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

Memorandum

MIAMI-DADE COUNTY

Date: April 3, 2012

Agenda Item No. 8(O)(5)

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

From: Carlos A. Gimenez
Mayor

Subject: Resolution Authorizing the Execution of a Supplemental Joint Participation Agreement with the Florida Department of Transportation to Provide Additional State Funding in the Amount of $200,000 for the Operation of the NW/NE 135th Street/Opa-locka Boulevard Crosstown Bus Route Service

Resolution No. R-310-12

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 State funding in the amount of $200,000 for the continuation of the NW/NE 135th Street/Opa-locka Boulevard Crosstown (Route # 135) service.

It is further recommended that the Board authorize the receipt and expenditure of funds as specified in the Agreement. An equal match of $200,000 will be provided through Miami-Dade Transit's (MDT) Operating funds.

This contract award recommendation is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This contract award recommendation may only be considered by the Board if the Citizens' Independent Transportation Trust (CITT) has forwarded a recommendation to the BCC prior to the date scheduled for BCC consideration or forty-five (45) days have elapsed since the filing with the Clerk of the Board of this contract award recommendation. If the CITT has not forwarded a recommendation and forty-five (45) days have not elapsed since the filing of this award recommendation, I will request a withdrawal of this item.

SCOPE

While this route runs through the County Commission Districts 1, 2, 4, 6 and 13, the impact of the project benefits the riding public, and is therefore, countywide.

FISCAL IMPACT/FUNDING SOURCE

This total State participation provided by this SJPA is $200,000. The State's $200,000 funding contribution would be matched equally by MDT's Operating funds (Operating expenditure index code MT710800) as programmed in the adopted Fiscal Year (FY) 2011-12 operating budget of MDT. This funding is for operating assistance for FY 2012 year's budget only and therefore, has no fiscal impact on any future budgets.

The current and future operating cost for the Route 135 is $1.963 million annually. Since the inception of this route in 2009, the State has contributed $323,000.

TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of more than twenty-five (25) years. The Project Manager for this SJPA is Robert Villar, Chief, Budget and Performance Reporting.

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, Mayor's designee or the MDT Director to execute the agreement and receive and expend these 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. Service Development Projects are limited to three years or less in duration. If determined to be successful, the project must be continued without additional Service Development Program funds.

The Route 135 from Florida International University (FIU) Biscayne Bay Campus to NW 60th Avenue in Miami Lakes began service on December 13, 2009. This route provides direct service from east to west along the State Road (SR) 916 Corridor. Previously, a transfer was required when traveling from FIU and North Miami to Miami Lakes. Currently, the route provides in the NW 135 Street/Opa-locka Blvd corridor more frequent service and enables passengers faster service to FIU and access to the Opa-locka Tri-Rail station. Residents of North Miami are able to reach jobs easily at the Miami Lakes Industrial Park. The entire corridor has feeder bus access to the Opa-locka Tri-Rail station.

On June 3, 2010, the Board approved Resolution R-602-10 through a Joint Participation Agreement with FDOT for State funding in the amount of $123,000 for the Route 135. The State's total funding participation, inclusive of this SJPA provides two years of funding under its Service Development Program for a total of $323,000. The State has programmed in its Five-Year Work Program, an additional $525,000 in FY 2013, which is the final year of funding eligibility under the State's Service Development Program.

On September 1, 2011, the Board approved Resolution R-668-11 authorizing the execution and filing of a grant application with the Federal Transit Administration (FTA) for 5316-Job Access Reverse Commute (JARC) program funding. The South Florida Regional Transportation Governing Board approved the MDT's JARC projects and program funding on December 16, 2011 which included the Route 135 in the amount of $394,275. MDT is in the process of submitting the grant application to FTA for final approval and anticipates the award and final execution of the JARC grant by March 2012.

Deputy Mayor/County Manager

MEMORANDUM

(Revised)

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

DATE: April 3, 2012

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

SUBJECT: Agenda Item No. 8(O)(5)

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(O)(5)
4-3-12

RESOLUTION NO. R-310-12

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 $200,000 FOR THE CONTINUED OPERATION OF THE NW/NE 135TH STREET/OPA-LOCKA BOULEVARD CROSSTOWN ROUTE; 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 USE OF CHARTER COUNTY TRANSPORTATION 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, to provide $200,000 for operation of the NW/NE 135th Street/Opa-locka Boulevard Crosstown route (Route 135) from Florida International University (FIU) Biscayne Bay Campus to NW 60th Avenue in Miami Lakes and to the Hialeah Metrorail Station.

Section 2. That this Board further authorizes the Mayor, 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. 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 **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Jose "Pepe" Diaz** and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman			**absent**
Audrey M. Edmonson, Vice Chairwoman			**aye**
Bruno A. Barreiro	**aye**	Lynda Bell	**aye**
Esteban L. Bovo, Jr.	**absent**	Jose "Pepe" Diaz	**aye**
Sally A. Heyman	**aye**	Barbara J. Jordan	**aye**
Jean Monestime	**aye**	Dennis C. Moss	**absent**
Rebeca Sosa	**aye**	Sen. Javier D. Souto	**aye**
Xavier L. Suarez	**aye**		

The Chairperson thereupon declared the resolution duly passed and adopted this 3rd day of April, 2012. 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

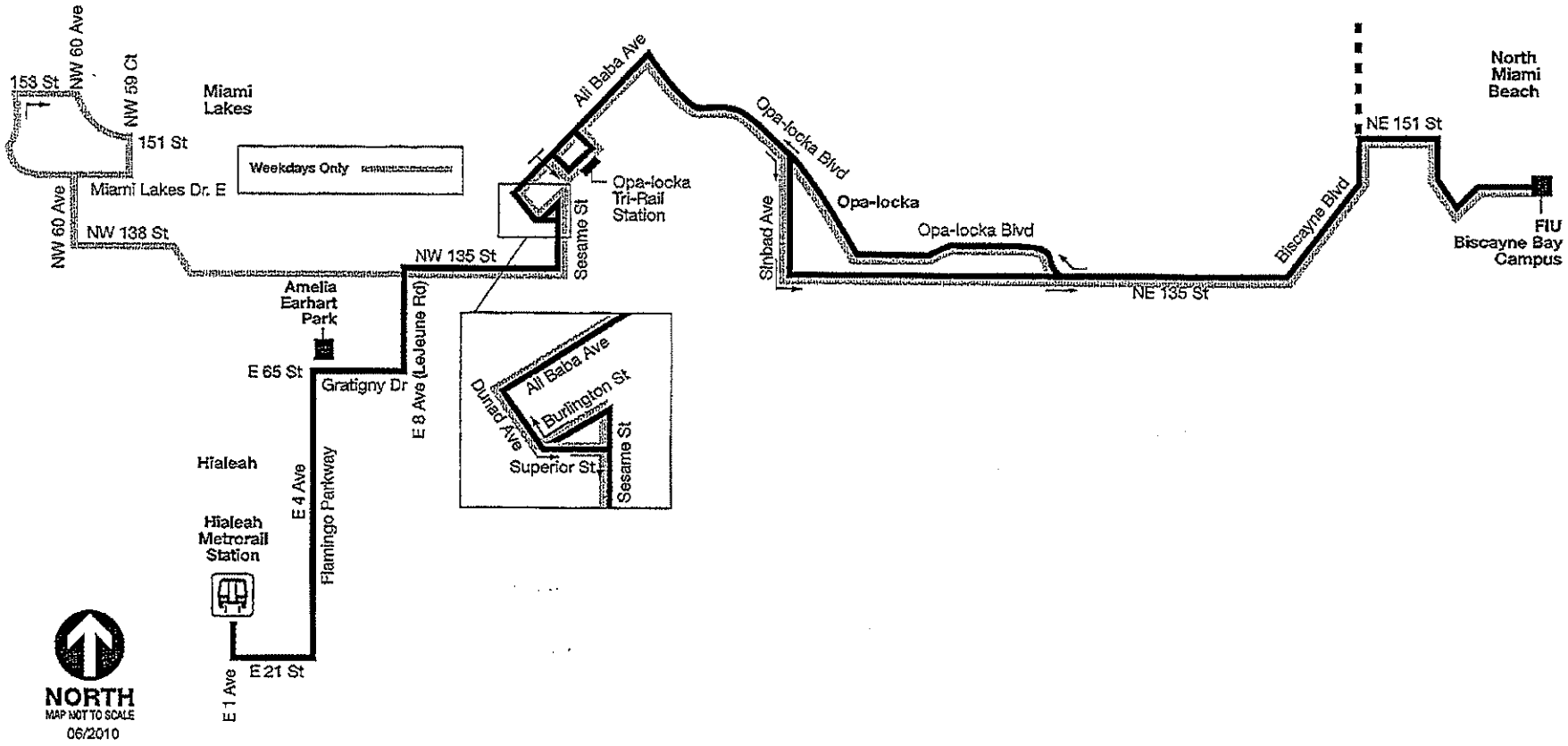
HARVEY RUVIN, CLERK

By: ***Christopher Agrippa***
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber

Route 135


153 St
NW 60 Ave
NW 59 Ct
151 St
Miami Lakes
Weekdays Only
Miami Lakes Dr. E
NW 60 Ave
NW 138 St
NW 135 St
Amelia Earhart Park
E 65 St
Gratigny Dr
E 8 Ave (Lejeune Rd)
Hialeah
E 4 Ave
Flamingo Parkway
Hialeah Metrorail Station
E 21 St
E 1 Ave
Ali Baba Ave
Opa-locka Tri-Rail Station
Sesame St
Ali Baba Ave
Burlington St
Dunad Ave
Superior St
Sesame St
Opa-locka Blvd
Sinbad Ave
Opa-locka
Opa-locka Blvd
NE 135 St
Biscayne Blvd
NE 151 St
North Miami Beach
FIU Biscayne Bay Campus
NORTH
MAP NOT TO SCALE
06/2010

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number ONE

Financial Project No.: 42576318401 (item-segment-phase-sequence)	Fund: DPTO	FLAIR Category: 088774
	Function: 632	Object Code: 750013
Contract No.: APT28	Federal No.: N/A	Org. Code: 55062020629
	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 30th day of June ,2010, 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 $323,000.00.

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 for continuation of the NW/NE 135th Street/Opa-locka Blvd. Crosstown route (Bus Route No. 135) and amend the description to:
1. Provide daily service between FIU Biscayne Bay Campus and the Hialeah Metrorail Station.
2. Provide weekday service between FIU Biscayne Bay Campus and Miami Lakes (NW 60th Avenue).

State Participation Rate is 50%. All other terms and conditions remain unchanged.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by $400,000.00

bringing the revised total cost of the project to $ 646,000.00.

Paragraph 4.00 of said Agreement is increased by $200,000.00

bringing the Department's revised total cost of the project to $ 323,000.00.

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 March 31st ,2013.

5.00 E-Verify

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

Financial Project No. 42576318401

Contract No. APT28

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 30th 2010 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 Libhaber
Approved as to form
and legal sufficiency

Memorandum

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

From: Charles Scurr, Executive Director

Date: March 21, 2012

Re: **CITT AGENDA ITEM 5G:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF **$200,000.00** FOR THE CONTINUED OPERATION OF THE NW/NE 135TH STREET/OPA-LOCKA BOULEVARD CROSSTOWN ROUTE; 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 USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS **(MDT – BCC Legislative File No. 120353)**

On March 21, 2012, the CITT voted (10-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-028. The vote was as follows:

Hon. Linda Zilber, Chairperson – Aye
Paul J. Schwiep, Esq., 1st Vice Chairperson – Aye
Hon. Anna E. Ward, Ph.D., 2nd Vice Chairperson – Aye

Christopher Benjamin, Esq. – Absent
David Concepcion – Absent
Glenn J. Downing, CFP® – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Absent
Harold Braynon, Jr. – Absent
Joseph Curbelo – Aye
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Aye

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Alexander Bokor, Assistant County Attorney

10