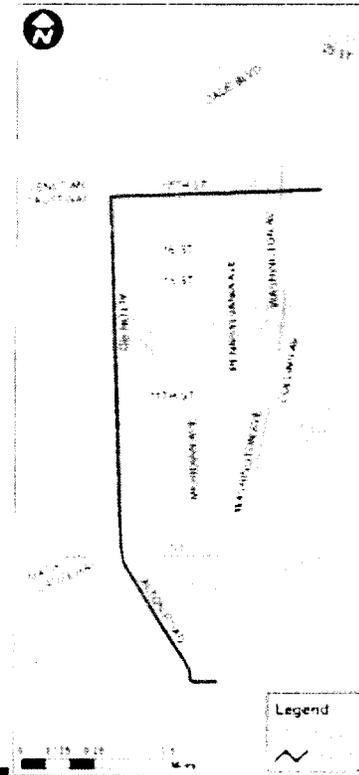
## Project Overview

- **City of Miami Beach developing/procuring Light Rail/Modern Streetcar system for people, businesses and attractions in South Beach**
- **The System will be of independent utility on Miami Beach and inter-operable with Beachline project across the MacArthur Causeway to Downtown Miami**
- **The LRT/Modern Streetcar will be catenary-free or off-wire technology operating on a dedicated right-of-way in the City of Miami Beach.**

# Project Definition

**Project includes two corridors with tracks in dedicated right-of-way:**

- Phase 1: 5<sup>th</sup> Street to Washington Avenue north to Dade Boulevard
- Phase 2: 17<sup>th</sup> Street to Alton Road south to South Point Drive
- Phases may be concurrent
- **Stations to be located every 2 to 4 blocks**
- **Vehicle Storage and Maintenance Facility site to be identified/provided by City**
- **Vehicles must demonstrate capacity for fully catenaryless operations**



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# City Resiliency Program

- **The City of Miami Beach has adopted a Resiliency Program**
- **Various projects are active under the Resiliency Program**
- **LRT/Modern Streetcar P3 Program will fall within the Resiliency Program parameters**
- **Concessionaire may be responsible for upgrading streets to meet the Program requirements, funded separately by the City**



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# Resiliency Program

- **Public roadway segments include raising elevation of roadway to minimum height of 3.7 NAVD at edge of right-of-way with minimum elevation of top of catch basins at or above 3.0 NAVD while maintaining a standard pavement cross-slope of 2.00%**
- **Underground utilities (water main, sanitary sewer, and storm sewer) within vicinity of route will be relocated, upgraded and/or protected as part of this project**

## Technical Project Team

- **Kimley Horn Team**
  - **Technical Support Team**
    - Kimley-Horn
    - HDR
    - WSP – Parson Brinckerhoff
    - LTK
  - **P3 Financial Support Team**
    - Clary Consulting
    - Castalia Advisors
  - **Public Involvement**
    - Media Resources Group
    - Kommunikatz
- **Outside Legal Counsel in process**

# PROJECT SCHEDULE CONCURRENT ENVIRONMENTAL REVIEW

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## Environmental Review

- **City of Miami Beach will complete the Environmental Process**
- **Class of Action expected to be Environmental Assessment (EA)**
- **Expected to be completed in early 2017**
- **Primary issues expected to be historic resources, resiliency, traffic, noise and construction impacts**



# Project Funding Plan

- **Project Funding Plan assumes a City, County and State Partnership**
- **Funding sources will be developed concurrent with Phase 1 of the Procurement**
- **Draft Funding Plan provided with other draft documents to teams selected in Phase 1 of Procurement**

## PROCUREMENT REQUIREMENTS

# Procurement Process

**Procurement in accordance with Section 287.0512, Florida Statutes**

## **Two Phase Process**

- **Phase 1 – Minimum Requirements & Qualifications**
  - Details for Phase 1 are included in PRD
- **Phase 2 – Technical Proposals & Cost/Financial Considerations**
  - Final Details for Phase 2 will be released to short-listed teams following Phase 1

# PROCUREMENT PROCESS PHASE 1

# Procurement Process Phase 1

## Minimum Requirements:

### A. Technology and Lead Contractor Requirements:

1. Demonstrated capacity of fully catenaryless revenue operations in Miami Beach with alignment on dedicated right of way
2. Demonstrated full performance capabilities including air conditioning in vehicles for climate similar to Miami Beach
3. Able to operate in a typical centenary system in the United States (750V DC)
4. Demonstrated capacity to address minimum ridership of 20,075 people on a daily basis

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# Procurement Process Phase 1

## Minimum Requirements (continued):

5. Proposer's Lead Contractor Bonding capacity of not less than \$200 million.
  - Letter of bonding capacity from an A-rated, Financial Class V, Surety Company
6. Successfully delivered a design/build or other form of construction contract, at least (1) public or public/private infrastructure project of at least \$150 million in the last (5) five years.

B. Application Fee in the amount of \$100,000, payable to the City of Miami Beach.

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# Procurement Process Phase 1

## Other Considerations:

- **Vehicle/System suppliers may participate on more than one team**
- **Other Lead Team Participants limited to one Proposer team**

## Lead Team Participants

- **Lead Contractor: Firm responsible for construction of the Project**
- **Lead Operator: Firm responsible for operation of vehicle/streetcar system**
- **Lead Engineer: Firm primarily responsible for completion of all Project-related engineering**
- **Lead Maintenance Entity: Firm responsible for maintenance of Project**
- **Lead Investor: Entity primarily responsible for providing equity for the Project**
- **Vehicle/Systems Suppliers: The streetcar vehicle or systems technology suppliers**

# Procurement Documents – Phase 1

- **Phase 1 Proposals, 3pm EDT, May 10, 2016**
- **Main components of the Phase 1 Proposal shall include:**
  - Tab 1 - Executive Summary, Forms and Compliance with Minimum Requirements
  - Tab 2 – Experience and Qualifications of Proposing Team
  - Tab 3 – Financial Capacity
  - Tab 4 – Approach and Methodology

## Procurement Phase 1 Evaluation

- **Phase 1 Proposal Evaluation will follow the following steps:**
  - Step 1: All Proposals will be reviewed for Responsiveness
  - Step 2: Proposals will need to meet the minimum requirements to be eligible for consideration by an Evaluation Committee appointed by the City Manager
  - Step 3: The Evaluation Committee, comprised of members appointed by the City Manager, will provide a recommended ranking to the City Manager.
  - Step 4: The City Manager will review the recommended ranking for consideration to recommend the ranking to City Commission.
  - Step 5: City Commission will review, finalize ranking, and approve shortlisting at least **3** but not more than **4** Proposers for advancement to Phase 2 of the procurement.

# PROCUREMENT PROCESS PHASE 2

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## Procurement Documents – Phase 2

- **Shortlisted Proposers proceed to Phase 2 of the procurement – June/July 2016**
- **The City will issue documents to the short-listed teams with the following type of content:**

Volume 1:

- The Instruction to Proposers (ITP)
- General Information and Instructions
- Phase 2 Procurement Process
- Alternative Technical Concepts (ATC) Process
- **General Proposal Submittal Requirements**
- Phase 2 Evaluation and Post-Selection Process
- Final Award, Execution and Delivery of Agreement Process

# Procurement Documents – Phase 2

- **Phase 2 documents continued:**
  - Volume 2: The Project Agreement
    - Project Terms and Conditions
    - Definitions and Exhibits
  - Volume 3: Technical Provisions (TPs)
    - Design, Construction, Operations and Maintenance Criteria (Prescriptive and Performance Based)
  - Volume 4: Reference Information Documents (RIDs)
    - Preliminary Design Drawings and Data (15% to 30% Design)
    - Geotechnical Information
    - Utility Information
    - Environmental Permits and Information
    - ROW Information
    - Station and Aesthetic Guidelines

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## Procurement Official Contact

**Cone of Silence applies – all contacts to:**

- **Kristy Bada, City of Miami Beach Procurement Department**
  - 305-673-7490
  - [KristyBada@MiamiBeachFL.gov](mailto:KristyBada@MiamiBeachFL.gov)
- **Copy to: [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov) or via Fax 786-394-4188 (Clerk, City of Miami Beach)**

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# PHASE 2 CONSIDERATIONS

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## Insurance/Bonding/Reserves

- **Proposer should assume:**
  - 100% Performance/Payment Bond for design-build
    - Open to discuss performance guarantee alternatives depending on total value of the design-build costs.
  - Rolling annual 100% Performance Bond for Operating period
  - Industry standard insurance package for the Project.
  - Reserve period buildup appropriate for Handback
  - Letters of Credit acceptable in place of Performance Bonds/reserves at the discretion of the City

# Engineer Reference Information

**As part of the Phase 2 documentation, several items will be provided to Bidders:**

- **Survey Information and Data**
  - Topographic Survey
  - Supplied in AutoCAD Civil 3D Format
- **Engineering Drawings**
  - Proposed Track Geometry and Alignment including typical Street Cross Sections
  - Station Locations and Prototypical Layouts
  - Traction Power Substation Locations
  - Conceptual Vehicle Storage and Maintenance Facility Layouts

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# Engineer Reference Information

**Other items to be provided to Bidders during the Phase 2 procurement include:**

- Utility Information and Data
  - ASCE 38-02 Quality Level B(+) SUE Report
  - List of Utility Providers along the Corridor
  - Initial Identification of Utility Conflicts
- Right of Way Information and Data
  - **Right of Way Data** including Existing Parcel Limits
  - Parcel Information including Existing Ownership
- Preliminary Geotechnical Information and Data
  - Soil Boring Information at Approximately 1000' Intervals

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# Engineer Reference Information

**Other items to be provided to Bidders during the Phase 2 procurement include:**

- **Environmental Data**
  - Level 1 Contamination Screening Evaluation
- **Station and Aesthetic Guidelines**
  - General Concept Drawings of Transit Stations
  - General Guidelines to be Followed Concerning Aesthetic Treatments
- **Projected Ridership Information and Data**
  - Transit Service and Operating Plan
  - Ridership Estimates and Loading

## P3 Project Financing Options

- **Up to Proposers**
- **Considering letter of interest for Florida State Infrastructure Bank – “State account” – to be available to all teams if approved**
- **Project does not anticipate Federal funding which should provide reductions in project costs**
  - **Cost-benefit analysis of savings from TIFIA loan compared to anticipated savings in project costs**

# P3 Payment Approach

- **Availability Payment approach:**
  - 30 year operating period (tentative)
  - Through the City of Miami Beach
    - Funding “package” will be evaluated and developed for creditworthiness as it is finalized
    - Solid City credit ratings demonstrated earlier in presentation
- **Milestone payments may be made during or at completion of construction to extent funds are available**
- **“Added Items” – such as resiliency highway improvements paid as work delivered**

## Q&A

**EXHIBIT B**  
**SIGN-IN SHEET FROM PRE-PROPOSAL**  
**MEETING HELD ON FEBRUARY 19, 2016**

**COPY OF SIGN IN SHEETS FOR PRE-PROPOSAL CONFERENCE  
INTENTIONALLY OMITTED FOR ADMINISTRATIVE ECONOMY  
AND ON FILE WITH PROCUREMENT DEPARTMENT**

# MIAMI BEACH

City of Miami Beach, 1755 Meridian Avenue, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
PROCUREMENT DEPARTMENT  
Tel: 305-673-7490 Fax: 786-394-4002

**ADDENDUM NO. 4**  
**PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB**  
**Notice of Receipt of Unsolicited Proposal and**  
**Request for Alternative Proposals for**  
**Light Rail/Modern Streetcar Project in Miami Beach**  
**February 26, 2016**

The PRD is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

**I. CLARIFICATION**

1. The deadline to request one-on-one meetings (as per Addendum No. 2) and submit Proposer Consent Form (Exhibit A) is ***Wednesday, March 2, 2016 at 5:00 PM.***

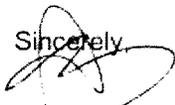
Interested parties are required to execute and submit the Proposer Consent Form (Exhibit A) prior to the City providing a scheduled time for its one-on-one meeting.

Parties interested in scheduling a one-on-one meeting should submit their Proposer Consent Form (Exhibit A) with a meeting request to Kristy Bada, Procurement Contracting Officer II, at [kristybada@miamibeachfl.gov](mailto:kristybada@miamibeachfl.gov). A maximum of 10 representatives per team is allowed at the one-on-one meetings.

Any questions regarding this Addendum should be submitted **in writing** to the Procurement Department to the attention of the individual named below, with a copy to the City Clerk's Office at [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov).

Procurement Contact: Kristy Bada	Telephone: 305-673-7000, ext. 6218	Email: <a href="mailto:KristyBada@miamibeachfl.gov">KristyBada@miamibeachfl.gov</a>
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Proposers are reminded to acknowledge receipt of this addendum as part of your PRD submission.

Sincerely,  


Alex Denis  
Procurement Director

**EXHIBIT C  
ONE-ON-ONE MEETING REGISTRATION  
AND  
PROPOSER CONSENT FORM**

# MIAMI BEACH

City of Miami Beach, 1755 Meridian Avenue, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139, www.miamibeachfl.gov  
PROCUREMENT DEPARTMENT  
Tel: 305-673-7490 Fax: 786-394-4002

## PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB

Notice of Receipt of Unsolicited Proposal and  
Request for Alternative Proposals for  
Light Rail/Modern Streetcar Project in Miami Beach

### **ONE-ON-ONE MEETING REGISTRATION**

Name of Requesting Firm: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Team Members: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please check the statement that best describes the status of the requesting team:

\_\_\_\_ Priority 1: Team is already formed or partially formed to pursue the Project that includes key elements of the team such as equity investors, major contractor and/or technology company.

\_\_\_\_ Priority 2: Equity investors that are considering forming a team to pursue the Project.

\_\_\_\_ Priority 3: Major contractors and technology companies considering teaming to pursue the Project.

\_\_\_\_ Priority 4: Major engineering firms considering teaming to pursue the Project.

\_\_\_\_ Priority 5: Lenders (banks, investment bankers) considering teaming to pursue the Project.

**PROPOSER CONSENT REGARDING ONE-ON-ONE MEETINGS**

This acknowledgment is made this \_\_\_\_ day of \_\_\_\_\_, 2016 by \_\_\_\_\_  
\_\_\_\_\_, who is authorized to sign on behalf of \_\_\_\_\_ ("Proposer")  
with reference to the following:

**WHEREAS**, on January 11, 2016, the City initially advertised its request for alternative proposals for a public/private partnership ("P3"), in accordance with Florida Statute 287.05712, for an off-wire or "wireless" light rail/modern streetcar system from 5th Street, via Washington Avenue to the Miami Beach Convention Center (the "Project"); and

**WHEREAS**, as part of an industry review process for the Project, the City and its consultants intends to hold one-on-one meetings with proposer teams, including the Proposer, to discuss various issues relating to the RFP.

**NOW, THEREFORE**, in consideration of the mutual covenants set forth herein, the Proposer acknowledges and agrees to comply with the following rules and restrictions applicable to these meetings:

1. The purpose of the meetings are for the City and its consultants to perform fact-finding activities, provide proposers with the opportunity to better understand the Project, and provide the City and its consultants with the ability to obtain a better understanding from the industry on relevant Project-related issues.
2. City participants in the meetings with proposer teams will have no decision-making authority to modify Project documents or the Project procurement process generally.
3. The proposer teams shall not rely on statements made by City and/or its representatives that may be interpreted as a commitment to change or modify the Project documents or to otherwise change the Project procurement process. The City

will formally communicate any such changes to all proposers through an addendum to the Proposal Requirements Document, if any.

4. Subject to Paragraph 5 below, the Proposer and City will maintain the confidentiality of information discussed during the one-on-one meetings to the fullest extent allowed under applicable law.

5. If City deems it advisable at its sole discretion, City may issue formal written responses to all of the proposer teams addressing written questions raised at the one-on-one meetings. If City elects to issue written responses, it will not identify the proposer team(s) which raised the questions or issues.

6. The proposer teams may seek input from the City regarding the Project, but shall not seek to obtain commitments from City in the one-on-one meetings or otherwise seek to obtain an unfair competitive advantage over any other proposer team.

7. No aspect of the one-on-one meetings is intended to provide any proposer team with access to information that is not similarly available to other proposer teams, and no part of the evaluation of Project proposals will be based on the conduct or discussions that occur during these meetings.

8. Proposer waives any protest rights regarding City or its consultants conducting the one-on-one meetings with Project proposer teams.

Proposer: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

# **EXHIBIT 3**

# MIAMI BEACH

City of Miami Beach, 1755 Meridian Avenue, 3<sup>rd</sup> Floor, Miami Beach, Florida 33139. www.miamibeachfl.gov  
PROCUREMENT DEPARTMENT  
Tel: 305-673-7490 Fax: 786-394-4002

**ADDENDUM NO. 5**  
**PROPOSAL REQUIREMENTS DOCUMENT (PRD) 2016-071-KB**  
**Notice of Receipt of Unsolicited Proposal and**  
**Request for Alternative Proposals for**  
**Light Rail/Modern Streetcar Project in Miami Beach**  
**February 26, 2016**

The PRD is amended in the following particulars only (deletions are shown by strikethrough and additions are underlined).

## I. CLARIFICATION

The solicitation timetable is as follows:

Proposal submittals:	May 10, 2016
Evaluation Committee	June, 2016
City Commission short-list:	June/July, 2016
Phase 2 docs released to short-listed proposers:	June/July, 2016
Submittal of Phase 2 cost/technical proposals:	November, 2016
Evaluation of Phase 2 cost/technical proposals:	December, 2016
Commission selection of proposer:	December, 2016
Commercial Close of Project Agreement:	January, 2017
Financial Close:	February, 2017*

\*Financial close date assumes the environmental approvals have been achieved at or before this time.

## II. Modifications Regarding Minimum Requirements

A. With respect to the Minimum Requirements in Paragraph 4.A of Section 0200 of the PRD relating to catenaryless technology: the Minimum Requirement of fully catenaryless technology means that the technology solution must be wireless while in operation between stops along the Project route. Specifically, for purposes of satisfying the Minimum Requirements, the Vehicle/System Technology does not have to be catenaryless at or within the maintenance facility depot, and may allow for charging in the air or via ground at passenger stops along the route, provided the application of the power supply is unobtrusive and is incorporated within the architectural features of the canopy design for the passenger stops.

B. The Minimum Requirements in Paragraph 4.A of Section 0200 of the PRD with respect to a “demonstrated capacity” for fully catenaryless technology may be satisfied if the proposed Vehicle/Systems Technology is in revenue operation as part of any portion or segment of track within any project anywhere in the world.

C. Additional Minimum Requirement: Paragraph 4.A of Section 0200 of the PRD is hereby amended as follows: The Vehicle/Systems Technology must include a low floor, low step design throughout each vehicle to maximize and facilitate accessibility and more timely

passenger loading and unloading.

**III. Modifications Regarding Lead Team Participants**

Paragraph 3 of Section 0200 of the PRD includes the City’s instructions regarding Lead Team Participants. With respect to the Vehicle/Systems Suppliers, Proposer teams may identify more than one proposed (1) Vehicle/System Supplier as part of their Phase 1 proposals, provided that each Vehicle/System Supplier must meet the minimum requirements and also deliver to the Proposer team a commitment letter confirming that it will provide final pricing and other terms to the proposer team. Proposer teams must include the foregoing commitment letters as part of their Tab 2 submittals, pursuant to Section 0300 of the PRD.

As part of the Phase 2 evaluation process, the short-listed Proposer teams may then finalize terms and must submit a technical and cost proposal with one (1) Vehicle/Systems Supplier.

**IV. Modification Regarding Federal Requirements, Including “Buy America” Requirements**

Notwithstanding any provisions to the contrary in Section 0200 or other sections of the PRD, for purposes of the Minimum Requirements, Proposers need not assume that federal requirements will apply for the Phase 1 proposal (including “Buy America” requirements).

The City reserves the right to determine, at any time prior to conclusion of the solicitation process for the Project, whether it will pursue any federal funding or financing for the Project. In the event that the City decides it will pursue federal funding or financing for the Project, the City will issue an addendum to permit the proposer teams to take City’s requirements into account as part of their final proposals, as necessary.

**V. Clarification Regarding Application Fee**

With respect to the \$100,000 application fee set forth in Paragraph 4.B of Section 0200 of the PRD, at the conclusion of the Phase 1 evaluation process, the City will evaluate its costs associated with the review of the Phase 1 proposals, and shall determine the review cost per proposal for Phase 1. Any proposers who are not short-listed and do not proceed to Phase 2 shall receive a refund consisting of the difference between the \$100,000 application fee and the per proposal review cost for Phase 1.

**VI. Clarification Regarding Stipends**

Proposers will not receive stipends or other reimbursement for development of Phase 1 or Phase 2 proposals. See PRD Section 0200, Paragraph 21.

Any questions regarding this Addendum should be submitted **in writing** to the Procurement Department to the attention of the individual named below, with a copy to the City Clerk’s Office at [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov).

Procurement Contact: Kristy Bada	Telephone: 305-673-7000, ext. 6218	Email: KristyBada@miamibeachfl.gov
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Proposers are reminded to acknowledge receipt of this addendum as part of your PRD submission.

Sincerely,

Alex Denis  
Procurement Director