

# Memorandum



**Date:** June 15, 2010

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

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

**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 344<sup>th</sup> Street) in Florida City in the Amount of \$592,551

Agenda Item No. 14(A)(17)

**This substitute differs from the original in that it includes the correct attachment.**

## **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 344<sup>th</sup> 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: June 15, 2010

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

SUBJECT: Agenda Item No. 14(A)(17)

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. 14(A)(17)

Veto \_\_\_\_\_

6-15-10

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 (344<sup>TH</sup> 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 344<sup>th</sup> 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
Dorin D. Rolle		Natacha Seijas
Katy Sorenson		Rebeca Sosa
Sen. Javier D. Souto		

The Chairperson thereupon declared the resolution duly passed and adopted this 15<sup>th</sup> day of June, 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

**PUBLIC TRANSPORTATION**  
**SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**  
**Number TWO (2)**

Financial Project No.: <u>42045719401</u> <small>(Item-segment-phase-sequence)</small>	Fund: <u>DDR/DPTO</u>	FLAIR Approp.: <u>088774</u>
Contract No.: <u>AOM15</u>	Function: <u>639</u>	FLAIR Obj.: <u>750011</u>
Catalog of Federal Domestic Assistance Number: <u>N/A</u>	Federal No.: <u>N/A</u>	Org. Code: <u>55062020629</u>
	DUNS No.: <u>N/A</u>	Vendor No.: <u>F596000573129</u>
	Catalog of State Financial Assistance Number: <u>55011</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 AGENCY  
701 NW FIRST COURT STE 1600, 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 \$3,616,281.00

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 provide additional Department Park and Ride Lot Program funding for development (land acquisition and construction) of a park and ride facility at the southern terminus of the South Miami-Dade Busway at SW 344 Street (SR9334) in Florida City. All other terms and conditions remain unchanged. State Participation Rate is 50% of eligible project cost.

**2.00 Project Cost:**

Paragraph 3.00 of said Agreement is increased by \$1,185,102.00  
bringing the revised total cost of the project to \$ 7,232,562.00

Paragraph 4.00 of said Agreement is increased by \$592,551.00  
bringing the Department's revised total cost of the project to \$ 3,616,281.00

**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 September 30th, 2009

Financial Project No. 42045719401  
 Contract No. AOM15  
 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 AGENCY  
701 NW FIRST COURT STE 1600, MIAMI, FL. 33136  
 dated 6/27/2007

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):  
 Additional funding only-all other terms and conditions remain unchanged.

I. Project Cost:	As Approved	As Amended	Net
	\$6,047,460.00	\$7,232,562.00	\$1,185,102.00
Total Project Cost	\$6,047,460.00	\$7,232,562.00	\$1,185,102.00
I. Fund	As Approved	As Amended	Net
Department:	\$3,023,730.00	\$3,616,281.00	\$592,551.00
Agency:	\$3,023,730.00	\$3,616,281.00	\$592,551.00
	\$0.00	\$0.00	\$0.00
Total Project Cost	\$6,047,460.00	\$7,232,562.00	\$1,185,102.00

Comments:

Financial Project No. 42045719401

Contract No. AOM15

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  
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

Director of Transportation Development, D6  
TITLE

*Bruce Fehaber*  
*Approved as to form and legal sufficiency*



Florida Department of Transportation

CHARLIE CRIST  
GOVERNOR

1000 NW 111th Avenue  
Miami, Florida 33172

STEPHANIE C. KOPELOUSOS  
SECRETARY

DATE: December 2, 2009

RECEIVED  
DEC 28 2009  
PUBLIC TRANSPORTATION OFFICE  
FDOT DISTRICT 6

Ms Debra Owens  
Miami-Dade Transit - Governmental Affairs & Grants  
701 NW First Court Suite 1700  
Miami FL 33136-3912

FROM: Mr. L. Carl Filer, P.E., Manager, District Six - Public Transportation Office 207

SUBJECT: EXTENSION OF TIME - JOINT PARTICIPATION Agreement

FM No. 42045719401- Contract No. AOM15\_\_  
(SW 344 Street Park & Ride Lot)

The time allotted for the completion of services on subject agreement dated JUNE 27, 2007 and any supplementals thereto will expire on DECEMBER 31, 2009.

In accordance with Section 18.00 of the JOINT PARTICIPATION Agreement, you may request a time extension. For your convenience, you may complete, sign, date and return this form to me.  
=====

It is requested that the JOINT PARTICIPATION Agreement for the subject project be extended until SEPTEMBER 30, 2010 for the following reason(s): (Use attachment if necessary)

Agency: MIAMI-DADE TRANSIT

APPROVED: Florida Department of Transportation

By: [Signature]  
(Agency Head or Auth Rep)

[Signature]  
Alice Bravo, P.E.  
District Six - Director of Transportation Development

Title: Special Assistant  
Administrative Affairs & Grants  
Date: 12/23/09

Date DEC 28 2009