


Date: January 23, 2013

To: Honorable Chairwoman Rebeca Sosa
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 \$525,000 for the Operation of the NW/NE 135th Street/Opa-locka Boulevard Crosstown Bus Route Service

Agenda Item No. 8(N)(4)

Resolution No. R-41-13

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) authorize the execution of a Supplemental Joint Participation Agreement (Agreement) in substantially the form attached hereto, with the Florida Department of Transportation (FDOT) to provide additional State funding in the amount of \$525,000 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 \$525,000 will be provided through Miami-Dade Transit's (MDT) Operating funds.

This agreement recommendation is placed for Committee review pursuant to Miami-Dade County Code Section 29-124(f). This agreement 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 Board consideration or forty-five (45) days have elapsed since the filing with the Clerk of the Board of this agreement recommendation. If the CITT has not forwarded a recommendation and forty-five (45) days have not elapsed since the filing of this agreement 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

The State participation provided by this agreement is \$525,000. The State's \$525,000 funding contribution would be matched equally by MDT's Operating funds (Operating expenditure index code MT710800). The local match and the State's contribution will provide a total of \$1,050,000 for this agreement.

The current and future operating cost for the Route 135 is \$2.1 million annually and is budgeted within the 29.2 million revenue miles. Since the implementation 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-six (26) years. The Project Manager for this agreement is Robert Villar, Chief, Budget and Performance Reporting.

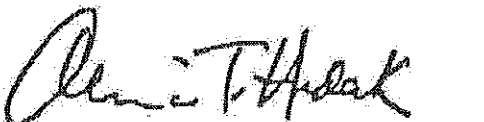
BACKGROUND

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 more frequent service in the NW 135 Street/Opa-locka Blvd corridor and offers 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. Currently, the average weekday ridership for Route 135 is 1,989.

On June 3, 2010, the Board approved Resolution R-602-10 through an agreement with FDOT for State funding in the amount of \$123,000 for the Route 135. Subsequently, an additional \$200,000 was provided in a supplemental agreement approved by the Board (R-310-12) on April 3, 2012. The State's total funding participation to date, inclusive of this agreement is \$848,000. This is the final year of funding eligibility for this route under the State's Service Development Program.

Additional funding in the amount of \$395,275 for the continuation of this route is being provided through a Section 5316-Job Access Reverse Commute (JARC) Program grant, which was awarded by the Federal Transit Administration on April 3, 2012.



Alina T. Hudak
Deputy Mayor/County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 23, 2013

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

SUBJECT: Agenda Item No. 8(N)(4)

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 Mayor'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. 8(N)(4)

Veto _____

1-23-13

Override _____

RESOLUTION NO. R-41-13

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (AGREEMENT) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$525,000 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 AGREEMENT; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE AGREEMENT; 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, that:

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 \$525,000 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 **Audrey Edmonson**, who moved its adoption. The motion was seconded by Commissioner **Lynda Bell** and upon being put to a vote, the vote was as follows:

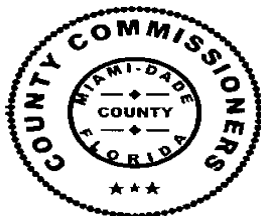
	Rebeca Sosa, Chairwoman	aye
	Lynda Bell, Vice Chair	aye
Bruno A. Barreiro	aye	Esteban L. Bovo, Jr. aye
Jose "Pepe" Diaz	absent	Audrey M. Edmonson aye
Sally A. Heyman	aye	Barbara J. Jordan absent
Jean Monestime	aye	Dennis C. Moss absent
Sen. Javier D. Souto	aye	Xavier L. Suarez aye
Juan C. Zapata	aye	

The Chairperson thereupon declared the resolution duly passed and adopted this 23rd day of January, 2013. 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

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

729-030-07
 PUBLIC TRANSPORTATION
 08/11
 Page 1 of 4

Financial Project No.: <u>42676318401</u> <small>(Item-segment-phase-sequence)</small>	Fund: <u>DPTO</u> Function: <u>632</u> Federal No.: <u>N/A</u> DUNS No.: <u>N/A</u>	FLAIR Category: <u>088774</u> Object Code: <u>760012</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573129</u>
Contract No.: <u>APT28</u>	Catalog of Federal Domestic Assistance Number: <u>N/A</u>	Catalog of State Financial Assistance Number: <u>55.012</u>

THIS AGREEMENT, made and entered into this _____ day of _____, 2010, 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 \$848,000.00

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 to provide additional State Transit Service Development Program funding for continuation of the NW/NE 135th Street/Opa-locka Blvd. Crosstown route (Bus Route No. 135). 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 \$1,050,000.00
bringing the revised total cost of the project to \$1,896,000.00

Paragraph 4.00 of said Agreement is increased by \$525,000.00
bringing the Department's revised total cost of the project to \$848,000.00

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

See attached Encumbrance Form for date of Funding Approval by Comptroller

AGENCY NAME

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, Edward

From: The Job FI089WMR
Sent: Tuesday, August 14, 2012 4:59 PM
To: Carson, Edward
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APT28

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APT28 Contract Type: Method of Procurement:
Vendor Name: MIAMI-DADE TRANS
Vendor ID: VF596000573129
Beginning date of this Agmt: 06/30/10
Ending date of this Agmt: 03/31/13

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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

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55 062020629 *PT *750012 *      525000.00 *42576318401 *632 *
2013          *55100100      *088774/13
S002          *00      * TWO      *0003/04

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TOTAL AMOUNT: *\$ 525,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 08/14/2012

Please provide us your feedback on the Contract Funds Management System.
A survey is available at the following link:
<http://cosharepoint.dot.state.fl.us/sites/OOC/FMO/CFM/default.aspx>
under the Surveys tab.

Thank you in advance for your time!

Carson, Ed

From: The Job FI089HLR
Sent: Wednesday, September 14, 2011 3:48 PM
To: Carson, Ed
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APT28

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APT28 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT
Vendor ID: VF596000573129
Beginning date of this Agmt: 06/30/10
Ending date of this Agmt: 03/31/13
Contract Total/Budgetary Ceiling: ct = \$323,000.00

Description:

Service Development funding assistance for operation of NW/NE 135th Street/
Opa-Locka Boulevard (SR 916) Crosstown Route, Rte 135, 50% SPR

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 *750012 * 200000.00 *42576318401 *632 *
2012 *55100100 *088774/12
S001 *00 * ONE *0002/04

TOTAL AMOUNT: *\$ 200,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 09/14/2011

Carson, Ed

From: The Job FJ989HLR
Sent: Thursday, December 31, 2009 2:43 PM
To: Carson, Ed
Subject: FUNDS APPROVAL/REVIEWED FOR CONTRACT APT28

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #APT28 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT
Vendor ID: VF596000573129
Beginning date of this Agmt: 03/01/10
Ending date of this Agmt: 03/31/12
Contract Total/Budgetary Ceiling: ct = \$123,000.00

Description:

Service Development Program funding assistance for operation of the
NW/NE 135th Street/Opa-Locka Boulevard Crosstown Route. 50% SPR

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	062020629	*PT	*750012	*	123000.00	*42576318401	*632	*
2010			*55100100			*088774/10		
0001			*00	*		*0001/04		

TOTAL AMOUNT: *\$ 123,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NATTOVE, CPA, COMPTROLLER
DATE: 12/31/2009



Memorandum



To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *Charles Scurr*

Date: December 13, 2012

Re: **CITT AGENDA ITEM 5C:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS (BCC), AUTHORIZE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (AGREEMENT) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$525,000.00 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 AGREEMENT; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS SHOULD THEY BECOME AVAILABLE AS SPECIFIED IN THE AGREEMENT; AND AUTHORIZING USE OF CHARTER COUNTY TRANSPORTATION SYSTEM SURTAX FUNDS (MDT – BCC Legislative File No. 122320)

On December 13, 2012, the CITT voted (11-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 12-103. 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. – Aye
Glenn J. Downing, CFP® – Aye
Alfred J. Holzman – Aye
Miles E. Moss, P.E. – Aye
Marilyn Smith – Aye

Joseph Curbelo – Absent
Peter L. Forrest – Aye
Prakash Kumar – Aye
Hon. James A. Reeder – Aye

cc: Alina Hudak, Deputy Mayor/County Manager
Bruce Libhaber, Assistant County Attorney
Miguel Gonzalez, Assistant County Attorney

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