Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2014

Agenda Item No. 3(B)(2)

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

From: Carlos A. Gimenez
Mayor

Subject: Ratification of Supplemental Joint Participation Agreement No. 1 with the Florida Department of Transportation for the Westside Air Cargo Apron Project at Miami International Airport in the amount of $325,128.00

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution ratifying the actions of the Mayor or Mayor's designee, pursuant to provisions of the Miami-Dade Aviation Department (MDAD) Expedite Ordinance No. 95-64, codified as Section 2-285 (6) of the Code of Miami-Dade County, in accepting and executing Supplemental Joint Participation Agreement (SJPA) No. 1 to JPA No. 42926419401 with the Florida Department of Transportation (FDOT) providing additional funding in the amount of $325,128.00 for the Westside Air Cargo Apron Project at Miami International Airport (MIA).

SCOPE

Miami International Airport is located primarily within Chairwoman Rebeca Sosa's District Six; however, the impact of this agenda item is countywide as MIA is a regional asset.

FISCAL IMPACT

The total construction cost of the Westside Air Cargo Apron Project is $10,277,100.00. With this additional funding, FDOT's share will amount to $2,765,075.00. The Federal Aviation Administration (FAA) has provided $6,942,485.44, leaving $569,539.56 to be funded from the Miami-Dade Aviation Department (MDAD) Capital Improvement Program.

PROJECT MONITOR

The project is monitored by MDAD Project Manager Franklin Stirrup. The grant will be managed by MDAD Chief of Aviation Grants Norma Mata.

BACKGROUND

Pursuant to Resolution R-410-13, the Board approved a Joint Participation Agreement between the County and FDOT for the Westside Air Cargo Apron Project in the amount of $2,439,947.00. The project involves two parcels of land: (i) a 5.67-acre site where the vacant U.S. Postal Services facility stood, on which a common-use aircraft parking apron will be built on 3.99 acres and a preferential-use parking apron will be constructed on 1.68 acres south of the proposed Lan Cargo S.A. jet hangar facility, and (ii) a 1.42-acre site to the south on which a taxiway connector will be constructed.

The project involves (a) the demolition by MDAD of the U.S. Postal Services facility; (b) MDAD's construction of the common-use aircraft parking apron; (c) MDAD's construction of a separate preferential-use aircraft parking apron to be used by Lan to access its new hangar; (d) Lan Cargo's construction of its jet hangar facility at Lan's cost (as approved by the Board in Resolution No. R-27-

14); and (e) MDAD's construction of a taxiway connector south of both parking apron sites to enable aircraft of Lan and other airlines to access the jet hangar and the common-use parking apron.

The common-use aircraft parking apron will add needed aircraft parking space at MIA and accommodate two Boeing 747-8 air cargo freighter aircraft. The project also involves construction of necessary drainage, airfield pavement markings, signage, and high-mast apron lighting.

Jack Osterholt, Deputy Mayor

MEMORANDUM
(Revised)

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

DATE: May 6, 2014

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)
5-6-14

RESOLUTION NO. _____

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING ACTION OF COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE IN APPROVING AND EXECUTING, PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE CODE OF MIAMI-DADE COUNTY, A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION UNDER FINANCIAL PROJECT NUMBER 42926419401 FOR AN ADDITIONAL GRANT IN THE AMOUNT OF $325,128.00 TO OFFSET THE COST OF THE WESTSIDE ADDITIONAL AIR CARGO APRON PROJECT AT MIAMI INTERNATIONAL AIRPORT

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum and document, copies of which are incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves, ratifies and confirms the actions of the County Mayor or County Mayor's designee, pursuant to the provisions of Section 2-285(6) of the Code of Miami-Dade County, in accepting and executing a Supplemental Joint Participation Agreement under Financial Project Number 42926419401 between Miami-Dade County and the State of Florida Department of Transportation (FDOT), under which FDOT will provide additional funding in the amount of $325,128.00 to offset the County's costs of constructing the Westside Additional Air Cargo Apron Project at Miami International Airport.

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 6th day of May, 2014. 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

Approved by County Attorney as
to form and legal sufficiency.

By:_____
Deputy Clerk

Thomas P. Abbott

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number One

Financial Project No.: 42926419401 (Item-segment-phase-sequence)	Fund: DPTO	FLAIR Category: 088719
	Function: 215	Object Code: 750004
	Federal No.:	Org. Code: 55062020629
Contract No.: AQS65	DUNS No.:	Vendor No.: F596000573258
Catalog of Federal Domestic Assistance Number:	Catalog of State Financial Assistance Number: 550004	

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 Aviation Department PO Box 025504, Miami, FL 33102-5504 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 18th day of June ,2013, 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 $2,765,075.00.

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 add fiscal year 2014 allocation ($325,128) for the Additional Air Cargo Apron at MIA; estimated total project cost decreased to $10,277,100. The original scope remains unchanged.

RECEIVED
FEB 24 2014
MANAGER
AVIATION PLANNING

2.00 Project Cost:

Paragraph 3.00 of said Agreement is decreased by $0.00

bringing the revised total cost of the project to $10,277,100.00.

Paragraph 4.00 of said Agreement is increased by $325,128.00

bringing the Department's revised total cost of the project to $2,765,075.00.

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 ,2014.

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. 42926419401

Contract No. AQS65

Agreement Date June 30th 2013

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 18th ,2013 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 Aviation Department
AGENCY NAME

Emilio T. Gonzalez
SIGNATORY (PRINTED OR TYPED)

SIGNATURE

Director
TITLE

FDOT

See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

D6 - Director of Transportation Development
DEPARTMENT OF TRANSPORTATION

TITLE

Approved as to form and legal sufficiency

Assistant County Attorney

Financial Project No. 42926419401

Contract No. AQS65

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 Aviation Department
PO Box 025504, Miami, FL 33102-5504

dated _____.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

to add fiscal year 2014 allocation ($325,128) for the Additional Air Cargo Apron at MIA; estimated total project cost decreased to $10,277,100. The original scope remains unchanged.

I.	Project Cost:	As Approved	As Amended	Net Change
		$10,277,100.00	$10,277,100.00	$0.00
	Total Project Cost	$10,277,100.00	$10,277,100.00	$0.00

II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	$2,439,947.00	$2,765,075.00	$325,128.00
	Agency:	$7,837,153.00	$7,512,025.00	$-325,128.00
				$0.00
	Total Project Cost	$10,277,100.00	$10,277,100.00	$0.00

Comments:

It is the intent of the Department to reimburse the Agency 50% of the total non-federal share of the eligible project cost up to the Department's maximum participation amount. This agreement was originally a Deferred Reimbursement Agreement.

TO: FI622SP@dot.state.fl.us 06551573
SUBJECT: FUNDS APPROVAL/REVIEWED FOR CONTRACT AQS65

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #AQS65 Contract Type: Method of Procurement:
Vendor Name: MIAMI-DADE COUNT
Vendor ID: VF596000573258
Beginning date of this Agmt: 06/18/13
Ending date of this Agmt: 12/31/14

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**********************************************************************
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
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Action: ORIGINAL Funds have been: APPROVED

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55 062020629 *PT  *750004  *      325128.00 *42926419401  *215  *
2014              *55100100                 *088719/14
0001              *02      *                *0003/10
----------------------------------------------------------------------
         TOTAL AMOUNT:   *$      325,128.00 *
----------------------------------------------------------------------
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FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 07/03/2013