

Memorandum



Date: November 3, 2011

Agenda Item No. 2(B)1

To: Honorable Chairman Joe. A. Martinez and Members,
Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Seaport Department Quarterly Report of Executed Joint Participation Agreements
and Supplemental Joint Participation Agreements Approved April 1 through June 30,
2011.

Recommendation

It is recommended that the Board approve the quarterly report of executed Joint Participation Agreement (JPA) and Supplemental Joint Participation Agreement (SJPA) between April 1, 2011 and June 30, 2011 with the Florida Department of Transportation (FDOT) District VI.

Scope

The Port of Miami is located within District 5 – Commissioner Bruno A. Barreiro. The impact of this agenda item is countywide as the Port of Miami is a regional asset and generates employment for residents throughout all of Miami-Dade County.

Fiscal Impact/Funding Source

The attached report includes an execution of a new Joint Participation Agreement (JPA) and it provides funding in support of the Seaboard Marine Cargo Yard Improvements Phase II (Phase 3 of 5) under FDOT Financial Project No. **420354-1-94-02 Contract AQ528**. The report also includes a SJPA for the **Cargo Gateway Security project under FDOT Financial Project No.420534-2-94-01 Contract AO508**. There is no expected impact to future budgets as these projects are already underway.

- **JPA** – This new agreement provides funding in the amount of \$1,900,000 supporting the Seaboard Marine Cargo Yard Improvement project.
- **SJPA** – This amendment to the original JPA provides additional time to complete the Cargo Gateway Security project. It extends the expiration date through 03/31/2012 providing an additional nine (9) months for completion.

Track Record/Monitor

The Seaport Department staff member responsible for monitoring this report is Dorian K. Valdes, P.E., Assistant Port Director, Capital Development Division.

Background

On December 2, 2004, the Board of County Commissioners approved Resolution No. R-1434-04, which authorized the administrative execution of standard form JPA's and SJPA's with the FDOT. The resolution further directed the preparation of quarterly reports listing those JPA's and SJPA's approved during the previous quarter. Toward this end, attached please find a report reflecting activity from April 1, through June 30, 2011.

Deputy Mayor



**Seaport Department Quarterly Report
Administratively Approved Joint Participation Agreements
Reporting Period: April 1st, 2011 through June 30th, 2011**



Under Resolution No. R-1434-04 (Agenda Item No. 7(Q)(1)(A), passed and adopted on December 2, 2004) the Board of County Commissioners authorizes the County Manager to execute standard form Joint Participation Agreements (JPAs) and Supplemental Joint participation Agreements (SJPA) with various departments of the State of Florida, primarily the Department of Transportation, for application, receipt and expenditure of funds for various Seaport capital projects; and to exercise all rights conferred therein.

Document Type	Title	Execution Date	Expiration Date	Total Project Cost	FDOT Participation	Seaport Participation	Purpose
JPA # AQ528 Financial No. 42053419402	Phase III Container Yard Improvements	5/27/2011	6/30/2013	\$6,414,570	\$1,900,000	\$4,514,570	JPA executed on 5/27/2011 for upgrades to the existing utility infrastructure and pavement of approximately eight acres to improve efficiency of cargo operations.
Supplemental # 1 JPA # AO199 Financial No. 42053429401	Cargo Security Gateway	05/27/2011	03/31/2012	\$9,583,602	\$4,791,801	\$4,791,801	SJPA executed on 5/27/2011 for a nine – month time extension to complete necessary improvements outlined in the contract.

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Memorandum



Date: December 2, 2004
To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

Amended
Agenda Item No. 7(Q)(1)(A)

From: George M. Burgess
County Manager

Subject: Approval of Standard Form Joint Participation Agreements and Supplemental Joint Participation Agreements with Various Departments of the State of Florida primarily the Department of Transportation

R-1434-04

RECOMMENDATION

It is recommended that the Board approve the accompanying resolution authorizing the County Manager to execute standard form Joint Participation Agreements and Supplemental Joint Participation Agreements, with various departments of the State of Florida, primarily the Department of Transportation, for application, receipt and expenditure of funds for various seaport capital projects.

BACKGROUND

Throughout the years, the Port of Miami has been successful in securing grant/bond funds from various State of Florida funding programs. Primarily, the Florida Department of Transportation (FDOT) has played a significant role in financing port transportation or port facilities projects which improve the movement and intermodal transportation of cargo or passengers.

Funds from these various State programs are utilized to fund projects on a matching basis (matching ratios vary from program to program) at eligible deepwater ports in the State of Florida. Projects eligible for funding from these funds include, among others, the acquisition of container cranes or other mechanized equipment used in the movement of cargo or passengers in international commerce; the dredging or deepening of channels, turning basins or harbors; the acquisition, improvement, enlargement, or extension of existing port facilities; and the construction or rehabilitation of wharves, docks, structures, jetties, piers, storage facilities, cruise terminals, security infrastructure, automated people mover systems, or any other facilities necessary or useful in connection with any of the foregoing.

The State of Florida, particularly the FDOT, requires the County to enter into a Joint Participation Agreement (JPA) with them each time the County draws funds from these programs. The JPAs primarily formalize the County's grant application for these funds and ensure proper expenditures and matching sources for said funds.

To expedite the receipt of funds and execution of these documents by the County, on July 21, 1998, the Board approved Resolution R-960-98 which authorized the County Manager to execute standard form JPAs administratively for funds from the Florida Seaport Transportation and Economic Development Trust Fund.

At this time, similar authorization is respectfully requested to execute JPAs for application, receipt, and expenditure of State Funds as well as Supplemental Joint Participation Agreements (SJPAs). Among other things, the SJPAs typically modify changes in the scope of the projects, reallocate funds for projects, and/or extend the term of the original JPA. All SJPAs shall be in substantially the form attached and may only be executed after review by the County Attorney's Office.

The proposed item is similar to the one approved by the Board in July 1998 except that this item provides also for execution of standard form SJPAs and clarifies the authority to receive funds from any State of Florida grant/bond program.

Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: December 2, 2004

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Amended
Agenda Item No. 7(Q)(1)(A)

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 Manager'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

Amended

Veto _____

Agenda Item No. 7(Q)(1)(A)

Override _____

12-02-04

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
DADE COUNTY, FLORIDA**

RESOLUTION NO. R-1434-04

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE STANDARD FORM JOINT PARTICIPATION AGREEMENTS AND SUPPLEMENTAL JOINT PARTICIPATION AGREEMENTS WITH VARIOUS DEPARTMENTS OF THE STATE OF FLORIDA, PRIMARILY THE DEPARTMENT OF TRANSPORTATION, FOR APPLICATION, RECEIPT AND EXPENDITURE OF FUNDS FOR VARIOUS SEAPORT CAPITAL PROJECTS; AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN

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:

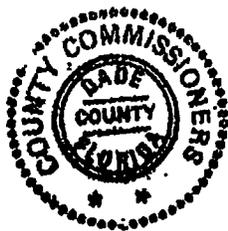
Section 1. This Board authorizes the County Manager to execute standard form Joint Participation Agreements (JPAs) and Supplemental Joint Participation Agreements (SJPA) with various departments of the State of Florida, primarily the Department of Transportation, for application, receipt, and/or expenditure of funds for various seaport capital projects in substantially the form attached hereto and approved by the County Attorney's Office; and to exercise all rights conferred therein, including extension, renewal, modification and termination provision.

Section 2. The Board directs the County Manager to report to the Board on a quarterly basis if JPAs and/or SJPA are entered during the quarter, along with pertinent background and other information.

The foregoing resolution was offered by Commissioner **Natacha Seijas**, who moved its adoption. The motion was seconded by Commissioner **Dorrrin D. Rolle** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	aye		
Dennis C. Moss, Vice-Chairman	aye		
Bruno A. Barreiro	aye	Dr. Barbara Carey-Shuler	absent
Jose "Pope" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Dorrrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 2nd day of December, 2004. 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: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty