

**RESOLUTION No.17-04**

**A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, WAIVING THE COMPETITIVE BID PROCESS PURSUANT TO SECTION 2-321 OF THE CITY CODE OF ORDINANCES FOR THE PURCHASE OF TWENTY-FOUR (24) REPLACEMENT VIGILANT AUTOMATIC LICENSE PLATE READER CAMERAS AND THE INSTALLATION OF SAME AND OTHER FIELD SERVICES TO COMPLETE THE UPDATE OF THE CITY'S LICENSE PLATE READER PROGRAM; FOR A TOTAL PROJECT NOT TO EXCEED AMOUNT OF \$88,300.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENTS AND EXPEND BUDGETED FUNDS FOR THE PURCHASE OF SAME; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Doral (the "City") published Request for Proposal #2010-03 (the "RFP"), for a citywide license plate reader and surveillance programs ("LPR Program"), which was awarded to Aware Digital, Inc. ("Aware"); and

**WHEREAS**, the LPR Program, with preliminary costs in excess of \$1 million, was funded by a United States Department of Justice C.O.P.S. Technology grant; and

**WHEREAS**, subsequent to the issuance of RFP, the City received an additional grant from the United States Department of Justice in the form of a C.O.P.S. "Secure Our Schools" grant in the amount of \$405,000.00, which had required a City match, for the installation of surveillance cameras around specific schools located in the City to be operated on the same infrastructure and use the same architecture as the LPR Program; and

**WHEREAS**, as a result, the City's contract with Aware was increased by \$810,000.00, so as to accommodate for the expanded LPR program around schools; and

**WHEREAS**, Aware purchased the Vigilant Automatic License Plate Recognition System and the Genesis Video Surveillance System for the development of the LPR Program;

**WHEREAS**, after several years in development and after payments from the City to Aware exceeded of \$1.85 million, the City administration conducted an investigation and discovered that the LPR Program was less than two percent (2%) operation and that Aware did not complete the LPR Program, exposing the City of substantial risk of having to reimburse the federal government for Department of Justice grant funds that were supposed to have been expended for a complete project; and

**WHEREAS**, the City notified the U.S. Department of Justice of Aware's lack of performance, obtained an extension of time within which to complete the LPR Program, terminated its agreement with Aware for the development of the LPR Program, and commenced litigation against Aware so as to recover funds paid; and

**WHEREAS**, in order for the City to complete the LPR Program by the extension date of December 2015 and avoid federal penalties, the City's Information Technology Department ("IT Department") consulted with the equipment vendor and specialized contractors in order to develop a remediation plan to urgently complete the LPR Program in light of the system's current condition; and

**WHEREAS**, the IT Department has worked with ASE Telecom and Data Inc., to provide a review, diagnoses, removal of malfunctioning equipment, list of the equipment that needs replacing, conducted other needs and assessment, and prototype solutions for the remediation plan; and

**WHEREAS**, upon the City Manager's recommendation because of the type of urgent remediation work that is needed, the specialized nature of the existing and new equipment, and the short time frame within which the City has to complete the project, the City Council approved Resolution 15-80, authorizing the purchase of fifty-two (52) replacement Vigilant License Plate Reader Cameras, field services for the installation of same and the remediation of the LPR Program, and maintenance services for all 102 cameras from a specialized contractor from Trinity Sheet Metal, LLC, which is a Vigilant certified provider, in an amount not to exceed \$369,000.00; and

**WHEREAS**, in fiscal year 2016, the IT Department negotiated a reduction in price from \$4,300 to \$3,000 after trade-in of the end of life Raptor 2 cameras, which allowed for the replacement of twenty (20) LPR cameras; and

**WHEREAS**, in fiscal year 2017, the City Council budgeted the replacement of twenty-four end of life LPR Cameras; and

**WHEREAS**, because of the extensive history with City and the specialized nature of the existing and new equipment, the City Manager has recommended that, pursuant to Section 2-321 of the City Code, it is in the City's best interest to waive the competitive bid process required by Chapter 2 of the City Code of Ordinances to obtain the equipment and remediation services to finalize the update of the LPR Program; and

**WHEREAS**, staff has recommended that the Mayor and City Council approve the purchase of twenty-four (24) vigilant automatic license plate reader cameras, in the amount of \$72,000.00, and field services, in the amount of \$16,300.00, for all remaining end-of-life intersection cameras, for a total project not-to-exceed amount of \$88,300.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL  
OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.** The above recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

**Section 2. Waiver of Competitive Bid Process.** Pursuant to section 2-321 of the City Code of Ordinances, the competitive bid process as required by the Chapter 2 of the City Code is hereby waived for the purchase of replacement Vigilant License Plate Reader Camera, Field Service and Maintenance Service by and through Trinity Sheet Metal, LLC, in light of the Manager's recommendation that it is in the City's best interest to do so because the specialized nature of the goods and services and the extensive history between the provider and the City .

**Section 3. Approval of Goods and Services.** The procurement of the twenty-four (24) vigilant automatic license plate reader cameras, in the amount of \$72,000.00, and field services, in the amount of \$16,300.00, for all remaining end-of-life intersection cameras, for a total project not-to-exceed amount of \$88,300.00 from Trinity Sheet Metal is hereby approved.

**Section 3. Authorization.** The City Manager is hereby authorized to execute such agreements and other contractual documents, subject to approval by the City Attorney as to form and legal sufficiency, as may be necessary to consummate the procurement of the good and services contemplated herein. The City Manager is further authorized to expend budgeted funds in furtherance hereof.

**Section 4. Implementation.** The City Manager and City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of this Resolution.

**Section 5. Effective Date.** This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Councilmember Rodriguez who moved its adoption. The motion was seconded by Vice Mayor Cabrera and upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Christi Fraga	Absent/Excused
Councilwoman Claudia Mariaca	Yes
Councilwoman Ana Maria Rodriguez	Yes

PASSED AND ADOPTED this 11 day of January, 2017.

  
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JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
CONNIE DIAZ, CMC  
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:

  
\_\_\_\_\_  
WEISS, SEROTA, HELFMAN, COLE, & BIERMAN, PL  
CITY ATTORNEY