

# Memorandum



**Date:** April 14, 2010

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

**From:** George M. Burgess  
County Manager 

**Subject:** Resolution Authorizing the Execution of a Supplemental Joint Participation Agreement with the Florida Department of Transportation to Provide Additional State Funding for a Park and Ride Facility at the Florida Power & Light Site on SW 127<sup>th</sup> Avenue Near Kendall Drive in the Amount of \$379,900

TIR  
Agenda Item No:  
3(C)

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the execution of a Supplemental Joint Participation Agreement (SJPA) in substantially the form attached hereto with the Florida Department of Transportation (FDOT) to provide additional State funding in the amount of \$379,900 and add the additional eligible expenses for leasing, final design, Construction Engineering and Inspection (CEI) services and design services during construction of a Park and Ride facility at the Florida Power and Light (FP&L) site on SW 127<sup>th</sup> Avenue near Kendall Drive.

It is further recommended that the Board authorize the receipt and expenditure of funds as specified in the Agreement. An equal match of \$379,900 will be provided from proceeds from the Local Option Gas Tax (LOGT) and the Charter County Transit System Surtax (Surtax).

## SCOPE

While this park and ride lot is physically located within Commission District 10, the impact of the project benefits the riding public, and is therefore, countywide.

## FISCAL IMPACT/FUNDING SOURCE

The State's \$379,900 funding contribution would be matched equally by Miami-Dade County with \$379,900 from LOGT and Surtax funds.

## TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of more than twenty-five (25) years. The project manager for this grant application is Patricia Barry, Administrative Officer 3, MDT Financial Services.

## DELEGATED AUTHORITY

In accordance with Section 2-8.3 of the Miami-Dade County Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution which include authority for the Mayor or designee to execute the agreement, receive and these and any additional funds should they become available.

## BACKGROUND

The State of Florida's Park and Ride Lot Program was initiated in 1982 to provide organized, safe parking for vehicles constantly congregating on roadsides. Initially, park and ride lots were constructed on publicly owned land such as rights of way, park lands and state owned land. Chapter 341 of the Florida Statutes (F.S.) provides for the purchase and/or leasing of private land for the construction of park and ride lots, the promotion of these lots, and the monitoring of their usage. This program is an

integral part of the commuter assistance program efforts to encourage the use of transit carpools, vanpools, and other high occupancy modes. It is essential in an effort to meet federal, state, regional and local goals for reducing single occupant vehicle travel.

The total estimated project cost is 2.759 million. On June 5, 2007, the Board approved an initial \$1,000,000 in FDOT Park and Ride Lot Program funds for land acquisition and construction through a Joint Participation Agreement (JPA) authorized by Resolution No. 677-07; this amount was equally matched by the County. This SJPA is a revised scope of the agreement, which includes leasing, final design and CEI services. The total funding received for this project to date is \$1,379,900. The remaining \$379,900 will be provided from LOGT and PTP funds.

The FDOT plan for Miami-Dade County was based on the demand for Park and Ride use in association with "kiss and ride", carpool, and local and premium bus service. The proposed Park and Ride lot, currently owned by FP&L consist of three different parcels totaling approximately 2.3 acres. MDT and FPL are negotiating a license/lease agreement for these three parcels. The license/lease agreement is being worked on in conjunction with FPL's proposed project (overhead transmission lines) from SW 57<sup>th</sup> Avenue to SW 38<sup>th</sup> Court along Ponce de Leon and encroaching into MDT right-of-way. This license/lease agreement will be presented to the Board for approval through a separate item.

This surface lot will provide parking for approximately 150 vehicles and is scheduled to be completed in the Spring of 2011. Routes 88 and 288 (Kendall KAT) currently serve this location. The planned Kendall Enhanced Bus (KEB) service is anticipated to replace the Kendall KAT with improved service; therefore, this park and ride lot will be important for the future support of the KEB project.



Assistant County Manager



# MEMORANDUM

(Revised)

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

**DATE:** May 4, 2010

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

**SUBJECT:** Agenda Item No.

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.

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$379,900 FOR A PARK AND RIDE FACILITY AT THE FLORIDA POWER & LIGHT SITE (FP&L) ON SW 127<sup>TH</sup> AVENUE NEAR KENDALL DRIVE; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE SJPA; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX

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

**WHEREAS**, the State of Florida is authorized to enter into agreements to provide State funding for transportation programs and projects,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. That this Board approves the agreement between Miami-Dade County and the Florida Department of Transportation, in substantially the form attached hereto and made a part hereof, in the amount of \$379,900 for leasing, final design, CEI services and design services during construction of a park and ride lot facility at the Florida Power & Light site on SW 127<sup>th</sup> Avenue near Kendall Drive.

Section 2. That this Board further authorizes the Mayor, Mayor's designee, or Miami-Dade Transit Director, to execute such contracts and agreements as are approved by the County Attorney's Office; to receive and expend funds in accordance with such aforementioned contracts and agreements; to receive and expend any additional funds should they become available; and to file and execute any additional agreements, revisions, or amendments as required to carry out the projects for and on behalf of Miami-Dade County, Florida.

Section 3. That the County staff is authorized to furnish such additional information as the FDO T may require in connection with the application for the improvement.

The foregoing resolution was and 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
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of May, 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

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**PUBLIC TRANSPORTATION**  
**SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**  
**Number ONE**

725-030-07  
 PUBLIC TRANSPORTATION  
 04/07  
 Page 1 of 4

Financial Project No.: <u>42058719401</u> <small>(item-segment-phase-sequence)</small> Contract No.: <u>AOM87</u> Catalog of Federal Domestic Assistance Number: <u>N/A</u>	Fund: <u>DDR/DS/DPTO</u> Function: <u>639</u> Federal No.: <u>N/A</u> DUNS No.: <u>N/A</u> Catalog of State Financial Assistance Number: <u>55011</u>	FLAIR Category: <u>088774</u> Object Code: <u>750011</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573129</u>
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THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida, hereinafter referred to as the Department, and MIAMI-DADE TRANSIT  
701 NW FIRST COURT STE 1300, MIAMI, FL 33136  
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 27th day of June, 2007, entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment "A" for a total Department Share of \$1,379,900.00.

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended and supplemented as follows:

**1.00 Project Description:** The project description is amended

to revise the scope of the agreement to include as eligible costs: leasing, final design, CEI services & design services during construction. In addition, additional Department Park and Ride Lot Program funding is provided for this facility to be located on SW 127th Avenue near Kendall Drive (SR 94). State Participation Rate is 50% of eligible project costs.

**2.00 Project Cost:**

Paragraph 3.00 of said Agreement is increased by \$759,800.00  
bringing the revised total cost of the project to \$ 2,759,800.00.

Paragraph 4.00 of said Agreement is increased by \$379,900.00  
bringing the Department's revised total cost of the project to \$ 1,379,900.00.

~~3.00 Amended Exhibits:~~

Exhibit(s) A, B & C of said Agreement is amended by Attachment "A".

**4.00 Contract Time:**

Paragraph 18.00 of said Agreement March 31st ,2011

Financial Project No. 42058719401

Contract No. AOM87

Agreement Date \_\_\_\_\_

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 27th 2007  
and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first  
above written.

AGENCY

FDOT

MIAMI-DADE TRANSIT  
AGENCY NAME

See attached Encumbrance Form for date of Funding  
Approval by Comptroller

\_\_\_\_\_  
SIGNATORY (PRINTED OR TYPED)

\_\_\_\_\_  
LEGAL REVIEW  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
TITLE

D6 Director of Transportation Development  
TITLE

Carson, Ed

From: The job FI989HLR  
Sent: Wednesday, February 10, 2010 3:29 PM  
To: Carson, Ed  
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT AOM87

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
FUNDS APPROVAL

Contract #AOM87 Contract Type: AH Method of Procurement: G  
Vendor Name: MIAMI-DADE TRANSIT  
Vendor ID: VF596000573129  
Beginning date of this Agmt: 06/27/07  
Ending date of this Agmt: 03/31/11  
Contract Total/Budgetary Ceiling: ct = \$1,379,900.00

Description: SJPA # 1  
MDT- Development of Park& Ride Facility on FPL site at  
SW 127 Ave near Kendall Drive (leasing,land acq final design & cst).  
SPR 50%

\*\*\*\*\*  
ORG-CODE \*EO \*OBJECT \*AMOUNT \*FIN PROJECT \*FCT \*CFDA  
(FISCAL YEAR) \*BUDGET ENTITY \*CATEGORY/CAT YEAR  
AMENDMENT ID \*SEQ. \*USER ASSIGNED ID \*ENC LINE(6S)/STATUS  
\*\*\*\*\*

Action: SUPPLEMENTAL Funds have been: APPROVED

55 062020629 \*PT \*750011 \* 350000.00 \*42058719401 \*639 \*  
2010 \*55100100 \*088774/10  
S002 \*00 \* ONE \*0003/04

-----  
TOTAL AMOUNT: \*\$ 350,000.00 \*  
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FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER  
DATE: 02/10/2010

Carson, Ed

From: The job FI989HLR
Sent: Thursday, December 31, 2009 2:43 PM
To: Carson, Ed
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT AOM87

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #AOM87 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT
Vendor ID: VF596000573129
Beginning date of this Agmt: 06/27/07
Ending date of this Agmt: 03/31/11
Contract Total/Budgetary Ceiling: ct = \$1,029,900.00

Description:
MDT- Development of Park & Ride Facility on FPL site at SW 127
Ave near Kendall Drive (leasing, land acq, final design & cst). SPR 50%

ORG-CODE \*EO \*OBJECT \*AMOUNT \*FIN PROJECT \*FCT \*CFDA
(FISCAL YEAR) \*BUDGET ENTITY \*CATEGORY/CAT YEAR
AMENDMENT ID \*SEQ. \*USER ASSIGNED ID \*ENC LINE(6S)/STATUS

Action: SUPPLEMENTAL Funds have been: APPROVED

55 062020629 \*PT \*750011 \* 29900.00 \*42058719401 \*639 \*
2010 \*55100100 \*088774/10
S001 \*00 \* ONE \*0002/04

TOTAL AMOUNT: \*\$ 29,900.00 \*

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 12/31/2009



The job F1989HLR; user l.D.  
 F1989HL <MVS@DOT>  
 11/22/2006 02:33 PM

To PL630CD@dot.state.fl.us  
 cc  
 bcc  
 Subject FUNDS APPROVAL/REVIEWED FOR CONTRACT AOM87

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
 FUNDS APPROVAL

Contract #AOM87 Contract Type: AH Method of Procurement: G  
 Vendor Name: MIAMI-DADE TRANS  
 Vendor ID: VF596000573129  
 Beginning date of this Agmt: 03/01/07  
 Ending date of this Agmt: 09/30/09  
 Contract Total/Budgetary Ceiling: ct = \$1,000,000.00

\*\*\*\*\*  
 Description:  
 MDTA- Development of Park & Ride Facility on FPL site at SW 127 Ave  
 near Kendall Drive (land acq & cst). SPR 50%

\*\*\*\*\*  
 ORG-CODE \*EO \*OBJECT \*AMOUNT \*FIN PROJECT \*FCT \*CFDA  
 (FISCAL YEAR) \*BUDGET ENTITY \*CATEGORY/CAT YEAR  
 AMENDMENT ID \*SEQ. \*USER ASSIGNED ID \*ENC LINE(6S)/STATUS  
 \*\*\*\*\*

Action: ORIGINAL Funds have been: APPROVED  
 55 062020629 \*PT \*750011 \* 1000000.00 \*42058719401 \*639 \*  
 2007 \*55100100 \*088774/07  
 0001 \*00 \*0001/04

TOTAL AMOUNT: \*\$ 1,000,000.00 \*

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER  
 DATE: 11/22/2006

Financial Project No. 42058719401  
 Contract No. AOM87  
 Agreement Date \_\_\_\_\_

**ATTACHMENT "A"  
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and MIAMI-DADE TRANSIT  
701 NW FIRST COURT STE 1300, MIAMI, FL 33136  
 dated 6/27/2007.

**DESCRIPTION OF SUPPLEMENT (Include justification for cost change):**

Scope change to add additional eligible costs and to add funding. Leasing, final design, CEI & design services during construction are added as eligible expenses.

I. Project Cost:	As Approved	As Amended	Net
	\$2,000,000.00	\$2,759,800.00	\$759,800.00
<b>Total Project Cost</b>	<b>\$2,000,000.00</b>	<b>\$2,759,800.00</b>	<b>\$759,800.00</b>
I. Fund	As Approved	As Amended	Net
Department:	\$1,000,000.00	\$1,379,900.00	\$379,900.00
Agency:	\$1,000,000.00	\$1,379,900.00	\$379,900.00
	\$0.00	\$0.00	\$0.00
<b>Total Project Cost</b>	<b>\$2,000,000.00</b>	<b>\$2,759,800.00</b>	<b>\$759,800.00</b>

**Comments:**

Exhibit C is amended to include: Any lease executed for this project shall have an initial term of no less than thirty (30) years. If the subject property is no longer used for its public transportation purpose under this agreement during its initial term, then the Department shall have its proportional share of the project cost reimbursed to it in accordance with Paragraph 14.80 of this Agreement. The Department shall review and approve any lease agreements prior to execution by the Agency for this project.