OFFICIAL FILE COPY
CLERK OF THE BOARD
OF COUNTY COMMISSIONERS
MIAMI-DADE COUNTY, FLORIDA

Memorandum

MIAMI-DADE COUNTY

Date: February 5, 2008

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(J)(1)(B)

Resolution R-104-08

From: George M. Burgess
County Manager

Subject: Resolution Authorizing Execution of a Supplemental Joint Participation Agreement (SJPA) with the Florida Department of Transportation (FDOT) to Provide Additional State Funding for the Flagler MAX Bus Route Service in the Amount of $450,000

RECOMMENDATION

It is recommended that the Board of County Commissioners (Board) approve the execution of a Supplemental Joint Participation Agreement (SJPA) in substantially the form attached with the Florida Department of Transportation (FDOT) to provide additional State funding in the amount of $450,000 for a State Transit Corridor project operating as the Flagler MAX bus route. It is further recommended that the Board authorize the receipt and expenditure of funds as specified in this agreement. No County match is required for this program.

SCOPE

While this route is physically located within Commission Districts 5, 6, 7, 10, 11, and 12, the impact of this route benefits the riding public, and is therefore, countywide.

FISCAL IMPACT/FUNDING SOURCE

Under the State Transit Corridor program, FDOT is providing $450,000 to support continued operation of the Flagler MAX. Since the inception of the Flagler MAX, FDOT has provided approximately $10.5 million in financial assistance in support of this route through its ongoing annual allocations as supported by the Board.

Current annual operating costs for the Flagler MAX are approximately $3.2 million. Although no local match is required to receive the subject $450,000 funding, the balance of the operating costs for this route is provided through MDT's operating revenues, including general fund revenues, as well as proceeds from the Charter County Transit Surtax (Surtax).

TRACK RECORD/MONITOR

MDT has entered into numerous funding agreements with FDOT over the course of more than 25 years. The Project Manager for this SJPA is Doug Greist, Manager, MDT Budget and Management Services.

BACKGROUND

Chapter 341 of the Florida Statutes provides State Transit Corridor funding to relieve traffic congestion and improve road capacity within identified transportation corridors The Flagler MAX was inaugurated in January, 1993, with an initial Transit Corridor Joint Participation Agreement (JPA). FDOT has been providing financial assistance for the operation of the Flagler MAX ever since, with supplemental funding each year.

This route provides limited stop, peak hour, weekday service between the western portion of Miami-Dade County, primarily along West Flagler Street, and Downtown Miami, continuing to Miami Beach via the MacArthur Causeway, and terminating at the Miami Beach Convention Center. For the first nine years of operation (1993-2002), the Flagler MAX operated peak hours only and averaged 1,800 boardings per day. In 2002, midday service was added and ridership has grown to over 4,800 boardings per day.

The most recent Board actions prior to this in support of funding agreements for this route were authorized by Resolution R-1337-05 (December 6, 2005) for $450,000 and Resolution R-1287-06 (November 28, 2006) also for $450,000 in State Funds. The State has provided on-going funding in earlier years of a generally similar amount.

Assistant County Manager

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MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro and Members, Board of County Commissioners

DATE: February 5, 2008

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

SUBJECT: Agenda Item No. 8(J)(1)(B)

Please note any items checked.

_____ **"4-Day Rule" ("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**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)(B)
02-05-08

RESOLUTION NO. R-104-08

RESOLUTION AUTHORIZING EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (SJPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO PROVIDE ADDITIONAL STATE FUNDING IN THE AMOUNT OF $450,000 FOR OPERATION OF THE FLAGLER MAX BUS ROUTE SERVICE; AND AUTHORIZING THE RECEIPT AND EXPENDITURE OF FUNDS AS SPECIFIED IN THE SJPA

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:

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 $450,000 in additional funding to support the operation of the Flagler MAX, a State Transit Corridor project.

Section 2. That this Board further authorizes the Mayor or his designee 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; 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 Joe A. Martinez , who moved its adoption. The motion was seconded by Commissioner Rebeca Sosa and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	aye		
Barbara J. Jordan, Vice-Chairwoman	absent		
Jose "Pepe" Diaz	aye	Audrey M. Edmonson	aye
Carlos A. Gimenez	aye	Sally A. Heyman	aye
Joe A. Martinez	aye	Dennis C. Moss	absent
Dorrin D. Rolle	aye	Natacha Seijas	absent
Katy Sorenson	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of February, 2008. 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: **Kay Sullivan**
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 SIX (6)

Financial Project No.: 40963718407 (item-segment-phase-sequence)	Fund: DDR	FLAIR Approp.: 088774
	Function: 632	FLAIR Obj.: 750013
Contract No.: AK441	Federal No.: N/A	Org. Code: 55062020629
	DUNS No.: 13-572-2747	Vendor No.: F596000573129
Catalog of Federal Domestic Assistance Number: N/A		Catalog of State Financial Assistance Number: 55013

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 AGENCY 701 NW FIRST COURT, SUITE 1600 MIAMI FL 33136 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 11th day of March ,2002, 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 $3,287,500.00.

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 Department Transit Corridor Program funding for continuation of the FLAGLER MAX (Bus Route No. 51) from western Miami-Dade County to Miami Beach. State Participation Rate is 100% for eligible project expenses.

2.00 Project Cost:

Paragraph 3.00 of said Agreement is increased by $450,000.00

bringing the revised total cost of the project to $ 3,287,500.00 .

Paragraph 4.00 of said Agreement is increased by $450,000.00

bringing the Department's revised total cost of the project to $ 3,287,500.00 .

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 31st ,2009 .

Financial Project No. 40963718407

Contract No. AK441

Agreement Date _____

Except as hereby modified, amended or changed, all other terms of said Agreement dated March 11th 2002 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
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

Director of Transportation Systems Development-D6
TITLE

Financial Project No. 40963718407

Contract No. AK441

Agreement Date _____

ATTACHMENT "A"
SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and MIAMI-DADE TRANSIT AGENCY 701 NW FIRST COURT, SUITE 1600 MIAMI FL 33136 dated 3/11/2002 .

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):
Additional state funding for FLAGLER MAX bus route operations.

I.	Project Cost:	As Approved	As Amended	Net
		$2,837,500.00	$3,287,500.00	$450,000.00
	Total Project Cost	$2,837,500.00	$3,287,500.00	$450,000.00

I.	Fund	As Approved	As Amended	Net
	Department:	$2,837,500.00	$3,287,500.00	$450,000.00
	Agency:	$0.00	$0.00	$0.00
		$0.00	$0.00	$0.00
	Total Project Cost	$2,837,500.00	$3,287,500.00	$450,000.00

Comments:

The Job FI989HLR; user I.D. FI989HL <MVS@DOT>
08/07/2007 03:28 PM

To PT629EC@dot.state.fl.us
cc
bcc
Subject FUNDS APPROVAL/REVIEWED FOR CONTRACT AK441

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
FUNDS APPROVAL

Contract #AK441 Contract Type: AH Method of Procurement: G
Vendor Name: MIAMI-DADE TRANSIT AGENCY
Vendor ID: VF596000573129
Beginning date of this Agmt: 03/11/02
Ending date of this Agmt: 12/31/09
Contract Total/Budgetary Ceiling: ct = $3,287,500.00

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Description:
MDTA-SJPA NO. 6. FLAGLER MAX Bus Route. 100% SPR. 40963718401

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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

55 062020629 *PT *750013 * 450000.00 *40963718407 *632 *
2008 *55100100 *088774/08
S006 *00 * SIX *0009/04

TOTAL AMOUNT: *$ 450,000.00 *

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER
DATE: 08/07/2007