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

Memorandum

MIAMI-DADE COUNTY

Date: March 1, 2011

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

Resolution Number: R-142-11

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: George M. Burgess
County Manager

Subject: Resolution Authorizing the Execution of a Supplemental Joint Participation Agreement in the Amount of $467,500 with the Florida Department of Transportation to Provide Additional State Funding for the Operation of the South Miami-Dade Busway Transit Corridor Project

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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, with the Florida Department of Transportation (FDOT) to provide $467,500 in additional State funds for a State Transit Corridor project supporting bus routes operating on the South Miami-Dade Busway (Busway). It is further recommended that the Board authorize the receipt and expenditure of funds as specified in this agreement. No local match is required for this program.

SCOPE

While these routes run through County Commission Districts 7, 8, and 9, the impact of the project benefits the riding public and is therefore, countywide.

FISCAL IMPACT/FUNDING SOURCE

This SJPA provides $467,500 in additional State funds under the State Transit Corridor program in support of bus routes operating on the Busway. Since the inception of these routes in 1997, FDOT has contributed a total of $9,251,476 million in financial assistance. No local match is required for this program.

The current and future on-going annual operating costs for the bus routes servicing the Busway is approximately $13.5 million. The balance of the operating cost for this route is provided through the Miami-Dade Transit (MDT) Operating budget and is budgeted within its 29.2 million revenue miles.

TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of more than 25 years. The Project Manager responsible for this SJPA is Carlos de la Torre, Acting Chief, MDT Budget & Planning.

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, his designee or the MDT Director to execute the agreement and receive and expend these and any additional funds should they become available.

BACKGROUND

Chapter 341 of the Florida Statutes provides State Transit Corridor funding to relieve traffic congestion and improve road capacity within identified transportation corridors. Under this program, FDOT has previously provided funding for the Flagler MAX, the 27th Avenue MAX, and the South Miami-Dade Busway ciruclators.

The Busway, a 21.7-mile stretch of dedicated bus lanes running parallel to U.S. 1 from Dadeland South Metrorail Station to SW 344th Street, qualifies as a transit corridor. Revenue service on the original 8.2-mile stretch from Dadeland South to Cutler Bay began in February 1997. New routes added into the original service plan for the Busway included the Coral Reef MAX (Route # 252), the Saga Bay MAX (Route # 287) and the Busway Local (Route # 31). These routes, along with Route 1 and the Busway MAX (Route # 38), support operation of the Busway service, which was extended from Cutler Bay to SW 264th Street in April 2005. These routes currently average approximately 12,000 weekday boardings.

Please note the total funding in the attached agreement reflects only the State contributions from Fiscal Year 2006 to date for a total of $2,735,410. The most recent Board actions prior to this SJPA in support of funding for these routes was authorized by Resolution No. R-145-08 (February 5, 2008) for $450,000 and Resolution No. R-1288-06 (November 28, 2006) for $450,000 (fiscal year 2007 funding). Since the inception of these routes in 1997, the State has provided on-going financial assistance of generally similar amounts. The additional $467,000 provided by this SJPA increases the total State contribution to $9,251,476.

Assistant County Manager

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: March 1, 2011

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

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

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
Veto _____
Override _____

Agenda Item No. 8(J)(1)(D)
3-1-11

RESOLUTION NO. R-142-11

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 $467,500 FOR OPERATION OF THE SOUTH MIAMI-DADE BUSWAY TRANSIT CORRIDOR PROJECT; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA; AND AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE

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, that:

Section 1. 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, to provide $467,500 in additional funding to support the operation of the South Miami-Dade Busway Transit Corridor Project.

Section 2. This Board further authorizes the County Mayor, or Mayor's designee, or Miami-Dade Transit 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, Florida.

Section 3. 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 and offered by Commissioner **Joe A. Martinez**, who moved its adoption. The motion was seconded by Commissioner **José "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman **aye**
Audrey M. Edmonson, Vice Chairwoman **aye**

Bruno A. Barreiro	**aye**	Lynda Bell	**aye**
Jose "Pepe" Diaz	**aye**	Carlos A. Gimenez	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**aye**
Natacha Seijas	**absent**	Rebeca Sosa	**aye**
Sen. Javier D. Souto	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of March, 2011. 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

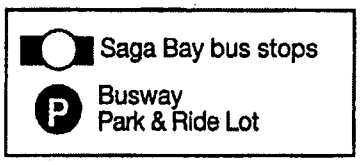
DIANE COLLINS

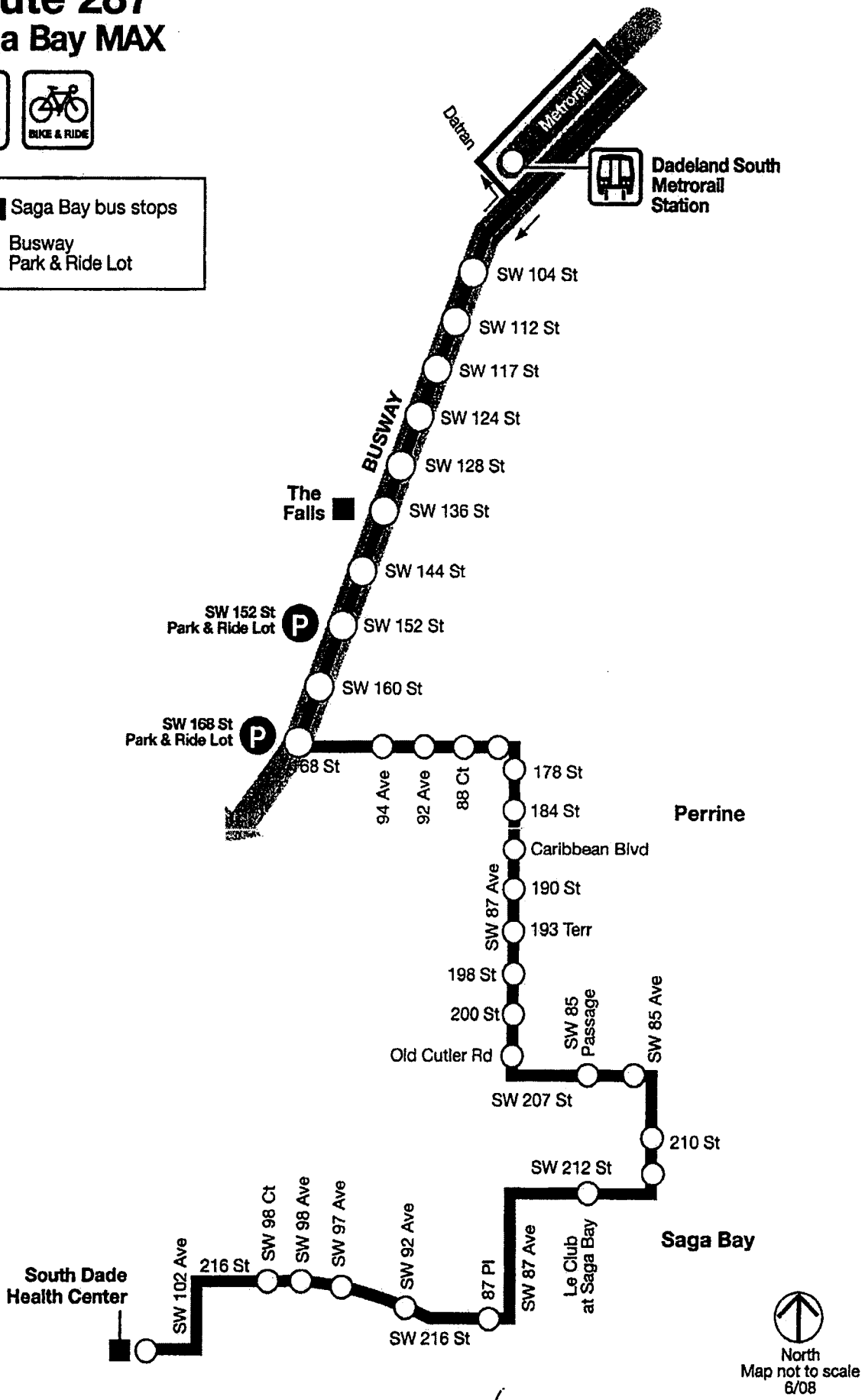
By: _____
Deputy Clerk

Approved by County Attorney
as to form and legal sufficiency.

Bruce Libhaber

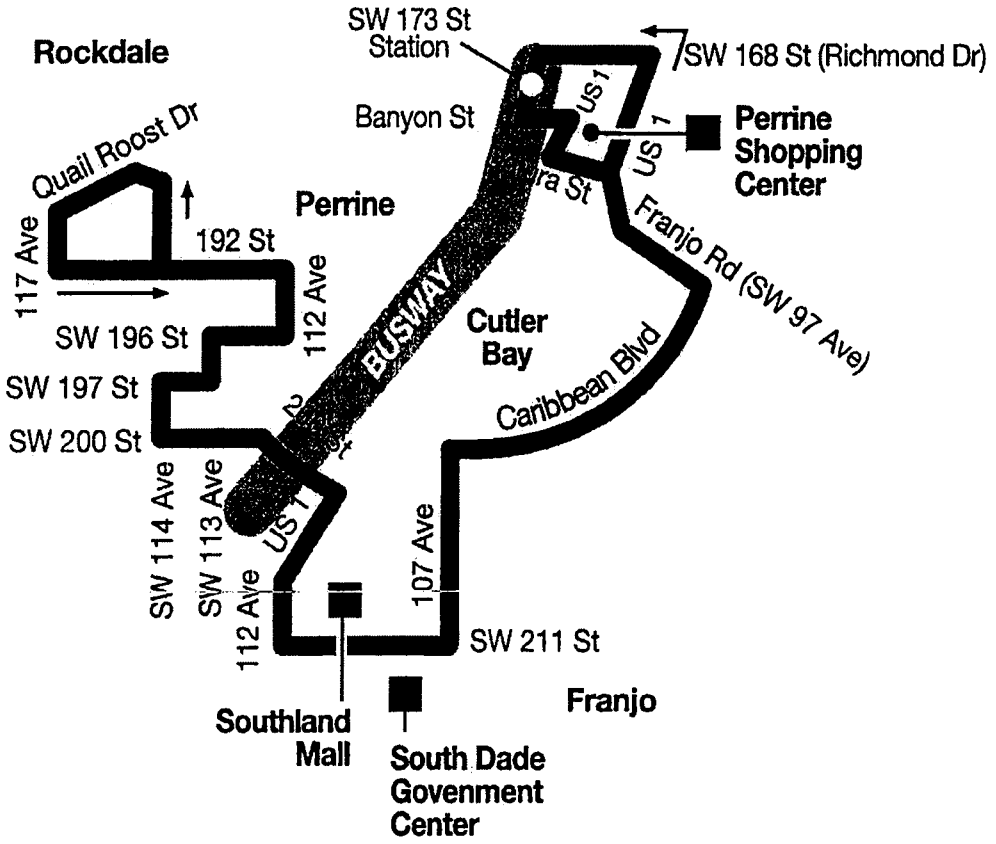
Route 287
Saga Bay MAX





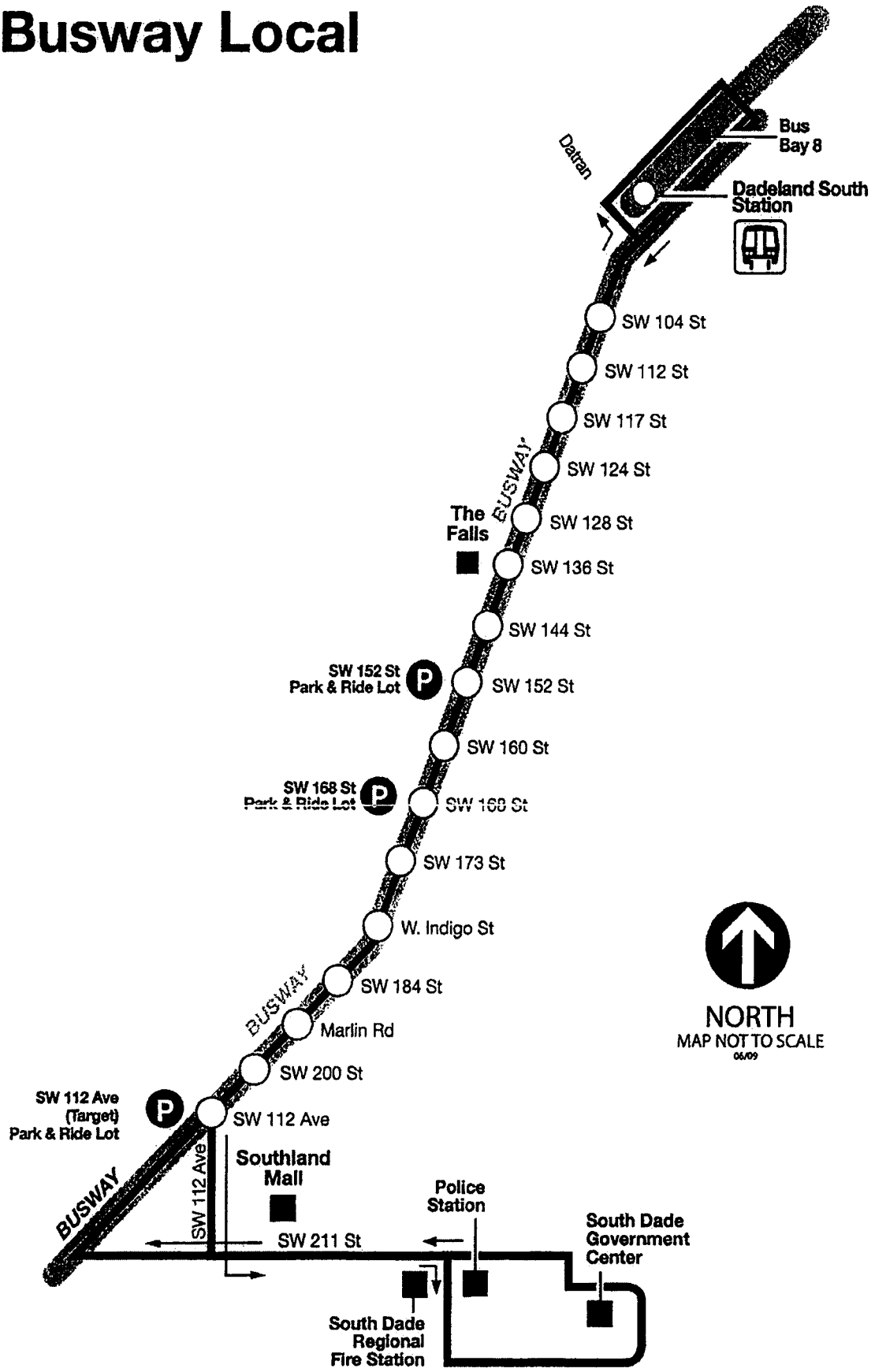
6

Route 1

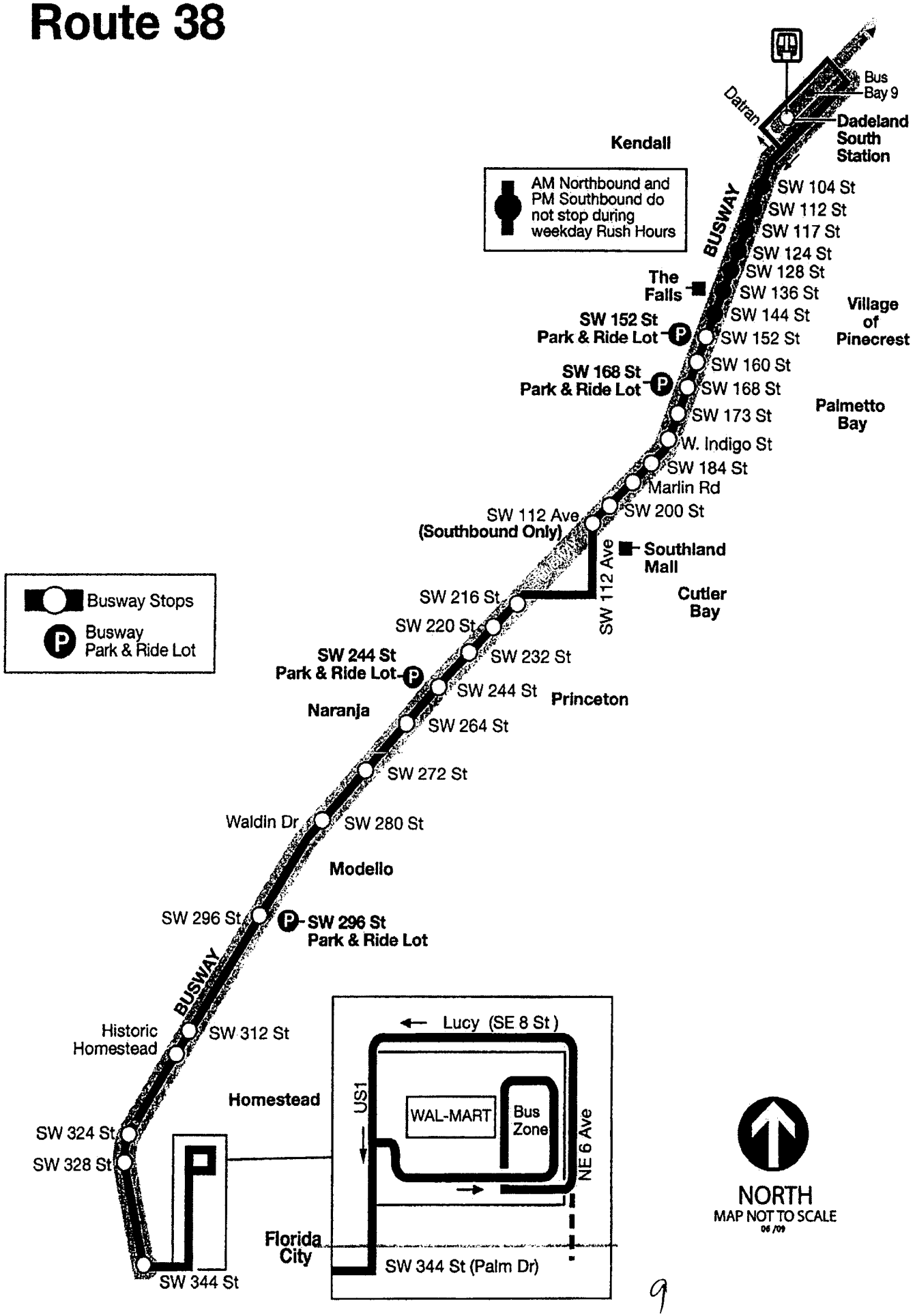

Rockdale
SW 173 St
Station
SW 168 St (Richmond Dr)
Banyon St
US 1
Perrine
Shopping
Center
Quail Roost Dr
Perrine
192 St
117 Ave
112 Ave
SW 196 St
SW 197 St
SW 200 St
BUSWAY
Cutler
Bay
Franjo Rd (SW 97 Ave)
Caribbean Blvd
SW 114 Ave
SW 113 Ave
112 Ave
107 Ave
SW 211 St
Southland
Mall
South Dade
Govenment
Center
Franjo

NORTH
MAP NOT TO SCALE
12/2009

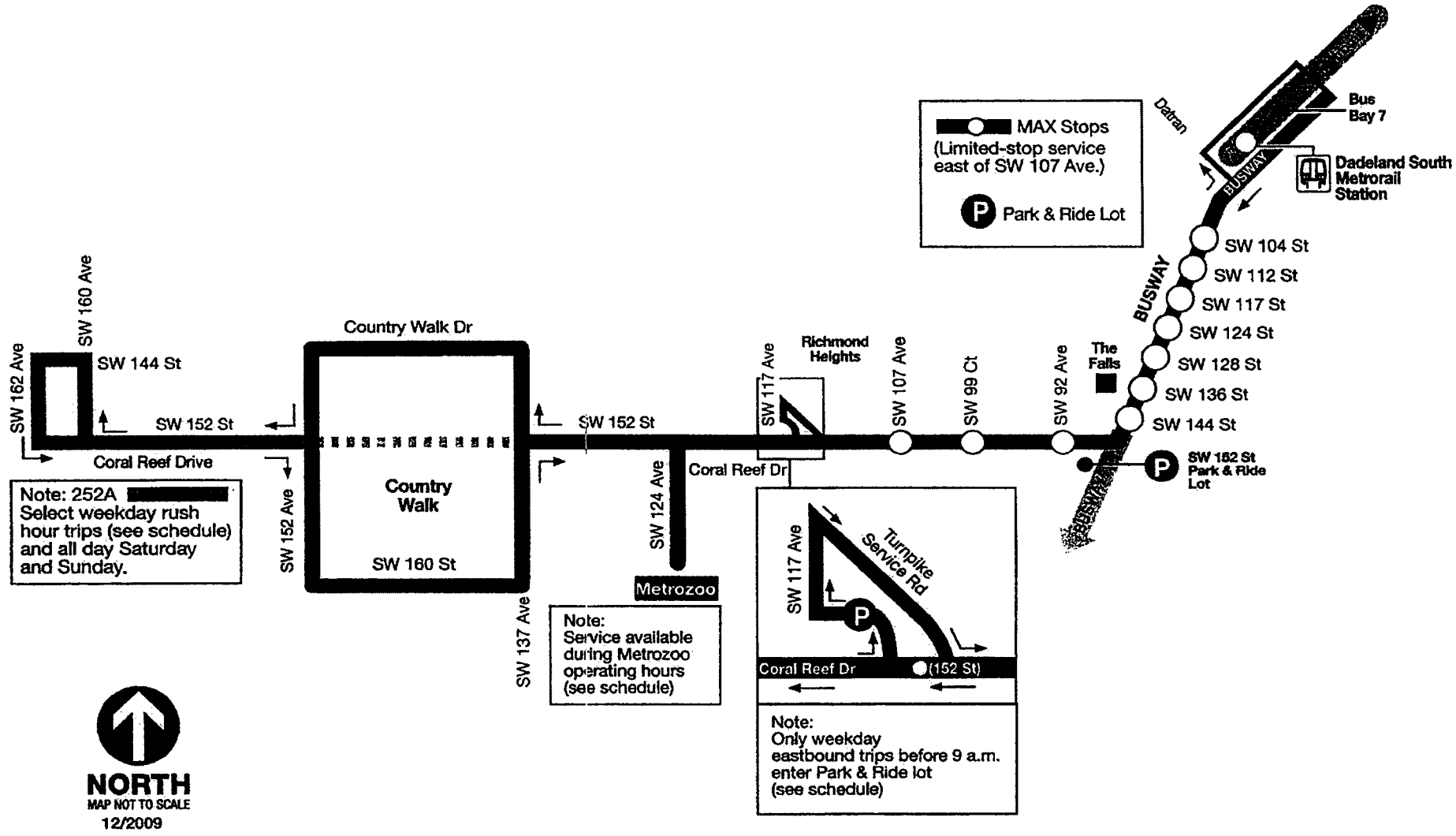
Route 31
Busway Local



Route 38


Bus Bay 9
Datran
Dadeland South Station
Kendall
AM Northbound and PM Southbound do not stop during weekday Rush Hours
BUSWAY
SW 104 St
SW 112 St
SW 117 St
SW 124 St
SW 128 St
SW 136 St
SW 144 St
SW 152 St
The Falls
SW 152 St Park & Ride Lot
Village of Pinecrest
SW 160 St
SW 168 St Park & Ride Lot
SW 168 St
SW 173 St
Palmetto Bay
W. Indigo St
SW 184 St
Marlin Rd
SW 200 St
SW 112 Ave (Southbound Only)
Southland Mall
SW 112 Ave
Cutler Bay
SW 216 St
SW 220 St
SW 232 St
SW 244 St Park & Ride Lot
SW 244 St
Princeton
Naranja
SW 264 St
SW 272 St
Waldin Dr
SW 280 St
Modello
SW 296 St
SW 296 St Park & Ride Lot
BUSWAY
Historic Homestead
SW 312 St
Homestead
SW 324 St
SW 328 St
SW 344 St
Busway Stops
Busway Park & Ride Lot
Lucy (SE 8 St)
US1
WAL-MART
Bus Zone
NE 6 Ave
Florida City
SW 344 St (Palm Dr)
NORTH
MAP NOT TO SCALE
06/09

Route 252
Coral Reef MAX



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number FIVE

Financial Project No.: 41791718406 (item-segment-phase-sequence)	Fund: DDR	FLAIR Category: 088774
	Function: 632	Object Code: 750013
	Federal No.: N/A	Org. Code: 55062020629
Contract No.: AO559	DUNS No.: N/A	Vendor No.: F596000573129
Catalog of Federal Domestic Assistance Number: N/A		Catalog of State Financial Assistance Number: 55.013

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 13th day of January ,2006, 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 $2,735,410.00.

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

Provide additional State Transit Corridor Program funding to continue operations of the following MDT bus routes operating on the South Miami-Dade Busway: Busway MAX, Route 1, Coral Reef MAX, Saga Bay MAX, and Busway Local. State Participation Rate is 100%. All other terms and conditions remain unchanged.

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2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by $467,500.00

bringing the revised total cost of the project to $ 2,735,410.00.

Paragraph 4.00 of said Agreement is increased by $467,500.00

bringing the Department's revised total cost of the project to $ 2,735,410.00.

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 December 31st ,2012.

Financial Project No. 41791718406

Contract No. AO559

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated January 13th 2006 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

Miami-Dade Transit
AGENCY NAME

SIGNATORY (PRINTED OR TYPED)

SIGNATURE

TITLE

Bruce Zibhafer
approved as to form and legal sufficiency

FDOT

See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

District 6 Director of Transportation Development
TITLE

Financial Project No. 41791718406

Contract No. AO559

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 1/13/2006.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

Increase State participation by $467,500.00. Amended project cost is increased by $467,500.00 to $2,735,410.00. Agreement expiration date is extended to December 31, 2012.

I.	Project Cost:	As Approved	As Amended	Net
		$2,267,910.00	$2,735,410.00	$467,500.00
	Total Project Cost	$2,267,910.00	$2,735,410.00	$467,500.00

I.	Fund	As Approved	As Amended	Net
	Department:	$2,267,910.00	$2,735,410.00	$467,500.00
	Agency:	$0.00	$0.00	$0.00
		$0.00	$0.00	$0.00
	Total Project Cost	$2,267,910.00	$2,735,410.00	$467,500.00

Comments:

Carson, Ed

From: The job FI989NDR
Sent: Tuesday, July 27, 2010 3:10 PM
To: Carson, Ed
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT AO559

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #AO559 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT
Vendor ID: VF596000573129
Beginning date of this Agmt: 01/13/06
Ending date of this Agmt: 12/31/12
Contract Total/Budgetary Ceiling: ct = $2,735,410.00
****
Description:
MDTA-Transit Corridor Program funding for operating bus routes on the South Miami-Dade Busway. 100% State Participation
****

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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
```
****

Action: SUPPLEMENTAL Funds have been: APPROVED

```
55 062020629 *PT  *750013  *      467500.00 *41791718406  *632  *
2011              *55100100                  *088774/11
S005              *00      *  FIVE           *0006/04
```

TOTAL AMOUNT: *$ 467,500.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 07/27/2010

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MIAMI-DADE COUNTY
BOARD OF COUNTY COMMISSIONERS
OFFICE OF THE COMMISSION AUDITOR

Legislative Notes

Agenda Item: 8(J)1(A), 8(J)1(C), 8(J)1(D), and 8(J)1(E)

File Number: 110069, 102791, 110066, and 110082

Committee(s) of Reference: Board of County Commissioners

Date of Analysis: February 3, 2011

BCC Agenda No.	8J1A 110069	8J1C 102791	8J1D 110066	8J1E 110082
Transit Corridor	I-95 Dade-Broward[1] Bus Rapid Transit (BRT)	Dade-Monroe	South Miami-Dade	Flagler Max
Proposed Resolution	*Grant funding for FY 2009 Congestion Mitigation Air Quality for operation assistance for the I-95 Dade-Broward Express Bus Service*	*Authorizes the execution of a Joint Participation Agreement with FDOT to provide funding from its Commuter Assistance Program*	*Authorizes the execution of a Supplemental Joint Participation Agreement to provide additional State funding*	*Authorizes the execution of a Supplemental Joint Participation Agreement to provide additional State funding*
Funding	$1,764,985 from the U.S. Dept. of Transportation. This is the expected funding from the FTA to operate the route for a total of $2.2 million. (See R-677-09)	$250,000 from FDOT and a local match by MDT of $250,000 from it's operating budget.	$467,500 from FDOT; no local match is required.	$467,500 from FDOT; no local match is required.
Service per day	FY 2009 Broward County Transit (BCT) – 24 trips per day FY 2009 MDT Service (No service in 2009) FY 2010, MDT-80 trips per day, BCT – 30 trips per day	Service is provided seven days a week between 5:15 am to 1:20 am.	Weekday 645 trips Saturday 281 trips Sunday 157 trips All these trips are one-way trips.	Provides weekday services with limited stops.
Bus Trips and Route Information	According to MDT staff, the BRT routes from MDC into Broward originate form Downtown Miami to Sheridan Street (40 trips) and to Broward Blvd (40 trips).	17 trips operate between the Super Wal-Mart in Florida and Mile Marker 98 in Key Largo; all but one of these trips serves Tavernier; 13 trips are extended to serve Islamorda; and six trips are further extended to provide service all the way to Marathon.	Coral Reef MAX (Route 252) Saga Bay MAX (Route 287) Busway Local (Route 31) Route 1 Busway MAX (Route 38)	The Flagler Max Route stops between the western portion of MDC, primarily along West Flagler Street and Downtown Miami.
Boardings	According to MDT staff: FY 2010, 134,341 boardings FY 2011, (Oct thru Dec 2010) – 55,465 boardings FY 2011 Projected – 220,000 boardings	This route averages 26,000 boardings.	These routes currently average approximately 12,000 weekday baordings.	The current average weekday boarding is 3,200.
Fare Rates	According to MDT staff: FY 2010-11 MDT fares 1 way - $2.35, roundtrip - $4.70	Miami-Dade Transit Fares Schedule Effective December 13, 2009	Miami-Dade Transit Fares Schedule Effective December 13, 2009	Miami-Dade Transit Fares Schedule Effective December 13, 2009

Source: MDT Staff

[1] According to MDT staff, there are 16 60ft. diesel electric hybrid buses, used on the routes, which were paid for by FDOT and FTA.

In response to questions from the Office of the Commission Auditor pertaining to how much has been expended on outreach activities and marketing materials, since the inception of the Dade-Monroe route service, MDT provided the information below:

Outreach and Marketing Activities	Description	Costs
Dade-Monroe Express Route Guides	386,000 total in 14 printings since 2000	$37,000
Rider Alerts announcing the service and changes	Produced in-house 2000, 2002, 2006, 2007	Cost not included.
Initial signage for bus stop decals where the route goes in Florida City	Produced 2,000 signage for bus stop decals	$180
Flyers informing riders of new fareboxes and EASY Cards	2,500 printed in November 2010	$2,056
Posters informing riders of new fareboxes and EASY Card	Nine posters produced in-house November 2010	$315
Fare media board for American Coach to distribute to drivers	Delivered electronically November 2010	$ 70
New signage with destinations and fareboxes	186 vinyl decals produced 2011	$1,200

Prepared by: Michael Amador-Gil