

**Condensed Title:**

A Resolution Of The Mayor And City Commission Of The City Of Miami Beach, Florida, Approving And Authorizing The Mayor And City Clerk To Execute A Memorandum Of Agreement, With The Florida Department Of Transportation, To Establish An Interest-Bearing Escrow Account To Deposit Funds For The Construction Of Proposed Decorative Pedestrian Crosswalks And Embedded Sidewalk Pavers With Street Names, As Part Of The State Road A1A/Collins Avenue Project, From 5<sup>th</sup> Street To Lincoln Road.

**Key Intended Outcome Supported:**

Enhance mobility throughout the City.  
**Supporting Data (Surveys, Environmental Scan, etc.):** According to the 2009 Customer Satisfaction Survey, traffic appears as one of the most important areas affecting residents quality of life; 37% of residents rated traffic flow as poor; traffic is ranked number 2 by residents as one of the changes that will make Miami Beach a better place to live; traffic flow is a key driver for recommending Miami Beach as a place to live.

**Issue:**

Shall the Mayor and City Commission approve the Resolution?

**Item Summary/Recommendation:**

The Florida Department of Transportation (FDOT) is planning to construct roadway improvements on Collins Avenue/State Road (S.R.) A1A from 5<sup>th</sup> Street to Lincoln Road (Project). Construction is scheduled to begin in April 2013, and construction is anticipated to end on January 9, 2014. The Project will include roadway milling and resurfacing, restriping, sidewalk/curb and gutter reconstruction, new bulb-outs, attached mid block bulb-outs, drainage improvements, decorative lighting, landscaping, irrigation, and bonded aggregate improvements. The estimated cost of the project is \$5.8 million.

On July 18, 2012, per Resolution No. 2012-27954, and on September 12, 2012, per Resolution No.2012-27993, the City Commission approved various agreements with FDOT for roadway and pedestrian enhancements requested by the Collins Improvement Association (CIA) to improve the quality of life and aesthetics along this important commercial corridor.

On September 12, 2012, per Resolution No. 2012-27993, the City Commission approved a Locally Funded Agreement (LFA) with FDOT to fund decorative pedestrian crosswalks and embedded sidewalk pavers with street names, with a City contribution of \$126,530. This MOA should have accompanied the LFA approved by City Commission on September 12, 2012; however, FDOT did not provide this MOA with sufficient time to meet our agenda deadlines. Therefore, this agreement is being presented separately to City Commission for approval at this time.

Execution of the attached Memorandum of Agreement (MOA) between FDOT and the City is required in order to establish an interest-bearing escrow account in which to deposit the \$126,530 City contribution (attachment).

**THE ADMINISTRATION RECOMMENDS APPROVAL OF THE RESOLUTION.**

**+Advisory Board Recommendation:**

N/A

**Financial Information:**

Source of Funds:		Amount	Account
OBPI	1		
	Total		

**City Clerk's Office Legislative Tracking:**

Jose R. Gonzalez, Transportation Manager, Ext. 6768

**Sign-Offs:**

Department Director FHB <i>[Signature]</i>	Assistant City Manager JGG <i>[Signature]</i>	City Manager KGB <i>[Signature]</i>
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# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Kathie G. Brooks, Interim City Manager

DATE: November 14, 2012

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A MEMORANDUM OF AGREEMENT, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, TO ESTABLISH AN INTEREST-BEARING ESCROW ACCOUNT TO DEPOSIT FUNDS FOR THE CONSTRUCTION OF PROPOSED DECORATIVE PEDESTRIAN CROSSWALKS AND EMBEDDED SIDEWALK PAVERS WITH STREET NAMES, AS PART OF THE STATE ROAD A1A/COLLINS AVENUE PROJECT, FROM 5<sup>TH</sup> STREET TO LINCOLN ROAD.**

### ADMINISTRATION RECOMMENDATION

The Administration recommends approving the Resolution.

### BACKGROUND

The Florida Department of Transportation is planning construction improvements on Collins Avenue/State Road (S.R.) A1A from 5<sup>th</sup> Street to Lincoln Road (Project). Construction is scheduled to begin in April 2013, and construction is anticipated to end on January 9, 2014. The Project will include roadway milling and resurfacing, restriping, sidewalk/curb and gutter reconstruction, new bulb-outs, drainage improvements, decorative lighting, landscaping, irrigation, and bonded aggregate improvements.

The City has been collaborating with the Collins Improvement Association (CIA) for some time to ensure the FDOT project includes certain aesthetic improvements that will serve to improve the quality-of-life of this important commercial corridor. As a result of the CIA's involvement, the scope of the Project has increased from a simple milling and resurfacing project with little pedestrian enhancements to a \$5.7 million project with decorative lighting, landscaping, irrigation, and attached mid-block bulb-outs.

### ANALYSIS

On September 12, 2012, per Resolution No. 2012-27993, the City Commission approved a Locally Funded Agreement (LFA) with FDOT to fund decorative pedestrian crosswalks and embedded sidewalk pavers with street names, with a City contribution of \$126,530.

This MOA should have accompanied the LFA approved by City Commission on September 12, 2012; however, FDOT did not provide this MOA with sufficient time to meet our agenda deadlines. Therefore, this agreement is being presented separately to City Commission for approval at this time.

Execution of the attached Memorandum of Agreement (MOA) between FDOT and the City is required in order to establish an interest-bearing escrow account in which to deposit the \$126,530 City contribution (attachment).

### **CONCLUSION**

The Administration has determined that the State Road A1A/Collins Avenue Project with the additional requested pedestrian enhancements is in the best interest of the City as it will improve the aesthetics of this primary north-south arterial roadway in the City. As such, the Administration recommends that the Mayor and City Commission approve and authorize the City Manager to execute the required Memorandum of Agreement with FDOT.

Attachments:

Memorandum of Agreement (MOA)

JGG/FHB/JJF/RWS/JRG

T:\AGENDA\2012\11-14-12\FDOT AGREEMENT FOR COLLINS AVENUE FROM 5<sup>TH</sup> STREET TO LINCOLN ROAD

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

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A MEMORANDUM OF AGREEMENT, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, TO ESTABLISH AN INTEREST-BEARING ESCROW ACCOUNT TO DEPOSIT FUNDS FOR THE CONSTRUCTION OF PROPOSED DECORATIVE PEDESTRIAN CROSSWALKS AND EMBEDDED SIDEWALK PAVERS WITH STREET NAMES, AS PART OF THE STATE ROAD A1A/COLLINS AVENUE PROJECT, FROM 5<sup>TH</sup> STREET TO LINCOLN ROAD.**

**WHEREAS**, the Florida Department of Transportation (FDOT) is planning construction improvements on Collins Avenue/State Road (S.R.) A1A, from 5<sup>th</sup> Street to Lincoln Road (Project); and

**WHEREAS**, the City has been collaborating with the Collins Improvement Association (CIA) for some time to ensure that the Project includes certain roadway enhancements which will improve the aesthetics and livability of the Collins Avenue corridor as well as the safety of pedestrians traveling along the corridor; and

**WHEREAS**, the City has executed various agreements for the construction and maintenance of the proposed enhancements, which are considered above and beyond the standard improvements typically implemented as part of standard FDOT roadway improvement projects; and

**WHEREAS**, on September 12, 2012, pursuant to Resolution No. 2012-27993, the City Commission approved a Locally Funded Agreement with FDOT in the amount of \$126,530 for the construction of proposed decorative pedestrian crosswalks and embedded sidewalk pavers with street names, as part of the Project; and

**WHEREAS**, FDOT is requiring the City approve and execute a Memorandum of Agreement (MOA), which is necessary to establish an interest-bearing escrow account to deposit the funds for the construction of the proposed decorative pedestrian crosswalks and embedded sidewalk pavers with street names as part of the Project.

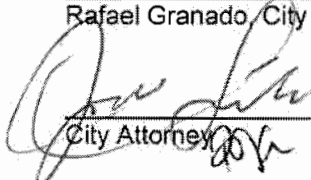
**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission hereby approve and authorize the Mayor and City Clerk to execute the attached Memorandum of Agreement, with the Florida Department of Transportation, to establish an interest-bearing escrow account to deposit funds for the construction of proposed decorative pedestrian crosswalks and embedded sidewalk pavers with street names, as part of the State Road A1A/Collins Avenue Project, from 5<sup>th</sup> Street to Lincoln Road.

**PASSED AND ADOPTED this 24<sup>th</sup> day of October, 2012.**

ATTEST:

\_\_\_\_\_  
Rafael Granado, City Clerk

\_\_\_\_\_  
Matti Herrera Bower, Mayor

  
\_\_\_\_\_  
City Attorney

11-1-12  
\_\_\_\_\_  
Date

**MEMORANDUM OF AGREEMENT**

THIS AGREEMENT, made and entered into this \_\_\_\_, day of \_\_\_\_\_, 20\_\_, by and between the State of Florida, Department of Transportation, hereinafter referred to as "FDOT" and the State of Florida, Department of Financial Services, Division of Treasury, hereinafter referred to as "TREASURY" and the City of Miami Beach hereinafter referred to as the "PARTICIPANT".

**WITNESSETH**

WHEREAS, FDOT is currently constructing the following project:

Main Financial Project No.: 250236-3-52-03  
County: Miami-Dade

hereinafter referred to as the "PROJECT".

WHEREAS, FDOT and the PARTICIPANT entered into a **Locally Funded Agreement** (LFA) dated \_\_\_\_\_, 20\_\_, wherein FDOT agreed to perform certain work on behalf of the PARTICIPANT in conjunction with the PROJECT.

WHEREAS, the parties to this AGREEMENT mutually agreed that it would be in the best interest of FDOT and the PARTICIPANT to establish an interest bearing escrow account to provide funds for the work performed on the PROJECT on behalf of the PARTICIPANT by FDOT.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit in the amount of One Hundred Twenty Six Thousand Five Hundred Thirty Dollars (\$126,530.00) will be made by the PARTICIPANT into an interest bearing escrow account established by FDOT for the purposes of the PROJECT. Said escrow account will be opened with the TREASURY on behalf of FDOT upon receipt of this Memorandum of Agreement. Such account will be an asset of FDOT.
2. Other deposits will be made only by the PARTICIPANT as necessary to cover the cost increases or the cost of additional work prior to the execution of any Supplemental Agreements or Amendments.
3. Payment will be made as follows (check appropriate payment method):

- Wire transfer
- ACH deposit
- Check

A wire transfer or ACH deposit is the preferred method of payment and should be used whenever possible. Following is the wiring and ACH deposit instructions:

For wire transfers: Bank of America  
Account # 001009068974  
ABA # 026009593  
Chief Financial Officer of Florida  
Re: DOT – K 11-78, Financial Project #

For ACH deposits: Bank of America  
Account # 001009068974  
ABA # 063100277  
Chief Financial Officer of Florida  
Re: DOT – K 11-78, Financial Project #

If a check is the method of payment, the check shall be made payable to the Department of Financial Services, Revenue Processing and mailed to FDOT, OOC-GAO for appropriate processing at the following address:

Florida Department of Transportation  
OOO-GAO, LFA Section  
605 Suwannee Street, MS 42B  
Tallahassee, Florida 32399

4. FDOT's Comptroller or designee shall be the sole signatories on the escrow account with the TREASURY and shall have sole authority to authorize withdrawals from said account.
5. Unless instructed otherwise by the FDOT, all interest accumulated in the escrow account shall remain in the account for the purposes of the PROJECT as defined in the LFA.
6. The TREASURY agrees to provide written confirmation of receipt of funds to FDOT.
7. The TREASURY further agrees to provide periodic reports to FDOT.

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STATE OF FLORIDA  
DEPARTMENT OF TRANSPORTATION  
COMPTROLLER

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STATE OF FLORIDA  
DEPARTMENT OF FINANCIAL SERVICES,  
DIVISION OF TREASURY

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PARTICIPANT SIGNATURE

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PARTICIPANT NAME & TITLE

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PARTICIPANT ADDRESS

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FEDERAL EMPLOYER I.D. NUMBER

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