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

Memorandum

MIAMI-DADE COUNTY

Date: May 6, 2008

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

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

From: George M. Burgess
County Manager

Resolution No. R-482-08

Subject: Resolution Authorizing the Execution of a Supplemental County Incentive Grant Program (SCIGP) Agreement between the Florida Department of Transportation and Miami-Dade County to Change the Scope to Allow for the Purchase of Up to Twelve (12) 40-Foot, Heavy-Duty, Low Floor Hybrid (diesel-electric) Transit Buses instead of 23 Conventional Diesel Buses

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RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the execution of a Supplemental County Incentive Grant Program (SCIGP) Agreement in substantially the form attached hereto with the Florida Department of Transportation (FDOT) to change the scope to allow for the purchase of up to twelve (12) 40-foot, heavy-duty, low floor hybrid (diesel-electric), transit buses instead of the originally programmed diesel only buses.

SCOPE

This SCIGP with FDOT will benefit the public bus transit service; therefore, the impact of this SCIGP is county-wide.

FISCAL IMPACT/FUNDING SOURCE

This supplemental agreement has no fiscal impact as it is only for the change in scope from diesel to hybrid (diesel-electric) and does not involve additional match funding over the original $3,747,000, which was approved by the Board and the Citizens' Independent Transportation Trust (CITT) in May 2006 (Resolution No. R-514-06 matched the State's $3,747,000 funding contribution equally with $3,747,000 from Surtax or Surtax backed funding).

TRACK RECORD/MONITOR

Miami-Dade Transit (MDT) has entered into numerous funding agreements with FDOT over the course of twenty-five (25) years. The Project Manager for this SCIGP application is Doug Greist, Manager, MDT Budget and Management Services.

DELEGATED AUTHORITY

In accordance with Section 2-8.3 of the Miami-Dade County Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution which include authority for the Mayor or his designee to execute the agreement and expend funds.

BACKGROUND

The CIGP was created by Section 339.2817 of the Florida Statutes, as authorized by the State Legislature in 2000. Its purpose is "to provide grants to counties to improve a transportation facility which is located on the State Highway System or which relieves traffic congestion on the State Highway System".

On May 9, 2006, the Board approved, through Resolution No. R-514-06, a County Incentive Grant Program (CIGP) with FDOT to provide State funding to purchase 23 conventional buses. This SCIGP provides a change in scope from purchasing the original 23 conventional diesel propulsion system to hybrid (diesel-electric) transit buses instead. However, due to the higher cost of the hybrid buses, approximately $580,000 each, MDT will only be able to purchase twelve (12) buses with the available funds. The additional cost of these buses is more than offset by environmental improvements and energy efficiency of hybrids. This supplemental agreement changes the scope of the original CIGP to allow for the purchase of hybrids rather than diesel buses.

Assistant County Manager

MEMORANDUM

(Revised)

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

DATE: May 6, 2008

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

SUBJECT: Agenda Item No. 8(J)(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**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)(B)
5-6-08

RESOLUTION NO. **R-482-08**

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL COUNTY INCENTIVE GRANT PROGRAM (SCIGP) AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND MIAMI-DADE COUNTY TO CHANGE THE SCOPE TO PURCHASE 12 40-FOOT, HEAVY-DUTY, LOW FLOOR HYBRID (DIESEL-ELECTRIC) TRANSIT BUSES INSTEAD OF THE ORIGINALLY PROGRAMMED 23 CONVENTIONAL DIESEL BUSES; AND AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SCIGP

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

WHEREAS, the State of Florida is authorized to enter into agreements to provide State funding for transportation programs and projects,

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

Section 1. That this Board approves the agreement between Miami-Dade County and the Florida Department of Transportation, in substantially the form attached hereto and made a part hereof, in the amount of $3,747,000 to purchase up to 12 40-foot, heavy-duty, low floor hybrid (diesel-electric) transit buses instead of the originally programmed 23 conventional diesel buses approved in the initial Joint Participation Agreement (JPA).

Section 2. That this Board further authorizes the County Mayor, his designee, or the Miami-Dade Transit (MDT) Director to execute such contracts and agreements as are approved by the County Attorney's Office; to receive and expend funds in accordance with such aforementioned contracts and agreements; and to file and execute any additional agreements,

revisions, or amendments as required to carry out the projects for and on behalf of Miami-Dade County, Florida.

Section 3. That the County staff is authorized to furnish such additional information as the FDO T may require in connection with the application for the improvement.

The foregoing resolution was offered by Commissioner **Carlos A. Gimenez**, who moved its adoption. The motion was seconded by Commissioner **Dorrin D. Rolle** 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	**absent**
Carlos A. Gimenez	**aye**	Sally A. Heyman	**aye**
Joe A. Martinez	**absent**	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 6th day of May, 2008. 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.

Bruce Libhaber

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Catalog of State Financial Assistance No. 55.008
Agreement Date_____

Financial Project No.:__41220329401/02_____
Contract _____AOB60_____
COUNTY:_____MIAMI-DADE_____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

SUPPLEMENTAL COUNTY INCENTIVE GRANT PROGRAM AGREEMENT
(County Letting)
NUMBER ONE

This is a Supplemental Agreement by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT," and MIAMI-DADE County, hereinafter referred to as the "COUNTY."

W I T N E S S E T H

WHEREAS, the DEPARTMENT and the COUNTY heretofore on the 16th day of June, 2006, entered into a COUNTY INCENTIVE GRANT PROGRAM AGREEMENT; and

WHEREAS, the COUNTY 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 $3,747,000.

WHEREAS, the COUNTY by Resolution No. _____ dated, the day of _____, 2008, a copy of which is attached hereto and made a part hereof, has authorized the County Manager to enter into this Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and representations contained herein, the parties agree that the above described County Incentive Grant Program Agreement is to be amended and supplemented as follows:

1-SERVICES AND PERFORMANCE

The Project Description is amended, as follows: Said PROJECT consists of purchasing approximately twelve (12) large, hybrid (diesel-electric), heavy-duty transit buses as further described in Attachment A and Exhibit C, as revised and, attached hereto and made a part here of.

FinancialProject No.:__41220329401/02_____
Contract No._____AOB60
CSFA No.55.008
Agreement Date:_____

2-TERM

A. The term of this Agreement is extended to JUNE 30, 2009.

3-COMPENSATION AND PAYMENT

A. The parties agree that the estimated total project costs are UNCHANGED at $7,494,000 and the DEPARTMENT'S Participation is $3,747,000.

4- AMENDED EXHIBITS:

Exhibits A and C of said Agreement are amended by Attachment "A".

Financial Project No.:__41220329401/02_____
Contract No._____AOB60
CSFA No.55.008

IN WITNESS WHEREOF, the COUNTY has caused this Agreement to be executed in its behalf this ____ day of _____, 2008 , by the County Manager, authorized to enter into and execute same by Resolution Number _____ of the Board on the day of _____, 2008, and the DEPARTMENT has executed this Agreement through its District Director of Transportation Systems Development for District Six (6), Florida Department of Transportation, this ____ day of _____, 2008.

MIAMI-DADE COUNTY, FLORIDA

ATTEST:_____(SEAL)
CLERK

BY: _____
COUNTY MANAGER

Miami-Dade County

Bruce Zabhaber
Approved as to form
and legal sufficiency

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

ATTEST:_____(SEAL)
EXECUTIVE SECRETARY

BY: _____
DIRECTOR OF TRANSPORATION
SYSTEMS DEVELOPMENT, DISTRICT 6

NAME:
_____

_____
Agreement Date

DOT Legal Review:

_____

Availability of Funds Approval:
SEE ATTACHED ENCUMBRANCE FORM FOR DATE OF FUNDING APPROVAL BY STATE COMPTOLLER)

The job FI989NDR; user I.D. FI989ND <MVS@DOT>
02/10/2006 03:35 PM

To PT629EC@dot.state.fl.us
cc
bcc
Subject FUNDS APPROVAL/REVIEWED FOR CONTRACT AOB60

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #AOB60 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT AGENCY
Vendor ID: VF596000573129
Beginning date of this Agmt: 05/31/06
Ending date of this Agmt: 06/30/08

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Description: MDTA-Purchase New Buses for Service Expansion through the Department's County Incentive Grant Program. 50% State Participation Rate.

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ORG-CODE (FISCAL YEAR) AMENDMENT ID	*EO	*OBJECT *BUDGET *SEQ.	*AMOUNT ENTITY *USER ASSIGNED ID	*FIN PROJECT *CATEGORY/CAT YEAR *ENC LINE(6S)/STATUS	*FCT	*CFDA
Action: ORIGINAL		Funds have been: APPROVED				
55 064010612 2006 0001	*HC	*750008 *55150200 *00 *	1984000.00	*41220329401 *088572/06 *0001/04	*631	*
Action: ORIGINAL		Funds have been: APPROVED				
55 064010612 2006 0001	*HC	*750008 *55150200 *01 *	1763000.00	*41220329402 *088572/06 *0002/04	*631	*

TOTAL AMOUNT: *$ **3,747,000.00** *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 02/10/2006

Financial Project No.:__41220329401/02_____
Contract No._____AOB60
CSFA No.55.008

Agreement Date:_____

Attachment A
SUPPLEMENTAL COUNTY INCENTIVE GRANT PROGRAM AGREEMENT

This Attachment forms an integral part of that certain Supplemental County Incentive Grant Program Agreement between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION and MIAMI-DADE COUNTY dated, JUNE 16, 2006__.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change): Change type of bus to hybrid diesel-electric from conventional diesel propulsion system. Revise number of buses to be acquired from approximately 14 to approximately 12. Total project cost and state participation amount are not changed.

Project Cost:	As Approved	As Amended	Net
	$ 7,494,000	$7,494,000	$0
Total Project Cost	$ 7,494,000	$7,494,000	$0

Funding	As Approved	As Amended	Net
Department	$3,747,000	$3,747,000	$0
COUNTY	$3,747,000	$3,747,000	$0
Total Project Cost	$7,494,000	$ 7,494,000	$0

Comments: A revised Exhibit C is attached.

Financial Project No.:__41220329401/02_____
Contract No._____AOB60
CSFA No.55.008

Agreement Date:_____

Exhibit "C"

Miami-Dade Transit
Forty-Foot, Heavy Duty
Low Floor Hybrid
Transit Bus

Manufacturer/Model #:	NABI/Model # 40-LFW
Service Life (years/mileage):	12 years/500,000 miles
Length:	40 Ft.
Width:	102 inches
Gross Weight:	43,420 lbs.
# of Seats:	38 seats
Fuel Type:	Diesel/Electric
Engine Type:	Cummins ISL
Transmission:	Allison/GM Hybrid Drive EP40
Equipped with:	A/C, wheelchair ramp, kneeling feature, P/A system, automatic stop announcements, electronic destination signs, CCTV surveillance, bike racks