

# Memorandum



**Date:** March 7, 2017

**To:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

Agenda Item No. 8(N)(2).

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Resolution Approving Terms of and Authorizing the Mayor or Mayor's Designee to Execute and File Three Grant Applications with the United States Department of Transportation, Federal Transit Administration for Up to \$89,000,000 in Fiscal Year 2017 Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula, and Section 5339 Bus and Bus Facilities Formula Program Funding

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the terms of and authorize the Mayor or Mayor's Designee to execute and file three (3) grant applications on behalf of the County with the United States Department of Transportation (USDOT), Federal Transit Administration (FTA) for up to \$89 million in Fiscal Year (FY) 2017 Section 5307 Urbanized Area Formula program, Section 5337 State of Good Repair Formula program, and Section 5339 Bus and Bus Facilities Formula program funding. The total estimated amount includes up to \$55 million in Section 5307, \$28 million in Section 5337, and \$6 million in Section 5339 formula programs funding. It is further recommended that the Board authorize these grant applications pursuant to the agreements, as well as the receipt and expenditure of funds as specified in the agreements.

A public hearing is required in accordance with Federal regulations.

## SCOPE

These funds will provide support for multiple bus and rail projects, vanpool and paratransit services and planning activities. Therefore, the impact of these grants is countywide.

## FISCAL IMPACT/FUNDING SOURCE

This item represents a positive fiscal impact to the County because it provides funding to the Department of Transportation and Public Works (DTPW) and the required local match up to \$22,250,000 will be provided in full by the Florida Department of Transportation through the use of State Transportation Development Credits as a "soft match" for these grants.

Under the Fixing America's Surface Transportation ACT or (FAST Act), authorization is continued for State Transportation departments to make available to public transit agencies the use of transportation development credits on selected federally assisted public transit capital projects. By using the credits to substitute for the required non-federal share on a new Federal-aid project, the Federal share can effectively be increased to 100 percent.

## TRACK RECORD/MONITOR

The County has entered into numerous funding agreements with FTA for nearly 30 years. The Grant Manager for these grants is Ed Carson, DTPW Financial Services.

## BACKGROUND

On December 4, 2015, President Obama signed into law the "FAST Act", which provides long-term funding for the 21<sup>st</sup> Century transportation system. There were no major changes to the current FTA formula grant programs, which include the Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair and Section 5339 Bus and Bus Facilities.

The FTA annually publishes the apportioning funds appropriated by law for these formula grant programs. The Miami Urbanized Metropolitan Area expects to receive approximately \$176,000,000 in Federal FY 2017 formula funds to be divided among the Miami Urbanized Metropolitan Area (Miami-Dade, Broward, Palm Beach Counties and the South Florida Regional Transportation Authority, SFRTA). The amount of funding each agency receives is based upon the apportioned funds, information from the National Transit Database (NTD) and the appropriate formula established by the FTA. The agency directors within the Miami Urbanized Metropolitan Area mutually agree on the split amount for the 5307, 5337, and 5339 formula grant programs and the SFRTA distributes written notification of the final apportionment to each agency.

The Section 5307 Formula program makes Federal funding available to urbanized areas for public transportation capital, planning, job access and reverse commute projects and use of certain expenditures by vanpool operators and operating assistance in areas with populations greater than 200,000 operating a maximum of 100 buses in fixed-route service during peak hours (rail fixed guideway excluded). For urbanized areas with populations of 200,000 and more, the formula is based on a combination of bus revenue vehicle miles, bus passenger miles, fixed guideway revenue miles, and fixed guideway route miles, as well as population, population density, and number of low-income individuals. The proposed projects expected to be funded up to \$55 million under the FY 2017 Section 5307 program for DTPW includes:

- Preventive Maintenance (PM) Bus
- Capital Planning
  - General development/Comprehensive Planning
  - Short-range transportation planning
- Paratransit (Special Transportation Services) using capital cost of contracting
- South Florida Vanpool Program Services using capital cost of contracting
- Metrorail/Metromover - Train Control Equipment
- Camera project (use of one (1) percent program allocation required by FTA for security)
- Metrorail/Metromover Cable Replacement Equipment

Projects funded under the Section 5337 State of Good Repair Formula program are limited to replacement and rehabilitation of existing fixed guideway systems or capital projects required to maintain public transportation systems in a state of good repair. Funds are apportioned to urbanized areas with fixed guideway systems in operation for at least seven (7) years and a new modified formula. The proposed DTPW projects expected to be funded up to \$28 million under the FY 2017 Section 5337 program includes:

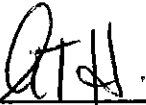
- Preventive Maintenance (PM) Rail

The Section 5339 Bus and Bus Facilities Formula program provides funding to replace, rehabilitate and purchase buses and related equipment and construct bus-related facilities and use of certain expenditures by vanpool operators. The formula is based upon population, vehicle revenue miles and passenger miles. The proposed DTPW projects expected to be funded up to \$6 million under the FY 2017 Section 5339 program includes:

- South Florida Vanpool Services using capital cost of contracting
- 40-foot Buses

The FTA annually publishes the apportioning funds appropriated by law for these formula grant programs. The Miami Urbanized Metropolitan Area anticipates receiving up to \$176 million in Federal FY 2017 formula funds to be divided among the Miami Urbanized Metropolitan Area (Miami-Dade, Broward, and Palm Beach Counties, and the South Florida Regional Transportation Authority). The amount of funding each agency receives is based upon the apportioned funds, information from the NTD and the appropriate formula established by the FTA. The agency Directors within the Urbanized Metropolitan Area mutually agree on the final apportionment to each agency.

The combined formula grants funding (\$89 million) reflects an estimated amount that the County will receive from the FY 2017 appropriation. Upon approval by the Board, DTPW as an eligible designated recipient of federal funding will submit separate grant applications to the FTA for each formula program.



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Alina T. Hudak  
Deputy Mayor

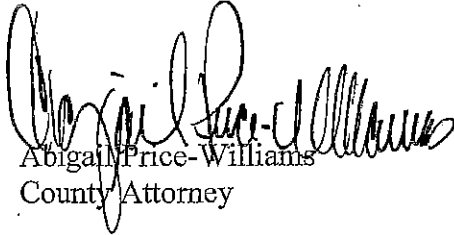


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Esteban L. Bovo, Jr.  
and Members, Board of County Commissioners

**DATE:** March 7, 2017

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(N)(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
- 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 \_\_\_\_\_, 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(N)(2)  
3-7-17

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND FILE THREE GRANT APPLICATIONS WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION FOR UP TO \$89,000,000.00 OF FISCAL YEAR 2017 SECTION 5307 URBANIZED AREA FORMULA, SECTION 5337 STATE OF GOOD REPAIR FORMULA AND SECTION 5339 BUS AND BUS FACILITIES FORMULA PROGRAM FUNDING AND AUTHORIZING RECEIPT AND EXPENDITURE OF FUNDS PURSUANT TO SUCH APPLICATIONS AND AGREEMENTS AND OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENTS SHOULD SUCH FUNDS BECOME AVAILABLE

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

**WHEREAS**, a public hearing has been conducted on Miami-Dade County's Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula and Section 5339 Bus and Bus Facilities Formula grant program applications as described in the County Mayor's accompanying memorandum,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:**

**Section 1.** This Board approves the terms of and authorizes the County Mayor or County Mayor's designee, to execute and file three grant applications and agreements with the United States Department of Transportation Federal Transit Administration for up to \$89,000,000.00 of Fiscal Year 2017 Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula, and Section 5339 Bus and Bus Facilities Formula program funding and provide all necessary supporting documentation.

**Section 2.** This Board authorizes receipt and expenditure of funds received pursuant to such applications and agreements and further authorizes receipt and expenditure of any additional funds as specified in the agreements in substantially the form of the template attached to this resolution should such funds become available.

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:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of March, 2017. 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: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Bruce Libhaber

# DOT

# FTA

U.S. Department of Transportation

Federal Transit Administration

## Application

<b>Federal Award Identification Number (FAIN)</b>	1089-2016-2
<b>Temporary Application Number</b>	1089-2016-2
<b>Application Name</b>	FY 15 Sec 5339 Bus & Bus Facilities (ORPHAN)
<b>Application Status</b>	In-Progress
<b>Application Budget Number</b>	0

### Part 1: Recipient Information

**Name: Miami-dade, County Of**

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
1089	County Agency	Miami Dade Department of Transportation and Public Works	135722747

Location Type	Address	City	State	Zip
Headquarters	111 NW FIRST ST STE 2550	MIAMI	FL	331281933
Physical Address	111 NW 1ST ST STE 910	MIAMI	FL	33128
Mailing Address	111 NW 1ST ST STE	MIAMI	FL	33128

### Union Information

<b>Union Name</b>	<b>TRANSPORT WORKERS UNION</b>
Address 1	1111 Park Centre Blvd.
Address 2	Suite #.104
City	Miami
State	Florida
Zipcode	33169
Contact Name	Arthur Brown
Telephone	3056241168

Fax	3056241254
E-mail	www.twulocal1291.org
Website	

## Part 2: Application Information

### Title: FY 15 Sec 5339 Bus & Bus Facilities (ORPHAN)

FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
1089-2016-2	In-Progress	Grant	2/17/2016	2/17/2016	No

#### Application Executive Summary

This grant application is for \$1,684,625 Federal Fiscal Year (FFY) 2015 Section 5339 Bus and Bus Facilities Formula funds. The total allocation to Miami-Dade Transit (MDT) for the Section 5339 Bus and Bus Facilities Formula program funds appropriated by Congress for FFY 2015 is \$8,395,541. MDT was awarded \$3,355,458 in a grant (FL-34-0028) on August, 12, 2015. This grant funding represented MDT's allocation based upon the 8/12th (\$6,747,480) in contract authority allocated by Congress to the Miami-Urbanized Area and was the budget authority available for the period October 1, 2014 through May 31, 2015.

The current appropriation (\$1,684,625) represents the remaining 4/12 of the total appropriation pro-rated based on the amount of budget authority available for the period of July 1, 2015 through September 30, 2015. A copy of the split letter dated October 23, 2015, signed by MDT, Broward County Transit (BCT), South Florida Regional Transportation (SFRTA) and Palm Tran showing the agreed upon sub-allocation is attached to the Project Information section of this application. Also attached is a copy of the April 7, 1975 letter approving MDT as a designated recipient for the Miami Urbanized Area.

MDT will use the \$1,684,625 federal funding from this grant application to complete the following projects:

- 1) Metrobus Seat Inserts - MDT currently uses a fabric seat insert on its buses. MDT will use \$575,861 \$1,684,625 to complete the retrofitting of seats on 225 buses with fiberglass inserts at a cost of approximately \$2,559 per bus for a total project cost of \$575,861. The estimated useful life for the seat inserts is 10 years.
- 2) Electric Engine Cooling Systems – MDT will use \$1,050,000 of the \$1,684,625 to purchase new forty-two (42) Electrical Engine Cooling Systems, which will replace the Conventional Hydraulic Cooling Systems. This will eliminate engine overheating experienced by mass transit buses due to harsh start-stop conditions. The total estimated project cost is \$1,050,000. The estimated useful life for the engines is 10 years.
- 3) MDT South Florida Vanpool Service – MDT intends to take over the vanpool program effective July 1, 2016. This program has been operated by the Miami-Dade MPO since 1998. The SFVP covers Miami-Dade, Broward and Palm Beach Counties. MDT will use \$58,764 of the \$1,684,625 for the MDT South Florida Vanpool Program (SFVP).

MDT was provided \$117,046 funding for this project from the initial FFY 2015 Section 5339 Bus & Bus Facilities Formula funds appropriated by Congress for the period October 1, 2014 through May 31, 2015. The total cost of the services provided under the vanpool contract is estimated at approximately \$5,191,473. Of this amount, \$2,076,589 is an eligible capital cost for contracting expenses with an



allowable ratio of 40%. The total allocation for this project from the full FFY 2015 Section 5339 Bus & Bus Facilities appropriation is \$175,810. The balance needed of \$1,900,779 will be from the FFY 2015 FTA Section 5307 Urbanized Area formula grant. MDT plans to utilize passenger fares in excess of operating expenses as the local match. The final scope of services has been attached under the project details section. The final vanpool contract will be attached when available.

The Section 5339 Urbanized Area Formula funding is identified as item # FM-436881-1, in the current Florida Department of Transportation (FDOT) Five-Year Work Program (2016-2020), and on page 5283 of the FY 2016 State Transportation Improvement Program (STIP). This item was added to the FY 2016, Miami-Dade Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP) on September 29, 2015, by amendment (MPO Resolution #30-15). Copies of the STIP page and the FTA/FHWA STIP approval letter dated 09/30/2015; and MPO Resolution # 30-15 is attached to the project information section of this grant application.

The required local match for this grant application will be provided by FDOT using \$421,156 in Transportation Developments (TDC) as a "soft match" for \$1,684,625 in Fiscal Year (FY) 2015 Federal Transit Administration (FTA) Section 5339 Bus and Bus Facilities Formula Program.

A copy of the October 23, 2015 TDC letter is attached to the Project Information Section of this application. The Resolution authorizing the filing of this grant application is (R-438-15), which was adopted by the Board of County Commissioners on May 5, 2015. A copy of the approved resolution is attached to the Project Information section.

MDT will follow all third-party procurement policies as defined in C 4220.1F (Third Party Contracting Guidance) and will ensure contractors procured will not be on the FTA Suspension and Debarment list.

**Delinquent Federal Debt**

No, my organization does not have delinquent federal debt.

**Requires E.O. 12372 Review**

No, this application does not require E.O. 12372 Review.

**Subject to Pre-Award Authority**

Yes, this application is subject to Pre-Award Authority.

**Application Point of Contact Information**

First Name	Last Name	Title	E-mail Address	Phone
Edward	Carson	Manager - Grant Resources	ecarson@miamidade.gov	786-469-5545

**Application Budget Control Totals**

Funding Source	Section of Statute	CFDA Number	Amount
49 USC 5339 - (MAP 21) Bus and Bus Facilities Formula (FY2013 & Fwd)	5339-1	20526	\$600,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0

Other Federal	\$0
Transportation Development Credit	\$0
<b>Total Eligible Cost</b>	<b>\$600,000</b>

### Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
1089-2016-2-P2	600-00 OTHER PROGRAM (600-) COSTS	\$600,000.00	\$0.00	\$600,000.00	1
1089-2016-2-P2	11.42.20 ACQUIRE - MISC SUPPORT EQUIPMENT	\$600,000.00	\$0.00	\$600,000.00	1

### Earmark and Discretionary Allocations

This application does not contain earmarks or discretionary allocations.

### Part 3: Project Information

**Project Title: TEST**

Project Number	Temporary Project Number	Date Created	Start Date	End Date
1089-2016-2-P2	1089-2016-2-P2	3/4/2016		

**Project Description**  
TEST

**Project Benefits**  
TEST

**Additional Information**  
*None provided.*

**Location Description**  
Covers entire county.

### Project Location (Urbanized Areas)

UZA Code	Area Name
120180	Miami, FL

### Congressional District Information

There are no congressional districts selected for this project.

### Project Control Totals

Funding Source	Section of Statute	CFDA Number	Amount
49 USC 5339 - (MAP 21) Bus and Bus Facilities Formula (FY2013 & Fwd)	5339-1	20526	\$600,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
<b>Total Eligible Cost</b>			<b>\$600,000</b>

### Project Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
1089-2016-2-P2	600-00 OTHER PROGRAM (600-) COSTS	\$600,000.00	\$0.00	\$600,000.00	1
1089-2016-2-P2	11.42.20 ACQUIRE - MISC SUPPORT EQUIPMENT	\$600,000.00	\$0.00	\$600,000.00	1

### Project Budget Activity Line Items

**Budget Activity Line Item: 11.42.20 - Bus Driving Simulator**

Scope Name / Code	Line Item #	Custom Item Name	Activity	Quantity
OTHER PROGRAM COSTS (600-00)	11.42.20	ACQUIRE - MISC SUPPORT EQUIPMENT	ACQUISITION OF BUS SUPPORT EQUIP/FACILITIES	1

**Extended Budget Description**

*None provided.*

**Will 3rd Party contractors be used to fulfill this activity line item?**

Yes, 3rd Party Contractors will be used for this line item.

Funding Source	Section of Statute	CFDA Number	Amount
49 USC 5339 - (MAP 21) Bus and Bus Facilities Formula (FY2013 & Fwd)	5339-1	20526	\$600,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
<b>Total Eligible Cost</b>			<b>\$600,000</b>

Milestone Name	Est. Completion Date	Description
Start Date	MM/dd/yyyy	
End Date	MM/dd/yyyy	

## Project Environmental Findings

### Finding: Class II(d) - Categorical Exclusions (D-List)

#### Class Level Description

Class II(d) consists of projects called categorical exclusions (CEs) which are known not to have, either individually or cumulatively, a significant environmental impact on the human or natural environment and are therefore categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement. Class II(d) does require documentation.

#### Categorical Exclusion Description

Type 09: Other

Date	Description	Date
	Class II(d) CE Approved	

Scope Name / Code	Line Item Number	Line Item Name	Quantity	FTA Amount	Total Eligible Cost
OTHER PROGRAM COSTS (600-00)	11.42.20	Bus Driving Simulator	1	\$600,000.00	\$600,000.00

## Part 4: Fleet Details

No fleet data exists for this application.

## Part 5: FTA Review Comments

There are no review comments to display at this time.