

Memorandum



Date: October 5, 2021

Agenda Item No. 2(B)(6)

To: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

From: Daniella Levine Cava
Mayor

Subject: Seaport Department Quarterly Report of Public Transportation Grant Agreement
between April 1, 2021 through June 30, 2021

Recommendation

It is recommended that the Board of County Commissioners (Board) accept the Quarterly Report of executed Public Transportation Grant Agreement (PTGA), previously known as Joint Participation Agreement (JPA), between April 1, 2021 through June 30, 2021 with the Florida Department of Transportation (FDOT), District VI and Miami-Dade County

Scope

PortMiami is located within District 5, which is represented by Commissioner Eileen Higgins. The impact of this agenda item is countywide as PortMiami is a regional asset and generates employment for residents throughout all of Miami-Dade County.

Fiscal Impact/Funding Source

The attached report includes the execution of three (3) Public Transportation Grant Agreements (PTGAs):

- (1) PortMiami Passenger Boarding Bridge, Contract G1Q06, in the amount of \$2.3 million;
- (2) PortMiami Cruise Terminal Improvements, Contract G1Q07, in the amount of \$4.25 million; and
- (3) PortMiami Upland Cargo Improvements, Contract G1Y84, in the amount of \$18.34 million.

The report also includes an execution of a Termination to Joint Participation Agreement for the purchase of new Super Post-Panamax Gantry Cranes, Contract AQH82, in the amount of \$18.34 million. These funds were transferred to Contract G1Y84 referenced above.

Track Record/Monitor

The Seaport Department staff members responsible for monitoring this report are Basil A. Binns, II, Assistant Port Director, Administration and Cruise Development, and Kelli V. Gay, Seaport Grants Administration.

Background

On June 15, 2021, the Board of County Commissioners approved Resolution No. R-598-21, which, among other things, authorized the County Mayor or County Mayor's designee to execute grant agreements, supplemental grant agreements, and related amendments in connection therewith, for the application, receipt and expenditure of funds for various Seaport capital projects and/or operating costs from available state or federal funding sources. The resolution further directed quarterly reports listing Seaport related grant agreements, supplemental grant agreements, or amendments executed during the previous quarter to be reported to the Board.

A report of all grant agreements for the period April 1, 2021 through June 30, 2021 is attached.

Jimmy Morales
Chief Operations Officer



**Seaport Department Quarterly Report
Administratively Approved Public Transportation Grant Agreements
Reporting Period: April 1st, 2021 through June 30th, 2021**

Resolution No. R-598-21 adopted on June 15, 2021 authorized the County Mayor or County Mayor's designee to execute grant agreements, supplemental grant agreements, and related amendments in connection therewith, for the application, receipt and expenditure of funds for various Seaport capital projects and/or operating costs from available state or federal funding sources.

Document Type	Title	Execution Date	Expiration Date	Total Project Cost	FDOT Participation	Seaport Participation	Purpose
Termination to JPA Contract No. AQH82	Gantry Container Cranes / Infrastructure Improvements	05/26/2021	-	\$54,618,378	\$27,309,189	\$27,309,189	Seaport and FDOT agreed to terminate this agreement to utilize remaining grant balance of \$18,340,024 under new PTGA G1Y84
PTGA Contract No. G1Q06	PortMiami Passenger Boarding Bridges	06/03/2021	12/31/2025	\$4,600,000	\$2,300,000	\$2,300,000	Provides funding for the purchase of passenger boarding bridges to accommodate berthing of cruise vessels
PTGA Contract No. G1Q07	PortMiami Cruise Terminal Improvements	06/03/2021	12/31/2025	\$8,500,000	\$4,250,000	\$4,250,000	Provides funding for the renovation, upgrades, and construction of existing and new cruise terminal building
PTGA Contract No. G1Y84	PortMiami Upland Cargo Improvements	06/29/2021	06/30/2026	\$36,680,048	\$18,340,024	\$18,340,024	Provides funding for the Port's upland cargo improvements and traffic conveyance initiative

Memorandum



Date: June 15, 2021

To: Honorable Chairman Jose “Pepe” Diaz
and Members, Board of County Commissioners

Agenda Item No. 8(J)(1)

From: Daniella Levine Cava
Mayor

Resolution No. R-598-21

Subject: Resolution Authorizing the Application, Receipt and Expenditure of Grant Funds for Seaport Capital Projects and/or Operating Costs from Available State or Federal Funding Sources and Authorizing the County Mayor or County Mayor’s Designee to Execute Grant Agreements, Supplemental Grant Agreements, and Related Amendments in Connection therewith

Recommendation

It is recommended that the Board of County Commissioners (“Board”) approve the accompanying resolution (1) authorizing the application, receipt and expenditure of grant funds for Seaport Department (“Seaport”) capital projects and/or operating costs from available state or federal funding sources, notwithstanding any limitations contained in Resolution No. R-1170-06 if any required matching funds are legally available for such use; (2) authorizing the County Mayor or County Mayor’s designee to execute grant agreements, supplemental grant agreements, and related amendments in connection therewith; and (3) directing the County Mayor or County Mayor’s designee to report to the Board on a quarterly basis if any Seaport-related grant agreements, supplemental grant agreements, or amendments are entered during the preceding quarter.

Scope

PortMiami is located within County Commission, which is represented by Commissioner Eileen Higgins. The impact of this agenda item is countywide, as the Port is a regional asset and generates employment for residents throughout Miami-Dade County.

Background

Throughout the years, the Seaport has been successful in securing grant funds from various state and federal programs. This funding has played a significant role in financing port transportation and port facilities projects which improve the movement and intermodal transportation of cargo and passengers. Funds from these various programs are utilized to fund projects on a matching basis.

In order to be eligible to apply for available grant funds, state and federal agencies typically require applicants to abide by strict application deadlines, which may not afford sufficient time for the administration to seek and obtain prior Board approval of each grant sought. To maximize the Seaport’s ability to timely apply for available state and federal grants, this Board has previously authorized the application, receipt and expenditure of grant funds for Port security and mitigation costs (Resolution No. R-390-05) and authorized the execution of certain standard form joint participation agreements and supplemental joint participation agreements with various departments of the State of Florida (Resolution No. R-1434-04).

Through the years, these prior Board delegations have enabled the Seaport Department to timely and successfully obtain millions of dollars of state and federal grant dollars.

Due to certain agencies recently changing the names of their respective grant agreements (i.e., Florida Department of Transportation’s standard form agreement, formerly known as a “Joint Participation Agreement” or “JPA,” is now a “Public Transportation Grant Agreement”), the above-described resolutions authorizing the Seaport to apply for, obtain, and expend state and federal grant funds need to be updated to comport with these recent changes in grant terminology. The proposed item reaffirms the intent of Resolution Nos. R-1434-04 and R-390-05, and further clarifies that, notwithstanding the limitations contained in Resolution No. R-1170-06, the County Mayor or County Mayor’s designee is authorized to apply for, receive, and expend grant funds for Seaport capital or operating costs from any available federal or state funding source and to enter into Seaport-related grant agreements, supplemental grant agreements, and related amendments on behalf of the County, after review and approval of same by the County Attorney’s Office. As did Resolution R-1434-04, this item also directs the administration to provide the Board with quarterly reports identifying each grant agreement, supplemental grant agreement, and related amendment entered into during the prior quarter.

Delegation of Authority


This resolution, delegates authority to the County Mayor or County Mayor’s designee to apply for, receive, and expend grant funds for Seaport capital projects and/or operating costs from any available state or federal funding sources, to execute Seaport-related grant agreements, supplemental grant agreements, and amendments thereto, and to exercise all rights conferred therein not otherwise reserved to the Board.

Fiscal Impact/Funding Source

This item authorizes the County Mayor or the County Mayor’s designee to enter into grant agreements, supplemental grant agreements, and amendments thereto for various PortMiami capital improvement projects and/or operating costs. Though each of the grants will have a positive fiscal impact, there is no anticipated new adverse fiscal impact associated with approval of this item as Seaport-related grant agreements and supplemental agreements authorized hereunder will be executed only after the Board approves each respective capital project for which funds are being requested.

Track Record/Monitor

The Seaport Department staff members responsible for monitoring the grant agreements Basil A. Binns, II, Assistant Port Director, Administration and Cruise Development, and Kelli V. Gay, Seaport Grants Administration.



Jimmy Morales
Chief Operations Officer



MEMORANDUM
(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: June 15, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(J)(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
- 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 present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved Daniella Lane Carr Mayor
Veto _____
Override _____

Agenda Item No. 8(J)(1)
6-15-21

RESOLUTION NO. _____ R-598-21

RESOLUTION AUTHORIZING THE APPLICATION, RECEIPT, AND EXPENDITURE OF GRANT FUNDS FOR SEAPORT DEPARTMENT CAPITAL PROJECTS AND/OR OPERATING COSTS FROM ANY AVAILABLE STATE OR FEDERAL FUNDING SOURCES, NOTWITHSTANDING ANY LIMITATIONS CONTAINED IN RESOLUTION NO. R-1170-06; AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE GRANT AGREEMENTS, SUPPLEMENTAL GRANT AGREEMENTS, AND RELATED AMENDMENTS IN CONNECTION THEREWITH AND TO EXERCISE ALL RIGHTS CONFERRED THEREIN; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO REPORT TO THE BOARD ON A QUARTERLY BASIS ANY SEAPORT RELATED GRANT AGREEMENTS, SUPPLEMENTAL AGREEMENTS, OR AMENDMENTS ENTERED DURING THE PRECEDING QUARTER

WHEREAS, this Board desires to accomplish the purposes 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 this Board:

Section 1. Authorizes the application, receipt, and expenditure of grant funds for Seaport Department ("Seaport") capital projects, operating costs, or any combination thereof from any available state or federal funding sources, notwithstanding any limitations contained in Resolution No. R-1170-06 if any required matching funds are legally available for such use.

Section 2. Authorizes the County Mayor or County Mayor's designee to execute Seaport-related grant agreements, supplemental grant agreements, and amendments to either, after review and approval by the County Attorney's Office, and to exercise all rights conferred therein, including any rights of renewal, extension, or termination.

Section 3. Directs the County Mayor or County Mayor’s designee to report to the Board on a quarterly basis, in accordance with Ordinance No. 14-65, if Seaport-related grant agreements, supplemental agreements, or amendments are entered during the preceding quarter.

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

	Jose “Pepe” Diaz, Chairman	aye	
	Oliver G. Gilbert, III, Vice-Chairman	aye	
Sen. René García	aye	Keon Hardemon	aye
Sally A. Heyman	aye	Danielle Cohen Higgins	aye
Eileen Higgins	aye	Joe A. Martinez	aye
Kionne L. McGhee	aye	Jean Monestime	aye
Raquel A. Regalado	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	aye		

The Chairperson thereupon declared this resolution duly passed and adopted this 15th day of June, 2021. 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: **Melissa Adames**
Deputy Clerk



Approved by County Attorney as to form and legal sufficiency.

MAG

Miguel A. Gonzalez