

RESOLUTION NO. 18-046

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NUMBER TWO (SJPA #2) FOR CONTRACT AR707 BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF KEY WEST, FOR THE PROCUREMENT AND INSTALLATION OF AN ELEVATOR AT THE PARK N RIDE GARAGE IN AN AMOUNT NOT TO EXCEED \$266,639.28; APPROVING NECESSARY BUDGET AMENDMENTS AND TRANSFERS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, funding through the FDOT Section 5311 Grant Program, provides Federal and State assistance for capital expenses of the Key West Transit system of up to 80%, with local matching funds provided primarily through toll revenue credits; and

WHEREAS, in Resolution 17-146 the City Commission authorized certain members of City staff to apply for and accept grant funding, and to execute and submit grant documentation through the Transportation Electronic Award Management System; and

WHEREAS, in Resolution No. 14-151, the City Commission approved a JPA (Contract No. AR707), for grant funding for the purchase of buses for a fixed route bus transit system, and additional mutually agreed terms; and

WHEREAS, in Resolution No. 15-009, the City Commission approved Supplemental Joint Participation Agreement No. 1, to authorize an increase in the amount of funding; and

WHEREAS, City staff recommends the approval of SJPA # 2, in order to fund, in part, the construction of an elevator at the Park n Ride.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached SJPA #2, for FDOT Contract No. AR707 between FDOT and the City of Key West, for funding to procure and install an elevator at the Park n Ride Garage in Key West, as mutually agreed upon by FDOT and City, is hereby approved in an amount not to exceed of \$266,639.28.

Section 2: That necessary budget transfers and amendments necessary to effectuate this SJPA #2 are hereby approved.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held  
this 6th day of February, 2018.

Authenticated by the Presiding Officer and Clerk of the  
Commission on 7th day of February, 2018.

Filed with the Clerk on February 7, 2018.

Mayor Craig Cates	<u>Absent</u>
Vice Mayor Clayton Lopez	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Richard Payne	<u>Yes</u>
Commissioner Margaret Romero	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

ATTEST:

Cheryl Smith  
CHERYL SMITH, CITY CLERK

Clayton Lopez  
CLAYTON LOPEZ, VICE MAYOR

# EXECUTIVE SUMMARY



**To:** Jim Scholl, City Manager  
**From:** Rodrigo Delostrinos, Director / KWDoT  
**Date:** January 18, 2018  
**Subject:** Supplemental Joint Participation Agreement #2 – Section 5311 Capital Funding - FY2018

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## **Action Statement:**

Authorize the execution of the Supplemental Joint Participation Agreement #2 (SJPA), Contract #AR707, with the State of Florida Department of Transportation (FDOT) via Section 5311 Capital Grant Program Funding assistance in an amount not to exceed \$266,639.28 for the procurement and installation of an elevator at the Park N Ride Garage.

## **Project History:**

The Park N Ride (PNR) Facility was built in 1995 with Federal Transit Administration (FTA) Grant funding and has a thirty (30) year useful life.

All revenue generated from the City's two hundred and fifty (250) Park N Ride spaces shall be dedicated to support the operations of Key West Transit.

## **Purpose and Justification:**

The Section 5311 Capital Funds are awarded as needed, by request, or with assistance of the Transit Development Plan (TDP). KWT applies for and receives Section 5311 Capital funding on an annual basis if posted on the FDOT Five (5) Year Transportation work program plan and the amount is determined by the plan. The amount allocated for FY2017 – 2018 is \$266,639.28 which is the remaining balance of Contract AR707.

The original project description was to purchase replacement buses and other capital items needed for the transit facility. Due to the cost of the new buses, the remaining funds would not cover the purchase of one bus. Key West Transit has requested to use the remaining funds for the procurement and installation of the elevator at PNR.

Please note that Key West Transit has additional grant funding to purchase replacement buses.

## **Advantages / Disadvantages:**

Advantages – include but are not limited to:

- Funding assistance of up to 80% with a maximum reimbursement amount of \$266,639.28 with a 20% match with State Toll Revenue Credits. The City's share of purchase and installation of the elevator is zero.
- The elevator will be delivered with extended coverage warranties for issues that might arise during the warranty period as the elevator ages. This will also alleviate the high maintenance costs of the current elevator.
- The City is required to provide a level of service as it relates to maintenance of maximum safety and accountability which is required of all grant funding programs with regard to safety sensitive positions, system safety of operations and hazard / security program plans mandates.
- ADA Compliance

- There are no disadvantages at this time.

**Fiscal Impact:**

No fiscal impact to the City. All cost will be covered by shared costs with Federal and State. Authorize any necessary budget adjustments to account for expenses and offsetting grant revenue.

Key West Transit staff recommends approval of this resolution to accept, authorize and execute the FDOT supplemental joint participation agreement #2 (SJPA) for Section 5311 Capital Grant funding assistance during FY 2017 – 2018 period in an amount not to exceed \$266,639.28 so as to realize our reimbursements as soon as possible for this fiscal year.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
**PUBLIC TRANSPORTATION**  
**SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**  
**Number TWO**

725-030-07  
 PUBLIC TRANSPORTATION  
 12/14  
 Page 1 of 4

Financial Project No(s): 40524729401 40524729402 _____ (Item-segment-phase-sequence) Contract No.: AR707	Fund: DU/DDR Function: 632 Federal No.: FL-85-X001 DUNS No.: 80-939-7102	FLAIR Category: 088774 Object Code: 780000 Org. Code: 55062020629 Vendor No.: F596000346014
Catalog of Federal Domestic Assistance Number: 20.509 CFDA Title: FTA Section 5311-Rural Capital Grant		Catalog of State Financial Assistance Number: N/A CSFA Title: N/A

THIS AGREEMENT, made and entered into this 16th day of February, 2018,  
 by and between the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, an agency of the State of Florida,  
 hereinafter referred to as the Department, and City of Key West - DOT  
5701 West College Road, Key West, FL 33040  
 hereinafter referred to as Agency.

WITNESSETH:

WHEREAS, the Department and the Agency heretofore on the 10th day of June 2014  
 entered into a Joint Participation Agreement; and

WHEREAS, the Agency desires to accomplish certain project items as outlined in the Attachment "A" appended  
 hereto; and

WHEREAS, the Department desires to participate in all eligible items for this project as outlined in Attachment  
 "A" for a total Department Share of \$3,298,132.00

NOW, THEREFORE THIS INDENTURE WITNESSETH: that for and in consideration of the mutual benefits to flow  
 from each to the other, the parties hereto agree that the above described Joint Participation Agreement is to be amended  
 and supplemented as follows:

**1.00 Project Description:** The project description is amended

- Supplemental provided to add scope of work to Contract - procurement and installation of an elevator at the Park and  
 Ride Garage located at 300 Grinnell Street, Key West, Florida.

Participation is 80/20 - FTA/Local (Toll Revenue Credits provided for Local Match)



**2.00 Project Cost:**

Paragraph 3.00 of said Agreement is  increased/  decreased by \$0.00  
bringing the revised total cost of the project to \$4,431,964.00

Paragraph 4.00 of said Agreement is  increased/  decreased by \$0.00  
bringing the Department's revised total cost of the project to \$3,298,132.00

**3.00 Amended Exhibits:**

Exhibit(s) B \_\_\_\_\_ of said Agreement is amended by Attachment "A".

**4.00 Contract Time:**

Paragraph 16.00 of said Agreement December 31st, 2019 \_\_\_\_\_

**5.00 E-Verify**

Vendors/Contractors:

1. shall utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Vendor/Contractor during the term of the contract; and
2. shall expressly require any subcontractors performing work or providing services pursuant to the state contract to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

40524729401

Financial Project No(s) 40524729402

Contract No. AR707

Agreement Date February 16, 2014

Except as hereby modified, amended or changed, all other terms of said Agreement dated June 10th 2014 and any subsequent supplements shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed, the day and year first above written.

AGENCY

FDOT

City of Key West - DOT  
AGENCY NAME

See attached Encumbrance Form for date of Funding Approval by Comptroller

J. K. Scholl  
SIGNATORY (PRINTED OR TYPED)

  
LEGAL REVIEW  
DEPARTMENT OF TRANSPORTATION

J.K. Scholl  
SIGNATURE

  
DEPARTMENT OF TRANSPORTATION

CITY MANAGER  
TITLE

D6 - Director of Transportation Development  
TITLE



40524729401  
 Financial Project No(s) 40524729402

Contract No. AR707  
 Agreement Date February 16, 2018

**ATTACHMENT "A"  
 SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT**

This Attachment forms an integral part of that certain Supplemental Joint Participation Agreement between the State of Florida, Department of Transportation and City of Key West - DOT  
 5701 West College Road, Key West, FL 33040

dated 6/10/2014

DESCRIPTION OF SUPPLEMENT (Include justification for cost change):

- Supplemental to add scope of work (procurement and installation of elevator at Park and Ride Garage) and time extension to 12/31/2019.

I.	Project Cost:	As Approved	As Amended	Net Change
		\$4,431,964.00	\$4,431,964.00	\$0.00
	Total Project Cost	\$4,431,964.00	\$4,431,964.00	\$0.00
II.	Fund Participation:	As Approved	As Amended	Net Change
	Department:	\$3,298,132.00	\$3,298,132.00	\$0.00
	Agency:	\$1,133,832.00	\$1,133,832.00	\$0.00
	Total Project Cost	\$4,431,964.00	\$4,431,964.00	\$0.00

Comments:

- N/A



**Rod Delostrinos**  
Director of Transportation

**THE CITY OF KEY WEST**  
P.O. BOX 1409  
KEY WEST, FL 33041-1409

5701 College Road  
(305) 809-3918  
rdelostrinos@cityofkeywest-fl.gov

To: Mr. Raymond Freeman  
Transit Programs Administrator  
Model Development Office  
Florida Department of Transportation  
District 6  
1000 NW 111 Avenue, Room 6108  
Miami, Florida 33172

From: Rodrigo G. Delostrinos, Jr.

Date: December 1, 2017

Reference: **Request for Funds Reallocation and Extension of Time- Joint Participation Agreement FM No. 405247-2-94-01/02/03- Contract No. AR707 KWT-FTA Section 5311 Capital Grant-Bus Fleet Replacement.**

Dear Mr. Freeman:

Key West Transit (KWT) requests a reallocation of the project funding for the upgrade bus security camera project to include the replacement of the elevator pursuant to Contract AR707, FM No. 405247-2-94-01/02/03- Contract No. AR 707 KWT-FTA Section 5311 Capital Grant-Bus Fleet Replacement in the amount of \$266,640. KWT also requests a time extension from March 31, 2018 to December 31, 2019 to allow for proper local, state, and federal procurement procedures.

**Project History:**

- The original Joint Participation Agreement (JPA) was executed on June 10, 2014, providing KWT State funding in the amount of \$2,072,532 to purchase replacement buses.
- On February 9, 2015, supplemental JPA#1 was executed to provide additional funding in the amount of \$1,225,600 to purchase additional replacement buses.
- Funds allocated to date have allowed the purchase of four buses, shop equipment, radios, and one ADA support van.

**Key to the Caribbean - Average yearly temperature 77° F.**


Project Description:

- The "Park N' Ride" parking garage facility promotes use of public transit. Patrons who use the garage are allowed fare free on city route buses.
- Places of public accommodations must adhere to the standards of the Americans with Disabilities Act of 1990. Elevator service provide reasonable accommodation for patrons at the "Park N' Ride" parking garage located at 300 Grinnell Street, Key West, Florida.
- The current elevator is unserviceable due to deteriorating components and systems. The elevator is original to the construction of the facility and has reached its useful life.

Funding:

The total procurement and installation cost of the replacement elevator is \$200,000.

Sincerely,



Rod Delostrinos  
Director of Transportation

## Carolyn Haia

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**Subject:** Grant Funding for Elevator at Park N Ride

**From:** Freeman, Raymond [mailto:Raymond.Freeman@dot.state.fl.us]

**Sent:** Friday, November 17, 2017 3:04 PM

**To:** Carolyn Haia <chaia@cityofkeywest-fl.gov>

**Cc:** Richardson, Dionne G. <Dionne.Richardson@dot.state.fl.us>; Dube, Chris <Christopher.Dube@dot.state.fl.us>;

Ripley, Ismir <Ismir.Ripley@dot.state.fl.us>; Rod Delostrinos <rdelostrinos@cityofkeywest-fl.gov>

**Subject:** RE: Grant Funding for Elevator at Park N Ride

Hi Carolyn,

We have just received approval to proceed as Key West has requested.

I will need the letter request for the supplemental JPA and project description information. I believe this contract currently ends in 3/31/18, so consider that as well.

Feel free to let me know of any additional questions or concerns.

Thank you,

**Raymond Freeman**

**Transit Programs Administrator**

Modal Development Office

Florida Department of Transportation

District Six

1000 NW 111 Avenue, RM 6108

Miami, FL 33172

Phone: 305-470-5255

Email: [Raymond.Freeman@dot.state.fl.us](mailto:Raymond.Freeman@dot.state.fl.us)



**From:** Carolyn Haia [mailto:chaia@cityofkeywest-fl.gov]

**Sent:** Friday, November 17, 2017 10:08 AM

**To:** Freeman, Raymond <[Raymond.Freeman@dot.state.fl.us](mailto:Raymond.Freeman@dot.state.fl.us)>

**Cc:** Richardson, Dionne G. <[Dionne.Richardson@dot.state.fl.us](mailto:Dionne.Richardson@dot.state.fl.us)>; Dube, Chris <[Christopher.Dube@dot.state.fl.us](mailto:Christopher.Dube@dot.state.fl.us)>;

Ripley, Ismir <[Ismir.Ripley@dot.state.fl.us](mailto:Ismir.Ripley@dot.state.fl.us)>; Stutts, Elizabeth <[Elizabeth.Stutts@dot.state.fl.us](mailto:Elizabeth.Stutts@dot.state.fl.us)>; Rod Delostrinos <[rdelostrinos@cityofkeywest-fl.gov](mailto:rdelostrinos@cityofkeywest-fl.gov)>

**Subject:** RE: Grant Funding for Elevator at Park N Ride

Hi Raymond,

Any news on using AR707 for the Elevator at the Park N Ride?

Carolyn Haia

Grants & Projects Manager

Key West Transit

305-809-3913

RESOLUTION NO. 17-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING THE AUTHORITY TO EXECUTE AND SUBMIT GRANT DOCUMENTATION THROUGH THE TRANSPORTATION ELECTRONIC AWARD MANAGEMENT SYSTEM (TEAM) TO THE FEDERAL TRANSIT ADMINISTRATION (FTA) AND FEDERAL HIGHWAY ADMINISTRATION (FHWA), AND TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND U.S. DEPARTMENT OF TRANSPORTATION (USDOT) TO THE CITY MANAGER JIM SCHOLL, KEY WEST DEPARTMENT OF TRANSPORTATION DIRECTOR RODRIGO G. DELOSTRINOS, JR., AND ALTERNATE DESIGNEES PROJECT AND GRANTS MANAGER CAROLYN HAIJA, ASSISTANT CITY MANAGER GREG VELIZ AND FINANCE DIRECTOR MARK FINIGAN; AUTHORIZING CITY ATTORNEY SHAWN SMITH, CHIEF ASSISTANT CITY ATTORNEY RONALD RAMSINGH AND ASSISTANT CITY ATTORNEY GEORGE WALLACE TO AFFIRM THE AUTHORITY OF THE CITY AND ITS DESIGNEES TO APPLY FOR AND ACCEPT GRANT FUNDING; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, due to recent personnel changes, it is necessary to amend the designated authorities for grant applications set forth in City Commission Resolution No. 16-171 in May, 2016; and

WHEREAS, this resolution shall supersede Resolution 16-171; and

WHEREAS, in order to apply for and obtain grant funding, it is necessary for the City Commission, on an annual basis, to designate authority to certain individuals to act on behalf of the City of Key West in applications for grant opportunities, grant management and other grant processes with regard to capital and



operating assistance for the City of Key West Department of Transportation (KWDOT); and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That this Resolution shall supersede the designated authorities set forth in Resolution No. 16-171.

Section 2: That this resolution applies to Federal Programs under U.S.C. Sections 5311, 5309, and related public transportation program grants.

Section 3: That the City Manager Jim K. Scholl and Transit Director Rodrigo G. Delostrinos, Jr., as well as alternate designees Projects and Grants Manager Carolyn Haia, Assistant City Manager Greg Veliz and Finance Director Mark Finigan, are hereby individually designated authority to act on behalf of the City in application of grant opportunities, as well as other electronic and manual grant processes through the TEAM system for FTA and FHWA, and through FDOT and USDOT.

Section 3: That City Attorney Shawn Smith as well as alternate designee Chief Assistant City Attorney Ronald Ramsingh and Assistant City Attorney George Wallace are hereby authorized to affirm that the City and its designees are authorized under State, local, or tribal government law, as applicable, to make grant applications and comply with all necessary certifications

and assurances. These attorneys are also authorized to affirm, as applicable, that there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 16 day of May, 2017.

Authenticated by the Presiding Officer and Clerk of the Commission on 17 day of May, 2017.

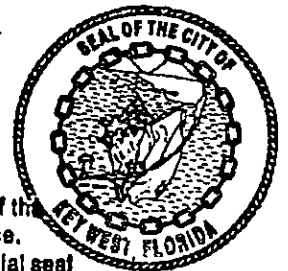
Filed with the Clerk on May 17, 2017.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Clayton Lopez	<u>Yes</u>
Commissioner Sam Kaufman	<u>Yes</u>
Commissioner Richard Payne	<u>Yes</u>
Commissioner Margaret Romero	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>

ATTEST:

Cheryl Smith  
CHERYL SMITH, CITY CLERK

Craig Cates  
CRAIG CADES, MAYOR  
STATE OF FLORIDA  
COUNTY OF MONROE  
CITY OF KEY WEST



This copy is a true copy of the original on file in this office.  
Witness my hand and official seal this 17<sup>th</sup> day of May, 2017

Jr. Deputy City Clerk

By Jessie P. Harrison, CMC