

# Memorandum



Date: January 10, 2008

To: Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

From: George M. Burgess  
County Manager

Subject: Resolution Authorizing the issuance of Work Order No. FPL-D-NC-1 to the Florida Power & Light Company, pursuant to the Utility Master Agreement, in the amount of \$67,200 for the Preliminary Engineering Review and Design Needed to Provide the Binding Cost Estimate for the Relocation of Conflicting Electric Distribution Facilities for Metrorail Phase II - Orange Line (North Corridor)

Agenda Item No.8(J)(1)(A)

## Recommendation

Work Order No. FPL-D-NC-1 has been prepared by Miami-Dade Transit (MDT) in accordance with the Utility Master Agreement and is recommended for approval.

## Scope

PROJECT NAME: North Corridor Metrorail Extension Project (Metrorail Phase II - Orange Line)

PROJECT NO.: NCP002-TR07-UT1

PROJECT DESCRIPTION: The proposed North Corridor Metrorail Extension is an approximately 9.5 mile elevated double track rail extension of the Miami-Dade Metrorail system. The extension will run along the NW 27<sup>th</sup> Avenue corridor from the existing elevated guideway just north of the Martin Luther King Jr. Metrorail Station at NW 62<sup>nd</sup> Street to a terminus at NW 215<sup>th</sup> Street just south of the Florida's Turnpike. The termination at NW 215<sup>th</sup> Street accommodates for a future extension into Broward County. Seven stations are planned along the alignment: NW 82<sup>nd</sup> Street/Northside; NW 119<sup>th</sup> Street/Miami-Dade College North; Veterans Way/Opa-Locka; NW 163<sup>rd</sup> Street/Palmetto, NW 183<sup>rd</sup> Street/Miami Gardens; NW 199<sup>th</sup> Street/Dolphin Stadium; and at NW 215<sup>th</sup> Street/Calder Race Track.

WORK ORDER DESCRIPTION: The review and advance engineering design needed to provide the binding cost estimate of Florida Power & Light (FPL) Distribution facilities and equipment which are in conflict with the construction of Metrorail Phase II - Orange Line.

PRIMARY COMMISSION DISTRICT: The relocation of the existing conflicting FPL Distribution facilities will be physically located within Miami-Dade Commission Districts 1 and 2.

MANAGING AGENCY: Miami-Dade Transit (MDT)

**Fiscal Impact / Funding Source**

**FUNDING SOURCE:**

This Work Order is funded from proceeds of the Charter County Transit System Surtax (Surtax). The cost of this Work Order is included as part of the Metrorail Phase II - Orange Line (North Corridor), which is included among the Rapid Transit Improvement Projects listed in the People's Transportation Plan (PTP). This project is funded by Federal, State and local funds.

The federal portion will be funded through Section 5309 New Starts Funding provided under a future Full Funding Grant Agreement (FFGA).

The Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT), which is funding a portion of this Metrorail Phase and was approved by the Board on April 24, 2007 (R-498-07), does not include reimbursement for relocation of utilities. This work order is therefore funded 100% by Surtax.

**BASE WORK ORDER AMOUNT:**

\$67,200.00

**FISCAL IMPACT:**

The fiscal impact of this Work Order No. FPL-D-NC-1 is \$67,200 and will be 100% funded from proceeds from the Surtax.

**Track Record / Monitor**

**ORIGINAL AGREEMENT AMOUNT:**

Not applicable. The purpose of the Agreement was to solely provide for the orderly relocation or re-arrangement of the utility facilities and the reimbursement to FPL of costs associated with said relocations in advance of construction of Metrorail facilities. This original Agreement specified the procedures under which the County and FPL would follow in identifying, planning, designing and construction of said relocations. Pursuant to the Utility Master Agreement, a Work Order is provided to FPL for each individual relocation job. The Board authorizes FPL to perform work and bill the County for the reimbursable costs of its utilities relocation associated with such design, construction or reconstruction of the system.

**PREVIOUS AGREEMENTS WITH COUNTY:**

FPL, a company that provides electric service, has multiple agreements with the County through various County departments.

**PREVIOUS MODIFICATIONS:** Four previous agreement modifications, all as a result of changes in the State's insurance requirements. Amendment No. 1 (1980) was as a result of changes to the insurance requirements; Amendment No. 2 (October 1989) resulted from changes in the insurance requirements for the construction of the Metromover Extension; Amendment No. 3 (March 31, 1998) resulted from changes in the insurance requirements and a modification to the Work Order form; and most recently, Amendment No. 4 (approved on June 5, 2007) modified the insurance requirements and approved Work Order No FPL-D-EHC-1 in the amount of \$4,518,847.62 for the relocation of FPL Distribution facilities in conflict with Metrorail Phase I – Orange Line (MIC - Earlington Heights Connector Project).

**JUSTIFICATION:** FPL conflicting facilities must be relocated or adjusted to eliminate interference with the construction of Phase II - Orange Line and to avoid construction start-up delays. Work Order No. FPL-D-NC-1, in the amount of \$67,200.00, will provide Advance Engineering needed to provide the Binding Cost Estimate for the relocation of said conflicting FPL distribution facilities. As stipulated in the Utility Master Agreement, the cost estimate prepared by FPL is based on the work necessary to relocate the utilities in conflict with this proposed Metrorail Extension.

Once the binding cost estimate has been provided, MDT will have 180 days to approve the estimate. If the estimate is not approved, then the advance Engineering deposit is forfeited. If the estimate is approved, then the advanced Engineering deposit will be applied to the cost of the project.

After the binding cost estimate has been reviewed and approved by MDT and the Consultant, a separate Work Order will be submitted for approval to the Board of County Commissioners (Board) for the Construction and Final Design of the FPL Distribution Facilities.

**FIRM:** Florida Power & Light Company  
Note: The utility relocation design may be performed by FPL or by their engineering consultant. The utility relocation construction may be performed by either FPL or FPL contractors. Said contractors are under a contract award to the lowest qualified bidder who submitted a proposal in conformity with the requirements and specifications of the work. This is in accordance with the Utility Master Agreement.

**LOCATION OF FIRM:** Juno Beach, Florida

**COMPANY PRINCIPALS:** Company's stockholders

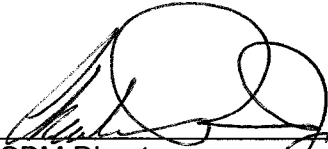
**HOW LONG IN BUSINESS:** 81 Years

**PROJECT MANAGER:** The person responsible for Managing this Work Order is Mr. Jerry Borbolla, MDT, Chief, Right of Way & Utilities Division.

**Background**

This work order is necessary for the relocation of conflicting FPL Distribution facilities, which must be adjusted or relocated prior to construction of the People's Transportation Plan (PTP) Project Phase II-Orange Line (North Corridor Metrorail Extension). Construction is scheduled to begin May 2010.

*Fol  
JBM*

  
\_\_\_\_\_  
OSBM Director

10-17-07  
Date

  
\_\_\_\_\_  
Assistant County Manager




# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** January 10, 2008

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No.8(J)(1)(A)

Please note any items checked.

- "4-Day Rule" ("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
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 8(J)(1)(A)

Veto \_\_\_\_\_

01-10-08

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION AUTHORIZING THE ISSUANCE OF WORK ORDER NO. FPL-D-NC-1 TO FLORIDA POWER & LIGHT COMPANY, PURSUANT TO THE UTILITY MASTER AGREEMENT, IN THE AMOUNT OF \$67,200 FOR THE PRELIMINARY ENGINEERING REVIEW AND DESIGN NEEDED TO PROVIDE THE BINDING COST ESTIMATE FOR THE RELOCATION OF CONFLICTING ELECTRIC DISTRIBUTION FACILITIES FOR METRORAIL PHASE II -ORANGE LINE (NORTH CORRIDOR)

**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 approves and authorizes the issuance of Work Order No. FPL-D-NC-1 to Florida Power & Light Company, pursuant to the Utility Master Agreement, in an amount not to exceed \$67,200 to provide preliminary engineering review and design needed to provide a binding cost estimate for the relocation of conflicting electric distribution facilities with the proposed construction of the Metrorail Phase II - Orange Line (North Corridor), in substantially the form attached hereto and made a part hereof; and authorizing the Mayor, or his designee, to execute same for and on behalf of Miami-Dade County.

The foregoing resolution was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

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Bruno A. Barreiro, Chairman  
Barbara J. Jordan, Vice-Chairwoman  
Jose "Pepe" Diaz  
Carlos A. Gimenez  
Joe A. Martinez  
Dorrin D. Rolle  
Katy Sorenson  
Sen. Javier D. Souto  
Audrey M. Edmonson  
Sally A. Heyman  
Dennis C. Moss  
Natacha Seijas  
Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 10<sup>th</sup> day of January, 2008. This resolution shall become effective as follows: (1) ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board, and (2) either i) the Citizens' Independent Transportation Trust (CITT) has approved same, or ii) in response to the CITT's disapproval, the County Commission re-affirms its award by two-thirds (2/3) vote of the Commission's membership and such reaffirmation becomes final.

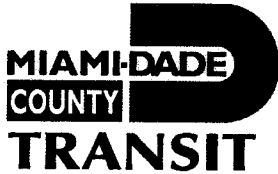
MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney  
as to form and legal sufficiency. B.L.

Bruce Libhaber



Right of Way and Utilities Division

WORK ORDER for UTILITY RELOCATION SERVICE

WORK ORDER No.: FPL-D-NC-1 Rev \_\_\_\_\_

TO: Florida Power & Light Company DATE: 10/1/2007

PROJECT: NORTH CORRIDOR METRORAIL EXTENSION PROJECT

CATEGORY OF WORK: Preliminary Engineering Review and Design

AUTHORIZATION: Utility Master Agreement ( October 17, 1979) as amended on June 5, 2007

Scope of Work:

Advance Engineering needed to provide MDT with the binding Cost Estimate for the North Corridor Metrorail Extension Project (see attached Work Order Request No. FPL-D-NC-1 from FPL for preliminary engineering review and design)

COMPLETION SCHEDULE:

Start Date: 10/1/2007

Completion Date: 3/1/2008

In the absence of a further written Work Order issued by the County, the County shall not be obligated to pay for the described work whenever performed in excess of the amount set forth in the Estimated Cost below, and the party to whom this order is issued shall not be obligated to perform the work in excess of the authorized amount

ESTIMATED COST:

FUNDS AVAILABLE: \$67,200.00

INDEX CODE: MT0300025PTB

SUB-OBJECT: 91014

PROJECT DETAIL: \_\_\_\_\_

PROJECT: \_\_\_\_\_

*Handwritten:* MDT Budget 10/1/07

*Signature:* \_\_\_\_\_ 10/4/07  
Project Manager DATE

*Signature:* \_\_\_\_\_ 10/16/07  
Deputy Director, MDT DATE

*Signature:* \_\_\_\_\_ 10/26/07  
Director, MDT DATE

FINANCE CONCURRENCE:

*Signature:* \_\_\_\_\_ CFO-MDT

MDT Finance

APPROVED:

County Manager DATE





August 6, 2007

Mr. Jerry Borbolla  
Chief, Miami Dade Transit  
Miami Dade Transit  
111 NW 1 ST, Suite 1510  
Miami, FL. 33132

Re: **Invoice #747517**  
**Advance Engineering Deposit for the North Corridor**

Dear Mr. Borbolla,

Enclosed please find Invoice #747517 in the amount of \$67,200.00. This invoice covers the costs of Advanced Engineering needed to provide Metro Dade Transit with the Binding Cost Estimate for the North Corridor Metrorail Project.

Once the "Binding Cost Estimate" has been provided, Metro Dade Transit will have 180 days to approve the Estimate. If the Estimate is not approved, then the Advanced Engineering Deposit is forfeited. If the Estimate is approved, then the Advanced Engineering Deposit is applied to the cost of the project. If additional engineering design is required, it will be up to the discretion of FPL if an additional Advanced Engineering Deposit will be required.

Your prompt attention to this matter would be greatly appreciated.

If you should have any questions, or if you should need any additional information, please let me know.

Yours truly,

A handwritten signature in cursive script, appearing to read "Thomas S. Hodgdon", written in black ink.

Thomas S. Hodgdon  
Senior System Project Manager

**RECEIVED**

AUG 14 2007

MDT DOC CONTROL

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**Payment Coupon**

FPL

General Mail Facility  
Miami, FL. 33188-0001

/610101300000675950000747517000027600032010101

B 01013 0000747517 3 2 01 01 01  
Please mail this portion with your check

Cust. No.: <b>67595</b>	Inv. No.: <b>747517</b>
Payment Due upon Receipt <b>09/05/2007</b>	Amount Due This Invoice <b>67,200.00</b>
WO Reference #:	<b>0000-00-875</b>

Make check payable to FPL in US funds and mail payment to address below

**METRO DADE COUNTY TRANSIT  
JERRY BORBOLLA  
METRO DADE TRANSIT  
111 NW 1 ST,  
SUITE # 910  
MIAMI FL 33128**

**FPL  
GENERAL MAIL FACILITY  
MIAMI FL 33188-0001**

**Florida Power & Light Company**

Federal Tax ID#: 59-0247775

**INVOICE**

Customer Name and Address

**METRO DADE COUNTY TRANSIT  
JERRY BORBOLLA  
METRO DADE TRANSIT  
111 NW 1 ST,  
SUITE # 910  
MIAMI FL 33128**

Customer Number: **67595**  
Invoice Number: **747517**  
Invoice Date: **08/06/2007**

B 01013 0000747517 3 2 01 01 01  
Please Retain This Portion for your Records

**CURRENT CHARGES AND CREDITS**

Customer No: **67595** Invoice No: **747517**

DESCRIPTION	QUANTITY	PRICE	AMOUNT
DSB- BILL ACTUAL REIMB RELOC ADVANCE ENGINEERING DEPOSIT FOR NORTH CORRIDOR 0000-00-875	1	67,200.00	67,200.00
<b>For Inquiries Contact:</b> TOM HODGDON Phone: (305) 442-5128		<b>Total Amount Due</b>	<b>\$67,200.00</b>
		<b>Payment Due upon Receipt</b>	<b>09/05/2007</b>

Messages

Florida Power & Light Company  
General Mail Facility  
Miami, FL. 33188-0001

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