

# Memorandum



**Date:** July 6, 2016

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

Agenda Item No. 3(B)(9)

**From:** Carlos A. Gimenez  
Mayor

Resolution No. R-601-16

**Subject:** Local Agency Program Supplemental Agreement Between Miami-Dade County and the Florida Department of Transportation to Provide the County with Additional Funding up to \$30,632.00 in Safe Routes to School Program Funds and Authorizing the Use of Charter County Transportation Surtax Funds for such purposes

## Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached Resolution authorizing the execution of a Local Agency Program (LAP) Supplemental Agreement between Miami-Dade County (County) and the Florida Department of Transportation (FDOT) to provide the County with additional funding up to \$30,632.00 in Safe Routes to School (SRTS) Program funds to be paid through FDOT, for the construction and construction engineering inspection (CEI) of safety related infrastructure improvements at five (5) schools located in the County (see Appendix A). This Agreement requires that a local funding source provide upfront funding for the project to be reimbursed. The Department of Transportation and Public Works (DTPW) is proposing to provide the upfront funds from proceeds collected through the Charter County Transportation Surtax (Surtax). As such, review by the Citizens' Independent Transportation Trust (CITT) is required prior to the execution of this LAP Supplemental Agreement.

This LAP Supplemental Agreement may only be considered by the Board if the CITT has forwarded a recommendation to the Board prior to the date scheduled for Board consideration or 45 days have elapsed since the filing with the Clerk of the Board of this LAP Supplemental Agreement. If the CITT has not forwarded a recommendation and 45 days have not elapsed since the filing of this LAP Supplemental Agreement, I will request a withdrawal of this item.

## Scope

This Project is located in Commissioner Audrey Edmonson's District 3 and Commissioner Bruno A. Barreiro's District 5.

## Fiscal Impact/Funding Source

The total estimated construction and CEI cost for the Project is \$612,342.00 based on the apparent lowest submitted bid. The amount provided by the current LAP Agreement is \$581,710.00; therefore, an increase of \$30,632.00 is required before the contract can be awarded. The County will provide upfront funding for the Project, with eligible costs to be reimbursed by FDOT. The upfront funding will be provided through index code CPEPTP00SAFE. The proposed improvements qualify under the allowable work categories included in the People's Transportation Plan (PTP) Neighborhood Improvements Section. Since PTP funds are to be reimbursed as each project is completed, the proposed projects will have no adverse impact on the ability to deliver any other PTP projects.

**Track Record/Monitor**

Oscar P. Rubio, Construction Coordinator of the Traffic Signals and Signs Division within DTPW will monitor the construction phase of this Project.

**Background**

On September 4, 2013, the Board approved a LAP Agreement under Resolution No. R-667-13. Under the LAP Agreement, the County would receive up to \$581,710.00 for the construction and construction engineering inspection of safety related infrastructure improvements at five (5) schools located in the County (see Appendix A). The total estimated construction and CEI cost for the Project is now \$612,342.00 based on the lowest submitted bid. The increase of up to \$30,632.00 will be reimbursed by FDOT. This total does not include a contingency for unforeseen conditions. Should adjustments to the total cost be needed to address unforeseen conditions, a future LAP Supplement Agreement would be required.

The difference between the engineer's estimate and the lowest bid was a result of the time period between when the estimate was provided to FDOT as part of the LAP Agreement approval and the eventual receipt of bids. A separate legislative item for the construction contract award will be submitted for CITT and Board approval.

This Project includes sidewalks, bike lanes, traffic calming devices, signs, signals, flashers, crosswalks, school zone signs, and ramps. Construction is anticipated to begin by fall of 2016.



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Alina T. Hudak  
Deputy Mayor

Appendix A

SAFE ROUTES TO SCHOOL (SRTS) INFRASTRUCTURE PROJECTS  
SRTS FM No. 483444-1

SCHOOL NAME AND LOCATION	COMMISSION DISTRICTS IN SAFE ROUTES TO SCHOOL BOUNDARY
<b>Jesse J. McCrary Jr. Elementary</b> 514 NW 77 Street Miami, FL 33150	3
<b>Toussaint L'overture Elementary</b> 120 NE 59 Street Miami, FL 33137	3
<b>Kensington Park Elementary</b> 711 NW 30 Avenue Miami, FL 33125	5
<b>Santa Clara Elementary</b> 1051 NW 29 Terrace Miami, FL 33127	3
<b>Phyllis Ruth Wheatley Elementary</b> 1801 NW 1 Place Miami, FL 33136	3



**MEMORANDUM**  
(Revised)

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

**DATE:** July 6, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 3(B)(9)

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
- Statement of social equity 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)(9)  
7-6-16

RESOLUTION NO. R-601-16

RESOLUTION APPROVING EXECUTION OF A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE THE COUNTY WITH ADDITIONAL FUNDING UP TO \$30,632.00 IN SAFE ROUTES TO SCHOOL PROGRAM FUNDS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES

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

**WHEREAS**, both the State of Florida and Miami-Dade County wish to facilitate the construction of safety related infrastructure improvements for schools located in Miami-Dade County; and

**WHEREAS**, on September 4, 2013, the Board approved the Local Agency Program Agreement under Resolution No. R-667-13; and

**WHEREAS**, the cost of the project has been adjusted to a new estimated total of \$612,342.00 which is higher than the original amount provided under the Local Agency Program Agreement,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board approves the Local Agency Program Supplemental Agreement between Miami-Dade County and Florida Department of Transportation, providing up to an additional \$30,632.00 in Safe Routes to School

Program funds for the cost to construct these improvements, in substantially the form attached hereto and made a part hereof; authorizing the County Mayor or County Mayor's designee to execute same for and on behalf of Miami-Dade County and to exercise the provisions contained therein; and authorizes the use of Charter County Transportation Surtax Funds for such purposes.

The foregoing resolution was offered by Commissioner **Dennis C. Moss**, 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	<b>aye</b>	
	Esteban L. Bovo, Jr., Vice Chairman	<b>aye</b>	
Bruno A. Barreiro	<b>aye</b>	Daniella Levine Cava	<b>aye</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Dennis C. Moss	<b>aye</b>	Rebeca Sosa	<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 6<sup>th</sup> day of July, 2016. 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.

A handwritten signature in black ink, appearing to read "BL", is written over a horizontal line.

Bruce Libhaber

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 433444-1 CONTRACT NO. G0685
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The Miami-Dade County Department of Transportation and Public Works desires to supplement the original Agreement entered into and executed on November 25, 2015 as identified above. All provisions in the original Agreement and supplements, if any, remain in effect except as expressly modified by this supplement.

The changes to the Agreement and supplements, if any, are described as follows:

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**PROJECT DESCRIPTION**

Name SAFE RTS. TO SCHOOL J.MCCRARY; T. L'OUVERTURE; KENSINGTON PK; S. CLARA; PW  
Length N/A

Termini N/A

**Description of Work:**

This project consists of safety related infrastructure improvements at five (5) schools in Miami-Dade County: Jesse J. McCrary Jr. Elementary, Toussaint L'ouverture Elementary, Kensington Park Elementary, Santa Clara Elementary, and Phyllis Ruth Wheatley Elementary, with sidewalk/bike lanes, traffic calming, signs, signals, flashers, crosswalks, school zone signs, and ramps.

**Reason for Supplement and supporting engineering and/or cost analysis:**

The difference between the Engineer's estimate and the lowest bid was as a result of the time period between when the estimate was provided to FDOT as part of the LAP Agreement approval, and the eventual receipt of bids. The Miami-Dade County Department of Transportation and Public Works worked closely with FDOT to identify additional grant funding to account for this difference.

ADJUSTED EXHIBIT B SCHEDULE OF FUNDING

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 433444-1 CONTRACT NO. G0685
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TYPE OF WORK By Fiscal Year	FUNDING				
	(1) PREVIOUS TOTAL PROJECT FUNDS	(2) ADDITIONAL PROJECT FUNDS	(3) CURRENT TOTAL PROJECT FUNDS	(4) TOTAL AGENCY FUNDS	(5) TOTAL STATE & FEDERAL FUNDS
<b>Planning</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Planning Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Project Development &amp; Environment (PD&amp;E)</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total PD&amp;E Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Design</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Design Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Right-of-Way</b>					
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Right-of-Way Cost</b>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Construction</b>					
FY: 2015-2016	\$505,830.00	\$30,632.00	\$536,462.00		\$536,462.00
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total Construction Cost</b>	\$505,830.00	\$30,632.00	\$536,462.00	\$0.00	\$536,462.00
<b>Construction Engineering and Inspection (CEI)</b>					
FY: 2015-2016	\$75,880.00		\$75,880.00		\$75,880.00
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
FY: _____	_____	_____	_____	_____	_____
<b>Total CEI Cost</b>	\$75,880.00	\$0.00	\$75,880.00	\$0.00	\$75,880.00
<b>Total Construction &amp; CEI Costs</b>	\$581,710.00	\$30,632.00	\$612,342.00	\$0.00	\$612,342.00
<b>TOTAL COST OF THE PROJECT</b>	<b>\$581,710.00</b>	<b>\$30,632.00</b>	<b>\$612,342.00</b>	<b>\$0.00</b>	<b>\$612,342.00</b>

SUPPLEMENTAL NO. 1 DUNS NO. 80-939-7102	STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION <b>LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT</b>	FPN 433444-1 CONTRACT NO. G0685
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IN WITNESS WHEREOF, the parties have caused these presents to be executed the day and year first above written.

AGENCY

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_  
Name:  
Title:

By: \_\_\_\_\_  
Name:  
Title:

Attest: \_\_\_\_\_  
Name:  
Title:

Attest: \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Legal Review:

 \_\_\_\_\_

\_\_\_\_\_

See attached Encumbrance Form for date of funding approval by Comptroller.



Memorandum



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

From: Charles Scurr, Executive Director

Date: June 16, 2016

Re: **CITT AGENDA ITEM 5D:**

RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE EXECUTION OF A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE THE COUNTY WITH ADDITIONAL FUNDING UP TO **\$30,632.00** IN SAFE ROUTES TO SCHOOL PROGRAM FUNDS; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE THE PROVISIONS CONTAINED THEREIN; AND AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR SUCH PURPOSES (**DTPW – BCC Legislative File No. 161229**)

On June 16, 2016, the CITT voted (9-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 16-033. The vote was as follows:

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

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

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

cc: Alina Hudak, Deputy Mayor  
Bruce Libhaber, Assistant County Attorney