

Date: September 6, 2023

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

From: Daniella Levine Cava
Mayor

Subject: Execute a Grant Application with the Federal Transit Administration for Up To \$113,812,314 in Fiscal Year 2023 Sections 5307, 5337 and 5339 Formula Programs and 5307 Flexible Funding

Agenda Item No. 8(N)(5)

Resolution No. R-762-23

Executive Summary

The purpose of this item is to gain approval of the Board of County Commissioners (Board) for execution of a grant application for up to \$113,812,314 with the United States Department of Transportation (USDOT) Federal Transit Administration (FTA) to support capital projects for the Department of Transportation and Public Works (DTPW). The proposed projects expected to be funded include, but are not limited to, replacement of articulated electric buses and upgrades to various safety and security projects. This item will have a positive fiscal impact to the County by providing additional funding to DTPW. The required local match of up to \$37,203,078 will be provided in full by the Florida Department of Transportation.

Recommendation

It is recommended that the Board approve the terms of and authorize the Miami-Dade County Mayor or County Mayor's designee to execute a grant application on behalf of the County with USDOT FTA for up to \$113,812,314 in Fiscal Year (FY) 2023 Formula Grant Programs. The total estimated amount includes appropriated FTA funds allocated up to \$64,696,814 for Section 5307 Urbanized Area Formula, up to \$43,102,923 for Section 5337 State of Good Repair Formula and up to \$5,012,577 for Section 5339 Bus and Bus Facilities Formula grant programs. DTPW will also include as part of this grant application \$1,000,000 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/safety project. Therefore, the impact of these grants is countywide.

Delegation of Authority

In accordance with Section 2-8.3 of the Miami-Dade County 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.

Fiscal Impact/Funding Source

This item represents a positive fiscal impact to the County because it provides funding to DTPW. The required local match of up to \$28,453,078 will be provided in full by the Florida Department of Transportation using State Transportation Development Credits as a soft match for this grant.

The Bipartisan Infrastructure Law (BIL) 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 Maria Elisa Colmenares, Chief Planning Officer, DTPW.

Background

On November 15, 2021, President Biden signed into law the BIL, which provides long-term funding for the 21st century transportation system. There were major funding increases 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 \$230,166,370 in FY 2023 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 for 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 \$64,696,814 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 \$1,000,000 in flex funds transferred from the FHWA to the FTA 5307 Program for a total of up to \$65,696,814.

The proposed projects expected to be funded by up to \$100,696,814 under the FY 2023 FTA Section 5307 Program include:

- Lehman Center Fence – The funding allocated in the amount of \$1,132,194 represents both the required 1% security and the required 0.75% safety project.
- Preventive Maintenance (Bus) – \$49,064,620
- Preventive Maintenance (Rail) – \$500,000
- Metromover Train Control Wayside Overhaul Design-Build Construction – \$5,000,000
- Metromover Train Control CEI Services – \$3,000,000
- Systemwide Fare Collection Equipment Replacement (Bus) – \$5,000,000
- Vanpool Program Capital Cost of Contracting – \$1,000,000
- Lease/Purchase Financing for Buses & Guideway Bridge Inspections-\$36,000,000

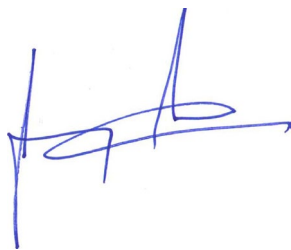
Projects funded under the Section 5337 State of Good Repair Formula Program are limited to replacement and rehabilitation of existing fixed guideway systems or capital projects required to maintain public transportation systems in a state of good repair. Funds are apportioned to urbanized areas with fixed guideway systems in operation for at least seven years. The proposed DTPW project expected to be funded by up to \$43,102,923 under the FY 2023 Section 5337 Program include:

- Preventive Maintenance (Rail) – \$33,102,923
- Systemwide Fare Collection Equipment Replacement (Rail) – \$10,000,000

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 by up to \$5,012,577 under the FY 2023 Section 5339 Program includes:

- Articulated Electric Buses – \$4,834,540
- Vanpool Program Capital Cost of Contracting – \$178,037

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 Office



MEMORANDUM

(Revised)

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

DATE: September 6, 2023

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 8(N)(5)

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)(5)
9-6-23

RESOLUTION NO. R-762-23

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 \$113,812,314.00 IN FISCAL YEAR (FY) 2023 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,

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 \$113,812,314.00

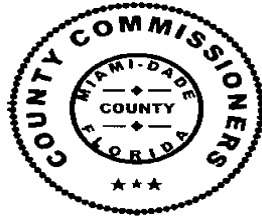
in FY 2023 Section 5307 Urbanized Area Formula, Section 5337 State of Good Repair Formula, Section 5339 Bus and Bus Facilities Formula Program and FTA Section 5307 Flex Funds and provide all necessary supporting documentation.

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 **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** 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	aye
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 6th day of September, 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

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

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

Bruce Libhaber

DOT

U.S. Department of Transportation

FTA

Federal Transit Administration

Application

Federal Award Identification Number (FAIN)	1089-2022-8
Temporary Application Number	1089-2022-8
Application Name	DTPW-Capital & Operating Super Grant; FY 2023 FTA Sections 5307 UZA, 5337 SGR, and 5339 Bus/Bus Facility Formula Funds and FHWA Flex Fund Transfers to FTA Section 5307-DTPW Miami
Application Status	In-Progress
Application Budget Number	0

Period of Performance Start Date	N/A
Original Period of Performance End Date	3/30/2031
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	UEI	DUNS
1089	County Agency	Miami Dade Department of Transportation and Public Works	UM2MSDMY13A8	135722747

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

Union Information

MDC008

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: DTPW-Capital & Operating Super Grant; FY 2023 FTA Sections 5307 UZA, 5337 SGR, and 5339 Bus/Bus Facility Formula Funds and FHWA Flex Fund Transfers to FTA Section 5307-DTPW Miami

FAIN	Application Status	Application Type	Date Created	Last Updated Date	From TEAM?
1089-2022-8	In-Progress	Grant	8/10/2022	8/10/2022	No

Application Executive Summary

2023 Super Grant Application to include FHWA Flex Funding. Note-This application is to enable early transfer of FHWA funding.

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 directly allocated these funds and is eligible to apply for and receive these funds directly.

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: Approved Rate Document 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.