



AGENDA

Metropolitan Transportation Engineering
& Construction Cooperative (MTECC)
Thursday, March 14, 2023, 9:00 a.m.
**100 West Cypress Creek Road,
6th Floor, Suite 650
Fort Lauderdale, FL 33309-2181**

REGULAR ITEMS

(All Items Open for Public Comment)

1. Call to Order
2. Approval of Minutes
3. Approval of Agenda
4. Public Comments

ACTION ITEMS

1. MOTION TO APPROVE: City of Coconut Creek request for MTECC services for Project B-23-CP-FL-0383 - COCONUT CREEK HUD PROJECT - LIGHTING ON LYONS ROAD. This project was a Federal appropriation specific for this project and the grant will be awarded to the Broward MPO through the Federal Department of Housing and Urban Development (HUD). The HUD Grant is being finalized in the amount of \$3,510,000 Federal grant and \$35,000 City funds in a Tri-Party Agreement between the Broward MPO, City of Coconut Creek and MTECC. The Broward MPO will receive \$390,000 of the total Federal grant of \$3,900,000 (resulting in \$3,510,000 for the Tri-Party Agreement amount) for administration of the HUD grant as the grantee.
2. MOTION TO APPROVE: Approval of the Amended MTECC Operating Fund Budget and Capital Project Fund for fiscal year 2023-24.

DISCUSSION ITEMS

1. MTECC Project Status Update
2. Executive Director's Report
3. PMC Report

4. MTECC Website
5. General Counsel's Report
6. Board Comments

NEXT MEETING: April 11, 2024

***MOTION TO ADJOURN**

* Motion Requested

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact Carl Ema, Title VI Coordinator at (954) 876-0033/0052 or emac@browardmpo.org (or via Florida Relay at 711) at least seven days prior to the meeting.

For complaints, questions or concerns about civil rights or non-discrimination please contact: Carl Ema, Title VI Coordinator at the numbers or e-mail above.



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/14/2024

2.

REQUESTED ACTION:

Approval of Minutes

SUMMARY EXPLANATION/BACKGROUND:

ADDITIONAL INFORMATION/PREPARER:

Attachments

12.14.2023 MTECC Minutes

DRAFT
MEETING MINUTES
METRO TRANSPORTATION ENGINEERING AND
CONSTRUCTION COOPERATIVE (MTECC)
100 WEST CYPRESS CREEK ROAD
6TH FLOOR, SUITE 650
FORT LAUDERDALE, FLORIDA 33309-2181
THURSDAY, DECEMBER 14, 2023, 9:00 A.M.

Members

Chair Andrea McGee, Vice Mayor of Pompano Beach
Vice Chair Caryl Shuham, Commissioner of Hollywood (via Teams)
Tim Fadgen, Councilmember of Plantation

Staff / Also Present

Lowell Clary, MTECC Executive Director
Matthew Pearl, MTECC Legal Counsel
William Cross, Broward MPO Deputy Executive Director of Planning and Programming
Christopher Bross, MTECC Contracting Officer
Julia Ronquillo, MTECC Administrative Support
Tanya Davis, SDA
Christine Fanchi, MTECC
Karl Kennedy, City of Pembroke Pines
Milos Majstorovic, City of Fort Lauderdale

REGULAR ITEMS

1. Call to Order

The meeting was called to order at 9:00 a.m.

2. Approval of Minutes

3. Approval of Agenda

4. Public Comments

ACTION ITEMS

- 1. MOTION TO APPROVE: Approval of the City of Fort Lauderdale as a member of MTECC.**

2. **MOTION TO APPROVE: Approval of the Amended MTECC Operating Fund Budget and Capital Project Fund for fiscal year 2023-24.**
3. **MOTION TO APPROVE: Agreement No. 23-04 between MTECC and S. Davis and Associates, P.A. for annual audit services for up to five years starting with the audit of fiscal year 2022-23 MTECC financial statements.**

DISCUSSION ITEMS

1. MTECC Project Status Update

MTECC Executive Director Lowell Clary reported that MTECC has been approached by the city of Plantation, which has a number of City-owned projects on which they would like to move forward. A meeting is planned with their city staff to discuss these prospective projects.

Active projects include the following:

- Coconut Creek: MTECC and the MPO are developing a final grant application for this project, which will be brought forward for approval later in the current fiscal year
- Hollywood projects
- Fort Lauderdale: the MPO is currently developing the initial scope of a project which will be ready later in the fiscal year

Mr. Clary added that the city of Hollywood may wish to select its own project manager, in which case MTECC will provide design services and city staff will manage the project. Each project can be structured uniquely to fit the city's wishes.

2. Executive Director's Report

Mr. Clary noted that a detailed written report of activities since the last meeting was provided to the Board members. Most activities have been coordination meetings and preparation of existing projects. The Florida Department of Transportation (FDOT) has MTECC's procurement processes for Deerfield Beach and Hallandale Beach.

3. General Counsel's Report

MTECC General Counsel Matthew Pearl reported that since the last meeting, he has worked on various agreements that needed to be put in place for FDOT as well as for other funding sources. Staff is looking into a tri-party agreement for grant funds that do not come through FDOT, such as federal sources. These agreements will be brought before the Board for review in January 2024. It was suggested that a presentation could be made to the Broward MPO Board in February or March so other cities can see what MTECC is accomplishing.

Mr. Clary added that the municipalities of Lighthouse Point and Sunrise have also expressed interest in MTECC, and follow-up conversations are planned. Sunrise is working on a joint project with the city of Tamarac, while Lighthouse Point does not have any active projects at this time.

Mr. Clary also recalled that the city of Hollywood had asked whether or not MTECC would be available to assist them with grant application processes. While MTECC has the technical expertise to undertake this, they have not committed to this specific assistance, as it is not listed as one of the Cooperative's services. Mr. Cross clarified that assistance with grant applications is typically provided by the MPO to its member governments.

Mr. Clary noted that there are two parts to grant assistance: guidance regarding the areas in which to apply, which is clearly an MPO role, and a second area including development of the application itself, which may include technical work for which cities may not have sufficient expertise. Mr. Cross noted that most municipalities which are MPO member governments have inter-local agreements with the MPO to access planning services, either through MPO Staff or through consultant resources. He recommended keeping MTECC services separate from what can be provided through the MPO.

Vice Chair Shuham suggested that later on, when MTECC has participated in more projects and if they are still encouraging more cities to sign onto the collective, assistance with grant applications could be an additional incentive so cities do not have to hire third-party contractors.

4. Board Comments

It was noted that the next meeting date will be February 8, 2024, although Mr. Clary advised that this is a tentative date, depending upon whether or not there is business to bring forward. He anticipated a meeting in March 2024.

Mr. Cross added that the Broward MPO's Metropolitan Transportation Plan (MTP), which is issued every five years, will be presented at an offsite event immediately following its September 12, 2024 regular meeting. The Board meeting on that date will be held offsite, and may begin at an earlier time to accommodate the event, which may run until 11:30 a.m. It was determined that MTECC may meet offsite as well, immediately following the MPO Board meeting and event.

There being no further business to come before the Cooperative at this time, the meeting was adjourned at 9:20 a.m.



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/14/2024

1.

REQUESTED ACTION:

MOTION TO APPROVE: City of Coconut Creek request for MTECC services for Project B-23-CP-FL-0383 - COCONUT CREEK HUD PROJECT - LIGHTING ON LYONS ROAD. This project was a Federal appropriation specific for this project and the grant will be awarded to the Broward MPO through the Federal Department of Housing and Urban Development (HUD). The HUD Grant is being finalized in the amount of \$3,510,000 Federal grant and \$35,000 City funds in a Tri-Party Agreement between the Broward MPO, City of Coconut Creek and MTECC. The Broward MPO will receive \$390,000 of the total Federal grant of \$3,900,000 (resulting in \$3,510,000 for the Tri-Party Agreement amount) for administration of the HUD grant as the grantee.

WHAT THIS ACTION ACCOMPLISHES:

Approval of the City of Coconut Creek (City) request for MTECC services to undertake the implementation of the project, will allow MTECC staff and its General Program Management Consultant (PMC) to begin work with the City and MPO to complete the HUD Grant, provide a scope of services to the design and engineering consultant (DES) pool for proposals, evaluations and to select a DES for the Project.

SUMMARY EXPLANATION/BACKGROUND:

The initial processes will result in the development of a series of items outlined below supporting the delivery of the Project that will be part of a follow up package provided for review and approval by the MTECC Board prior to implementation of the Project design phase: · HUD Grant Agreement between the HUD and Broward MPO · Tri-Party Project Administration Agreement between Broward MPO, the City and MTECC · PMC Project Oversight Task Order · DES Project Task Order (selected through competitive process from the DES pool) · Project Summary Plan, Schedule and Budget · Budget Amendment adding the Project to the MTECC Annual Budget

MTECC STAFF RECOMMENDATION(S):

MTECC staff recommends approval of the City of Coconut Creek request for MTECC services to implement Project B-23-CP-FL-0383.

ADDITIONAL INFORMATION/PREPARER:

If you have any questions about this item, please contact Lowell Clary at (850) 212-7771 and claryl@mteccfl.org.

Coconut Creek Letter of Request
Resolution Approving Coconut Creek



CITY MANAGER'S OFFICE
4800 WEST COPANS ROAD
COCONUT CREEK, FLORIDA 33063

SHEILA N. ROSE
DEPUTY CITY MANAGER

February 26, 2024

Mr. Lowell R. Clary, Executive Director, MTECC
100 West Cypress Creek Road, Suite 650
Fort Lauderdale, FL 33309-2181

Re: Request for MTECC Services for Grant Agreement (#B-23-CP-FL-0383)

Dear Mr. Clary:

The City of Coconut Creek is a Member City of MTECC and requests that the MTECC Board consider undertaking the implementation of Lyons Road Pedestrian Lighting Project assigned to the Grant Agreement (**#B-23-CP-FL-0383**). The details on the project are shown below:

- Lyons Road Pedestrian Lighting Project
- Pedestrian Lighting along sidewalks and shared use pathways
- Engineering/Design Phase
- Budget Amount (Non-federal) City Contribution \$35,000.00
- Member directed HUD Funding

The City understands that MTECC will take the lead on the implementation of the above referenced Project and the conditions outlined in the Grant Agreement (**#B-23-CP-FL-0383**). MTECC will partner with the City on all key steps in the process including those noted below. The City's project contact will be Michael Righetti, Senior Project Manager, mrighetti@coconutcreek.net (954) 956-1567.

- 1) Project scoping and funding (including adequate contingencies);
- 2) City resolutions as required;
- 3) Procurement/selection of design consultant and contractor;
- 4) Routine project reports and monitoring;
- 5) Review and sign off on project phase completion,
- 6) Review and acceptance of the completed project.

The City understands that any increase in the Project Budget above the Project contingency will be discussed with the City in advance and the City must agree with the Project Budget increase and fund the difference. The City agrees it will be responsible for advancing MTECC funds up to 8% of the Project Budget at the time the Project Agreement is executed with MTECC to ensure timely payments to consultants and contractors delivering the Project. Any advances remaining after Project Closeout will be returned to the City in a timely manner.

We look forward to the successful delivery of Lyons Road Pedestrian Lighting Project.

Sincerely,



SHEILA N. ROSE, ICMA, AICP
Deputy City Manager

RESOLUTION NO. 2023-

A RESOLUTION OF BOARD OF THE METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (“MTECC”) APPROVING A REQUEST FOR SERVICE FROM THE CITY OF PEMBROKE PINES FOR PROJECT B-23-CP-FL-0383 - COCONUT CREEK HUD PROJECT - LIGHTING ON LYONS ROAD; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Coconut Creek has requested that MTECC provide services associated with the design and construction phases of Project B-23-CP-FL-0383, consisting of the construction of Lighting on Lyons Road in Coconut Creek (the “Project”); and

WHEREAS, MTECC desires to provide the requested services relating to the Project.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE, AS FOLLOWS:

Section 1. RECITALS ADOPTED. That each of the above stated recitals is hereby adopted and confirmed.

Section 2. PROVISION OF SERVICE APPROVED. That the Board hereby approves the provision of services necessary to implement the design and construction phase of the Project.

Section 3. IMPLEMENTATION. That the Executive Director is hereby authorized to take any and all actions necessary to implement the purposes of this Resolution including the execution of all required agreements, subject to: 1) the Board’s approval of a form Project Administration Agreement; and 2) the Board’s approval of an MTECC Budget Amendment to account for Project related revenues and expenses.

Section 4. EFFECTIVE DATE. This Resolution shall become effective upon adoption.

ADOPTED this _____ day of _____, 2024.

METRO TRANSPORTATION ENGINEERING AND
CONSTRUCTION COOPERATIVE

By _____
Chair

Attest:

By .

Lowell Clary, Executive Director



**Metro Trans Engineering & Construction
Cooperative (MTECC)
Meeting Date: 03/14/2024**

2.

REQUESTED ACTION:

MOTION TO APPROVE: Approval of the Amended MTECC Operating Fund Budget and Capital Project Fund for fiscal year 2023-24.

WHAT THIS ACTION ACCOMPLISHES:

This provides the budget authority for MTECC Operating Fund and Capital Project Fund for the Project B-23-CP-FL-0383 - COCONUT CREEK HUD PROJECT - LIGHTING ON LYONS ROAD, as advances from the Operating Fund to the Capital Projects Fund of \$25,000 for the project to support the Board's approval of MTECC's support of Coconut Creek.

SUMMARY EXPLANATION/BACKGROUND:

The Annual Budget provides the authority for MTECC's activities in delivering projects on behalf of MTECC members. The amended budget makes the following adjustments: · Project activities have begun for the Coconut Creek Lyons Road Lighting project requiring an advance from the MTECC Operating Fund to the MTECC Capital Projects Fund. This is funded from an advance of \$25,000.00 for the project. These funds will be replenished once the Tri-Party Project Agreement is expected to be executed with Broward MPO, the City of Coconut Creek and MTECC later in fiscal year 2023-24 to the extent funds may have been expended by the Program Management Consultant up to the maximum of \$25,000 per project. The key amended line items are highlighted in yellow highlights in the attached Exhibit A on pages 5, 7 and 8. The Annual Budget provides the authority for MTECC's activities in delivering projects on behalf of MTECC members. The amended budget makes the following adjustments: · Project activities have begun for the Coconut Creek Lyons Road Lighting project requiring an advance from the MTECC Operating Fund to the MTECC Capital Projects Fund. This is funded from an advance of \$25,000.00 for the project. These funds will be replenished once the Tri-Party Project Agreement is expected to be executed with Broward MPO, the City of Coconut Creek and MTECC later in fiscal year 2023-24 to the extent funds may have been expended by the Program Management Consultant up to the maximum of \$25,000 per project. The key amended line items are highlighted in yellow highlights in the attached Exhibit A on pages 5, 7 and 8.

MTECC STAFF RECOMMENDATION(S):

Recommend approval of the amended MTECC Operating Budget and MTECC Capital Project Fund Budget for fiscal year 2023-24.

ADDITIONAL INFORMATION/PREPARER:

If you have any questions about this item, please contact Lowell Clary at (850) 212-7771 and claryl@mteccfl.org.

Attachments

Amend 2 Budget FY 23-24

Metro Transportation Engineering & Construction Cooperative Amended Budget Fiscal Year 2023-2024

Background

The Metro Transportation Engineering & Construction Cooperative (MTECC) was established in 2022 by Interlocal Agreement “ILA” between the founding member municipal members of City of Hollywood, City of Plantation and the City of Pompano Beach under Section 163.01, Florida Statutes in cooperation with the Broward Metropolitan Planning Organization under Section 339.175, Florida Statutes. The founding municipal members appoint a MTECC Board Member from their elected officials that form the MTECC Board. The MTECC Board provides policy direction for the operation of MTECC. MTECC shall be a separate legal entity, pursuant to Section 163.01(7), Florida Statutes. This Agreement was filed and recorded on May 31, 2022, with the Clerk of Court for Broward County, Florida in accordance with Section 163.01(11), Florida Statutes.

MTECC as an organization was created to facilitate the planning, design and construction of transportation related projects throughout the County. Under the ILA, additional municipalities in Broward County may join the MTECC through Interlocal Agreement with MTECC. A municipality must be a member of MTECC for MTECC to provide the planning, design, and construction of transportation related projects in the municipality.

From time-to-time Federal funds become available through the Florida Department of Transportation and the Federal Transit Administration to fund projects that are on municipal roads and other transportation facilities (transitways, sidewalks, bikeways, etc.). Projects funded through Federal funding must comply with Federal laws, regulations and standards which in most cases vary from other projects implemented by municipalities. MTECC was primarily established to specialize in delivering projects that must meet Federal requirements to be efficient in delivering these projects for the member municipality. This prevents the various municipalities from the expense of meeting the Federal requirements on what may be a Federal funded project once or twice every three to five years.

Budget/Fund Structure

Special Revenue Fund

Special Revenue funds include funds that contain revenues which are restricted for specific purposes. The MTECC Operating Fund is created as a Special Revenue Fund. The MTECC Operating Fund supports the administrative operations of MTECC including grants provided by MTECC municipality members under the ILA and the costs to support the following:

- MTECC Board activities and support.
- Executive Director for administrative activities.
- Board Attorney for administrative activities.
- Finance and Accounting for MTECC activities.
- Procurement support activities.
- Contract Management activities

- Board public relations and involvement activities.
- Other administrative support activities.

Capital Project Fund

In the initial budget there are no revenues or projects in the MTECC Capital Projects Fund. As projects are undertaken by MTECC these will be included in the MTECC Capital Project Fund and accounted for as unique projects when grant agreements are executed. Projects in the Capital Projects Fund by their nature may cover multiple years depending on the size and complexity of the project.

Budget Process

The Proposed Budget is provided to develop the proposed budget in the late Spring of each year with the proposed budget presented to the MTECC Board in July of each year to be adopted in September of each year for the subsequent fiscal year October 1 to September 30.

Adopting the Budget

MTECC must adopt a balanced budget. A balanced budget as defined in Florida Statutes 166.241(2) is where the amount available from taxation and other sources, including amounts carried over from prior fiscal years, must equal the total appropriations for expenditures and reserves.

MTECC does not have any taxing authority and relies upon contributions from municipal members and grants for capital projects from partners such as FDOT and the Federal Transit Administration. MTECC will hold a public hearing on the tentative budget that is published for public review at least 5 days before the hearing. The budget becomes effective on October 1. The legal level of adoption is at the Fund Level for the MTECC Operating Fund and at the project level for the Capital Projects Fund.

Amending the Adopted Budget

State law allows changes to the adopted budget at any time throughout the fiscal year and up to 60 days after the fiscal year end (Florida Statutes 166.241(4)). These changes include budget amendments, which increase or decrease the total budget of a fund. Any budget amendments move funds from Budgeted Reserve in the MTECC Operating Fund or at a project level for a capital project in the Capital Projects Fund require MTECC Board approval.

Budget Monitoring

The budget is monitored monthly by the Executive Director to track variances between the actual and budgeted amounts, to identify trends and to estimate end-of-year results. Monthly financial reports are distributed to the MTECC Board members and all MTECC municipal members, Broward MPO, and for each project to the funding partner for the project. The Executive Director shall monitor the MTECC Operating Fund and each project in the Capital Projects Fund to evaluate the adequacy of funds year to date and through the end of the year. The Executive Director shall propose budget amendments to increase or decrease revenues and/or appropriated expenditures to maintain a balanced budget during each fiscal year for the MTECC Operating Fund and each project in the Capital Projects Fund.

Operating Budget Policies

Budgetary basis refers to the reporting of revenues and expenditures or expenses in the financial statements as they are recognized in the accounts. The basis of accounting relates to the timing of the

measurements made, regardless of the measurement focus applied. All Governmental Funds are accounted for using the modified accrual basis of accounting except that encumbrances are treated as the equivalent of expenditures, as opposed to a reservation of fund balance. Under the modified accrual basis of accounting, revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the fiscal period. Expenditures are generally recognized, under the modified accrual basis of accounting, when the related fund liability is incurred. Debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due, using the current financial resources measurement focus of accounting. At year-end, open encumbrance balances lapse.

The Annual Comprehensive Financial Reporting presents the status of the MTECC's finances on a basis consistent with Generally Accepted Accounting Principles (GAAP) (that is, the Governmental Funds use the modified accrual basis of accounting) In order to provide a meaningful comparison of actual results with the budget, the Annual Comprehensive Financial Reporting presents MTECC's operations on a GAAP basis and also shows fund expenditures and revenues on a budget basis for the Special Revenue and Capital Projects Funds. MTECC is required to prepare a balanced budget in which current revenues will be sufficient to support current expenditures.

MTECC Operating Fund Financial Reserve Policies

In general, MTECC should maintain adequate fund balances or reserves to handle unexpected decreases in revenues plus a reasonable level for extraordinary unbudgeted expenditures. For measurement purposes, the minimum target fund balance in the MTECC Operating Fund is the equivalent of 90 days of average expenditure for the MTECC Operating Fund and should be computed annually and remain unappropriated. On an annual basis, projections of reserve requirements and a plan for the use of additions for the current year shall be made in accordance with relevant MTECC policies.

Capital Projects Fund Project Level Financial Reserve Policies

The Executive Director will analyze each project grant amount and establish a reserve amount for each project in coordination with the project team experts, funding partner and municipal member where the project is located. This reserve shall be maintained at the project level of the Capital Projects Fund and used for unexpected expenditures on the project. This reserve shall be monitored monthly and updated as needed to ensure there is adequate funding for each project.

Capital Improvement Policies

MTECC shall coordinate the development of the MTECC Capital Improvement Plan with the development of the MTECC Operating Fund Budget and in coordination with funding partners such as the Broward MPO, FDOT, Federal Transit Administration and MTECC municipal members. MTECC shall have a five-year capital improvement plan that identifies specific projects and project phases by year within the five-year period. Each year, a new year will be added to the five-year capital improvement plan. Future operating expenditures and revenues associated with new capital improvement will be projected and included in the Five-Year Capital Improvement Plan.

MTECC shall capture the expenditures for capital improvement projects by project and at the completion of the project transfer the project value to the municipal member that by agreement will own the project for long-term operations and maintenance.

Revenue Policies

MTECC depends on funding partners to provide grants for the MTECC operations and capital projects being implemented by MTECC. MTECC will include revenues as required by the ILA in the MTECC Operating Budget and any other grants that may be made by MTECC municipal members for MTECC operations. MTECC Capital Projects Funds revenues shall be developed based on executed grant agreements from project funding partners. Legally restricted revenues will be used for the specific purpose dictated by the issuer. To ensure compliance with revenue, reserve and budget policies, MTECC staff shall analyze and prepare reports annually to monitor, project and estimate revenues and expenditures, on an annual basis and forward for the next fiscal year.

Expenditure Policies

Expenditures are a rough measure of MTECC's service output. While many expenditures can be easily controlled, unanticipated service demands may strain our ability to maintain a balanced budget. To ensure the proper control of expenditures and provide for a quick and effective response to adverse financial situations, expenditures and purchase commitments will be made in a form and process that is legal, appropriate, funded, authorized and sufficiently documented. Also, expenditures and purchase commitments will be recorded in an accurate and timely fashion.

Budget In Brief

Adopted budget amounts for fiscal year 2023-2024 includes:

Revenues. The revenues will involve an assessment to the MTECC member cities (assumes cities of Coconut Creek, Deerfield Beach, Hallandale Beach, Hollywood, Pembroke Pines, Plantation, and Pompano Beach), that is assumed to be \$25,000 per City to total revenues of \$175,000 for fiscal year 2022-23. Any new MTECC members will be assessed a \$50,000 initial year fee for joining MTECC should additional cities join MTECC during fiscal year 2023-24. Fort Lauderdale has an action to join MTECC scheduled for their October 17, 2023, Commission meeting.

Expenditures. The budget expenditures for general administrative activities in fiscal year 2023-24 include the following major categories.

General Administrative

- Board Expense – these include Board preparation, meeting minutes and related support
- MTECC Legal Counsel – general support for Board meetings and administrative activities
- MTECC Executive Director – general support for Board meetings and administrative management and oversight of MTECC activities
- Program Management Consultant –
 - general support for Board meetings and technical support for administrative activities,
 - web development and support,
 - media relations and public involvement support for general MTECC activities
- Finance and Accounting – supports finance and accounting activities for MTECC.
- Insurance – overall insurance coverage for the Board and MTECC activities
- Annual Audit – required annual audit of MTECC activities.
- Other Administrative Expenses – this covers general administrative expenses that made not be addressed in other categories.

MTECC Member Initial Contribution Rebate – The Board may grant up to \$25,000 transfer from the MTECC Operating Fund to the MTECC Project Fund for the first member project to assist with costs to support the member project to the extent that funds are available and at the discretion of the Board.

Budgeted Reserve. The Budgeted Reserve for the MTECC Operating Budget for fiscal year 2023-24 was assumed to be \$138,310, or 45 percent of the annual expenditures of the MTECC Operating Fund.

MTECC Capital Project Fund

Deerfield Beach and Hallandale Beach have officially requested and the MTECC Board has approved moving forward with assistance in the July 2023 Board meeting for MTECC support for LAP projects in state fiscal year 2023-24. The MTECC Projects Fund has been added to the annual budget with an amended amount for fiscal year 22-23 and a tentative allocation for fiscal year 23-24. These will be further brought forward for MTECC Board review and approval to amend in the full project budgets as design that includes associated funding from FDOT/City to fund items such as:

- MTECC Executive Director – items such as project scope development, meetings, negotiations, oversight, reporting, management of consultants and related project specific activities
- MTECC Legal Counsel – project level items such as draft agreements, negotiations, finalizing agreements, and availability for any project level issues.
- MPO Support – project level task orders and procurement processes
- Program Management Consultant
 - PMC Project Manager – project scope development, meetings, negotiations, oversight, management of PMC staff, reporting, etc.
 - PMC Design Consultant Manager – contract/project manager for design consultant on behalf of MTECC – scope development, manage design consultant activities for oversight, coordination, reporting, invoicing, payments, etc.
 - MTECC/City – design reviews at 30%, 60%, 90% plans and acceptance of 100% plans
 - Construction Bid Preparation – assist design consultant with the development of the plans, specifications, special provisions to prepare for construction bid
- Design Consultant – team responsible for the implementation of the design project.

The Adopted Budget included an advance from the Operating Budget to the Capital Projects Fund in fiscal year 2023-24. These funds are held in reserve in the Capital Projects Fund and were allocated for Project 445529-1 – Deerfield Beach and Project 445527-1 – Hallandale Beach. Amendment 1 allocated \$50,000 from the General Fund to the Special Projects Fund for specific projects for the Pembroke Pines HUB and \$25,000 for the Pembroke Pines LAP (FY 24-25) to support MTECC assistance. Amendment 2 will advance \$25,000.00 from the General Fund to the Special Projects Fund for Project B-23-CP-FL-0383 – Coconut Creek.

These advances will be reimbursed from the Capital Projects Fund to the Operating fund when the Project Agreement is executed with the grantor/cities.

MTECC Operating Fund				
Budget Item	Adopted Fiscal Year 2023-2024	Approved Amend 1	Amend 2	Amended Fiscal Year 2023-24
Revenues				
Founding Member Contributions				
City of Hollywood	\$25,000			\$25,000
City of Plantation	\$25,000			\$25,000
City of Pompano Beach	\$25,000			\$25,000
Non-Founding Member Contributions				
City of Deerfield Beach	\$25,000			\$25,000
City of Hallandale Beach	\$25,000			\$25,000
City of Pembroke Pines	\$25,000			\$25,000
City of Fort Lauderdale	\$50,000			\$50,000
City of Coconut Creek	\$25,000			\$25,000
Total Member Contributions	\$225,000			\$225,000
Interest Earnings	\$3,000			\$3,000
Total Revenues	\$228,000			\$228,000
Carry Over Prior Year	\$270,310			\$270,310
Total Available	\$498,310			\$498,310
Appropriations/Expenditures				
Board Expenses	\$10,000			\$10,000
Board Attorney	\$48,000			\$48,000
Executive Director	\$60,000			\$60,000
Program Management Consultant	\$60,000			\$60,000
Finance/Accounting	\$65,000			\$65,000
Insurance	\$10,000			\$10,000
Annual Audit	\$12,000			\$12,000
Procurement	\$10,000			\$10,000
Public Relations/Involvement	\$5,000			\$5,000
Technology	\$10,000			\$10,000
Other Administrative Expenses	\$20,000			\$20,000
Total Appropriations/Expenditures	\$310,000			\$310,000

Advance to MTECC Projects Fund		\$50,000	\$25,000	\$75,000
Budgeted Reserve	\$188,310			\$113,310
MTECC Capital Project Fund				
Budget Item	Adopted Fiscal Year 2023-2024	Approved Amend 1	Amend 2	Notes
Revenues				
Project Grants				
Total Grants	\$0.00			\$0.00
Advances from MTECC Operating Fund	\$50,000	\$50,000	\$25,000	\$125,000
Total Revenues	\$50,000	\$50,000	\$25,000	\$125,000
Carry Over Prior Year	\$0.00			\$0.00
Total Available	\$50,000	\$50,000	\$25,000	\$125,000
Appropriations/Expenditures				
Project 445529-1 – Deerfield Beach				
Program Management Consultant	\$25,000			\$25,000
Design Consultant				
Contingency				
Project Total				
Project 445527-1 – Hallandale Beach				
Program Management Consultant	\$25,000			\$25,000
Design Consultant				
Contingency				
Project Total				
Project 449690-1 – Pembroke Pines				
Program Management Consultant		\$25,000		\$25,000

Design Consultant				
Contingency				
Project Total				
Project 4334292 – Pembroke Pines				
Program Management Consultant		\$25,000		\$25,000
Design Consultant				
Contingency				
Project Total				
Project B-23-CP-FL-0383 – Coconut Creek				
Program Management Consultant			\$25,000	\$25,000
Design Consultant				
Contingency				
CEI				
Construction				
Project Total				
Total Appropriations/Expenditures	\$0.00	\$50,000	\$25,000	\$125,000
Transfers to MTECC Operating Fund	\$0.00			\$0.00
Budgeted Reserve	\$0.00	\$0.00	\$0.00	\$0.00



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/14/2024

1.

SUMMARY:

MTECC Project Status Update

Attachments

MTECC Project List

MTECC Project List - Member Cities

As of

3/6/2024 8:53

Status	City	Project Name	Project Number	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	Project Total
ACTIVE										
	Deerfield Beach									
A		2021 MPO CSLOP # 17 VARIOUS LOCATIONS: NW 45TH STREET FROM NW18TH TERRACE TO MILITARY TRAIL; CRYSTAL LAKE DR FROM NW 45TH STREET TO MILITARY TRAIL.	4455291							
		Design		\$ 394,088						\$ 394,088
		Construction (need to break out CEI)					\$ 2,339,520			\$ 2,339,520
		CEI								\$ -
		Total		\$ 394,088	\$ -	\$ -	\$ 2,339,520	\$ -	\$ -	\$ 2,733,608
		IFE Estimate								
		Design		\$ 352,858						
		PMC		\$ 49,344						
		Subtotal		\$ 402,202						
	Hallandale Beach									
A		2021 MPO CSLIP PRIORITY #15 LAP WITH CITY OF HALLANDALE BEACH - NORTHWEST 3RD STREET FROM NORTHWEST 6TH AVENUE TO DIXIE HIGHWAY	4455271							
		Design		\$ 569,995						\$ 569,995
		Construction (need to break out CEI)				\$ 623,694	\$ 2,141,740			\$ 2,765,434
		CEI								\$ -
		Total		\$ 569,995	\$ -	\$ 623,694	\$ 2,141,740	\$ -	\$ -	\$ 3,335,429
		IFE Estimate								
		Design		\$ 545,936						
		PMC		\$ 59,956						
		Subtotal		\$ 605,892						
	Pembroke Pines									
A		2023 MPO CSMP PRIORITY #7 PROTECTED BICYCLE LANES AND WIDER SIDEWALKS LAP PROJECT WITH PEMBROKE PINES - PEMBROKE RD FROM SW 145TH AVE TO FLAMINGO ROAD	4496901							
		Design			\$ 965,285					\$ 965,285
		Construction (need to break out CEI)						\$ 7,495,223		\$ 7,495,223
		CEI								\$ -
		Total		\$ -	\$ 965,285	\$ -	\$ -	\$ 7,495,223	\$ -	\$ 8,460,508
A		PEMBROKE PINES MOBILITY HUB	4334293							
		BMPO Grant & Contract Administration		\$ 262,400						
		Design		TBD by MTECC						\$ -
		Construction (need to break out design/CEI)		TBD by MTECC						\$ -
		CEI								\$ -
		Total		\$ 2,624,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

MTECC Project List - Member Cities

As of

3/6/2024 8:53

Status	City	Project Name	Project Number	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	Project Total
FUTURE										
Coconut Creek										
F		COCONUT CREEK HUD PROJECT - LIGHTING ON LYONS ROAD (CPF HUD: \$3.9M / City: \$35,000)	B-23-CP-FL-0383							
		BMPO Grant & Contract Administration		\$ 390,000						
		Design		\$ 735,000						\$ 735,000
		Construction		\$ 2,810,000						\$ 2,810,000
		CEI								\$ -
		Total		\$ 3,935,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,545,000
Hollywood										
F		2021 MPO CSLIP PRIORITY #21 LAP WITH CITY OF HOLLYWOOD SR7 SHERIDAN PARK AND HWY ACRES SIDEWALK PROJECT; PROVIDE SIDEWALK CONNECTIVITY AT APPROX. 24 LOCATIONS	4455341							
		Design			\$ 281,902					\$ 281,902
		Construction					\$ 1,506,098			\$ 1,506,098
		CEI					\$ 160,312			\$ 160,312
		Total		\$ -	\$ 281,902	\$ -	\$ 1,666,410	\$ -	\$ -	\$ 1,948,312
Fort Lauderdale										
C		2021 MPO CSLIP PRIORITY #7 LAP WITH THE CITY OF FORT LAUDERDALE - SHADY BANKS AND TARPON RIVER NEIGHBORHOOD VARIOUS LOCATIONS	4439781							
		Design		\$ 312,681						\$ 312,681
		Construction				\$ 751,080	\$ 1,100,000		\$ 2,008,095	\$ 3,859,175
		CEI								\$ -
		Total		\$ 312,681	\$ -	\$ 751,080	\$ 1,100,000	\$ -	\$ 2,008,095	\$ 4,171,856
F		FORT LAUDERDALE HUB @ 17th St PROJECT	4334282							
		BMPO Grant & Contract Administration		\$ 756,000						
		Design		TBD by MTECC						\$ -
		Construction		TBD by MTECC						\$ -
		CEI		TBD by MTECC						\$ -
		Total		\$ 7,560,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



**Metro Trans Engineering & Construction
Cooperative (MTECC)**

2.

Meeting Date: 03/14/2024

SUMMARY:

Executive Director's Report

Attachments

Executive Director Dec 2023 Activities

Executive Director Jan-Feb 2024 Activities

OPER MTECC Actuals vs Budget

CAPITAL MTECC Actuals vs Budget



MTECC Executive Director Activities

December 2023

Board Activities:

- Prepared Agenda items for Board meeting December 14, 2023
- Participated in the Board meeting December 14, 2023

Administrative Activities:

- MTECC Staff Meetings – routine MTECC staff meetings are held virtually (December 12) to schedule and follow up on key MTECC activities.
- Submitted proposed legislation (SB 0266) that impacts FDOT LAP projects to staff supporting the proposed legislation.
- Finance and Accounting Services:
 - Reviewed initial financial statement entries and provided updates to the consultant CPA team to update for the financial statements for fiscal year 2022-23 and to begin fiscal year 2023-24.
 - Reviewed draft financial statements (balance sheet and results of operations for fiscal year 2022-23)
 - Discussed setting up the project tracking segment of the accounting system.
 - Discussed linking the MTECC bank to the accounting system.
- Program Management Services:
 - Kickoff meeting on December 19 for MTECC Web development. Discuss key pages and input materials for the MTECC web page.
 - Reviewed draft PMC scope of services for Pembroke Pines FTA/MPO Project 4334292 and recommend moving forward with the scope of services up to \$25,000 for preliminary work on the project.
 - Reviewed draft PMC scope of services for Pembroke Pines FDOT LAP Project 449690-1 and recommend moving forward with the scope of services up to \$25,000 for preliminary work on the project.
 - Recommended PMC amend Task Work Order 1 to add the fiscal year 2023-24 budget for this work order.

MTECC Board Members

Commissioner
Andrea McGee
Pompano Beach, FL

Commissioner
Caryl S. Shuham
Hollywood, FL

Councilmember
Tim Fadgen
Plantation, FL

General Counsel
Matthew J. Pearl

Interim Executive Director
Lowell Clary



Page 2 of 3

- Design Engineering Services (DES) Library:
 - Submitted response to FDOT comments and questions.
 - Followed up with FDOT to ensure these were received.
- Construction Engineering and Inspection Services (CEI) Library:
 - A schedule was developed for procurement of the CEI library that will begin in December.

Project Activities (official request for MTECC services):

- Deerfield Beach – FDOT LAP Project 445529-1 (design phase FY 23-24)
 - PMC active under Task Order for this project up to \$25,000.
 - Started development of the Federally required Independent Fee Estimate (IFE) for the design phase
 - Waiting on FDOT review of Request for Work Order documents.
- Hallandale Beach – FDOT LAP Project 445527-1 (design phase FY 23-24)
 - PMC active under Task Order for this project up to \$25,000.
 - Started development of the Federally required Independent Fee Estimate (IFE) for the design phase
 - Waiting on FDOT review of Request for Work Order documents.
- Pembroke Pines – FDOT LAP Project 449690-1 (design phase FY 24-25)
 - Initial discussions of the project scope and planning for early project steps.
- Pembroke Pines – FTA/MPO Project 4334292 (design phase late FY 23-24)
 - Budget is limited to FTA grant funding and the project must be delivered within the budget available.
 - Additional review of project scope and begin development of draft scope for design phase
- MTECC Roles and Responsibilities
 - Further discussion on the draft Project Agreement for HUD and FTA funded projects with MTECC and MPO staff to refine the draft agreement.

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**Future Project Activities:**

- **FDOT Future LAP Projects:**
 - Available to meet with other non-member cities. Shared with Lighthouse Point
 - Hollywood – meeting with City of Hollywood staff on December 13 to outline MTECC services and offer support as needed for Federal funded project and local projects.
- **MPO HUB Projects**
 - Fort Lauderdale. MPO is developing the concept scope of services that will provide the scope for the design phase of the project. This is expected to be ready for the design phase last Spring to early Summer 2024.
- **MPO HUD Grant**
 - City of Coconut Creek is working with the County and MPO to secure the environmental clearance and also to ensure the right of way is clear for the proposed scope of services. As soon as this is complete the HUD grant can be completed and the design phase may begin. The timing of this is unsure but should be ready in early 2024.
- **City of Plantation Projects** – Detailed discussion with City of Plantation staff, MPO staff and MTECC staff on specific local projects for consideration for MTECC support on December 15. Developing scope for additional services requested by City staff (detailed cost estimates for up to eight projects) and refining for further discussion with the City.

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Lowell Clary



MTECC Executive Director Activities

January 2024 and February 2024

Board Activities:

- Prepared Agenda items for March Board meeting

Administrative Activities:

- MTECC Staff Meetings – routine MTECC staff meetings are held virtually (January 10 and 24, February 6 and 20) to schedule and follow up on key MTECC activities.
- Monitored state legislative bills creating FDOT LAP in law – SB 266 and HB 287
- Finance and Accounting Services:
 - Reviewed in-depth MTECC financial statements (balance sheet and results of operations for fiscal year 2022-23, Notes to financial statements)
 - Discussed project tracking in the accounting system
 - Coordinated finance and accounting team with the audit team for fiscal year 2022-23 financial statement audit
- Audit Services – finalized the contract and held kickoff meeting for audit of MTECC financial statements for fiscal year 2022-23
- Program Management Services:
 - MTECC Internet
 - Reviewed the draft structure for the MTECC internet site and provided comments to the web designer.
 - Reviewed draft “pages” for the MTECC internet site and provided comments to web designer.
 - Reviewed revised draft pages for the MTECC internet site.
 - Finalized TWO 4 for Pembroke Pines FTA/MPO Project 4334292 with the scope of services up to \$25,000.
 - Finalized TWO 5 for Pembroke Pines FDOT LAP Project 449690-1, with the scope of services up to \$25,000.
 - Discussed PMC amend Task Work Order 1 to add the fiscal year 2023-24 budget for this work order.

MTECC Board Members

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Pompano Beach, FL

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- MTECC Roles and Responsibilities
 - Tri-Party Agreement
 - Multiple discussions of Tri-Party Agreement for grants that flow from FTA or HUD to the Broward MPO
 - Set up Tri-Party approach with MPO-MTECC-City for the agreement
 - Finalized draft Tri-Party Agreements for Coconut Creek HUD project and Pembroke Pines FTA Hub Project.
- Design Engineering Services (DES) Library:
 - Followed up with FDOT on comments and questions.
 - Followed up with FDOT to ensure these were received. FDOT completed their review and signed off. FDOT submitted to FHWA for final sign off. FDOT met with FHWA on 2/29/2024 to discuss any comments/questions.
- Construction Engineering and Inspection Services (CEI) Library:
 - Developed and finalized the scope of services for the CEI RFP. Coordinated review of scope with PMC.

Project Activities (official request for MTECC services):

- Deerfield Beach – FDOT LAP Project 445529-1 (design phase FY 23-24)
 - PMC active under Task Order for this project up to \$25,000.
 - Reviewed Independent Fee Estimate (IFE) for the design phase
 - Initial review showed some concerns
 - Discussion with IFE estimate team
 - Reviewed and accepted updated IFE (includes design and PMC estimates)
 - IFE provided to FDOT and City for review
 - Waiting on FDOT/FHWA review of Request for Work Order documents.
- Hallandale Beach – FDOT LAP Project 445527-1 (design phase FY 23-24)
 - PMC active under Task Order for this project up to \$25,000.
 - Reviewed Independent Fee Estimate (IFE) for the design phase
 - Initial review showed some concerns
 - Discussion with IFE estimate team

MTECC Board Members

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Page 3 of 4

- Reviewed and accepted updated IFE (includes design and PMC)
 - IFE provided to FDOT and City for review
 - Waiting on FDOT/FHWA review of Request for Work Order documents.
- Pembroke Pines – FDOT LAP Project 449690-1 (design phase FY 24-25)
 - Initial discussions of the project scope and planning for early project steps.
- Pembroke Pines – FTA/MPO Project 4334292 (design phase late FY 23-24)
 - Review of project scope provided to City for review
 - Detailed discussion with MPO/City/MTECC staff on draft Tri-Party Agreement, project scope and budget for FTA grant funding, and developer funding (\$450,000 for Pedestrian crossing)
 - Identified follow up actions for City, MPO and MTECC for FTA grant on NEPA items, scope and budget and next steps
 - MPO staff is focused on securing the FTA grant

Future Project Activities: .

- **COCONUT CREEK HUD PROJECT - LIGHTING ON LYONS ROAD - MPO HUD Grant**
 - Environmental is cleared by MPO team
 - Meeting of MPO/City/MTECC teams to discuss draft Tri-Party Agreement, scope and HUD funding.
 - Identified follow up items including suggested changes (minor) for draft Tri-Party Agreement
 - City submitted Letter Request for MTECC support on the Project that will be presented to the MTECC Board at the March meeting
- **MPO HUB Projects**
 - Fort Lauderdale. MPO is developing the concept scope of services that will provide the scope for the design phase of the project. This is expected to be ready for the design phase last Spring to early Summer 2024.

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- **City of Plantation Projects** – Detailed discussion with City of Plantation staff, MPO staff and MTECC staff on specific local projects for consideration for MTECC support on December 15. Developing scope for additional services requested by City staff (detailed cost estimates for up to eight projects) and refining for further discussion with the City.
 - Provided preliminary estimates on two projects that were higher than expected
 - Followed up with City team and City decided to head in a different direction

MTECC Board Members

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**MTECC Operating
Actuals vs Budget
As of Date:**

02/29/2024

	Year To Date		
	Budget	Actual	Variance
Fund Balance - Beginning	\$ 270,310.00	\$ 465,627.69	\$ 195,317.69
Revenues			
Local Government Unit Grant - Transportation	\$ 225,000.00	\$ 150,000.00	\$ (75,000.00)
Interest	\$ 3,000.00	\$ 2,361.80	\$ (638.20)
Total Revenues	\$ 228,000.00	\$ 152,361.80	\$ (75,638.20)
Total Available	\$ 498,310.00	\$ 617,989.49	\$ 119,679.49
Expenditures			
General Government			
Financial and Administrative			
F&A-Executive	\$ 95,000.00	\$ 27,271.61	\$ 67,728.39
F&A - Accounting	\$ 65,000.00	\$ 34,246.61	\$ 30,753.39
F&A - Auditing	\$ 12,000.00	\$ -	\$ 12,000.00
F&A - Procurement	\$ 10,000.00	\$ 5,679.00	\$ 4,321.00
F&A Insurance	\$ 10,000.00	\$ 3,970.80	\$ 6,029.20
F&A Information Technology	\$ 10,000.00	\$ 1,645.79	\$ 8,354.21
Legal Counsel	\$ 48,000.00	\$ 20,000.00	\$ 28,000.00
Program Management			
Comprehensive Planning	\$ 60,000.00	\$ 11,852.00	\$ 48,148.00
Total Expenditures	\$ 310,000.00	\$ 104,665.81	\$ 205,334.19
Inter-fund group transfers out	\$ 50,000.00	\$ 100,000.00	\$ (50,000.00)
Total MTECC Operating Fund	\$ 360,000.00	\$ 204,665.81	\$ 275,013.68
Excess (deficiency) of revenues over (under) expenditures	\$ 138,310.00	\$ 413,323.68	\$ 275,013.68

MTECC Capital Projects Fund

Actuals vs Budget

As of Date:

02/29/2024

	Budget	Actual	Variance
Fund Balance - Beginning	0.00	0.00	0.00
Project 445529-1 – Deerfield Beach			
Revenues			
MTECC Operating Fund Interfund Transfer	\$ 25,000.00	\$ 25,000.00	\$ -
FDOT/City LAP Project Grant			
City Contributions			
Total Project Revenues	\$ 25,000.00	\$ 25,000.00	\$ -
Expenditures			
Program Management Consultant	\$ 25,000.00	\$ -	\$ 25,000.00
Design Consultant			
Contingency			
Project Total Expenditures	\$ 25,000.00	\$ -	\$ 25,000.00
Project 445527-1 – Hallandale Beach			
Revenues			
MTECC Operating Fund Interfund Transfer	\$ 25,000.00	\$ 25,000.00	\$ -
FDOT/City LAP Project Grant			
City Contributions			
Total Project Revenues	\$ 25,000.00	\$ 25,000.00	\$ -
Expenditures			
Program Management Consultant	\$ 25,000.00	\$ -	\$ 25,000.00
Design Consultant			
Contingency			
Project Total Expenditures	\$ 25,000.00	\$ -	\$ 25,000.00
Project 449690-1 – Pembroke Pines			
Revenues			
MTECC Operating Fund Interfund Transfer	\$ 25,000.00	\$ 25,000.00	\$ -
FDOT/City LAP Project Grant			
City Contributions			
Total Project Revenues	\$ 25,000.00	\$ 25,000.00	\$ -

Expenditures			
Program Management Consultant	\$ 25,000.00	\$ -	\$ 25,000.00
Design Consultant			
Contingency			
Project Total Expenditures	\$ 25,000.00	\$ -	\$ 25,000.00
Project 4334292 – Pembroke Pines			
Revenues			
MTECC Operating Fund Interfund Transfer	\$ 25,000.00	\$ 25,000.00	\$ -
FDOT/City LAP Project Grant			
City Contributions			
Total Project Revenues	\$ 25,000.00	\$ 25,000.00	\$ -
Expenditures			
Program Management Consultant	\$ 25,000.00	\$ -	\$ 25,000.00
Design Consultant			
Contingency			
Project Total Expenditures	\$ 25,000.00	\$ -	\$ 25,000.00
Capital Projects Fund Totals			
Revenues	\$ 100,000.00	\$ 100,000.00	\$ -
Expenditures	\$ 100,000.00	\$ -	\$ 100,000.00
Net Position - Reserved	\$ -	\$ 100,000.00	\$ 100,000.00



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/14/2024

3.

SUMMARY:
PMC Report

Attachments

PMC Services Progress Report



PROGRESS REPORT

TO: Lowell Clary, Executive Director, MTECC
FROM: Christine W. Fanchi, P.E., WSP Program Manager
PROJECT: RFQ 23-01 PMC Services for MTECC
SUBJECT: Project Progress Report
PERIOD: September 2023 to January 2024
DATE: March 5, 2024
WO NUMBER: RFQ 23-01

Task 1: PROJECT MANAGEMENT

- Overall on-going coordination
- Contract coordination and subconsultant contracts
- 9/19/23- MTECC Progress Meeting and followup
- 10/31/23, 11/14/23, and 11/28/23- MTECC Team Progress Meeting and follow-up
- 12/12/23, 1/9/24, 1/16/24, 1/23/24- MTECC Team Progress Meeting and follow-up
- 12/14/24 Attend MTECC Board Meeting
- 1/18/24 BMPO Project Coordination Meeting
- FDOT Coordination for Resurfacing Project on Pines Boulevard

Task 2: MEMBER CITY/LAP COORDINATION

- 9/13/23- Coconut Creek Project Meeting, Prep, and Followup
- 9/14/23- FDOT LAP Team Meeting at FDOT and followup coordination
- 9/19/23- Fort Lauderdale Commission Conference Presentation
- Coordinate final scope with Deerfield Beach
- Coordinate final scope with Hallandale Beach
- Request and review Pembroke Pines Hub plans
- 10/6/23- Attend Pembroke Pines Meeting for project coordination
- 10/19/23- Attend MTECC Board Meeting
- 10/26/23- City of Plantation Meeting to discuss City Project Opportunities
- 11/2/23- City of FTL, SE 17th Street Mobility Hub MTECC Coordination Meeting
- 11/9/23- City of FTL, SE 17th Street Concept Review Meeting/FTA Grant Coordination
- 11/17- City of Plantation Projects Review Meeting with BMPO Staff
- 11/27/23- City of Pembroke Pines Status Meeting with BMPO Staff for FTA Grant Coordination



- Followup notes/coordination from 9/14/23 FDOT meeting
- 12/13/23 City of Hollywood MTECC Process Discussion and Project Opportunities
- 12/15/23 City of Plantation Meeting with Carole Morris to discuss project design estimates/prioritization
- 1/26/23 Review of Tri-Party Agreement with BMPO Team

Task 3: WEBSITE DEVELOPMENT

- 12/5/23 Website Coordination Discussion
- 12/19/23 Website Kick-off Meeting
- 1/16/24 Website Coordination
- 1/26/24 Website Coordination Discussion
- Overall coordination of data collection, photos, and framework review/comments

Task 4: PROCUREMENT SUPPORT

- No action this period

Task 5: TECHNICAL SUPPORT

- Review initial scope/documents for Hallandale, Deerfield, and Pembroke Pines projects.
- 11/27/23- Meeting with FDOT D4 Staff to coordinate RRR project in Pembroke Pines
- City of FTL 17th Street Mobility Hub- Review Concept Plans, create comments, and transmit to BMPO
- Develop Independent Fee Estimate for Design, Construction, and CEI services- Hallandale Beach
- Develop Independent Fee Estimate for Design, Construction, and CEI services- Deerfield Beach
- City of Plantation Projects- Create Project summary sheet to understand scopes/costs
- City of Plantation Preliminary Design Cost Estimates
- Pembroke Mobility Hub- Develop Independent Fee Estimate for Design, Construction, and CEI services
- Pembroke Mobility Hub- Initial coordination for NEPA review with Broward MPO staff
- Pembroke Mobility Hub- Drafting of Project Design Scope of Services



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/14/2024

4.

SUMMARY:

MTECC Website

Attachments

MTECC Website Wireframe



MTECC

Website Concept

DISCLAIMER:

This is a conceptual demonstration of the proposed MTECC website prepared for the consideration of the MTECC Board. Everything found within this demo should be considered **DRAFT** and is still able to be modified. This concept is **NOT** live on the internet and for feedback purposes only.

NOTE:

For this demonstration to function, Macros for PowerPoint need to be enabled. If Macros are enabled, to enter the demonstration, please click **'View Website'** below. If this button is not clicked, the demo **WILL NOT** function correctly.

View Website



MTECC

Project Location

MTECC Job Title

Loading...



About Us

MTECC is a self-governed and self-funded cooperative created by local municipalities to facilitate the planning, design, and construction of transportation-related projects throughout Broward County. Annual dues from participating municipalities cover overhead, while project costs are covered through federal project awards. At the first Mayor's and Elected Officials Roundtable hosted by the Broward MPO a need to oversee the implementation of federally awarded off-state highway projects was identified. The award of transportation funding to any given municipality is not frequent enough to justify permanent resources. With 31 municipalities within Broward County, many of the smaller municipalities face a greater relative burden, while also having some of the greatest transportation needs. This becomes an equity issue.



Why MTECC?



MTECC

Project Location

MTECC Job Title

About Us

MTECC is a self-governed and self-funded cooperative created by local municipalities to facilitate the planning, design, and construction of transportation-related projects throughout Broward County. Annual dues from participating municipalities cover overhead, while project costs are covered through federal project awards. At the first Mayor's and Elected Officials Roundtable hosted by the Broward MPO a need to oversee the implementation of federally awarded off-state highway projects was identified. The award of transportation funding to any given municipality is not frequent enough to justify permanent resources. With 31 municipalities within Broward County, many of the smaller municipalities face a greater relative burden, while also having some of the greatest transportation needs. This becomes an equity issue.



Why MTECC?



Potential Types of Work

- | | | | |
|---------------|---------------------|--------------|---------------|
| 1. Bike Lanes | 3. Crosswalk | 5. Landscape | 7. Drainage |
| 2. Sidewalk | 4. ADA Enhancements | 6. Lighting | 8. Resiliency |

Why MTECC?

The Florida Department of Transportation's (FDOT) decision to end the delivery of federally funded off-state highway system projects using the Local Agency Program (LAP) requires significant technical resources and specialized administrative knowledge to navigate federal and state reporting requirements. There is a high cost and complexity of LAP delivery to individual municipalities.

The Broward MPO performed a study to assess its member governments' ability to apply for and administer federal discretionary transportation grant awards, as well as administer and implement LAP projects. This study identified deficiencies across member governments, both large and small, in their abilities to apply for and administer federal grants and LAP projects. No single city indicated that they could provide 100% of the required capabilities in either focus area.

MTECC Membership Benefits:

- Centralized engineering expertise with design, bid package preparation, construction oversight, inspection, right of way, etc.
- Centralized procurement. Efficient and timely project delivery
- Centralized public involvement team
- City only buys services necessary without the need to maintain staff

Authorized Activities of MTECC:

Federal Aid Project Administration

- LAP Certification
- Liability of Parties for Federal Aid Project Completion

Local Project Administration

- Provision of Services to Municipal Members
- Payment for Services
- Selection of Services

Upcoming Events

Upcoming Events

08

January
2024



MTECC Regular Board Meeting (3:00 pm – 5:00 pm)

MTECC Meeting with the City of Pembroke Pines (5:30 pm – 8:00 pm)

MTECC Meeting with the City of Plantation (5:30 pm – 8:00 pm)

22

January
2024



MTECC Meeting with the City of Deerfield Beach (5:30 pm – 8:00 pm)

12

February
2024



MTECC Regular Board Meeting (2:00 pm – 5:00 pm)

MTECC Meeting with the City of Hallandale Beach (5:30 pm – 8:00 pm)

11

March
2024



MTECC Regular Board Meeting (2:00 pm – 5:00 pm)

MTECC Meeting with the City of Hollywood (5:30 pm – 8:00 pm)

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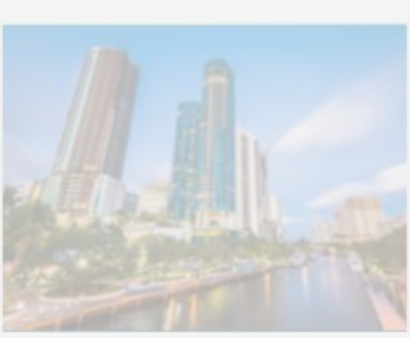
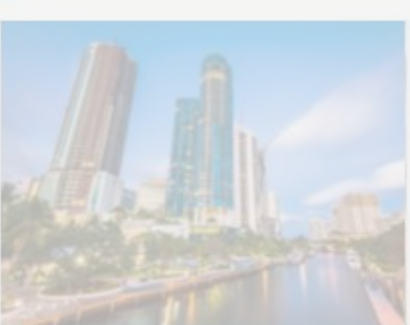
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MTECC

MTECC Job Title

Project Location

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About Us

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Agendas & Minutes
Calendar

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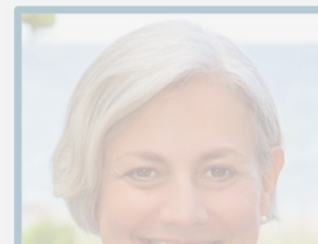
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Board Members



Andrea McGee, Chair

Representative
Pompano Beach, FL
[\[Email\]](#)



Caryl S. Shuham, Vice-Chair

Representative
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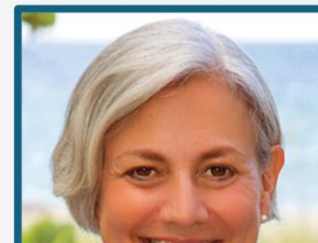
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Tim Fadgen, Member

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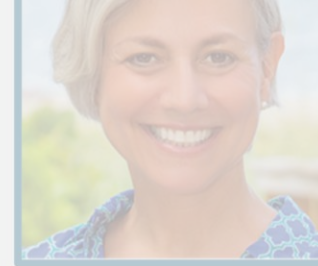
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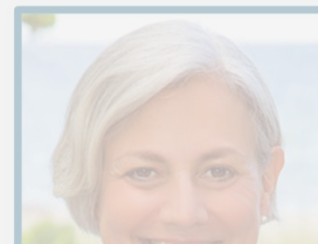
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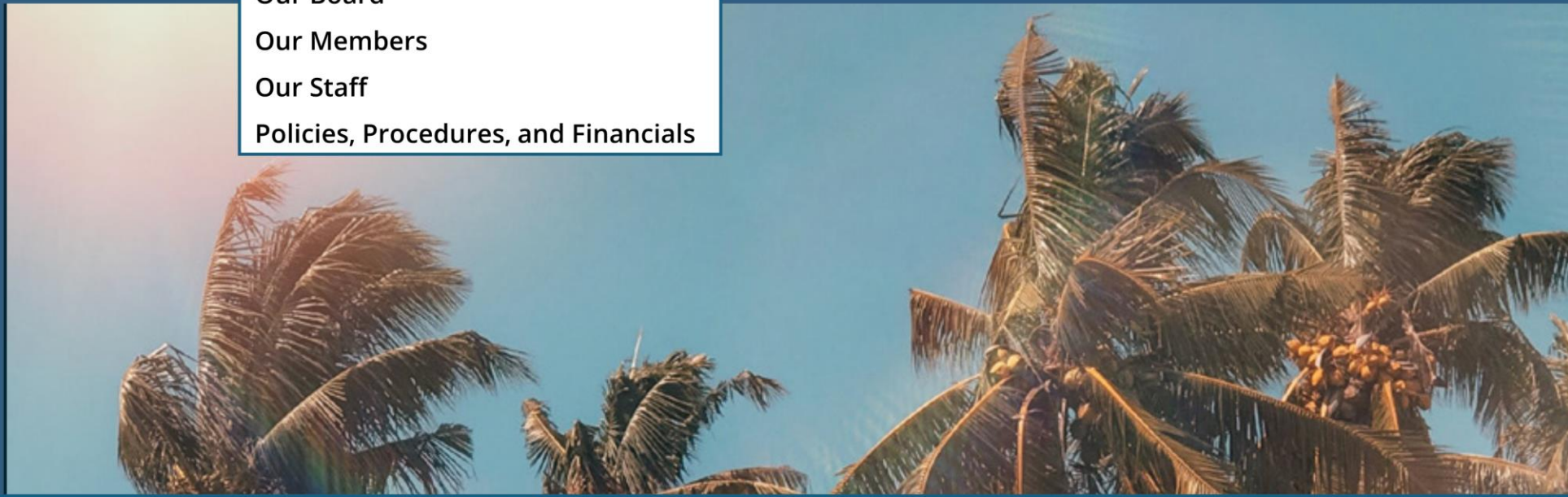
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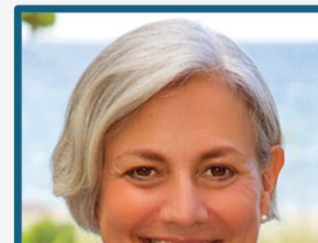
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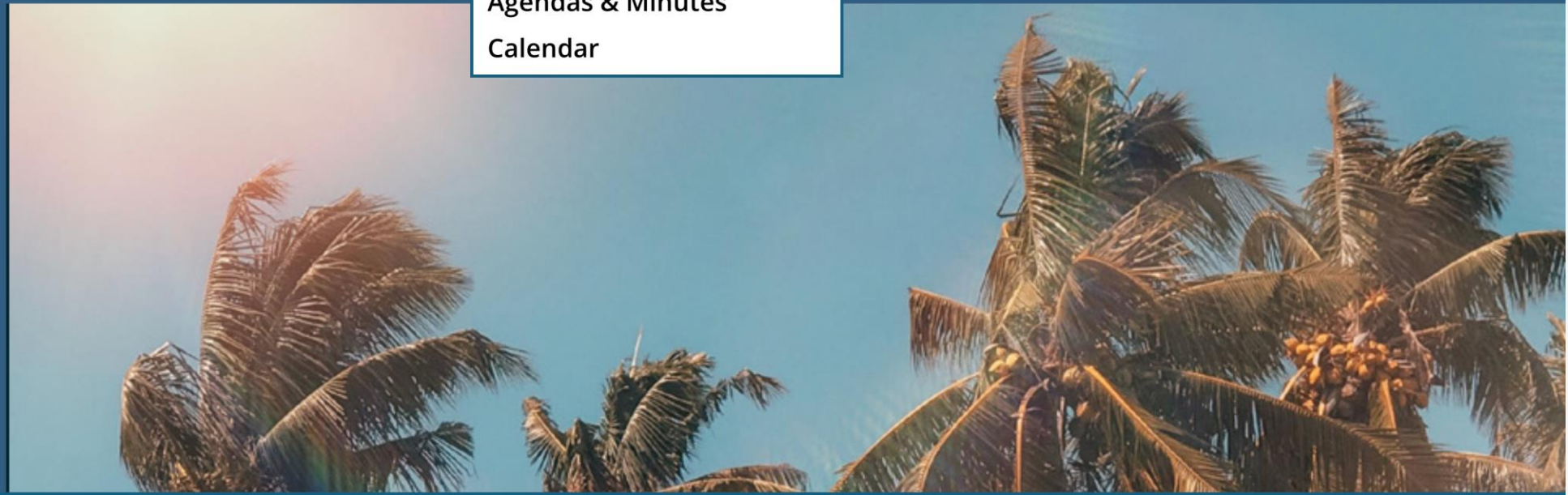
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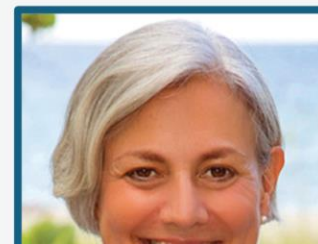
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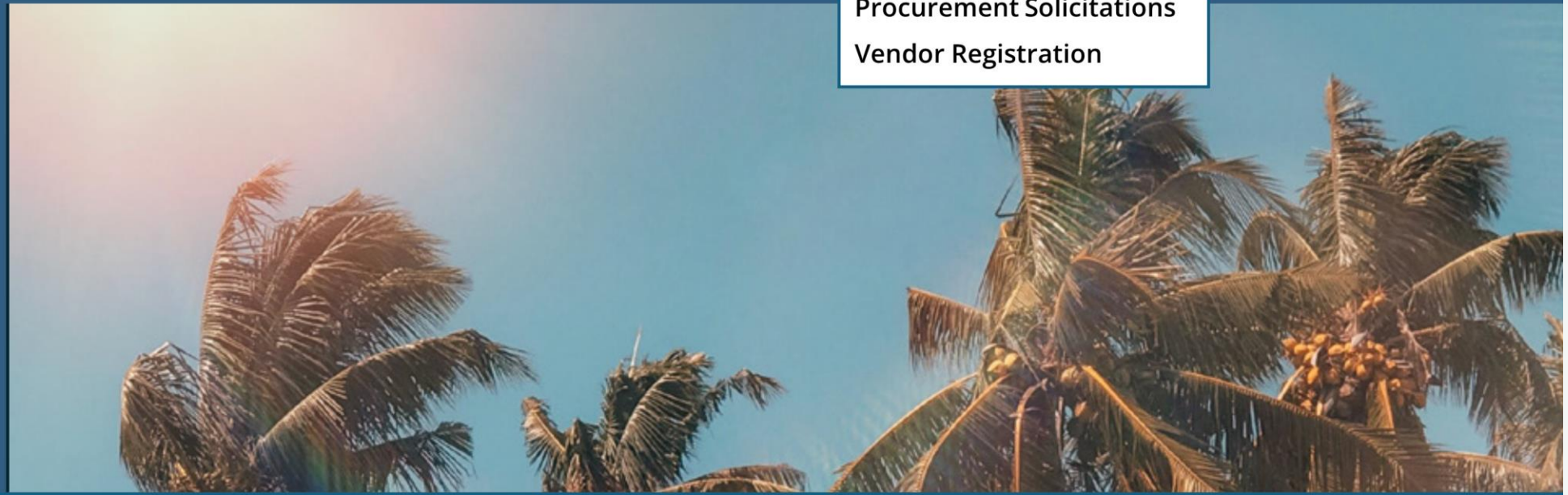
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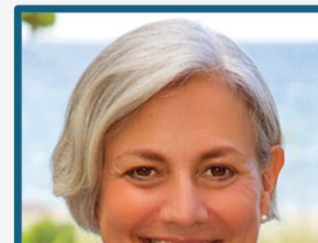
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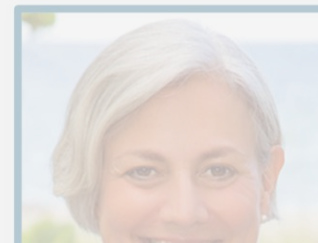
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If you would like to explore membership with MTECC, please reach out to the following contacts:

Lowell Clary, MTECC Executive Director

(850) 212-7772

claryl@mteccfl.org

Christopher C. Bross, MTECC Contract Officer

(954) 876-0064

brossc@mteccfl.org

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- Centralized engineering expertise with design, bid package preparation, construction oversight, inspection, right of way, etc.
- Centralized procurement. Efficient and timely project delivery.
- Centralized public involvement team.
- City only buys services necessary without the need to maintain staff.

Member Governments : City of Hollywood, City of Plantation, City of Pompano Beach, City of Deerfield Beach, City of Pembroke Pines, City of Hallandale Beach, City of Coconut Creek, City of Fort Lauderdale

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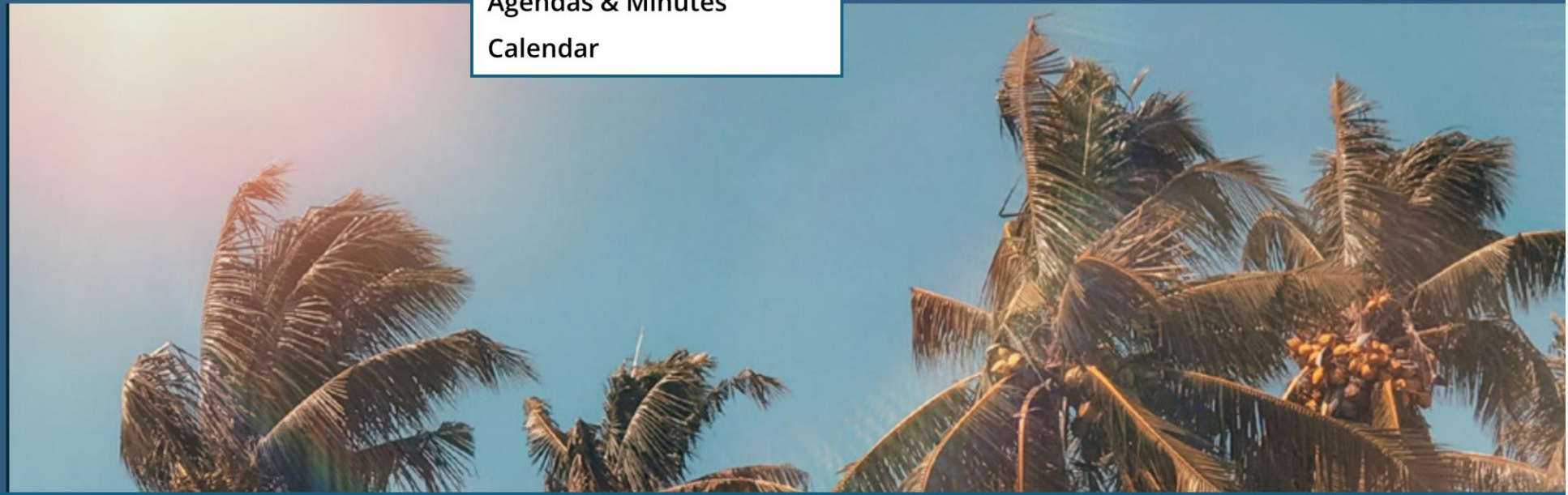
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(954) 876-0064

brossc@mteccfl.org

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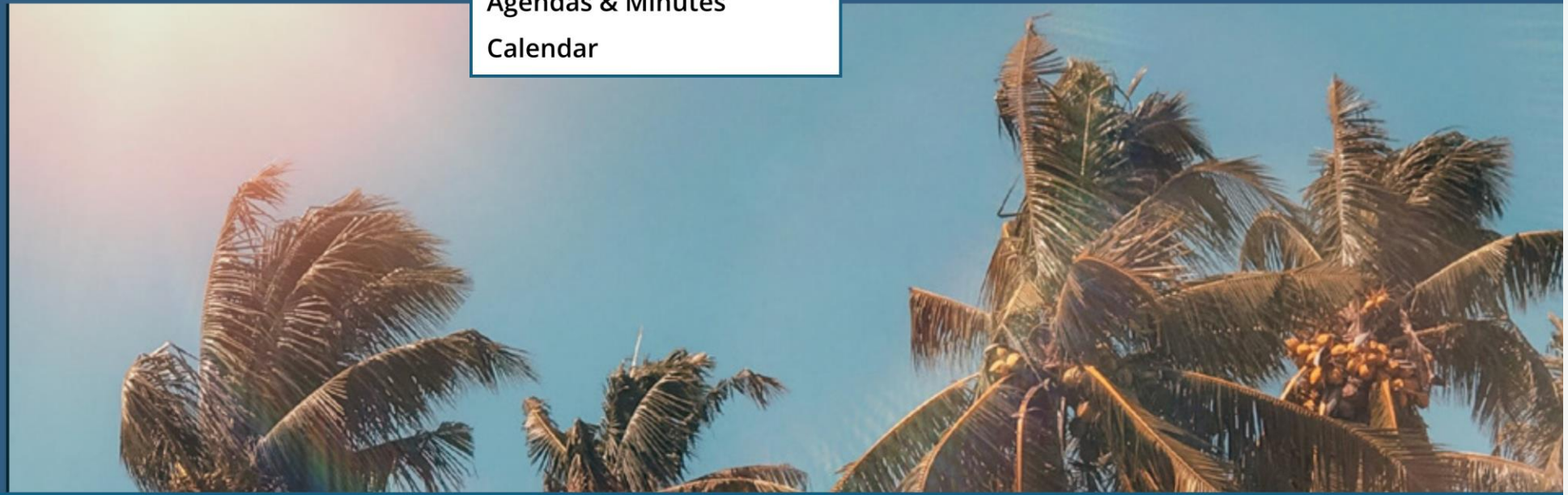
 

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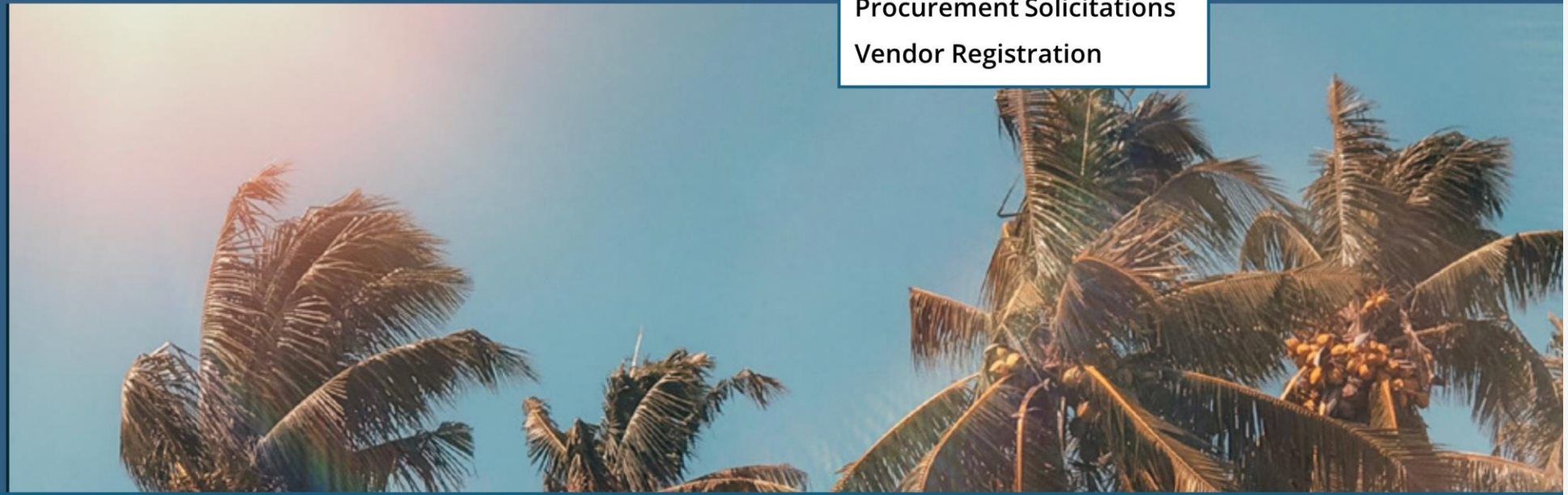
 

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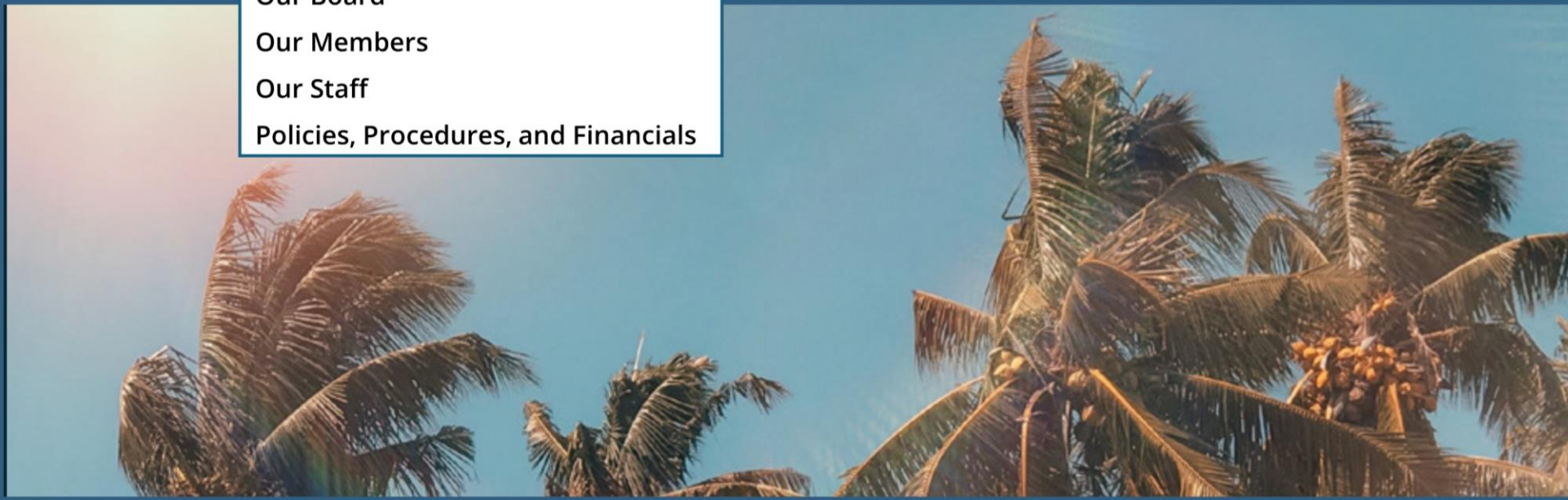
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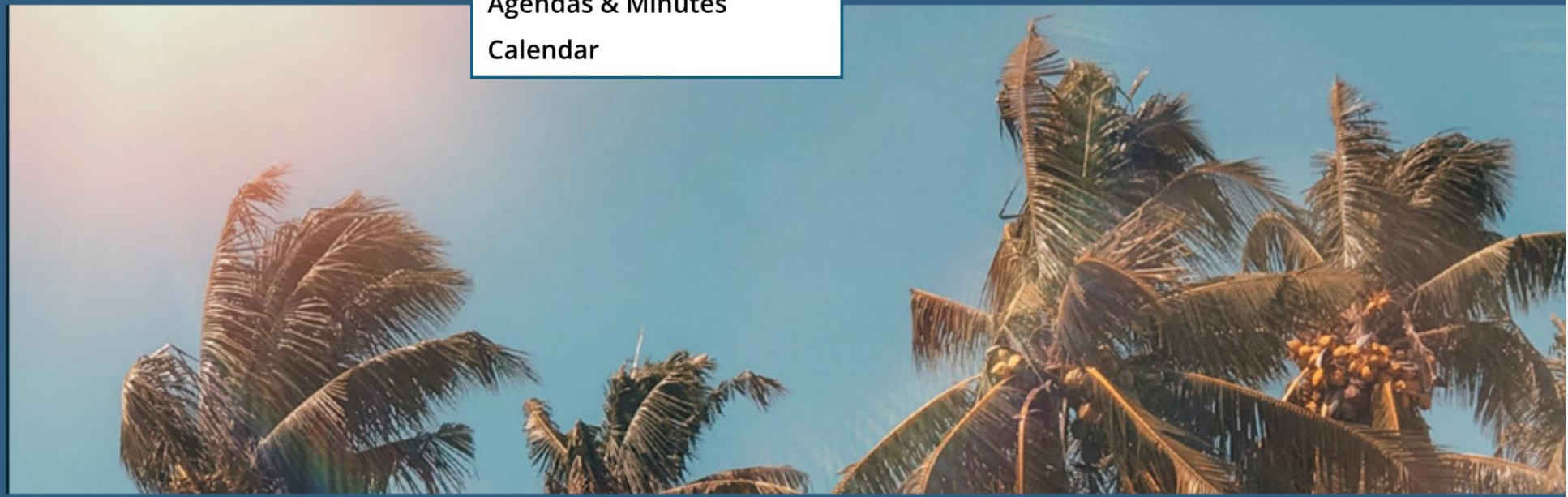
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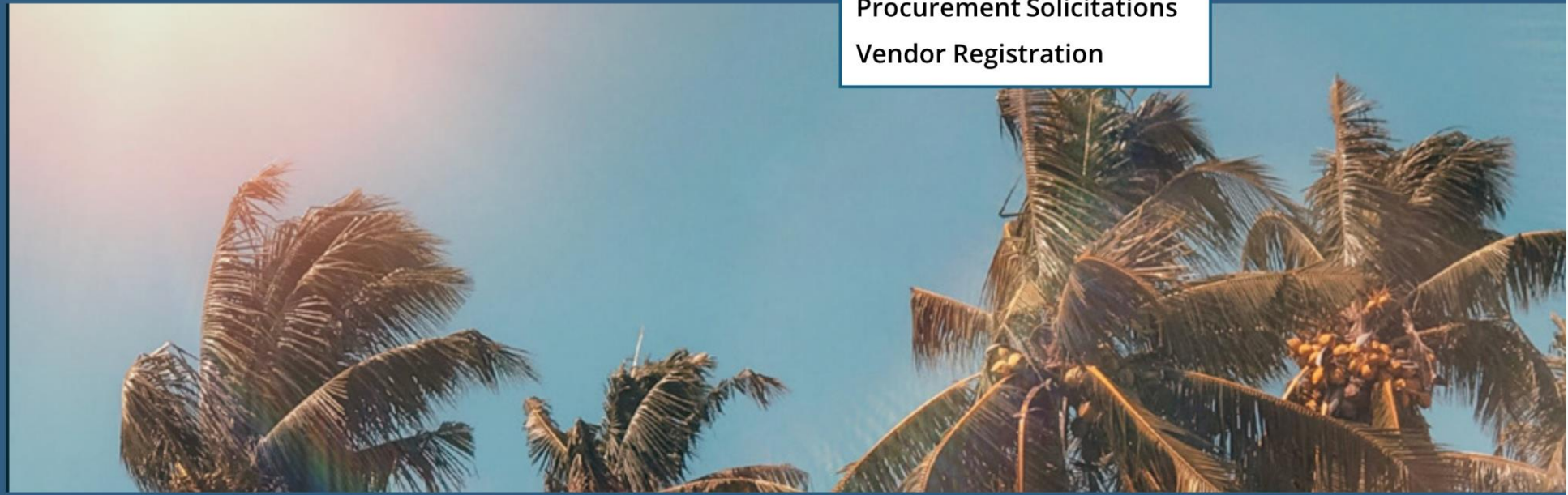
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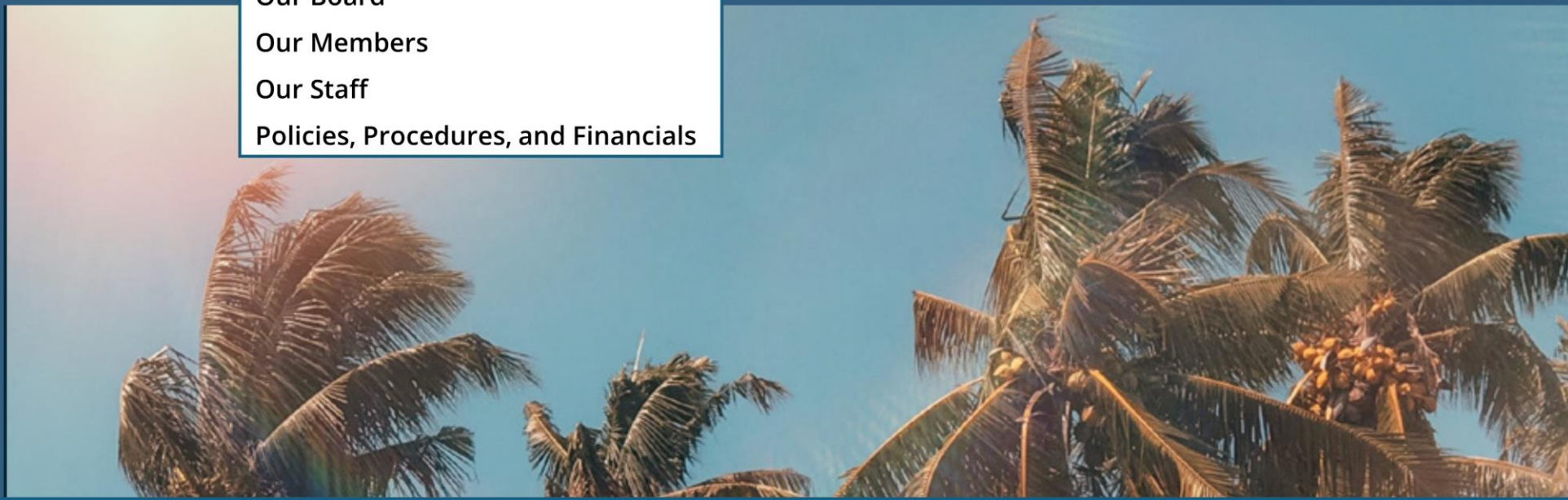
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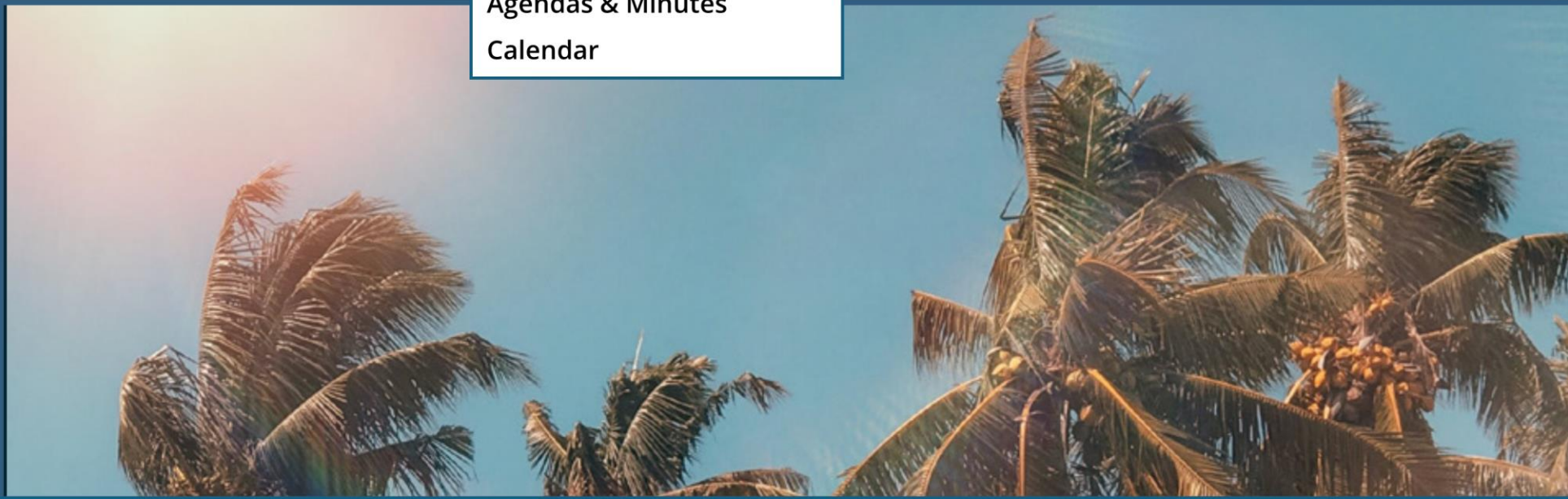
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January 2024 MTECC Board Meeting 10 file(s) 10.5 MB	MTECC is committed to making our documents accessible to all audiences If you have accessibility concerns, please contact [MTECC contact email] or call (XXX)-XXX-XXXX. Visit [Link to MTECC website accessibility statement] for more information. WATCH THE VIDEO	Agenda Minutes Download All

2023

Title	Video	Files
December 2023 MTECC Board Meeting 10 file(s) 10.5 MB	MTECC is committed to making our documents accessible to all audiences If you have accessibility concerns, please contact [MTECC contact email] or call (XXX)-XXX-XXXX. Visit [Link to MTECC website accessibility statement] for more information.	Agenda Minutes



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MTECC Board Agendas and Minutes

2024

Title	Video	Files
January 2024 MTECC Board Meeting 10 file(s) 10.5 MB	MTECC is committed to making our documents accessible to all audiences If you have accessibility concerns, please contact [MTECC contact email] or call (XXX)-XXX-XXXX. Visit [Link to MTECC website accessibility statement] for more information. WATCH THE VIDEO	Agenda Minutes Download All

2023

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Calendar

Find Events




Today

Now - May 13 ▾


Jan 2024

MON


8

3:00 pm - 5:00 pm 

MTECC Regular Board Meeting

5:30 pm - 8:00 pm 

MTECC Meeting with the City of Pembroke Pines

5:30 pm - 8:00 pm 

MTECC Meeting with the City of Plantation

**MTECC**

Calendar

[Find Events](#)

Today


Now - May 13

Jan 2024


MON

83:00 pm - 5:00 pm 

MTECC Regular Board Meeting


5:30 pm - 8:00 pm 

MTECC Meeting with the City of Pembroke Pines

5:30 pm - 8:00 pm 

MTECC Meeting with the City of Plantation


MON
22

5:30 pm - 8:00 pm 


MTECC Meeting with the City of Deerfield Beach

Feb 2024

MON
12

2:00 pm - 5:00 pm 


MTECC Regular Board Meeting

5:30 pm - 8:00 pm 


MTECC Meeting with the City of Hallandale Beach

Mar 2024

MON
11

2:00 pm - 5:00 pm 


MTECC Regular Board Meeting

5:30 pm - 8:00 pm 


MTECC Meeting with the City of Hollywood

Apr 2024

MON
8

2:00 pm - 5:00 pm 


MTECC Regular Board Meeting

5:30 pm - 8:00 pm 


MTECC Meeting with the City of Pompano Beach

May 2024

MON
13

2:00 pm - 5:00 pm 


MTECC Regular Board Meeting

5:30 pm - 8:00 pm 


MTECC Meeting with The City of Pembroke Pines

Apr 2024

MON
8

2:00 pm - 5:00 pm 


MTECC Regular Board Meeting

5:30 pm - 8:00 pm 


MTECC Meeting with the City of Pompano Beach

May 2024

MON
13

2:00 pm - 5:00 pm 

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5:30 pm - 8:00 pm 

MTECC Meeting with The City of Pembroke Pines

[< Previous Events](#)

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Apr 2024

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8

2:00 pm - 5:00 pm 


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5:30 pm - 8:00 pm 


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May 2024

MON
13

2:00 pm - 5:00 pm 

MTECC Regular Board Meeting

5:30 pm - 8:00 pm 

MTECC Meeting with The City of Pembroke Pines

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[< Previous Events](#)

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MTECC

- [Our Board](#)
- [Our Members](#)
- [Our Staff](#)
- [Policies, Procedures, and Financials](#)

Loading...
Calendar




Today

Now - May 13 ▾


Jan 2024

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MTECC Meeting with the City of Pembroke Pines

5:30 pm - 8:00 pm 

MTECC Meeting with the City of Plantation

- [Our Board](#)
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**MTECC**

Calendar

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Today


Now - May 13 ▾

Jan 2024


MON

83:00 pm - 5:00 pm 

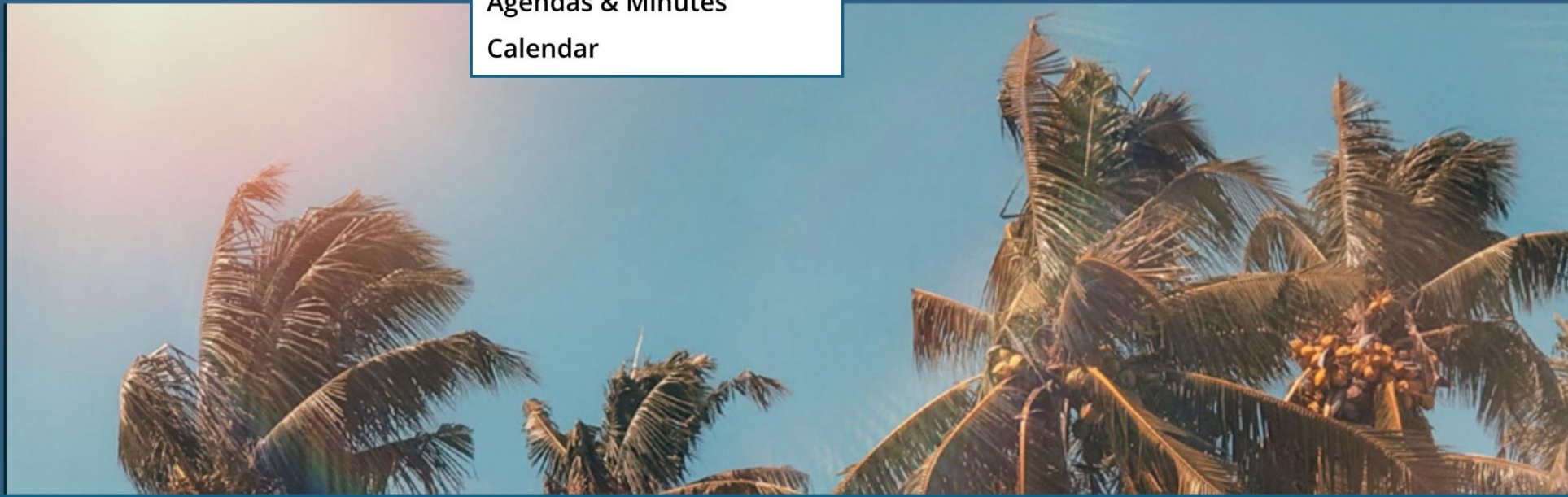
MTECC Regular Board Meeting

5:30 pm - 8:00 pm 

MTECC Meeting with the City of Pembroke Pines

5:30 pm - 8:00 pm 

MTECC Meeting with the City of Plantation

**MTECC**

Calendar

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MTECC Meeting with the City of Pembroke Pines

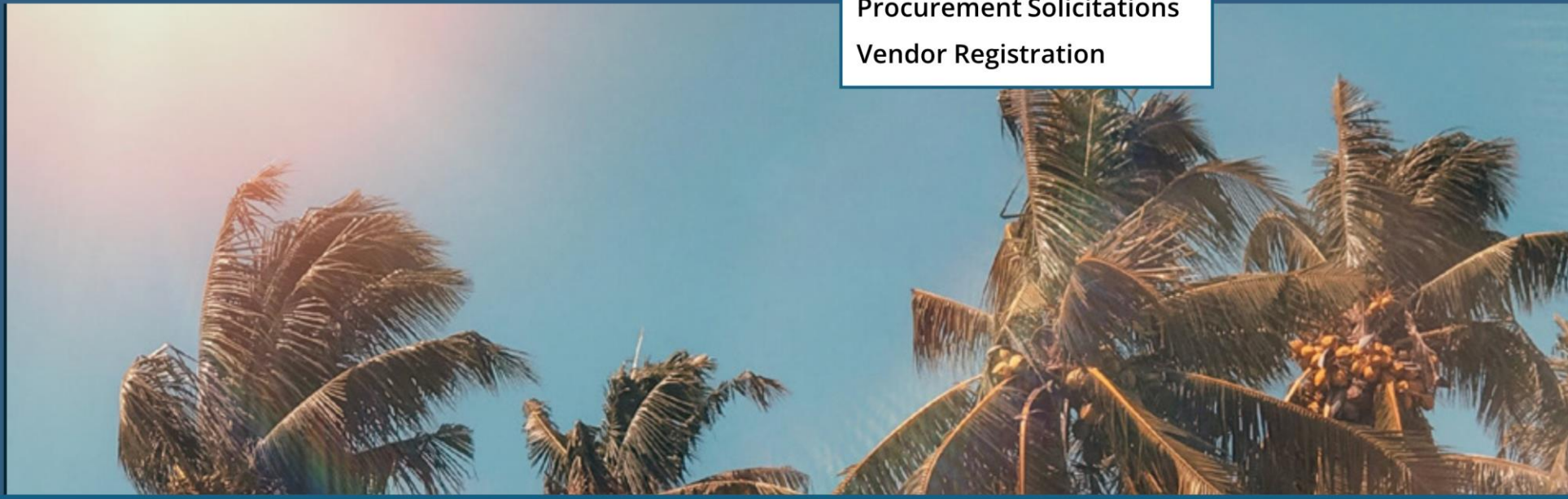
5:30 pm - 8:00 pm

MTECC Meeting with the City of Plantation

[Procurement Solicitations](#)
[Vendor Registration](#)



MTECC



Calendar

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< > Today **Now - May 13** v

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MTECC Meeting with the City of Pembroke Pines

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MTECC Meeting with the City of Plantation

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Calendar

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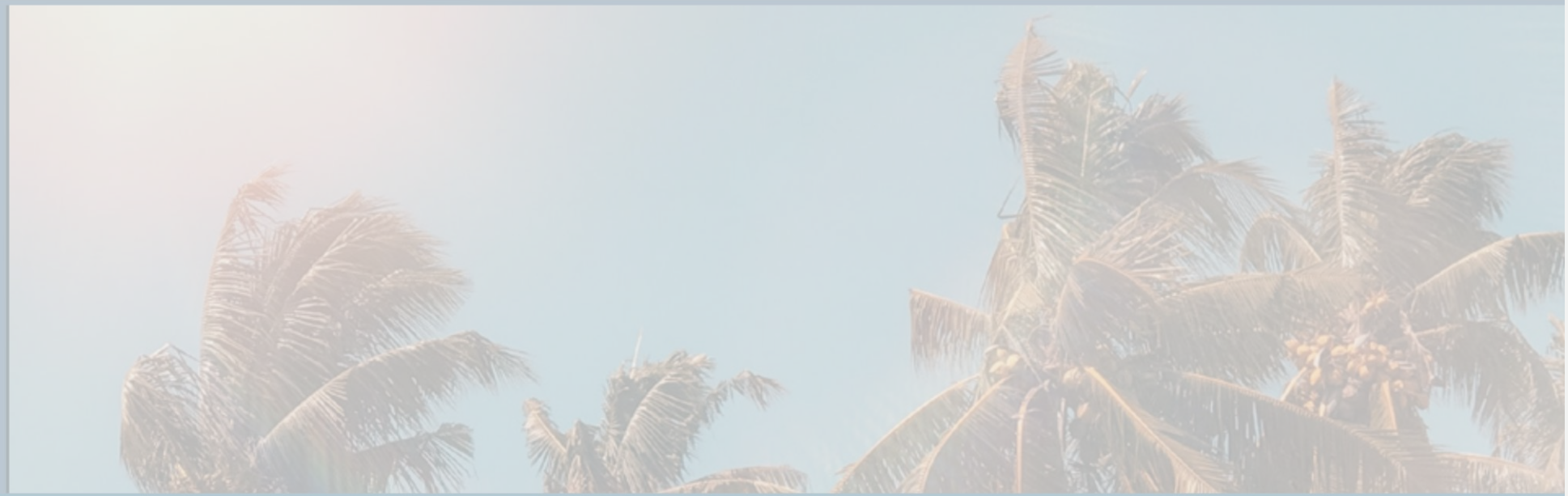
MTECC Meeting with the City of Pembroke Pines

5:30 pm - 8:00 pm

MTECC Meeting with the City of Plantation



MTECC



Procurement Solicitations

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The MTECC Procurement Department is responsible for the purchasing of commodities and services, including construction and the selection of professional services to be used for purposes as specified by Florida State Law, Chapter XXX.

As a public entity, MTECC strives to ensure that the procurement of goods and services is efficient, cost-effective, and in compliance with all of MTECC's policies and applicable laws. In addition, it is important to MTECC to make certain that such goods and services are solicited in such a manner that is fair and equitable to all potential providers.

Register for Vendor Notifications and How to Find MTECC's Bid Opportunities

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Procurement Solicitations

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Audit Services

Solicitations	Type	Number	Release Date	Closing Date	Q&A	Results
RFP Package	RFP	RFP No. 23-04	11-02-2023	11-28-2023		Revised Timetable 11-30-2023 Notice of Intended Award
Addendum No. 1	RFP	RFP No. 23-04	11-16-2023	11-28-2023		

MTECC General Design and Engineering Services

Solicitations	Type	Number	Release Date	Closing Date	Q&A	Results
RFP Package	RFP	RFP No. 23-02	05-12-2023	06-07-2023		Notice of Intended Award
Addendum No. 1	RFP	RFP No. 23-02	05-25-2023	06-14-2023		
Addendum No. 2	RFP	RFP No. 23-02	06-06-2023	06-14-2023		CLARIFICATION: Exhibit 14.1 required for Prime Contractor and all Subcontractors. Electronic signatures are acceptable for this form.
Addendum No. 3	RFP	RFP No. 23-02	06-07-2023	06-14-2023		
RFP Package	RFP	RFP No. 23-01	03-15-2023	04-06-2023		Schedule of Events – Revision 1 Notice of Intended Award
Addendum No. 1	RFP	RFP No. 23-01	03-28-2023	04-06-2023		

For more information regarding MTECC's procurement process, contact:

Christopher C. Bross, CPPO

(954) 876-0064

brossc@browardmpo.org

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Addendum No. 1	RFP	RFP No. 23-02	05-25-2023	06-14-2023		
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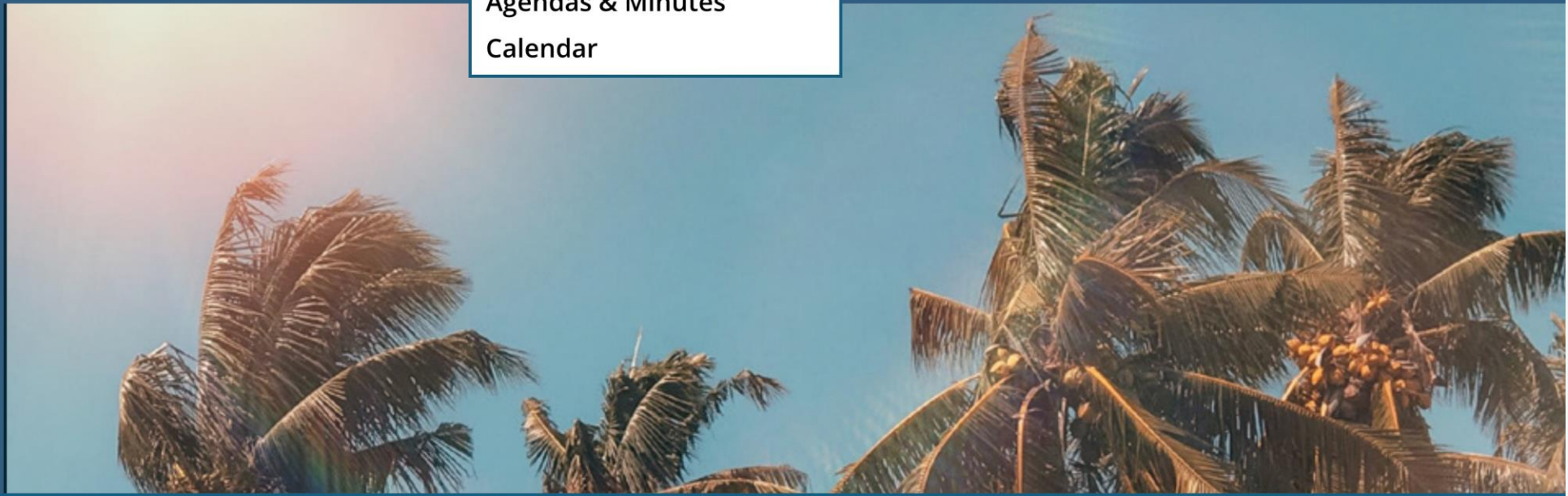
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RFP Packages

Addendums

MTECC Goals

Solicitations

Vendor Registration Form X

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<input type="text" value="Enter Company Name*"/>	<input type="text" value="Enter Contact Name"/>
<input type="text" value="Enter Email*"/>	<input type="text" value="Enter Address*"/>
<input type="text" value="Enter Phone Number*"/>	<input type="text" value="Enter Website*"/>
<input type="text" value="Enter Type of Service*"/>	<input type="text" value="Enter Industry Name*"/>

*Indicates Required Information for Submission

RFP Package	RFP	RFP No. 23-02	05-12-2023	06-07-2023		Notice of Intended Award
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To receive notifications of procurement solicitations, click here to register.

Vendor Registration Form

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Our Projects

City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Plantation

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach



MTECC



Our Projects

City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Plantation

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach

City of Pompano Beach

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Deerfield Beach

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pembroke Pines

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Hallandale Beach

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Coconut Creek

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
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City of Coconut Creek

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Fort Lauderdale

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

Accessibility

Persons needing assistance reading or interpreting items in this document, free of charge, are encouraged to contact the ADA Coordinator at (XXX) XXX-XXXX or [Accessibility Coordinator Email]. MTECC cannot ensure accessibility for items produced by other agencies or organizations.

Nondiscrimination

For complaints, questions or concerns about civil rights or nondiscrimination; or for special requests under the Americans with Disabilities Act, please contact Carl Ema, Administrative Services Manager/Title VI Coordinator at (954) 876-0052 or emac@browardmpo.org

Privacy

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone at (XXX) XXX-XXXX. Please note that our phone system can capture a voicemail as a recording, which, if emailed, may also be subject to a public records request.

Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
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City of Coconut Creek

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Fort Lauderdale

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
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- [Our Board](#)
- [Our Members](#)
- [Our Staff](#)
- [Policies, Procedures, and Financials](#)



MTECC

Loading...
Our Projects

City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Plantation

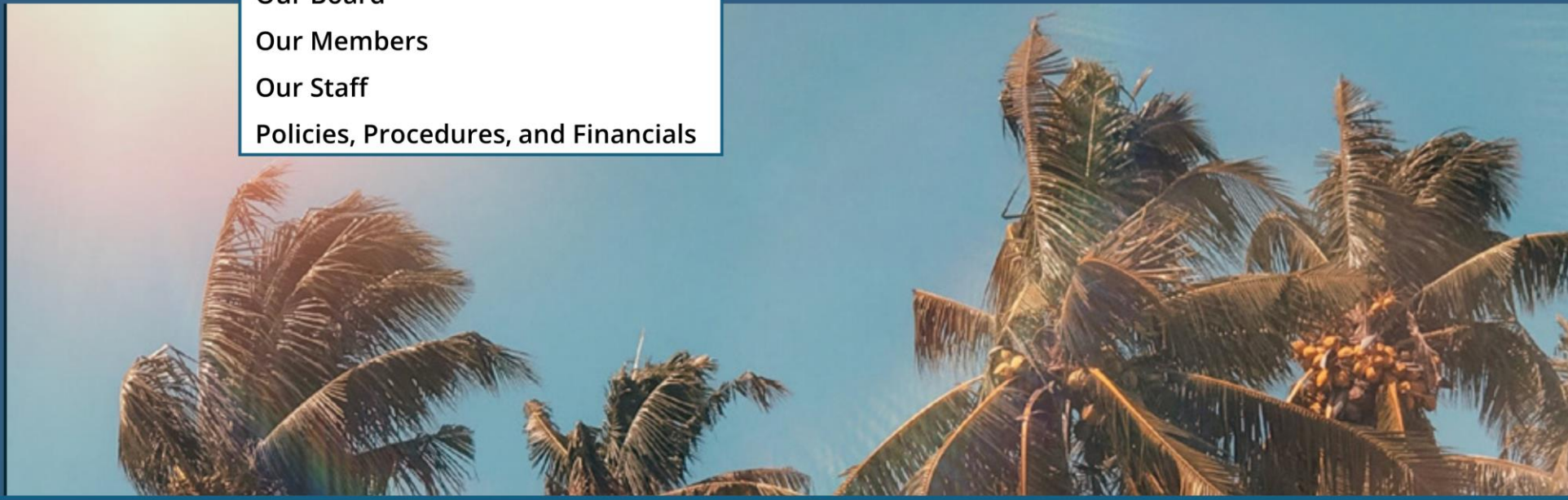
Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach

- [Our Board](#)
- [Our Members](#)
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MTECC



Our Projects

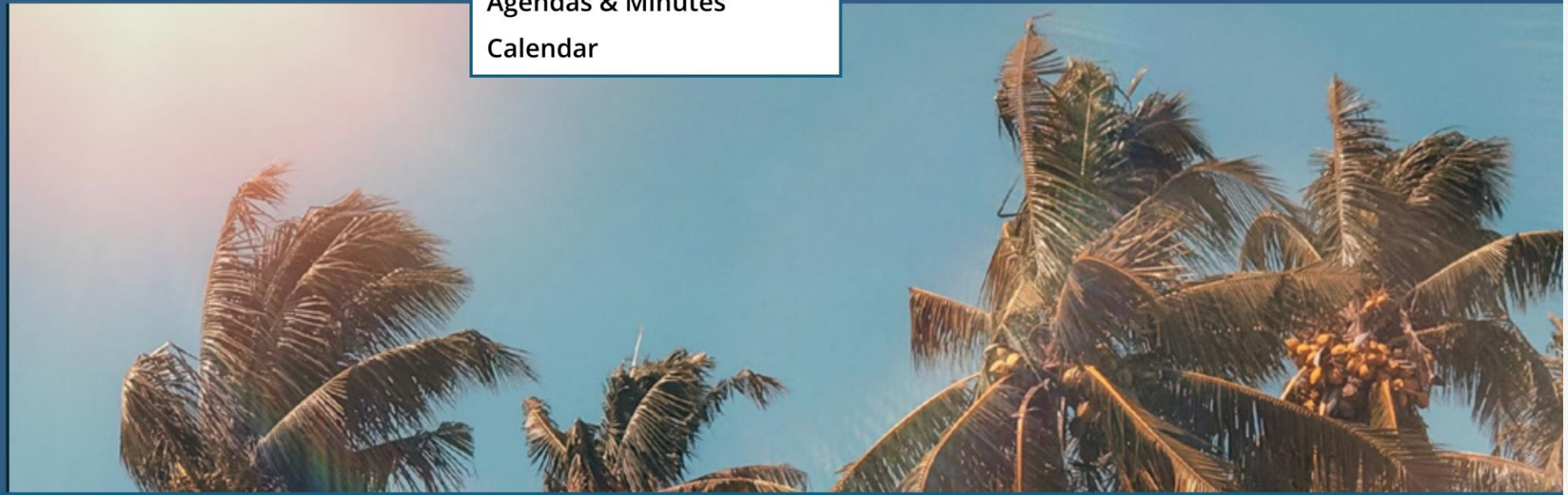
City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Plantation

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach

**MTECC**

Our Projects

City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

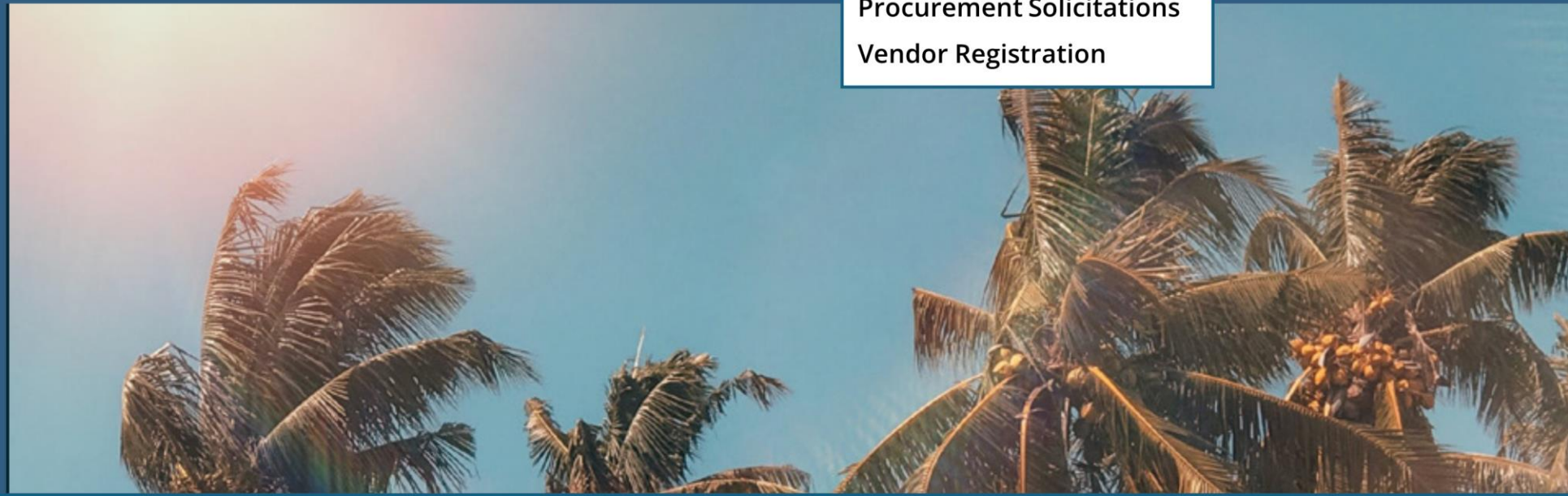
City of Plantation

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach



MTECC



Our Projects

City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Plantation

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach

Procurement Solicitations
Vendor Registration



MTECC

Loading...
Our Projects

City of Hollywood

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Plantation

Project Name	Project Type	Start Date	Estimated Completion Date	Budget
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX
Project Name	Project Type (Complete Streets, 3R, etc)	01/01/2024	01/01/2025	\$XXX,XXX

City of Pompano Beach



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/14/2024

5.

SUMMARY:

General Counsel's Report

Attachments

Triparty Agreement

TRIPARTY AGREEMENT

AMONG

BROWARD METROPOLITAN PLANNING ORGANIZATION

And

CITY OF COCONUT CREEK

And

METROPOLITAN TRANSPORTATION ENGINEERING & CONSTRUCTION
COOPERATIVE

For

LYONS ROAD MOBILITY SAFETY PROJECT

This is an Agreement (“Agreement”) made and entered into by and among: **BROWARD METROPOLITAN PLANNING ORGANIZATION**, created pursuant to Section 339.175, Florida Statutes, hereinafter referred to as "BMPO,"

AND

CITY OF COCONUT CREEK, a Florida municipal corporation hereinafter referred to as “CITY”,

AND

METROPOLITAN TRANSPORTATION ENGINEERING & CONSTRUCTION COOPERATIVE, created pursuant to Section 163.01, F.S. hereinafter referred to as “MTECC”

WHEREAS, the BMPO, CITY, and MTECC hereinafter collectively referred to as the “Parties”.

WHEREAS, the BMPO is the Grantee of the Community Project Funding (hereinafter referred to as the “Grant”) from the U.S. Department of Housing and Urban Development (“HUD” or “Grantor”) for the Lyons Road Pedestrian Mobility Safety Project (the “Project”) identified as BMPO project number B-23-CP-FL-0383; and

WHEREAS, the Parties to this Agreement desire to participate cooperatively to utilize the Grant and local funds to implement the Project; and

WHEREAS, the BMPO has set aside \$3,510,000 (“Grant Funds”) to reimburse MTECC’s design and construction of the Project improvements shown in Exhibit “A”, which is located in the City of Coconut Creek; and

WHEREAS, the CITY has agreed to fund \$35,000 of local funds plus costs of CITY requested betterments, and cost overruns; and

WHEREAS, this Agreement is intended to define those roles and responsibilities of the Parties with respect to the development, engineering, construction, and maintenance of the Project including, but not limited to, procurement activities, invoicing, review and approval of eligible costs, compliance with grant provisions including conformance with scope, schedule, and budget and related timely reporting, as well as all HUD requirements and related reporting that were not enumerated in this Agreement; and

WHEREAS, BMPO will use the Grant as the mechanism to reimburse MTECC, as MTECC completes specified work documented in progress reports submitted with invoices for this Project; and

WHEREAS, the BMPO is willing to utilize the Grant Funds to fund the Project which will be administered by the BMPO and implemented by MTECC; and

WHEREAS, the BMPO is responsible for ensuring that the Grant Funds are properly utilized to implement the Project and that Parties comply with Grant requirements; and

WHEREAS, the Parties desire to enter into an Agreement whereby the duties and obligations of each party to the others are set forth therein.

NOW, THEREFORE, IN CONSIDERATION of the mutual terms, conditions, promises, covenants, and payments hereinafter set forth, the Parties agree as follows:

ARTICLE 1
DEFINITIONS AND IDENTIFICATIONS

For purposes of this Agreement, reference to one gender shall include the other, use of the plural shall include the singular, and use of the singular shall include the plural. The following definitions apply unless the context in which the word or phrase is used requires a different definition:

- 1.1 **Agreement** - Means this document, Articles 1 through 12, inclusive. Other terms and conditions are included in the exhibits and documents that are expressly incorporated by reference.
- 1.2 **BMPO Board** – The Broward Metropolitan Planning Organization Board.
- 1.3 **BMPO Contract Administrator** - The BMPO Executive Director, or his/her designee. The primary responsibilities of the BMPO Contract Administrator are to coordinate and communicate with CITY, MTECC, and HUD.
- 1.4 **Grant Agreement** –The Grant Agreement (#B-23-CP-FL-0383) outlines the scope, requirements and funding for the project. The grantor is HUD and grantee is BMPO. Condition to and subject to successful grant obligation by HUD.
- 1.5 **MTECC Contract Officer** - The Executive Director of MTECC, or his/her designee. The primary responsibilities of the MTECC Contract Officer are to coordinate and communicate with the CITY and BMPO and to manage and supervise execution and completion of the Scope of Services and the terms and conditions of this Agreement as set forth herein. In the administration of this Agreement, as contrasted with matters of policy, the Parties may rely on the instructions or determinations made by the MTECC Contract Administrator; provided, however, that such instructions and determinations do not change the Project.

- 1.6 **Local Funds** – Refers to the “non-federal” CITY contribution of \$35,000, not funded by HUD under this Agreement.
- 1.7 **Obligation (Grant)** – Refers to the federal government’s legal commitment pursuant to the Grant to pay the federal share of the Project’s cost.
- 1.8 **Project** – The Project consists of the services described in Article 2 hereof.

ARTICLE 2
PURPOSE AND SCOPE

- 2.1 The purpose of this Agreement is to set out the terms and conditions for MTECC to provide for the design and construction of the Project. The Project’s improvements are shown in Exhibit “A” attached hereto incorporated by reference.
- 2.2 In Fiscal Year 20__, the BMPO will make available \$3,510,000 of funds from the Grant for the implementation of the Project. The Project is for the benefit of the CITY that agrees upon acceptance of the completed Project, to operate and maintain for the useful life, all Project elements as a condition of the funding. Through this Agreement, the BMPO will utilize the Grant Funds and Local Funds, subject to HUD’s Obligation, to reimburse MTECC to complete the design and construction of the agreed Project improvements.

ARTICLE 3
BMPO, MTECC, AND CITY REQUIREMENTS

- 3.1 BMPO Requirements – The BMPO will have the following overall requirements for the Project after the obligation of the Federal Grant funds:
 - 3.1.1 Grant Oversight – BMPO shall have the overall responsibility for oversight and administration of the Grant to ensure MTECC implements the Project in accordance with the Grant requirements. This will include, but not limited to, review and approval of procurement documents, progress reports provided by MTECC and follow up on any required issues. BMPO will participate in periodic meetings with the Parties to review the status of Project implementation, activities, and utilization of Grant and Local Funds.
 - 3.1.2 Invoice Review and Approval, Grant Reimbursements and Audits– BMPO shall review the invoices submitted by MTECC for the reimbursement of eligible Grant Agreement expenses in accordance with Section 6. BMPO will make payment to MTECC, in accordance with the BMPO prompt payment policies. BMPO will submit eligible costs to the HUD for reimbursement. BMPO will conduct or cooperate in any audits of the Project as required by the Grantor or any federal or state agency.

- 3.1.3 Grant Close-Out – Pursuant to Grant requirements, BMPO shall provide for the overall Grant close out process in partnership with CITY.
- 3.1.4 Annual Monitoring – BMPO shall monitor the Project as required by the Grantor to ensure project elements are in place and maintained for the useful life of the Project. The CITY agrees to the continued operation of the Project for its originally intended purpose for a minimum of the useful life of the assets as referenced in the Manufacturer’s Specification Sheets attached as Exhibit “F”. The Grant requires the CITY to provide annual reports to the BMPO on the condition of the assets through the useful life of the Project and be responsible for repayment to HUD should the assets be taken out of service before the useful life is met. The Grant requires the CITY to be responsible for maintenance of the Project and related utilities, facilities, and equipment after completion of the work.
- 3.2 MTECC Requirements – MTECC shall be responsible for the design, construction, and construction engineering inspection (CEI) of the Project in compliance with all Grant requirements. MTECC will implement these elements within the Federal and grant requirements on behalf of the BMPO and CITY. These elements will include the following major components:
 - 3.2.1 Project Management – MTECC shall provide a project manager to lead the design and construction of the Project including managing the design consultant and the Construction Engineering and Inspection (“CEI”) consultant. Key activities are shown below:
 - 3.2.1.1 Project Lead – Provide overall direction on behalf of BMPO for the implementation of the Project. Responsible for the development of monthly progress and financial reports and invoices for submittal to the BMPO as required in Article 6. The financial reports and invoice format and content of monthly invoice to be approved by the BMPO. Reimbursements will occur on a monthly basis to MTECC.
 - 3.2.1.2 Oversight of Design Consultant – Provide the oversight and management of the MTECC design consultant. Reviews and recommends approval of MTECC design consultant invoices prior to submittal to the BMPO. Manages the design review process. Ensures the designs are complete in accordance with the Project scope. Provides oversight of the development of the plans and specifications for the construction bid process.
 - 3.2.1.3 Oversight of the Construction, and Construction Engineering and Inspection (CEI) Consultant - Provide oversight and management of the construction contract. Provide oversight and management of MTECC CEI consultant who will provide day to day oversight of the construction contractor (“Contractor”). Reviews and recommends approval of construction contract and CEI consultant invoices prior to submittal to the BMPO. Ensures the CEI provides

- proper oversight of the construction activities in accordance with the Project plans and specifications. Provides oversight of the construction bid process and overall construction activities. Provides BMPO with documentation of CEI activities and finding in a monthly report signed by professional engineer.
- 3.2.1.4 Progress Reporting - Preparation of monthly progress reports for distribution to BMPO.
 - 3.2.1.5 Project Close-Out and Transfer – Provides the direction and oversight of the Project close-out and partners with BMPO to participate in the close-out in accordance with Article 6. After approval of the completed Project, CITY will assume the Project improvements in their respective jurisdictions for operations and maintenance.
- 3.2.2 Procurement – MTECC shall procure the design, construction, and CEI consultants for the Project. MTECC shall ensure that the procurement follows all Federal and grant requirements and provide documentation to BMPO.
- 3.2.3 Project Design – MTECC shall ensure the design meets the scope, budget, and schedule set for the Project under Federal and Grant requirements. The BMPO and CITY may be part of routine project briefings and review of the design for meeting the Project goals. The design will include the development of a complete design in 30%, 60%, and 100% plans with design reviews at each stage. Once the design is complete MTECC and its design consultants will develop the plans, specifications, and preparation for all materials to bid the construction of the Project.
- 3.2.4 Project Construction – MTECC shall ensure the construction meets the scope, budget, and schedule set for the Project under the Federal and Grant requirements in accordance with the design plans and specifications. This will include:
- 3.2.4.1 CEI – MTECC shall ensure the proper CEI for the overall construction of the Project. This will include oversight of the construction including required materials testing, monitoring of construction activities, and review and recommendations on contractor progress reports (invoices), and project close out.
 - 3.2.4.2 Construction – MTECC will ensure through a qualified contractor the construction of the Project.
 - 3.2.4.3 Project Close-Out and Acceptance – MTECC will provide, through the Project Manager and CEI, the proper oversight and close-out of the construction of the Project. MTECC will coordinate with the BMPO on the close-out and the BMPO will review the materials and when satisfied with the close-out accept the Project from MTECC.

- 3.2.5 Right of Way Certification – MTECC will take the lead in partnership with CITY to secure the certification/easements required to provide the required use of right of way for the Project.
- 3.3 CITY Requirements – The CITY are owners and operators of the Project and the key requirements include:
- 3.3.1 Local Funds– The CITY will pay local funds as defined above to MTECC within 30 days of the execution of this Agreement.
- 3.3.2 Environmental Clearance – The CITY will provide documentation of environmental clearances required for the Project to move forward to the design and construction stage of the Project.
- 3.3.3 Right of Way Certification – The CITY will secure the certification/easements required to provide the required use of right of way for the Project.
- 3.3.4 Responsibility for Project Expenses – The CITY shall be solely responsible for all costs related to the completion of the Project, inclusive of all hard costs, soft costs, administrative fees and related expenditures (“Project Expenses”). Project Expenses may include those expenses deemed reimbursable under the Grant Agreement attached as Exhibit “G” (“Reimbursable Expenses”) as well as non-reimbursable expenses, which are comprised of any additional work, costs, fees, or expenses related to the Project beyond Reimbursable Expenses (“Non-Reimbursable Expenses”). MTECC shall prepare requests for reimbursement on behalf of the CITY for submission to the BMPO in the form set forth in the Grant Agreement. Notwithstanding, the CITY shall be responsible for all Project Expenses that are not reimbursed by the BMPO under the Grant Agreement.
- 3.3.4.1 Project Account; Payment of Project Expenses. The CITY shall, prior to the award of a contract/task order to the Contractor for the design or construction of the Project, advance to MTECC an amount equal to 10 percent of the Project Budgeted Expenses included in Exhibit E (the “Operating Contribution”). The Operating Contribution shall be separate from, and above and beyond, the amount of local contribution and in the form of CITY funds. The Operating Contribution shall be held by MTECC in a designated Project Fund, which may be a Sub-fund of the overall MTECC Trust Fund to pay Project Expenses (the “Project Fund”).
- 3.3.4.2 Payment of Project Expenses. The Contractor and consultants shall submit invoices for work on the Project to MTECC. MTECC shall pay all Contractor and consultant invoices from the Project Fund. Concurrent with each Contractor and consultant payment, MTECC

shall prepare a request for reimbursement on behalf of the CITY for submission to BMPO in the form set forth in the Grant Agreement. MTECC shall deposit all Reimbursement Payments into the Project Fund. If at any time during the Project, the balance of funds available in the Project Fund are insufficient to pay for Project invoices, MTECC shall notify the CITY and the CITY shall, within fourteen (14) days of receipt of such notice, increase the Operating Contribution in an amount necessary to timely pay such Project invoices.

3.3.4.3 Disbursement of Project Account Balance. Within thirty (30) days of the acceptance of the Project by the CITY and payment of all outstanding invoices, MTECC shall transfer any remaining balance of the CITY funded (excludes Grant) Project Fund to the CITY.

3.3.4.4 Project Delivery Fee. The CITY shall pay to MTECC, a fee in the amount of \$35,000 for direct Project support (the “Project Delivery Fee”). The Project Delivery Fee is not a budgeted Project Expense and will not be deposited into the Project Fund.

3.3.4.5 Betterments. The CITY may request during the design phase for certain additional improvements above and beyond the scope of the Grant. A request for Betterments must be made to MTECC, which has no obligation to accept the request, and all costs are borne by the CITY, which shall be advanced to MTECC at the time the betterment is approved by the CITY and MTECC.

3.3.5 Project Operations and Maintenance – The CITY will participate in the review of the Project close-out to ensure the Project elements are complete. The CITY will be responsible and provide for the operations and maintenance of the Project elements in accordance with the Grant requirements.

3.3.5.1 Access to Project Site. The CITY shall grant a right of way certification for the Project site, as necessary, permitting ingress and egress to MTECC and any and all Contractors and any other agent or representative of, or engaged by MTECC to facilitate the completion of the Project in the form attached hereto as Exhibit “B”.

3.3.5.2 Ownership of Project Deliverables. The CITY shall, as the third-party beneficiary of the Project Delivery Agreement, be the beneficial owner of all Project deliverables provided by the Contractor a description of which is attached hereto as Exhibit “C” (the “Project Deliverables”).

- 3.3.5.3 Enforcement of Warranties. The CITY shall be solely responsible for the enforcement of any and all warranties, as applicable, for labor and materials on the Project upon acceptance of the Project.
- 3.3.5.4 Claims for defects. The CITY shall be solely responsible for the prosecution of any and all claims for defects in workmanship and/or design services upon acceptance of the Project.
- 3.3.6 Permitting – The CITY agrees to review, pay, and expedite approval of all required permits for the improvements within their respective authority and jurisdiction.

ARTICLE 4 GRANT PASS THROUGH REQUIREMENTS

Grant Indemnity – CITY failure to reasonably perform its obligations related to the receipt of the Grant Funds shall constitute a material breach of this Agreement. The CITY, to the extent permitted by law, agrees to indemnify and hold the BMPO harmless from any liability, demand, claim, penalty or any other adverse action resulting from breach by CITY, MTECC or its contractor or subcontractor, its obligations related to the receipt of the Grant Funds, including, any demand for return of all or a portion of the Grant Funds (including interest and penalties).

ARTICLE 5 TERM

This Agreement shall be effective upon execution by all Parties and shall continue in full force and effect until each Party has performed all obligations and responsibilities under this Agreement, with respect to the Grant Funds imposed on BMPO by HUD for receipt of federal funds under the Grant for the Project. Upon completion of the Grant, the BMPO will provide a closeout letter to all Parties.

ARTICLE 6 CONSIDERATION AND PAYMENT

- 6.1 The BMPO shall have no obligation to independently fund the costs of the Project.
- 6.2 Reimbursement of BMPO and MTECC's expenses for the Project funded under the Grant shall be subject to the cost principles set forth in the OMB Final Rule (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230), as well as the applicable provisions of the Grant. The BMPO agrees to reimburse MTECC for its expenditures that are allowable under the Grant for the Project. The BMPO shall charge costs associated with the BMPO's oversight of the Project.

- 6.3 MTECC shall be reimbursed for the eligible costs on a monthly basis for progress on the Project. MTECC shall submit monthly invoices with proper backup documentation in a format provided by BMPO.

Upon receipt of a properly documented invoice, BMPO shall pay MTECC within 30 days utilizing the Grant and Local Match. The invoice shall include payroll records and invoices from MTECC's contractor(s) and proof of payment to contractor(s) to verify that MTECC has incurred the costs set out in its invoice. The BMPO reserves the right to require MTECC to submit additional reasonable documentation to verify that MTECC has incurred the costs set out in its invoice.

If BMPO disputes any items on an invoice for a reasonable cause, BMPO may deduct that disputed item from the payment, but shall not delay payment for the undisputed portions. The amounts and reasons for such deductions shall be documented to MTECC and the Parties agree to timely meet to resolve any such disputes.

- 6.4 Completion of the construction phase will be deemed to have occurred when MTECC submits all receipts, approved permits, certificate of completion, if any, copies of all permits with all required sign-offs, and all other necessary documentation indicating the construction phase has been completed in a satisfactory manner. Final required sign-off shall include a professional engineer's signing and sealing that the Project is complete and operational, in substantial conformance with the approved Project plans and specifications.

At the completion of the Project, MTECC shall provide verified actual costs satisfactorily demonstrated to have been expended by all contractors for completion of the Project. Upon satisfactory review and approval of all required documentation from MTECC, the BMPO shall pay the balance of the total contract amount after the costs previously invoiced and reimbursed.

- 6.5 The BMPO's obligation to provide reimbursement to MTECC shall be limited to the availability of grants funds to BMPO from HUD and Local Funds, which are specifically earmarked for the Project. In the event that Grantor shall deny any of BMPO's request for payments relating to the Project, or if Grantor shall request the return of any Grant Funds relating to the Project that have been previously paid, MTECC shall, within sixty (60) days of receiving notice from BMPO of Grantor's denial or request for return of Grant Funds already paid, return to BMPO the funds that Grantor has declined to reimburse or requested to be returned. CITY and MTECC requirement to return funds shall include the payment of any interest or penalties required by Grantor.

ARTICLE 7 GOVERNMENTAL IMMUNITY

Nothing herein is intended to serve as a waiver of sovereign immunity by any party nor shall anything included herein be construed as consent to be sued by third parties in any matter arising out of this Agreement or any other contract. The Parties are state agencies or political subdivisions

as defined in Chapter 768.28, Florida Statutes, and shall be fully responsible for the acts and omissions of their agents or employees to the extent permitted by law.

ARTICLE 8
INSURANCE

MTECC is an entity subject to Section 768.28, Florida Statutes, and MTECC shall furnish the BMPO with written verification of liability protection in accordance with state law prior to final execution of this Agreement. MTECC shall ensure that all consultants and contractors provide written verification of insurance to protect Parties as shown in Exhibit “D”.

ARTICLE 9
DISPUTE RESOLUTION / TERMINATION

- 9.1 Resolution of Disputes: If the Parties to this Agreement are unable to resolve any issue, an Agreement will be drafted for the CITY and BMPO in which they may be in disagreement covered herein, such dispute will be resolved in the following manner:
- (a) First, the disputing parties will meet together through the BMPO Executive Director, the respective municipal manager or administrator and the MTECC Contract Officer, or their respective designee;
 - (b) If the disputing parties are still unable to resolve the dispute, the disputing parties agree to further attempt to resolve the dispute in accordance with governmental conflict resolution procedures specified in Chapter 164 or 186, Florida Statutes or such other processes deemed mutually agreeable and appropriate by the parties involved.
- 9.2 This Agreement may not be terminated by the Parties until all requirements of the HUD Grant are met.
- 9.3 This CITY may assume the MTECC requirements in the Agreement, with BMPO concurrence, for reasons including, but not limited to, MTECC’s repeated (whether negligent or intentional) submission for payment of false or incorrect bills or invoices, failure to suitably perform the work; or failure to continuously perform the work in a manner calculated to meet or accomplish the objectives as set forth in this Agreement.

ARTICLE 10
MAINTENANCE OF RECORDS & AUDITS

- 10.1 The Parties shall maintain books, records, documents, and other evidence directly pertinent to work under this Agreement in accordance with generally accepted accounting principles and practices. The Parties shall also maintain for a period of three (3) years from the latter of the date of Grant close-out or expiration of this Agreement the financial information and data used by the Parties in the preparation or support of the proposed or actual costs

submitted for reimbursement under this Agreement. Parties agree to permit the BMPO, HUD, the U.S. Department of Housing and Urban Development Secretary and the U.S. Comptroller General, or their duly authorized representatives, to inspect all work, materials, payrolls, and other data and records and to conduct performance and/or financial audits of Parties' books, records and accounts pertaining to the Grant expenditures for this Project.

- 10.2 The Parties shall be responsible for meeting the audit requirements of the OMB Final Rule (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, and 230), and any further revision or supplement thereto. The Parties agree that the audit will be conducted in accordance with U.S. Government Accountability Office (U.S. GAO) "Government Auditing Standards." Upon the BMPO's request, CITY and MTECC must submit a copy of its audit, completed in accordance with the above-described requirements, within 30 days after completion of the audit, but no later than one year after the end of the audit period.
- 10.3 MTECC and any of its contractors and subcontractors shall preserve and make available, at reasonable times for examination and audit by the BMPO, all financial records, supporting documents, statistical records, and any other documents pertinent to this Agreement for the required retention period of the Florida Public Records Act, Chapter 119, Florida Statutes, as may be amended from time to time, if applicable, or, if the Florida Public Records Act is not applicable, for a minimum period of three (3) years after termination of this Agreement. If any audit has been initiated and audit findings have not been resolved at the end of the retention period or three (3) years, whichever is longer, the books, records, and accounts shall be retained until resolution of the audit findings. If the Florida Public Records Act is determined by BMPO to be applicable to CITY and MTECC and any of its contractors' and subcontractors' records, MTECC and its contractors and subcontractors shall comply with all requirements thereof; however, no confidentiality or non-disclosure requirement of either federal or state law shall be violated by either Party or its subcontractors.

ARTICLE 11 NONDISCRIMINATION

- 11.1 In accordance with Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. Section 2000d, Section 303 of the Age Discrimination Act of 1975, as amended, 52 U.S.C. Section 6102, Section 202 of the Americans with Disabilities Act of 1990, 42 U.S. C. Section 12132, Federal transit law, 49 U.S.C. Section 5332, and implementing regulations; the Parties will not discriminate against any employee, applicant for employment, or contractor hired, or any passenger provided transit service because of race, color, religion, national origin, ancestry, sex, age, or disability.
- 11.2 Contract Assurance: Neither MTECC, nor any of its contractors and subcontractors may discriminate on the basis of race, color, national origin, or sex in the performance of this

Agreement. MTECC shall carry out all applicable requirements of 49 CFR Part 26 in the award and administration of this US Department of Transportation-assisted Agreement. Failure by MTECC to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement, or any other remedy allowed by law.

ARTICLE 12



Closing Soon

For MTECC:

Executive Director
MTECC
100 West Cypress Creek Road, Suite 650
Fort Lauderdale, Florida 33309

With a copy to:

Matthew Pearl, Esq
MTECC General Counsel[
200 East Broward Blvd., Suite 1900
Fort Lauderdale, Florida 33301

For BMPO:

Executive Director
Broward Metropolitan Planning Organization
100 West Cypress Creek Road, Suite 650
Fort Lauderdale, Florida 33309

With a copy to:

Alan L. Gabriel, Esq.
BMPO General Counsel
200 East Broward Blvd., Suite 1900
Fort Lauderdale, Florida 33301

- 12.3 Assignment and Performance: Neither this Agreement nor any right or interest created herein shall be assigned, transferred, or encumbered without the prior written consent of the other party or parties. The references herein to HUD shall include any successor agency or department of the United States Government.
- 12.4 Compliance with Laws: Parties shall comply with all applicable federal, state, and local laws, codes, ordinances, rules, and regulations in performing its duties, responsibilities, and obligations pursuant to this Agreement.
- 12.5 Severance: In the event a portion of this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless CITY, MTECC, or the BMPO elect to terminate this Agreement. An election to terminate

this Agreement based upon this provision shall be made within seven (7) days after the finding by the court becomes final.

- 12.6 Joint Preparation: Each party and its counsel have participated fully in the review and revision of this Agreement and acknowledge that the preparation of this Agreement has been their joint effort. The language agreed to expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other. The language in this Agreement shall be interpreted as to its fair meaning and not strictly for or against any party.
- 12.7 Priority of Provisions: If there is a conflict or inconsistency between any term, statement, requirement, or provision of any exhibit attached hereto, any document or events referred to herein, or any document incorporated into this Agreement by reference and a term, statement, requirement, or provision of Articles 1 through 12 of this Agreement, the term, statement, requirement, or provision contained in Articles 1 through 12 shall prevail and be given effect; provided, however, anything in this Agreement to contrary, the Grant and all HUD mandated terms shall be deemed to control in the event of a conflict with other provisions contained in this Agreement.
- 12.8 Jurisdiction, Venue, Waiver of Jury Trial: This Agreement shall be interpreted and construed in accordance with and governed by the laws of the state of Florida. All parties agree and accept that jurisdiction of any controversies or legal problems arising out of this Agreement, and any action involving the enforcement or interpretation of any rights hereunder, shall be exclusively in the state courts of the Seventeenth Judicial Circuit in Broward County, Florida, and venue for litigation arising out of this Agreement shall be exclusively in such state courts, forsaking any other jurisdiction which either party may claim by virtue of its residency or other jurisdictional device. **BY ENTERING INTO THIS AGREEMENT, BMPO, MTECC, AND CITY HEREBY EXPRESSLY WAIVE ANY RIGHTS ANY PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CIVIL LITIGATION RELATED TO THIS AGREEMENT.**
- 12.9 Amendments: No modification, amendment, or alteration in the terms or conditions contained herein shall be effective unless contained in a written document prepared with the same or similar formality as this Agreement and executed by CITY, MTECC, and the BMPO Board or others delegated authority to or otherwise authorized to execute same on their behalf.
- 12.10 Prior Agreements: This document represents the final and complete understanding of the Parties and incorporates or supersedes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein. The parties agree that there is no commitment, agreement, or understanding concerning the subject matter of this Agreement that is not contained in this written document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representation or agreement, whether oral or written.

- 12.11 Incorporation by Reference: The truth and accuracy of each "Whereas" clause set forth above is acknowledged by the parties. Exhibits referenced herein is incorporated into and made a part of this Agreement.
- 12.12 Representation of Authority: Each individual executing this Agreement on behalf of a party hereto hereby represents and warrants that he/she is, on the date he/she signs this Agreement, duly authorized by all necessary and appropriate action to execute this Agreement on behalf of such party and does so with full legal authority.
- 12.13 Multiple Originals: Multiple copies of this Agreement may be executed by all parties, each of which, bearing original signatures, shall have the force and effect of an original document.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement: CITY through its [____], signing by and through its _____, authorized to execute same by action on the ____ day of _____, 2024, and [CITY OF _____, FLORIDA], through it [____], signing by and through its [____] and BROWARD METROPOLITAN PLANNING ORGANIZATION, signing by and through its Chair and Executive Director, duly authorized to execute same.

“City of Coconut Creek”

By: _____

Karen M. Brooks, City Manager

This ____ day of _____, 2024.

Attest:

By: _____
Joseph J. Kavanagh, City Clerk

(SEAL)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Terrill C. Pyburn, City Attorney

“MTECC”

By: _____
Andrea McGee, Chair
_____.

By: _____
Lowell R. Clary, Executive Director

This ____ day of _____, 2024.

This ____ day of _____, 2024

Attest:

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE OF AND
RELIANCE BY THE MTECC ONLY:

By: _____
Matthew Pearl, MTECC General Counsel
Weiss Serota Helfman Cole & Bierman PL

“BMPO”

BROWARD METROPOLITAN
PLANNING ORGANIZATION

By: _____
Gregory Stuart, Executive Director

By _____
Frank Ortis, Chair

____ day of _____, 2024

____ day of _____, 2024

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE OF AND
RELIANCE BY THE BMPO ONLY:

By: _____
Alan L. Gabriel, BMPO General Counsel
Weiss Serota Helfman Cole & Bierman PL

EXHIBITS

- Exhibit "A" – Project Improvements (To be attached)**
- Exhibit "B" – Access to Project Site (To be attached)**
- Exhibit "C" – Project Deliverables (To be attached)**
- Exhibit "D" – Verification of Insurance (To be attached)**
- Exhibit "E" – Project Budget (To be attached)**
- Exhibit "F" – Grant Agreement (To be attached)**
- Exhibit "G" – Manufacturer's Specification Sheets (To be attached)**