

Date: January 17, 2023

To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

Agenda Item No. 8(N)(2)

From: Daniella Levine Cava
Mayor

Resolution No. R-24-23

Subject: Supplemental Agreement No. 1 to the Professional Services Agreement with HNTB Corporation for Transit and Public Works Projects; Increasing the Contract Amount by \$44,000,000; and Authorizing the Use of Charter County Transportation Surtax Funds for Such Purposes

Executive Summary:

The purpose of this item is to gain approval from the Board of County Commissioners (Board) for Supplemental Agreement No. 1 to the Professional Services Agreement with HNTB Corporation to support and expedite the development of a design criteria package for the North Corridor of the SMART Program. HNTB was selected because of its experience with the North Corridor. The supplemental agreement increases HNTB's contract amount by \$44 million, to a maximum compensation of \$49,500,000 (inclusive of a 10 percent contingency) with the objective of advancing the expedited delivery of the North Corridor of the Strategic Miami Area Rapid Transit (SMART) Program.

The supplemental agreement is to be funded by the People's Transportation Plan (PTP) Bond Program. This action is consistent with the Board's policy set forth in Resolution No. R-1139-22 on November 15, 2022, which directed the County Mayor or Mayor's designee to take all actions necessary to accelerate the implementation of the North Corridor as an elevated fixed guideway solution, including, but not limited to, expediting engineering design, procurement, right-of-way acquisition, and construction.

The approval of this supplemental agreement enables the Department of Transportation and Public Works (DTPW) to initiate engineering design efforts to facilitate future phases of the program, including land acquisition. The right-of-way phase is in the project's critical path; the supplemental agreement will assist in right-of-way engineering and support the department in acquisition. The amended agreement will also provide for the development of a design criteria package to procure the construction of the project on an accelerated basis utilizing alternative project delivery methods. This expedited approach represents the department's greatest opportunity to pursue federal funding through the Infrastructure Investment and Jobs Act within a limited timeframe (under four years) as well as other programs that otherwise would not be available to support the corridor. If not for this approach, the potential to secure and leverage federal funds would be significantly diminished.

The project design shall include an elevated fixed guideway transit system along NW 27th Avenue connecting to the Martin Luther King, Jr. Metrorail Station and extending to the vicinity of NW 215th Street in accordance with the locally preferred alternative (LPA) adopted by the Miami-Dade Transportation Planning Organization (TPO). FDOT is responsible for the PD&E Study given that NW 27th Avenue is a State facility. This approach allows for PD&E and design to run in parallel for an

accelerated delivery while pursuing funding opportunities within the limited timeframe remaining in federal infrastructure programs that is separate from the ongoing FDOT NEPA analysis.

This scope of work was included in the associated Notice to Professional Consultants (NTPC) for transit and public works projects as well as the executed Professional Services Agreement. Both the NTPC and the executed agreement contemplated not only the development of design criteria packages but also any and all engineering services necessary to advance the SMART Plan. Accordingly, though the size of the project has expanded, these services were contemplated under the original competitive solicitation and memorialized in the executed PSA.

Recommendation

This item recommends Board approval of the attached Supplemental Agreement No. 1 to the Professional Services Agreement (PSA) between HNTB Corporation and Miami-Dade County (Contract No. CIP215-DTPW19-DE4) for consultant services to support transit and public works projects. Supplemental Agreement No. 1 increases the contract amount by \$44,000,000, inclusive of a 10 percent contingency allowance, to expedite the delivery of the North Corridor SMART Program project. Furthermore, it is recommended that the Board authorize the use of Charter County Transportation Surtax Funds for this purpose.

Scope

The project location is NW 27th Avenue from approximately NW 62nd Street to NW 215th Street within Commission District 1, represented by Chairman Oliver G. Gilbert, III, and Commission District 2, represented by Commissioner Marleine Bastien. However, as the project promotes connectivity to the entire transit system, it is countywide in nature.

Delegated Authority

In accordance with Section 2-8.3 of the County Code related to identifying delegation of Board authority, there are no authorities beyond that specified in the original resolution, which includes authority for the County Mayor or County Mayor's designee to execute this Supplemental Agreement.

Fiscal Impact/Funding Source

The fiscal impact of Supplemental Agreement No. 1 is in the amount of \$44,000,000 (inclusive of a base amount of \$40,000,000 with a contingency amount of \$4,000,000). This supplemental agreement is to be funded by the People's Transportation Plan (PTP) Bond Program from Program No. 672670, Project 3002320 – Planning and PD&E for the North Corridor from Volume 2 of the FY 2022-23 Adopted Budget and Multi-Year Capital Plan and PTP Capital Reserve Fund in an amount not to exceed the amount approved in the FY 2022-23 budget or as subsequently amended. DTPW will request a budget amendment to add funding for FY 2022-23 if additional expenditure is required and will include increased budget expenditure authority for subsequent fiscal years.

Track Record/Monitor

Josenrique Cueto, P.E., DTPW Deputy Director and Chief Project Delivery Officer, is responsible for monitoring this Project.

Background

Miami-Dade County's SMART Program is advancing six of the People's Transportation Plan (PTP) rapid transit corridors with the objective of implementing efficient and effective mass transit projects,

promoting countywide connectivity and mobility. An estimated 1.7 million of Miami-Dade County's residents live within a two-mile radius of the SMART Program transit extensions, representing approximately 63 percent of the County's population. The North Corridor will create an important transit link between north and central Miami-Dade County as well as to south Broward County.

The North Corridor extension runs along NW 27th Avenue, extending from the Martin Luther King Jr. Metrorail Station to NW 215th Street, near the Miami-Dade/Broward County line. This roadway is a key component of the transportation system as it is one of the few continuous north-south arterial corridors in Miami-Dade County. It serves as a gateway to the central part of the South Florida region to the north. The project would provide critically needed mobility and access to jobs and educational facilities as well as opportunities for future transit-oriented developments.

On November 15, 2022, the Board adopted Resolution No. R-1139-22 which directed the Mayor to conclude the ongoing public-private partnership procurement process for the development of the North Corridor and pursue an accelerated approach to the delivery of an elevated fixed guideway transit solution. Additionally, due to the location of the North Corridor within a State of Florida facility (NW 27th Avenue), the resolution urged the Florida Department of Transportation (FDOT) to finalize the National Environmental Policy Act processes for the project and work closely with DTPW to provide assistance with relation to right-of-way acquisition, permitting, and construction phasing to achieve expedited project completion.

After analyzing alternatives for the accelerated delivery of the project within the context of regulatory, funding, and other drivers, it has been determined that the development of a design criteria package to support a future design-build solicitation of the North Corridor would place Miami-Dade County in the best position to expedite advancing the project. This approach provides the greatest flexibility to move various processes forward in parallel and engage stakeholders with the objective of accelerating the program.

On February 1, 2022, the Board adopted Resolution No. R-124-22 to approve a professional services agreement with five consulting firms, including HNTB Corporation, to provide non-exclusive professional and technical services to support DTPW with infrastructure facilities and system engineering, planning, analysis and design for transit park and rides, guideways and facility needs in addition to supporting SMART Plan corridor studies and design in an amount not to exceed \$5,500,000 per firm.

HNTB has undertaken a significant amount of prior work on behalf of Miami-Dade County specific to the North Corridor, including the Corridor Optimization report in 2020 and its assistance as owner's representative developing and reviewing technical documents for the project. This experience has enabled a comprehensive understanding of the corridor, project dynamics, and the surrounding community that places the firm in a unique position to take the engineering and other services forward in an expeditious and accelerated manner. Furthermore, HNTB's previous work identified strategies to significantly reduce the project's capital costs that will be incorporated into this effort. Its team also includes highly qualified staff with the requisite transit and FDOT experience that will be essential in delivering the project successfully.

The North Corridor of the SMART Program involves the extension of nine miles of elevated heavy rail from the Martin Luther King Metrorail station to the Miami-Dade/Broward County Line. The project includes the construction of eight stations and five park-and-rides. To accelerate the completion of the project, a phasing strategy will be employed to construct the eight-mile extension of track including Miami Dade College Station and a terminal station at NW 199th Street (Hardrock Stadium) as a first phase and the remainder of the project (additional stations and park-and-ride facilities) as a second phase. This approach significantly reduces project execution time due to the reduced land acquisition requirements.

Supplemental Agreement No. 1 will support the development of a design criteria package for the North Corridor of the SMART Program. The scope of this effort will include preparing design documents for use by DTPW in procuring a design-build contract for the delivery of the corridor. Design criteria package will include activities such as utility coordination, geotechnical exploration, surveying, traffic management planning, guideway alignment, development of station and park-and-ride locations, preparation of roadway typical sections, development of landscaping opportunity plans, typical station design, typical park-and-ride facility design, safety and security planning, public information and engagement, and procurement support.

As a firm, HNTB has assisted transit agencies across the country deliver large, complex, and critical projects similar to the North Corridor. These include the Brightline from Miami to Orlando, FL; SunRail in Orlando, FL; Red Line Extension in Chicago, IL; Sound Transit East Link Extension in Seattle, WA; Crenshaw/LAX Transit Tunnel in Los Angeles, CA; and BART's Link21 in San Francisco, CA. The firm has over 5,000 professionals nationwide and is prepared to mobilize immediately to support the County in accelerating the delivery of the North Corridor.

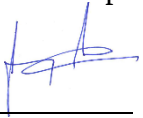
DBE Goal Attainment

DTPW's Office of Civil Rights (DBE Unit) recommends a "no change" to the Disadvantaged Business Enterprise (DBE) requirements relating to the increased portions of CIP215-DTPW19-DE(4). Pursuant to 49 CFR Part 26, the Consultant is encouraged to assist DTPW in the achievement of the department's triennial DBE commitment of 20 percent by utilizing its approved DBE design team in the accomplishment of Supplemental Agreement No.1 for the North Corridor.

Due Diligence

Pursuant to Resolution No. R-187-12 and in accordance with the Strategic Procurement Department's Procurement Guidelines, DTPW staff exercised due diligence. According to the Firm History Report provided by the Internal Services Department, HNTB Corporation received five contracts from Miami-Dade County during the year immediately preceding the award of this contract with a total value of \$365,275.

There are 10 performance evaluations in the Capital Improvements Information System Database reflecting a rating of 3.7 points out of a possible 4.0 points, representing an above satisfactory performance rating.



Jimmy Morales
Chief Operational Officer



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: January 17, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(2)

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)(2)
1-17-23

RESOLUTION NO. _____ R-24-23

RESOLUTION APPROVING SUPPLEMENTAL AGREEMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN HNTB CORPORATION AND MIAMI-DADE COUNTY FOR PROFESSIONAL SERVICES FOR TRANSIT AND PUBLIC WORKS PROJECTS, CONTRACT NO. CIP215-DTPW19-DE(4), INCREASING THE CONTRACT AMOUNT BY \$44,000,000.00; AUTHORIZING THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THIS PURPOSE; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN

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. Approves Supplemental Agreement No. 1 to the Professional Services Agreement between HNTB Corporation and Miami-Dade County for professional services for transit and public works projects, Contract No. CIP215-DTPW19-DE(4), increasing the contract by \$44,000,000.00.

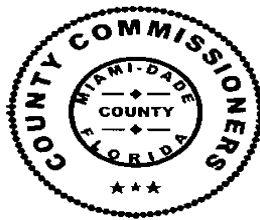
Section 2. Authorizes the use of Charter County Transportation Surtax Funds for the purposes set forth in the County Mayor's memorandum.

Section 3. Authorizes the County Mayor or County Mayor's designee to execute Supplemental Agreement No. 1 in substantially the form attached hereto, for and on behalf of the County, and to exercise all provisions contained therein.

The foregoing resolution was offered by Commissioner **Raquel A. Regalado** , who moved its adoption. The motion was seconded by Commissioner **Anthony Rodriguez** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman	aye	
Anthony Rodríguez, Vice Chairman	aye	
Marleine Bastien	aye	Juan Carlos Bermudez aye
Kevin Marino Cabrera	aye	Sen. René García aye
Roberto J. Gonzalez	aye	Keon Hardemon absent
Danielle Cohen Higgins	aye	Eileen Higgins aye
Kionne L. McGhee	aye	Raquel A. Regalado aye
Micky Steinberg	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 17th day of January, 2023. 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

LUIS G. MONTALDO, CLERK AD INTERIM

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Bruce Libhaber
Oren Rosenthal

SUPPLEMENTAL AGREEMENT NO. 1 TO THE
PROFESSIONAL SERVICES AGREEMENT
BETWEEN MIAMI-DADE COUNTY, FLORIDA
AND HNTB CORPORATION.

This First Supplemental Agreement is made and entered into as of the ____ day of _____
2023 by and between Miami-Dade County, Florida, a public body, hereinafter referred to as the
"COUNTY", and HNTB Corporation, hereinafter referred to as the "CONSULTANT".

WITNESSETH

WHEREAS, Miami-Dade County (County) on April 12, 2022, entered into a Professional Services
Agreement with CONSULTANT, to provide Professional Services for Transit and Public Works Projects,
Contract Number CIP215-DTPW19-DE (4); and,

WHEREAS, the parties wish to make certain revisions in the Professional Services Agreement as
provided below.

NOW, THEREFORE, the parties hereto do mutually agree to amend the Professional Services
Agreement as follows:

SECTION IV – COMPENSATION

Refer to Section IV, Paragraph F, Maximum Compensation, and amend as follows:

Although the COUNTY makes no assurances that any work orders will be issued to the
CONSULTANT, the total payments to the CONSULTANT pursuant to this agreement shall not exceed
\$49,500,000 (inclusive of a 10% contingency allowance).

This Agreement, regardless of where executed, shall be governed by and construed according to the laws of the State of Florida, and venue shall be in Miami-Dade County, Florida.

IN WITNESS THEREOF the parties hereto have executed these presents this _____ day of _____, 2023.

ATTEST:

HARVEY RUVIN

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

By: _____

By: _____
COUNTY MAYOR OR DESIGNEE

Approved by County Attorney
as to Form and Legal Sufficiency:

ATTEST:

HNTB CORPORATION
(Corporate Seal)

By: *Cynthia B. Stewart*



By: *Mark Bonner*
Mark Bonner
Vice President



Memorandum



To: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

From: Javier A. Betancourt, Executive Director 

Date: December 22, 2022

Re: **CITT AGENDA ITEM 7C:**
RESOLUTION BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) RECOMMENDING THE BOARD OF COUNTY COMMISSIONERS (BCC) APPROVE SUPPLEMENTAL AGREEMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN HNTB CORPORATION AND MIAMI-DADE COUNTY FOR PROFESSIONAL SERVICES FOR TRANSIT AND PUBLIC WORKS PROJECTS, CONTRACT NO. CIP215-DTPW19-DE(4), INCREASING THE CONTRACT AMOUNT BY **\$44,000,000.00**; AUTHORIZE THE USE OF CHARTER COUNTY TRANSPORTATION SURTAX FUNDS FOR THIS PURPOSE; AND AUTHORIZE THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE SAME AND TO EXERCISE THE RIGHTS CONTAINED THEREIN (**DTPW – BCC LEGISLATIVE FILE NO. 222879**) **SURTAX FUNDS ARE REQUESTED**

On December 21, 2022, the CITT voted (8-0) to forward a favorable recommendation to the Board of County Commissioners (BCC) for the approval of the above referenced item, CITT Resolution No. 22-044. The vote was as follows:

Oscar J. Braynon, Chairperson – Aye
Alfred J. Holzman, 1st Vice-Chairperson – Aye
Robert Wolfarth, 2nd Vice-Chairperson – Aye

Hon. Peggy Bell – Aye
Joseph Curbelo – Absent
Qjuezari Harvey – Aye
L. Elijah Stiers, Esq. – Absent
Ernest Thomas – Aye

Omar K. Bradford, Esq. – Aye
Meg Daly – Absent
Paul J. Schwiep, Esq. – Aye
Mary Street, Esq. – Absent

c: Jimmy Morales, Chief Operations Officer
Bruce Libhaber, Assistant County Attorney