Memorandum

MIAMI-DADE COUNTY

Date: January 21, 2010

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

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

From: George M. Burgess
County Manager

Subject: Amendment to an Existing Contract between Miami-Dade County and Kimley-Horn and Associates for Phases 1 and 2 of the People's Transportation Plan (PTP) Project Entitled Advanced Traffic Management System (ATMS) in the Amount of $2,160,000

RECOMMENDATION

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing an amendment to an existing contract between Miami-Dade County (MDC) and Kimley-Horn and Associates (KHA) for Phases 1 and 2 of the countywide Advanced Traffic Management System (ATMS) project in the amount of $2,160,000 for the procurement of consulting and system integration services as detailed below. This project is funded through the Charter County Transit System Sales Surtax (the Surtax). Therefore, approval by the BCC and the Citizens' Independent Transportation Trust (CITT) is required.

SCOPE

This project is countywide and, as such, will benefit all Commission Districts.

FISCAL IMPACT/FUNDING SOURCE

The County is deploying the ATMS as part of the People's Transportation Plan (PTP). Phase 1 and Phase 2 of the project consists of the integration of all MDC's 2,700 traffic signals into the ATMS for which the consulting and system integration services were originally budgeted for $9 million. However, project scope modifications became necessary due to a lack of availability for a wireless and fiber-optic hybrid communication network as required by contract; additionally, work originally planned and budgeted for a future phase was accelerated. The scope modifications effectively shifted $2,160,000 in costs from the future phase into the current phase requiring this proposed amendment; therefore, there is no net fiscal impact to the entire PTP allocation for this project. To date, of the original $48 million allocation, approximately $18 million has been spent.

DELEGATION OF AUTHORITY

No additional authority is being requested within the body of this contract.

TRACK RECORD/MONITOR

The County is supervising, monitoring, and inspecting all aspects of the project implementation, deployment, and administration. Mr. Robert Williams, P.E., PTOE, Interim Chief, Traffic Signals & Signs Division, Public Works Department, is the responsible staff person to ensure compliance. To date, KHA's performance has been above satisfactory.

BACKGROUND

On July 7, 2005, the BCC adopted Resolution No. R-876-05 to authorize a contract with KHA. to furnish and install the new ATMS. Following the completion of the 16-intersection field alpha test in 2006 which successfully demonstrated the new system could safely and efficiently operate Miami-Dade County's installed traffic signal controllers, the consultant was authorized to move forward with the migration of the County's approximately 2,700 signals from the old system to the new ATMS.

The two-year project progress was summarized in an informational report to the BCC in the year 2007. Significant additional milestones have been achieved in the two (2) years since the interim report.

Benefiting from the consultant's on-site systems management, training, coordination, and support, the ATMS Team (comprised of consultant staff, PWD staff, field contractor personnel, and AT&T forces) migrates approximately three (3) signals each weekday and intends to complete the transition to the new system by December 2010. As of October 30, 2009, 2110 signals (approximately 79% of the total) have been transferred to the new ATMS. This effort is being accomplished with the challenge of maintaining the safe and normal operation of all signals and the successful execution of all other functions performed by PWD's Traffic Signals and Signs Division (TS&S).

The original project scope and system manager contract contemplated the development of a hybrid wireless and fiber-optic communication network by the County's Enterprise Technology Services Department (ETSD). The proposed network was to serve as the backbone of the ATMS' network communication subsystem. Since this proposed network did not come to fruition, the consultant needed to develop an alternate communication strategy using a modified version of the existing leased AT&T phone line network. This effort was unanticipated and therefore not budgeted in the original scope.

Additionally, the County requested the advancement of two (2) future efforts in order to reap the greatest benefits and more efficiently use the system's enhanced technology.

DETAILED DESCRIPTION OF THE THREE (3) EXPENDITURES ACCELERATED INTO PHASE 1

Completion of the deployment effort by December 2010 is dependent on the replenishment of funds in the total amount of $2,160,000. The three (3) reasons for this need are described in detail as follows:

> $ 800,000 is the amount estimated to be required by KHA to provide deployment and communication system management services above and beyond the amount of $1,290,000 which was originally budgeted for this effort. The original estimate was based on the assumption that the County would successfully deploy a countywide, county-owned, wireless and fiber-optic hybrid communication network to serve as the backbone of the ATMS communication subsystem. However, after the ATMS project proceeded, the County chose not to proceed with the wireless communication network, impacting the ATMS project in both additional time and cost, since the original system design was dependent on a hybrid wireless and fiber system. Therefore, an alternate communication subsystem for the ATMS had to be designed and deployed by the ATMS Team in order to not hinder the progress of the migration of the signal system. As such, the budget required for this task increased from $1,290,000 to $2,090,000.
>
> $ 210,000 was used for KHA to develop the Kendall Drive Bus Rapid Transit (BRT) Concept of System Operations and Communications Plan. This work effort was originally planned for a future phase of the ATMS deployment program. However, the work was expedited to begin in August, 2006 to coincide with Miami-Dade Transit's plans to commence a pilot BRT service along the Kendall Drive corridor and to take advantage of the synergy offered by the ATMS deployment. Due to later funding concerns, the BRT project was not able to move forward as originally planned. However, MDT is now ready to deploy traffic signal prioritization for this corridor and this project is scheduled to be implemented this fiscal year.

$1,150,000 was the additional budget required to re-time five (5) major north-south and five (5) major east-west corridors. This effort consisting of extensive data gathering and management was originally envisioned for Phase 3 or a future phase of the ATMS project; however, in late 2005, it was requested that this effort be undertaken immediately, in order for improvement in the timing of signals to be evidenced in the early stages of this long term project.

Due to the aforementioned facts and the need to continue the ATMS deployment effort without interruption in order to achieve the projected completion schedule of December 2010, it is recommended that the contract be replenished with the additional amount of $2,160,000. This project is listed in Exhibit 1 of the PTP Ordinance under Major Highway and Roadway Improvements Projects.

Assistant County Manager

MEMORANDUM
(Revised)

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

DATE: January 21, 2010

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

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

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

✓ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous _____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(P)(1)(E)
1-21-10

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT TO AN EXISTING CONTRACT BETWEEN MIAMI-DADE COUNTY AND KIMLEY-HORN AND ASSOCIATES TO PROVIDE ADDITIONAL FUNDING IN THE AMOUNT OF $2,160,000 FOR THE COUNTYWIDE IMPLEMENTATION OF A PEOPLE'S TRANSPORTATION PLAN (PTP) PROJECT RELATED TO THE COMPLETION OF PHASES 1 AND 2 OF THE ADVANCED TRAFFIC MANAGEMENT SYSTEM (ATMS); AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, both Kimley-Horn and Associates (KHA) and Miami-Dade County wish to facilitate the Countywide Phases 1 and 2 implementation and deployment of the Advanced Traffic Management System (ATMS),

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves this contract amendment of the existing contract between Miami-Dade County and KHA providing additional funding in the amount of $ 2,160,000 to the County for eligible expenses incurred during the Phases 1 and 2 implementation, in substantially the form attached hereto and made a part hereof; authorizing the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to

exercise the provisions contained therein; and authorizing the use of Charter County Transit Surtax funds.

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 21 day of January, 2010. 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 reaffirms 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

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

AMENDMENT NO. 1 TO THE MIAMI-DADE COUNTY ATMS SYSTEM INTEGRATOR CONTRACT

This Amendment No. 1 to the contract is made and entered into this _____ day of _____,20____, by and between Miami-Dade County, a political subdivision of the State of Florida, hereinafter referred to as the "COUNTY," and KIMLEY-HORN AND ASSOCIATES, INC., hereinafter referred to as the "SYSTEM INTEGRATOR".

W I T N E S S E T H:

WHEREAS, pursuant to Resolution No. R-876-05 approved by the Board of County Commissioners on July 07, 2005, the parties hereto entered into a Contract retaining the SYSTEM INTEGRATOR for the provision, installation, and implementation of a new Advanced Traffic Management System (ATMS), and providing a maximum compensation of $9,000.000.00 for all professional services required during the implementation of the current phase of the project;

WHEREAS, additional tasks not originally budgeted in the Scope of Services for the project's current phase were properly authorized and completed at an additional cost to the project of $2,160,000.00;

WHEREAS, the use of the $2,160,000.00 to fund related projects is described in greater detail in the accompanying memorandum, a copy of which is incorporated herein by reference;

WHEREAS, the successful completion of the current phase of the project is dependent upon the replenishment of the $2,160,000.00;

WHEREAS, the original contract was for a period of five (5) years and authorized the Director to extend this Agreement on a bi-annual basis for up to two (2) additional two-year periods;

NOW, THEREFORE, in consideration of the mutual desires of the parties hereto, the following modifications are made to the aforementioned Agreement:

SECTION V – COMPENSATION

Subsection E. Maximum Compensation

Shall read as follows:

Both parties agree that compensation will only be made for work specifically authorized in writing by the COUNTY. The total of all fee payments to the SYSTEM INTEGRATOR under this Agreement shall not exceed $11,160,000.00. The COUNTY at its discretion may supplement this amount with additional funds as required.

SECTION XVIII - DURATION OF AGREEMENT

Shall read as follows:

This Agreement shall remain in full force and effect for a period of seven (7) years from the original date of execution or until depletion of the funds allocated to pay for the cost of said services, whichever occurs first. If funding remains, or if additional funding becomes available, the Director shall have the right to extend this Agreement for an additional two-year period. This extension will be authorized in writing by the Director prior to the applicable expiration date.

In all other respects, except as hereby amended, the original Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF the parties hereto have caused this First Amendment to the Contract to be executed by their appropriate officials as of the date first entered above.

ATTEST:

HARVEY RUVIN
CLERK OF THE BOARD

BY: _____
Deputy Clerk

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

BY: _____
County Mayor or County Mayor's Designee

Approved by County Attorney
as to form and legal sufficiency _____
County Attorney

ATTEST:

By: David J. Osborne
DAVID J. OSBORNE

KIMLEY-HORN AND ASSOCIATES, INC.
a Corporation authorized to transact
business in Florida

By: K.K. Saxena
(K.K. SAXENA)

(CORPORATE SEAL)