

Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Transit and Mobility Services Committee

September 13, 2016 9:30 A.M Commission Chamber

Neil R. Singh, CPA Acting Commission Auditor 111 NW First Street, Suite 1030 Miami, Florida 33128 305-375-4354

Item No.	Research Notes
1G1 161719 Notes	 ORDINANCE RELATING TO ROAD IMPACT FEES; AMENDING CHAPTER 33E OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING PROCEDURES FOR FEE COMPUTATION BY INDEPENDENT STUDY, FOR CONTRIBUTIONS IN LIEU OF FEE, AND FOR EXEMPTIONS, CREDITS, AND REFUNDS; AUTHORIZING CERTAIN SELECT TRANSIT CAPITAL IMPROVEMENTS AS CONTRIBUTIONS IN LIEU OF FEE; UPDATING DEFINITIONS AND MAKING OTHER TECHNICAL AMENDMENTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE Ordinance relating to road impact fees: Amends Chapter 33E of the Miami-Dade County (County) Code (Code); Revises procedures for fee computation by independent study, for contributions in lieu of fee, and for exemptions, credits and refunds; Authorizes certain select transit capital improvements as contributions in lieu of fee; Updates definitions and making other technical amendments; and Provides severability, inclusion in the Code and an effective date.
1G2 161722	ORDINANCE RELATING TO THE FIXED-GUIDEWAY RAPID TRANSIT SYTEM- DEVELOPMENT ZONE; AMENDING SECTIONS 33C-2 AND 33C-9 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REVISING BOUNDARIES OF THE DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE; REVISING DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE SITE PLAN REVIEW STANDARDS REGARDING SETBACKS, ENCROACHMENTS, AND SALE OF ALCOHOLIC BEVERAGES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE
Notes	The proposed ordinance relates to the Fixed-Guideway Rapid Transit System-Development Zone. It amends sections 33C-2 and 33C-9 of the Code. Revises boundaries of the Downtown Intermodal District Corridor Subzone. Further, it revises the Downtown Intermodal District Corridor Subzone site plan review standards regarding setbacks, encroachments, and sale of alcoholic beverages. Additionally, it provides for severability, inclusion in the Code and an effective date. Code Comparison Chart Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 and Section 33C-9 of The Miami-Dade County Section 33C-2 B) Designation of lands B) Designation of lands B) C hareby B) Designation of lands B) C hareby B) Designation of lands B) Designates all land areas C) B) Designation of lands B) Designat

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		incorporated hereby by reference and transmitted to the custody of the Regulatory and Economic Resources (RER) Department or its successor Department as the Rapid Transit Zone for the Stage I Fixed- Guideway Rapid Transit System. The Director of the RER Department or its successor Department will submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance, after a public hearing within each municipality affected.	by the Clerk of the BCC as a portion of this chapter, incorporated hereby by reference, and transmitted to the custody of (RER) Department or its successor Department as the Rapid Transit Zone for the Stage I Fixed-Guideway Rapid Transit System. The Director of the RER Department or its successor Department will submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance, after a public hearing within each municipality affected
	Section 33C-9 Downtown Intermodal District Corridor Sub-Zone.	 (G) Administrative Site Plan Development parameters. The following development regulations will apply to all development within the Downtown Intermodal District (DID) Corridor Subzone. (2)Setbacks, cubic content and lot size: 	 (G) Administrative Site Plan Development parameters. The following development regulations will apply to all development within the DID Corridor Subzone. (2) Setbacks, cubic content and lot size:
		(b)Setback from NW 1st Avenue: The minimum setback for 30% of buildings fronting on NW 1st Avenue will be zero feet. Seventy percent of buildings fronting on NW 1st Avenue will setback ten feet minimum; provided, however, where a colonnade is provided the setback will be zero feet. Colonnades will have a minimum clear unobstructed width of ten feet and a minimum clear height of ten feet. When the development sets back a minimum of ten feet from the edge of the right-of- way, the setback area will incorporate a combination of hard- scape and landscape elements finished to match the existing sidewalk. The percentage of frontage	(b)Setback from NW 1st Avenue: The minimum setback for 30% of buildings fronting on NW 1st Avenue will be zero feet. Seventy percent of buildings fronting on NW 1st Avenue will setback ten feet minimum; provided, however, where a colonnade is provided the minimum setback will be zero feet. Colonnades will have a minimum clear height of ten feet. When the development sets back a minimum of ten feet from the edge of the right-of-way, the setback area will incorporate a combination of hard-scape and landscape elements finished to match the existing sidewalk. The percentage of frontage requirement may be calculated by street block or as a combined cumulative average of all street blocks fronting NW 1st Avenue.

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	requirement may be calculated by street block or as a combined cumulative average of all street blocks fronting NW 1st Avenue. (3)Encroachments: (b)Cantilevered balconies, awnings, weather protection elements and similar features with adequate vertical clearance may encroach into street rights-of-way but will not extend closer than six inches from the curb face.	 (3)Encroachments: (b) Cantilevered balconies, awnings, weather protection elements and similar features with adequate vertical clearance may encroach into street rights-of-way but will not extend closer than six inches from the curb face. Notwithstanding anything to the contrary in Section 28-18 of the Code, structures necessary or appropriate to the structural support of a Fixed-Guideway Rapid Transit System or an Intercity Passenger Rail System will be permitted to encroach on or in a mapped street. (12) Alcoholic Beverages: The restrictions on premises used for the sale of alcoholic beverages set forth in Chapter 33, Article X of this code regarding hours and days of sale, distance from other premises used for the sale of alcoholic beverages and distance from schools or religious facilities shall not apply in the Downtown Intermodal District Corridor Sub-Zone.
	Background On April 8, 2014, the BCC adopted Ordinance No. 14-3 District Corridor Subzone.	
2A 161832	RESOLUTION APPROVING AN INTERLOCAL MIAMI-DADE COUNTY AND THE CITY OF M PERMANENT BATHROOM FOR THE PUBLIC I THE INTERSECTION OF THE METRORAIL/ FLAGLER STREET, FOR AN INITIAL FIVE YE FIVE YEAR RENEWAL OPTION PERIOD; AUTH THE COUNTY MAYOR'S DESIGNEE TO E AUTHORIZING THE COUNTY MAYOR OR THE EXERCISE ANY AND ALL CANCELLATION, T OTHER RIGHTS CONFERRED THEREIN	MIAMI FOR THE PROVISION OF A LOCATED AT THE N.E. CORNER OF METROMOVER SYSTEM AND W. AR TERM, PLUS ONE ADDITIONAL IORIZING THE COUNTY MAYOR OR XECUTE THE AGREEMENT; AND E COUNTY MAYOR'S DESIGNEE TO

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Notes	The proposed resolution approves the Interlocal Lease Agreement between the County and the City of Miami (City) for the provision of a permanent bathroom for the public, for a five year term of the Interlocal Lease Agreement, plus one additional five year renewal option period.
	The City will install and fund the fixed cost for the installation of the bathroom. The bathroom will be located at the Northeast corner of the intersection of the Metrorail/Metromover system and W. Flagler Street, approximately 60 feet West of Southwest 1st Avenue. The bathroom will be manned and staffed at all times by a member of the Downtown Enhancement Team, which includes formerly homeless clients hired by the Downtown Development Authority to keep the streets of Downtown Miami clean. The hours of operation of the bathroom would be between 2:00 pm and 9:00 pm. Section125.38 of the Florida Statutes allows the County to convey properties by sale or lease to governmental entities and not-for-profit corporations, provided that such properties will be utilized to promote community interest and welfare.
	Background Downtown Miami area is continuing to grow and develop, and more people are visiting Downtown. With the expansion of shops, dining and other events, people are staying in Downtown Miami later into the day and after traditional businesses have closed. There is a scarcity of public bathrooms in Downtown Miami available to those visiting, working and living in the area. This scarcity of public bathrooms has created a public health concern. To date, this public health concern has been addressed, in part, by the use of port a potties at events such as Ultra Weekend. The City and the Miami Downtown Development Authority have joined together to address the problem with a plan to install a permanent bathroom in Downtown Miami for the public.
2B 161911	RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE A REPORT FOR CONSIDERATION BY THE BOARD ANALYZING THE FEASIBILITY AND EFFECTIVENESS OF UTILIZING TAX INCREMENT FINANCING TO HELP FUND THE STRATEGIC MIAMI AREA RAPID TRANSIT PLAN TRANSPORTATION INFRASTRUCTURE PROJECTS
	 The proposed resolution directs the Mayor or designee to prepare a report analyzing the feasibility and effectiveness of utilizing Tax Increment Financing (TIF) to help fund the Strategic Miami Area Rapid Transit (SMART) Plan transportation infrastructure projects. The Mayor or designee should consult with the Metropolitan Planning Organization (MPO), the CITT, Miami-Dade Expressway Authority (MDX), and the Florida Department of Transportation (FDOT), and utilize the proposed SMART Plan in conducting this study. The Mayor or designee is further directed to consult with city officials to determine whether municipalities are interested in contributing a portion of their municipal ad valorem tax increment to a proposed TIF district, should one crosses the municipality. The report will, at a minimum, provide for the following: Consider and recommend whether there should be individual TIF districts for each SMART Plan corridor or whether some or all TIF districts should be unified;
	 Identify the geographic boundaries of the proposed TIF districts; Identify the impact that the proposed TIF districts may have on the County's current and future general fund and Unincorporated Municipal Service Area (UMSA) revenues

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	and the services paid with those revenues. This study should use varying assumptions of the rate of tax roll growth and the percentage of tax increment to be captured. The study should also include an analysis of how these districts may adversely impact the County's five-year balanced budget forecast;
	• Identify existing Community Redevelopment Agencies (CRA) that may overlap with the proposed TIF districts and identify the impact that these CRAs may have on the overall funding outlook for the affected TIF district;
	• Identify other funds, in addition to TIF revenue, that may be deposited into the TIF district trust fund(s) (for example, CCTS Surtax funds, fare box revenue, state and federal funds);
	• Identify all municipalities which the TIF districts will traverse;
	• Identify the results of the consultation with the city officials of any municipality that is within a proposed TIF district; and
	• Identify all taxing jurisdictions that levy ad valorem taxes on real property located within proposed TIF districts with an eye towards securing financial contributions from those entities and determine the likely amount of such contributions.
	Additionally, the proposed resolution directs the Mayor or designee to provide the report to the BCC within 180 days of the effective date of this resolution.
	Background In 2002, the County's electors approved the imposition of a one-half percent sales surtax with the purpose of improving, among other things, mass transit within the County through the PTP. The PTP is administered by the CITT and includes eight rapid transit corridors to be developed throughout the County. The MPO, through its Transit Solutions Committee (TSC), received and considered input from transportation partner agencies, elected officials, and the public at large in order to designate six rapid transit corridors as a high priority.
	On February 16, 2016, the MPO governing board adopted Resolution #06-16 establishing a policy to set as highest priority for the community the advancement of rapid transit corridors and transit supportive projects in the County.
	On April 21, 2016, the MPO governing board adopted Resolution #26-16 endorsing the SMART Plan, an initiative to advance six of the PTP's rapid transit corridors along with a network system of Bus Express Rapid Transit (BERT) service in order to implement mass transit projects in the County.
	The MPO governing board also directed the MPO Executive Director to work with the MPO Fiscal Priorities Committee to determine the costs and potential funding sources for project development and environment studies for the projects and to take all necessary steps to implement the SMART Plan. On May 12, 2016, the CITT expressed its support for the SMART Plan and for the use of CCT Surtax funds for the necessary project development and environment studies. On June 7, 2016, the BCC adopted Resolution No. R-523-16 endorsing the SMART Plan as approved by the MPO.

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2C 161803	RESOLUTION WAIVING BY A TWO-THIRDS VOTE OF THE MEMBERS PRESENT THE TERM LIMIT RESTRICTION FOR COUNTY BOARD MEMBERS AS SPECIFIED IN SECTION 2-11.38.2 OF THE CODE OF MIAMI-DADE COUNTY AND AUTHORIZING THE RE-APPOINTMENT OF MILES MOSS, P.E., TO THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST The proposed resolution waives by a two-thirds vote of the members present the term limit restriction for the BCC members and authorizes the re-appointment of Miles Moss, P.E. to an additional four-year term on the Citizens' Independent Transportation Trust. Background
	Miles Moss has served on the Citizens' Independent Transportation Trust (CITT) for 12 years. Section 2-11.38.2 of the Code authorizes a waiver of the eight-year term limit for members of the BCC by a two-thirds vote of the County Commission members present.
2D 161596	RESOLUTION ESTABLISHING COUNTY POLICY THAT ANY LEGALLY- TRANSFERABLE REVENUE FROM THE GENERAL FUND REALIZED IN FISCAL YEAR 2016-2017 EXCEEDING THE ROLLED-BACK RATE FROM FISCAL YEAR 2015- 2016 BE TRANSFERRED TO THE PEOPLE'S TRANSPORTATION PLAN TO BE USED FOR PROJECTS LISTED IN THE PEOPLE'S TRANSPORTATION PLAN'S EXHIBIT 1 AND/OR THE FIVE YEAR IMPLEMENTATION PLAN TO BE OVERSEEN BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO INCLUDE IMPLEMENTATION OF SAID POLICY IN THE MAYOR'S PROPOSED BUDGET FOR FISCAL YEAR 2016-2017
Notes	The proposed resolution establishes as a County policy that any legally-transferable revenue from the general fund realized in Fiscal Year (FY) 2016-2017 exceeding the rolled-back rate from FY 2015-2016 be transferred to the People's Transportation Plan (PTP) to be used for projects listed in the PTP and/or the Five Year Implementation Plan to be overseen by the Citizens' Independent Transportation Trust (CITT). Background On July 7, 2005, the Board of County Commissioners (BCC) adopted Ordinance No. 05-148, amending the PTP to include the use of up to \$21.5 million annually commencing in FY 2004-
	 2005 in Charter County Transit System (CCTS) Surtax funds overseen by the CITT for the costs of providing transit services in existence as of November 5, 2002, for FY 2001-2002, 2002-2003, and 2003-2004. Ordinance No. 05-148 also amended the PTP to include the use of Surtax funds, not to exceed \$150 million, for transit services in existence as of November 5, 2002 for FY 2004-2005 and subsequent fiscal years through the expiration of FY 2011-2012. Additionally, Ordinance No. 05-148 amended the PTP to restore the general fund support to Miami-Dade Transit (MDT) (Currently Department of Transportation and Public Works (DTPW)), also referred to as the maintenance of effort (MOE), to the pre-surtax level of \$123.171 million for FY 2004-2005, to annually increase the MOE by 3.5%, and approved the Reinvestment Schedule in order to

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	repay the amount of Surtax funds received from the CITT.
	On March 3, 2009, the BCC adopted Resolution No. R-222-09, amending the PTP by creating a capital expansion reserve fund and allowing for greater flexibility in the use of CCT Surtax funds for the operation and maintenance of the transit system.
3B 161730	RESOLUTION AUTHORIZING COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE CONSTRUCTION ACCESS AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE MIAMI-DADE COUNTY SCHOOL BOARD AND TO EXERCISE ALL PROVISIONS SET FORTH THEREIN
	The proposed resolution authorizes the execution of a Construction Access Agreement (CAA) between the County and the Miami-Dade County School Board (MDCSB) for the construction of improvements covering an area adjacent to a right-of-way conveyed by MDCSB to the County.
	Background The original CAA, approved by the BCC on May 1, 2012 under Resolution R-379-12, expired on May 30, 2015 prior to the commencement of construction improvements for an ongoing project with overall limits along SW 264 Street from SW from US-1 to SW 137 Avenue (Project).
	Under the terms of the original CAA, MDCSB granted the County temporary access to the school property for purposes related to the construction of a bus drop-off/pick-up area, including the widening of the sidewalk and tree and fence relocation.
	The construction contract for the Project was approved by the BCC on October 6, 2015 through Resolution R-858-15, and the Notice To Proceed (NTP) was issued on November 30, 2015. Since the original CAA had expired, MDCSB required that a new agreement be approved by the County in order to perform the improvements adjacent to the school.
	Fiscal Impact/Funding Source The fiscal impact would be approximately \$122 annually for maintenance costs associated with the conveyed right-of-way included in the DTPW inventory. This cost will be funded through the DTPW's General Fund allocation. All other costs mentioned in the agreement, such as trees, fence relocation and site improvements are funded by Project No. 6010440 in the Adopted Capital Budget Book for FY 2015-2016.
3C 161713	RESOLUTION APPROVING AWARD OF THE NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT NOT TO EXCEED \$2,000,000 TO HDR ENGINEERING, INC. FOR RICKENBACKER CAUSEWAY BOND ENGINEERING SERVICES, LOCATED WITHIN COMMISSION DISTRICT 7, (PROJECT NO. E14- PWWM-08) CONTRACT NUMBER 20140151; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE AGREEMENT

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Notes	The proposed resolution approves the award of the non-exclusive Professional Services Agreement (PSA) in the amount not to exceed \$2,000,000 to HDR Engineering, Inc. for Rickenbacker Causeway Bond Engineering Services (Project No. E14-PWWM-08; Contract No. 20140151).
	 Consultant Services include, but are not limited to: Perform Management Financial Consulting Services and review of the Rickenbacker Causeway's financial transactions and abilities, engineering decisions and future plans; Perform base line inspection of all the Rickenbacker Causeway facilities to document their condition and submit a report that indicates their condition based on ratings of poor, fair, good or excellent. These ratings will be used to determine if repairs are needed; The Consulting Engineer will prepare, when requested by the Department, the (i) certificate required in Section 208 (a) (i) of Bond Ordinance No.13-110 in accordance with the requirements of such subsection (a); and the (ii) report described in Section 501 of said Bond Ordinance; Make recommendations for remedial action, if warranted, after each inspection of the Rickenbacker Causeway facilities; Perform annual inspections of the physical conditions of the Rickenbacker Causeway facilities; Review the latest available bridge inspection reports prepared by the Florida Department of Transportation (FDOT) and any other agency; Generate recommendations, approvals and/or certifications as required in the Bond Ordinance; Conduct annual Traffic and Revenue Study; Review and analyze, on a continuing basis, Parks, Recreation and Open Spaces Department (PROS)'s monthly traffic revenue and expense statements for the Rickenbacker Causeway tol facility, as well as other traffic operation and data furnished by PROS; Prepare and submit to PROS, bi-yearly, 12 copies of a report of the traffic, operation and trevenue aspects of the Rickenbacker Causeway toll facility. The reports will compare the results of the current year's operation with the previous year's operation, as well as the forecasts contained in the Official Statement of Series 2013 Bonds or successors for the toll facility; Conduct a detailed annual inspection of beach erosion on
	 the public right of way on Hobie Island and Virginia Key and provide recommendations for corrective actions; Provide expert testimony in judicial or quasi-judicial proceedings regarding toll revenues and existing or proposed revenue producing facilities; Make recommendations for advisable revisions or modifications and determination of the amount that will be deposited on an annual basis into the Renewal, Replacement and Improvement Fund in accordance to Section 704 of the Bond Ordinance for inclusion in the Annual Budget;

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	 Make recommendations on the amount of insurance that PROS should carry to cover replacement costs arising from damage to or destruction of part or all of the transportation facilities as defined by the Resolution in accordance with Section 706 of the Bond Ordinance and subsequent supplemental resolutions, comprehensive public liability insurance covering bodily injury and property damage and any other coverage that PROS may deem necessary; Prepare a Consulting Engineer's Report setting forth the findings by review of reports and site observations that the Rickenbacker Causeway has been maintained in good repair and working order, as well as provide advice on proper maintenance and operation; Attend meetings with PROS staff, consulting engineers, officials of the Bond Finance Committee or any other person(s) as deemed necessary by PROS upon request; and Provide general engineering support for the Rickenbacker Causeway as needed, including, but not limited to, future bond feasibility report services, origin and destination studies, traffic surveys, financial feasibility study and toll rate structure study
	Background The Rickenbacker Causeway consists of approximately 1.2 miles of bridge structures – the West Bridge, the William Powell Bridge, and the Bear Cut Bridge and approximately 2.4 miles of roadway built on dredged fill with a toll facility at the western terminus. It has been operated as a toll road since its original opening in 1947 and is currently a one-way tolling facility. Assigned Contract Measures :
	Type: SBE-A/E; Goal : 16%; Comment: CWP Not Applicable.
	Sub-Consultants : Geosol, Inc., HBC Engineering Company, Intera Incorporated, Architects International, Inc., Collins Engineers Incorporated and A.D.A. Engineering Inc.
	Fiscal Impact/Funding Source The fiscal impact will be approximately \$2,000,000. The work is to be funded by the Rickenbacker Causeway Fund.
3D 161732	RESOLUTION APPROVING AWARD OF THE NON-EXCLUSIVE PROFESSIONAL SERVICES AGREEMENT TO TRACE CONSULTANTS, INC. IN THE AMOUNT OF \$260,325.40 FOR DESIGN SERVICES FOR THE PROJECT ENTITLED ROADWAY IMPROVEMENTS TO NW 97 AVENUE FROM NW 58 STREET TO NW 70 STREET, LOCATED WITHIN COMMISSION DISTRICT 12. (PROJECT NO. E14-PWWM-03); CONTRACT NUMBER 20140032; AND AUTHORIZING THE MAYOR OR MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE PROVISIONS THEREIN
	The proposed resolution approves the award of the non-exclusive Professional Services Agreement (PSA) to Trace Consultants, Inc. in the amount of \$260,325.40 for Design Services for the Project entitled: "Roadway Improvements to NW 97 Avenue from NW 58 Street to NW 70 Street" (Project No. E14-PWWM-03; Contract No. 20140032).

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	The DTPW has the need to establish one Non-exclusive PSA to provide engineering design and post-design services in the preparation of complete construction documents, to include master planning and public involvement, for the widening of the existing road from two lanes to a four lane divided roadway. The work includes, but is not limited to: sidewalks, curb and gutters, bike lanes, continuous storm drainage system, pavement markings and signage, signalization, roadway lighting, environmental permitting and construction administration services. The project length is approximately 0.75 mile.
	Background The existing segment of NW 97 Avenue consists of two lanes with a striped center turning lane. Currently, the roadway has no sidewalk, curb and gutter or bicycle facilities. The segment of NW 97 Avenue to the north (NW 70 Street to NW 74 Street) has been widened to four lanes with raised median, sidewalks, curb and gutters, bike lanes, continuous storm drainage system, pavement markings and signage and roadway lighting. This project will complete the corridor from NW 58 Street to NW 74 Street.
	<u>Fiscal Impact/Funding Source</u> The fiscal impact will be approximately \$260,325.40 for the design services of the roadway improvements. The work is to be funded through Road Impact Fee District 01 (RIF). Any other applicable funding source, except PTP, may subsidize this contract subject to the BCC's approval.