



City of Coral Gables

Administrative Order of the City Manager

Administrative Order No.: 2018-02 Title: Pilot Program and Product Demonstration Policy

Ordered: 12/13 /18 Effective: 12/13/18

AUTHORITY: City of Coral Gables Procurement Code, Section 2-585 (b) (2)

PURPOSE

The purpose of this policy is to provide guidance for the rules of engagement for pilot programs and product demonstrations and the proper procedures and forms that should be utilized. The goal is to ensure protection for the City when engaging vendors to demonstrate technology, products (goods) or services and clearly outline the expectations or obligations of all parties.

APPLICABILITY

This policy applies to all City Departments and associated Divisions.

DEFINITIONS

For the purpose of this policy-

Pilot Program– means a feasibility study or experimental trial on a small-scale basis for a short period of time (*1 year or less*) that will assist the City with learning how a large-scale project might work in practice.

Product Demonstration – means a brief (or one-time) demonstration of a product to promote the product's features and usefulness conducted by the manufacturer or a sales representative.

SECTION 1. PILOT PROGRAM IDENTIFICATION

- 1.1 The opportunity to engage in a pilot program will exist when the City determines that a new or unique need exists that has not been fulfilled through an existing contract or provider.
- 1.2 The pilot program, at a minimum, should provide a platform for the City to test logistics, prove value, and reveal deficiencies, before investing funds into an unproved investment.
- 1.3 Pilot programs may be utilized to test and evaluate technology, products (goods) and services.
- 1.4 Pilot programs are not exclusive to only one provider of the same or similar technology, products or services.

- 1.5 The requesting Department must be prepared to manage and monitor the program while in operation and make a recommendation on whether or not any subsequent action will take place and the end of the program.
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SECTION 2. ENGAGEMENT PHASE

- 2.1 The interested vendor should submit a proposal that lists the objectives of the pilot program and documentation of how the program will be carried out.
 - 2.2 The proposal should include the benefits, a time-line for the pilot and metrics on how a successful pilot program will be measured.
 - 2.3 The Director of the interested Department will complete a Pilot Program justification form that outlines why it would be in the City's best interest to engage in the pilot program. The justification form must be submitted for review and approval from Procurement before the engagement can begin.
 - 2.4 If the City decides to move forward with the pilot program, a Memorandum of Understanding (MOU) will be developed to outline the agreement between the two parties. The City Attorney's Office must be consulted in the development of the MOU for approval as to form and legal sufficiency.
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SECTION 3. REQUIREMENTS OF THE AGREEMENT (MOU)

- 3.1 The program term must not exceed a period of twelve (12) months. This time period may be calculated to begin upon the installation of any equipment or products, if applicable.
 - 3.2 The pilot program must be at "no cost" to the City for the entire term of the agreement.
 - 3.3 The agreement must include the City's exclusive right to terminate the agreement at any time during the pilot program term.
 - 3.4 The agreement must provide indemnification protection for the City as dictated by the City Attorney's Office.
 - 3.5 The agreement must not include any exclusive dealing, in-kind, or advertising commitments on behalf of the City.
 - 3.6 Any data generated during the testing and observation period shall be the property of the City at the end of the agreement and at all times, Florida's Public Records Law, Florida Statutes Chapter 119, shall apply and the vendor must comply with all public records requirements.
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SECTION 4. PRODUCT DEMONSTRATIONS

- 4.1 Product demonstrations offered by vendors are permissible under this policy at "no cost" to the City.

- 4.2 A vendor demonstration/product agreement should be executed prior to the demonstration taking place. A copy of the executed agreement must be provided to the City's Procurement Officer.
- 4.3 The vendor demonstration/product agreement should be utilized to protect the City from any unintended misunderstandings about the intent of the process or any obligations expressed by the City.
- 4.4 The product demonstrations should exclusively be used to demonstrate the capability of a particular item or services. It is not intended as a commitment or agreement to buy.
- 4.5 Whenever possible the demonstration shall take place in an "open" area for the review of multiple City staff representatives.
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SECTION 5. RULES

- 5.1 Gifts/gratuities, regardless of value, shall not be accepted from the vendor conducting a pilot program or product demonstration.
- 5.2 All City personnel should strive at all times to avoid the appearance of a vendor influencing government employees to purchase any technology, product (goods) or service.
- 5.3 Refer to Article V. – Conflict of Interest and Code of Ethics/Section 2-289 "Gifts" of the Coral Gables Code of Ordinances for guidance.
- 5.4 The pilot program or product demonstration may not create a sole source, proprietary situation, or be the basis for any non-competitive procurement process
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SECTION 6. PROGRAM/DEMONSTRATION CONCLUSION

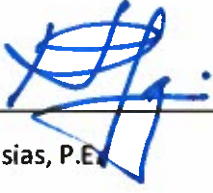
- 6.1 At the conclusion of the pilot program or product demonstration, the project should be formally concluded with the vendor. You should follow the guidelines outlined in the MOU or demonstration/product agreement.
- 6.2 If the City decides to move forward with implementing the technology, products (goods) or services on a permanent basis, a competitive solicitation process should take place.
- 6.3 A competitive scope of work must be developed (taking into consideration the information learned during the pilot program/product demonstration). The specifications may not contain proprietary information that may limit competition in any way.
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SECTION 7. FORMS

Pilot Program Justification Form

Vendor Demonstration/Product Agreement

APPROVED BY:

A handwritten signature in blue ink, appearing to read 'P. Iglesias', written over a horizontal line.

Peter J. Iglesias, P.E.

City Manager

A handwritten date '1/9/19' in blue ink, written over a horizontal line.

Date