

**Date:** June 15, 2010

Agenda Item No. 14(A)(16)

**To:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**From:** George M. Burgess  
County Manager

Resolution No. R-684-10

**Subject:** Resolution Authorizing the Execution of a Supplemental Joint Participation Agreement with the Florida Department of Transportation (FDOT) to Provide Additional State Funding in the Amount of \$205,480 for Operation of the 7<sup>th</sup> Avenue MAX

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the execution of a Supplemental Joint Participation Agreement (SJPA) in substantially the form attached hereto with the Florida Department of Transportation (FDOT) to provide additional funding for the operation of the NW 7<sup>th</sup> Avenue MAX premium transit service. It is further recommended that the Board authorize the receipt and expenditure of funds as specified in the Agreement. An equal match of \$205,480 will be provided through Miami-Dade Transit (MDT) Operating funds.

## SCOPE

While this route runs through County Commission Districts 1, 2, 3, 5, the impact of the project benefits the riding public and is therefore, countywide.

## FISCAL IMPACT/FUNDING SOURCE

The total State participation for this SJPA is \$205,480. The State's \$205,480 funding contribution would be matched equally by MDT Operating funds. To date, the State has contributed \$626,080 in Service Development Program funds to this route. The current annual operating cost for the 7<sup>th</sup> Avenue MAX is \$912,000.

## TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of twenty-five (25) years. The Project Manager for this SJPA application is Patricia Barry, Administrative Office 3, Financial 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 Mayor's designee to execute the agreement and expend funds and any additional funds should they become available.

## BACKGROUND

The State of Florida's Service Development Program provides funding for the improvement or expansion of public transit services with a focus on innovative technologies, marketing, community outreach, and other techniques used for increasing service to the riding public. Projects funded with the Service Development monies are limited to three years or less in duration. If successful, the program must be continued using local revenues when the Service Development period is concluded.

On May 8, 2007, the Board approved a Joint Participation Agreement (JPA) with FDOT to provide State funding to operate the NW 7<sup>th</sup> Avenue MAX in the amount of \$420,600 (R-557-07). This SJPA provides additional Department Transit Service Development Program funding for the operation of the NW 7<sup>th</sup> Avenue MAX route.

The NW 7<sup>th</sup> Avenue MAX route provides, limited stop transit service up to 30% faster than current local service, operating every 18 minutes during weekday rush hours between Golden Glades and downtown Miami via SR 7 or US 441, one of the most congested and heavily used bus transit corridors in Miami-Dade County. The route connects with the Metrorail at the Culmer and Government Center Stations and with Tri-Rail at the Golden Glades Intermodal Park & Ride Lot. As of March 2010, ridership for the NW 7<sup>th</sup> Avenue MAX is approximately 20,495 boardings per month.

  
Assistant County Manager

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**MEMORANDUM**  
(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** June 15, 2010

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

**SUBJECT:** Agenda Item No. 14(A)(16)  
Resolution No. R-684-10

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
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor

Agenda Item No. 14 (A) (16)

Veto \_\_\_\_\_

6-15-10

Override \_\_\_\_\_

RESOLUTION NO. R-684-10

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$205,480 FOR THE OPERATION OF THE NW 7<sup>TH</sup> AVENUE MAX; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE SJPA; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSIT SYSTEM SURTAX FUNDS

**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 \$205,480 for operation of the NW 7<sup>th</sup> Avenue MAX.

Section 2. That this Board further authorizes the County Mayor, Mayor’s 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; to receive and expend any additional funds should they become available; 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.

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

The foregoing resolution was offered by Commissioner **Dorrin D. Rolle**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Audrey Edmonson	aye
Carlos A. Gimenez	aye	Carlos A. Gimenez	aye
Sally A. Heyman	absent	Joe A. Martinez	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 15<sup>th</sup> day of June, 2010. 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: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**PUBLIC TRANSPORTATION**  
**SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**  
**Number ONE**

725-030-07  
PUBLIC TRANSPORTATION  
04/07  
Page 1 of 4

Financial Project No.: <u>42026318401</u> <small>(Item-segment-phase-sequence)</small>	Fund: <u>DPTO,DDR</u> Function: <u>632</u> Federal No.: <u>NA</u> DUNS No.: <u>NA</u> Catalog of Federal Domestic Assistance Number: <u>NA</u>	FLAIR Category: <u>088774</u> Object Code: <u>750012</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573129</u> Catalog of State Financial Assistance Number: <u>55012</u>
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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 TRANSIT  
701 NW FIRST COURT, SUITE 1300, MIAMI, FL 33136  
hereinafter referred to as Agency.

**WITNESSETH:**

WHEREAS, the Department and the Agency heretofore on the 25th day of June, 2007, 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 \$626,080.00

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 to provide additional Department Transit Service Development Program funding for the operation of the NW 7th Avenue MAX bus route (RT 277). All other terms and conditions remain the same.

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**2.00 Project Cost:**

Paragraph 3.00 of said Agreement is increased by \$410,960.00  
bringing the revised total cost of the project to \$ 1,252,160.00.

Paragraph 4.00 of said Agreement is increased by \$205,480.00  
bringing the Department's revised total cost of the project to \$ 626,080.00.

**3.00 Amended Exhibits:**

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

**4.00 Contract Time:**

Paragraph 18.00 of said Agreement July 1st, 2010.

Financial Project No. 42026318401

Contract No. AOJ05

Agreement Date \_\_\_\_\_

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 25th 2007 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 TRANSIT  
AGENCY NAME

See attached Encumbrance Form for date of Funding Approval by Comptroller

\_\_\_\_\_  
SIGNATORY (PRINTED OR TYPED)

\_\_\_\_\_  
LEGAL REVIEW  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
TITLE

Director of Transportation Development, D6  
TITLE

*Bruce Zibhaber*  
*Approved as to form and legal sufficiency*

**Carson, Ed**

**From:** The job FI989NDR  
**Sent:** Friday, July 31, 2009 3:07 PM  
**To:** Carson, Ed  
**Subject:** FUNDS APPROVAL/REVIEWED FOR CONTRACT AOJ05

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
FUNDS APPROVAL

Contract #AOJ05 Contract Type: AH Method of Procurement: G  
Vendor Name: MIAMI-DADE TRANSIT  
Vendor ID: VF596000573129  
Beginning date of this Agmt: 06/25/07  
Ending date of this Agmt: 07/01/10  
Contract Total/Budgetary Ceiling: ct = \$626,080.00

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Description: SJP A # 1.  
MDT-7th Avenue MAX Bus Route-Service Development Program Project/50% SPR

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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			

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Action: SUPPLEMENTAL Funds have been: APPROVED

55 062020629	*PT	*750012	*	205480.00	*42026318401	*632	*
2010		*55100100			*088774/10		
S001		*00	*	ONE	*0002/04		

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TOTAL AMOUNT: \*\$ 205,480.00 \*  
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FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER  
DATE: 07/31/2009

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Financial Project No. 42026318401  
 Contract No. AOJ05  
 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 TRANSIT  
701 NW FIRST COURT, SUITE 1300, MIAMI, FL 33136  
 dated 6/25/2007.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):  
 Provide additional Department funding to operate the NW 7th Avenue MAX bus route.

I. Project Cost:	As Approved	As Amended	Net
	\$841,200.00	\$1,252,160.00	\$410,960.00
Total Project Cost	\$841,200.00	\$1,252,160.00	\$410,960.00
I. Fund	As Approved	As Amended	Net
Department:	\$420,600.00	\$626,080.00	\$205,480.00
Agency:	\$420,600.00	\$626,080.00	\$205,480.00
	\$0.00	\$0.00	\$0.00
Total Project Cost	\$841,200.00	\$1,252,160.00	\$410,960.00

Comments:

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