

MEMORANDUM

Agenda Item No. 8(L)(1)

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

DATE: June 3, 2014

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

SUBJECT: Resolution approving an amendment to the Board Requested Major Roadway and Neighborhood Improvement Projects list in Exhibit 1 of The People's Transportation Plan and the Five Year Implementation Plan by extending the limits of the Caribbean Boulevard Project

The accompanying resolution was prepared by the Public Works & Waste Management Department and placed on the agenda at the request of Co-Prime Sponsors Vice Chair Lynda Bell and Commissioner Dennis C. Moss.



R. A. Cuevas, Jr.
County Attorney

RAC/lmp

Memorandum



Date: June 3, 2014

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

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name in the "From:" field.

Subject: Amendment to the Board Requested Major Roadway and Neighborhood Improvement Projects List in Exhibit 1 of the People's Transportation Plan (PTP) and the Five Year PTP Implementation Plan to Extend the Limits of the Caribbean Boulevard Project (from Coral Sea Road to SW 87 Avenue) to Include the Portion from Canal C-100 to Coral Sea Road

Recommendation

It is recommended that the Board of County Commissioners (BCC) approve the attached resolution authorizing an amendment to the Board Requested Major Roadway and Neighborhood Implementation Projects list in Exhibit 1 of the People's Transportation Plan (PTP) and the Five Year PTP Improvement Plan to extend the limits of the Caribbean Boulevard project (from Coral Sea Road to SW 87 Avenue) to include the portion from Canal C-100 to Coral Sea Road.

Scope

The project lies within the Town of Cutler Bay (Town) in Commissioner Lynda Bell's District 8 and Commissioner Dennis C. Moss' District 9.

Fiscal Impact/Funding Source

The total cost estimated and budgeted in FY 2013-2014 for the project is \$11,188,000.00, including contingencies, allowances, and Construction Engineering Inspection costs (FY 2013-2014 Adopted Capital Project No. 608480).

A Joint Participation Agreement (JPA) between Miami-Dade County and the Town to provide funding in the amount of \$10,231,940.00 was previously approved for the design and construction of roadway improvements along Caribbean Boulevard, from Coral Sea Road to SW 87 Avenue through BCC Resolution R-353-09. The design and construction of improvements to the extended limits proposed in this Amendment is expected to cost \$2,663,805.00. The Town will use an expected surplus of funds from the JPA of approximately \$1,937,354.00, and will fund the balance of \$726,451.00 with Town funds.

Track Record/Monitor

The responsible staff person within the Public Works and Waste Management Department will be the Capital Improvements Coordinator, Mr. Alejandro Martinez-Esteve, RA, LEED AP. The project is to be assigned to Mr. Leandro Oña, P.E., Chief, Roadway Engineering and Right-of-Way Division for day to day responsibilities.

Background

On April 7, 2009, the BCC passed Resolution No. R-353-09 approving the execution of a JPA between Miami-Dade County and the Town to provide funding in the amount of \$10,231,940.00 for the design and construction of roadway improvements along Caribbean


Boulevard, from Coral Sea Road to SW 87 Avenue. The Town completed the design and procured a construction contractor for the project.

Based on the design cost of \$508,174.00 and the bid received by the Town of \$7,786,412.00 for the construction of the project, there will be an expected surplus of funds from the JPA of approximately \$1,937,354.00. The Town has requested to use these funds for the design and construction of Caribbean Boulevard from Canal C-100 to Coral Sea Road, Gap #1 (See Attachment 1) as this would continue the improvements along the Caribbean Boulevard corridor. The estimated cost for the design and construction of Gap #1 is \$2,663,805.00. The Town agrees to fund any remaining deficit for the expanded project. Once this Amendment to the PTP is approved, the County will proceed to amend the aforementioned JPA to reflect the revised limits. On November 20, 2013, the Town Council adopted Resolution No. 13-93 approving the First Amendment to the JPA (attached).

The project includes the reconstruction of the existing two (2) lanes with storm drainage, curb and gutter, enhanced lighting, traffic signalization, landscaping, sidewalks, pedestrian crosswalks, bike lanes, bus pull out bays, and intersection improvements.

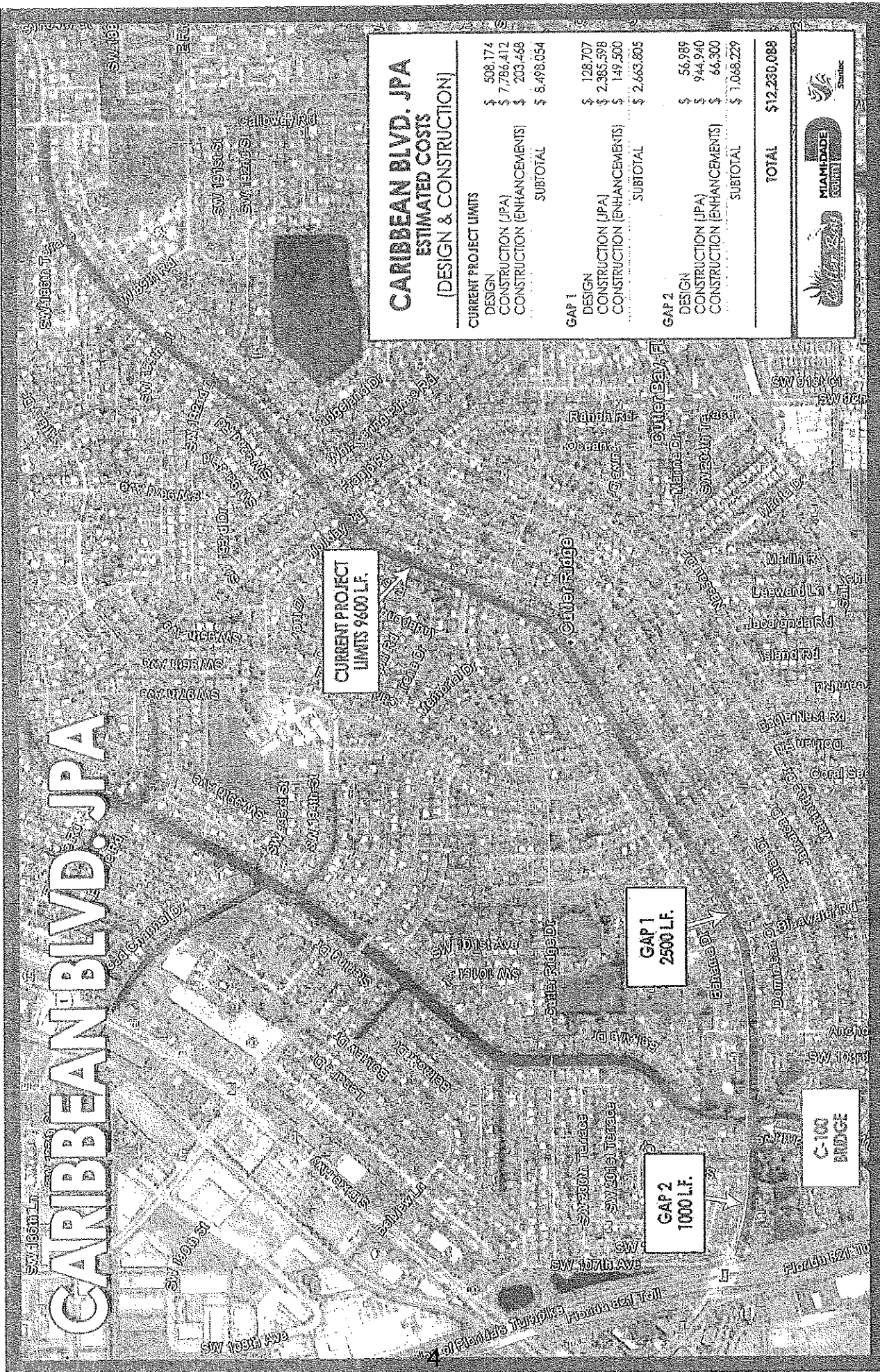
In addition, the Town is anticipating a possible second amendment to the aforementioned JPA. The proposed second amendment would use the projected surplus funds available from the JPA with the Town for the project along Old Cutler Road from SW 97 Avenue to SW 87 Avenue for the design and construction of Caribbean Boulevard from the Homestead Extension of the Florida Turnpike (HEFT) to Canal C-100, Gap #2 (See Attachment 1). This would also require an amendment to the Board Requested Major Roadway and Neighborhood Implementation Projects list in Exhibit 1 of the PTP, and the Five Year PTP Improvement Plan, to further extend the limits of the Caribbean Boulevard project.

It should be noted that PTP funds budgeted for projects listed in Exhibit 1 are not allocations to a particular area, Municipality, or Commission District. Recommendations to amend the PTP must be initially reviewed by the Citizens' Independent Transportation Trust and forwarded to the BCC for approval.



Alina T. Hudak
Deputy Mayor

CARIBBEAN BLVD. JPA



CARIBBEAN BLVD. JPA		ESTIMATED COSTS	
(DESIGN & CONSTRUCTION)			
CURRENT PROJECT LIMITS			
DESIGN	\$ 508,174		
CONSTRUCTION (JPA)	\$ 7,786,412		
CONSTRUCTION (ENHANCEMENTS)	\$ 203,468		
SUBTOTAL	\$ 8,498,054		
GAP 1			
DESIGN	\$ 128,707		
CONSTRUCTION (JPA)	\$ 2,385,598		
CONSTRUCTION (ENHANCEMENTS)	\$ 149,500		
SUBTOTAL	\$ 2,663,805		
GAP 2			
DESIGN	\$ 56,989		
CONSTRUCTION (JPA)	\$ 944,940		
CONSTRUCTION (ENHANCEMENTS)	\$ 66,300		
SUBTOTAL	\$ 1,068,229		
TOTAL	\$12,230,088		





MEMORANDUM
(Revised)

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

DATE: June 3, 2014

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

SUBJECT: Agenda Item No. 8(L)(1)

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. 8(L)(1)
6-3-14

RESOLUTION NO. _____

RESOLUTION APPROVING AN AMENDMENT TO THE BOARD REQUESTED MAJOR ROADWAY AND NEIGHBORHOOD IMPROVEMENT PROJECTS LIST IN EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN AND THE FIVE YEAR IMPLEMENTATION PLAN BY EXTENDING THE LIMITS OF THE CARIBBEAN BOULEVARD PROJECT (FROM CORAL SEA ROAD TO SW 87 AVENUE) TO INCLUDE THE PORTION FROM CANAL C-100 TO CORAL SEA ROAD

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, that this Board approves the Amendment to the Board Requested Major Roadway and Neighborhood Improvement Projects list in Exhibit 1 of the People's Transportation Plan and the Five Year Implementation Plan by extending the limits of the Caribbean Boulevard project (from Coral Sea Road to SW 87 Avenue) to include the portion from Canal C-100 to Coral Sea Road in substantially the form attached hereto and made a part hereof.

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 3rd day of June, 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

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber



**FIRST AMENDMENT TO JOINT PARTICIPATION AGREEMENT FOR
CARIBBEAN BOULEVARD FROM CORAL SEA ROAD TO SW 87 AVENUE
BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF CUTLER BAY**

This First Amendment to the Joint Participation Agreement is made and entered into this _____ day of _____, 2014, by and between the TOWN OF CUTLER BAY, FLORIDA, a municipal corporation of the STATE OF FLORIDA, hereinafter referred to as the "Town", and MIAMI-DADE COUNTY, a political subdivision of the STATE OF FLORIDA, hereinafter referred to as the "County".

WITNESSETH

WHEREAS, pursuant to Resolution No. R-353-09, approved by the Board of County Commissioners of Miami-Dade County, Florida, on April 7, 2009, the parties hereto entered into a Joint Participation Agreement (JPA) to facilitate the design and construction of roadway improvements along Caribbean Boulevard from Coral Sea Road to SW 87 Avenue, as more particularly described in the JPA (the "Project"); and

WHEREAS, the Town has requested to extend the current Project limits to include the portion of Caribbean Boulevard from Canal C-100 to Coral Sea Road; and

WHEREAS, based on the bids received by the Town for Caribbean Boulevard from Coral Sea Road to SW 87 Avenue, there will be a surplus of funds from the JPA; and

WHEREAS, the Town has requested to use these surplus funds for the design and construction of Caribbean Boulevard from Canal C-100 to Coral Sea Road; and

WHEREAS, the Town agrees to fund any remaining deficit for the Project,

NOW, THEREFORE, in consideration of the mutual desires of the parties hereto, the following modifications are made to the aforementioned JPA:

1. The first WHEREAS clause is replaced in its entirety with the following:

WHEREAS, both parties herein wish to facilitate the construction of a road improvement project in MIAMI-DADE COUNTY, hereinafter referred to as the "Project" described as follows:

The design and construction of a roadway improvement project along Caribbean Boulevard from Canal C-100 to SW 87 Avenue, which includes the reconstruction of the existing two (2) lanes, with continuous storm drainage, curb and gutter, enhanced lighting, traffic signalization, landscaping, sidewalks, pedestrian crosswalks, bike lanes, bus pullout bays, and intersection improvements; and

2. The following modifications are made to Section 2.2, County Payments of Project

Costs:

<u>Funding Amount</u>	<u>Funding Source</u>	<u>Limits</u>	<u>Project Phase</u>	<u>County Fiscal Year of Commitment</u>
\$2,695,546	PTP			2010-2011
\$7,536,394	PTP			2011-2012
\$508,174	PTP	<u>Coral Sea Road to SW 87 Avenue</u>	<u>Design</u>	<u>2010-2011</u>
\$2,187,372	PTP	<u>Coral Sea Road to SW 87 Avenue</u>	<u>Construction</u>	<u>2010-2011</u>
\$5,599,040	PTP	<u>Coral Sea Road to SW 87 Avenue</u>	<u>Construction</u>	<u>2011-2012</u>
\$103,139	PTP	<u>Canal C-100 to Coral Sea Road</u>	<u>Design</u>	<u>2011-2012</u>
\$1,834,215	PTP	<u>Canal C-100 to Coral Sea Road</u>	<u>Construction</u>	<u>2011-2012</u>

3. The following is added to the end of Section 3, Eligible Costs:

The Town shall be solely responsible for the maintenance of the items listed below upon construction completion of the Project:

Benches

Trash Receptacles

Bus Shelters

Rock Wall Entrance Signs

Enhanced Landscaping

Colored Concrete Sidewalks

Colored Concrete Crosswalks

In all other respects, except as herein amended, the original JPA shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto set their hands and official seals the day and year first above written.

ATTEST:
HARVEY RUVIN
CLERK OF THE BOARD

MIAMI-DADE COUNTY, FLORIDA,
BY ITS BOARD OF
COUNTY COMMISSIONERS

BY: _____
Deputy Clerk

BY: _____
County Mayor or County Mayor's Designee

Approved by County Attorney
as to form and legal sufficiency _____
County Attorney

ATTEST:

TOWN OF CUTLER BAY, a municipal
corporation of the State of Florida

BY: *Debra E. Eastman*
Debra E. Eastman
Town Clerk

BY: *Edward MacDougall* /for
Edward MacDougall
Mayor

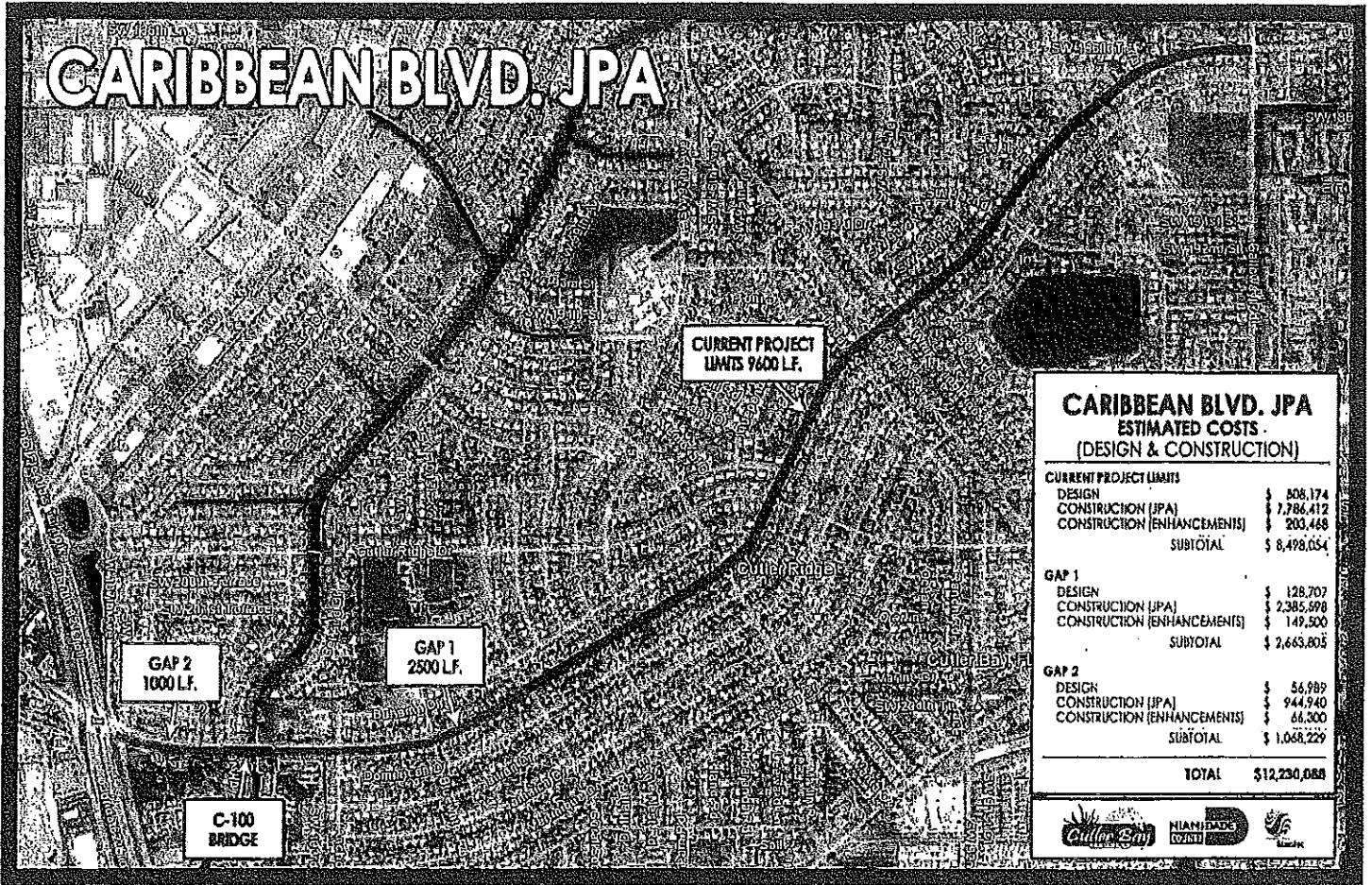
(Affix Town Seal)

TOWN RESOLUTION 13-93

Approved by Town Attorney
as to form and legal sufficiency *Mitchell A. Bierman*

Mitchell A. Bierman
Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.
Town Attorney

CARIBBEAN BLVD. JPA



CARIBBEAN BLVD. JPA ESTIMATED COSTS (DESIGN & CONSTRUCTION)	
CURRENT PROJECT LIMITS	
DESIGN	\$ 508,174
CONSTRUCTION (JPA)	\$ 7,786,412
CONSTRUCTION (ENHANCEMENTS)	\$ 203,468
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GAP 1	
DESIGN	\$ 128,707
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GAP 2	
DESIGN	\$ 54,989
CONSTRUCTION (JPA)	\$ 944,940
CONSTRUCTION (ENHANCEMENTS)	\$ 66,300
SUBTOTAL	\$ 1,066,229
TOTAL	\$12,230,088



RESOLUTION NO. 13-93

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN RELATING TO THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Miami-Dade County (the "County") and the Town of Cutler Bay (the "Town") both desire to facilitate the construction of road improvement(s) along Caribbean Boulevard; and

WHEREAS, in order to further facilitate the construction of the road improvements, the County desires to utilize the resources of the Town to design, contract, construct, and administer the Caribbean Boulevard construction project; and

WHEREAS, on March 19, 2008, the Town Council adopted Resolution No. 08-17 authorizing the execution of a Joint Participation Agreement with Miami-Dade County for the roadway improvements along Caribbean Boulevard (from: Coral Sea Road to: SW 87 Avenue); and

WHEREAS, the Town desires to perform additional roadway improvements along Caribbean Boulevard from the theoretical C-100 Canal to Coral Sea Road that were excluded from the original Caribbean Boulevard Joint Participation Agreement adopted via Town Resolution No. 08-17; and

WHEREAS, the Town will implement a Public Involvement Plan (PIP) during the design and construction of the Project to provide information to property owners, tenants, and area residents, including but not limited to: public meetings, project documentation and flyers, business signs, directional parking signs, and schedules for major work to be performed in the area; and

WHEREAS, the Town agrees to enter into the First Amendment of the Caribbean Boulevard Joint Participation Agreement, in substantially the form attached hereto as Exhibit "A"; and

WHEREAS, funding for the Project is being provided by the Town's portion of People's Transportation Plan municipal allocation; and

WHEREAS, the Town Council finds that this Resolution is in the best interest and welfare of the residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Adoption of First Amendment to the Caribbean Boulevard Joint Participation Agreement. The Town Council hereby approves the First Amendment to the Caribbean Boulevard Joint Participation Agreement, in substantially the form attached hereto as Exhibit "A".

Section 3. Authorization. The Town Manager is authorized to take any and all steps necessary to execute the required documents associated with the First Amendment to the Caribbean Boulevard Joint Participation Agreement, in substantially the form attached hereto as Exhibit "A".

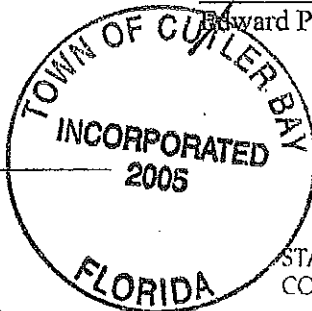
Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this 20th day of November, 2013.

Edward P. MacDougall, Mayor

Attest:

Debra E. Eastman, MMC
Town Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE SOLE USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN PASTORIZA
COLE & BONISKE, P.L.
Town Attorney

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Debra E. Eastman, Town Clerk of the Town of Cutler Bay, Florida, hereby certify that the attached is a true and correct copy of Res. 13-93 as shown in the records of the Town on file in the office of the Town Clerk.

Witness my hand and corporate seal of the Town of Cutler Bay, FL, this 24th day of February, 2014.

Debra E. Eastman, Town Clerk

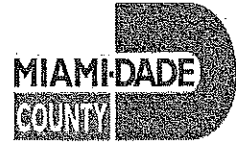
Moved by: Council Member Mixon
Seconded by: Council Member Sochin

FINAL VOTE AT ADOPTION:

Mayor Edward P. MacDougall	yes
Vice Mayor Ernest N. Sochin	yes
Council Member Peggy R. Bell	yes
Council Member Sue Ellen Loyzelle	yes
Council Member Mary Ann Mixon	yes



Memorandum



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

From: Charles Scurr, Executive Director *Charles Scurr*

Date: May 22, 2014

Re: CITT AGENDA ITEM 5A:
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), APPROVE AN AMENDMENT TO THE BOARD REQUESTED MAJOR ROADWAY AND NEIGHBORHOOD IMPROVEMENT PROJECTS LIST IN EXHIBIT 1 OF THE PEOPLE'S TRANSPORTATION PLAN AND THE FIVE YEAR IMPLEMENTATION PLAN BY EXTENDING THE LIMITS OF THE CARIBBEAN BOULEVARD PROJECT (FROM CORAL SEA ROAD TO SW 87 AVENUE) TO INCLUDE THE PORTION FROM CANAL C-100 TO CORAL SEA ROAD) (PWWM – BCC Legislative File No. 141015)

On May 22, 2014, 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. 14-021. 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

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

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

cc: Alina Hudak, Deputy Mayor/Interim Director Public Works & Waste Management
Department
Bruce Libhaber, Assistant County Attorney