MEMORANDUM

Agenda Item No. 8(L)(1)

TO:

Honorable Chairman Jean Monestime

and Members, Board of County Commissioners

DATE:

January 20, 2016

FROM:

Abigail Price-Williams

County Attorney

SUBJECT:

Resolution approving an Amendment to the Major Roadway and Neighborhood Improvement Projects listed 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 Canal C-100 to SW 87 Avenue to include the portion from the Homestead Extension of Florida's Turnpike to Canal C-100; and approving the Second Amendment to the Joint

Participation Agreement between Miami-Dade County and the

Town of Cutler Bay to extend 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 Prime Sponsor Commissioner Daniella Levine Cava and Co-Sponsor Commissioner Dennis C. Moss.

Memorandum



Date:

January 20, 2016

To:

Honorable Chairman Jean Monestime

and Members, Board of County Commissioners

From:

Carlos A. Gimenez

Mayor

Subject:

Amendment Requesting Major Roadway and Neighborhood Improvement

Projects Listed in the People's Transportation Plan and the Five Year PTP Implementation Plan to Extend the Limits of the Caribbean Boulevard Project and Second Amendment to the Joint Participation Agreement Between Miami-Dade County and the Town of Cutler Bay

<u>Recommendation</u>

It is recommended that the Board of County Commissioners (Board) approve the attached resolution authorizing: (1) an amendment to the Board requested Major Roadway and Neighborhood Implementation Projects listed 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 Canal C-100 to SW 87 Avenue) to include the portion from the Homestead Extension of Florida's Turnpike to Canal C-100; and (2) the Second Amendment to the Joint Participation Agreement (JPA) between Miami-Dade County (County) and the Town of Cutler Bay (Town) to extend the limits of the Caribbean Boulevard project (from Canal C-100 to SW 87 Avenue) to include the portion from the Homestead Extension of Florida's Turnpike to Canal C-100 and to provide the Town with additional funding in an amount up to \$987,937.30 for eligible costs incurred in the design and construction of road improvements along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100.

This item 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 45 days have elapsed since the filing with the Clerk of the Board of this item. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this item, I will request a withdrawal of this item.

Scope

The project lies within the Town in Commissioner Daniella Levine Cava's District 8 and Commissioner Dennis C. Moss' District 9.

Fiscal Impact/Funding Source

The total cost estimated and budgeted in Fiscal Year (FY) 2015-16 for the Caribbean Boulevard project approved within the PTP is \$11,188,000.00, including contingencies, allowances, and Construction Engineering Inspection costs (FY 2015-16 Adopted Capital Project No. 608480).

A JPA between the 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

Honorable Chairman Jean Monestime and Members, Board of County Commissioners Page No. 2

improvements along Caribbean Boulevard from Coral Sea Road to SW 87 Avenue through Resolution No. R-353-09. Subsequently, through Resolution No. R-515-14, the Caribbean Boulevard JPA was amended to extend the project limits to include the portion of Caribbean Boulevard from Canal C-100 to Coral Sea Road and to use the surplus funds from the Caribbean Boulevard JPA for the design and construction of roadway improvements along Caribbean Boulevard from Canal C-100 to Coral Sea Road (See Attachment 1, Gap 1).

Additionally, a JPA between the County and the Town to provide funding in the amount of \$7,524,319.00 was previously approved for the design and construction of roadway improvements along Old Cutler Road from SW 97 Avenue to SW 87 Avenue. The Old Cutler Road project was completed with a remaining surplus of funds totaling \$1,601,039.10. The Town has requested to use these surplus funds for the design and construction of roadway improvements along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100.

The design and construction of improvements to the extended limits proposed in this Amendment is estimated to cost \$1,065,330.20. The County will provide the Town with additional funding in an amount up to \$987,937.30 from the surplus funds from the Old Cutler Road JPA for eligible costs incurred in the design and construction of roadway improvements along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100. The Town will fund the balance of \$77,392.90.

Track Record/Monitor

The County will utilize the resources of the Town to design, contract, and construct the project on a reimbursable basis. The design phase of the project will be assigned to Mr. Leandro Oña, P.E., Chief of the Roadway Engineering and Right-of-Way Division for the Public Works and Waste Management Department (PWWM), who will review the submission of design invoices provided by the Town. The construction phase of the project will be assigned to Mr. Bassam Moubayed, CFM, Chief of the Construction Division for the PWWM, who will oversee construction inspections conducted by PWWM staff before the release of construction funds is recommended.

Background

In the interest of achieving a more complete roadway improvement project along the Caribbean Boulevard corridor, the Town has requested to extend the project limits to include the portion of Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100 (See Attachment 1, Gap 2).

On April 7, 2009, the Board passed Resolution No. R-358-09 approving the execution of a JPA between the County and the Town to provide funding in the amount of \$7,524,319.00 for the design and construction of roadway improvements along Old Cutler Road from SW

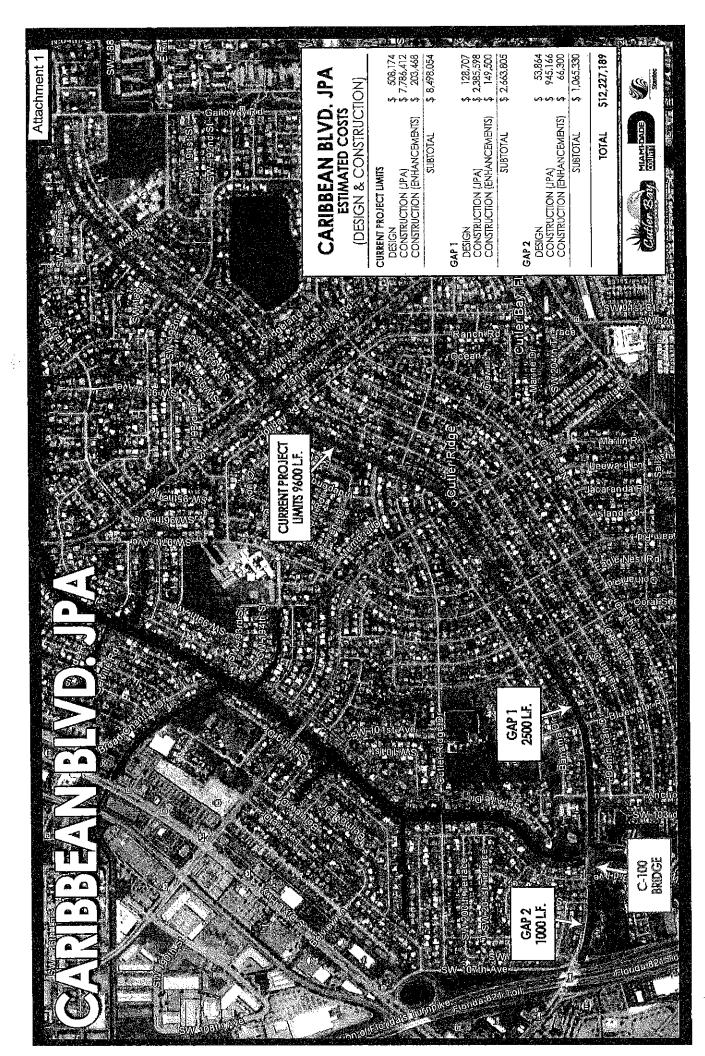
Honorable Chairman Jean Monestime and Members, Board of County Commissioners Page No. 3

97 Avenue to SW 87 Avenue, a project also listed in Exhibit 1 of the PTP. The Old Cutler Road project was completed with a remaining surplus of funds totaling \$1,601,039.10. The Town has requested to use these surplus funds for the design and construction of roadway improvements along Gap 2 of the Caribbean Boulevard project.

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.

On August 19, 2015, the Town Council adopted Resolution No. 15-56 approving the Second Amendment to the JPA (attached). 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 CITT and forwarded to the Board for approval.

Alina T. Hudak Deputy Mayor



January 20, 2016 TO: Honorable Chairman Jean Monestime DATE: and Members, Board of County Commissioners **SUBJECT**: Agenda Item No. 8(L)(1) FROM: 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 Statement of social equity 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 _____,

Current information regarding funding source, index code and available

balance, and available capacity (if debt is contemplated) required

3/5's ____, unanimous ____) to approve

Approved	Mayor	Agenda Item No.	8(L)(1)
Veto	_	1-20-16	
Override	- -		
•			
	RESOLUTION NO.		

RESOLUTION APPROVING AN AMENDMENT TO THE MAJOR ROADWAY AND **NEIGHBORHOOD** IMPROVEMENT PROJECTS LISTED 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 CANAL C-100 TO SW 87 AVENUE TO INCLUDE THE PORTION FROM THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE TO CANAL C-100; AND APPROVING THE SECOND **AMENDMENT** THE TO **JOINT** PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF CUTLER BAY TO EXTEND THE LIMITS OF THE CARIBBEAN BOULEVARD PROJECT FROM CANAL C-100 TO SW 87 AVENUE TO INCLUDE THE PORTION FROM THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE TO CANAL C-100 AND TO PROVIDE THE TOWN OF CUTLER BAY WITH ADDITIONAL FUNDING IN AN AMOUNT UP TO \$987,937.30 FOR THE DESIGN AND CONSTRUCTION OF **ROAD IMPROVEMENTS** ALONG **CARIBBEAN** BOULEVARD FROM THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE TO CANAL C-100; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN: AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX **FUNDS** FOR **SUCH PURPOSES**

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 listed in Exhibit 1 of the People's Transportation Plan and the Five Year Implementation Plan and approves the Second Amendment to the Joint Participation Agreement between Miami-Dade

County and the Town of Cutler Bay to extend the limits of the Caribbean Boulevard project from Canal C-100 to SW 87 Avenue to include the portion from the Homestead Extension of Florida's Turnpike to Canal C-100 and to provide the Town of Cutler Bay with additional funding in an amount up to \$987,937.30 for eligible costs incurred in the design and construction of road improvements along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100, in substantially the form attached hereto and made a part hereof; authorizes the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise the provisions contained therein; and authorizes the use of Charter County Transportation Surtax Funds for such purposes.

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:

Jean Monestime, Chairman Esteban L. Bovo, Jr., Vice Chairman

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

Daniella Levine Cava Audrey M. Edmonson Barbara J. Jordan Rebeca Sosa Xavier L. Suarez

Agenda Item No. 8(L)(1) Page No. 3

The Chairperson thereupon declared the resolution duly passed and adopted this 20th day of January, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By:	
Denuty Clerk	

Approved by County Attorney as to form and legal sufficiency.

131

Bruce Libhaber

SECOND 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 Second Amendment to the Joint Participation Agreement is made and entered into this _____ day of _____, 2015, 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, pursuant to Resolution No. R-515-14, approved by the Board of County Commissioners of Miami-Dade County, Florida, on June 3, 2014, the parties hereto amended the Caribbean Boulevard JPA to extend the Project limits to include the portion of Caribbean Boulevard from Canal C-100 to Coral Sea Road and to use surplus funds from the Caribbean Boulevard JPA for the design and construction of roadway improvements along Caribbean Boulevard from Canal C-100 to Coral Sea Road; and

WHEREAS, the Town has requested to extend the current Project limits to include the portion of Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100; and

WHEREAS, pursuant to Resolution No. R-358-09, approved by the Board of County Commissioners of Miami-Dade County, Florida, on April 7, 2009, the parties hereto entered into a JPA to facilitate the design and construction of roadway improvements along Old Cutler Road from SW 97 Avenue to SW 87 Avenue; and

WHEREAS, the Old Cutler Road project was completed and there is a surplus of funds from the Old Cutler Road JPA; and

WHEREAS, the Town has requested to use the surplus funds from the Old Cutler Road JPA for the design and construction of roadway improvements along Caribbean Boulevard from the Homestead Extension of Florida's Turnpike to Canal C-100,

NOW, THEREFORE, in consideration of the mutual desires of the parties hereto, the following modifications are made to the Caribbean Boulevard 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 the Homestead Extension of Florida's Turnpike 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 2.1, <u>Funding Amount</u>, Reimbursement of Project Costs:

Funding Amount, Reimbursement of Project Costs: The County agrees to provide funds up to \$ 10,231,940 \$11,219,877.30 (this amount includes 10% contingency) for eligible costs, as defined herein, incurred by the Town for the design and construction of the Project. The County shall disburse to the Town funds for the Project in the manner set forth in this Section. The County shall incur no liability for any costs in excess of said funding amount unless there has been a duly authorized increase approved by the Board of County Commissioners.

The following modifications are made to Section 2.2, <u>County Payments of Project</u> Costs:

<u>Funding</u> <u>Amount</u>	Funding Source	<u>Limits</u>	Project Phase	County Fiscal Year of Commitment
\$ 508,174	PTP	Coral Sea Road to SW 87 Avenue	Design	2010-2011
\$ 2,187,372	PTP	Coral Sea Road to SW 87 Avenue	Construction	2010-2011
\$ 5,599,040	PTP	Coral Sea Road to SW 87 Avenue	Construction	2011-2012
\$ 103,139	PTP	Canal C-100 to Coral Sea Road	Design	2011-2012
\$ 1,834,215	PTP	Canal C-100 to Coral Sea Road	Construction	2011-2012
\$ 42,771.10	PTP	Homestead Extension of Florida's Turnpike to Canal C-100	<u>Design</u>	<u>2014-2015</u>

\$ 945,166.20	PTP	Homestead Extension	Construction	2014-2015
		<u>of Florida's Turnpike to</u>		
8		Canal C-100		

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:	MIAMI-DADE COUNTY, FLORIDA,
HARVEY RUVIN CLERK OF THE BOARD	BY ITS BOARD OF COUNTY COMMISSIONERS
The transfer of the state of th	
BY: Deputy Clerk	BY: County Mayor or County Mayor's Designee
Approved by County Attorney as to form and legal sufficiency Cou	unty Attorney
ATTEST:	TOWN OF CUTLER BAY, a municipal corporation of the State of Florida
BY: proud: U wish propATED Jacqueline N. WilsonATED Interim Town Clerk	Peggy R. Bell Mayor
(Affix Town Seal)	TOWN RESOLUTION 15-56
Weiss,	ell A. Bierman Serota, Helfman, & Bierman, P.L.
То	wn Attorney

RESOLUTION NO. 15-56

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN RELATING TO THE CARIBBEAN BOULEVARD ROADWAY IMPROVEMENT(S) PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

"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 Homestead Extension of Florida's Turnpike to C-100 Canal 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 Second 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:

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

Section 2. Adoption of Second Amendment to the Caribbean Boulevard Joint Participation Agreement. The Town Council hereby approves the Second 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 Second 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 19th day of August, 2015.

2005

Attest:

PEGGY RUBELL

Mayor

popul N. Wil.

JACQUELINE N. WILSON

Interim Town Clerk

APPROVED AS TO FORM AND

LEGAL SUFFICIENCY FOR THE SOLE

USE OF THE TOWN OF CUTLER BAY:

WEISS SEROTA HELFMAN

COLE, & BIERMAN, P.L.

Town Attorney

Moved By:

Council Member Loyzelle

Seconded By: Council Member Mixon



Memorandum



To:

Honorable Chairman Jean Monestime

and Members, Board of County Commissioners

From:

Charles Scurr, Executive Director

Date:

December 16, 2015

Re:

CITT AGENDA ITEM 5A:

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST APPROVING AN AMENDMENT TO THE BOARD REQUESTED MAJOR ROADWAY AND NEIGHBORHOOD IMPROVEMENT PROJECTS LISTED 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 CANAL C-100 TO SW 87 AVENUE) TO INCLUDE THE PORTION FROM THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE TO CANAL C-100; AND APPROVING THE SECOND AMENDMENT TO THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE TOWN OF CUTLER BAY TO EXTEND THE LIMITS OF THE CARIBBEAN BOULEVARD PROJECT (FROM CANAL C-100 TO SW 87 AVENUE) TO INCLUDE THE PORTION FROM THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE TO CANAL C-100 AND TO PROVIDE THE TOWN OF CUTLER BAY WITH ADDITIONAL FUNDING IN AN AMOUNT UP TO \$987,937.30 FOR THE DESIGN AND CONSTRUCTION OF ROAD IMPROVEMENTS ALONG CARIBBEAN BOULEVARD FROM THE HOMESTEAD EXTENSION OF FLORIDA'S TURNPIKE TO CANAL C-100; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN: AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES (PWWM -BCC Legislative File No. 152718)

On December 16, 2015, the CITT voted (12-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 15-048. 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 – Aye Alfred J. Holzman – Aye Jonathan Martinez – Aye 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

Bruce Libhaber, Assistant County Attorney

17