

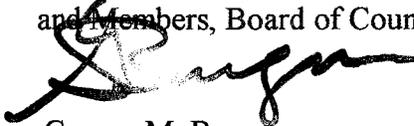


MEMORANDUM

Agenda Item No. 7(J)(1)(D)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: 
George M. Burgess
County Manager

SUBJECT: Request to Advertise RFP
for a Bus Bench Program
for Unincorporated
Miami-Dade County

This Request to Advertise has been prepared by Miami-Dade Transit (MDT) and is recommended for approval:

RFP: Bus Passenger Bench Program

RFP No.: 413

RFP LOCATION: Countywide

RFP DESCRIPTION: The County, as represented by Miami-Dade Transit (MDT), requests proposals to furnish, install and maintain bus passenger benches with and without advertising and litter bins without advertising in accordance with the terms and conditions set forth in this Request for Proposals (RFP).

The primary objectives of the bus passenger bench program are:

- A. To provide, install, and maintain bus passenger benches that are exceptional in design and appearance, are community friendly and are suitable for outdoor use in the South Florida climate.
- B. To provide litter bins without advertising at bus stops with bus passenger benches.
- C. To provide emptying of litter bins and litter removal from bus stops.
- D. To generate additional revenue for the operation of the transit system.

The initial term of the current bus passenger bench contract will expire in April 2004. It is planned that the contract

resulting from the proposed RFP will replace that contract. Though there is an option to extend the current contract for an additional five years, MDT does not intend to exercise the option.

The current contractor, Gateway Outdoor Advertising, is not in good standing with the County as a result of poor performance on this contract and on another contract for Metrobus and Metrorail advertising. (MDT terminated the Metrobus/Metrorail advertising contract with Gateway several months ago.) The existing contract requires the contractor to pay to the County an escalating annual minimum guarantee or 30% of the gross advertising revenue, whichever is greater. The annual minimum guarantee was \$180,000 in the first contract year escalating to \$420,000 in this the fifth and last year of the initial term. Although Gateway has paid about \$1.3 million to date on this contract, their payment history has been very sporadic over the entire contract period. At one point Gateway owed MDTA over \$350,000. They currently owe MDT \$70,000 (\$35,000 for July and \$35,000 for August) plus about \$7,000 in interest on late payments.

Under the terms of the contract resulting from the proposed RFP, the contractor will be required to pay to the County a portion of the proceeds realized from the sale of advertising on bus passenger benches located on County and State maintained roads that are located in unincorporated Miami-Dade County, and at bus stops at Metrorail or Metromover stations or in the Metrorail or Metromover right-of-way, which are otherwise located within incorporated municipalities. The proposed RFP requires that proposers guarantee a minimum payment to the County of at least \$164,400 per year or a minimum percentage payment of 15% of the gross advertising revenue, whichever is greater. The requirement for payment of revenues to the County has been significantly reduced for several reasons:

- At the inception of the current bus passenger bench contract there were 4000 bus stops, or potential sites for bus passenger benches, in unincorporated Miami-Dade County. As a result of the recent incorporations the number of bus stops has been reduced to 2900 and will likely be reduced even further in the future. (Historically, municipalities have been responsible for bus passenger benches and shelters within their boundaries. Some municipalities have established revenue producing,

advertising contracts similar to the County's contracts. Other municipalities have chosen to install and maintain bus passenger benches and shelters without advertising.)

- The County has awarded a new bus passenger shelter contract. It is anticipated that shelters will be installed at up to 2400 bus stops. Since bus benches are only permitted at up to 50% of bus stops where shelters are installed, this will very significantly reduce the number of locations where it is possible to install bus passenger benches.
- New Metrobus service in unincorporated Miami-Dade County is expected to add 500 or more new bus stops within the next two years.
- The proposed RFP will require the successful proposer to install litter bins without advertising at up to 50% of the locations where bus passenger benches are installed. The contractor will also be required to maintain and empty the litter bins on a regular basis, thereby increasing costs incurred by the contractor. (The current contract does not require litter bins.)
- Bus passenger benches with advertising will be prohibited in most areas that are zoned for single family homes. The contractor will, however, be required to install and maintain bus passenger benches without advertising in those areas.
- Greater emphasis is being placed on the appearance and maintenance of bus passenger benches and the sites where they are installed. It is of critical importance to the County that the bus passenger benches proposed are exceptionally attractive, durable and complementary to the community; that high quality standards for advertising displays are established and maintained and that an effective, high quality maintenance program for bus passenger benches and for litter removal from bus stops is established and maintained.

The successful proposer also will be responsible for maintaining the bus passenger benches that are currently installed in unincorporated Miami-Dade County and

transitioning to the new bus passenger benches to be installed under the contract resulting from this RFP. This will include providing maintenance for existing bus passenger benches until they are replaced and properly disposing of the existing bus passenger benches.

Additionally, the successful proposer shall be required to provide insurance coverage and indemnification to the County for all existing bus passenger benches, new bus passenger benches and all activities covered by this contract.

The proposed RFP allows municipalities, both those that are already in existence and those that are formed after the contract is awarded, to access the contract that results from this RFP. The municipalities existing at the time of contract award that wish to access the contract will be responsible for managing their own contracts and all revenue resulting from those contracts will accrue to the respective municipalities. For those municipalities, the contractor will be required to pay to MDT an administrative fee of two percent of the revenue accruing to that municipality. The two percent fee is the standard procedure established by the Department of Procurement Management

Municipalities formed after contract award will be required to honor the contract for the initial five-year term and revenues will accrue to MDT unless otherwise stated in the Articles of Incorporation.

The contract resulting from this RFP will have an initial term of five years with an option to extend the contract for an additional five years.

MINIMUM QUALIFICATIONS

EXCEED LEGAL

REQUIREMENTS:

None

COST ESTIMATE:

Not applicable. This is a revenue producing contract. An annual minimum guarantee of \$164,400 or 15% of gross, whichever is greater, is required by this RFP.

ART IN PUBLIC PLACES:

Not applicable

FUNDING SOURCES:

No funding required.

MANAGING AGENCY:

Miami-Dade Transit

INSPECTOR GENERAL: Inspector General fees provisions are excluded as no County funds will be expended.

IPSIG CONTRIBUTION: Not applicable

DBE GOAL: A 10 percent DBE goal has been established.

REVIEW COMMITTEE DATE: No contract measures can be applied since no County funds are being expended.

**ESTIMATED
ADVERTISEMENT DATE:** Ten days after approval by the Board of County Commissioners, unless vetoed by the Mayor.

This RFP is subject to Ordinance 98-106, "Cone of Silence", as amended.



Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: October 7, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(J)(1)(D)

Please note any items checked.

- “4-Day Rule” (“3-Day Rule” for committees) applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Bid waiver requiring County Manager’s written recommendation**
- Ordinance creating a new board requires detailed County Manager’s report for public hearing**
- Housekeeping item (no policy decision required)**
- No committee review**

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(J)(1)(D)

10-7-03

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ISSUANCE OF REQUEST
FOR PROPOSALS NO. 413 FOR PROVISION OF A BUS
PASSENGER BENCH PROGRAM FOR UNINCORPORATED
MIAMI-DADE COUNTY

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board finds it to be in the best interest of the County to authorize the issuance of a Request For Proposals No. 413 for provision of a bus passenger bench program for unincorporated Miami-Dade County, in substantially the form attached hereto and made a part hereof.

The foregoing resolution was offered by Commissioner _____,
who moved its adoption. The motion was seconded by Commissioner _____

, and upon being put to vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson
Bruno A. Barreiro
Betty T. Ferguson
Joe A. Martinez
Dennis C. Moss
Natacha Seijas
Sen. Javier D. Souto
Jose "Pepe" Diaz
Sally A. Heyman
Jimmy L. Morales
Dorrin D. Rolle
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of October, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Bruce Libhaber