

Date: May 5, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

Agenda Item No. 3(B)(3)

From: Carlos A. Gimenez
Mayor

Resolution No. R-367-15

Subject: Resolution Approving Terms of and Authorizing Mayor to Execute a Supplemental Joint Participation Agreement with the Florida Department of Transportation to Provide Additional State Funding in the Amount of \$850,000.00 from its Commuter Assistance Program for the Continued Operation of the Dade-Monroe Express Transit Service

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the terms of, and authorize the Mayor, Mayor's designee or Miami-Dade Transit Director to execute, a Supplemental Joint Participation Agreement (SJPA) in substantially the form attached hereto with the Florida Department of Transportation (FDOT) to provide additional State funding for Fiscal Year (FY) 2015 in the amount of \$850,000.00 from its Commuter Assistance Program for the continued operation of the Dade-Monroe Express Transit Service.

It is further recommended that the Board authorize the receipt and expenditure of funds as specified in the SJPA.

SCOPE

While this project is located in Commissioner Daniella Levine Cava's District 8 and Commissioner Dennis C. Moss' District 9, the impact of the project benefits the riding public and is, therefore, countywide.

FISCAL IMPACT/FUNDING SOURCE

The total State funding provided by this supplemental agreement is \$850,000.00. The required local match of \$850,000.00 will be provided through Miami-Dade Transit's (MDT) operating funds (operating expenditure index code MT480grouptrips as programmed in the adopted FY 2014-2015 MDT Operating Budget).

The current annual operating cost for this route is approximately \$1,900,000.00. The difference between the operating cost for this route and the amount received from the State will be funded through the MDT's annual operating budget. The annual farebox recovery for this service is approximately \$500,000.00.

TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of more than 27 years. The Project Manager for this agreement is Ed Carson, Grants Manager, MDT Financial Services.

BACKGROUND

In 1989, FDOT began funding the State Commuter Assistance Program to encourage individuals to utilize modes of transportation such as transit, commuter rail, carpools, and vanpools to increase vehicle occupancy. The Commuter Assistance Program funds ridesharing and vanpooling efforts in Miami Dade County.

Since 2005, FDOT has provided Commuter Assistance Program funding for the Dade-Monroe Express Bus service in support of the welfare-to-work program. This route serves as an alternative transportation mode for Miami-Dade County residents working in Monroe County, thereby reducing

single occupant vehicle use and increasing travel options for economically disadvantaged residents lacking automobiles.

On March 3, 2011, the Board approved Resolution R-180-11 authorizing the execution of a JPA providing \$250,000.00 in Commuter Assistance Program funding assistance for the operation of the Dade-Monroe Express Transit service. Subsequently, Board Resolutions R-466-12, R-396-13, and R-391-14 authorized the execution of SJPA's providing additional state funding in the amount \$850,000.00, each totaling \$2,800,000.00 for the continuation of this route.

The Dade-Monroe Express service operates seven (7) days a week from 5:15 AM to 1:10 AM. Seventeen round trips operate between the Super Wal-Mart in Florida City and Mile Marker 98 in Key Largo. All but two (2) of these trips serve Islamorada and six (6) trips are extended further to provide service to Marathon. The route averages 28,500 boardings per month. Additionally, the route serves John Pennekamp Coral Reef State Park on Key Largo, hotels, restaurants, and other businesses in the Florida Keys from Key Largo to Marathon (Mile Marker 50). In Florida City, the route serves the Super Wal-Mart and the City Hall area, where connections can be made to and from Metrobus routes 34, 35, 70, 38, and 344. These routes provide service to points further north, including the South Miami-Dade Busway and Metrorail.

Safeguard America, Inc. d/b/a America's Transportation (Contract No. 9791-1/24) provides the vehicles, operators, supervision, and maintenance for the Dade-Monroe Express transit service. MDT develops and prepares the scheduling for this route.

To date, the State's total contribution for the continued operation of the Dade-Monroe Express transit service is \$3,650,000.00, which includes the \$850,000.00 provided by this supplemental agreement.



Alina T. Hudak
Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: May 5, 2015

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

SUBJECT: Agenda Item No. 3(B)(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 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
Veto _____
Override _____

Agenda Item No. 3(B)(3)
5-5-15

RESOLUTION NO. R-367-15

RESOLUTION APPROVING TERMS OF AND AUTHORIZING MAYOR, MAYOR'S DESIGNEE OR MIAMI-DADE TRANSIT DIRECTOR TO EXECUTE A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$850,000.00 FROM ITS COMMUTER ASSISTANCE PROGRAM FOR THE CONTINUED OPERATION OF THE DADE-MONROE EXPRESS TRANSIT SERVICE; AND AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SUPPLEMENTAL AGREEMENT AND ANY ADDITIONAL FUNDS AS SPECIFIED IN THE SUPPLEMENTAL AGREEMENT SHOULD THEY BECOME AVAILABLE

WHEREAS, this Board desires to accomplish the purpose outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board approves the Supplemental Joint Participation Agreement between Miami-Dade County and the State of Florida Department of Transportation ("FDOT"), in substantially the form attached hereto and made a part hereof, to provide \$850,000.00 in State funds from its Commuter Assistance Program for the continued operation of the Dade-Monroe Express Transit Service.

Section 2. This Board authorizes the Mayor, Mayor's designee, or Miami-Dade Transit Director, to execute the supplemental agreement, and to receive and expend funds in accordance with such supplemental agreement, to receive and expend any Commuter Assistance

Program funds should they become available so long as no additional County matching funds are required.

Section 3. The County staff is authorized to furnish such additional information as FDOT may require in connection with the application for this project.

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

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

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of May, 2015. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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 FOUR

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

Financial Project No.: <u>41805128401</u> <small>(Item-segment-phase-sequence)</small> Contract No.: <u>APZ32</u>	Fund: <u>DPTO/DS</u> Function: <u>654</u> Federal No.: <u>N/A</u> DUNS No.: <u>80-939-7102</u>	FLAIR Category: <u>088774</u> Object Code: <u>750007</u> Org. Code: <u>55062020629</u> Vendor No.: <u>F596000573129</u> Catalog of Federal Domestic Assistance Number: <u>N/A</u> Catalog of State Financial Assistance Number: <u>55.007</u>
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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 1st Court, Suite 1300, Miami, Florida 33136 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 23rd day of March, 2011, 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 \$3,650,000.00

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 Commuter Assistance Program funding for continued operation of the Dade-Monroe Express transit service seven days per week between Florida City and Marathon along the US1 corridor. State Participation rate is 50%. All other agreement terms and conditions remain unchanged.

6

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by \$1,700,000.00
bringing the revised total cost of the project to \$7,300,000.00

Paragraph 4.00 of said Agreement is increased by \$850,000.00
bringing the Department's revised total cost of the project to \$3,650,000.00

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 December 31, 2015

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. 41805128401

Contract No. APZ32

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated March 23rd, 2011 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

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

Financial Project No. 41805128401
 Contract No. APZ32
 Agreement Date _____

.ATTACHMENT "A"
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an Integral part of that certain Supplemental Joint Participatlon Agreement between the State of Florida, Department of Transportation and Miami-Dade Translt
 701 NW 1st Court, Suite 1300, Miami, Florida 33136 _____
 dated 3/23/2011

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

- provide additional State funds to continue the MDT Dade-Monroe Express service and extend agreement time to 12/31/15.

I.	Project Cost:	As Approved	As Amended	Net Change
		\$5,600,000.00	\$7,300,000.00	\$1,700,000.00
	Total Project Cost	\$5,600,000.00	\$7,300,000.00	\$1,700,000.00
II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	\$2,800,000.00	\$3,650,000.00	\$850,000.00
	Agency:	\$2,800,000.00	\$3,650,000.00	\$850,000.00
				\$0.00
	Total Project Cost	\$5,600,000.00	\$7,300,000.00	\$1,700,000.00

Comments:



Memorandum



To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Charles Scurr, Executive Director *Charles Scurr*

Date: April 15, 2015

Re: **CITT AGENDA ITEM 7A:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE TERMS OF AND AUTHORIZING MAYOR, MAYOR'S DESIGNEE OR MIAMI-DADE TRANSIT DIRECTOR TO EXECUTE A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF \$850,000.00 FROM ITS COMMUTER ASSISTANCE PROGRAM FOR THE CONTINUED OPERATION OF THE DADE-MONROE EXPRESS TRANSIT SERVICE; AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SUPPLEMENTAL AGREEMENT; AUTHORIZING RECEIPT AND EXPENDITURE OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE SUPPLEMENTAL AGREEMENT SHOULD THEY BECOME AVAILABLE (MDT- BCC Legislative File No. 150749)

On April 15, 2015, the CITT voted (6-3) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 15-015. The vote was as follows:

Paul J. Schwiep, Esq., Chairperson – Nay
Hon. Anna E. Ward, Ph.D., 1st Vice Chairperson – Aye
Glenn J. Downing, CFP®, 2nd Vice Chairperson – Aye

Joseph Curbelo – Aye
Alfred J. Holzman – Nay
Jonathan Martinez – Nay
Miles E. Moss, P.E. – Absent
Marilyn Smith – Aye

Peter L. Forrest – Absent
Prakash Kumar – Aye
Alicia Menardy, Esq. – Absent
Hon. James A. Reeder – Aye
Hon. Linda Zilber – Absent

cc: Alina Hudak, Deputy Mayor/Director Public Works & Waste Management Department
Bruce Libhaber, Assistant County Attorney