

**Date:** February 5, 2013

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

Agenda Item No. 8(A)(1)

**From:** Carlos A. Gimenez  
Mayor

**Subject:** Ratification of Acceptance and Execution of Federal Aviation Administration Grant Agreement, AIP Number 3-12-0047-016-2012, in the amount of \$2,443,500 for Interior Service Road at the Opa-locka Executive Airport

Resolution No. R-73-13

## RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) adopt the attached resolution ratifying the actions of the Mayor or Mayor's designee, pursuant to provisions of the Aviation Department's Expedite Ordinance No. 95-64, codified as Section 2-285 (6) of the Code of Miami-Dade County, in accepting and executing Grant Agreement Airport Improvement Program (AIP) Number 3-12-0047-016-2012 from the Federal Aviation Administration (FAA) for the construction of a two-lane interior service road providing access to the Airside Operations Area at Opa-locka Executive Airport (OPF) in the amount of \$2,443,500.

## SCOPE

The project associated with this AIP Grant Agreement is located within Commissioner Barbara Jordan's District 1; however, the impact of this item is countywide as Opa-locka Executive Airport (OPF) is a regional asset.

## FISCAL IMPACT

This FAA grant of \$2,443,500 represents 90% of the estimated project costs of \$2,715,000, thereby decreasing the Department's expenditures by that amount. The Florida Department of Transportation (FDOT) will fund 50% of the remaining 10% balance (\$135,750) through its Five-Year Work Program. The remaining amount has already been funded in the Miami-Dade Aviation Department's (MDAD) Capital Improvement Program.

## PROJECT MONITOR

The project is managed by MDAD Facilities Contract Administrator Ricardo Solorzano. This grant will be managed by MDAD Chief of Aviation Grants Norma Mata.

## BACKGROUND

Unlike Miami International Airport (MIA) and other airports, OPF has no interior service road that allows vehicles to travel within the secured Airside Operations Area. MDAD's Airside Operations Division has long identified a need for the construction of a continuous, fully paved, interior service road to allow fuel, fire, service and security vehicles uninterrupted access between the eastern and western areas of the airport. Currently, these vehicles must travel around the exterior of the airport using public roads to access both sides of the airport. This is time consuming, inefficient and unsafe.

The OPF Interior Service Road Project will result in a 2.69-mile, asphalt, two-lane interior service road at Opa-locka Executive Airport. The project includes necessary modifications to existing fencing, identification card readers, and motorized airside access gates. The project also improves fence security and wildlife patrols by providing a paved road from which to conduct inspections, and will facilitate the redevelopment of the west side of OPF's airfield.

  
\_\_\_\_\_  
Jack Osterholt, Deputy Mayor



**MEMORANDUM**  
(Revised)

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

**DATE:** February 5, 2013

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

**SUBJECT:** Agenda Item No. 8(A)(1)

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(A)(1)

Veto \_\_\_\_\_

2-5-13

Override \_\_\_\_\_

RESOLUTION NO. R-73-13

RESOLUTION RELATING TO OPA-LOCKA EXECUTIVE AIRPORT; RATIFYING EXECUTION BY MAYOR'S DESIGNEE OF GRANT AGREEMENT NO. 3-12-0047-016-2012 BETWEEN MIAMI-DADE COUNTY AND THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF \$2,443,500 TO PROVIDE GRANT FUNDS FOR CONSTRUCTION OF AN INTERIOR SERVICE ROAD AT THE AIRPORT

**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 ratifies, confirms, and approves the execution by the Mayor's designee of the attached Grant Agreement No. 3-12-0047-016-2012 between Miami-Dade County and the Federal Aviation Administration (FAA) in the amount of two million four hundred forty three thousand five hundred dollars (\$2,443,500) to provide grant funds for the construction of an interior service road at Opa-Locka Executive Airport.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of February, 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.

David M. Murray



# GRANT AGREEMENT

U. S. Department  
of Transportation  
Federal Aviation  
Administration

Date of Offer: September 13, 2012  
Project Number: 3-12-0047-016-2012  
Recipient: Miami Dade County Board of County Commissioners (Herein called Sponsor)  
Airport: Opa-Locka Executive Airport

### OFFER

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States' share, ninety percent (90%) of the allowable costs incurred in accomplishing the project consisting of the following:

"Construct Interior Service Road (Design and Construction Phases)"

as more particularly described in the Project Application dated August 22, 2012.

The maximum obligation of the United States payable under this Offer shall be \$2,443,500 for airport development.

This offer is made in accordance with and for the purpose of carrying out the applicable provisions of the Federal Aviation Act of 1968, as amended, codified at Title 49 of the United States Code. Acceptance and execution of this offer shall comprise a Grant Agreement, as provided by Title 49 of the United States Code, constituting the contractual obligations and rights of the United States and the Sponsor.

UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION

Manager, Airports District Office

SPECIAL CONDITIONS  
See Attachment A

### ACCEPTANCE

The Sponsor agrees to accomplish the project in compliance with the terms and conditions contained herein and in the document "Terms and Conditions of Accepting Airport Improvement Program Grants" dated April 13, 2012. The Sponsor specifically acknowledges that knowingly and willfully providing false information to the Federal Government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject the Sponsor's Designated Official Representative to fines, imprisonment or both if the U.S. Department of Justice determines the official acted outside the scope of his/her duties.

Executed this 14th day of Sept, 2012  
(Seal)   
Name of Sponsor: Jose Abreu  
Signature of Sponsor's Designated Official Representative:   
Attest: Candy C...  
Title: \_\_\_\_\_

### CERTIFICATE OF SPONSOR'S ATTORNEY

I, THOMAS P. ABBOTT, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Florida. Further, I have examined the foregoing Grant Agreement, and the actions taken by said Sponsor relating thereto, and find that the acceptance thereof by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the applicable provisions of the Federal Aviation Act of 1958, as amended, codified at Title 49 of the United States Code. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Thomas P. Abbott  
Signature of Sponsor's Attorney  
11/13/12  
Date

**ATTACHMENT A: SPECIAL CONDITION**

Grant Issued Based on Estimates It is understood and agreed by and between the parties hereto that this Grant Offer is made and accepted based on estimates for Design and Construction of Interior Service Road, and the parties hereby covenant and agree that within 30 days from the date of acceptance of this Grant Offer, the Sponsor shall execute an FAA approved Negotiated Contract for Design of the Interior Service Road and within 240 days from the date of acceptance of this Grant Offer or subsequent date as agreed to by the FAA, the Sponsor shall receive bids for Construction of the Interior Service Road contained within the grant description.