



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Legislative Analysis

Transit, Infrastructure & Roads
Committee

May 13, 2009

2:00 P.M.

Commission Chamber

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Commission Auditor
111 NW First Street, Suite 1030
Miami, Florida 33128
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**Miami-Dade County Board of County Commissioners
Office of the Commission Auditor**

**Legislative Notes
Transit, Infrastructure & Roads Committee
Meeting Agenda**

May 13, 2009

Written analyses and notes for the below listed items are attached for your consideration:

Item Number(s)

1(D)2	3P
2(C)	3Q
3(F)	3R
3G	3S
3H	3T
3I	3U
3J	3V
3K	3W
3L	3X
3M	3Y
3N	3Z
3O	3AA
3BB	3DD
3CC	3EE
3FF	

If you require further analysis of these or any other agenda items, please contact Guillermo Cuadra, Chief Legislative Analyst, at (305) 375-5469.

Acknowledgements--Analyses prepared by:
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Jason T. Smith, Senior Legislative Analyst

**MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR**



Legislative Notes

Agenda Item: 1(D)2
File Number: 091307
Committee(s) of Reference: Transit, Infrastructure & Roads Committee
Date of Analysis: May 8, 2009
Type of Item: Bus Route Service Adjustments

Commission District Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13

Summary

This resolution approves Metrobus service adjustments to be implemented by Miami-Dade Transit (MDT) on or about June 14, 2009.

This resolution would:

- Merge routes 36 and 41 into a single route;
- Discontinue segments of four routes (Routes 21; 183 Street Max; 243 Seaport Connection; 246 Night Owl);
- Adjust the time between bus pickups for seven routes (Routes 48; 91; 99; 79 Street Max; M; 238 East-West Connection; 344).
- Implement a new route (79 Street Max).

As noted in the Manager's Memo, MDT estimates that **300 riders will be left without a bus service alternative** as a result of this service adjustment. The average daily boarding of buses in Miami-Dade County is 293,000.

Background

The proposed service adjustments reduce bus revenue miles from 32.6 million revenue miles to 30.5 million revenue miles. These reductions represent a 6.4 % decrease in revenue miles. If this resolution is approved, bus revenue miles will have decreased by 15.28% since 2006.

The proposed revenue mile reduction was assumed in the FY 2008-09 Adopted Budget.

According to the Manager's Memo, the proposed service adjustments would result in an estimated annual savings of \$18 million.

New Route

The proposed 79 Street Max will operate from the Northside Metrorail Station to Collins Avenue and 72 Street on Miami Beach. The County entered into a Joint Participation Agreement with the Florida Department of Transportation for \$280,000 to partially fund this route (R-62-05).

MDT estimates that the total cost of this route will be \$487,000 per year. Once implemented the new route will be subject to regular review and periodic adjustments based on ridership.

Impact to Transit Workers

The November 2008 line-up was budgeted with 1,523 full-time bus operators. The proposed bus line-up would require 1,480 full-time operators, which represents a reduction of 43 full-time operators. According to MDT, the reduction in full-time operator positions will be realized through attrition. The department is currently experiencing an attrition rate of 4-5 per month. MDT staff has stated that the rate of attrition has slowed from a year ago as employees choose to stay on their jobs for longer periods of time.

The next service lineup is scheduled for November 2009.

Prepared by: Jason T. Smith

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 2C

File Number: 091371

**Committee(s)
of Reference:** Transit, Infrastructure & Roads Committee

Date of Analysis: May 7, 2009

Sponsor: Commissioner Sally A. Heyman

Commission District: 4

Type of Item: GOB-Biscayne Park

Summary

This resolution deletes Project No. 234 Biscayne Park – Construct City Hall Building from the Public Service Outreach Facilities Series 2008B and adds Project No. 234A Biscayne Park-Construct Public Works Facility located at 893 N.E. 109 Street. The resolution also waives procedures under Implementing Order 3-47(IO).

The original allocation of \$356,000 remains unchanged for Project No. 234A.

Background and Relevant Information

On January 10, 2008, through Resolution 67-08, the Board of County Commissioners (BCC) directed the Mayor or his designee to recommend a process to the BCC for the allocation of Building Better Communities Obligation Bond Program (BBC/GOB) proceeds. As a follow-up to the initial directive by the BCC, the Administration proposed a procedure for the allocation of BBC/GOB proceeds. On March 17, 2009, the BCC approved IO 3-47 to establish an administrative process for the use of BBC/GOB surplus funds, premium funds and unspent bond proceeds.

IO 3-47 provides the following procedure when adding new projects using surplus funds: (1) no new projects will be funded with surplus funds until all projects are completed or all necessary funding has been identified; (2) projects are within the general scope of one of the eight voter-approved questions; (3) projects are ready to proceed; (4) stakeholders demonstrate adequate operational funding; (5) Mayor or his designee recommend surplus funding for new projects; (6) and new projects will be reported to the BCC as part of each BBC/GOB Quarterly Report.

Prepared by: Michael Amador-Gil

**MIAMI-DADE COUNTY
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Legislative Notes

Agenda Item: 3(A)
File Number: 091313
Committee(s) of Reference: Transit, Infrastructure & Roads Committee
Date of Analysis: May 8, 2009
Type of Item: Joint Participation Agreement

Summary

This item approves a Joint Participation Agreement (JPA) between Miami-Dade County and the Florida Department of Transportation. The agreement states that in exchange for state funds, the County will implement and operate a new express Bus Rapid Transit (BRT) service from Downtown Miami Central Business District to Broward County.

The new route will run from Downtown Miami to the Sheridan Street park and ride lot in Broward County. According to the Manager's Memo, future service may include a park and ride lot on Broward Blvd. The new route will use the newly created express "HOT" lanes on I-95.

According to MDT staff, the proposed route was created as part of the Urban Partnership Agreement with the FTA in an effort to mitigate traffic congestion and provide commuters the option of using the managed lanes on I-95 via the bus system without having to pay tolls.

Projected Boardings

MDT estimates that the new route will have 1,600 boardings, per day.

Policy Change and Implication

The new route which will be funded through this JPA will represent the first time Miami-Dade Transit has serviced a bus stop this far into Broward County.

Fare Structure

Question: Is the department considering charging an additional fare for this route since this route goes farther into Broward than any previous MDT route, which will increase MDT's gas costs and the wear and tear on MDT buses?

Answer: No, the fare will remain the same as the current express fare; **\$2.35, one-way.**

Budgetary Impact

Through this resolution, the County will receive \$441,246 from the FDOT State Transit Corridor Program. Further funding is expected from the FTA to operate the route for a total of \$2.2 million, according to the Manager's Memo.

Prepared By: Jason T. Smith

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Legislative Notes

Agenda Item: 3(F)
File Number: 091185
**Committee(s)
of Reference:** Transit, Infrastructure & Roads Committee
Date of Analysis: May 7, 2009
Commission District: Countywide
Type of Item: Advanced Traffic Management System

Summary

This resolution authorizes the execution of a County Incentive Grant Program (CIGP) Agreement with the Florida Department of Transportation (FDOT) in the amount of \$10,499,382.50 to support a countywide deployment of the Advanced Traffic Management System (ATMS). The funds will be used by Public Works Department (PWD) for the **procurement and installation** of 1,409 signalized intersections within Miami-Dade County.

The total estimated project cost is \$20,998,765. The County will cover the remaining costs (\$10,499,382.50) through the People's Transportation Plan (PTP) proceeds. **According to PWD staff, this funding will only be used for system equipment and material procurement and installation, and not for the system management consultant services of Kimley-Horn and Associates' (KHA).**

Background and Relevant Information

According to PWD staff, Phase 1 Alpha Test began in late 2005. The actual Phase 1 deployment began in mid 2006 and is scheduled to be completed in December 2010. Phase 2 of the project will consist of system enhancements and may begin in early 2010, depending on KHA completion of certain Phase 1 tasks and funding availability.

On February 1, 2005, through Resolution 172-05, the Administration requested that the Board of County Commissioners (BCC) waive competitive bids and authorize the County Manger to enter into negotiations with selected vendors for the installation and implementation of a new ATMS.

The current Traffic Control System (TCS) was installed in the mid to late 1970s. In 1996, the County awarded F.R. Aleman & Associates a contract to install a new ATMS. The contract was terminated in June 2004 because F.R. Aleman & Associates' inability to make their proposed software operate in a

large network. PWD staff in February 2005 identified and purchased an “off-the-shelf” (OTS) ATMS. PWD stated that a consultant to design a brand new system was not required.

A Request for Information to ascertain industry participation in the project was forwarded to 14 known suppliers of OTS ATMS products throughout the United States in late June 2004. A four-person committee consisting of PWD and Enterprise and Technology System Division staff concluded that of the 14 vendors, 6 vendors had the experience. The committee found that KHA stood out as the clear leader among the other 6 vendors to serve as the project’s System Manager.

On July 7, 2005, through Resolution 876-05, the BCC authorized a contract with KHA to provide and integrate an **ATMS central software package**. The system was to replace the TCS that has been monitoring and controlling traffic signals in Miami-Dade County for over 29 years. A formal Request for Proposals following standard Department of Procurement Management processes was not initialized.

During the same time, FDOT stated that their participation would not be in the software development, but rather on the deployment of the project.

According to PWD staff, KHA will continue in their role as the County’s ATMS Project Manager. Their performance in this role to-date has been both outstanding and critical to the success of the project. There have been unanticipated delays and issues, but they have been addressed satisfactorily.

The following vendors provide services for the ATMS: Control Technologies for cabinet/controller/firmware supply; GDI Communications for supply of communications equipment; McCain for controller firmware supply; AT&T for providing leased communications lines; Horsepower Electric; AGC Electric; Raydan Electric for providing installation services; CDW Corporation; and Insight for central and other equipment.

History of Violations on Previous Contracts as of May 1, 2009

Vendor	Date of Violation	Project No.	Dept.	Amount Makeup	Reason	Status
Raydan Electric, Inc.	06/30/05	20030015	PWD		Failed to submit Payrolls	Closed 08/06/08
Raydan Electric, Inc.	09/28/05	20030015	PWD		Failure to respond to monthly utilization report audit	Closed 12/18/06
Raydan Electric, Inc.	01/26/07	20030015	PWD	\$16,632	Prime failed to meet CSBE subcontractor goal	Open
Raydan Electric, Inc.	01/26/07	20030015	PWD		Failed to submit Payrolls	Closed 08/06/08
Horsepower Electric	02/07/02	671030A	PWD	\$39,583.38	Prime failed to meet CSBE subcontractor goal	Open

Source: Small Business Development Violations Report

Question: Has PWD staff examined what services could be performed in-house?

Question: Although the red-light camera legislation narrowly failed in Tallahassee this session, can the ATMS interface with the red-light camera system?

PWD staff state that no design modifications to the ATMS are required to enable the red light camera systems to function.

Budgetary Impact

According to PWD staff, ATMS PTP expenditures include: \$8.4 million to KHA from work orders for Phase 1 and Phase 2 of the ATMS; and \$4.5 million from PTP proceeds for a state-of-the-art Traffic Control Management Center which will house the ATMS at the Beacon Tradeport Community Development District or the Light Speed Building (See Resolution 361-06).

Additional Notes

According to PWD staff, the lifespan of a system is approximately 15 to 20 years. The County's existing TCS will have provided 35 years of service by the time it is turned off in late 2010. The new ATMS is of a modular design to accommodate continuous enhancements for an even longer lifespan. While subsystems will be upgraded and enhanced in the future, the overall system will not become outdated and in need of total replacement for many decades to come.

Although not listed, the following corridors are part of the CIGP Agreement: Alton Road, Abbot Avenue, Art Godfrey Road, Bird Road, Collins Avenue, Coral Reef Drive, Coral Way, Douglas Road, Flagler Street, Galloway Road, Harding Avenue, Hialeah Drive, Indian Creek Drive, Kendall Drive, Killian Parkway, Krome Avenue, Le-Jeune Road, Ludlam Road, Miami Gardens Drive, Milam Dairy Road, North Miami Blvd, Okeechobee Road, Opa-Lock Blvd, Quail Roost Drive, Red Road, Sunset Drive, S.W. 8 Street, US-1, West 49 Street / N.W. 103 Street, West Dixie Highway.

According to the PTP 90-Day Report 4th Quarter FY 2007-08, as of September 30, 2008, of the 2,602 signalized intersections in Miami-Dade County, 1,167 are running ATMS software.

Prepared by: Michael Amador-Gil

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Legislative Notes

Agenda Items: 3G; 3H; 3I; 3J; 3K; 3L; 3M; 3N; 3O; 3P; 3Q; 3R; 3S; 3T; 3U; 3V; 3W; 3X; 3Y; 3Z; 3AA; 3BB; 3CC; 3DD; 3EE; and 3FF

File Number: 091196; 091199; 091202; 091210; 091218; 091194; 091217; 091231; 091229; 091222; 091183; 091193; 091192; 091195; 091189; 091201; 091224; 091203; 091209; 091187; 091190; 091220; 091206; 091212; 091198; and 091207

**Committee(s)
of Reference:** Transit, Infrastructure & Roads Committee

Date of Analysis: May 7, 2009

Commission District: 2

Type of Item: Acquisition of Designated Properties (Project 606190)

Summary

This resolution declares the acquisition of 26 Parcels for right-of-way needed for the People's Transportation Plan (PTP) project entitled Roadway Improvements to N.W. 37 Avenue, from N.W. North River Drive to N.W. 79 Street, to be a public necessity and authorizing the County Mayor, his designee and the County Attorney to employ appraisers, expert witnesses, obtain required environmental audits, and to take any and all appropriate actions to acquire the subject property in fee simple by donation, dedication, purchase, or by eminent domain proceedings, including a declaration of taking as necessary.

This project is included in Exhibit 1 of the PTP Ordinance under the Board of County Commissioners (BCC) requested Major Roadway and Neighborhood Improvements.

The anticipated start and completion dates for construction are June 2011 and June 2013 respectively.

Background and Relevant Information

According to Public Works Department (PWD) staff, the Roadway Improvements will alleviate traffic congestion, make needed drainage improvements and improve the traffic flow. On November 13, 2006, PWD held a public meeting at Melrose Elementary School to inform the affected constituents and solicit their input. PWD is in the process of implementing a Public Involvement Plan (PIP) for this with the residents and businesses. As part of the PIP, PWD will contact all property owners within the project limits, and provide them with a fact sheet outlining all the information related to the construction of the project.

Budgetary Impact

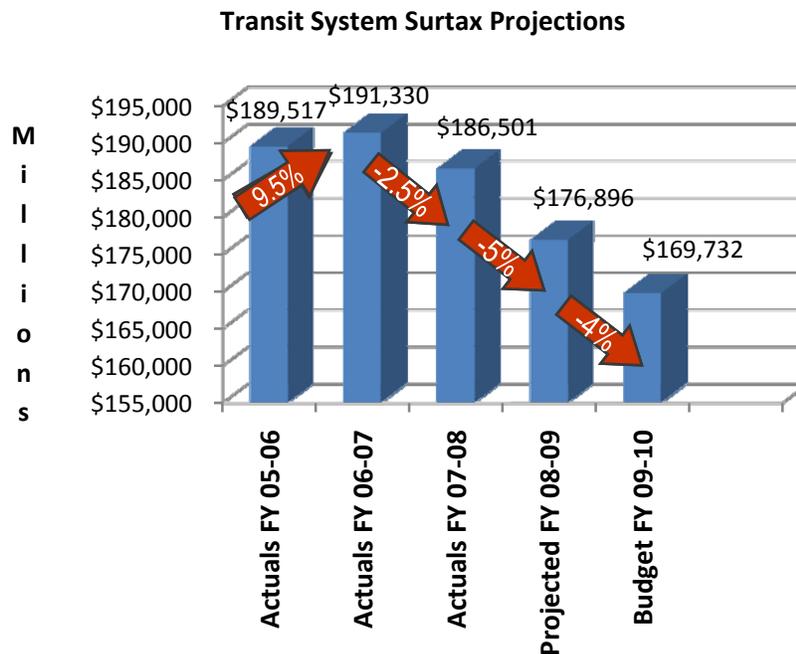
According to PWD staff, neither the City of Miami nor the City of Hialeah will be contributing any funds.

PTP Pro Forma Outlook

According to the Five-Year Financial Outlook , Volume 1, FY 2008-09 Adopted Budget, several items in the People’s Transportation Plan (PTP) continue to be adjusted to reflect more accurate construction and future operating cost estimates as well as any amendments to the PTP approved by the Citizens’ Independent Transportation Trust and the BCC. The rate of growth in sales surtax is slowing relative to forecasts made in FY 2005-06 and FY 2006-07.

The PTP will fund \$397 million in major roadway improvements and neighborhood improvements administered by PWD, over the next five years. PWD has spent \$110.899 million construction or erecting these improvements through September 2008. PWD also anticipates spending \$47.491 million in PTP funding in minor neighborhood improvement projects that include pavement markings, road widening projects, resurfacing, guardrails, sidewalks, drainage, and street lights.

The chart below shows that from FY 2005-06 through projected FY 2009-10 the Surtax will dip 10.4%.



Source: Revenue Estimating Conference dated March 30, 2009

Comments

According to the County Attorney’s Office, legislative items acquiring parcels must be introduced to the Board of County Commissioners as separate resolutions, pursuant to F.S. 127.02.

Section 127.02 requires that a “Board of County Commissioners adopt a resolution in order to acquire a property through the use of eminent domain.” Eminent domain may be described as the fundamental

power of the government to take private property for a public use without the owner's consent. The power of eminent domain is absolute, except as limited by the Federal and State Constitutions, and all private property is subject to the power of the government to take private property by eminent domain.

The County is authorized under the Constitution and Laws of Florida including Chapters 73,74,125, 127 and 341, Florida Statutes, and Sections 1.01(A)(1), (2) and (21) of the Home Rule Charter of Miami-Dade County to acquire property by eminent domain.

Prepared by: Michael Amador-Gil