

Memorandum



Date: May 4, 2021

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

Agenda Item No. 8(N)(8)

From: Daniella Levine Cava
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

Resolution No. R-440-21

Subject: Resolution Authorizing the County Mayor to Execute a Grant Application with the Federal Transit Administration for Up to \$126,000,000.00 in Fiscal Year 2021, Sections 5307, 5337, 5339 Formula Programs and Federal Highway Administration Flex Funding

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the terms of and authorize the Miami-Dade County (County) Mayor or County Mayor's designee to execute a grant application on behalf of the County with the United States Department of Transportation (USDOT), Federal Transit Administration (FTA) for up to \$126,000,000.00 in Fiscal Year (FY) 2021 Formula Grant Programs. The total estimated amount includes appropriated FTA funds allocated up to \$56,000,000 for Section 5307 Urbanized Area Formula, up to \$32,000,000.00 for Section 5337 State of Good Repair Formula and up to \$7,000,000.00 for Section 5339 Bus and Bus Facilities Formula grant programs. DTPW will also include as part of this grant application, \$30,120,646.00 in flexible funding transferred from the Federal Highway Administration (FHWA) to the FTA Section 5307 Program. It is further recommended that the Board authorize the receipt and expenditure of funds, as specified in the Agreement.

A public hearing is required in accordance with federal regulations.

Scope

These funds will provide support for multiple bus and rail projects, vanpool and paratransit services and a security project. Therefore, the impact of these grants is countywide.

Fiscal Impact/Funding Source

This item represents a positive fiscal impact to the County because it provides funding to the Department of Transportation and Public Works (DTPW). The required local match up to \$31,500,000.00 will be provided in full by the Florida Department of Transportation using State Transportation Development Credits as a "soft match" for this grant.

The Fixing America's Surface Transportation ACT (FAST Act) authorizes state transportation departments to make available to public transit agencies the use of transportation development credits on selected federally assisted public transit capital projects. By using the credits to substitute the required non-federal share on a new federal-aid project, the federal share can effectively be increased to 100 percent.

Track Record/Monitor

The Grant Manager for this Agreement is Ed Carson, Manager, Grants Administration, DTPW.

Delegated Authority

In accordance with Section 2-8.3 of the Miami-Dade Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the resolution which includes authority for the Mayor and Mayor’s designee to execute the agreement and receive and expend these and any additional funds should they become available.

Background

On December 4, 2015, President Obama signed into law the FAST Act, which provides long-term funding for the 21st Century transportation system. There were no major changes to the current FTA formula grant programs, which include the Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair and Section 5339 Bus and Bus Facilities.

The FTA annually publishes the apportioning funds appropriated by law for these formula grant programs. The Miami Urbanized Metropolitan Area anticipates receiving up to \$170,609,739.00 in FY 2021 federal formula funds to be divided among the Miami Urbanized Metropolitan Area (Miami-Dade, Broward, and Palm Beach counties and the South Florida Regional Transportation Authority (SFRTA)). The amount of funding each agency receives is based upon the apportioned funds, information from the National Transit Database and the appropriate formula established by the FTA. The agency directors within the Urbanized Metropolitan Area mutually agree on the final apportionment to each agency.

The Section 5307 Formula program makes federal funding available to urbanized areas for public transportation capital, planning, job access and reverse commute projects and use of certain expenditures by vanpool operators and operating assistance in areas with populations greater than 200,000 operating a maximum of 100 buses in fixed-route service during peak hours (rail fixed guideway excluded). For urbanized areas with populations of 200,000 and more, the formula is based on a combination of bus revenue vehicle miles, bus passenger miles, fixed guideway revenue miles, and fixed guideway route miles, as well as population, population density and number of low-income individuals.

DTPW anticipates receiving up to \$56,000,000.00 based upon the funds appropriated by law for the Section 5307 Urbanized Area Formula program. DTPW will also include as part of this grant application \$30,120,646.00 in flex funds transferred from the FHWA to the FTA 5307 Program for a total of up to \$86,120,646.00.

The proposed projects expected to be funded up to \$86,120,646.00 under the FY 2021 FTA Section 5307 program for DTPW include:

- Upgrade to LED lighting – Palmetto Metrorail Station (part of required 1% program allocation for security projects)
- Palmetto Metrorail Station (part of required 1% program allocation for security projects)
- Preventive Maintenance (Bus)
- Preventive Maintenance (Rail)
- Special Transportation Services (STS)
- Metromover – Train Control Equipment – Wayside Overhaul – Engineering/Design
- Metromover – Train Control Equipment – Wayside Overhaul – Construction Engineering Inspection
- Metromover-Train Control Equipment- Wayside Overhaul - Construction
- Lease/Purchase Financing for Transit Buses
- Guideway Bridge Inspection
- Miami-Springs-Okeechobee Station Smart Trail Connector

Projects funded under the Section 5337 State of Good Repair Formula program are limited to replacement and rehabilitation of existing fixed guideway systems or capital projects required to maintain public transportation systems in a state of good repair. Funds are apportioned to urbanized areas with fixed guideway systems in operation for at least seven years and a new modified formula. The proposed DTPW project expected to be funded up to \$32,000,000.00 under the FY 2021 Section 5337 program include:

- Preventive Maintenance (Rail)

The Section 5339 Bus and Bus Facilities Formula program provides funding to replace, rehabilitate and purchase buses and related equipment and construct bus-related facilities and use of certain expenditures by vanpool operators. The formula is based upon population, vehicle revenue miles and passenger miles. The proposed DTPW projects expected to be funded up to \$7,000,000.00 under the FY 2021 Section 5339 program includes:

- Electric Buses
- Special Transportation Services – Capital Cost of Contracting
- Vanpool Program – Capital Cost of Contracting

Upon approval by the Board, DTPW as an eligible designated recipient of federal funding, will submit a single grant application to the FTA, which will include the funding and projects for each formula grant program.



Jimmy Morales
Chief Operations Officer



MEMORANDUM

(Revised)

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

DATE: May 4, 2021

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(8)

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 _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(8)
5-4-21

RESOLUTION NO. R-440-21

RESOLUTION APPROVING TERMS OF AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE AND FILE A GRANT APPLICATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) FEDERAL TRANSIT ADMINISTRATION (FTA) FOR UP TO \$126,000,000.00 IN FISCAL YEAR (FY) 2021 SECTION 5307 URBANIZED AREA FORMULA, SECTION 5337 STATE OF GOOD REPAIR FORMULA, SECTION 5339 BUS AND BUS FACILITIES FORMULA AND FTA SECTION 5307 FLEXIBLE PROGRAM FUNDS; AND AUTHORIZING RECEIPT AND EXPENDITURE OF FUNDS PURSUANT TO SUCH APPLICATION AND AGREEMENT AND OF ANY ADDITIONAL FUNDS AS SPECIFIED IN THE AGREEMENT SHOULD SUCH FUNDS BECOME AVAILABLE

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

WHEREAS, a public hearing has been conducted on Miami-Dade County's application for Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula, Section 5339 Bus and Bus Facilities Formula and Federal Highway Administration flexible funds transferred to the FTA Section 5307 program, as described in the County Mayor's accompanying memorandum,

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

Section 1. This Board approves the terms of and authorizes the County Mayor or County Mayor's designee to execute and file a grant application and agreement with the USDOT, FTA in substantially the form of the template attached to this resolution for up to \$126,000,000.00 in FY 2021 Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula,

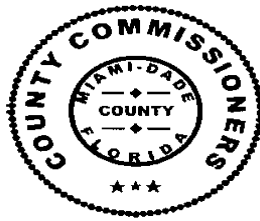
Section 5339 Bus and Bus Facilities Formula program and FTA Section 5307 Flex Funds and provide all necessary supporting documentation.

Section 2. This Board authorizes receipt and expenditure of funds received pursuant to such application and agreement and further authorizes receipt and expenditure of any additional funds as specified in the agreement in substantially the form of the template attached to this resolution should they become available.

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:

Jose “Pepe” Diaz, Chairman	aye		
Oliver G. Gilbert, III, Vice-Chairman	aye		
Sen. René García	aye	Keon Hardemon	absent
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 4th day of May, 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

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "B. Libhaber", written over a horizontal line.

Bruce Libhaber

Application

Federal Award Identification Number (FAIN)	1089-2021-1
Temporary Application Number	1089-2021-1
Application Name	Super Grant; FY 2021 FTA Sec 5307, 5337 HI-Fixed Guideway, 5337- HI-Motorbus, 5339 Formula Funds and FHWA Flex Transfer to 5307 DTPW; Miami, FL
Application Status	In-Progress
Application Budget Number	0

Period of Performance Start Date	N/A
Original Period of Performance End Date	3/30/2027
Current Period of Performance End Date	N/A Revision #: N/A

Part 1: Recipient Information

Name: Miami-dade, County Of

Recipient ID	Recipient OST Type	Recipient Alias	Recipient DUNS
1089	County Agency	Miami Dade Department of Transportation and Public Works	135722747

Location Type	Address	City	State	Zip
Headquarters	111 NW FIRST ST STE 2550	MIAMI	FL	331281933
Physical Address	701 NW FIRST CT STE 1300	MIAMI	FL	33136
Mailing Address	111 NW 1ST	MIAMI	FL	33128

Union Information

Union Name	TRANSPORT WORKERS UNION Local 291
Address 1	6355 NW 36th Street
Address 2	Suite # 502
City	Virginia Gardens
State	FL
Zipcode	33166
Contact Name	Jeffrey Mitchell
Telephone	(786) 586-7851
Fax	
E-mail	291unionman@gmail.com
Website	
Union Name	Government Supervisors Association of Florida(GSAF), Supervisory & Professional, Local 100
Address 1	3600 Red Road, Ste. 405
Address 2	
City	Miramar
State	Florida
Zipcode	33025
Contact Name	Greg Blackman
Telephone	305-477-9644
Fax	
E-mail	gsafgreg@bellsouth.net
Website	
Union Name	American Federation of State, County and Municipal Employees (AFSCME), Local 199
Address 1	6405 NW 36th Street
Address 2	Ste. 113
City	Miami
State	Florida
Zipcode	33166
Contact Name	SeAdoreia Brown
Telephone	305-805-1075
Fax	
E-mail	seadoreia@gmail.com
Website	

Part 2: Application Information

Title: Super Grant; FY 2021 FTA Sec 5307, 5337 HI-Fixed Guideway, 5337- HI-Motorbus, 5339 Formula Funds and FHWA Flex Transfer to 5307 DTPW; Miami, FL

FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
1089-2021-1	In-Progress	Grant	11/19/2020	11/19/2020	No

Application Executive Summary

DTPW is requesting this super grant.

Frequency of Milestone Progress Reports (MPR)

No Selection Made

Frequency of Federal Financial Reports (FFR)

No Selection Made

Does this application include funds for research and/or development activities?

This award does not include research and development activities.

Pre-Award Authority

This award is using Pre-Award Authority.

Does this application include suballocation funds?

Recipient organization is the Designated Recipient and can apply for and receive these apportioned funds.

Will this Grant be using Lapsing Funds?

No Selection Made

Will indirect costs be applied to this application?

This award is applying an approved Indirect cost rate(s).

Indirect Rate Details: Indirect costs will be applied to the Preventive Maintenance (PM) Bus activities for the period of 10/1/2020 through 09/30/20. The Cost allocation plan for Fiscal Year 2021 is attached in documents section.

Requires E.O. 12372 Review

No, this application does not require E.O. 12372 Review.

Delinquent Federal Debt

No, my organization does not have delinquent federal debt.

Application Point of Contact Information

First Name	Last Name	Title	E-mail Address	Phone
Edward	Carson	Manager - Grant Administration	ecarson@miamidade.gov	786-469-5545

Application Budget Control Totals

Application Budget

Project Number	Budget Item	FTA Amount	Non-FTA Amount	Total Eligible Amount	Quantity
	(-)				

Discretionary Allocations

This application does not contain discretionary allocations.

Part 3: Project Information

Part 4: Fleet Details

No fleet data exists for this application.

Part 5: FTA Review Comments

There are no review comments to display at this time.

Part 6: Agreement

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
(FTA G-27, October 1, 2020)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official signs this Grant Agreement, FTA has obligated and awarded federal assistance as provided below. Upon execution of this Grant Agreement by the Recipient named below, the Recipient affirms this FTA Award, enters into this Grant Agreement with FTA, and binds its compliance with the terms of this Grant Agreement.

The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(27), October 1, 2020, <http://www.transit.dot.gov>,
- (2) The Certifications and Assurances applicable to the FTA Award that the Recipient has selected and provided to FTA, and

(3) Any Award notification containing special conditions or requirements, if issued.

WHEN THE TERM "FTA AWARD" OR "AWARD" IS USED, EITHER IN THIS GRANT AGREEMENT OR THE APPLICABLE MASTER AGREEMENT, "AWARD" ALSO INCLUDES ALL TERMS AND CONDITIONS SET FORTH IN THIS GRANT AGREEMENT.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE RECIPIENT DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING FTA's AWARD DATE SET FORTH HEREIN.

FTA AWARD

Federal Transit Administration (FTA) hereby awards a Federal Grant as follows:

Recipient Information

Recipient Name: Miami-dade, County Of

Recipient ID: 1089

DUNS No: 135722747

Application Information

Federal Award Identification Number: 1089-2021-1

Application Name: Super Grant; FY 2021 FTA Sec 5307, 5337 HI-Fixed Guideway, 5337- HI-Motorbus, 5339 Formula Funds and FHWA Flex Transfer to 5307 DTPW; Miami, FL

Application Start Date: N/A

Original Award End Date: 3/30/2027

Current Award End Date: N/A

Application Executive Summary: DTPW is requesting this super grant.

Research and Development: This award does not include research and development activities.

Indirect Costs: This award is applying an approved Indirect cost rate(s).

Suballocation Funds: Recipient organization is the Designated Recipient and can apply for and receive these apportioned funds.

Pre-Award Authority: This award is using Pre-Award Authority.

Application Budget

Total Application Budget:

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars):

Amount of Non-Federal Funds Committed to This FTA Action (in U.S. Dollars):

Total FTA Amount Awarded and Obligated (in U.S. Dollars):

Total Non-Federal Funds Committed to the Overall Award (in U.S. Dollars):

Application Budget Control Totals

(The Budget includes the individual Project Budgets (Scopes and Activity Line Items) or as attached)

(The Transportation Development Credits are not added to the amount of the Total Award Budget.)

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Original Certification Date:

Special Conditions

There are no special conditions.

FINDINGS AND DETERMINATIONS

By signing this Award on behalf of FTA, I am making all the determinations and findings required by federal law and regulations before this Award may be made.

FTA AWARD OF THE GRANT AGREEMENT

Awarded By:

FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
Contact Info:
Award Date:

EXECUTION OF THE GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Recipient, the Effective Date will be the date FTA or the Federal Government awarded Federal assistance for this Grant Agreement.

By executing this Grant Agreement, the Recipient intends to enter into a legally binding agreement in which the Recipient:

- (1) Affirms this FTA Award,
- (2) Adopts and ratifies all of the following information it has submitted to FTA:
 - (a) Statements,
 - (b) Representations,

- (c) Warranties,
- (d) Covenants, and
- (e) Materials,
- (3) Consents to comply with the requirements of this FTA Award, and
- (4) Agrees to all terms and conditions set forth in this Grant Agreement.

Executed By:

Miami-dade, County Of