

# Memorandum



**Date:** April 7, 2020

**To:** Honorable Chairwoman Audrey M. Edmonson  
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.

Agenda Item No. 8(N)(2)

**Subject:** Resolution Authorizing the County Mayor to Execute a Grant Application with the Federal Transit Administration for Up to \$106,771,000.00 in Fiscal Year 2020 Sections 5307, 5337, 5339 Formula Programs and Federal Highway Administration Flex Funding

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve the terms of and authorize the Miami-Dade County (County) Mayor or County Mayor's designee to execute a grant application on behalf of the County with the United States Department of Transportation (USDOT), Federal Transit Administration (FTA) for up to \$106,771,000.00 in Fiscal Year (FY) 2020 Formula Grant Programs. The total estimated amount includes appropriated FTA funds allocated up to \$55,000,000.00 for Section 5307 Urbanized Area Formula; up to \$30,000,000.00 for Section 5337 State of Good Repair Formula; up to \$6,000,000.00 for Section 5339 Bus and Bus Facilities Formula grant programs; and \$15,771,000.00 transferred from the Federal Highway Administration (FHWA) to the FTA Section 5307 Program. It is further recommended that the Board authorize the receipt and expenditure of funds, as specified in the Agreement.

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 a security project. Therefore, the impact of these grants is countywide.

## Fiscal Impact/Funding Source

This item represents a positive fiscal impact to the County as it provides up to \$106,771,000.00 in funding to the Department of Transportation and Public Works (DTPW), which has been anticipated in the DTPW budget. The required local match of up to \$26,692,750.00 will be provided in full by the Florida Department of Transportation through the use of State Transportation Development Credits as a "soft match" for this grant.

The Fixing America's Surface Transportation Act (FAST Act) authorizes 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 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 Grant Manager for this Agreement is Ed Carson, Manager, Grants Administration, DTPW.

**Background**

On December 4, 2015, President Obama signed into law the FAST Act, which provides long-term funding for the 21st 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 anticipates receiving up to \$185,400,000.00 in FY 2020 federal 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 National Transit Database 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 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 that operate 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.

DTPW anticipates receiving up to \$55,000,000.00 based upon the funds appropriated by law for the Section 5307 Urbanized Area Formula program. DTPW will also include as part of this grant application \$15,771,000.00 transferred from the Federal Highway Administration (FHWA) to the FTA Section 5307 Program for a total of up to \$70,771,000.00. The proposed projects expected to be funded up to \$70,771,000.00 under the FY 2020 Section 5307 program for DTPW include:

- Upgrade to LED lighting – Metrorail/Metromover Stations and Metrorail Parking Facilities (part of required 1% program allocation for security projects)
- Replacement of security doors at Metrorail Stations (part of required 1% program allocation for security projects)
- Security Consultant Services (part of the 1%)
- Preventive Maintenance (Bus)
- Preventive Maintenance (Rail)
- Special Transportation Services (STS)
- Metromover – Train Control Equipment – Wayside Overhaul – Engineering/Design
- Lease/Purchase Financing for Transit Buses

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

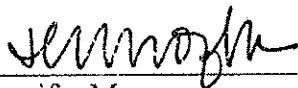
urbanized areas with fixed guideway systems in operation for at least seven years and a new modified formula.

DTPW expects to fund rail preventive maintenance in an amount up to \$30,000,000.00 under the FY 2020 Section 5337 program.

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 \$6,000,000.00 under the FY 2020 Section 5339 program include:

- Compressed Natural Gas Buses
- Special Transportation Services – Capital Cost of Contracting
- Vanpool Program – Capital Cost of Contracting

Upon approval by the Board, DTPW as an eligible designated recipient of federal funding will submit a single grant application to the FTA, which will include the funding and projects for each formula grant program.



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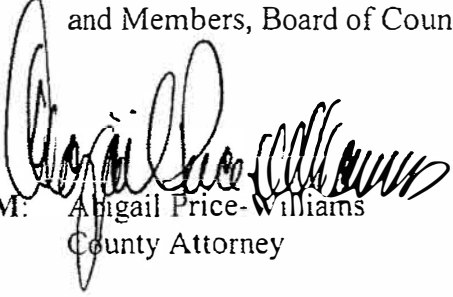
Jennifer Moon  
Deputy Mayor



**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairwoman Audrey M. Edmonson  
and Members, Board of County Commissioners

**DATE:** April 7, 2020

**FROM:**   
Angail 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_) 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)  
4-7-20

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

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE A GRANT APPLICATION AND EXECUTE AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL TRANSIT ADMINISTRATION FOR UP TO \$106,771,000.00 IN FISCAL YEAR 2020 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 APPLICATION AND AGREEMENT AND OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT 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 application 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 file a grant application and execute an agreement with the United States Department of Transportation Federal Transit Administration in substantially the form of

the template attached to this resolution for up to \$106,771,000.00 in Fiscal Year 2020 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 application and agreement and further authorizes receipt and expenditure of any additional funds as specified in the agreement should they 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:

Audrey M. Edmonson, Chairwoman

Rebeca Sosa, Vice Chairwoman

Esteban L. Bovo, Jr.

Jose "Pepe" Diaz

Eileen Higgins

Joe A. Martinez

Dennis C. Moss

Xavier L. Suarez

Daniella Levine Cava

Sally A. Heyman

Barbara J. Jordan

Jean Monestime

Sen. Javier D. Souto

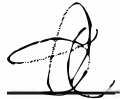
The Chairperson thereupon declared this resolution duly passed and adopted this 7<sup>th</sup> day of April, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an 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.



Annery P. Alfonso

# DOT

# FTA

U.S. Department of Transportation

Federal Transit Administration

## Application

|   |   |
|---|---|
| <b>Federal Award Identification Number (FAIN)</b> | 1089-2020-2   |
| <b>Temporary Application Number</b>               | 1089-2020-2   |
| <b>Application Name</b>                           | FY 2020 Sections 5307, 5337 and 5339 Formula Grants and Flex Transfer for 5307-Miami, Florida |
| <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 1ST ST STE 2550   | MIAMI | FL    | 33128 |
| Physical Address | 701 NW First Ct Ste 1300 | Miami | FL    | 33136 |
| Mailing Address  | 111 NW 1ST               | MIAMI | FL    | 33128 |

### Union Information

|                   |  |
|-------------------|--|
| <b>Union Name</b> | <b>TRANSPORT WORKERS UNION Local 291</b> |
| Address 1         | 6355 NW 36th Street                      |
| Address 2         | Suite # 502                              |
| City              | Virginia Gardens                         |
| State             | FL                                       |
| Zipcode           | 33166                                    |



|                   |   |
|-------------------|---|
| Contact Name      | Jeffrey Mitchell  |
| Telephone         | (786) 586-7851  |
| Fax               |   |
| E-mail            | 291unionman@gmail.com   |
| Website           |   |
| <b>Union Name</b> | <b>Government Supervisors Association of Florida(GSAF),<br/>Supervisory &amp; Professional, Local 100</b> |
| Address 1         | 3600 Red Road, Ste. 405   |
| Address 2         |   |
| City              | Miramar   |
| State             | Florida   |
| Zipcode           | 33025   |
| Contact Name      | Greg Blackman   |
| Telephone         | 305-477-9644  |
| Fax               |   |
| E-mail            | gsafgreg@bellsouth.net  |
| Website           |   |
| <b>Union Name</b> | <b>American Federation of State, County and Municipal Employees<br/>(AFSCME), Local 199</b>               |
| Address 1         | 6405 NW 36th Street   |
| Address 2         | Ste. 113  |
| City              | Miami   |
| State             | Florida   |
| Zipcode           | 33166   |
| Contact Name      | SeAdoreia Brown   |
| Telephone         | 305-805-1075  |
| Fax               |   |
| E-mail            | seadoreia@gmail.com   |
| Website           |   |

## Part 2: Application Information

**Title: FY 2020 Sections 5307, 5337 and 5339 Formula Grants and Flex Transfer for 5307-Miami, Florida**

| FAIN        | Application Status | Application Type | Date Created | Last Updated Date | From TEAM? |
|-------------|--------------------|------------------|--------------|-------------------|------------|
| 1089-2020-2 | In-Progress        | Grant            | 11/12/2019   | 11/12/2019        | No         |

**Application Start Date**

The start date will be set to the date of the award

**Application End Date**

3/30/2027

**Application Executive Summary**

DTPW is requesting to apply for a FTA Super Grant application which will include sections 5307,5337,and 5339 Formula grants and Flex Transfer for 5307-Miami, Florida

**Frequency of Milestone Progress Reports (MPR)**

No Selection Made

**Frequency of Federal Financial Reports (FFR)**

No Selection Made

**Does this application include funds for research and/or development activities?**

This award does not include research and development activities.

**Pre-Award Authority**

This award is using Pre-Award Authority.

**Does this application include suballocation funds?**

Recipient organization is the Designated Recipient and can apply for and receive these apportioned funds.

**Will this Grant be using Lapsing Funds?**

No Selection Made

**Will indirect costs be applied to this application?**

This award is applying an approved indirect cost rate(s).

*Indirect Rate Details:* Indirect costs will be applied to the Preventive Maintenance (PM) Bus activities for the period of 10/1/2019 through 09/30/20. Cost Allocation Plan for Fiscal Year 2019 is attached in documents section.

**Requires E.O. 12372 Review**

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

**Delinquent Federal Debt**

No, my organization does not have delinquent federal debt.