



Miami-Dade Board of County Commissioners  
Office of the Commission Auditor

**Transportation and Public Works Committee (TPWC) Meeting**

September 14, 2018  
9:30 A.M.  
Commission Chambers

Thomas B. Davis, Esq.  
Director, Policy and Legislation  
Office of the Commission Auditor (OCA)  
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**Item No. 1G1  
File No. 181611**

**Researcher: MF Reviewer: TD**

ORDINANCE RELATING TO MUNICIPAL CIRCULATORS; AMENDING SECTION 31-102 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; REQUIRING MUNICIPALITIES TO PROVIDE CIRCULATOR ROUTE INFORMATION FOR INTEGRATION INTO THE COUNTY'S TRANSIT TRACKER APPLICATION AND TRANSIT RIDERSHIP INFORMATION TO THE COUNTY; REQUIRING COUNTY AND MUNICIPAL TRANSIT RIDERSHIP DATA REPORTS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**ISSUE/REQUESTED ACTION**

Whether the Board should amend Section 31-102 of the Code of Miami-Dade County to require municipalities to provide circulator route information for integration into the County's Transit Tracker Application and transit ridership information to the County; and to require County and municipal transit ridership data reports.

**APPLICABLE LEGISLATION/POLICY**

Miami-Dade County Code, Section 31-113 provides a list of passenger motor carriers and/or passenger motor vehicles that are exempt from the requirements of Article 31 of the Code, including (m) motor vehicles owned, operated by or operated under contract with a municipality in a local public transportation system providing circulator service when authorized by an interlocal agreement with Miami-Dade County which has been approved by the Board.

[https://library.municode.com/fl/miami -  
dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH31VEHI\\_ARTIIPAMOCA\\_S31-113EX&searchText=](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH31VEHI_ARTIIPAMOCA_S31-113EX&searchText=)

Miami-Dade County Code, Section 31-102 provides definitions relating to passenger motor carriers.

[https://library.municode.com/fl/miami -  
dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH31VEHI\\_ARTIIPAMOCA\\_S31-102DE&searchText=](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH31VEHI_ARTIIPAMOCA_S31-102DE&searchText=)

Ordinance No. 17-30, adopted by the Board on June 6, 2017 relates to vehicles for hire, and amends Chapter 31, Article III of the Code of Miami-Dade County regulating passenger motor carriers.

<http://intra/gia/matter.asp?matter=172943&file=false&yearFolder=Y2017>

Ordinance No. 14-65, adopted by the Board on July 1, 2014 relates to the Rules of Procedure of the Board of County Commissioners, and amends Section 2-1 of the Code of Miami-Dade County to require that reports prepared at the request of the Board of County Commissioners be presented to the Board and reports prepared at the request of a committee of the Board be provided to such committee.

<http://intra/gia/matter.asp?matter=141471&file=true&yearFolder=Y2014>

**PROCEDURAL HISTORY**

**Prime Sponsor: Commissioner Daniella Levine Cava, District 8**

**Department/Requester: N/A**

The proposed ordinance was adopted on first reading at the July 10, 2018 BCC meeting; and was scheduled for public hearing before the Transportation and Public Works Committee on September 14, 2018.

**ANALYSIS**

According to the Department of Transportation and Public Works' April 2018 Ridership report, the decline in ridership on public transportation in Miami has been accelerating. For the month of January 2018, Metrobus ridership dropped 15.6 percent compared to the same month in 2017, continuing a trend of double digit losses. The proposed ordinance seeks to assist bus

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passengers by requiring municipalities to provide circulator route information for integration into the County's Transit Tracker Application.

Pursuant to Section 31-113 of the Code of Miami-Dade County, a number of municipalities provide circulator service within their boundaries. Circulator service means the provision of fixed route or semi-fixed route transportation service where at least 70 percent of the route is within one municipality.

The County currently has a smartphone transit tracker application that provides information regarding mass transit routes and schedules. The proposed ordinance seeks the Board's approval to amend Section 31-102 of the Code of Miami-Dade County to require municipalities to provide circulator route information for integration into the County's Transit Tracker Application and transit ridership information to the County. The proposed ordinance also requires County and municipal transit ridership data reports, as such reports would allow policymakers to make better informed decisions.

According to the Fiscal Impact Statement the proposed ordinance will not have a fiscal impact on the County as it will not result in additional staffing needs or future operational costs.

The table below shows the original Section 31-102 of the Code of Miami-Dade County and the proposed changes to this section of the Code. Words stricken through and [[double bracketed]] shall be deleted. Words underscored and >>double arrowed<< constitute the amendment proposed.

Section 31-102 of the Code of Miami-Dade County	Proposed changes to Section 31-102 of the Code of Miami-Dade County
<p>For the purposes of this article, the following definitions shall apply:</p> <p style="text-align: center;">* * *</p> <p>(f) Circulator service means the provision of fixed route or semi-fixed route transportation service where at least 70 percent of the route is within 1 municipality. Motor vehicles owned, operated by or operated under contract with a municipality in a local public transportation system may provide circulator service when authorized by an interlocal agreement with Miami-Dade County which has been approved by the Board of County Commissioners. The interlocal agreement and any certificate of transportation, chauffeur's registration and permit issued to provide circulator service pursuant to an interlocal agreement shall require, among other things, that the municipality, operator, vehicles and chauffeurs comply with safety, mechanical and vehicular standards mandated by the Department of Transportation and Public Works, and any applicable state or federal requirements. Where a municipality intends to provide circulator service pursuant to a contract with a third party, said municipality shall give Miami-Dade County the opportunity to submit a bid or proposal to provide that transportation service.</p> <p style="text-align: center;">* * *</p>	<p>For the purposes of this article, the following definitions shall apply:</p> <p style="text-align: center;">* * *</p> <p>(f) Circulator service means the provision of fixed route or semi-fixed route transportation service where at least 70 percent of the route is within 1 municipality. Motor vehicles owned, operated by or operated under contract with a municipality in a local public transportation system may provide circulator service when authorized by an interlocal agreement with Miami-Dade County which has been approved by the Board of County Commissioners. The interlocal agreement and any certificate of transportation, chauffeur's registration and permit issued to provide circulator service pursuant to an interlocal agreement shall require, among other things, that the municipality, operator, vehicles and chauffeurs comply with safety, mechanical and vehicular standards mandated by the Department of Transportation and Public Works, and any applicable state or federal requirements. &gt;&gt;Additionally, for any new interlocal agreement or any amendment to an existing interlocal agreement, the agreement (1) must include a provision requiring that the municipality provide to the County the municipality's real time circulator service route information in a format approved by the Department of Transportation and Public Works, or its successor department, such as provided by a Global Positioning System, and which is compatible with, and may be</p>

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integrated into, the County's smartphone transit tracker application and common third party applications, and (2) must include a provision requiring municipalities to provide to the County on a quarterly basis municipal daily transit ridership data for both circulator and on-demand services, said data shall be due to the County within 15 days from the end of the corresponding quarter. Within 30 days of receipt of the information from a municipality, the County Mayor or County Mayor's designee shall place a report showing the municipal transit service ridership information, in addition to County transit ridership information for the corresponding quarter, on an agenda of the Board of County Commissioners pursuant to Ordinance No. 14-65.<< Where a municipality intends to provide circulator service pursuant to a contract with a third party, said municipality shall give Miami-Dade County the opportunity to submit a bid or proposal to provide that transportation service.

\* \* \*

**ADDITIONAL INFORMATION**

An article dated April 17, 2018, entitled "Miami Bus Ridership Down 43% Since Uber Started Service" states that ridership on public transportation in Miami continues to rapidly decline.

<https://www.thenextmiami.com/miami-bus-ridership-down-34-since-uber-started-service/>

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**Item No. 3A**  
**File No. 181724**

**Researcher: IL Reviewer: TD**

RESOLUTION ACCEPTING AN IMPLIED OFFER OF DEDICATION FOR A PORTION OF SW 216 STREET FROM 50 FEET EAST OF SW 122 AVENUE TO 100 FEET EAST THEREOF, IN SECTION 13, TOWNSHIP 56 SOUTH, RANGE 39 EAST, MIAMI-DADE COUNTY, FLORIDA AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO TAKE ALL ACTIONS TO EFFECTUATE SAME

**ISSUE/REQUESTED ACTION**

Whether the Board should accept an implied offer of dedication for a portion of SW 216 from 50 feet East of SW 122 Avenue to 100 feet East thereof, in Section 13, Township 56 South, Range 39 East, Miami-Dade County, Florida, and authorizes the recordation thereof in the Public Records of the County.

**APPLICABLE LEGISLATION/POLICY**

Resolution R-699-17, adopted on July 6, 2017, accepted an implied offer of dedication for a portion of SW 216 Street between US-1 (State Road 5) and approximately 170 feet West of SW 115 Avenue, in Section 7, Township 56 South, Range 40 East, Miami-Dade County, Florida.

<http://www.miamidade.gov/govaction/matter.asp?matter=171367&file=true&fileAnalysis=false&yearFolder=Y2017>

Resolution R-974-09, adopted on July 21, 2009, directed that any resolution authorizing the execution of instruments creating a county interest in real property shall require such instruments to be recorded in the public records of Miami-Dade County and attached by the Clerk of the Board to the authorizing resolution.

<http://www.miamidade.gov/govaction/matter.asp?matter=091900&file=true&fileAnalysis=false&yearFolder=Y2009>

**PROCEDURAL HISTORY**

**Prime Sponsor: District 9 Commissioner Dennis C. Moss**

**Department/Requester: Department of Transit and Public Works**

There is no procedural history at this time.

**ANALYSIS**

This item seeks Board acceptance of an implied offer of dedication for a portion of SW 216 Street from 50 feet East of SW 122 Avenue to 100 feet East thereof, in section 13, Township 56 south, Range 39 East, Miami-Dade County, Florida and authorizing the County Mayor or County Mayor's designee to take all actions to effectuate same.

There is no fiscal impact associated with this resolution.

On October 16, 1952, The First National Bank of Miami, as Administrators C.T.A. of the Estate of W.H. Ownes, deceased, conveyed said property to Myle and Lula Jones, via an Administrative Deed recorded at Deed Book 3676, Page 243, of the Public Records of Miami-Dade County, Florida ("Attachment 1"). Said Warranty Deed expressed an implied offer to dedicate the North 10 feet of the property abutting SW 216 Street for road purposes. As such, successors in title to this property did not have an ownership interest in such 10 feet. There is no information in the public records that would withdraw, revoke, or impair the implied offer of dedication. In order to protect the public right-of-way, DTPW recommends the acceptance of such implied offer as set forth in the attached resolution.

BOOK 3676 PAGE 243

ADMINISTRATOR'S DEED

THIS INDENTURE, Made this 16th day of October  
A. D. 1952, by and between THE FIRST NATIONAL BANK OF MIAMI,  
Miami, Florida, a National banking corporation, as Administrator CTA of  
the Estate of W. H. OWENS, Deceased, as first party, and MYLE JONES  
and LULA MAE JONES, his wife, whose address is:

as second parties;

*2973 NW 62nd St.*

WITNESSETH: That the said first party, for and in considera-  
tion of the sum of Ten Dollars and other good and valuable considerations to  
it in hand paid by said second parties, the receipt whereof is hereby acknow-  
ledged, has granted, bargained and sold to said second parties, their heirs  
and assigns forever, the following described lands, situate, lying and being  
in the County of Dade and State of Florida, to-wit:



The East 50 feet of the West 103.9 feet of the  
North One-Half (N 1/2) of Tract Eleven (11),  
less the North 10 feet thereof for road purposes,  
of DIXIE PINES, a subdivision according to the  
plat thereof recorded in Plat Book 31 at page 51  
of the Public Records of Dade County, Florida;  
being the same property sometimes described  
as Lot Eleven (11) in Block Eleven (11) of DIXIE  
PINES, according to the plat thereof recorded in  
Plat Book 20 at page 16 of the Public Records of



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Dade County, Florida;

Subject to conditions, limitations and restrictions of record, provisions of applicable zoning laws and to public utility and other easements, if any, and to taxes subsequent to the year 1951.

The grantor herein is the duly appointed and qualified Administrator CTA of the Estate of W. H. Owens, Deceased, now being probated in the County Judge's Court of Dade County, Florida, Probate No. 25,701.

And the said first party hereby warrants the title to said premises solely as such Administrator CTA and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under it as such Administrator CTA.

IN WITNESS WHEREOF, the said first party has caused this instrument to be executed in its name by its duly authorized and constituted officers ~~the day~~ and year first above written and its corporate seal to be hereunto affixed.

(Corporate Seal)

THE FIRST NATIONAL BANK OF MIAMI

Attest:

By

Trust Officer

As Administrator CTA of the Estate of  
W. H. Owens, Deceased.

Signed, Sealed and Delivered  
in the presence of:



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**Item No. 3B**

**File No. 181721**

**Researcher: IL Reviewer: TD**

RESOLUTION APPROVING AN OFF-SYSTEM CONSTRUCTION AND MAINTENANCE AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF IMPROVEMENTS ALONG NW 74 STREET FROM NW 74 AVENUE TO NW 69 AVENUE AND NW 69 AVENUE FROM NW 74 STREET TO THE FEC HIALEAH RAIL YARD; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE THE SAME AND EXERCISE THE PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the execution of an Off-System Construction and Maintenance Agreement between the County and the Florida Department of Transportation (FDOT) for the construction of improvements along NW 74 Street from NW 74 Avenue to NW 69 Avenue and NW 69 Avenue from NW 74 Street to the FEC Hialeah Rail Yard.

**APPLICABLE LEGISLATION/POLICY**

Chapter 337 of the Florida Statutes: relating to contracting, acquisition, disposal and use of property.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0300-0399/0337/0337ContentsIndex.html&StatuteYear=2017&Title=%2D%3E2017%2D%3EChapter%20337](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0300-0399/0337/0337ContentsIndex.html&StatuteYear=2017&Title=%2D%3E2017%2D%3EChapter%20337)

Section 339.135 of the Florida Statutes: relating to transportation work programs, legislative budget requests and FDOT's budgeted fiscal year expenditures.

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_String=&URL=0300-0399/0339/Sections/0339.135.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0300-0399/0339/Sections/0339.135.html)

**PROCEDURAL HISTORY**

**Prime Sponsor:** N/A

**Department/Requester:** Department of Transit and Public Works

There is no procedural history on this item at this time.

**ANALYSIS**

This item seeks Board approval of an Off-System Construction and Maintenance Agreement between the County and the Florida Department of Transportation (FDOT) for the construction of improvements along NW 74 Street from NW 74 Avenue to NW 69 Avenue and NW 69 Avenue from NW 74 Street to the FEC Hialeah Rail Yard.

The work shall include repaving and restriping roadways, reconstructing NW 74 Street from NW 74 Avenue to NW 72 Avenue and along NW 69 Avenue from NW 74 Street to the FEC Hialeah Rail yard entrance, Adding new drainage along NW 74 Street from NW 74 Avenue to NW 72 Avenue and along NW 69 Avenue from NW 74 Street to the FEC Hialeah Rail Yard, Upgrading traffic signage and pavements markings, adding new lighting along NW 74 Street from NW 74 Avenue to NW 69 Avenue, upgrading existing signalization at the following intersections: NW 74 Street and NW 74 Avenue; NW 74 Street and NW 72 Avenue; and NW 74 Street and NW 69 Avenue, Eliminating the following intersection movements: Left turn from southbound NW 74 Avenue to eastbound SR 934/NW 74 Street; Through movement from Southbound NW 74 Avenue; Through movement from Northbound NW 74 Avenue; and Right turn from westbound SR 934/NW 74 Street onto NW 74 Avenue.

The project is located in District 12, which is represented by Commissioner Jose "Pepe" Diaz. The memorandum does not indicate the project's anticipated commencement/completion date.

The fiscal impact is estimated to cost \$4,087,817 and will be funded and built by FDOT.

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The County is required to provide maintenance and operations upon completion of the project. The maintenance operations will be funded through the DTPW General Fund allocation at an estimated yearly cost of \$4,775.15.



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**Item No. 3C**  
**File No. 181722**

**Researcher: JFP Reviewer: TD**

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF DORAL FOR THE PROVISION OF PUBLIC TRANSPORTATION SERVICES; AND AUTHORIZING THE COUNTY MAYOR OR THE COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND EXERCISE ALL PROVISIONS CONTAINED THEREIN

**ISSUE/REQUESTED ACTION**

Whether the Board should approve the First Amendment to the Interlocal Agreement between the County and the City of Doral (City) for the provision of County transportation services in and around the City, which is located in District 12.

**APPLICABLE LEGISLATION/POLICY**

Resolution No. R-1164-16, adopted by the Board on December 6, 2016, approves the existing Interlocal Agreement between Miami-Dade County and the City of Doral for the provision of public transportation services.

<http://intra/gia/matter.asp?matter=162262&file=true&yearFolder=Y2016>

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Transportation and Public Works**

The proposed resolution has no procedural history.

**ANALYSIS**

The proposed resolution requests approval of the First Amendment to the Interlocal Agreement between the County and the City of Doral for the provision of County transportation services in and around the City. This amendment to the existing agreement—which is in place for a five year term, with two five-year automatic options to renew—is to allow for service modifications consisting of route alignment adjustments, weekday service hour expansion on certain routes, commencement of Saturday service on one route, and the implementation of the Florida International University (FIU) Doral Trolley Service. The proposed service modifications aim to reduce traffic congestion with the City while enhancing connections with County transit services.

There is no fiscal impact to the County for this Amendment, nor for the existing agreement. The City is responsible for all operating and maintenance costs of this fare-free service. In the case where the City may charge a fare, the agreement requires the City to enact a fare structure to include the acceptance of all DTPW passes, transfers, or identification entitling an eligible passenger to ride the service without paying an additional fare (i.e., Patriot Passport and Golden Passport) or for half fare (i.e. kindergarten - 12th grade students).

Key provisions of the existing agreement include:

- The City will adhere to all County, federal, state and local transit operating and reporting requirements.
- Each party has the right to terminate for cause or without cause.
- DTPW and the City will work collaboratively to exchange route and schedule information for the benefit of riders.
- Some of the bus stops include the following locations: Downtown Doral Park, Doral Government Center, Palmetto Metrorail Station, Doral Middle School, Ronald Reagan High School, and Miami Dade College West Campus.
- The City is responsible for bus stop passenger amenities such as bus shelters and benches at all bus stops served by the proposed route.

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The proposed adjustments to the bus routes and schedules include:

Route Number	Proposed Route Adjustments	Current Service Hours	Proposed Service Hour Adjustments
Route 1	Adjustment of route to provide service to Dolphin Mall Transit Terminal, Doral Legacy Park, and improved connection to Miami-Dade College West Campus.	Operates Monday through Friday from 5:58 AM to 9:48 PM. Currently, Route 1 is serviced by four trolleys only from 6:00 AM to 10:15 AM and from 2:15 PM to 7:15 PM (during the weekday peak hours). On Saturday, the service operates from 7:00 AM to 7:24 PM. On Sunday, the service operates between 7:00 AM to 6:54 PM.	Adjustment to the weekday Route 1 schedule to have four trolleys providing all day service between 6:00 AM and 10:00 PM.
Route 2	Adjustment of route to improve service along NW 36 Street and the NW 79 Avenue corridors, as well as improve service to the Downtown Doral area.	Operates Monday through Friday from 6:00 AM to 8:03 PM	Extension of the weekday schedule to improve service to the Palmetto Metrorail Station by providing an additional service loop which will extend the service time from 8:03 PM to 9:38 PM. Commence Saturday trolley service in response to the increase of residents in the Downtown Doral area, and the current lack of east-west transit connectivity in the City.
Route 3	Adjustment of route to provide service to the Doral Math and Science Academy, and the communities along NW 104 Avenue, between NW 74 Street and NW 66 Street.	Operates Monday through Friday from 6:00 AM to 9:13 PM. On Saturday, the service will operate from 7:00 AM to 7:11 PM.	No proposed schedule changes.
Route 4	New FIU Trolley Route that will service the Modesto A. Maidique and Engineering Campuses along NW 107 Avenue.		The new trolley route would operate Monday through Friday, between 6:00 AM and 11:00 PM, via two trolley vehicles with an approximate 30-minute headway (frequency).

The City Commission adopted Resolution No.18-51, authorizing the City Manager to take necessary action to implement the specified service modifications, after holding a public outreach workshop and a public hearing on the issue.

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**Item No. 3D**

**File No. 181723**

**Researcher: JFP Reviewer: TD**

RESOLUTION RATIFYING AN INTERLOCAL AGREEMENT BETWEEN THE MIAMI-DADE TRANSPORTATION PLANNING ORGANIZATION AND MIAMI-DADE COUNTY, THE VILLAGE OF PINECREST, THE TOWN OF PALMETTO BAY, THE TOWN OF CUTLER BAY, THE CITY OF HOMESTEAD AND FLORIDA CITY, PURSUANT TO SECTION 2-10 OF CODE OF MIAMI-DADE COUNTY, FOR THE PURPOSE OF DEVELOPING AN IMPLEMENTATION PLAN FOR THE SOUTH DADE TRANSITWAY RAPID TRANSIT CORRIDOR

**ISSUE/REQUESTED ACTION**

Whether the Board should ratify an Interlocal Agreement between the Miami-Dade Transportation Planning Organization and Miami-Dade County, the Village of Pinecrest, the Town of Palmetto Bay, the Town of Cutler Bay, the City of Homestead, and Florida City for the purpose of developing an implementation plan for the South Dade Transitway Rapid Transit Corridor in Districts 8 and 9, in furtherance of the Strategic Miami Area Rapid Transit (SMART) Plan.

**APPLICABLE LEGISLATION/POLICY**

Section 2-9 of the Code of Miami-Dade County authorizes the Mayor to execute agreements with other governmental entities.

[https://library.municode.com/fl/miami -  
dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-9COMUGOUNSEUTMA](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-9COMUGOUNSEUTMA)

Section 2-10 of the Code of Miami-Dade County states that all contracts authorized by Section 2-9 shall be entered into subject to ratification by the County Commission and no such contract shall extend for a period longer than one year without the express authorization of the Commission. All such contracts shall be filed with the Clerk of the Commission and the Clerk of the other governmental unit involved and shall be open to public inspection.

[https://library.municode.com/fl/miami -  
dade\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-10SAATBODUFI](https://library.municode.com/fl/miami-dade_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-10SAATBODUFI)

**PROCEDURAL HISTORY**

**Prime Sponsor: None**

**Department/Requester: Transportation and Public Works**

The proposed resolution has no procedural history.

**ANALYSIS**

The proposed resolution ratifies an Interlocal Agreement between the Miami-Dade Transportation Planning Organization (TPO) and Miami-Dade County, the Village of Pinecrest, the Town of Palmetto Bay, the Town of Cutler Bay, the City of Homestead, and Florida City for the purpose of developing the required implementation plan for the South Dade Transitway Rapid Transit Corridor, in furtherance of the Strategic Miami Area Rapid Transit (SMART) Plan. The South Dade TransitWay has been identified as one of the six priority rapid transit corridors. Detailed below are the six corridors with the corresponding actions required, as specified in the April 2016 TPO Governing Board Resolution, adopting and endorsing the proposed SMART plan.



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<b>MIAMI-DADE COUNTY RAPID TRANSIT CORRIDOR PLAN</b>		
<b>PROJECT NAME</b>	<b>ENVIRONMENTAL STATUS</b>	<b>ACTION REQUIRED OR IN-PROGRESS</b>
<b>North Corridor (NW 27<sup>th</sup> Avenue)</b>	Planning and Environmental Phase In-Progress	<b>Continuation of Federal Environmental Process</b> <ul style="list-style-type: none"> <li>• PD&amp;E will start in April 2016 (FDOT)</li> <li>• Light Rail Transit (LRT) and/or appropriate premium transit technology</li> </ul>
<b>Beach Corridor</b>	N/A	<b>Advance to Priority I Funded LRTP - Planning and Environmental Phase</b> <ul style="list-style-type: none"> <li>• Light Rail Transit (LRT) and/or appropriate premium transit technology</li> </ul>
<b>East-West Corridor SR-836</b>	N/A	<b>Advance to Priority I Funded LRTP - Planning and Environmental Phase</b> <ul style="list-style-type: none"> <li>• Light Rail Transit (LRT) and/or appropriate premium transit technology</li> </ul>
<b>South Dade TransitWay</b>	N/A	<b>Advance to Priority I Funded LRTP - Planning and Environmental Phase</b> <ul style="list-style-type: none"> <li>• Conversion of US-1 Busway from Enhanced Bus Service to Light Rail Transit (LRT) and/or appropriate premium transit technology</li> </ul>
<b>TriRail Coastal Link (North East/FEC Corridor)</b>	Planning and Environmental Phase In Progress	<b>Continuation of Federal Environmental Process</b> <ul style="list-style-type: none"> <li>• Passenger Rail Service on FEC Corridor</li> </ul>
<b>Kendall Corridor</b>	Planning and Environmental Phase In-Progress	<b>Continuation of Federal Environmental Process</b> <ul style="list-style-type: none"> <li>• PD&amp;E will start in June 2016 (FDOT)</li> <li>• Light Rail Transit (LRT) and/or appropriate premium transit technology</li> </ul>

The agreement provides for the parties to contribute funding for development of a TransitWay implementation plan. Pursuant to the agreement, the County and the TPO will each contribute \$474,000, or 39.5% of the project funding, and each of the five municipalities shall contribute \$50,400, or 4.2% of the initial project funding. The Citizen's Independent Transportation Trust approved the County's share of funding for the Capital Expansion Reserve during its February 16, 2017 full Trust meeting. In the event that the entire amount is not enough to cover the initial project activities cost, the TPO shall provide detailed information as to the need for additional funding, and will request funding from the parties according to the aforementioned percentages.

The purpose of the Interlocal agreement is to develop a multi-agency partnership for undertaking the following activities to support the South Dade TransitWay Implementation plan, including but not limited to:

1. Develop a local corridor vision plan to enhance mobility, accessibility and connectivity along the corridor.
2. Develop a community engagement plan to look for input and consensus of businesses, residents and elected officials.
3. Promote the economic development along the corridor.
4. Participate in charrettes and public meetings to inform the community.
5. Establish a Project Advisory Team (PAT) with the participation of all parties to work collaboratively to promote the advancement of rapid transit development along the South Dade TransitWay.
  - a. The MPO Executive Director or Executive Director's designee shall appoint a representative from each involved party, as well as, any other transportation partner, as needed.
  - b. The PAT will provide guidance for the development of the activities listed above and will serve as a liaison to their respective entities.
  - c. All Parties shall assist and provide available information to support the efforts to be conducted along the corridor.
  - d. The PAT will coordinate public outreach events with the community, municipalities, and other involved stakeholders;
6. Reach consensus on key project issues and work cooperative towards resolving any conflicts that may arise.

The TPO will spearhead efforts for the development of the implementation plan. On August 30, 2018, the TPO decided to adopt the County consultant's recommendation to use Bus Express Rapid Transit (BERT) as the mode of transportation for the implementation of the South Dade TransitWay.



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**ADDITIONAL INFORMATION**

***SMART Plan***

The Strategic Miami Area Rapid Transit Plan (SMART) was developed by Miami-Dade County and the Planning Organization (TPO) and adopted by the TPO Governing Board on April 21, 2016. The SMART Plan is a comprehensive plan which advances six rapid transit corridors to the Project Development and Environment (PD&E) study phase to determine the costs and potential sources of funding for the project.

<https://www.miamidade.gov/citt/smart-plan.asp>

<http://www.miamidadetpo.org/smartplan.asp>

<http://www.miamidadetpo.org/library/boards/TPO-Governing-Board/Resolutions/2016-26-mpo-board.pdf>

**TPWC Meeting: September 14, 2018**  
**Research Notes**

**Item No. 3E**

**File No. 181914**

**Researcher: PGE Reviewer: TD**

RESOLUTION APPROVING CHANGE ORDER NO. 1 BETWEEN MIAMI-DADE COUNTY AND H & R PAVING, INC. FOR THE PROJECT ENTITLED ROADWAY IMPROVEMENTS ALONG SW 152 STREET, FROM SW 157 AVENUE TO SW 147 AVENUE (PROJECT NO. 20150187), EXTENDING THE CONTRACT DURATION BY 124 NON-COMPENSABLE CALENDAR DAYS; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECTURE SAME

**ISSUE/REQUESTED ACTION**

Whether the Board should authorize Change Order No. 1 between the County and H & R Paving, Inc. for the project entitled "Roadway Improvements along SW 152 Street from SW 157 Avenue to SW 147 Avenue to extend the contract term by 124 non-compensable calendar days.

**APPLICABLE LEGISLATION/POLICY**

Section 2-8.1 of the County Code (Contracts and Purchases Generally) applies to all contracts for public improvements and purchases of all supplies, materials and services other than professional services and (1) requires formal sealed bids for purchases over \$250,000; (2) describes the circumstances under which non-competitive purchases may be approved; (3) establishes requirements for legacy purchases, designated purchases, and single vehicle leases; and (4) provides that procurement procedures shall be established by I.O. and approved by the Board.

[https://library.municode.com/fl/miami -  
dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-8.1COPUGE](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-8.1COPUGE)

Section 2-11.16 of the County Code governs payment to laborers under construction contracts.

[https://library.municode.com/fl/miami -  
dade-county/codes/code-of-ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIINGE\\_S2-11.16COCOCO](https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances?nodeId=PTIICOOR_CH2AD_ARTIINGE_S2-11.16COCOCO)

Administrative Order No. 3-39 sets forth the County's standard process for construction of capital improvements, acquisition of professional services, construction contracting, change orders and reporting.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-39.pdf>

Administrative Order No. 3-28 sets forth the County's policy for classifying, tracking, monitoring, and reporting all change orders under County construction projects.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/AO3-28.pdf>

Implementing Order No. 3-57 establishes a policy for the use of standard construction general conditions by all County departments.

<http://www.miamidade.gov/aopdfdoc/aopdf/pdffiles/IO3-57.pdf>

Resolution No. R-1001-15, adopted by the Board on November 3, 2015, requires contracts with small business measures to meet at least 85 percent of the small business goals applicable to the portion(s) of the contract work performed to date before a change order or contract amendment be considered for Board approval.

<http://intra/gia/matter.asp?matter=151746&file=true&yearFolder=Y2015>

Resolution No. R-525-17, adopted by the Board on May 2, 2017, amended Resolution No. R-1001-15 to except non-compensatory time extensions from the requirement that contracts with small business measures meet at least 85 percent of the small business goals applicable to the portion of the contract work performed to date before a change order or contract amendment be considered for Board or mayoral approval.

<http://intra/gia/matter.asp?matter=170595&file=true&yearFolder=Y2017>

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**Research Notes**

Resolution No. R-1203-10, adopted by the Board on December 7, 2010, directed the County Mayor to standardize construction documents and practices across all County departments.

<http://intra/gia/matter.asp?matter=102577&file=true&yearFolder=Y2010>

Resolution No. R-796-16, adopted by the Board on September 7, 2016, approved a contract in the amount of \$4,932,632.41 to H & R Paving, Inc. for the project entitled “Roadway Improvements along SW 152 Street from SW 157 Avenue to SW 147 Avenue.”

<http://intra/gia/matter.asp?matter=161521&file=true&yearFolder=Y2016>

**PROCEDURAL HISTORY**

**Prime Sponsor: N/A**

**Department/Requester: Transportation and Public Works**

**ANALYSIS**

This item is requesting Board approval to authorize Change Order No. 1 to the contract with H & R Paving, Inc. (H&R) for roadway improvements along SW 152 Street from SW 157 Avenue to SW 147 Avenue to extend the contract term by 124 non-compensable calendar days. The project is located in Districts 9 and 11, represented by Commissioners Moss and Martinez, respectively. The time extension is needed for the following reasons:

- The contract was delayed by 83 calendar days due to conflicts with Florida Power & Light, Comcast, Fibernet and AT&T underground utilities relating to the removal and relocation of their infrastructure;
- The contract was delayed by 12 calendar days due to utility conflicts, requiring additional work from H&R as well as the re-design of the location of a bicycle path/sidewalk, street lights and drainage structures;
- The contract was delayed by 14 calendar days as a result of additional work requested by the County; and
- The contract was delayed by 15 calendar days due to delays relating to Hurricane Irma.

The above-mentioned delays are considered non-compensable.

On September 7, 2018, the Board approved Resolution No. R-796-16, which authorized the contract award to H&R for the roadway improvements along SW 152 ST. The approved contract duration was 468 days, i.e., 425-day contract period and 43-day contingency period, and the approved award amount was \$4,932,632.41. The requested 124-day time extension is comprised of adding 81 days to the original contract and 43 days to the contingency time.

The work consists of widening the existing roadway from two to four lanes with a raised median, sidewalks, curb, gutters, bicycle paths, continuous storm drainage system, signalization, pavement markings and signage and decorative lighting.

The small business measures applicable to the contract are a SBE/GS of 1.10 percent and a SBE/CON of 24.40 percent.

SBE/CON firms: S.S.L. Corp. is to perform the electrical/signalization work at 15.5 percent, Highway Striping, Inc. is to perform striping work at 2.5 percent and Florida City Engineering Contractors, Inc. is to perform concrete sidewalks and concrete curbs at 8.2 percent.

SBE/GS firm: A & B Pipe and Supply, Inc. is to provide pipe valves and fittings to satisfy the 1.10 percent goal.

Of the \$4,932,632.41 contract amount, \$3,418,767 has been paid to H&R, leaving a balance of \$1,513,865.41.

Per the SBD report included in the agenda package, the SBE construction firms meeting the 24.40 percent goal have performed \$641,477.26 of work and been paid \$490,725.17. The SBE goods and services firm meeting the 1.1 percent goal has been paid \$101,790.29, fully satisfying the goal.

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**Research Notes**

H&R is an active Florida for-profit company with its principal (Raul Gonzalez) holding a Construction Financial Officer and Certified General Contractor licenses.

**ADDITIONAL INFORMATION**

In calendar year 2014, there was a negligence action that H&R settled in which the Plaintiff sustained injuries as he slipped and fell over a hidden, uncovered elevation on pavement under H&R's control; see Cole, Samuel v. H&R, Case No. 2014-013994-CA-01, 11th Judicial Circuit, Miami-Dade County.