

Memorandum



Date: June 9, 2010

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

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

TIR
Agenda Item No:
3 (DD)

Subject: Resolution Approving the Execution of a Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) to Provide Additional State Funding for a Park and Ride Facility at the Southern Terminus of the South Miami-Dade Busway (SW 344th Street) in Florida City in the Amount of \$592,551

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the execution of a Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) to provide additional State funding for a Park and Ride Facility at the Southern Terminus of the South Miami-Dade Busway (SW 344th Street) in Florida City in the amount of \$592,551.

It is further recommended that the Board authorize the receipt and expenditure of funds as specified in this agreement. The County proposes to provide an equal match of \$592,551 for this from local funds (Local Option Gas Tax (LOGT), Charter County Transit System Surtax, or a combination thereof).

SCOPE

While this park and ride lot is physically located within Commission District 9, the impact of the project benefits the public, and is therefore, Countywide.

FISCAL IMPACT/FUNDING SOURCE

The State's \$592,551 funding contribution would be matched equally by Miami-Dade County from local funds (Local Option Gas Tax (LOGT), Charter County Transit System Surtax, or a combination thereof). To date, the total funding provided through FDOT agreements is \$8,298,995, with a total of \$4,682,714 coming from the State. Once the project is built out, an annual cost of approximately \$90,000 is anticipated to maintain and operate the Park and Ride facility and will be funded through the MDT Operating budget.

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, his designee or the MDT Director to execute the agreement and receive and expend 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. 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.

In 2006, the Board approved a Joint Participation Agreement (JPA) for the South Dade Busway Urban Corridor project with FDOT for \$2,000,000 (R-667-06). Of the \$2,000,000, \$1,066,433 is to be applied to this project at 100% participation and requiring no local match. On June 5, 2007, the Board approved an additional \$300,000 for land acquisition and construction authorized by Resolution No. R-672-07. These funds were equally matched by the County and the total funding for that JPA was \$600,000. A subsequent SJPA approved by the Board on June 3, 2008 (R-642-08) provided additional State funding in the amount of \$2,723,730 equally matched by the County. This SJPA totaled \$5,447,460.

This new SJPA provides \$592,551 in additional State funds with an equal County match for a total of \$1,185,102; bringing the total funding provided by FDOT agreements to date to \$8,298,995.

In addition to the State funds received, on March 4, 2008 the Board authorized Miami-Dade County (R-223-08) to apply for a federal grant in the amount of \$1,857,500 through the Federal Transit Administration's (FTA) National Environmental Policy Act (NEPA), bringing the anticipated combined federal, state and local funding totals to \$10,156,495 for this project.

The FDOT plan for Miami-Dade County is based on the demand for Park and Ride lots in association with "Kiss and Ride", carpool, and local premium bus services. The proposed Park and Ride facility is located at the last stop (terminus) of the Busway extension to Florida City at SW 344th Street. This lot is forecasted to accommodate 260 parking spaces. This site will require demolition of several existing commercial and residential structures. Existing utilities will also need to be relocated or re-routed prior to development. The proposed park and ride facility will require the acquisition of several properties of varying zoning and usage types, vacating of public rights of way and the granting of easements for utilities in the area. The approval for land acquisition for this project is being presented to the Board under separate cover.

The MDT routes which will service this park and ride include 34, 35, 38, 70, 344, Card Sound Express and Dade-Monroe Express. The construction cost of this park and ride facility is estimated at \$10,140,000 and is scheduled to begin November 2011 with anticipated completion by November 2012.


Assistant County Manager



MEMORANDUM

(Revised)

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

DATE: July 8, 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

Agenda Item No.

Veto _____

Override _____

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 \$592,551 FOR A PARK AND RIDE FACILITY AT THE SOUTHERN TERMINUS OF THE SOUTH MIAMI-DADE BUSWAY (344TH STREET) IN FLORIDA CITY; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA; AND 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 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, 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 \$592,551 for land acquisition and construction of a Park and Ride facility at the southern terminus of the South Miami-Dade Busway (SW 344th Street) in Florida City.

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 FDOT 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
Dorrian D. Rolle		Natacha Seijas
Katy Sorenson		Rebeca Sosa
Sen. Javier D. Souto		

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of July, 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>41799419406 /08</u> <small>(item-segment-phase-sequence)</small>	Fund: <u>DPTO</u> Function: <u>638</u> Federal No.: <u>N/A</u> DUNS No.: <u>N/A</u>	FLAIR Category: <u>088774 088809</u> Object Code: <u>750017 750098</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573129</u> Catalog of Federal Domestic Assistance Number: <u>N/A</u> Catalog of State Financial Assistance Number: <u>55.01755014</u>
Contract No.: <u>ANW95</u>		

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, Suite 1300, Miami, FL 33136
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 9th day of June, 2005, 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 \$101,319,928.00

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

Provide State Transit Urban Capital Program and Intermodal Development Program funding for the construction of 2.6 miles of heavy rail-fixed guideway and track from the Earlington Heights Metrorail Station to the Miami Intermodal Center (MIC). State Participation Rate is 50% of the non-Federal share.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$267,588,004.00
bringing the revised total cost of the project to \$ 537,639,856.00

Paragraph 4.00 of said Agreement is increased by \$1,319,928.00
bringing the Department's revised total cost of the project to \$ 101,319,928.00

3.00 Amended Exhibits:

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

4.00 Contract Time:

Paragraph 18.00 of said Agreement March 31st, 2011

Financial Project No. 41799419406

Contract No. ANW95

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 9th 2005 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

Miami-Dade Transit
AGENCY NAME

SIGNATORY (PRINTED OR TYPED)

SIGNATURE

TITLE

FDOT

See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

District 6 Director of Transportation Development
TITLE

Bruce Libhaber
Approved as to form
and legal sufficiency

Carson, Ed

From: The job FI989HLR
Sent: Tuesday, March 30, 2010 3:04 PM
To: Carson, Ed
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT ANW95

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #ANW95 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT
Vendor ID: VF596000573129
Beginning date of this Agmt: 06/09/05
Ending date of this Agmt: 03/31/11
Contract Total/Budgetary Ceiling: ct = \$101,319,928.00

Description:
MDTA-Construct Metrorail link from Earlington Heights Station to the MIC.

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 *750017 * 319928.00 *41799419406 *638 *
2010 *55100100 *088774/10
S001 *00 * ONE *0015/04

Action: SUPPLEMENTAL Funds have been: APPROVED

55 062020629 *PT *750098 * 1000000.00 *41799419408 *638 *
2010 *55100100 *088809/10
S001 *01 * ONE *0016/04

TOTAL AMOUNT: *\$ 1,319,928.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 03/30/2010

Financial Project No. 41799419406
 Contract No. ANW95
 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, Suite 1300, Miami, FL 33136
 dated 6/9/2005

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Increase State participation by \$1,319,928.00. Amended project cost is increased by \$2,639,856.00 to \$537,639,856.00. This is a Multi-Year Agreement and includes funding through 2010.

I. Project Cost:	As Approved	As Amended	Net
	\$270,051,852.00	\$537,639,856.00	\$267,588,004.00
Total Project Cost	\$270,051,852.00	\$537,639,856.00	\$267,588,004.00
I. Fund	As Approved	As Amended	Net
Department:	\$100,000,000.00	\$101,319,928.00	\$1,319,928.00
Agency:	\$170,051,852.00	\$436,319,928.00	\$266,268,076.00
	\$0.00	\$0.00	\$0.00
Total Project Cost	\$270,051,852.00	\$537,639,856.00	\$267,588,004.00

Comments:

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