

Approved _____ Mayor

Agenda Item No. 8(A)(1)(B)

Veto _____

09-04-07

Override _____

RESOLUTION NO. R-946-07

**OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA**

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING COUNTY MANAGER'S EXECUTION PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE MIAMI-DADE COUNTY CODE, OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 2 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) UNDER WHICH FDOT'S FUNDING FOR THE NEW SOUTH TERMINAL PROJECT WILL BE INCREASED BY \$4,002,878 FOR FINANCIAL PROJECT NUMBER 25402919401

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 Manager, pursuant to the provisions of Section 2-285(6) of the Miami-Dade County Code, in accepting and executing a Supplemental Joint Participation Agreement (SJPA) Number 2 under Financial Project Number 25402919401 between Miami-Dade County and the Florida Department of Transportation (FDOT) under which FDOT's funding for the New South Terminal Project at Miami International Airport as reflected in the SJPA attached hereto and made a part hereof, is increased by the sum of \$4,002,878 for a total FDOT funding of \$26,543,878.




MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: September 4, 2007

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

SUBJECT: Agenda Item No. 8(A)(1)(B)

Please note any items checked.

_____ "4-Day Rule" ("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

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

_____ No committee review

The foregoing resolution was offered by Commissioner Jose "Pepe" Diaz who moved its adoption. The motion was seconded by Commissioner Joe A. Martinez and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	aye		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	absent
Joe A. Martinez	aye	Dennis C. Moss	aye
Dorrin D. Rolle	aye	Natacha Seijas	aye
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 2007. 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: **KAY SULLIVAN**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. **TPA**

Thomas P. Abbott

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number 2

725-030-07
PUBLIC TRANSPORTATION
07/02
Page 1 of 4

Financial Project No.: <u>25402919401</u> <small>(Item-segment-phase-sequence)</small>	Fund: <u>DS</u>	FLAIR Approp.: <u>088719</u>
Contract No.: <u>ANU47</u>	Function: <u>637</u>	FLAIR Obj.: <u>750004</u>
Catalog of Federal Domestic Assistance Number: _____	Federal No.: _____	Org. Code: <u>55062020628</u>
		Vendor No.: <u>F596000573258</u>
	Catalog of State Financial Assistance Number: <u>55004</u>	

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 FLORIDA BY AND THROUGH MDAD P.O. BOX. 025504 MIAMI, FL 333102-5504 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 5th day of June, 2005, 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 \$26,543,878.00

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
The project description is not amended.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$0.00
bringing the revised total cost of the project to \$ 658,700,000.00

Paragraph 4.00 of said Agreement is increased by \$4,002,878.00
bringing the Department's revised total cost of the project to \$ 26,543,878.00

3.00 Amended Exhibits:

Exhibit(s) "A" of said Agreement is amended by Attachment "A".

4.00 Contract Time:

Paragraph 18.00 of said Agreement not amended

7

Financial Project No. 25402919401

Contract No. ANU47

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 5th 2005 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

FDOT

MIAMI-DADE FLORIDA BY AND THROUGH MDAD
AGENCY NAME

See attached Encumbrance Form for date of Funding Approval by Comptroller

Jose Abreu
SIGNATORY (PRINTED OR TYPED)

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

[Signature]
SIGNATURE

DEPARTMENT OF TRANSPORTATION

Aviation Director

D6-Director of Transportation Development
TITLE



[Signature]

Approved as to form and legal sufficiency

[Signature]
Assistant County Attorney

Financial Project No. 25402919401
 Contract No. ANU47
 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 County Florida by and through MDAD
P.O. Box 592075 Miami, Florida 33159-2075

dated _____.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

This supplemental agreement provides additional funding as requested by the Agency.

I. Project Cost:	As Approved	As Amended	Net
	\$703,841,000.00	\$707,843,878.00	\$4,002,878.00
Total Project Cost	\$703,841,000.00	\$707,843,878.00	\$4,002,878.00
I. Fund	As Approved	As Amended	Net
Department:	\$22,541,000.00	\$26,543,878.00	\$4,002,878.00
Agency:	\$613,559,000.00	\$609,556,122.00	\$0.00
FAA	\$22,600,000.00	\$22,600,000.00	\$0.00
Total Project Cost	\$703,841,000.00	\$707,843,878.00	\$4,002,878.00

Comments:



The job F1989NDR; user I.D.
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To PT628AG@dot.state.fl.us
 cc
 bcc

Subject FUNDS APPROVAL/REVIEWED FOR CONTRACT ANU47

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
 FUNDS APPROVAL

Contract #ANU47 Contract Type: AG Method of Procurement: G
 Vendor Name: MIAMI DADE COUNT
 Vendor ID: VF596000573258
 Beginning date of this Agmt: 06/09/05
 Ending date of this Agmt: 12/29/08
 Contract Total/Budgetary Ceiling: ct = \$26,543,878.00

Description:
 25402919401;25402919401;

ORG-CODE (FISCAL YEAR) AMENDMENT ID	*EO	*OBJECT	*AMOUNT	*FIN PROJECT	*FCT	*CFDA
		*BUDGET ENTITY		*CATEGORY/CAT	YEAR	
		*SEQ.	*USER ASSIGNED ID	*ENC LINE(6S)	/STATUS	

Action: SUPPLEMENTAL Funds have been: APPROVED

55	062020628	*PT	*750004	*	4002878.00	*25402919401	*637	*
	2007		*55100100			*088719/07		
	S002		*00	*	2	*0001/04		

TOTAL AMOUNT: *\$ 4,002,878.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
 DATE: 02/15/2007



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To PT628AG@dot.state.fl.us
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 Subject FUNDS APPROVAL/REVIEWED FOR CONTRACT ANU47

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
 FUNDS APPROVAL

Contract #ANU47 Contract Type: AG Method of Procurement: G
 Vendor Name: MIAMI DADE COUNTY AVIATION DEPT
 Vendor ID: VF596000573258
 Beginning date of this Agmt: 06/09/05
 Ending date of this Agmt: 12/29/08

 Description:
 25402919401;25402919401;

 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

Action: SUPPLEMENTAL Funds have been: APPROVED

55	062020628	*PT	*750004	*	500000.00	*25402919401	*637	*
2006			*55100100			*088719/06		
S001			*00	*	1	*0002/04		

Action: SUPPLEMENTAL Funds have been: APPROVED

55	062020628	*PT	*750004	*	1702000.00	*25402919401	*637	*
2006			*55100100			*088719/06		
S001			*01	*	1	*0003/04		

Action: SUPPLEMENTAL Funds have been: REVIEWED*

55	062020628	*PT	*750004	*	5078000.00	*25402519401	*637	*
2008			55100100			088719 08		
S001			*04	*	1	* /04		

*Funds Approval and encumbrance processing is contingent upon Annual Legislative appropriation.

Action: SUPPLEMENTAL Funds have been: REVIEWED*

55 062020628 *PT *750004 * 5361000.00 *25402519401 *637 *
2008 55100100 088719 08
S001 *03 * 1 * /04
*Funds Approval and encumbrance processing is contingent upon Annual
Legislative appropriation.

Action: SUPPLEMENTAL Funds have been: REVIEWED*

55 062020628 *PT *750004 * 3000000.00 *25402919401 *637 *
2007 55100100 088719 07
S001 *02 * 1 * /04
*Funds Approval and encumbrance processing is contingent upon Annual
Legislative appropriation.

TOTAL AMOUNT: *\$ 15,641,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 09/28/2005



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To PT628AG@dot.state.fl.us
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 Subject FUNDS APPROVAL/REVIEWED FOR CONTRACT ANU47

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
 FUNDS APPROVAL

Contract #ANU47 Contract Type: AG Method of Procurement: G
 Vendor Name: MIAMI DADE COUNTY AVIATION DEPT
 Vendor ID: VF596000573258
 Beginning date of this Agmt: 12/30/04
 Ending date of this Agmt: 12/29/06

Description:
 Concourse J- JACIP UPIN # 100001

ORG-CODE (FISCAL YEAR) AMENDMENT ID	*EO	*OBJECT *BUDGET ENTITY *SEQ.	*AMOUNT	*FIN PROJECT *CATEGORY/CAT YEAR *ENC LINE(6S)/STATUS	*FCT	*CFDA
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Action: ORIGINAL		Funds have been: APPROVED				
55	062020628	*PT	*750004	*	6900000.00	*25402919401 *637 *
	2005		*55100300			*088719/05
	0001		*00	*		*0001/04

 TOTAL AMOUNT: *\$ 6,900,000.00 *

 FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
 DATE: 12/30/2004

III. MULTI-YEAR OR PREQUALIFIED PROJECT FUNDING

If a project is a multi-year or prequalified project subject to paragraphs 4.10 and 17.20 of this agreement, funds are programmed in the Department's Work program in the following fiscal year(s):

FY	04/05	6900000.00	FY
FY	05/06	2202000.00	FY
FY	06/07	7002878.00	FY
FY	07/08	10439000.00	FY
FY			FY
FY			FY
FY			FY
FY			FY
FY			FY
FY			FY

Project years may be advanced or deferred subject to Legislative appropriation or availability of funds.

Memorandum



Date: September 4, 2007

To: Honorable Chairperson Bruno A. Barreiro
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Ratification of Acceptance and Execution of Supplemental Joint Participation Agreement (SJPA) 25402919401 No. 2 with the Florida Department of Transportation (FDOT) in the amount of \$4,002,878.

Agenda Item No. 8(A)(1)(B)

RECOMMENDATION

It is recommended that the Board adopt the attached resolution ratifying the actions of the County Manager, pursuant to provisions of the Aviation Department's Expedite Ordinance No. 95-64, codified as Section 2-285 (6) of the Miami-Dade County Code, in accepting and executing a Supplemental Joint Participation Agreement (SJPA) No. 2 between Miami-Dade County and the State of Florida Department of Transportation (FDOT), relating to construction of the New South Terminal at Miami International Airport under Financial Project Number 25402919401 in the amount of \$4,002,878.

SCOPE

The project associated with this SJPA is located within Commission District Six, Commissioner Rebecca Sosa. However, the impact of this project is Countywide in nature as Miami International Airport is a regional asset.

FISCAL IMPACT

This SJPA represents an additional \$4,002,878 in FDOT funding for the subject project.

PROJECT MONITOR

Gary Abernathy, South Terminal Project Manager

BACKGROUND

In Resolution No. R-391-06, the Board ratified the County Manager's execution of a Supplemental Joint Participation Agreement No. 1 under Financial Project Number 25402919401, under which the FDOT provided additional funds in the amount of \$2,202,000 for FY 05/06, \$3,000,000 for FY 06/07 and \$10,439,000 for FY 07/08 totaling \$15,641,000 for funding the County's construction of the New South Terminal at Miami International Airport.

In Resolution No. R-734-05, the Board ratified the County Manager's execution of a Joint Participation Agreement under Financial Project Number 25402919401 relating to FDOT's partial funding of the costs of certain portions of the New South Terminal Project. Those portions involved the

Construction/Rehabilitation/Expansion of Concourse "J" and MIA Terminal South/Terminal Multi-Trade Improvements and Expansion Program, whose project costs were estimated to be \$13,800,000. The FDOT's original funding amounted to \$6,900,000 of such costs.

For FDOT's Fiscal Year 2007-2012 Work Program, the FDOT has programmed an additional \$4,002,878 of state funds over Fiscal Year 2006/2007 to be provided to the County for the entire New South Terminal Project. The current total estimated cost for the New South Terminal Project is \$707.8 million. The scope of work for this additional funding includes construction, construction inspection and other eligible direct rehabilitation costs of five components of the Project, including Program Wide costs, the South Terminal itself, Concourse H, Concourse J, and the Concourse H-J Utility and Pavement work. The FDOT funding for the New South Terminal now amounts to \$26,543,878, consisting of the original funding of \$6,900,000, Supplemental JPA No. 1 of \$15,641,000, and Supplemental JPA No. 2 additional funding of \$4,002,878.

The Supplemental JPA No. 2 funding is described below:

<u>SJPA No. 2</u>	<u>Project Description</u>	<u>Amount</u>	<u>Total FDOT funding for this Project to date</u>
25402919401	Concourse "J" South Terminal at MIA	\$4,002,878	\$26,543,878

These additional FDOT funds are critical to the successful and timely completion of this project and ratification of the County Manager's actions in accepting this SJPA is therefore recommended.



Assistant County Manager