

Memorandum



Date: March 4, 2014

Agenda Item No. 2(B)1

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, likely belonging to Carlos A. Gimenez, the Mayor.

Subject: Seaport Department Quarterly Report of Joint Participation Agreements
between October 1, 2013 and December 31, 2013.

Recommendation

It is recommended that the Board accept the Quarterly Report of executed Joint Participation Agreements (JPAs) between October 1, 2013 and December 31, 2013, between the Florida Department of Transportation (FDOT) District VI and Miami-Dade County.

Scope

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

Fiscal Impact/Funding Source

The attached report includes the execution of three (3) Joint Participation Agreements (JPAs); Miami Harbor Navigation under FDOT Financial Project No. 254452-2-9402, Contract AR796; the Dockside Gantry Container Cranes under FDOT Financial Project No. 431126-1-9401, Contract AQH82; and the Cruise Terminal Improvements under FDOT Financial Project No. 433363-1-94-01, Contract AR795. There is no new fiscal impact associated with ratification of these JPAs.

Track Record/Monitor

The Seaport Department staff member responsible for monitoring this report is Ms. Andrea Chao, Grants Administrator.

Background

On December 2, 2004, the Board of County Commissioners approved Resolution No. R-1434-04, which, among other things, authorized the administrative execution of standard form Joint Participation Agreements ("JPAs") and Supplemental Joint Participation Agreements ("SJPA") with the Florida Department of Transportation. The resolution further directed the preparation of quarterly reports listing those JPAs and SJPA executed during the previous quarter.

Attached please find a report of all JPAs and SJPA executed for the period October 1, 2013, through December 31, 2013.

A handwritten signature in black ink, likely belonging to Jack Osterholt, the Deputy Mayor.

Jack Osterholt, Deputy Mayor



Seaport Department Quarterly Report
Administratively Approved Joint Participation Agreements
Reporting Period: October 1st, 2013 through December 31th, 2013

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 Mayor to execute standard form Joint Participation Agreements (JPAs) and Supplemental Joint participation Agreements (SJPA's) 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
Supplemental # 2 JPA AQH82 Financial No. 43112619401	Gantry Container Cranes	12/13/2013	06/30/2016	\$39,300,000	\$8,935,000	\$30,365,000	Supplemental agreement providing additional State funding for the project.
JPA AR796 Financial. No. 25445229402	Miami Harbor Navigation Project – Option A	12/16/2013	12/15/2016	\$51,912,500	\$25,000,000	\$26,912,500	Provides State funding for the Dredging Phase III, Option A, of the Miami Harbor Navigation project.
JPA AR795 Financial. No. 43336319401	Cruise Terminals Design & Construction	12/16/2013	12/15/2016	\$10,000,000	\$4,000,000	\$6,000,000	Provides State funding for the planning, design, and construction of Cruise Terminals Improvements.

Memorandum

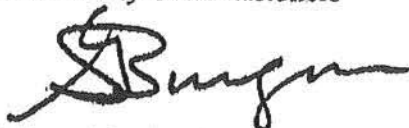
MIAMI-DADE
COUNTY

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.

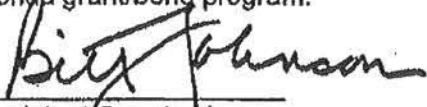
Funds from these various State programs are utilized to fund projects on a matching basis (matching ratios vary from program to program) at eligible deepwater ports in the State of Florida. Projects eligible for funding from these funds include, among others, the acquisition of container cranes or other 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

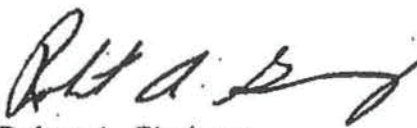


MEMORANDUM

(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
Veto _____
Override _____

Amended
Agenda Item No. 7(Q)(1)(A)
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 **Dorrin 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 "Pepe" Diaz	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	absent
Sep. 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