

Date: July 3, 2012

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

From: Carlos A. Gimenez
Mayor 

Subject: Ratification of Acceptance and Execution of Supplemental Joint Participation Agreement No. 2 (Agreement No. 42043419401) with the Florida Department of Transportation in the amount of \$310,000 for equipment associated with the Miami International Airport A380 Gate Modification Project

Agenda Item No. 8(A)(3)

Resolution No. R-534-12

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the attached resolution ratifying the actions of the Mayor's designee, pursuant to provisions of the Miami-Dade Aviation Department's Expedite Ordinance No. 95-64, codified as Section 2-285 (6) of the Miami-Dade County Code, accepting and executing the attached Supplemental Joint Participation Agreement No. 2, Agreement No. 42043419401 with the Florida Department of Transportation providing \$310,000 to cover the cost increase for the Miami International Airport A380 Gate Modification project.

SCOPE

The project associated with this Agreement is located within Commissioner Rebeca Sosa's District 6; however, the impact of this project is countywide in nature as Miami International Airport is a regional asset.

FISCAL IMPACT

This Supplemental Joint Participation Agreement reduces the Aviation Department's funding obligation to the project by \$310,000, for a total Aviation Department commitment of \$1,777,774. The initial Agreement provided the Florida Department of Transportation funding of \$897,000 toward the modification costs; Supplemental Joint Participation Agreement No. 1 provided additional funding of \$396,927. This Supplemental Joint Participation Agreement No. 2 provides final Florida Department of Transportation funding of \$310,000.00 for a total Florida Department of Transportation funding participation of \$1,603,927 toward the project cost of \$3,381,701. The Aviation Department's Capital Improvement Program funds the local share and any costs that exceed funds received from the Florida Department of Transportation.

PROJECT MONITOR

This Supplemental Joint Participation Agreement is managed by Aviation Department Chief of Grants Norma Mata.

BACKGROUND

This project's construction started on January 25, 2010, and was substantially completed on September 8, 2010. Pursuant to Resolution R-93-10, adopted on February 2, 2010, the Board of County Commissioners approved the Florida Department of Transportation's initial Joint Participation Agreement No. 42043419401 partially funding required gate modifications to accommodate the Airbus A380 aircraft at the Airport. This included a new high-passenger loading bridge to serve the A380's

Honorable Chairman Joe A. Martinez
And Members, Board of County Commissioners
Page 2

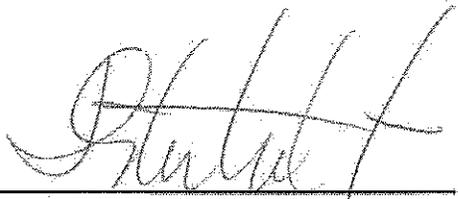
upper deck, two dual-passenger loading bridges to serve the A380's lower main deck, additional electrical power and pre-conditioned air service, ground power (electrical) and service transport units, a new door opening and security airside door in the exterior of Concourse "J" for access to the upper-deck passenger loading bridge, and construction of a loading bridge support structure to enable conversion of the existing gate to a fully compatible A380 gate.

Due to the A380's unique upper-deck configuration and substantial requirements for pre-conditioned air and 400 Hertz systems, additional ports were added to the scope of the project. Although the project was on schedule to meet its completion date, it was determined that the schedule needed to be accelerated to enable testing of the system and troubleshooting any problems that might have arisen prior to the arrival of the A380. Due to the additional equipment, work, and acceleration of the schedule, the project cost increased from \$2,587,847 to \$3,381,701.

Pursuant to Resolution No. R-227-11, the Board of County Commissioners approved the Florida Department of Transportation's Supplemental Joint Participation Agreement No. 1 to provide additional funding in the amount of \$396,927 to offset the costs of upgrading the 400-Hertz distribution switchgear and the bridge power for the equipment associated with the passenger loading bridges.

Supplemental Joint Participation Agreement No. 2 provides an additional \$310,000 from the Florida Department of Transportation to compensate for unforeseen costs associated with the upgrading of the pre-conditioned air equipment and piping associated with the passenger loading bridges, portions of which were not originally planned to be replaced.

It is therefore recommended that the Board of County Commissioners ratify the actions of the Mayor's designee in accepting this Supplemental Joint Participation Agreement No. 2 for the Miami International Airport A380 gate project in the amount of \$310,000.00.



Jack Osterholt, Deputy Mayor



MEMORANDUM

(Revised)

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

DATE: July 3, 2012

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

SUBJECT: Agenda Item No. 8(A)(3)

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(A)(3)
7-3-12

RESOLUTION NO. R-534-12

RESOLUTION RELATING TO MIAMI INTERNATIONAL AIRPORT; RATIFYING ACTION OF MAYOR'S DESIGNEE IN APPROVING AND EXECUTING, PURSUANT TO THE PROVISIONS OF SECTION 2-285(6) OF THE CODE OF MIAMI-DADE COUNTY, SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 2 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION UNDER FINANCIAL PROJECT NUMBER 42043419401 FOR A GRANT IN THE AMOUNT OF \$310,000 TO PARTIALLY OFFSET THE INCREASE IN EQUIPMENT COSTS FOR THE AIRBUS 380 GATE MODIFICATION PROJECT AT CONCOURSE J

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum and document, copies of which are incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board approves, ratifies and confirms the actions of the Mayor's designee, pursuant to the provisions of Section 2-285(6) of the Code of Miami-Dade County, in accepting and executing Supplemental Joint Participation Agreement No. 2 under Financial Project Number 42043419401 between Miami-Dade County and the State of Florida Department of Transportation, under which the Florida Department of Transportation will provide funding in the amount of \$310,000 to offset the increase in equipment costs for the Airbus 380 Gate Modification Project at Concourse J of Miami International Airport.

The foregoing resolution was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Audrey Edmonson** 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
Esteban L. Bovo, Jr.	aye	Jose "Pepe" Diaz aye
Sally A. Heyman	aye	Barbara J. Jordan aye
Jean Monestime	aye	Dennis C. Moss aye
Rebeca Sosa	aye	Sen. Javier D. Souto absent
Xavier L. Suarez	aye	

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

David M. Murray

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT
Number Two

725-030-07
 PUBLIC TRANSPORTATION
 06/11
 Page 1 of 4

Financial Project No.: <u>42043419401</u> <small>(Item-agreement-phase-sequence)</small>	Fund: <u>DPTO</u> Function: <u>639</u> Federal No.: _____ DUNS No.: _____	FLAIR Category: <u>088719</u> Object Code: <u>780004</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573258</u> Catalog of Federal Domestic Assistance Number: _____ Catalog of State Financial Assistance Number: <u>650004</u>
Contract No.: <u>APP02</u> Catalog of Federal Domestic Assistance Number: _____		

THIS AGREEMENT, made and entered into this _____ day of _____, 2009, 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 Aviation Department, PO Box 026604, Miami, FL 33102-5504, hereinafter referred to as Agency;

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 3rd day of December, 2009, 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 \$1,603,927.00

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 add additional funds allocated for fiscal year 2011/2012.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$0.00
bringing the revised total cost of the project to \$ 3,881,701.00

Paragraph 4.00 of said Agreement is increased by \$310,000.00
bringing the Department's revised total cost of the project to \$ 1,603,927.00

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 June 30th 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. 42043419401

Contract No. APP02

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated December 3rd 2009 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 Aviation Department
AGENCY NAME

Jose Abreu
SIGNATORY (PRINTED OR TYPED)

[Signature]
SIGNATURE

Director
TITLE

FDOT

See attached Encumbrance Form for date of Funding Approval by Comptroller

LEGAL REVIEW
DEPARTMENT OF TRANSPORTATION

DEPARTMENT OF TRANSPORTATION

D6 - Director of Transportation Development
TITLE

Approved as to form
and legal sufficiency

[Signature]
Assistant County Attorney

Financial Project No. 42043419401

Contract No. APP02

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 Aviation Department
PO Box D25504, Miami, FL 33102-5504
 dated _____.

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):
 to add additional funds allocated for fiscal year 2011/2012.

I.	Project Cost:	As Approved	As Amended	Net
		\$3,381,701.00	\$3,381,701.00	\$0.00
	Total Project Cost	\$3,381,701.00	\$3,381,701.00	\$0.00
II.	Fund	As Approved	As Amended	Net
	Department:	\$1,293,927.00	\$1,603,927.00	\$310,000.00
	Agency:	\$2,087,774.00	\$1,777,774.00	-\$310,000.00
		\$0.00	\$0.00	\$0.00
	Total Project Cost	\$3,381,701.00	\$3,381,701.00	\$0.00

Comments:

It is the intent of the Department to reimburse the Agency 50% of the total non-federal share of the eligible project cost up to the Department's maximum participation amount. This agreement was originally a Deferred Reimbursement Agreement.

Filer, Carl

From: The job FI989NDR
Sent: Thursday, September 24, 2009 3:12 PM
To: Filer, Carl
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APP02

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APP02 Contract Type: AG Method of Procurement: G
Vendor Name: MIAMI-DADE COUNT
Vendor ID: VF596000573258
Beginning date of this Agmt: 10/02/09
Ending date of this Agmt: 06/30/12
Contract Total/Budgetary Ceiling: ct = \$897,000.00

Description:
MIA A-380 Gate Modifications

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: ORIGINAL Funds have been: APPROVED

55 062020628 *PT *750004 * 897000.00 *42043419401 *639 *
2010 *55100100 *088719/10
0001 *00 * *0001/04

TOTAL AMOUNT: *\$ 897,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 09/24/2009

Henry, Dionne G.

From: The job F1989DKR
Sent: Wednesday, January 05, 2011 3:00 PM
To: Henry, Dionne G.
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APP02

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APP02 Contract Type: AG Method of Procurement: G
Vendor Name: MIAMI-DADE COUNT
Vendor ID: VF596000573258
Beginning date of this Agmt: 12/03/09
Ending date of this Agmt: 06/30/12
Contract Total/Budgetary Ceiling: ct = \$1,293,927.00

Description:
MIA A-380 Gate Modifications

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	*750004	*	288007.00	*42043419401	*639	*
2011			*55100100			*088719/11		
S001			*00	*	ONE	*0002/04		

Action: SUPPLEMENTAL Funds have been: APPROVED

55	062020629	*PT	*750004	*	108920.00	*42043419401	*639	*
2011			*55100100			*088719/11		
S001			*01	*	ONE	*0003/04		

TOTAL AMOUNT: *\$ 396,927.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 01/05/2011