

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 8(J)(1)(F)

10-02-07

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

RESOLUTION NO. R-1084-07

RESOLUTION AUTHORIZING THE ISSUANCE OF WORK ORDER NO. FPL-T-EHC-1 TO FLORIDA POWER & LIGHT COMPANY, PURSUANT TO THE UTILITY MASTER AGREEMENT, IN AN AMOUNT NOT TO EXCEED \$1,815,300.00 TO PROVIDE ENGINEERING DESIGN AND CONSTRUCTION FOR UTILITY RELOCATION FOR PHASE I -ORANGE LINE/MIAMI INTERMODAL CENTER- EARLINGTON HEIGHTS (MIC-EH) CONNECTOR PROJECT

**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 and authorizes the issuance of Work Order No. FPL-T-EHC-1 to Florida Power & Light Company, pursuant to the Utility Master Agreement, in an amount not to exceed \$1,815,300.00 to provide engineering design and construction for utility relocation of conflicting electric Transmission facilities with the proposed construction of the Phase I-Orange Line/Miami Intermodal Center-Earlinton Heights (MIC-EH) Connector, in substantially the form attached hereto and made a part hereof; and authorizing the Mayor, or his designee, to execute same for and on behalf of Miami-Dade County.



# MEMORANDUM

(Revised)

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

DATE: October 2, 2007

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

SUBJECT: Agenda Item No. 8(J)(1)(F)

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

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 2<sup>nd</sup> day of October, 2007. This resolution shall become effective as follows: (1) 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, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission reaffirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

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.

Bruce Libhaber



Florida Power & Light Company, P.O. Box 14000, Juno Beach, FL 33408  
Phone: (561) 694-3507, Fax: (561) 694-4282

July 20, 2007

To:  
Mr. Jerry Borbolla, E.I.  
Chief, Right of Way & Utilities  
Miami-Dade Transit Authority  
111 NW 1<sup>st</sup> Street, Suite #910  
Miami, Florida 33128-1999

RE: Proposed Relocation of Transmission Facilities En-route the Proposed Metro-Rail MIC-Earlington Heights Connector Project in Miami, Miami-Dade County, Florida

Transmission Lines: Dade-Overtown 230KV, Structures #302A17 thru' 302A20  
Airport-Riverside 138KV, Structures #57A21 thru' 57A23

Miami-Dade County Contract #TR05-EHT-PE, Dated March 07, 2006

Dear Mr. Borbolla,

Following your authorization for reimbursement on engineering on the above project, our detailed design, engineering & cost estimates are still in progress. However, per your request, we have completed a detailed estimate with regard to the lay-out as discussed in our meeting dated 02/07/07, which is still subject to the resolution of new easement requirements on both the 138KV & 230KV Transmission lines. The revised detailed estimate amount required by FPL for the proposed relocation work on both the 138KV & 230KV transmission lines is \$1,815,300.00, and is subject to change depending upon the easement acquisition & permitting. Also, if FPL is requested to acquire new easements (instead of MDTA acquiring), the cost of easement acquisition would be separate and will be quoted to you separately. This estimate includes the following scope on the individual lines, to clear conflicts with your proposed project, and does not include relocation of any other structures/facilities:

1. Dade-Overtown 230KV: Install a new structure at Str. #302A17.1 between Structures #302A17 & 302A18, and replace existing structures at #302A18, 302A19 & 302A20 with taller structures as currently approved by FAA with new framing
2. Airport-Riverside 138KV: Replace & relocate structures #57A23A thru' 57A21. Structures at #57A23 & 57A22 will be removed and new structures PP1-PP5 will be added between #57A23A & 57A21 as currently approved by FAA with new framing

This estimate does not include describing, securing, and recording of easements, clearing and preparing the R/W for construction, etc. This estimate includes no costs you may incur from other utilities/pole licensees affected by the relocation. This estimate does not include cost to relocate Distribution facilities on the above project. These aspects are the responsibility of the Applicant. Tom Hodgdon of FPL's Distribution department will be providing separate costs for Distribution relocation work on this project.

# Memorandum



Date: October 2, 2007

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

From: George M. Burgess  
County Manager

Subject: Issuance of Work Order No. FPL-T-EHC-1 to Provide Utility Relocation of FPL's Transmission Facilities for the MIC-Earlington Heights Connector Project (Phase I-Orange Line) in an amount not to exceed \$1,815,300.00

Agenda Item No. 8(J)(1)(F)

## Recommendation

Work Order No. FPL-T-EHC-1 has been prepared by Miami-Dade Transit (MDT) in accordance with the Utility Master Agreement and is recommended for approval.

## Scope

PROJECT NAME: MIC-Earlington Heights Connector Project (Phase I-Orange Line)

PROJECT NO.: NCP004 -TR07-UT3

PROJECT DESCRIPTION: The MIC-Earlington Heights Connector Project (Phase I-Orange Line) is an elevated 2.4 mile double-track, heavy-rail extension of the existing Miami-Dade Metrorail system. The project is located in central Miami-Dade County. This 2.4-mile heavy rail extension will connect the Miami Intermodal Center (MIC), located north of NW 21st Street and east of NW 42nd Avenue, to the existing elevated guideway just west of the Earlington Heights Metrorail station located at NW 41st Street and NW 22nd Avenue. The project includes one new Metrorail station at the MIC and provides a direct link to Downtown Miami from the MIC. The corridor begins at the existing elevated Metrorail line to the west of the Earlington Heights station, and continues westerly along the north side of SR 112, crosses SR 112 and then makes a southerly turn and crosses over the Miami River Canal. It then crosses over the South Florida Rail Corridor (SFRC) and parallels the SFRC and enters into the MIC.

WORK ORDER DESCRIPTION: The relocation of Florida Power & Light (FPL) Transmission facilities and equipment which are in conflict with the construction of Phase I-Orange Line.

PRIMARY COMMISSION DISTRICT: The relocation of the existing conflicting FPL Transmission facilities will be physically located within Miami Dade Commission District 2.

MANAGING AGENCY: Miami-Dade Transit (MDT)

**Fiscal Impact / Funding Source**

FUNDING SOURCE: This Work Order is funded from proceeds of the Charter County Transit System Surtax (Surtax). The cost of this Work Order is included as part of the MIC-Earlington Heights Connector Project, Phase I-Orange Line, which is included among the rapid transit improvement projects listed in the People's Transportation Plan (PTP). Therefore, funding for this work order will be 100% funded from proceeds of the Charter County Transit System Surtax (Surtax). The Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) funding a portion of the MIC-Earlington Heights Project does not include reimbursement for the relocation of Utilities.

BASE WORK ORDER AMOUNT: \$1,815,300.00

FISCAL IMPACT: The fiscal impact of this Work Order No. FPL-T-EHC-1 is \$1,815,300.00 and is part of the MIC-Earlington Heights Connector Project which will be 100% funded from proceeds from the Surtax.

**Track Record / Monitor**

ORIGINAL AGREEMENT AMOUNT: Not applicable. Amendment No. 4 recently amended the original agreement, known as the Utility Master Agreement (October 1979). The purpose of the Agreement was to solely provide for the orderly relocation or re-arrangement of the utility facilities and the reimbursement to FPL of costs associated with said relocations in advance of construction of Metrorail facilities. This original Agreement specified the procedures under which the County and FPL would follow in identifying, planning, designing and construction of said relocations. Pursuant to the Utility Master Agreement, a Work Order is provided to FPL for each individual relocation job. The Board authorizes FPL to perform work and bill the County for the reimbursable costs of its utilities relocation associated with such design, construction or reconstruction of the system.

PREVIOUS AGREEMENTS WITH COUNTY: FPL, a company that provides electric service, has multiple agreements with the County through various County departments.

PREVIOUS MODIFICATIONS:

Four previous agreement modifications, all as a result of changes in the State's insurance requirements. Amendment No. 1 (1980) was as a result of changes to the insurance requirements; Amendment No. 2 (October 1989) resulted from changes in the insurance requirements for the construction of the Metromover Extension; and Amendment No. 3 (March 31, 1998) resulted from changes in the insurance requirements and a modification to the Work Order form; and most recently, Amendment No. 4 (approved on June 5, 2007) modified the insurance requirements and approved Work Order No FPL-D-EHC-1 in the amount of \$4,518,847.62 for the relocation of FPL Distribution facilities in conflict with Phase I – Orange Line.

JUSTIFICATION:

FPL conflicting facilities must be relocated or adjusted to eliminate interference with the construction of Phase I-Orange Line and to avoid construction start-up delays. Work Order No. FPL-T-EHC-1, in the amount of \$1,815,300.00, will provide design and construction of said conflicting FPL Transmission facilities. As stipulated in the Utility Master Agreement, the cost estimate prepared by FPL is based on the work necessary to relocate the utilities as identified in the 90% design drawings developed by the consultant engineer, URS Corp., and field verification. The estimate was reviewed by MDT staff and the consultant engineer to ensure that the estimate reflects the work necessary to accomplish the relocation of the conflicting facilities.

As a result of current pending easement issues for Parcel 501, the enclosed estimated utility relocation costs do not include the cost associated with the acquisition of the FPL Transmission required easements. The acquisition of the FPL Distribution and Transmission easements will be submitted under a separate Work Order.

The FPL Distribution lines relocation Work Order was previously approved at the June 5, 2007 Board of County Commissioners meeting and is treated independently of FPL Transmission lines.

Transmission lines are larger and operate somewhat like interstate highways and expressways. Distribution lines are smaller than transmission lines and function similar to streets and avenues that crisscross communities and neighborhoods. Distribution and Transmission lines work on different voltages for different purposes.

FIRM:

Florida Power & Light Company

Note: The utility relocation design may be performed by FPL or by their engineering consultant. The utility relocation construction may be performed by either FPL or FPL contractors. Said contractors are under a contract award to the lowest qualified bidder who submitted a proposal in conformity with the requirements and specifications of the work. This is in accordance with the Utility Master Agreement.

COMPANY PRINCIPALS: Company's stockholders

HOW LONG IN BUSINESS: 81 Years

PROJECT MANAGER: The person responsible for Managing this Work Order is Mr. Jerry Borbolla, MDT, Chief, Right of Way & Utilities Division.

**Background**

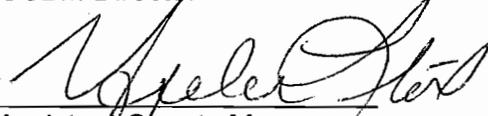
This work order is necessary for the relocation of conflicting FPL Transmission facilities, which must be adjusted or relocated prior to construction of a People's Transportation Plan (PTP) project Phase I-Orange Line. The utility relocation is scheduled to begin July 2008. Construction of the MIC-Earlinton Heights Connector is scheduled to begin Sept. 2008.

504  
561



OSBM Director

8/22/07  
Date



Assistant County Manager

To fully account for all expenses which are part and parcel of the full cost of relocation and thereby ensure that other FPL customers do not pay for costs associated with your relocation work (and likewise you theirs), FPL requires that the entity or person requesting the relocation ('Applicant') agree to certain terms and conditions. The following identifies some, but is not limited to, the terms and conditions required of the Applicant before commencing with the relocation of the overhead electrical transmission system. Applicant must:

- a) Describe, secure, and record all easements at no cost to FPL, necessary to accommodate the relocation
- b) Agree to clear easements of trees and all obstructions that might conflict with construction of the relocated system, and provide a clear access
- c) Protect FPL from any claim or suit regarding restoration or property affected by the relocation

This cost estimate is valid for 90 days, providing there is no work scope change. Time of construction can vary depending upon resource availability, material delivery, line clearances, easements and permitting process. We will develop a construction schedule with after the pending issues are resolved by you and a payment arrangement is agreed.

Please feel free to contact me on (561) 694-3507, should you have any questions or need additional information.

Sincerely,



Neelesh P. Shah  
Transmission Relocation Project Manager



Right of Way and Utilities Division

**WORK ORDER for UTILITY RELOCATION SERVICE**

WORK ORDER No.: FPL-T-EHC-1 Rev

TO: Florida Power & Light Company DATE: 7/23/07  
 PROJECT: MIC-EARLINGTON HEIGHTS CONNECTOR PROJECT  
 CATEGORY OF WORK: Design and Construction Utility Relocation  
 AUTHORIZATION: Utility Master Agreement ( October 17, 1979) as amended on June 5, 2007

Scope of Work:

(see attached Work Order Request No. FPL-T-EHC-1 from FPL for relocation of their transmission lines in conflict with the subject project).

COMPLETION SCHEDULE:

Start Date: 7/1/08  
Completion Date: 12/31/08

In the absence of a further written Work Order issued by the County, the County shall not be obligated to pay for the described work whenever performed in excess of the amount set forth in the Estimated Cost below, and the party to whom this order is issued shall not be obligated to perform the work in excess of the authorized amount

ESTIMATED COST: \$1,815,300.00  
FUNDS AVAILABLE: # 1,815,300.00  
INDEX CODE: MT0300026PTB  
SUB-OBJECT: \_\_\_\_\_  
PROJECT DETAIL: \_\_\_\_\_  
PROJECT: \_\_\_\_\_

[Signature] 7/26/07  
 Project Manager DATE  
[Signature] 8/3/07  
 Deputy Director, MDT DATE  
[Signature] 8/21/07  
 Director, MDT DATE

FINANCE CONCURRENCE: [Signature]  
MDT Budget Date

APPROVED:

DT Finance County Manager DATE

Estimate Valid Through: September 1, 2007

Florida Power & Light Company

Estimate Printed On: Jun 1, 2007 11:34:17

Project Description

Summary Estimate of Cost

Project Name: CUS SOUTH  
Miami-Dade Transit Authority  
Metro-Rail's Earlington Heights to  
MIC Connector Project

Customer Requested Reimbursable Relocation  
Transmission Facilities in South Area  
MDIA, Metro-Rail

Project Level  
Work Order 1023-09-889 & 1080-09-889

Line No	Salvage	Removal	Item	Item Cost	Total
6			(A) ENGINEERING		
7			Labor		
8			* Additives of Labor		
9			Transportation		
10			Applied Engineering	\$150,000.00	
11			Contractor & Misc Expenses		
12			* Additives of Contractor/Misc. Expenses		
13			Sub-total	\$150,000.00	\$150,000.00
14					
15			(B) LAND & LAND RIGHTS (RIGHT OF WAY)		
16			Labor		
17			* Additives of Labor		
18			Transportation Expenses		
19			Purchase and/or Easements		
20			Contractor & Misc. Expenses		
21			* Additives of Contractor & Misc Expenses		
22			Sub-total		
23					
24			(C) CONSTRUCTION		
25		\$4,411.84	Labor	\$60,161.40	
26			* Additives of Labor		
27		\$2,188.16	Transportation Expenses	\$29,838.60	
28			Material	\$375,658.78	
29			* Stores Loading	\$24,361.22	
		\$59,400.00	Contractor & Misc. Expenses	\$810,000.00	
			* Additives of Contractor & Misc. Expenses		
32		\$66,000.00	Sub-total	\$1,300,020.00	\$1,366,020.00
33					
34			(D) OTHER - MAINTENANCE		
35			Labor	\$561.50	
36			* Additives of Labor		
37			Transportation Expenses	\$278.50	
38			Material	\$5,634.60	
39			* Stores Handling	\$365.40	
40			Contractor & Misc. Expenses	\$7,560.00	
41			* Additives of Contractor & Misc Expenses		
42			Sub-total	\$14,400.00	\$14,400.00
43					
44			(E) ADMINISTRATIVE & GENERAL COSTS		
45		\$16,648.51	Administrative & General Costs	\$268,279.01	
46		\$16,648.51	Sub-total	\$268,279.01	\$284,927.52
47					
48	\$0.00	\$82,648.51	GRAND TOTAL	\$1,732,699.01	\$1,815,347.52
49	TOTAL INSTALLATION AND MAINTENANCE COST				\$1,732,699.01
50	TOTAL REMOVAL COST				\$82,648.51
51	SALVAGE () LESS SALVAGE ADJUSTMENT (FACILITIES NOT REPLACED)				\$0.00
52	SUB-TOTAL				\$1,815,347.52
53	CREDIT ###.###% (FROM AGREEMENT)				\$0.00
54	NET REPLACEMENT COST (Sum lines 52 and 53)				\$1,815,347.52

\* Handling, Tax & Insurance and Pension & Welfare at Approved Rates

~ \$1,815,300.00  
DJB

Engineer: \_\_\_\_\_

Submitted By: \_\_\_\_\_

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Project Description

Customer Requested Reimbursable Relocation of Transmission Facilities in South Area

MDTA, Metro-Rail

Summary Estimate of Cost

Project Level

Work Order 1023-09-889 & 1080-09-889

Project Name:

CUS SOUTH  
Miami-Dade Transit Authority  
Metro-Rail's Earlington Heights to  
MIC Connector Project

Line No	Salvage	Removal	Item	Item Cost	Total
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8			* Additives of Labor		
9			Transportation		
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49			TOTAL INSTALLATION AND MAINTENANCE COST		\$1,732,699.01
50			TOTAL REMOVAL COST		\$82,648.51
51			SALVAGE () LESS SALVAGE ADJUSTMENT (FACILITIES NOT REPLACED)		\$0.00
52			SUB-TOTAL		\$1,815,347.52
53			CREDIT ##.##% (FROM AGREEMENT)		\$0.00
54			NET REPLACEMENT COST (Sum lines 52 and 53)		\$1,815,347.52

\* Handling, Tax & Insurance and Pension & Welfare at Approved Rates

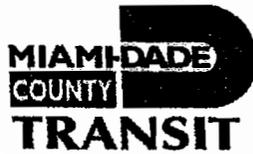
\$1,815,347.52

Engineer: \_\_\_\_\_

Submitted By: \_\_\_\_\_

\* negotiated amount

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Right of Way And Utilities Division

WORK ORDER REQUEST for UTILITY RELOCATION SERVICE

REQUEST No.: FPL-T-EHC-1 Rev

1. Name of Firm: Florida Power & Light Company DATE:

2. Project: MIC-EARLINGTON HEIGHTS CONNECTOR PROJECT

3. Request For:  New Work Order  
 Revision No. \_\_\_\_\_ to Work Order No. \_\_\_\_\_

4. Category of Work: Design and Construction Utility Relocation

5. Authorization: Utility Master Agreement ( October 17, 1979) as amended

6. Specific Justification:  
Provide Engineering, supervision, surveying, and construction of FPL's Transmission electrical facilities that are in conflict with the MIC-Earlington Heights Connector Project

7. Scope of Work or Services to be Performed:

(SEE ATTACHMENT)

8. COMPLETION SCHEDULE:

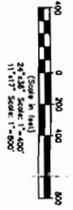
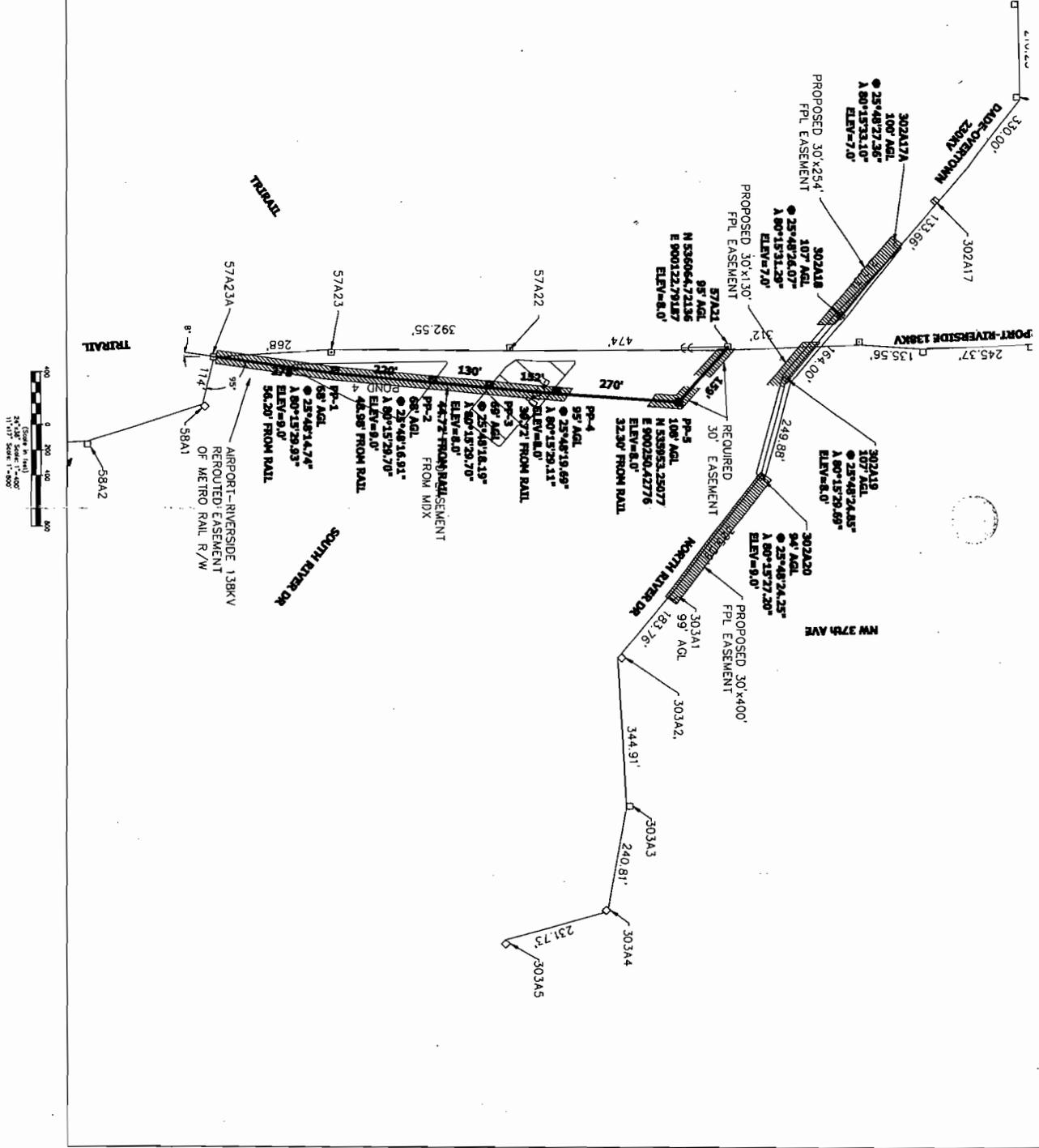
(A-C) RELOCATION Estimated Start Date: 7/1/08  
Estimated Completion Date: 12/31/08

9. Estimated Cost: \$1,815,300.00

Estimated costs, dates, and scope of work or services to be performed are subject to the terms & conditions contained in letter dated June 01, 2007 from FPL to Mr. Jerry Borbolla of MDTA.

10. Signature: *N. P. Shah*  
NAME: Neelesh P. Shah TITLE: Trans Relo PM DATE: 06/28/07

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