



## **NEIGHBORHOOD/COMMUNITY AFFAIRS COMMITTEE MEETING**

SUPPLEMENTAL MATERIAL

COMMISSION CHAMBER, 3<sup>RD</sup> FLOOR, CITY HALL

APRIL 25, 2014 AT 3:00 PM.

Neighborhood/Community Affairs Committee  
Commissioner Edward L. Tobin, Chairperson  
Commissioner Micky Steinberg, Vice-Chairperson  
Commissioner Deede Weithorn, Member  
Commissioner Joy Malakoff, Alternate

### **SUPPLEMENTAL MATERIAL FOR ITEM # 3**

#### **DISCUSSION REGARDING SIGHTSEEING AND TOUR BUS INDUSTRY REGULATIONS.**

*Commission Item C6B, October 16, 2013*

*(Requested by Commissioner Tobin)*

Jose Gonzalez, Transportation Manager, presented the item.



# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee

FROM: Jimmy L. Morales, City Manager 

DATE: April 25, 2014

SUBJECT: **DISCUSSION REGARDING SIGHTSEEING AND TOUR BUS SERVICES FROM VARIOUS LOCATIONS IN THE CITY.**

This issue was referred to the Transportation and Parking Committee (TPC) and Neighborhood/Community Affairs Committee (NCAC) by the City Commission at the meeting of March 13, 2013. The Administration held a workshop with the sightseeing and tour bus industry on Monday, June 24, 2013. The TPC discussed the item at their July 1, 2013 meeting. The NCAC discussed the item on September 30, 2013. At the meeting, the NCAC recommended that the Administration meet with the industry again, go back to TPC for input, and bring the item back to NCAC.

The item was discussed at the City Commission meeting of February 12, 2014. After some discussion, the Commission made a motion directing the Administration to prohibit buses from stopping on Ocean Drive until there is a regulation or policy in place. While the companies can continue to operate their buses along Ocean Drive, no loading or unloading of passengers is permitted.

At the February 28, 2014 NCAC meeting, the Committee passed a motion directing the Administration to move forward with the following:

- 1) Procurement for an agreement related to the use of designated right-of-way locations for a limited number of Hop-On/Hop-Off (open loop) bus tours including use of a designated stop on Ocean Drive and a designated stop in the vicinity of the 1700 block of Washington Avenue.
- 2) Enhancing enforcement relating to illegal activity by tour bus operators such as standing on No Parking zones.

### **BACKGROUND**

Sightseeing and tour bus services are a growing industry in the region, including Miami Beach. There are mainly two types of services currently in operation in the City: (1) Hop-on/Hop-offs (open loop tours) have multiple passenger loading areas (typically Miami-Dade County bus stops) along an established route; and (2) Themed Tours (closed loop tours) have one loading area (Miami-Dade County bus stops) where passengers load/unload at the same location.

Gray Line Miami (dba Big Bus Tours) began operating a Hop-On/Hop-Off (open loop) tour in Miami-Dade County in January 2010. As a result of Gray Line's success, other open loop tour

services have established operation in Miami Beach. Currently, the following three (3) companies are operating open loop tour bus services in Miami Beach:

- 1) Big Bus Tours;
- 2) Miami Open City Tour; and
- 3) City Sightseeing Miami

Operators have independently approached the City about partnering to add kiosks at key locations in Miami Beach, to increase their visibility and ridership. In other cities with Hop-on/Hop-off service (open loop tours), on-street kiosks are handled through a permit or license. However, in Miami Beach, the City Code does not allow for the sale of goods or services from the public rights-of-way. A concession agreement would be the likely agreement required if the City desired to offer this service.

In addition to the open loop tour bus services, two (2) closed loop/themed tours are currently operating in the City:

- 1) Duck Tours has been operating in the City for approximately ten (10) years with a tour bus stop located on the Lincoln Road, between Washington Avenue and James Avenue. A single Miami-Dade Transit bus stop serves as the only passenger loading area since tours start and end at the same location.
- 2) Pirate Tours has been operating for approximately two (2) years with a tour bus stop located on Washington Avenue immediately adjacent to Soundscape Park. Similarly, a single Miami-Dade Transit bus stop serves as the only passenger loading area since tours start and end at the same location.

### **Update Since the February 28, 2014 NCAC Meeting**

Attached is a draft outline of a Request For Proposal (RFP) for a Concession Agreement for Exclusive Loading and Unloading Locations for a Hop-on/Hop-off Open Loop Tour Company. The Administration recommends that the authorization to issue the RFP be brought for approval at the May 21, 2014 City Commission meeting.

Based on discussions with Legal, the issue of enhancing regulations to enforce tour bus operations is complicated, and requires further research.

### **CONCLUSION**

The Administration recommends that the NCAC endorse moving the RFP to Commission for consideration.

Attachment: Request for Issuance of a Request For Proposal

  
KGB/JRG

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## MIAMI BEACH PROCUREMENT DIVISION

### Request for Issuance Approval

Solicitation No.: TBD by Procurement Dept.	Solicitation Title: Request for Proposals for Loading and Unloading Tour Bus Concession in the City of Miami Beach
Requesting Department: Transportation Department	Department Contact: Jose R. Gonzalez, P.E.

#### MINIMUM ELIGIBILITY CRITERIA:

- The Proposer must have provided sightseeing tour bus services for a minimum of one (1) year, and Proposer, must have a minimum of three (3) years experience in administration and oversight of open-loop tour bus services;
- the individual proposed as the Project Manager/Business Manager must have a minimum of three (3) years experience in administration and oversight of open-loop tour bus services;
- have no member, officer, or stockholder that is in arrears or in default of any debt or contract involving the City of Miami Beach, is a defaulter surety otherwise, upon any obligation to the City of Miami Beach, and/or has failed to perform faithfully on any previous contract with the City of Miami Beach;
- have no record of criminal activities, and
- have never declared bankruptcy.

#### INTRODUCTION & BACKGROUND:

Sightseeing and tour bus services are a growing industry in the region, including Miami Beach. There are mainly two (2) types of service currently in operation, (1) Hop-on/Hop-offs Open loop services, complete a loop with various stops where passengers perform loading and unloading maneuvers.

These types of service provide a quick and convenient way to get an overview of a city. They are frequently used by visitors of a new city as it quickly gives them an overview of how the area is laid out, while a tour guide provides history and interesting facts of the city as well. Typically, after seeing most of the major sites via the tour, tourists and visitors determine an itinerary for the rest of their stay, deciding which area of the city they want to visit on their own

Currently, Ocean Drive and Lincoln Road are two of the most active areas for tours. Because of the limited capacity for loading and unloading at these two locations and a fast growing industry, the City is seeking to have a concession agreement that provides authorized locations on City of Miami Beach Right of Way for loading and unloading of passengers.

#### SCOPE OF SERVICES:

The City of Miami Beach is seeking competitive proposals for a concession agreement for use of City of Miami Beach Right of Way for loading and unloading of Hop-on/Hop-off Open Loop Tour Bus passengers.

##### Concession Location

- As part of the Concession Agreement, the City can accommodate two (2) locations for loading and unloading of passengers, for one (1) Hop-on/Hop-off Open Loop Tour Bus Company.
- One location would be the 1000 block of Ocean Drive, at the Miami Beach Welcome Center. The second location would be in the vicinity of the 1700 block of Washington Avenue.

##### Concession Kiosk

- The City will grant the successful proposer, the right, during the Term of the Concession Agreement, to manage and operate a kiosk at their designated loading concession stand.

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- The successful proposer must agree to manage and operate the kiosk and will be authorized to conduct the following kinds of business(es) within the kiosk, as provided below, all at its sole cost and expense:
  - Permitted Uses:
    1. Operate and manage a kiosk location in designated area, which shall sell and/or provide Hop-on/Hop-off Open Loop Tour
    2. Schedule of Operation:  
Successful proposer's operations shall be open seven (7) days a week, 365 days a year, during agreed upon hours, weather or events of force majeure permitting.
- Security Deposit:  
Upon execution of the Agreement, the successful proposer shall furnish the City with a Security Deposit, as agreed to by the City. Said Security Deposit shall serve to secure successful proposer's performance in accordance with the provisions of the Agreement. In the event the successful proposer fails to perform in accordance with said provisions, the City may retain said Security Deposit, as well as pursue any and all other legal remedies as may be provided by applicable law.
- Schedule of Pricing  
The Proposer must have a set pricing schedule, a copy of which must be on file with the City of Miami Beach.
- Business Plan  
The Proposer shall present a tour service business plan that shall include the following:
  - Proposed Route
  - Frequency of Service
- Concession Fee  
Each proposer shall provide a Proposal regarding the compensation to be paid to the City for use of said concession/tour bus stand/kiosk. Proposer shall submit its Fee proposal for the use of set concession/tour stand/kiosk in which the City is seeking, at a minimum a flat Concession Fee and a percentage of sales from the concession as a fee structure.
- Term  
The Term of this Agreement will be for a period of three (3) years with the sole option and discretion of the City, to renew for an additional two (2), two year periods.
- Capital Improvements and Maintenance  
The City shall provide in an "as is" condition, the site(s) to the successful Proposer. The successful Proposer shall be responsible for the design, construction, permitting (including permit fees), and full maintenance in a satisfactory manner as determined by the City of the kiosk and site. The successful Proposer shall be required to design, provide and install all furnishings, fixtures, equipment, finishes, and signage necessary to manage and operate the site(s).
- Operator Requirements  
Every person or entity that will be operating a Hop-on/Hop-off Open Loop tour vehicle must provide the required vehicle operating license with appropriate endorsements as applicable under Florida law and Federal Law

## EVALUATION CRITERIA:

Criteria Sections	Points*
Proposer Qualifications	30
Scope of Services Proposed	20
Approach & Methodology	20
Financial Proposal (Value to the City)	30
<b>Total</b>	<b>100*</b>

\*After Evaluation Committee has completed its review of proposals, the Procurement Division will add for local and veteran's preference in accordance with the applicable ordinance.

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**TENTATIVE CALENDAR:**

	Release	
	Proposer Conference	
	Proposals Due	
	Evaluation Committee	
	Presentations	
	Award	

**TERM:**

<b>Original:</b>	3 years	<b>Renewals:</b>	2 (2 years)
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**BUDGET:**

<b>Budget Code:</b>	N/A	<b>Amount:</b>	N/A
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