

Memorandum



Date: May 21, 2013

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

Agenda Item No. 3(B)(2)

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the Execution of a Supplemental Joint Participation Agreement with the Florida Department of Transportation to Provide Additional State Funding in the Amount of \$850,000.00 from its Commuter Assistance Program for the Continued Operation of the Dade-Monroe Express Transit Service

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the execution of a Supplemental Joint Participation Agreement (Agreement) in substantially the form attached hereto, with the Florida Department of Transportation (FDOT) to provide additional State funding for Fiscal Year (FY) 2013 in the amount of \$850,000.00 for the continued operation of the Dade-Monroe Express Transit Service.

It is further recommended that the Board authorize the receipt and expenditure of funds as specified in the agreement. An equal match of \$850,000.00 will be provided through Miami-Dade Transit's (MDT) Operating funds for a total Agreement amount of \$1,700,000.00.

This Agreement recommendation is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This Agreement recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or forty-five (45) days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and forty-five (45) days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item.

SCOPE

While this route runs through County Commission Districts 8 (Bell) and 9 (Moss), the impact of the project benefits the riding public and is therefore, countywide.

FISCAL IMPACT/FUNDING SOURCE

The total State funding provided by this Agreement is \$850,000.00. The local match required for this Agreement is \$850,000.00 and will be matched equally through MDT's Operating funds (Operating expenditure index code MT710800) as programmed in the adopted FY 2012-2013 MDT operating budget.

The current annual operating cost for this route is approximately \$2.1 million. The difference between the operating cost for this route and the amount received from the State will be funded through the Department's annual operating budget.

TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of more than twenty-six years. The Project Manager for this agreement is Ed Carson, Grants Resource Manager, MDT Financial Services.

BACKGROUND

In 1989, FDOT began funding the Commuter Assistance Program to encourage individuals to utilize modes of transportation such as transit, commuter rail, carpools and vanpools to increase vehicle occupancy. The Commuter Assistance Program funds ridesharing and vanpooling efforts in Miami Dade County. Since 2005, FDOT has provided Commuter Assistance Program funding for the Dade-Monroe Express Bus service in support of the welfare-to-work program. This route serves as an alternative transportation mode for Miami-Dade County residents working in Monroe County, thereby reducing single occupant vehicle use and increasing travel options for economically disadvantaged residents lacking automobiles.

On March 3, 2011, the Board approved Resolution R-180-11, authorizing the execution of a Joint Participation Agreement providing \$250,000.00 in Commuter Assistance Program funding assistance for the operation of the Dade-Monroe Express Transit service. Subsequently, the Board approved Resolution R-466-12 (June 5, 2012) authorizing an additional \$850,000.00 in state funding for the continuation of this route.

The Dade-Monroe Express service operates seven days a week from 5:15 AM to 1:20 AM. Seventeen round trips operate between the Super Wal-Mart in Florida City and Mile Marker 98 in Key Largo. All but two of these trips serve Islamorada and six trips are extended further to provide service to Marathon. The route averages 26,000 boardings per month. Additionally, the route serves John Pennekamp Coral Reef State Park on Key Largo, hotels, restaurants, and other businesses in the Florida Keys from Key Largo to Marathon (Mile Marker 50). In Florida City, the route serves the Super Wal-Mart and the City Hall area, where connections can be made to and from Metrobus routes 34, 35, 70, 38 and 344. These routes provide service to points further north, including the South Miami-Dade Busway and Metrorail.

This route is procured through Route Work and Group Travel Services contract (Request for Qualifications #83) and is operated by Evergreen Trails, Inc. dba Horizon Coach Lines, which provides the vehicles, operators, supervision and maintenance. MDT develops and prepares the scheduling for this route. This contract was originally set to expire September 13, 2012, but has been extended through May 31, 2013 at which time a new contract is anticipated.

This Agreement provides \$850,000.00 in additional State funding for the continued operation of the Dade-Monroe Express bus service. To date, the State's total contribution is \$1,950,000.00.



Alina T. Hudak
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 21, 2013

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

SUBJECT: Agenda Item No. 3(B)(2)

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 Mayor'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.3(B) (2)
5-21-13

RESOLUTION NO. _____

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$850,000.00 FROM ITS COMMUTER ASSISTANCE PROGRAM FOR THE CONTINUED OPERATION OF THE DADE-MONROE EXPRESS SERVICE; 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 USE OF CHARTER COUNTY TRANSPORTATION 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, that:

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, to provide \$850,000.00 in State funds from its Commuter Assistance Program (CAP) for the continued operation of the Dade-Monroe Express Transit Service.

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 Florida Department of Transportation may require in connection with the application for the improvement.

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:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of May, 2013. 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

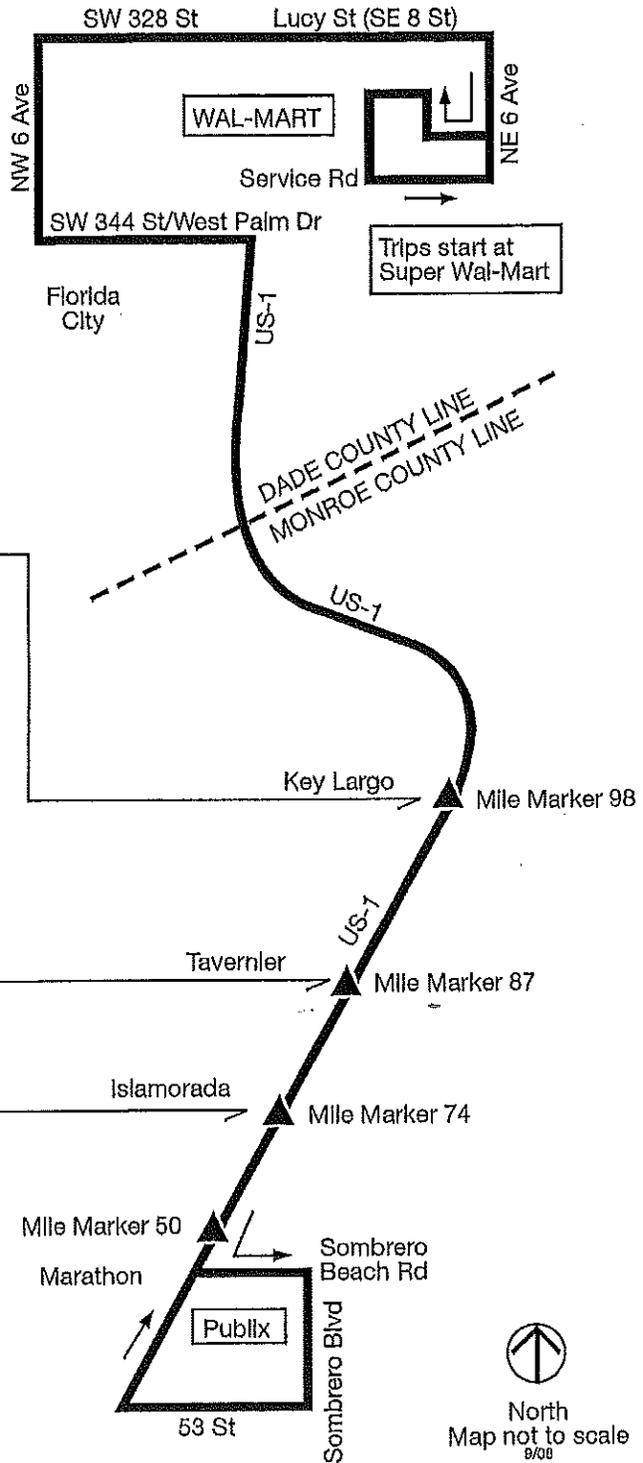
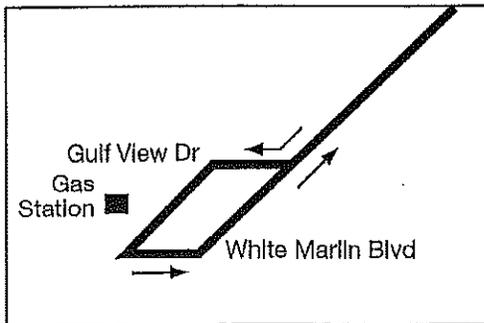
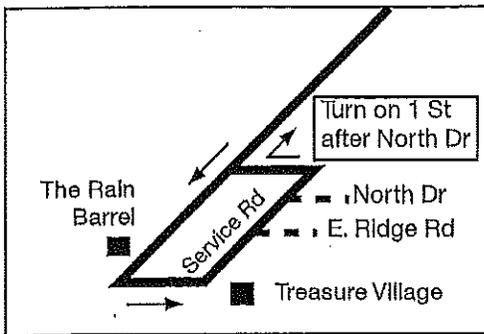
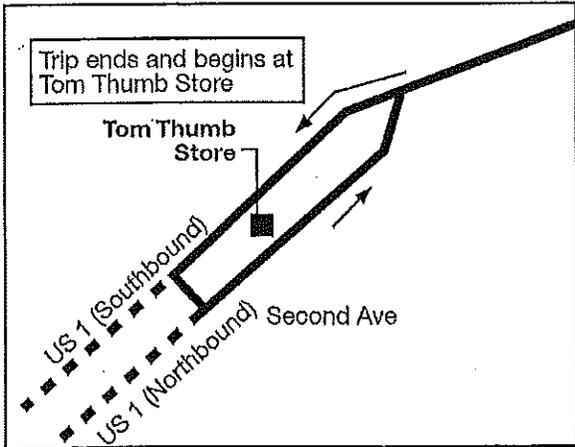
By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Ben Simon

Route 301 Dade-Monroe Express Express Fare



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number TWO

725-030-07
 PUBLIC TRANSPORTATION
 06/11
 Page 1 of 4

Financial Project No.: <u>41805128401</u> <small>(Item-segment-phase-sequence)</small> Contract No.: <u>APZ32</u> Catalog of Federal Domestic Assistance Number: <u>N/A</u>	Fund: <u>DPTO</u> Function: <u>654</u> Federal No.: <u>N/A</u> DUNS No.: <u>N/A</u> Catalog of State Financial Assistance Number: <u>55.007</u>	FLAIR Category: <u>088774</u> Object Code: <u>750007</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573129</u>
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THIS AGREEMENT, made and entered into this _____ day of _____, 2011, 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 23rd day of March, 2011, 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 \$1,950,000.00

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 additional State Commuter Assistance Program funding for the continued operation of the Dade-Monroe Express transit service seven days per week between Florida City and Marathon along US 1. State Participation Rate is 50%. All other terms and conditions remain unchanged.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$1,700,000.00
bringing the revised total cost of the project to \$3,900,000.00

Paragraph 4.00 of said Agreement is increased by \$850,000.00
bringing the Department's revised total cost of the project to \$1,950,000.00

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 December 31st, 2013

5.00 E-Verify

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Financial Project No. 41805128401

Contract No. APZ32

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated March 23rd, 2011 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

Harold Desdunes, P.E.
DEPARTMENT OF TRANSPORTATION

Director of Transportation Development - D6
TITLE

Bruce Zablaker
Approved as to form and
legal sufficiency

Bjorneboe, David

From: Richardson, Dionne G.
Sent: Tuesday, October 23, 2012 1:20 PM
To: Bjorneboe, David
Subject: FW: FUNDS APPROVAL/REVIEWED FOR CONTRACT APZ32

FYI

-----Original Message-----

From: The job FI989DKR
Sent: Tuesday, October 16, 2012 3:01 PM
To: Richardson, Dionne G.
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APZ32

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APZ32 Contract Type: Method of Procurement:
Vendor Name: MIAMI-DADE TRANS
Vendor ID: VF596000573129
Beginning date of this Agmt: 03/23/11
Ending date of this Agmt: 12/31/13

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	*750007	*	850000.00	*41805128401	*654	*
2013			*55100100			*088774/13		
5002			*00	*	TWO	*0003/04		

TOTAL AMOUNT: *\$ 850,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 10/16/2012

Please provide us your feedback on the Contract Funds Management System.
A survey is available at the following link:
<http://cosharepoint.dot.state.fl.us/sites/OOC/FMO/CFM/default.aspx>
under the Surveys tab.

Thank you in advance for your time!

Dube, Chris

From: The Job FI989HLR
Sent: Wednesday, December 07, 2011 2:26 PM
To: Dube, Chris
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APZ32

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APZ32 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANS
Vendor ID: VF596000573129
Beginning date of this Agmt: 03/23/11
Ending date of this Agmt: 12/31/13
Contract Total/Budgetary Ceiling: ct = \$1,100,000.00

Description:
MDT-State Commuter Assistance Program funding to operate the Dade-Monroe Express bus route.
50% SPR. SJPA No.1.

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	*750007	*	850000.00	*41805128401	*654	*
2012			*55100100			*088774/12		
S001			*00	*	ONE	*0002/04		

TOTAL AMOUNT: *\$ 850,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 12/07/2011

Carson, Ed

From: The Job FI989HLR
Sent: Wednesday, July 14, 2010 3:16 PM
To: Carson, Ed
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APZ32

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APZ32 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT
Vendor ID: VF596000573129
Beginning date of this Agmt: 11/08/10
Ending date of this Agmt: 12/31/12
Contract Total/Budgetary Ceiling: ct = \$250,000.00

Description:
MDT-State Commuter Assistance Program funding to operate
the Dade-Monroe Express bus route (#301). 50% SPR.

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 Fuhs have been: APPROVED

55 062020629 *PT. *750007 * 250000.00 *41805128401 *654 *
2011 *55100100 * * *088774/11
0001 *00 * * *0001/04

TOTAL AMOUNT: *\$ 250,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 07/14/2010

Financial Project No. 41805128401
 Contract No. APZ32
 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 3/23/2011

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Increase State participation by \$850,000.00. Amended project cost is increased by \$1,700,000.00 to \$3,900,000.00; Agreement expiration date remains December 31, 2013.

I.	Project Cost:	As Approved	As Amended	Net Change
		\$2,200,000.00	\$3,900,000.00	\$1,700,000.00
	Total Project Cost	\$2,200,000.00	\$3,900,000.00	\$1,700,000.00
II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	\$1,100,000.00	\$1,950,000.00	\$850,000.00
	Agency:	\$1,100,000.00	\$1,950,000.00	\$850,000.00
				\$0.00
	Total Project Cost	\$2,200,000.00	\$3,900,000.00	\$1,700,000.00

Comments:



Memorandum



To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *Charles Scurr*

Date: May 9, 2013

Re: CITT AGENDA ITEM 5C:
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF **\$850,000.00** FROM ITS COMMUTER ASSISTANCE PROGRAM FOR THE CONTINUED OPERATION OF THE DADE-MONROE EXPRESS SERVICE; 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 USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS (MDT)

On May 9, 2013, the CITT voted (10-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 13-022. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Absent
Hon. Linda Zilber – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Aye

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Miguel Gonzalez, Assistant County Attorney