

**Condensed Title:**

Request For Approval To Issue A Request For Proposals (RFP) To Secure The Services Of A Consultant That Will Compile The City Stakeholder's Requirements And Recommend The Best Approach To Select And Replace The Existing Public Safety Radio System With A P25 Compliant System Before The 2016 Timeframe.

**Key Intended Outcome Supported:**

Improve Process through Information Technology.  
 Supporting Data (Surveys, Environmental Scan, etc.): N/A

**Item Summary/Recommendation:**

The City of Miami Beach, the Licensee, operates a Motorola equipped 800 MHz 10 channel trunked Public Safety Radio System, the System, in its designated Federal Communication Commission, FCC, jurisdiction. The System is currently on year eight (8) of a ten (10) year life cycle and it is not Project 25 (P25) compliant as defined by federal P25 standards. The City's goal is to replace the System with a new P25 compliant system before the 2016 timeframe. The system replacement time cycle, based on procurement of the existing system, is over two (2) years from issuance of the RFP to acceptance of a working system.

P25 is a suite of standards for digital radio communications for use of interoperability by federal, state and local public safety agencies in North America to enable them to communicate with other agencies and mutual aid response teams in emergencies. The FCC has issued a directive that all 800 MHz systems will be "narrowbanded" in the 2016 timeframe. Narrowbanding is the process by which frequency space is narrowed from approximately 25 KHz to 12.5 KHz for each licensed frequency, thus increasing the amount of available radio spectrum. The main type of systems easily, and cost effectively, capable of being narrowbanded in such a fashion are P25 compliant systems. Both the infrastructure and the subscriber components of a radio system must be P25 compliant for full interagency interoperability to exist.

This matter was referred to the Finance and Citywide Projects Committee by the Mayor and Members of the City Commission at the February 6, 2013 Commission Meeting, Item C4L. The item was discussed at the February 20 meeting and it was recommended by the FCWP that an RFP would be issued to secure the services of a consultant that will compile the City stakeholder's requirements and recommend the best approach to select and replace the existing Public Safety Radio System with a P25 compliant system before the 2016 timeframe. The consultant would assist the City in determining ways to achieve compliance by the narrowbanded P25 directive issued by the FCC. The consultant may recommend that the City can purchase a replacement P25 compliant radio system, or it can join with other agencies in purchasing and establishing a Regional radio system or it can operate as a guest on a larger host's radio system.

The Finance Committee also requested to know approximately how much the consultant would cost. The City previously used similar consulting services for the procurement of the current radio system, which replaced the radio infrastructure but not the subscribers (radios), for a fee of \$195,000 (Resolution 2003-25200).

Sections II through V of the attached RFP provides the Minimum Qualifications, Scope of Services, Submittal Requirements, and Evaluation Criteria and Process for this project.

**THE ADMINISTRATION RECOMMENDS THAT THE MAYOR AND THE CITY COMMISSION APPROVE THE ISSUANCE OF THE RFP.**

**Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:	Amount	Account
1		
2		
3		
4		
5		
<b>Total</b>		

**Financial Impact Summary:**

**City Clerk's Office Legislative Tracking:**

Alex Denis, Ext. 7490

**Sign-Offs:**

 Department Director	 Assistant City Manager	 City Manager
GC AD	KGB MT	JLM



**MIAMIBEACH**

AGENDA ITEM C2A  
 DATE 5-8-13



# MIAMI BEACH

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

## COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: May 8, 2013

SUBJECT: **REQUEST FOR APPROVAL TO ISSUE A REQUEST FOR PROPOSALS (RFP) TO SECURE THE SERVICES OF A CONSULTANT THAT WILL COMPILE THE CITY STAKEHOLDER'S REQUIREMENTS AND RECOMMEND THE BEST APPROACH TO SELECT AND REPLACE THE EXISTING PUBLIC SAFETY RADIO SYSTEM WITH A P25 COMPLIANT SYSTEM BEFORE THE 2016 TIMEFRAME.**

### ADMINISTRATION RECOMMENDATION

Approve the issuance of the RFP.

### BACKGROUND

The City of Miami Beach, the Licensee, operates a Motorola equipped 800 MHz 10 channel trunked Public Safety Radio System, the System, in its designated Federal Communication Commission, FCC, jurisdiction. The System is currently on year eight (8) of a ten (10) year life cycle and it is not Project 25 (P25) compliant as defined by federal P25 standards. The City's goal is to replace the System with a new P25 compliant system before the 2016 timeframe. The system replacement time cycle, based on procurement of the existing system, is over two (2) years from issuance of the RFP to acceptance of a working system.

P25 is a suite of standards for digital radio communications for use of interoperability by federal, state and local public safety agencies in North America to enable them to communicate with other agencies and mutual aid response teams in emergencies. The FCC has issued a directive that all 800 MHz systems will be "narrowbanded" in the 2016 timeframe. Narrowbanding is the process by which frequency space is narrowed from approximately 25 KHz to 12.5 KHz for each licensed frequency, thus increasing the amount of available radio spectrum. The main type of systems easily, and cost effectively, capable of being narrowbanded in such a fashion are P25 compliant systems. Both the infrastructure and the subscriber components of a radio system must be P25 compliant for full interagency interoperability to exist.

This matter was referred to the Finance and Citywide Projects Committee by the Mayor and Members of the City Commission at the February 6, 2013 Commission Meeting, Item C4L. The item was discussed at the February 20 meeting and it was recommended by the FCWP that an RFP would be issued to secure the services of a consultant that will compile the City stakeholder's requirements and recommend the best approach to select and replace the existing Public Safety Radio System with a P25 compliant system before the 2016 timeframe. The consultant would assist the City in determining ways to achieve compliance by the narrowbanded P25 directive issued by the FCC. The consultant may recommend that the City

can purchase a replacement P25 compliant radio system, or it can join with other agencies in purchasing and establishing a Regional radio system or it can operate as a guest on a larger host's radio system.

The Finance Committee also requested to know approximately how much the consultant would cost. The City previously used similar consulting services for the procurement of the current radio system, which replaced the radio infrastructure but not the subscribers (radios), for a fee of \$195,000 (Resolution 2003-25200). The minimum eligibility criteria, desired scope of services and evaluation criteria for the RFP are attached.

Sections II through V of the attached RFP provides the Minimum Qualifications, Scope of Services, Submittal Requirements, and Evaluation Criteria and Process for this project.

### **CONCLUSION**

The Administration recommends that the Mayor and the City Commission approve the issuance of the RFP.

JLM/PDW/GG/AS

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# REQUEST FOR PROPOSALS (RFP)

**RFP 185-2013LR**

**P25 Mobile Radio System Consulting Services**



**MIAMIBEACH**

PROCUREMENT DIVISION, 3<sup>RD</sup> Floor  
1700 Convention Center Drive Miami Beach, FL 33139  
305-673-7490



# MIAMIBEACH

RFP 185-2013  
P25 MOBILE RADIO SYSTEM CONSULTING SERVICES

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**City of Miami Beach**, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
PROCUREMENT DIVISION  
Tel: 305-673-7490, Fax: 786-394-4006

## PUBLIC NOTICE

Sealed proposals, as detailed herein, will be received until 3:00 PM on, June 7, 2013, at the following address:

**City of Miami Beach City Hall  
Procurement Division – Third Floor  
1700 Convention Center Drive  
Miami Beach, Florida 33139**

**ANY PROPOSAL RECEIVED AFTER 3:00 PM ON THE PROPOSAL DUE DATE WILL BE RETURNED TO THE PROPOSER UNOPENED, AND WILL NOT BE CONSIDERED. THE RESPONSIBILITY FOR SUBMITTING PROPOSALS BEFORE THE STATED TIME AND DATE IS SOLELY THE RESPONSIBILITY OF THE PROPOSER. THE CITY WILL NOT BE RESPONSIBLE FOR DELAYS CAUSED BY MAIL, COURIER SERVICE, OR ANY OTHER ENTITY OR OCCURRENCE.**

The City utilizes **PublicPurchase** for automatic notification of bid opportunities and document fulfillment, including the issuance of any addendum to this RFP. This system allows vendors to register online and receive notification of new bids, addendums and awards. Registration is available through [www.publicpurchase.com](http://www.publicpurchase.com).

Any prospective proposer who has received this RFP by any means other than through **PublicPurchase** must register immediately with **PublicPurchase** to assure receipt of any addendum issued to this RFP. Prospective proposers are solely responsible for assuring they have received any addendum issued to this RFP. Failure to receive an addendum may result in disqualification of proposal submitted.

Proposers are hereby advised that this RFP is subject to the following ordinances/resolutions, which may be found on the City of Miami Beach website: [www.miamibeachfl.gov/procurement](http://www.miamibeachfl.gov/procurement).

- CONE OF SILENCE -- ORDINANCE NO. 2002-3378
- PROTEST PROCEDURES -- ORDINANCE NO. 2002-3344.
- DEBARMENT PROCEEDINGS -- ORDINANCE NO. 2000-3234
- LOBBYIST REGISTRATION AND DISCLOSURE OF FEES -- ORDINANCE NO. 2002-3363.
- CAMPAIGN CONTRIBUTIONS BY VENDORS - ORDINANCE NO. 2003-3389.
- REQUIREMENT FOR CITY CONTRACTORS TO PROVIDE EQUAL BENEFITS FOR DOMESTIC PARTNERS - ORDINANCE NO. 2005-3494
- LOCAL PREFERENCE FOR MIAMI BEACH-BASED VENDORS -- ORDINANCE NO. 2011-3747.
- PREFERENCE FOR FLORIDA SMALL BUSINESSES OWNED AND CONTROLLED BY VETERANS AND TO STATE-CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES -- ORDINANCE NO. 2011-3748.
- CODE OF BUSINESS ETHICS -- RESOLUTION NO. 2000-23879.

All questions or requests for clarifications must be received by the procurement contact named above no later than **five (5) calendar days** prior to the scheduled RFP due date. The City Clerk, [rafaelgranado@miamibeachfl.gov](mailto:rafaelgranado@miamibeachfl.gov), must copied on any question or comment submitted in response to this RFP. All responses to questions/clarifications will be sent to Proposers in the form of a written addendum.

**THE CITY OF MIAMI BEACH RESERVES THE RIGHT TO ACCEPT ANY PROPOSAL DEEMED TO BE IN THE BEST INTEREST OF THE CITY, OR WAIVE ANY IRREGULARITY AND/OR INFORMALITY IN ANY PROPOSAL, OR REJECT ANY AND/OR ALL PROPOSALS.**

Sincerely,

Alex Denis, CPPO  
Procurement Director

**City of Miami Beach,**

1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)  
PROCUREMENT Division  
Tel: 305.673.7490 Fax: 786.394.4006

**NOTICE OF NO RESPONSE**

If not submitting a Proposal at this time, please detach this sheet from the RFP documents, complete the information requested, and return to the address listed above.

**NO PROPOSAL SUBMITTED FOR REASON(S) CHECKED AND/OR INDICATED:**

- Not responding due to workload issues
- Not responding due to minimum qualifications requirements
- Not responding due to scope of services
- Not responding due to project's size and/or complexity
- OTHER. (Please specify) \_\_\_\_\_

Note: Failure to respond, either by not submitting a proposal or this completed form, may result in your company being removed from the City's bid list.

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We do \_\_\_\_\_ do not \_\_\_\_\_ want to be retained on your mailing list for future proposals for the type or product and/or service.

Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Company: \_\_\_\_\_

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**Feedback**

The City of Miami Beach is interested in continuously improving the process through which it acquires required goods and services. Your feedback is important. Please provide any comments or suggestions which may assist the City in this endeavor, including information on requirements, timelines, and solicitation forms.

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**SECTION I - OVERVIEW AND PROPOSAL PROCEDURES**

**A. INTRODUCTION / BACKGROUND**

The City of Miami Beach (the "City") operates a Motorola equipped 800 MHz 10 channel trunked Public Safety Radio System, the System, in its designated Federal Communication Commission, FCC, jurisdiction. The System is currently on year eight (8) of a ten (10) year life cycle and it is not Project 25 (P25) compliant as defined by federal P25 standards. The City's goal is to replace the System with a new P25 compliant system before the 2016 timeframe. The system replacement time cycle, based on procurement of the existing system, is over two (2) years from issuance of the RFP to acceptance of a working system.

P25 is a suite of standards for digital radio communications for use of interoperability by federal, state and local public safety agencies in North America to enable them to communicate with other agencies and mutual aid response teams in emergencies. The FCC has issued a directive that all 800 MHz systems will be "narrowbanded" in the 2016 timeframe. Narrowbanding is the process by which frequency space is narrowed from approximately 25 KHz to 12.5 KHz for each licensed frequency, thus increasing the amount of available radio spectrum. The main type of systems easily, and cost effectively, capable of being narrowbanded in such a fashion are P25 compliant systems. Both the infrastructure and the subscriber components of a radio system must be P25 compliant for full interagency interoperability to exist.

Through this RFP, the City seeks proposals from qualified consultants that can assist the City in determining ways to achieve compliance by the narrow-banded P25 directive issued by the FCC. The consultant may recommend that the City can purchase a replacement P25 compliant radio system, or it can join with other agencies in purchasing and establishing a Regional radio system or it can operate as a guest on a larger host's radio system.

**B. RFP TIMETABLE**

The tentative schedule for this RFP is as follows:

RFP Issued	May 13, 2013
Pre-Proposal Meeting	May 22, 2013
Deadline for Receipt of Questions	June 7, 2013
Proposals Due	June 17, 2013
Evaluation Committee Review	To Be Determined
Tentative Commission Approval Authorizing Negotiations	September 11, 2013 (Commission does not meet in August)
Contract Negotiations	Following Commission Approval

**C. PROPOSAL SUBMISSION DUE DATE**

An original and ten (10) copies of complete Proposals, plus one electronic copy (CD or flash drive), must be received **no later than 3:00 p.m. on the dated stated in Section 1(B)**, at the following address:

**City of Miami Beach City Hall  
Procurement Division -- Third Floor  
1700 Convention Center Drive  
Miami Beach, Florida 33139**

The original and all copies, including the electronic copy, must be submitted to the Procurement Division in a sealed package clearly noted with the Proposer's name, address, and RFP number and title. **No facsimile, electronic, or e-mail Proposals will be considered.**

**THE RESPONSIBILITY FOR SUBMITTING A PROPOSAL IN RESPONSE TO THIS RFP, ON OR BEFORE THE STATED TIME AND DATE, WILL BE SOLELY AND STRICTLY THAT OF THE PROPOSER. THE CITY WILL IN NO WAY BE RESPONSIBLE FOR DELAYS CAUSED BY MAIL, COURIER SERVICE, OR BY ANY OTHER ENTITY OR OCCURRENCE.**

**ANY PROPOSAL RECEIVED AFTER STATED DUE DATE WILL BE RETURNED TO THE PROPOSER UNOPENED. PROPOSALS RECEIVED AFTER THE RFP DUE DATE AND TIME WILL NOT BE ACCEPTED AND WILL NOT BE CONSIDERED.**



**D. PRE-PROPOSAL SUBMISSION MEETING**

A Pre-Proposal Submission Meeting will be held on the date noted in Section 1(B) at 10:00 a.m. at the following address: **City of Miami Beach City Hall – 4<sup>th</sup> Floor, Manager’s Large Conference Room, 1700 Convention Center Drive, Miami Beach, Florida 33139**

Attendance (in person or via telephone) is encouraged and recommended as a source of information, but is **not** mandatory. Proposers interested in participating in the Pre-Proposal Submission Meeting via telephone must follow these steps:

- (1) Dial the TELEPHONE NUMBER: 1-877-953-3061 (Toll-free North America)
- (2) Enter the MEETING NUMBER: 8982915#

Proposers who are interested in participating via telephone should send an e-mail to the contact person listed in Section E of this RFP expressing their intent to participate via telephone.

**E. CONTACT INFORMATION**

Contact: Lourdes Rodriguez, CPPB	Telephone: 305-673-7000, Extension 6652	Email: LourdesRodriguez@miamibeachfl.gov
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Requests for additional information or requests for clarifications must be made **in writing** to the Procurement Division. Facsimile or e-mail requests are acceptable. Please send all questions and/or requests for clarifications to the contact named above, with a copy to the City Clerk’s Office at [RafaelGranado@miamibeachfl.gov](mailto:RafaelGranado@miamibeachfl.gov), no later than the date specified in the RFP timetable.

**F. RESPONSE TO QUESTIONS & ADDENDUM TO RFP**

The Procurement contact will issue replies to inquiries and any other corrections or amendments, as he deems necessary, in written addenda issued prior to the deadline for responding to the RFP. Proposers should not rely on representations, statements, or explanations (whether verbal or written), other than those made in this RFP or in any written addendum to this RFP. **Proposers should verify with the Procurement Division prior to submitting a Proposal that all addenda have been received.**

**G. CONE OF SILENCE**

Pursuant to the city’s Cone Of Silence Ordinance, as codified in section 2-486 of the City Code, proposers are advised that oral communications between the proposer, or their representatives and 1) the Mayor and City Commissioners and their respective staff; or 2) members of the City’s Administrative staff (including but not limited to the City Manager and his staff); or 3) Evaluation Committee members, is prohibited.

**H. 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 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.

**I. RFP POSTPONEMENT/CANCELLATION/REJECTION**

The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, Proposals; re-advertise this RFP; postpone or cancel, at any time, this RFP process; or waive any irregularities in this RFP, or in any Proposals received as a result of this RFP.

**J. 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.

**K. EXCEPTIONS TO RFP**

Proposers must clearly indicate any exceptions they wish to take to any of the terms in this RFP, 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 RFP to which Proposer took exception to (as said term and/or condition was originally set forth on the RFP).

**L. FLORIDA PUBLIC RECORDS LAW**

Proposers are hereby notified that all Proposals 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.

#### **M. NEGOTIATIONS**

The City reserves the right to enter into further negotiations with the selected Proposer. Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Proposer in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Proposers that by submitting a Proposal, no property interest or legal right of any kind shall be created at any time until and unless a contract has been agreed to; approved by the City; and executed by the parties.

#### **N. PROTEST PROCEDURE**

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 (Ordinance No. 2002-3344), as codified in Sections 2-370 and 2-371 of the City Code. **Protests not timely made pursuant to the requirements of Ordinance No. 2002-3344 shall be barred.**

#### **O. OBSERVANCE OF LAWS**

Proposers are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, rules and regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which, in any manner, may affect the scope of services and/or project contemplated by this RFP (including, without limitation, the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines). Ignorance of the law(s) on the part of the Proposer will in no way relieve it from responsibility for compliance.

#### **P. DEFAULT**

Failure or refusal of the successful Proposer to execute a contract following approval of such contract by the City Commission, or untimely withdrawal of a Proposal before such award is made and approved, may result in forfeiture of that portion of any surety required as liquidated damages to the City. Where surety is not required, such failure may result in a claim for damages by the City and may be grounds for removing the Proposer from the City's vendor list.

#### **Q. 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.

#### **R. PROPOSER'S RESPONSIBILITY**

Before submitting a Proposal, 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.

#### **S. 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.

#### **T. 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 bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids 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.

#### **U. COMPLIANCE WITH THE CITY'S LOBBYIST LAWS**

This RFP 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 Proposals, in the event of such non-compliance.

#### **V. CONE OF SILENCE**

This RFP is subject to, and all Proposers are expected to be or become familiar with, the City's Cone of Silence requirements, as codified in Section 2-486 of the City Code. 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 voidable, in the event of such non-compliance.

#### **W. DEBARMENT ORDINANCE**

This RFP is subject to, and all Proposers are expected to be or become familiar with, the City's Debarment Ordinance (as adopted pursuant to Ordinance No. 200-3234, and as codified in Sections 2-397 through 2-406 of the City Code).

#### **X. COMPLIANCE WITH THE CITY'S CAMPAIGN FINANCE REFORM LAWS**

This RFP 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 Proposals, in the event of such non-compliance.

#### **Y. 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 Procurement Division with its bid/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.

#### **Z. AMERICAN WITH DISABILITIES ACT (ADA)**

Call 305-673-7490 to request material in accessible format; sign language interpreters (five (5) days in advance when possible), or information on access for persons with disabilities. For more information on ADA compliance, please call the Public Works Department, at 305-673-7000, Extension 2984.

#### **AA. 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.

### **SECTION II – MINIMUM QUALIFICATIONS REQUIREMENTS**

Proposers must meet or exceed the following minimum eligibility requirements to be considered responsive and have its proposal evaluated by the Evaluation Committee:

1. Must have experience providing the services sought through this RFP to governmental agencies.

### **SECTION III – SCOPE OF SERVICES**

The City is issuing this RFP to secure the services of a consultant that will compile the City Stakeholder's requirements and recommend the best approach to select and replace the existing Public Safety Radio System with a P25 compliant system before the 2016 timeframe. The consultant may recommend that the City can purchase a replacement P25 compliant radio system, or it can join with other agencies in purchasing and establishing a regional radio system or it can operate as a guest on a larger host's radio system. The selected consultant's main duties and responsibilities will include:

- Must be independent, not affiliated with neither any manufacturer nor vendor and must present a perspective that is consistently objective, effective, and vendor-neutral.
- Must have multiple individuals capable of performing the work sought in this RFP and must provide their credentials, and experience.
- Schedule and lead the requirement gathering meetings with diverse team of selected City radio system stake holders.
- Review and compile requirements gathered from meetings to validate and verify technical feasibility.
- Use list of compiled requirements, and consultant's own expertise, to develop an organized comprehensive scope of requirements.
- Work with City to create an RFP and/or Interagency Agreement (depending on the consultant's recommended approach to replacing system) and develop evaluation criteria for the new P25 radio system by using the comprehensive scope of requirements created, and assist in negotiations as required.
- Provide progress status updates as required.
- Validate that the implemented system fulfills the requirements of the consultant prepared RFP or Interagency Agreement (depending on the consultant's recommended approach to replacing system).

In addition to the minimum eligibility requirements established above, the consultant should demonstrate and clearly document the following:

- Must have performed similar work for similar organizations before and must demonstrate that the work resulted in awards to various radio manufacturers. References of such work are required.
- Must have multiple individuals capable of performing the work sought in this RFP and must provide their credentials, and experience.

In the event that the City releases a subsequent RFP for a new public safety communications system, the successful proposer will be precluded from participating.

**SECTION IV – 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 presented in a three (3) ring binder and 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.

<b>TAB 1</b>	<b>Minimum Eligibility Requirements</b>
Submit detailed verifiable information affirmatively documenting compliance with minimum eligibility requirements established in Section II.	

<b>TAB 2</b>	<b>Experience &amp; Qualifications.</b>
<p><b>Qualifications of Proposing Firm.</b> Describe experience and qualifications of the Proposer in providing the services detailed herein.</p> <p><b>Qualifications of Proposer Team.</b> Provide an organizational chart of all personnel and consultants to be used if awarded, the role that each team member will play in providing the services detailed herein and each team members' qualifications. A resume of each individual, including education, experience, and any other pertinent information, shall be included for each Proposal team member to be assigned to this contract.</p> <p><b>Proposal Certification, Questionnaire &amp; Requirements Affidavit (Appendix A).</b> Attach Appendix A fully completed and executed. Through the information provided in Appendix A, proposer's financial capacity, litigation history, past performance, as well as other factors, may be assessed.</p>	

<b>TAB 3</b>	<b>Scope of Services &amp; Methodology</b>
<p>Submit detailed information on how proposer plans to accomplish the required scope of services, including detailed information, as applicable, on proposed solution(s), approach and methodology to project implementation, project timeline and any other factor that may impact the successful completion of the project.</p> <p>Submit a detailed proposed statement of work, categorized by specific deliverables, which will accomplish the required scope of services in the timeliest manner possible.</p>	

<b>TAB 4</b>	<b>Cost Proposal</b>
Submit proposed project costs, categorized by specific deliverables.	

**SECTION V – EVALUATION / SELECTION PROCESS**

The procedure for response, evaluation and selection will be as follows:

1. The RFP will be issued
2. A Pre-Proposal Submission Meeting with potential Proposers will be conducted.
3. All timely received Proposals will be opened and listed.
4. An Evaluation Committee, appointed by the City Manager, shall meet to evaluate each Proposal in accordance with the requirements set forth in the RFP. If further information is desired, Proposers may be requested to make additional written submissions or oral presentations to the Evaluation Committee.
5. The Evaluation Committee will recommend to the City Manager the Proposer or Proposers that it deems to be the best candidate(s) by using the following evaluation criteria:

Total Points	Evaluation Criteria
35	Proposer Qualifications
35	Scope of Services and Methodology
30	Cost Proposal

**LOCAL PREFERENCE:** The City, through the Procurement Division, will assign an additional five (5) points to Proposers which are a Miami Beach-based vendor as defined in the City's Local Preference Ordinance.

**VETERANS PREFERENCE:** The City, through the Procurement Division, will assign an additional five (5) points to Proposers which are a small business concern owned and controlled by a veteran(s) or a service-disabled veteran business enterprise, as defined in the City's Veterans Preference Ordinance.

6. The City Manager shall recommend to the City Commission the Proposal or Proposals which he deems to be in the best interest of the City.
7. The City Commission shall consider the City Manager's recommendation and, if appropriate, 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.
8. Negotiations between the City and the selected Proposer(s) will take place to arrive at a mutually acceptable Agreement. If the City Commission has so directed, the City may proceed to negotiate an Agreement with a proposer other than the top-ranked proposer.
9. The final proposed agreement(s) will be presented to the City Commission for approval.
10. If the agreement(s) are approved by the City Commission, the Mayor and City Clerk shall execute the contract(s), after the Proposer (or Proposers) has (or have) done so.

**BY SUBMITTING A PROPOSAL, ALL PROPOSERS SHALL BE DEEMED TO UNDERSTAND AND AGREE THAT NO PROPERTY INTEREST OR LEGAL RIGHT OF ANY KIND SHALL BE CREATED AT ANY POINT DURING THE AFORESAID EVALUATION/SELECTION PROCESS UNTIL AND UNLESS A CONTRACT HAS BEEN AGREED TO AND SIGNED BY BOTH PARTIES.**

## **SECTION VI – SPECIAL TERMS AND CONDITIONS: INSURANCE**

**Insurance Requirements.** The successful Proposer(s) shall obtain, provide and maintain, during the term of the contract, the following types and amounts of insurance, which shall be maintained with insurers licensed to sell insurance in the State of Florida and have a B+ VI or higher rating in the latest edition of AM Best's Insurance Guide: The successful Proposers' failure to procure or maintain required the insurance program shall constitute a material breach of the contract.

**Commercial General Liability.** A policy including, but not limited to, comprehensive general liability, including bodily injury, personal injury, property damage, in the amount of a combined single limit of not less than \$TBD. Coverage shall be provided on an occurrence basis. The City of Miami Beach must be named as certificate holder and additional insured on policy.

- Workers' Compensation and Employer's Liability per the statutory limits of the state of Florida.
- Comprehensive General Liability (occurrence form), limits of liability \$TBD per occurrence for bodily injury property damage to include Premises/ Operations; Products, Completed Operations and Contractual Liability. **Contractual Liability** and Contractual Indemnity (Hold harmless endorsement exactly as written in "insurance requirements" of specifications).
- Automobile Liability - \$TBD each occurrence - owned/non-owned/hired automobiles included.

**Worker's Compensation.** A policy of Worker's Compensation and Employers Liability Insurance, in accordance with worker's compensation, laws as required per Florida Statutes.

Said policies of insurance shall be primary to and contributing with any other insurance maintained by Proposer or City, and shall name the City of Miami Beach, as an additional insured. No policy can be canceled without thirty (30) days prior written notice to the City. The successful Proposer(s) shall file and maintain certificates of all insurance policies with the City's Risk Management Department showing said policies to be in full force and effect at all times during the course of the contract. Such insurance shall be obtained from brokers of carriers authorized to transact insurance business in Florida and satisfactory to City. Evidence of such insurance shall be submitted to and approved by City prior to commencement of any work or tenancy under the proposed contract.

If any of the required insurance coverage contain aggregate limits, or apply to other operations or tenancies of Proposer(s) outside the proposed contract, Proposer(s) shall give City prompt written notice of any incident, occurrence, claim settlement or judgment against such insurance which may diminish the protection such insurance affords the City. Proposer(s) shall further take immediate steps to restore such aggregate limits or shall provide other insurance protection for such aggregate limits.

# APPENDIX A



MIAMI BEACH

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## Proposal Certification, Questionnaire & Requirements Affidavit

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RFP 185-2013  
P25 Mobile Radio  
System Consultant

PROCUREMENT DIVISION  
1700 Convention Center Drive  
Miami Beach, Florida 33139

**PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT**

Solicitation No: 185-2013LR	Solicitation Title: P25 Mobile Radio System Consultant	
Procurement Contact: Lourdes Rodriguez	Tel: 305-673-7000, Extension 6652	Email: LourdesRodriguez@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:	No. of Employees:
OTHER NAME(S) BIDDER HAS OPERATED UNDER IN THE LAST 10 YEARS:		
FIRM PRIMARY ADDRESS (HEADQUARTERS):		
CITY:		
STATE:		
TELEPHONE NO.:		
TOLL FREE NO.:		
FAX NO.:		
FIRM LOCAL ADDRESS:		
CITY:		
STATE:		
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.



**PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT**

2. **Miami Beach Based (Local) Vendor.** Is proposer a Miami Beach based firm?  
 YES  NO

**SUBMITTAL REQUIREMENT:** Proposers claiming Miami Beach vendor status shall submit a Business Tax Receipt issued by the City of Miami Beach, as required pursuant to ordinance 2011-3747, to demonstrate that the Proposer is a Miami Beach Based Vendor.

3. **Veteran Owned Business.** Is proposer a veteran owned business?  
 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.

4. **Financial Capacity.** Proposers shall submit a Dun & Bradstreet Duns Number (D-U-N-S #). The City may request one or more D&B reports to assess proposer's financial capacity or may request other information (e.g., audited and other financial statements) after proposal submittal in order to assess financial capacity. If firm is not currently registered at D&B, contact D & B at 1-800-234-3867 to register your company.

**SUBMITTAL REQUIREMENT:** Proposer shall submit **Dun & Bradstreet Duns Number (D-U-N-S #):** \_\_\_\_\_

Note: The City may require other financial information (e.g., audited financial statements, bonding capacity, credit history, etc.), as part of the solicitation submittal requirements or during the evaluation process, as necessary to evaluate financial capacity.

5. **Litigation History.** Proposer shall submit a statement of any litigation or regulatory action that has been filed against your firm(s) in the last five years. If an action has been filed, state and describe the litigation or regulatory action filed, and identify the court or agency before which the action was instituted, the applicable case or file number, and the status or disposition for such reported action. If no litigation or regulatory action has been filed against your firm(s), provide a statement to that effect. If "No" litigation or regulatory action has been filed against your firm(s), please provide a statement to that effect. **Truthful and complete answers to this question may not necessarily disqualify a firm from consideration but will be a factor in the selection process. Untruthful, misleading or false answers to this question shall result in the disqualification of the firm for this project.**

**SUBMITTAL REQUIREMENT:** Proposer shall submit history of litigation or regulatory action filed against proposer, or any proposer team member firm, in the past five (5) years. If Proposer has no litigation history or regulatory action in the past 5 years, submit a statement accordingly.

6. **References & Past Performance.** Proposer shall submit at least three (3) references for whom the proposer has completed work similar in size and nature as the work referenced in solicitation. Additionally, Proposer shall provide reference with the Contractor Client Survey provided as an attachment to the solicitation, and request that your reference submit the completed survey to directly to the contracting officer named in the solicitation. **In order to be considered, surveys must be sent to the Procurement Division directly by the reference. The city will not accept client surveys sent to the Procurement Division by the Proposer.** A minimum of three (3) references and client surveys are required.

**SUBMITTAL REQUIREMENT:** Proposer shall submit a minimum of three (3) references, including the following information: 1) Firm Name, 2) Contact Individual Name & Title, 3) Address, 4) Telephone, 5) Contact's Email and 6) Narrative on Scope of Services Provided. Additionally, each reference shall submit Contractor Client Survey included in the solicitation directly to the City. Proposer may attach additional references and ask that additional references submit client surveys \_\_\_\_\_ as \_\_\_\_\_ applicable.

**PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT**

7. **Suspension, Debarment or Contract Cancellation.** Has proposer ever been debarred, suspended or other legal violation, 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).

8. **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 ITN. 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.

9. **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 Procurement Division with its bid/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/).

10. **Living Wage.** Pursuant to Section 2-408 of the Miami Beach City Code, as same may be amended from time to time, proposers shall be required to pay all employees who provide services pursuant to this Agreement, the hourly living wage rates listed below:

- Commencing with City fiscal year 2012-13 (October 1, 2012), the hourly living rate will be \$11.28/hr with health benefits, and \$12.92/hr without benefits.

The living wage rate and health care benefits rate may, by Resolution of the City Commission be indexed annually for inflation using the Consumer Price Index for all Urban Consumers (CPI-U) Miami/Ft. Lauderdale, issued by the U.S. Department of Labor's Bureau of Labor Statistics. Notwithstanding the preceding, no annual index shall exceed three percent (3%). The City may also, by resolution, elect not to index the living wage rate in any particular year, if it determines it would not be fiscally sound to implement same (in a particular year).

Proposers' failure to comply with this provision shall be deemed a material breach under this bid, under which the City may, at its sole option, immediately deem said proposer as non-responsive, and may further subject proposer to additional penalties and fines, as provided in the City's Living Wage Ordinance, as amended. Further information on the Living Wage requirement is available at [www.miamibeachfl.gov/procurement/](http://www.miamibeachfl.gov/procurement/).

**SUBMITTAL REQUIREMENT:** No additional submittal is required. By virtue of executing this affidavit document, Proposer agrees to the living wage requirement.

11. **Equal Benefits for Employees with Spouses and Employees with Domestic Partners.** When awarding competitively solicited contracts valued at over \$100,000 whose contractors maintain 51 or more full time employees on their payrolls during 20 or more calendar work weeks, the Equal Benefits for Domestic Partners Ordinance 2005-3494 requires certain contractors doing business with the City of Miami Beach, who are awarded a contract pursuant to competitive bids, to provide "Equal Benefits" to their employees with domestic partners, as they provide to employees with spouses. The Ordinance applies to all employees of a Contractor who work within the City limits of the City of Miami Beach, Florida; and the Contractor's employees located in the United States, but outside of the City of Miami Beach limits, who are directly performing work on the contract within the City of Miami Beach.

**PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT**

- A. Does your company provide or offer access to any benefits to employees with spouses or to spouses of employees?  
 YES       NO
- B. Does your company provide or offer access to any benefits to employees with (same or opposite sex) domestic partners\* or to domestic partners of employees?  
 YES       NO
- C. Please check all benefits that apply to your answers above and list in the "other" section any additional benefits not already specified. Note: some benefits are provided to employees because they have a spouse or domestic partner, such as bereavement leave; other benefits are provided directly to the spouse or domestic partner, such as medical insurance.

BENEFIT	Firm Provides for Employees with Spouses	Firm Provides for Employees with Domestic Partners	Firm does not Provide Benefit
Health			
Sick Leave			
Family Medical Leave			
Bereavement Leave			

If Proposer cannot offer a benefit to domestic partners because of reasons outside your control, (e.g., there are no insurance providers in your area willing to offer domestic partner coverage) you may be eligible for Reasonable Measures compliance. To comply on this basis, you must agree to pay a cash equivalent and submit a completed Reasonable Measures Application (attached) with all necessary documentation. Your Reasonable Measures Application will be reviewed for consideration by the City Manager, or his designee. Approval is not guaranteed and the City Manager's decision is final. Further information on the Equal Benefits requirement is available at [www.miamibeachfl.gov/procurement/](http://www.miamibeachfl.gov/procurement/).

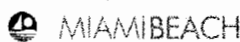
- 12. **Public Entity Crimes.** Section 287.133(2)(a), Florida Statutes, as currently enacted or as amended from time to time, states that a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, 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 bids, 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.

- 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.



**PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT****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 RFP, 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 RFP, 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 Bid 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 RFP are submitted at the sole risk and responsibility of the party submitting such Proposal.

This RFP 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 bid 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 RFP, 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 RFP, 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 RFP, it is understood that the provisions of this Disclosure and Disclaimer shall always govern. The RFP and any disputes arising from the RFP shall be governed by and construed in accordance with the laws of the State of Florida.

PROPOSAL CERTIFICATION, QUESTIONNAIRE & REQUIREMENTS AFFIDAVIT

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 ITN, 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 ITN, 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 \_\_\_\_\_)  
\_\_\_\_\_, 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 \_\_\_\_\_ of

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



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

PROCUREMENT DIVISION

Tel: 305-673-7000 ext. 6652, Fax: 786-394-4075

To Whom It May Concern:

The City of Miami Beach (City) has implemented a process that collects past performance information on contractors interested in providing service to the City. Your firm has been named by the contractor named below as a current or past client. It is kindly requested that you complete this form and submit it directly to the City by the due date noted below. Client surveys received directly from the contractor will not be considered.

Contractor:		
RFP No.: 185-2013	RFP Title: P25 Mobile Radio System Consultant	
Client Survey Due Date: June 17, 2013	City Contact: Lourdes Rodriguez, CPPB 305-673-7000, Extension 2984 LourdesRodriguez@miamibeachfl.gov	Submittal Information: City of Miami Beach Procurement Division 1700 Convention Center Drive Miami Beach, Florida 33139

Client Name:	Client Contact:
Dates of Service:	Project Value:
Project Description:	

### Contractor Performance Evaluation

	Criteria	Score
1	How satisfied were you with the project services provided by contractor?	
2	How satisfied were you with qualifications and professionalism of the contractor's personnel, subcontractors and agents in completing the project requirements?	
3	How satisfied were you with the project completion timeline?	
4	How satisfied were you with the services provided by the contractor?	
5	How satisfied were you with the approach and methodology utilized by the contractor in completing the agreed to services, including any innovative approach undertaken to achieve project requirements, within or below costs and within schedule?	
6	How satisfied were you with the value of the costs paid to the contractor?	
7	Overall, how satisfied were you with the services, approach and costs paid to the contractor?	

Additional Comments / Information:
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