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CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: January 10, 2008

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

R-20-08

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

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Issuance of Work Order No. FPL-D-NC-1 to the Florida Power & Light Company, pursuant to the Utility Master Agreement, in the amount of $67,200 for the Preliminary Engineering Review and Design Needed to Provide the Binding Cost Estimate for the Relocation of Conflicting Electric Distribution Facilities for Metrorail Phase II - Orange Line (North Corridor)

Recommendation

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

Scope

PROJECT NAME: North Corridor Metrorail Extension Project (Metrorail Phase II - Orange Line)

PROJECT NO.: NCP002-TR07-UT1

PROJECT DESCRIPTION: The proposed North Corridor Metrorail Extension is an approximately 9.5 mile elevated double track rail extension of the Miami-Dade Metrorail system. The extension will run along the NW 27th Avenue corridor from the existing elevated guideway just north of the Martin Luther King Jr. Metrorail Station at NW 62nd Street to a terminus at NW 215th Street just south of the Florida's Turnpike. The termination at NW 215th Street accommodates for a future extension into Broward County. Seven stations are planned along the alignment: NW 82nd Street/Northside; NW 119th Street/Miami-Dade College North; Veterans Way/Opa-Locka; NW 163rd Street/Palmetto, NW 183rd Street/Miami Gardens; NW 199th Street/Dolphin Stadium; and at NW 215th Street/Calder Race Track.

WORK ORDER DESCRIPTION: The review and advance engineering design needed to provide the binding cost estimate of Florida Power & Light (FPL) Distribution facilities and equipment which are in conflict with the construction of Metrorail Phase II - Orange Line.

PRIMARY COMMISSION DISTRICT: The relocation of the existing conflicting FPL Distribution facilities will be physically located within Miami-Dade Commission Districts 1 and 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 Metrorail Phase II - Orange Line (North Corridor), which is included among the Rapid Transit Improvement Projects listed in the People's Transportation Plan (PTP). This project is funded by Federal, State and local funds. The federal portion will be funded through Section 5309 New Starts Funding provided under a future Full Funding Grant Agreement (FFGA). The Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT), which is funding a portion of this Metrorail Phase and was approved by the Board on April 24, 2007 (R-498-07), does not include reimbursement for relocation of utilities. This work order is therefore funded 100% by Surtax.
BASE WORK ORDER AMOUNT:	$67,200.00
FISCAL IMPACT:	The fiscal impact of this Work Order No. FPL-D-NC-1 is $67,200 and will be 100% funded from proceeds from the Surtax.

Track Record / Monitor

ORIGINAL AGREEMENT AMOUNT:	Not applicable. 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; 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 Metrorail Phase I – Orange Line (MIC - Earlington Heights Connector Project).

JUSTIFICATION:

FPL conflicting facilities must be relocated or adjusted to eliminate interference with the construction of Phase II - Orange Line and to avoid construction start-up delays. Work Order No. FPL-D-NC-1, in the amount of $67,200.00, will provide Advance Engineering needed to provide the Binding Cost Estimate for the relocation of said conflicting FPL distribution facilities. As stipulated in the Utility Master Agreement, the cost estimate prepared by FPL is based on the work necessary to relocate the utilities in conflict with this proposed Metrorail Extension.

Once the binding cost estimate has been provided, MDT will have 180 days to approve the estimate. If the estimate is not approved, then the advance Engineering deposit is forfeited. If the estimate is approved, then the advanced Engineering deposit will be applied to the cost of the project.

After the binding cost estimate has been reviewed and approved by MDT and the Consultant, a separate Work Order will be submitted for approval to the Board of County Commissioners (Board) for the Construction and Final Design of the FPL Distribution Facilities.

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.

LOCATION OF FIRM:

Juno Beach, Florida

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 Distribution facilities, which must be adjusted or relocated prior to construction of the People's Transportation Plan (PTP) Project Phase II-Orange Line (North Corridor Metrorail Extension). Construction is scheduled to begin May 2010.

for Jem

OSBM Director

10-17-07
Date

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: January 10, 2008

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

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

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

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)(A)
01-10-08

RESOLUTION NO. **R-20-08**

RESOLUTION AUTHORIZING THE ISSUANCE OF WORK ORDER NO. FPL-D-NC-1 TO FLORIDA POWER & LIGHT COMPANY, PURSUANT TO THE UTILITY MASTER AGREEMENT, IN THE AMOUNT OF $67,200 FOR THE PRELIMINARY ENGINEERING REVIEW AND DESIGN NEEDED TO PROVIDE THE BINDING COST ESTIMATE FOR THE RELOCATION OF CONFLICTING ELECTRIC DISTRIBUTION FACILITIES FOR METRORAIL PHASE II –ORANGE LINE (NORTH CORRIDOR)

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-D-NC-1 to Florida Power & Light Company, pursuant to the Utility Master Agreement, in an amount not to exceed $67,200 to provide preliminary engineering review and design needed to provide a binding cost estimate for the relocation of conflicting electric distribution facilities with the proposed construction of the Metrorail Phase II - Orange Line (North Corridor), 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.

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

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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	aye
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	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of January, 2008. 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 re-affirms 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. B.L.

Bruce Libhaber

MIAMI-DADE COUNTY
TRANSIT
Right of Way and Utilities Division

WORK ORDER for UTILITY RELOCATION SERVICE

WORK ORDER No.: **FPL-D-NC-1** Rev_____

TO:	**Florida Power & Light Company**	**DATE:**	10/1/2007
PROJECT:	**NORTH CORRIDOR METRORAIL EXTENSION PROJECT**		
CATEGORY OF WORK:	**Preliminary Engineering Review and Design**		
AUTHORIZATION:	**Utility Master Agreement (October 17, 1979) as amended on June 5, 2007**		

Scope of Work:

Advance Engineering needed to provide MDT with the binding Cost Estimate for the North Corridor Metrorail Extension Project (see attached Work Order Request No. FPL-D-NC-1 from FPL for preliminary engineering review and design)

COMPLETION SCHEDULE:

Start Date: 10/1/2007
Completion Date: 3/1/2008

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: $67,200.00
FUNDS AVAILABLE: _____
INDEX CODE: MT0300025PTB
SUB-OBJECT: 91014
PROJECT DETAIL: _____
PROJECT: _____

MDT Budget 10/16/07 Date

Project Manager — DATE 10/4/07
Deputy Director, MDT — DATE 10/16/07
Director, MDT — DATE 10/26/07

FINANCE CONCURRENCE:

CFO-MDT
MDT Finance

APPROVED:

County Manager — DATE

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FPL

Florida Power & Light Company, 4200 W. Flagler Street, Miami, FL 33134
System Expansion Department (305) 442-5140 Fax: (305) 442-5123

August 6, 2007

Mr. Jerry Borbolla
Chief, Miami Dade Transit
Miami Dade Transit
111 NW 1 ST, Suite 1510
Miami, FL. 33132

Re: **Invoice #747517**
Advance Engineering Deposit for the North Corridor

Dear Mr. Borbolla,

Enclosed please find Invoice #747517 in the amount of $67,200.00. This invoice covers the costs of Advanced Engineering needed to provide Metro Dade Transit with the Binding Cost Estimate for the North Corridor Metrorail Project.

Once the "Binding Cost Estimate" has been provided, Metro Dade Transit will have 180 days to approve the Estimate. If the Estimate is not approved, then the Advanced Engineering Deposit is forfeited. If the Estimate is approved, then the Advanced Engineering Deposit is applied to the cost of the project. If additional engineering design is required, it will be up to the discretion of FPL if an additional Advanced Engineering Deposit will be required.

Your prompt attention to this matter would be greatly appreciated.

If you should have any questions, or if you should need any additional information, please let me know.

Yours truly,

Thomas S. Hodgdon
Senior System Project Manager

RECEIVED
AUG 14 2007
MDT DOC CONTROL

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FPL

Payment Coupon

/610101300000067595000074751700002760003201010 1

General Mail Facility
Miami, FL. 33188-0001

B 01013 0000747517 3 2 01 01 01
Please mail this portion with your check

Cust. No.: **67595**	Inv. No.: **747517**
Payment Due upon Receipt **09/05/2007**	Amount Due This Invoice **67,200.00**
WO Reference #:	**0000-00-875**

Make check payable to FPL in US funds and mail payment to address below

METRO DADE COUNTY TRANSIT
JERRY BORBOLLA
METRO DADE TRANSIT
111 NW 1 ST,
SUITE # 910
MIAMI FL 33128

FPL
GENERAL MAIL FACILITY
MIAMI FL 33188-0001

Florida Power & Light Company

Federal Tax ID#: 59-0247775

INVOICE

Customer Name and Address

METRO DADE COUNTY TRANSIT
JERRY BORBOLLA
METRO DADE TRANSIT
111 NW 1 ST,
SUITE # 910
MIAMI FL 33128

Customer Number: 67595

Invoice Number: 747517

Invoice Date: 08/06/2007

B 01013 0000747517 3 2 01 01 01
Please Retain This Portion for your Records

CURRENT CHARGES AND CREDITS

Customer No: **67595** Invoice No: **747517**

DESCRIPTION	QUANTITY	PRICE	AMOUNT
DSB- BILL ACTUAL REIMB RELOC ADVANCE ENGINEERING DEPOSIT FOR NORTH CORRIDOR 0000-00-875	1	67,200.00	67,200.00

For Inquiries Contact: TOM HODGDON Phone: (305) 442-5128	**Total Amount Due** **$67,200.00**
	Payment Due upon Receipt **09/05/2007**

Messages

Florida Power & Light Company
General Mail Facility
Miami, FL. 33188-0001

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