

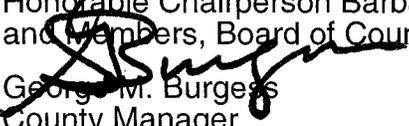
Memorandum



Date: November 30, 2004

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

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

From: 
George W. Burgess
County Manager

Subject: Resolution Approving the Use of Surtax Funds for Contract No. TR04-TSB with
Advanced Transportation Solutions

RECOMMENDATION

It is recommended that the Board approve the attached resolution approving the use of Surtax Funds for Contract No. TR04-TSB with Advanced Transportation Solutions, following the recommendation of the Citizens' Independent Transportation Trust (CITT) and the Board of County Commissioners' approval of an amendment to the People's Transportation Plan (PTP) to include Paratransit/Special Transportation Services (STS) as an eligible project for Charter County Transit Surtax Funds in an amount not to exceed \$55.4 million and set to expire April 1, 2010. This funding amount and date correspond with the 5 year term of the contract and the amount of the shortfall identified on September 9, 2004 when the Board considered the contract.

BACKGROUND

On September 9, 2004, the Board considered Contract No. TR04-TSB, RFP 323, Paratransit Transportation Services, with Advanced Transportation Solutions, LLC (ATS). However, the negotiated contract ceiling of \$219 million obligated more funding than the amount budgeted by Miami-Dade Transit (MDT) for STS by approximately \$55.4 million over the 5-year life of the contract. During the Board discussion, several Commissioners highlighted the role that the disabled community played in the passage of the PTP. Since STS is this community's chief means of transport, the Commission wondered why Surtax Funds were not being used to supplement the funding sources currently budgeted by MDT for this contract.

The PTP Resource Guide, used for promotion of the Surtax prior to November, 2002, and the original Pro Forma designed to accompany the July 9, 2002 Surtax Ordinance, included Paratransit Services as an eligible project. However, the County Attorney advised that because STS was not specifically listed in Exhibit 1 of the PTP, an amendment to the PTP would be necessary in order for Surtax Funds to be utilized. The Board then moved to award the contract with the condition that the funding discrepancy be resolved within 180 days, and adopted a motion requesting that the CITT review a potential amendment to the PTP to include Paratransit Services as an eligible project for Surtax Funds. A modified plan amendment was subsequently recommended by the CITT on October 27, 2004, limiting the funding to an amount not to exceed \$55.4 million and set to expire April 1, 2010, and appears on today's agenda. This plan amendment must be approved by the Board prior to the consideration of this item. After Board

approval of both the PTP amendment and this amended funding source on the contract, Contract No. TR04-TSB will be submitted to the CITT for approval.

FISCAL IMPACT

There is no negative fiscal impact associated with this item for Contract No. TR04-TSB. The sources of funding earmarked for the contract are being changed in accordance with the newly adopted PTP amendment that includes Paratransit/Special Transportation Services as an eligible project for Surtax Funds in an amount not to exceed \$55.4 million and set to expire April 1, 2010. The fiscal impact to the Surtax is highlighted in the accompanying agenda item approving the plan amendment.

 10/21/04

Surface Transportation Manager



MEMORANDUM

(Revised)

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

DATE: November 30, 2004

FROM: Robert A. Ginsburg
County Attorney

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

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)(I)

11-30-04

RESOLUTION NO. _____

RESOLUTION APPROVING THE USE OF
CHARTER COUNTY TRANSIT SURTAX FUNDS
FOR CONTRACT NO. TR04-TSB WITH
ADVANCED TRANSPORTATION SOLUTIONS

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 approves the use of Charter County Transit Surtax Funds for Contract No. TR04-TSB with Advanced Transportation Solutions, 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 a vote, the vote was as follows:

| | |
|---------------------------------------|------------------|
| Dr. Barbara Carey-Shuler, Chairperson | |
| Katy Sorenson, Vice-Chairperson | |
| Bruno A. Barreiro | Jose "Pepe" Diaz |
| Carlos A. Gimenez | Sally A. Heyman |
| Barbara J. Jordan | Joe A. Martinez |
| Dennis C. Moss | Dorrin D. Rolle |
| Natacha Seijas | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 30th day of November, 2004. This resolution shall become effective as follows: (1) 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

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

HARVEY RUVIN, CLERK

Approved by County Attorney as
to form and legal sufficiency.

By: B.L. Deputy Clerk

Bruce Libhaber