Memorandum

MIAMI-DADE COUNTY

Date: May 5, 2009

To: Honorable Chairman Dennis C. Moss
and Members, Board of County Commissioners

Agenda Item No. 8(A)(1)(E)

From: George M. Burgess
County Manager

Subject: Ratification of Acceptance and Execution of Federal Aviation Administration (FAA) Grant in the amount of $884,186.00 for the extension of Runway 9R/27L – Construction Phase 1 at Kendall-Tamiami Executive Airport under AIP No. 3-12-0050-008-2009

RECOMMENDATION

It is recommended that the Board adopt the attached resolution ratifying the acceptance and execution by the Mayor's designee of Grant Agreement AIP Number 3-12-0050-008-2009 between Miami-Dade County and the Federal Aviation Administration (FAA) for a grant in the amount of $884,186.00 for the Extension of Runway 9 Right/27 Left (9R/27L) – Construction Phase 1 at Kendall-Tamiami Executive Airport (TMB), pursuant to provisions of the Miami-Dade Aviation Department's (MDAD) Expedite Ordinance No. 95-64, codified as Section 2-285(6) of the Code of Miami-Dade County.

SCOPE

Kendall-Tamiami Executive Airport and the project associated with this Airport Improvement Program (AIP) is located within District Eleven.

FISCAL IMPACT

This FAA Airport Improvement Program (AIP) entitlement fund grant is for the Phase I, proposed 1,000-foot westward runway extension at TMB and provides an the initial allocation of $884,186.00 in entitlement roll-over general aviation funds for the FAA approved and eligible construction portion of the project. The total construction cost for Phase 1 is estimated to be $10,964,682.00.

This grant represents FAA's initial allocation of general aviation entitlement funding for Phase I of the project which must first be be allocated in anticipation of the FAA programming and commitment for an additional $6 million in discretionary funding towards the construction of the project with FDOT funding 50% of the non-federal share.. The Florida Department of Transportation (FDOT), under its Five-Year Work Program, has programmed $474,600 for Fiscal Year 2010/2011, $1,334,600 for Fiscal Year 2011/2012, and $4,123,800 for Fiscal Year 2012/2013, to be applied to the entire three-phase extension of the project cost estimate of $30 million. Phases II and III – a 798-foot extension to the west and a 550-foot extension to the east, respectively – are not supported by FAA and will only be undertaken if additional operational need and availability of funding permits. MDAD needs to retain the FDOT funding as programmed to maintain development flexibility for the subsequent phases should the Department determine that an operational need for additional extension is justified.

TRACK RECORD/PROJECT MONITOR

The project will be managed by MDAD Chief of Civil Engineering Ernesto Beltre, P.E. The grant will be managed by MDAD Chief of Grants Norma Mata.

BACKGROUND

On November 19, 2008, MDAD submitted its application for federal assistance for Phase 1 of the construction of Runway 9R/27L Extension at TMB. The FAA has programmed a total General Aviation Airports entitlement grant of $884,186.00 for the construction of the 1,000-foot westward extension of

runway 9R/27L along with a 1,000-foot westward extension of the 50-foot-wide parallel taxiway ("TWY 'E'").

On October 7, 2008, the Board approved in Resolution No. R-1000-08, an FAA Grant No. 3-12-0050-007-2008 in the amount of $483,550 for the design of the extension of runway 9R-27L, including a new runway-to-taxiway entrance and exit connector for the westward extension of the parallel taxiway, along with the relocation of associated Instrument Landing System (ILS) Navigational Aids (NAVAIDS), the ILS Localizer Antenna, Precision Approach Path Indicator (PAPI), and Medium Intensity Approach Lighting System (MALS).

The extension of Runway 9R/27L from 5,002 feet to the maximum FAA funded length of 6,000 feet will provide the necessary takeoff length required to operate most types of business and corporate jet aircraft without imposing severe weight penalties or requiring such jets to make intermediate fuel stops when flying non-stop to medium or long-haul destinations. The runway extension project is part of the County's Capital Improvement Program (CIP) for the airport system.

It is therefore recommended that the Board ratify the actions of the Mayor's designee in accepting and executing the FAA Grant Agreement for Phase 1 of the Runway 9R-27L extension project.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Dennis C. Moss and Members, Board of County Commissioners

DATE: May 5, 2009

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(A)(1)(E)

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 Mayor'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. 8(A)(1)(E)
5-5-09

RESOLUTION NO. _____

RESOLUTION RELATING TO KENDALL-TAMIAMI EXECUTIVE AIRPORT; RATIFYING EXECUTION BY THE MAYOR'S DESIGNEE OF GRANT AGREEMENT AIP NO. 3-12-0050-008-2009 IN THE AMOUNT OF $884,186.00 FOR CONSTRUCTION PHASE 1 OF THE EXTENSION PROJECT FOR RUNWAY 9 RIGHT-27 LEFT

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 ratifies, confirms, and approves the execution by the Mayor's designee of Grant Agreement AIP No. 3-12-0050-008-2009 in the amount of $884,186.00 for Construction Phase 1 of the Extension Project for Runway 9 Right-27 Left at Kendall-Tamiami Executive Airport.

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:

Dennis C. Moss, Chairman
Jose "Pepe" Diaz, Vice-Chairman

Bruno A. Barreiro	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2009. This resolution shall become effective 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.

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

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. Dn For

Thomas P. Abbott

GRANT AGREEMENT

U. S. Department
of Transportation
Federal Aviation
Administration

Date of Offer: **January 26, 2009**

Project Number: **3-12-0050-008-2009**
Recipient: **Miami-Dade County Board of County Commissioners** (Herein called Sponsor)
Airport: Kendall-Tamiami Executive Airport

OFFER

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share, ninety-five percent (95%) of the allowable costs incurred in accomplishing the project consisting of the following:

"Extend Runway 9R/27L – Construction Phase 1"

as more particularly described in the Project Application dated November 19, 2008.

The maximum obligation of the United States payable under this Offer shall be $884,186 for airport development.

This offer is made in accordance with and for the purpose of carrying out the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 of the United States Code, constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

Manager, Airports District Office

ACCEPTANCE

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated March 29, 2009.

Executed this 11th day of Feb., 2009

(Seal)

Attest:

Elizabeth Adorno
Title

Miami-Dade Board of County Commissioners
Name of Sponsor

Signature of Sponsor's Designated Official Representative

Aviation Director
Title

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Thomas P. Abbott, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Signature of Sponsor's Attorney

2/12/09
Date