

Date: May 16, 2023

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

Agenda Item No. 8(A)(1)

From: Daniella Levine Cava
Mayor

Resolution No. R-461-23

Subject: Resolution Ratifying Actions Related to Miami-Dade Aviation Department's Ordinance No. 95-64, codified as Section 2-285(6) of the Code of Miami-Dade County

Executive Summary

This agenda item seeks approval from the Board of County Commissioners (Board) to ratify an Amendment to a Florida Department of Transportation (FDOT) Public Transportation Grant Agreement (PTGA) that provides up to \$3,000,000.00 of additional funding for the expansion of the South Terminal (to the east of Concourse J) and the refurbishment of a Federal Inspection Service (FIS) center at Miami International Airport (MIA). The scope of work provides for the design and construction of a three-level expansion of the South Terminal and its enabling projects. The expansion includes: (i) the addition of six domestic contact gates with their associated hold rooms and supporting infrastructure along with inbound and outbound bus stations to access hardstands, (ii) the extension of the FIS corridor for access to the FIS Center in Concourse J, and (iii) the necessary shell spaces for future ticketing positions, baggage systems, international/domestic corridors and access ways.

Recommendation

It is recommended that the Board ratify the actions of the County Mayor or County Mayor's designee pursuant to the Miami-Dade Aviation Department's (MDAD) Expedite Ordinance No. 95-64, codified as Section 2-285(6) of the Code of Miami-Dade County, in executing the amendment to the FDOT grant agreement identified herein and in Exhibit A, and as attached as Exhibit B. Below is a summary of the grant agreement and brief description of the project to which it relates.

FDOT Grants

Item 1 – Amendment No. 1 to FDOT PTGA No. 439492-1-94-01 for MDAD Project entitled: Miami International Airport (MIA) South Terminal FIS Enabling, Expansion and Refurbishment (MDAD Project No. X078A and its enabling projects). This PTGA provides a grant amount of up to \$11,132,771.00.

Of the total project cost estimated at \$22,265,542.00, FDOT has already funded \$8,132,771.00 through PTGA No. 439492-1-94-01, which was previously approved by Resolution R-517-22. MDAD matched those funds. Under Amendment No. 1 to PTGA No. 439492-1-94-01, FDOT is providing an additional \$3,000,000.00 to cover the remaining project costs and MDAD is matching those funds, by funding \$3,000,000.00 from its revenue bonds Index Code EA502 as programmed in the Aviation Multi-Year Capital Plan.

Scope

The commission districts directly impacted by the subject agreements are noted on Exhibit A; however, the impact of these items is countywide as MIA is a regional asset.

Delegation of Authority

Pursuant to Section 2-285(6) of the Code of Miami-Dade County, subject to ratification by the Board, the County Mayor may execute all standard form federal grant documents or state joint participation agreements, including acceptance of grant and joint participation commitments required to be imposed by federal or state law as a condition to the County's receiving grant or joint participation benefits. The attached resolution delegates to the County Mayor or County Mayor's designee the authority to exercise all provisions, including the termination provision, in the agreement attached as Exhibit B to this memorandum.

Fiscal Impact/Funding Source

The fiscal impact and funding sources to the County are detailed above and in Exhibit A as attached.

Track Record/Project Monitor

MDAD's Division Director of Aviation Planning, Land-Use and Grants, Jose A. Ramos, will oversee the implementation of these grant agreements.

Background

On April 6, 1995, the Board approved Ordinance No. 95-64 delegating to the County Mayor or County Mayor's designee the authority to execute all standard form federal and state grant documents, including acceptance of grant or joint participation commitments required to be imposed by federal or state law as a condition to the County's receiving grant or joint participation benefits, subject to Board ratification without prior need for Board approval.

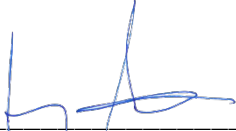
Exhibit A includes the details of the FDOT grant for which ratification is being requested. Exhibit A contains the information bulleted below:

- Item No.
- Department Name
- Contract Type
- Grant Type
- Grant No.
- Contract No. / Project No.
- Project Name
- Firm Awarded
- Commission District
- Grant Amount
- Funding Source
- O&M Costs
- Estimated Start Date/Estimated End Date
- Contract Measures: Small Business Enterprise (SBE) Goods & Services; SBE-Architectural/Engineering (A/E); SBE-Construction; Community Workforce Program (CWP)
- Brief Project Description

Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners
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Exhibit B contains the amendment to the FDOT grant agreement as represented under Item No. 1 of this memorandum. This amendment to the grant has been executed by the County Mayor's designee in accordance with MDAD Ordinance No. 95-64. Copies are available upon request from MDAD's Governmental Affairs Division.

Attachments



Jimmy Morales
Chief Operations Officer

Exhibit A
Ratification of Grants Authorized by Ordinance No. 95-64

Dept. Name	Contract Type	Grant Type	Grant #	Contract No.		Project Name	Firm Awarded	Commission District	Grant Amount	Funding Source	O&M Costs	Est. Start Date	Contract Measures				Brief Project Description
													SBE Goods & Services	SBE A/E	SBE Construction	CWP Program	
MDAD	Grant Disbursement	Amendment to the Public Transportation Grant Agreement (PTGA)	439492-1-94-01	MDAD X078A	MIA South Terminal FIS Enabling, Expansion, and Refurbishment	N/A	District 6, Commissioner Kevin M. Cabrera	\$3M	FDOT	N/A	Beginning Date of Agreement: 03/21/23 Ending Date of Agreement: 12/31/2025	N/A	N/A	N/A	N/A	N/A	This scope of work provides for the design and construction of a three-level expansion of the South Terminal (to the east of Concourse J) and its enabling projects. The expansion includes: (i) the addition of six domestic contact gates with their associated hold rooms and supporting infrastructure along with inbound and outbound bus stations to access hardstands, (ii) the extension of the FIS corridor for access to the FIS Center in Concourse J, and (iii) the necessary shell spaces for future ticketing positions, baggage systems, international/domestic corridors and access ways.
MDC004																	

Exhibit B

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSPORTATION
AMENDMENT TO THE PUBLIC TRANSPORTATION
GRANT AGREEMENT

Form 725-000-03
 STRATEGIC
 DEVELOPMENT
 OGC 04/22

Financial Project Number(s): (item-segment-phase-sequence) 439492-1-94-01	Fund(s): Work Activity Code/Function: Federal Number/Federal Award Identification Number (FAIN) – Transit only:	DDR,DPTO 215	FLAIR Category: Object Code: Org. Code: Vendor Number: Amendment No.:	088719 751000 55062020629 VF596000573258 1
Contract Number: G2716	Federal Award Date:			
CFDA Number: N/A	SAM/UEI Number:			
CFDA Title: N/A				
CSFA Number: 55.004				
CSFA Title: Aviation Grant Program				

THIS AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT ("Amendment") is made and entered into on 03/21/2023 | 11:02 AM EDT, by and between the State of Florida, Department of Transportation ("Department"), and Miami-Dade County, ("Agency"), collectively referred to as the "Parties."

RECITALS

WHEREAS, the Department and the Agency on 4/18/2022 (date original Agreement entered) entered into a Public Transportation Grant Agreement ("Agreement").

WHEREAS, the Parties have agreed to modify the Agreement on the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the mutual covenants in this Amendment, the Agreement is amended as follows:

- 1. Amendment Description.** The project is amended to add FY23 funding.
- 2. Program Area.** For identification purposes only, this Agreement is implemented as part of the Department program area selected below (select all programs that apply):

- ☒ **Aviation**
- ☐ **Seaports**
- ☐ **Transit**
- ☐ **Intermodal**
- ☐ **Rail Crossing Closure**
- ☐ **Match to Direct Federal Funding** (Aviation or Transit)
- ☐ (Note: Section 15 and Exhibit G do not apply to federally matched funding)
- ☐ **Other**

- 3. Exhibits.** The following Exhibits are updated, attached, and incorporated into this Agreement:

- ☒ Exhibit A: Project Description and Responsibilities
- ☒ Exhibit B: Schedule of Financial Assistance
- ☐ *Exhibit B1: Deferred Reimbursement Financial Provisions
- ☐ *Exhibit B2: Advance Payment Financial Provisions
- ☐ *Exhibit C: Terms and Conditions of Construction
- ☒ Exhibit D: Agency Resolution
- ☐ Exhibit E: Program Specific Terms and Conditions
- ☐ Exhibit F: Contract Payment Requirements
- ☒ *Exhibit G: Financial Assistance (Single Audit Act)
- ☐ *Exhibit H: Audit Requirements for Awards of Federal Financial Assistance
- ☐ *Additional Exhibit(s):

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
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4. Project Cost.

The estimated total cost of the Project is X increased/ decreased by \$6,000,000 bringing the revised total cost of the project to \$22,265,542.

The Department's participation is X increased/ decreased by \$3,000,000. The Department agrees to participate in the Project cost up to the maximum amount of \$11,132,771, and, additionally the Department's participation in the Project shall not exceed 50.00% of the total eligible cost of the Project.

Except as modified, amended, or changed by this Amendment, all of the terms and conditions of the Agreement and any amendments thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment on the day and year written above.

AGENCY Miami-Dade County

STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

By: K. A. Pyatt

Name: Ken A. Pyatt

Title: Deputy Aviation Director

DocuSigned by:

Daniel Iglesias

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By: Daniel Iglesias

Name: Daniel Iglesias

Title: Director of Transportation Development

Approved as to form and legal sufficiency

Ryan Zagare

Digitally signed by Ryan
 Zagare
 Date: 2023.03.17
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Assistant County Attorney

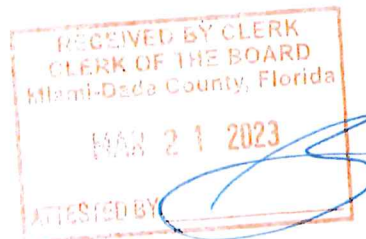
STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION

Legal Review: Alicia Trujillo

DocuSigned by:

Alicia Trujillo

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Gene Spencer - e102883

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS**

Form 725-000-02
STRATEGIC
DEVELOPMENT
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EXHIBIT A

Project Description and Responsibilities

A. Project Description (description of Agency's project to provide context, description of project components funded via this Agreement (if not the entire project)): MIA Federal Inspection Station Refurbishment

B. Project Location (limits, city, county, map): Miami International Airport/Miami, FL/Miami-Dade

C. Project Scope (allowable costs: describe project components, improvement type/service type, approximate timeline, project schedule, project size): The project consists of a 3-level expansion of the South Terminal to the east of Concourse J. It will provide six (6) domestic contact gates with their associated hold rooms and supporting infrastructure along with inbound and outbound bus stations to access hardstands, providing flexibility to future airline operations. This also includes the expansion of the Federal Inspection Services (FIS) sterile corridor for access to Concourse J FIS. The project is set up to accommodate the future MIA South Terminal Expansion Phase 2 project, providing shell spaces and clear rights-of-way for future ticketing positions, baggage systems, international and/or domestic sterile corridors and access-ways, FIS expansion and concessions, if needed. Also, demolition of buildings located within the South Terminal Expansion project limits is part of the scope that will enable the progress of the South Terminal Expansion and Apron projects.

D. Deliverable(s): A 3-level expansion of the South Terminal to the east of Concourse J. It will provide six (6) domestic contact gates with their associated hold rooms and supporting infrastructure along with inbound and outbound bus stations to access hardstands, providing flexibility to future airline operations. This also includes the expansion of the Federal Inspection Services (FIS) sterile corridor for access to Concourse J FIS. The project is set up to accommodate the future MIA South Terminal Expansion Phase 2 project, providing shell spaces and clear rights-of-way for future ticketing positions, baggage systems, international and/or domestic sterile corridors and access-ways, FIS expansion and concessions, if needed. Also, demolition of buildings located within the South Terminal Expansion project limits is part of the scope that will enable the progress of the South Terminal Expansion and Apron projects.

The project scope identifies the ultimate project deliverables. Deliverables for requisition, payment and invoice purposes will be the incremental progress made toward completion of project scope elements. Supporting documentation will be quantifiable, measurable, and verifiable, to allow for a determination of the amount of incremental progress that has been made, and provide evidence that the payment requested is commensurate with the accomplished incremental progress and costs incurred by the Agency.

E. Unallowable Costs (including but not limited to):

F. Transit Operating Grant Requirements (Transit Only):

Transit Operating Grants billed as an operational subsidy will require an expenditure detail report from the Agency that matches the invoice period. The expenditure detail, along with the progress report, will be the required deliverables for Transit Operating Grants. Operating grants may be issued for a term not to exceed three years from execution. The original grant agreement will include funding for year one. Funding for years two and three will be added by amendment as long as the grantee has submitted all invoices on schedule and the project deliverables for the year have been met.



STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
 GRANT AGREEMENT EXHIBITS**

Form 725-000-02
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EXHIBIT B

Schedule of Financial Assistance

FUNDS AWARDED TO THE AGENCY AND REQUIRED MATCHING FUNDS PURSUANT TO THIS AGREEMENT
 CONSIST OF THE FOLLOWING:

A. Fund Type and Fiscal Year:

Financial Management Number	Fund Type	FLAIR Category	State Fiscal Year	Object Code	CSFA/CFDA Number	CSFA/CFDA Title or Funding Source Description	Funding Amount
439492-1-94-01	DPTO	088719	2023	751000	55.004	Aviation Grant Program	\$3,000,000.00
439492-1-94-01	DPTO	088719	2022	751000	55.004	Aviation Grant Program	\$2,227,990.00
439492-1-94-01	DPTO	088719	2022	751000	55.004	Aviation Grant Program	\$4,795,543.00
439492-1-94-01	DDR	088719	2022	751000	55.004	Aviation Grant Program	\$1,109,238.00
439492-1-94-01	LF	088719	2023	-	-	Local Matching Funds	\$3,000,000.00
439492-1-94-01	LF	088719	2022	-	-	Local Matching Funds	\$5,904,781.00
439492-1-94-01	LF	088719	2022	-	-	Local Matching Funds	\$2,227,990.00
Total Financial Assistance							\$22,265,542.00

B. Estimate of Project Costs by Grant Phase:

Phases*	State	Local	Federal	Totals	State %	Local %	Federal %
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Planning	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Environmental/Design/Construction	\$11,132,771.00	\$11,132,771.00	\$0.00	\$22,265,542.00	50.00	50.00	0.00
Capital Equipment/ Preventative Maintenance	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Match to Direct Federal Funding	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Mobility Management (Transit Only)	\$0.00	\$0.00	\$0.00	\$0.00	0.00	0.00	0.00
Totals	\$11,132,771.00	\$11,132,771.00	\$0.00	\$22,265,542.00			

*Shifting items between these grant phases requires execution of an Amendment to the Public Transportation Grant Agreement.

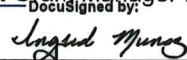
Scope Code and/or Activity Line Item (ALI) (Transit Only)	
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BUDGET/COST ANALYSIS CERTIFICATION AS REQUIRED BY SECTION 216.3475, FLORIDA STATUTES:

I certify that the cost for each line item budget category (grant phase) has been evaluated and determined to be allowable, reasonable, and necessary as required by Section 216.3475, Florida Statutes. Documentation is on file evidencing the methodology used and the conclusions reached.

Ingrid Munoz

Department Grant Manager Name

DocuSigned by:

 Signature

03/21/2023 | 10:16 AM EDT

Date

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
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Form 725-000-02
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EXHIBIT D

AGENCY RESOLUTION

PLEASE SEE ATTACHED

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**PUBLIC TRANSPORTATION
GRANT AGREEMENT EXHIBITS**

Form 725-000-02
STRATEGIC
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OGC 01/23

EXHIBIT G

AUDIT REQUIREMENTS FOR AWARDS OF STATE FINANCIAL ASSISTANCE

THE STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

SUBJECT TO SECTION 215.97, FLORIDA STATUTES:~

Awarding Agency: Florida Department of Transportation

State Project Title: Aviation Grant Program

CSFA Number: 55.004

***Award Amount:** \$11,132,771

*The award amount may change with amendments

Specific project information for CSFA Number 55.004 is provided at: <https://apps.fldfs.com/fsaa/searchCatalog.aspx>

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS AGREEMENT:

State Project Compliance Requirements for CSFA Number 55.004 are provided at:
<https://apps.fldfs.com/fsaa/searchCompliance.aspx>

The State Projects Compliance Supplement is provided at: <https://apps.fldfs.com/fsaa/compliance.aspx>

To: Ingrid.Munoz@dot.state.fl.us

FLORIDA DEPARTMENT OF TRANSPORTATION FUNDS APPROVAL

G2716

3/1/2023

CONTRACT INFORMATION

Contract:	G2716
Contract Type:	GD - GRANT DISBURSEMENT (GRANT)
Method of Procurement:	G - GOVERNMENTAL AGENCY (287.057,F.S.)
Vendor Name:	MIAMI-DADE COUNTY
Vendor ID:	F596000573258
Beginning Date of This Agreement:	04/18/2022
Ending Date of This Agreement:	12/31/2025
Contract Total/Budgetary Ceiling:	ct = \$11,132,771.00
Description:	Miami International Airport FIS Refurbishment

FUNDS APPROVAL INFORMATION

FUNDS APPROVED/REVIEWED FOR ROBIN M. NAITOVE, CPA, COMPTROLLER ON 3/1/2023

Action:	Supplemental
Reviewed or Approved:	APPROVED
Organization Code:	55062020629
Expansion Option:	A9
Object Code:	751000
Amount:	\$3,000,000.00
Financial Project:	43949219401
Work Activity (FCT):	215
CFDA:	
Fiscal Year:	2023
Budget Entity:	55100100
Category/Category Year:	088719/23
Amendment ID:	S001
Sequence:	00
User Assigned ID:	A1
Enc Line (6s)/Status:	0003/04

Total Amount: \$3,000,000.00



MEMORANDUM

(Revised)

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

DATE: May 16, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(A)(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 _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(A)(1)
5-16-23

RESOLUTION NO. _____ R-461-23

RESOLUTION RATIFYING THE ACCEPTANCE AND EXECUTION OF AMENDMENT NO. 1 TO FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 439492-1-94-01 INCREASING GRANT AMOUNT BY UP TO \$3,000,000.00 FOR THE MIAMI INTERNATIONAL AIRPORT SOUTH TERMINAL FIS, ENABLING, AND REFURBISHMENT PROJECT; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXERCISE ALL PROVISIONS CONTAINED IN SAID AGREEMENT, INCLUDING THE TERMINATION PROVISION

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy 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:

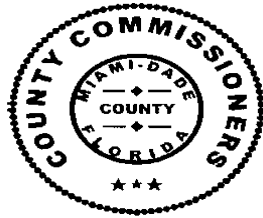
Section 1. Ratifies the acceptance and execution of Amendment No. 1 to Florida Department of Transportation Public Transportation Grant Agreement No. 439492-1-94-01, a copy of which agreement is attached to the accompanying memorandum as Exhibit B, increasing the grant amount by up to \$3,000,000.00 for the Miami International Airport South Terminal FIS Enabling, Expansion, and Refurbishment project.

Section 2. Authorizes the County Mayor or County Mayor's designee to exercise all provisions contained in the above-referenced agreement, including the termination provision.

The foregoing resolution was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** 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	absent	Juan Carlos Bermudez	aye
Kevin Marino Cabrera	aye	Sen. René García	aye
Roberto J. Gonzalez	aye	Keon Hardemon	aye
Danielle Cohen Higgins	aye	Eileen Higgins	absent
Kionne L. McGhee	aye	Raquel A. Regalado	aye
Micky Steinberg	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 16th day of May, 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.

A handwritten signature in blue ink, appearing to read "RCZ", written over a horizontal line.

Ryan C. Zagare