



AGENDA

Metropolitan Transportation Engineering
& Construction Cooperative (MTECC)
Thursday, March 13, 2025, 10:00 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. Election of Officers

ACTION ITEMS

1. MOTION TO APPROVE: Approval of Amendment 2 to the Approved MTECC General Fund Budget and Capital Project Fund Budget for fiscal year 2024-25.
2. MOTION TO APPROVE: Approval of Assignment of Contract for CPA Services from the Broward MPO to MTECC.
3. MOTION TO APPROVE: Extension of Term for MTECC Agreement with Clary Consulting Company for Executive Director services.

DISCUSSION ITEMS

1. MTECC Project Status Update
2. Executive Director's Reports
3. PMC Report
4. General Counsel's Report
5. Budget to Actual Report

6. Board Comments

NEXT MEETING: DATE

***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: 03/13/2025

2.

SUMMARY:

Approval of Minutes

Attachments

December 2024 Minutes MTECC

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 12, 2024, 9:00 A.M.

Members

Vice Chair Caryl Shuham, Commissioner of Hollywood
Tim Fadgen, Councilmember of Plantation

Staff / Also Present

Lowell Clary, MTECC Executive Director
Matthew Pearl, MTECC General Counsel
Chris Bross, MTECC
Christine Fanchi, MTECC
Paula Prusinski, Broward MPO
Julia Ronquillo, Broward MPO

REGULAR ITEMS

1. Call to Order

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

2. Approval of Minutes

Motion made by Board Member Fadgen, seconded by Vice Chair Shuham, to approve. In a voice vote, the **motion** passed unanimously (3-0).

3. Approval of Agenda

Motion made, and duly seconded, to approve. In a voice vote, the **motion** passed unanimously (3-0).

ACTION ITEMS

- 1. MOTION TO APPROVE: Tri-Party Agreement between Broward MPO, City of Fort Lauderdale, and MTECC for delivery of project 4334282 – FORT LAUDERDALE – 17TH STREET MOBILITY HUB. This project is funded by a Federal Transit Administration (FTA) grant for this project awarded to the Broward MPO in the amount of \$7,560,000 Federal grant (\$756,000 for**

Broward MPO to monitor and administer the grant resulting in \$6,804,000 for the project) and \$35,000 City funds in a Tri-Party Agreement between the Broward MPO, City of Fort Lauderdale and MTECC. Please note that the City of Fort Lauderdale has not approved the Tri-Party Agreement. This action is subject to the City's approval of the Tri-Party Agreement.

Motion made by Board Member Fadgen, seconded by Vice Chair Shuham, to approve. In a voice vote, the **motion** passed unanimously (3-0).

MTECC Executive Director Lowell Clary advised that Fort Lauderdale has not yet taken action on this Item. It is scheduled to come before the Fort Lauderdale City Commission at their December 17, 2024 meeting. The above Resolution is contingent upon approval by that governing body.

- 2. MOTION TO APPROVE: Approval of Amendment 1 to the Approved MTECC General Fund Budget and Capital Project Fund Budget for fiscal year 2024-25. This Budget Amendment will not be posted to the Approved MTECC General Fund Budget and Capital Project Fund Budget for fiscal year 2024-25 until the Tri-Party Agreement is approved by all parties to the Agreement.**

Motion made by Board Member Fadgen, seconded by Vice Chair Shuham, to approve.

Mr. Clary explained that this budget amendment accompanies the Tri-Party Agreement mentioned in the previous Item. That project is the only change proposed by the amendment.

[The **motion** was approved by consent.]

DISCUSSION ITEMS

1. MTECC Project Status Update

Mr. Clary reported that there are currently three active projects. One is in Coconut Creek, and the negotiations for design services were recently completed, which means this project will soon come before the Board as a Task Work Order. The estimated value of this project is \$405,000, which includes the cost of some optional items which may not be necessary.

MTECC has issued a Request for Work Order for design services for the Pembroke Pines Mobility Hub project. This Work Order is expected to be presented for review of proposals in January 2025. The estimated cost of these services is approximately \$300,000.

The third project is the Fort Lauderdale project discussed under Action Item 1. The Tri-Party Agreement has been completed and estimates for exhibits and a scope of work are underway. This project is estimated at \$6.8 million and proposes a mobility hub on 17th Street.

Vice Chair Shuham requested clarification of why this mobility hub project is significantly larger than mobility hubs in other Broward municipalities, such as the hub in Hollywood. It was explained that because this hub is approximately one mile in length from US-1 to NW 9th Avenue, the improvements will be corridor-wide, with the intent of connecting to a future feeder rail station at 17th Street. The hub is intended to improve first/last mile connections in the subject area.

The mobility hub project will include narrowing of traffic lanes to create wide sidewalks and bicycle lanes on both sides of the street. Intersection improvements are also planned for the area. MTECC will work with Fort Lauderdale and Broward County to change existing traffic light systems.

2. Executive Director's Reports

Mr. Clary stated that all projects are moving forward. MTECC plans to wean itself from support by the Broward MPO over the next 12 to 18 months. The MPO has primarily provided procurement and Certified Public Accountant (CPA) support, with CPA services to move to MTECC during this time frame.

Vice Chair Shuham asked why MTECC could not continue to use MPO support for procurement services. Mr. Clary replied that this change was requested by the Florida Department of Transportation (FDOT), and pointed out that MTECC has reimbursed the MPO for those services. He did not have further information on the reason for this request.

Vice Chair Shuham asked if there is interest from any additional cities in joining MTECC. Mr. Clary replied that there are no such plans at this time, although Oakland Park has communicated with the organization. He noted that little progress has been made on the Local Agency Program (LAP) process thus far, as FDOT Staff has focused on other projects throughout fall 2024.

3. PMC Report

None.

4. General Counsel's Report

MTECC General Counsel Matthew Pearl reported that he has worked closely with Fort Lauderdale over the past month regarding required agreements. He characterized this process as challenging.

5. Budget to Actual Report

Mr. Clary advised that MTECC is working to ensure this system is in good shape. MTECC is establishing a project module for capital projects, which must be organized in the accounting system. Budget to actual information will be emailed to the Board members the next week. Funds are being advanced to MTECC from the cities of Pembroke Pines and Coconut Creek so MTECC can pay the consultant in advance and then bill for repayment through grant funds.

6. Board Comments

Mr. Clary advised that the next MTECC meeting is scheduled for February 13, 2025.

It was also noted that if an additional member is appointed to the MTECC Board, they will be appointed by the City of Pompano Beach.

There being no further business at this time, the meeting was adjourned at 9:13 a.m.

NEXT MEETING DATE: February 13, 2025



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/13/2025

4.

SUMMARY:

Election of Officers



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

Meeting Date: 03/13/2025

1.

REQUESTED ACTION:

MOTION TO APPROVE: Approval of Amendment 2 to the Approved MTECC General Fund Budget and Capital Project Fund Budget for fiscal year 2024-25.

WHAT THIS ACTION ACCOMPLISHES:

This provides the budget authority for MTECC Capital Project Fund for the Project B-23-CP-FL-0383 – Coconut Creek, to increase the Design Consultant budget by \$75,416.82 to total \$405,980.82, which will provide adequate budget authority for the fixed fee of \$313,041.74 and optional services up to \$92,939.08. The Project Contingency budget is reduced by \$75,416.82. This provides the budget authority for MTECC Capital Project Fund for the Project 4334293 – Pembroke Pines Mobility Hub, to increase the Design Consultant budget by \$181,636.00 to total \$410,000.00, which will provide adequate budget authority for the fixed price. The Project Contingency budget is reduced by \$181,636.00.

SUMMARY EXPLANATION/BACKGROUND:

The Annual Budget provides the authority for MTECC's activities in delivering projects on behalf of MTECC members. Coconut Creek Lyons Road Project The amended budget makes the following adjustments: · Increases the Design Consultant on Project B-23-CP-FL-0383 by \$75,416.82, from the Approved Budget of \$330,564.00 to \$405,980.82 · Decreases the Contingency on Project B-23-CP-FL-0383 by \$75,416.82, from the Approved Budget of \$228,726.00 to \$153,359.18 The MTECC Team submitted the Project scope of services to the five design consultant teams in the design engineering services (DES) library. All five DES firms proposed. A team of experts from the City of Coconut Creek reviewed and ranked the proposals. The MTECC Executive Director reviewed and accepted the ranking. The MTECC Contracting Officer requested a fee proposal from the top ranked DES firm, Marlin Engineering. A team of MTECC and City of Coconut Creek experts negotiated the proposed staffing, staff hours and overall fee with the top ranked proposer, Marlin Engineering. This final fee was broken into a Fixed Fee of \$313,041.74, and optional services of \$92,939.08. The City and MTECC in discussions with Marlin Engineering determined there were service areas such as landscape architectural, utility location, and related items that will be needed, but the extent and timing of those services will not be known until the design services are more advanced. The optional services are identified as site work and the number of sites will be identified and this will define the final amount to be allocated under the optional services. The MTECC and City Team will have to agree on these prior to any funds be allocated from optional services. Any funds not required will be reallocated upon completion of the Design Consultant phase of the project to the construction phase of the Project. Pembroke Pines Mobility Hub The amended budget makes the following adjustments: · Increases the Design Consultant on Project 4334293 – Pembroke Pines Mobility Hub by \$181,636.00, from the Approved Budget of \$228,364.00 to

\$410,000.00 · Decreases the Contingency on Project 4334293 – Pembroke Pines Mobility Hub by \$181,636.00, from the Approved Budget of \$337,053.00 to \$155,417.00 The MTECC Team submitted the Project scope of services to the five design consultant teams in the design engineering services (DES) library. All five DES firms proposed. A team of experts from the City of Pembroke Pines reviewed and ranked the proposals. The MTECC Executive Director reviewed and accepted the ranking. The MTECC Contracting Officer requested a fee proposal from the top-ranked DES firm, CTS Engineering. A team of MTECC and City of Pembroke Pines experts negotiated the proposed staffing, staff hours and overall fee with the top ranked proposer, CTS Engineering. This final fee for the fixed fee is not to exceed \$410,000.00. Any funds not required will be reallocated upon completion of the Design Consultant phase of the project to the construction phase of the Project. The negotiations were completed March 6, 2025. The key amended line items are highlighted in yellow highlights in the attached Exhibit A on pages 6 and 9.

MTECC STAFF RECOMMENDATION(S):

Recommend approval of Amendment 2 to the Approved MTECC General Fund Budget and Capital Project Fund Budget for fiscal year 2024-25.

ADDITIONAL INFORMATION/PREPARER:

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

Attachments

Amendment 2
Resolution Approving Amendment 2

Metro Transportation Engineering & Construction Cooperative

Fiscal 2024-2025 Budget

Amendment 2

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

General Fund

General funds are for the general operations of a government entity. The MTECC General Fund supports the administrative operations of MTECC including contributions 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. Projects were added in fiscal year 2023-24 and the Capital Projects Fund for MTECC was created and began operations. The MTECC Capital Projects Fund accounts for projects when the MTECC Board receives a request from a MTECC member city and agrees to support the delivery of the project. The project must have funding associated with the project. Projects in the Capital Projects Fund by their nature may cover multiple years depending on the size and complexity of the project.

Project Accounting

The MTECC accounting system has been established to provide separate accounting for each MTECC project. This will include the project budget, revenues, expenditures, cash balances and project closeout.

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 June or 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 General 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 General 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

General 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 General 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 General 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 General Fund is the equivalent of 90 days of average expenditure for the MTECC General 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 General 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 General 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) of \$25,000 per City. Any new MTECC members will be assessed a \$50,000 initial year fee for joining MTECC should additional cities join MTECC during fiscal year 2024-25.

Expenditures. The budget expenditures for general administrative activities in fiscal year 2024-25 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.

Budgeted Reserve. The Budgeted Reserve for the MTECC General Fund Budget for fiscal year 2024-25 is assumed to be \$114,310 or 34.2% of the annual expenditures of the MTECC General Fund (Amendment 1 increase the reserve to \$163,310 or 47.3% of the General Fund Appropriations.) As projects are added to the MTECC Capital Project Fund any advances from the General Fund will be reimbursed back to the General Fund.

MTECC Capital Project Fund

During Fiscal Year 2023-24, cities (Pembroke Pines (two projects), Coconut Creek and City of Fort Lauderdale) have officially requested and the MTECC Board has approved moving forward with assistance for MTECC support federal grant funded projects. The MTECC Projects Fund has been added to the annual budget with an amended amount for fiscal year 23-24. Each specific project is brought forward for MTECC Board review and approval to amend in the full project budgets 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 will the development of the plans, specifications, special provisions to prepare for construction bid.
- Design Consultant – team responsible for the implementation of the design project.
- Construction – the contractor responsible for building the project.
- CEI – team responsible for the construction engineering and inspection of the construction project.

The Proposed Budget is amended as each Project and the associated budget is added as Project Agreements and Budget Amendments are approved by the MTECC Board. This will include reimbursement to the General Fund Budget from the Capital Projects Fund.

Budget Adjustments during Fiscal Year 2024-25

- Amendment 1 includes the City of Fort Lauderdale Project 4334282 – FORT LAUDERDALE – 17th STREET MOBILITY HUB:

- Project activities supported by \$6,804,000 Federal grant and \$35,000 City funds in a Tri-Party Agreement between the Broward MPO, City of Fort Lauderdale and MTECC.
- Repays the prior advance from the MTECC General Fund of \$25,000 for the project.
- Advance from the MTECC General Fund to the Capital Projects Fund of \$25,000 to provide early deliverables to finalize the exhibits for the Tri-Party Agreement.
- Amendment 2 amends the Project Budget for two project design services:
 - Project B-23-CP-FL-0383 – Coconut Creek, to increase the Design Consultant budget by \$75,416.82 to total \$405,980.82, which will provide adequate budget authority for the fixed fee of \$313,041.74 and optional services up to \$92,939.08. The Project Contingency budget is reduced by \$75,416.82.
 - Project 4334293 – City of Pembroke Pines Mobility Hub, to increase the Design Consultant by \$181,636.00, from the Approved Budget of \$228,364.00 to \$410,000.00. The Project contingency is decreased by \$181,636.00, from the Approved Budget of \$337,053.00 to \$155,417.00.

Capital Project Fund Balances – the anticipated unused budget for each project will be carried forward to the subsequent fiscal year to continue the delivery of each project.

General Fund Budget Item	Approved Fiscal Year 2024-25	Amend 2	Amended Fiscal Year 2024-25
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	\$60,000		\$60,000
City of Coconut Creek	\$25,000		\$25,000
Total Member Contributions	\$235,000		\$235,000
Interest Earnings	\$3,000		\$3,000
Total Revenues	\$238,000		\$238,000
Carry Over Prior Year	\$245,310		\$245,310
Total Available	\$483,310		\$483,310
Appropriations/Expenditures			
Board Expenses	\$0		\$0
Board Attorney	\$58,000		\$58,000
Executive Director	\$72,000		\$72,000
Program Management Consultant	\$60,000		\$60,000
Finance/Accounting	\$71,000		\$71,000
Insurance	\$10,000		\$10,000
Annual Audit	\$12,000		\$12,000
Procurement	\$18,000		\$18,000
Public Relations/Involvement	\$5,000		\$5,000
Technology	\$10,000		\$10,000
Other Administrative Expenses	\$20,000		\$20,000
Total Appropriations	\$345,000		\$345,000
Advance to MTECC Projects Fund	\$0		\$0
Repayment of Advances	\$25,000		\$25,000
Budgeted Reserve	\$163,310		\$163,310

Capital Projects Fund Budget Item	Approved Fiscal Year 2024-25 (Includes carryover)	Amend 2	Revised Fiscal Year 2024-24 (includes carryover)
Revenues			
Project Grants			
Federal Grants	\$12,675,000		\$12,675,000
City Grants	\$520,000		\$520,000
City Reimbursements	\$50,000		\$50,000
Total Grants	\$13,245,000		\$13,245,000
Advances from MTECC General Fund	\$50,000		\$50,000
Total Revenues	\$13,295,000		\$13,295,000
Total Available	\$13,295,000		\$13,295,000
Appropriations			
Project 449690-1 – Pembroke Pines			
Program Management Consultant - Design	\$25,000		\$25,000
Design Consultant			
Contingency			
Project Total	\$25,000		\$25,000
Project 4334292 – Pembroke Pines			
Program Management Consultant Design	\$152,243		\$152,243
Design Consultant	\$228,364	\$181,636	\$410,000
Right of Way			
Program Management Consultant Construction			
Construction	\$1,903,036		\$1,903,036
CEI	\$190,304		\$190,304
Contingency (note includes Ped overpass – to be finalized in design stage)	\$337,053	-\$181,636	\$155,417
Project Total	\$2,811,000		\$2,811,000

Project B-23-CP-FL-0383 – Coconut Creek			
Program Management Consultant Design	\$275,470		\$275,470
Design Consultant	\$330,564	\$75,416.82	\$405,980.82
Program Management Consultant Construction			
CEI	\$275,470		\$275,470
Construction	\$2,399,720		\$2,399,720
Contingency	\$228,776	-\$75,416.82	\$153,359.18
Project Total	\$3,510,000		\$3,510,000
Project 4334282, City of Fort Lauderdale			
Program Management Consultant Design	\$327,899		\$327,899
Design Consultant	\$491,849		\$491,849
Program Management Consultant Construction			
CEI	\$327,899		\$327,899
Construction	\$4,098,734		\$4,098,734
Contingency	\$1,557,619		\$1,557,619
Project Total	\$6,804,000		\$6,804,000
Total Appropriations/Expenditures	\$13,150,000		\$13,150,000
Transfers to MTECC General Fund	\$145,000		\$145,000
Budgeted Reserve	\$0.00	\$0.00	\$0.00

RESOLUTION NO. 2025-

A RESOLUTION OF THE BOARD OF THE METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC) ADOPTING AMENDMENT 2 FOR THE APPROVED BUDGET FOR THE 2024-2025 FISCAL YEAR; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

WHEREAS, the MTECC Board desires to adopt a budget for MTECC operations for the 2024-2025 fiscal year.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE 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. Budget Adopted. That the Board hereby adopts Amendment 2 to the MTECC 2024-2025 Fiscal Year budget in the form attached hereto as Exhibit "A".

Section 3. Implementation. That the Executive Director is hereby authorized to take any and all actions necessary to implement the 2024-2025 fiscal year budget and the purposes of this Resolution.

Section 4. Effective Date. This Resolution shall become effective upon adoption.

ADOPTED this_day of _____, 2025.

METRO TRANSPORTATION ENGINEERING AND
CONSTRUCTION COOPERATIVE

By _____
Chair

Attest:

By _____
Executive Director



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/13/2025

2.

REQUESTED ACTION:

MOTION TO APPROVE: Approval of Assignment of Contract for CPA Services from the Broward MPO to MTECC.

WHAT THIS ACTION ACCOMPLISHES:

This provides the assignment of Contract NO. 24-01 between BROWARD METROPOLITAN PLANNING ORGANIZATION and CHERRY BEKAERT ADVISORY LLC (CBA) for FINANCIAL AND ACCOUNTING SERVICES FOR METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC) from Broward Metropolitan Planning Organization (BMPO) to MTECC.

SUMMARY EXPLANATION/BACKGROUND:

This provides the assignment of Contract NO. 24-01 between BROWARD METROPOLITAN PLANNING ORGANIZATION and CHERRY BEKAERT ADVISORY LLC (CBA) for FINANCIAL AND ACCOUNTING SERVICES FOR METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC) from Broward Metropolitan Planning Organization (BMPO) to MTECC.

MTECC STAFF RECOMMENDATION(S):

Recommend approval of Contract Assignment of Contract No. 24-01 from BMPO to MTECC, subject to follow up action by the BMPO Board.

ADDITIONAL INFORMATION/PREPARER:

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

Attachments

Assignment of Agreement NO. 24-01
Resolution Approving Agreement 24-01

ASSIGNMENT OF AGREEMENT NO. 24-01

BETWEEN

BROWARD METROPOLITAN

PLANNING ORGANIZATION

AND

CHERRY BEKAERT ADVISORY LLC FOR

**FINANCIAL AND ACCOUNTING SERVICES FOR
METRO TRANSPORTATION ENGINEERING AND
CONSTRUCTION COOPERATIVE (MTECC)**

This Assignment of the Agreement ("Assignment") with Cherry Bekaert Advisory LLC (the "Contractor") for financial and accounting services (the "Agreement") is entered into this ___ day of January 2025 (the "Effective Date") by and among the **Broward Metropolitan Planning Organization**, hereinafter referred to as "BMPO",

AND

The **Metro Transportation Engineering and Construction Cooperative**, hereinafter referred to as "MTECC",

AND

Cherry Bekaert Advisory LLC, as Consultant under the Agreement, and together with BMPO and MTECC, hereinafter referred to as the "Parties".

WITNESSETH:

WHEREAS, the BMPO solicited offers from firms to provide the required expertise in connection with providing financial and accounting services for MTECC; and

WHEREAS, the BMPO selected Cherry Bekaert Advisory LLC, as Contractor under the Agreement, which is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, MTECC and BMPO have agreed that BMPO shall assign the Agreement to MTECC; and

WHEREAS, MTECC is willing to assume the obligations of BMPO under the Agreement; and

WHEREAS, Contractor is willing to release BMPO under the Agreement and substitute MTECC as a party to the Agreement.

NOW, THEREFORE, in consideration of the mutual terms and conditions,

promises, and covenants and the faithful performance of all such covenants and conditions the BMPO, MTECC and Contractor agree as follows:

1. The Parties incorporate by reference the WHEREAS clauses set forth above as if fully set forth herein.
2. The term of this Assignment shall commence on the Effective Date and remain in full force and effect unless or until the Agreement expires or is earlier terminated as provided in the Agreement.
3. Assignment, Assumption and Release.
 - a. *Assignment.* As of the Effective Date, BMPO irrevocably assigns and transfers to MTECC all of BMPO's rights and interests in and to the Agreement.
 - b. *Assumption.* MTECC (i) unconditionally accepts such assignment and assumes all of BMPO's duties, liabilities, and obligations under the Agreement; (ii) releases BMPO from all duties, liabilities, and obligations under the Agreement; and (iii) agrees to pay, perform, and discharge, as and when due, all of the obligations of BMPO under the Agreement accruing on and after the Effective Date.
 - c. *Release.* As of the Effective Date, Contractor releases BMPO from its duties and obligations under the Agreement and accepts the assignment of MTECC under the Agreement. All references in the Agreement to BMPO shall be substituted for MTECC.
4. Notices. Whenever any Party desires to give notice to the other, it must be given by written notice, sent by certified United States mail, return receipt requested, addressed to the party for whom it is intended, at the place last specified in writing, and the place for giving of notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice, to-wit:
 - a. Contractor: Danny Martinez
Cherry Bekaert Advisory LLC
3800 Glenwood Avenue, Suite 200
Raleigh, NC 27612

With A copy to:

General Counsel
Cherry Bekaert Advisory LLC
3800 Glenwood Avenue, Suite 200
Raleigh, NC 27612

- b. MTECC: Lowell R. Clary, Executive Director
Metro Transportation Engineering and Construction
Cooperative
100 West Cypress Creek Road, Suite 650
Fort Lauderdale, Florida 33309

With a copy to:

Matthew Pearl, Esq., MTECC General Counsel
Weiss Serota Helfman Cole & Bierman, P.L.
200 Broward Blvd., Suite 1900
Fort Lauderdale, Florida 33301

5. Headings and References. All captions, titles, and headings in this Assignment are provided for reference and convenience, and are neither intended to nor affect the meaning or interpretation of any provisions herein.
6. Entire Agreement. This Assignment, together with the Agreement attached as Exhibit "A", is the sole and entire agreement of the Parties regarding the subject matter contained herein and therein, and supersedes all prior and contemporaneous understandings, agreements, representations, and warranties, both written and oral, regarding such subject matter.

[THIS SPACE INTENTIONALLY LEFT BLANK]

**ASSIGNMENT OF
AGREEMENT BETWEEN**

**THE BROWARD METROPOLITAN
PLANNING ORGANIZATION
AND
CHERRY BEKAERT ADVISORY LLC
FINANCIAL AND ACCOUNTING SERVICES FOR METRO
TRANSPORTATION
ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC)**

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: BMPO, signing by and through its Chair and Executive Director, attested to and duly authorized to execute same, MTECC signing by and through its Chair and Executive Director, attested to and duly authorized to execute same, and CONTRACTOR, signing by and through its _____, attested to and duly authorized to execute same.

“BMPO”

BROWARD METROPOLITAN
PLANNING ORGANIZATION

By: _____
Gregory Stuart, Executive Director

By _____
Yvette Colbourne, Chair

____ day of _____, 2025

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

“MTECC”

**METRO TRANSPORTATION
ENGINEERING & CONSTRUCTION
COOPERATIVE**

By: _____
Lowell R. Clary, Executive Director

By _____
Chair

____ day of _____, 2025

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

“CONTRACTOR”

WITNESS:

CHERRY BEKAERT ADVISORY LLC,

By: _____

By: _____

Print Name: _____

Name: _____

Title: _____

By: _____

Print Name: _____

____ day of _____, 2025

RESOLUTION NO. 2025-__

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC) APPROVING THE ASSIGNMENT OF AGREEMENT NO. 24-01 FROM THE BROWARD METROPOLITAN PLANNING ORGANIZATION (BMPO) TO MTECC FOR FINANCIAL AND ACCOUNTING SERVICES WITH CHERRY BEKAERT ADVISORY LLC; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Broward Metropolitan Planning Organization ("BMPO") entered into Agreement No. 24-01 (the "Agreement") with Cherry Bekaert Advisory LLC (the "Contractor") for the provision of financial and accounting services for the Metro Transportation Engineering and Construction Cooperative ("MTECC"); and

WHEREAS, BMPO and MTECC have determined that it is in the best interests of all parties to assign BMPO's rights, obligations, and responsibilities under the Agreement to MTECC; and

WHEREAS, MTECC is willing to accept the assignment of the Agreement and assume all responsibilities and obligations therein; and

WHEREAS, the Contractor has consented to the assignment and agrees to release BMPO from all contractual obligations under the Agreement; and

WHEREAS, the Board of Directors of MTECC desires to approve the assignment of the Agreement and authorize the Executive Director to execute all necessary documents to effectuate the assignment.

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

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Approval of Assignment. The Board hereby approves the Assignment of Agreement No. 24-01 from BMPO to MTECC, in substantially the form attached hereto as Exhibit "A."

Section 3. Authorization of Execution. The Board authorizes the Executive Director of MTECC to execute the Assignment of Agreement and any other necessary documents required to complete the assignment.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2025.

**METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION
COOPERATIVE (MTECC)**

By: _____
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Matthew Pearl, General Counsel
Weiss Serota Helfman Cole & Bierman, P.L.



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/13/2025

3.

REQUESTED ACTION:

MOTION TO APPROVE: Extension of Term for MTECC Agreement with Clary Consulting Company for Executive Director services.

WHAT THIS ACTION ACCOMPLISHES:

The MTECC auditor noted that the term for the agreement between MTECC and Clary Consulting Company for Executive Director services had expired in September 2024. The amendment makes the term of the agreement subject to future Board termination or resignation by Clary Consulting Company, whichever occurs first.

SUMMARY EXPLANATION/BACKGROUND:

The original agreement for between MTECC and Clary Consulting Company had a term that ended at the end of fiscal year 2023-2024. The Executive Director has continued past that point at the discretion of the Board of Directors, without a contract. This amendment conforms the agreement to be at the discretion of the Board of Directors so that there is active agreement between MTECC and Clary Consulting Company.

MTECC STAFF RECOMMENDATION(S):

The MTECC Contracting Officer recommends approval of the amendment between MTECC and Clary Consulting Company.

ADDITIONAL INFORMATION/PREPARER:

If you have any questions about this item, please contact Chris Bross (954) 876-0064 and brossc@mtccfl.org.

Attachments

Transmittal for Amendment

MTECC - Executive Director Services - Amended & Restated

Clary Consulting Services for MTECC- Resolution



March 4, 2025

Christopher Bross
Contract Officer
MTECC
Trade Center South
100 West Cypress Creek Road
Suite 650
Fort Lauderdale, FL 33309

Re: Clary Consulting Company and MTECC Contract Amendment

Mr. Bross,

Clary Consulting proposes the attached amendment to the MTECC contract with Clary Consulting Company, executed 7/13/2023.

Sincerely,

A handwritten signature in blue ink, appearing to be 'L. Clary', is written over a light blue horizontal line.

Lowell R. Clary, President
Clary Consulting Company
2910 Kerry Forrest Pkwy. D4, Suite 413
Tallahassee, FL, 32309
850-212-7772
Lowell.clary@claryconsulting.com



**Metro Transportation Engineering and Construction Cooperative
Executive Director Services
Amended and Restated**

Lowell Clary of Clary Consulting Company (Clary Consulting) agrees to provide Executive Director services for the Metro Transportation Engineering and Construction Cooperative (MTECC) **for the period July 1, 2023 to September 30, 2024 at the discretion of the MTECC Board.** These services shall include the following services upon agreement and acceptance by the MTECC Board.

Scope of Services:

General Executive Director Services

Task 1 – Support the MTECC Board including preparing for and attending MTECC Board meetings. This will include, but not be limited to the following subtask items:

- Task 1.1 – Assist in the preparation of MTECC Board agendas and supporting materials.
- Task 1.2 – Approve final agendas and submit to the MTECC Board members ahead of each Board meeting.
- Task 1.3 – Attend MTECC Board meetings and support the Board during the meeting.
- Task 1.4 – Ensure that MTECC Board meetings are recording and minutes prepared for each Board meeting.
- Task 1.5 – Meet with and brief MTECC Board members as needed and based upon request by MTECC Board members.

Task 2 – Manage and Direct MTECC administrative functions including finance and accounting, Board support, procurement, legal and other activities that are not project specific in support of the MTECC mission. This includes, but is not limited to the following subtask items:

- Task 2.1 – Manage and direct the MTECC – Broward MPO Support Agreement that provides administrative support for MTECC including finance and accounting, Board support, procurement, and other administrative support activities.
- Task 2.2 – Provide direction to and oversight of the contracted finance and accounting team in partnership with the Broward MPO staff.
- Task 2.3 – Provide direction to and oversight of the general activities of the procurement team providing by the Broward MPO.
- Task 2.4 – Ensure that an annual audit is provided of MTECC activities.
- Task 2.5 – Provide direction to and oversight of MTECC Treasury activities in partnership with staff of Broward MPO for payment of approved invoices, deposit of revenues and management of MTECC funds.
- Task 2.6 – Provide direction to develop the proposed annual budget and direction to and oversight of the MTECC adopted annual budget.
- Task 2.7 – Provide direction to and oversight of the development of MTECC policies, procedures and forms for the general operations of MTECC activities and services.

Task 2.8 – Support the MTECC Board in the direction and oversight of the MTECC legal services.
Task 2.9 – Provide update to the MTECC Board on key administrative activities as part of periodic MTECC Board meetings during the Executive Director report

Task 3 – General Coordination with MTECC members, partners and the public for overall MTECC activities and services. This includes, but is not limited to the following subtask items:
Task 3.1 – Meet with and support general coordination activities with MTECC members. Task 3.2 – Meet with and support general coordination with partners such as FDOT District 4, Federal Highway Administration, Federal Transit Administration, Broward County, Broward MPO and others as required.
Task 3.3 – Support and participate in general public involvement and be the public point of contact for MTECC in partnership with staff of Broward MPO
Task 3.4 – Provide update to the MTECC Board on key coordination activities as part of periodic MTECC Board meetings during the Executive Director report

Task 4 – Direction and Management of MTECC General Program Management Engineering Consultant (PMC) general task work order activities. This includes, but is not limited to the following subtask items:
Task 4.1 – Provide direction to and oversight of the PMC principal and project manager in support of general technical activities to support the mission of MTECC. This includes the development and review, and execution of the annual PMC general task work order.
Task 4.2 – Review and approve invoices for the general task work order activities of the PMC.
Task 4.3 – Ensure timely reporting of the PMC activities and the overall oversight of the PMC contract.
Task 4.4 – Ensure the PMC provides an update to the MTECC Board on PMC activities as part of periodic MTECC Board meetings.

Task 5 – Other General Duties as required to meet the mission of MTECC.

Project Specific Services (Note these services are to be developed as part of a project specific task order to be approved by the Board as part of the overall Project Budget)

Task 6 – Direction to and Oversight of the Project
Task 6.1 – Direct and provide oversight to the MTECC PMC to develop/finalize the Project Scope, Phase Scope (Design or Construction), certification process, and other required elements in a partnership with the applicable MTECC member and funding partner.
Task 6.2 – Direct and provide oversight to the MTECC PMC and partner with the applicable MTECC member and funding partner to develop the Project Budget and Project Agreement, and present to the MTECC Board for review and approval.
Task 6.3 – Direct and provide oversight to the MTECC procurement team to procure the necessary contractors to deliver the Project Phase.
Task 6.4 – Direct and provide oversight of the MTECC PMC in the management of Project Contractors in the delivery of the applicable Project,
Task 6.5 – Direct and provide oversight of the MTECC PMC in the Project Phase close- out activities including the required oversight and acceptance of the final product by the MTECC member and the funding partner as required by the Project Agreement.
Task 6.6 – Direct and provide oversight of the required Project Phase reporting, audits, and other funding partner grant requirements.

Task 6.7 – Direct and provide oversight of the Project Phase coordination activities with the MTECC member, funding partner, permit agencies, general public and other required activities.

Task 6.8 – Direct and provide oversight of the Project Budget to ensure the Project Phase is delivered within the available funds.

Task 6.9 – In a partnership with the MTECC PMC provide periodic reports to the MTECC Board on the implementation of the Project Phase.

Compensation:

General Executive Director Services:

- **Monthly payment of \$5,000 paid at the first of each month.**

(This monthly payment includes all costs and expenses including any required travel)

Project Specific Services

- **To be developed and approved by the Board on a task order basis as part of the approved Project Budget**

- **Hourly Rates include:**

Lowell Clary, Executive Director	\$360 per hour
Lucas Clary, Support for Executive Director	\$250 per hour
Junior/Administrative Staff – Research, Report/Presentation Support	\$100 per hour

(These hourly rates include all costs and expenses including any required travel)

Miscellaneous

Lowell Clary will serve as the MTECC Executive Director. Additional staff will be added as needed to complete task at the discretion of Lowell Clary in coordination with the MTECC Board and overall MTECC team. Project Specific Tasks will be developed for each Project Phase for the estimated hours and budget.

This Agreement may be cancelled by the MTECC Board or Lowell Clary upon a 90-day written notice. MTECC shall be responsible for the payment of any services provided by Clary Consulting before the cancellation notice.

Wherever any notice or other communication is required or permitted hereunder, such notice or other communication shall be in writing and shall be delivered by hand, or by nationally-recognized overnight express delivery service, or by U.S. registered or certified mail, return receipt requested, postage prepaid, or e-mail or by facsimile with printed confirmation of delivery, to the addresses set out below or at such other addresses as are specified by written notice delivered in accordance herewith: CLARY CONSULTING: 2910-D Kerry Forest Parkway, Suite 413, Tallahassee, Florida 32309, Attn: Lowell Clary, E-mail: lowell.clary@claryconsulting.com; MTECC, Trade Center South – 100 West Cypress Creek Road, Suite 650, Fort Lauderdale, FL 33309, Attn: Christopher Bross, [E-mail:brossc@browardmpo.org](mailto:brossc@browardmpo.org); Attn: Matthew Pearl, E-mail: mpearl@wsh-law.com.

Clary Consulting, in performing the Services set forth above shall comply with all appropriate laws, codes and regulations.

This Agreement shall be construed and governed in accordance with the laws of the State of Florida. In the event any term or provision of this Agreement be determined by appropriate judicial authority to be illegal or otherwise invalid, such provision shall be given its nearest legal meaning or be construed as deleted as such authority determines, and the remainder of this Agreement shall be construed to be in full force and effect. Time shall be of the essence in the performance of this Agreement. Clary Consulting shall not be entitled to assign this Agreement.

This Agreement constitutes the entire understanding and agreement between the parties and may not be changed, altered or modified except by an instrument in writing signed by the party against whom enforcement of such change would be sought. This Agreement shall be binding upon the parties hereto and their respective permitted successors and assigns.

Approved As Amended:

Signatures:

Clary Consulting Company

Signature _____ **Date:** _____
Lowell R. Clary, President
Clary Consulting Company

MTECC Board Chair

Signature _____ **Date:** _____
_____, Chair

MTECC Legal Review

Approved _____ **Date:** _____
Matthew Pearl, MTECC Board Attorney

RESOLUTION NO. 2025-__

A RESOLUTION OF THE BOARD OF THE METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC) APPROVING THE EXTENSION OF THE AGREEMENT WITH CLARY CONSULTING FOR EXECUTIVE DIRECTOR SERVICES; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Metro Transportation Engineering and Construction Cooperative ("MTECC") previously entered into an agreement (the "Agreement") with Clary Consulting for the provision of Executive Director services by Lowell Clary; and

WHEREAS, the Board has determined that it is in the best interest of MTECC to extend the Agreement to ensure continuity in leadership and the continued efficient operation of MTECC; and

WHEREAS, Lowell Clary has demonstrated effective leadership in his role as Executive Director and MTECC wishes to continue his services through Clary Consulting; and

WHEREAS, the Board desires to approve the extension of the Agreement and authorize the Chair of the Board and Executive Director to execute all necessary documents to effectuate the extension.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE (MTECC), THAT:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Approval of Extension. The Board hereby approves the extension of the Agreement with Clary Consulting for the continued provision of Executive Director services by Lowell Clary, in substantially the form attached hereto as Exhibit "A."

Section 3. Authorization of Execution. The Board authorizes the Chair of the Board and/or the Executive Director to execute the extension of the Agreement and any other necessary documents required to complete the extension.

Section 4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ___ day of March 2025.

METRO TRANSPORTATION ENGINEERING AND CONSTRUCTION COOPERATIVE

By: _____
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: _____
Matthew Pearl, General Counsel
Weiss Serota Helfman Cole & Bierman, P.L.



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/13/2025

1.

SUMMARY:

MTECC Project Status Update

Attachments

Project Status Update

Project 4455291- DEERFIELD BEACH: Crystal Lake/45th Street- Sidewalks/Lighting

Funding FDOT LAP- FY23/24 - \$384,088 (Design) FY 26/27 - \$2,339,520 (Construction)

- City request MTECC support - PMC work order up to \$25,000.
- Project Scope developed/reviewed/approved by City/MTECC.
- Independent Fee Estimate developed/reviewed/approved by City/MTECC.
- Project has moved to FDOT design services to the City based on direction from FDOT.
- PMC Work Order closed.
- Final invoice for PMC work submitted to the City to reimburse for prior services on the Project.
- Invoice still outstanding. Followed up with City Team in early March.

Project 4334293- PEMBROKE PINES: Mobility Hub Pembroke Pines

Funding FTA- FY24/25 - \$2,361,000 plus City/Developer funding \$495,000 (Design, Construction, CEI)

- City requested MTECC support - PMC task order up to \$25,000.
- Project Scope developed/reviewed/approved by City/MPO/MTECC.
- Independent Fee Estimate developed/reviewed/approved by City/MPO/MTECC.
- Tri-Party Agreement signed by City/MPO/MTECC.
- MPO executed grant agreement between MPO and FTA
- MTECC Mini-procurement for design services
 - City team reviewed and ranked proposals under guidance of MTECC Contracting Officer. CTS Engineering top ranked firm.
 - Top ranked team provided fee proposal in February 2025.
 - Three negotiations sessions in February and early March 2025
 - **Design services notice to proceed once work order finalized - anticipate in mid-March 2025.**
 - **Budget Amendment 2 to provide adequate budget for fixed price services for the design services work order.**
- Program Manager work order amendment in process and will be negotiated and amended to add project management, design review, construction bid support, project close-out and related services.
- Broward MPO may have extra Federal Transit Administration (FTA) funds from other project available and if so propose to add to this project. Could be between \$200 and \$300 thousand. Will require an amendment to the Tri-Party Agreement if approved by FTA and Broward MPO.

Project B23-CP-FL0383- COCONUT CREEK: Pedestrian Lighting Lyons Road

Funding HUD- FY24/25 - \$3,510,000, City \$35,000 (Design, Construction, CEI)

- City requested MTECC support - PMC task order up to \$25,000.
- Project Scope developed/reviewed/approved by City/MPO/MTECC.
- Independent Fee Estimate developed/reviewed/approved by City/MPO/MTECC.
- HUD grant agreement approved between HUD and MPO.
- Tri-Party Agreement signed by City/MPO/MTECC.
- Design Services team of Marlin Engineering provided notice to proceed for the fixed price services on February 6, 2025
- Budget Amendment 2 on March 13, 2025, MTECC Board agenda to match budget for design services fixed priced and optional services.
- Program Manager work order amendment negotiated to add project management, design review, construction bid support, project close-out and related services.
- Project design kickoff meeting held February 25, 2025. MTECC Project Manager asked design team to consider a 9-month design schedule. Design Team to submit schedule in next few weeks.
- Design work is underway.

Project 449690-1- PEMBROKE PINES: Multi-Use Path

Funding LAP- FY24/25 - \$965,285 (Design) FY 27/28 - \$7,495,223 (Construction)

- City request MTECC support - PMC task order up to \$25,000.
- Project Concept reviewed by MTECC staff. Final concepts expected in July 2024.
- Project Concepts to City Council in June 2024.
- Next Steps:
 - New procurement for DES library for LAP projects in 2025
 - Draft Design Scope of Work,
 - Develop Independent Fee Estimate
 - Start of project design assumed late Spring 2025.

Project (Number)- FORT LAUDREDALE: SE 17th Street Mobility Hub

Funding FTA- FY24/25 \$6,804,000 (Design, Construction, CEI)

- Concept approved by City of Fort Lauderdale Commission in May 2024
- City Commission approved resolution requested MTECC assistance - PMC task order up to \$25,000.
- PMC developed:
 - Project scope of services/improvements
 - Project milestones/schedule
 - Project Budget/Independent Cost Estimate
- BMPO executed the grant between FTA and MPO.
- Tri-Party Agreement executed by City/MPO/MTECC
- Began mini-procurement for design services in January 2025
 - Developed draft Request for Work Order Proposals (RFWOP) for internal MTECC review
 - RFWOP shared with City team March 4, 2025, for review and approval.
 - Expect to issue RFWOP by March 15, 2025, to all five design services firms.
 - City appointed City review team to review proposals when received.
 - City and MTECC appointed Project Managers
 - Proposals expected early April 2025.
 - Fee Proposal from top ranked firm by mid-April 2025.
 - Negotiations complete by early May 2025.
 - Finalize Work Order and issue notice to proceeds by mid-May 2025.



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/13/2025

2.

SUMMARY:

Executive Director's Reports

Attachments

December 2024 Executive Director's Report
January 2025 Executive Director's Report
February 2025 Executive Director's Report



MTECC Executive Director Activities

December 2024

Board Activities:

- Developed and reviewed items for the December Board meeting.
 - Finalized the Tri-Party Agreement for Fort Lauderdale NE 17th Street Mobility Hub Project, subject to action by the MPO Board and Fort Lauderdale City Commission.
 - Developed proposed fiscal year 2024-25 Budget Amendment 1 that will add the project budget for the above Project.
 - Worked with staff on finalizing the agenda and distributed to Board members and interested parties.
- Participated in MTECC Board meeting December 12.

Administrative Activities:

- MTECC Staff Meetings – routine MTECC staff meetings are held virtually (December 10) to schedule and follow up on key MTECC activities.
- Followed up with the MTECC City members that have not yet paid the annual fee: Deerfield Beach, Hallandale Beach and Fort Lauderdale.
- Finance and Accounting Services:
 - Routine update for MTECC transactions.
 - Partnered with outside CPA firm on updates to the accounting system to clarify fund transfers for Projects from the General Fund to the Capital Projects Fund.
 - Working on the Project Accounting System for budget and actual reports – still in process.
- Program Management Services:
 - Coordination of activities with PMC during December.
 - Finalized proposed scope of services for amendment to Work Order for Coconut Creek Lyons Road. Reviewed proposed fee and negotiated overall staffing and fee with the PMC team.
 - Amendment to the current PMC Work Order for Pembroke Pines Mobility Hub to increase to serve of project manager of the design and construction/CEI phases, design reviews will follow the same approach as Coconut Creek project.

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:
 - Meeting with FDOT during December to discuss comments on updated MTECC procedures on Procurement of Professional Services, Project Management and Invoice Processing.
 - Goal is to issue the new design library by end of January 2025 and to have the LAP design library on board by mid Spring 2025.

Project Activities (official request for MTECC services):

- **Pembroke Pines – FDOT LAP Project 449690-1 (design FY 24-25)**
 - PMC active under Task Order for this project up to \$25,000.
 - Initial discussions of the project scope and planning for early project steps.
 - Goal is to have the design started by late Spring 2025.
 - No activity in December 2024.
- **Pembroke Pines – FTA/MPO Project 4334292 (design FY 24-25)**
 - PMC active under Task Order for this project up to \$25,000, PMC preparing proposed amendment to add scope for PMC to serve as MTECC project manager, design reviews, etc.
 - Tri-Party Agreement signed.
 - Environmental review completed.
 - FTA grant signed
 - Schedule:
 - Approved final Design services RFWOP, issued to five design services firms (DES) December 11, 2024.
 - Assisted Contracting Officer in providing responses to questions from the DES firms. Approved a short extension (one week) of the proposal response time due to the holiday period.
 - Appointed City Review Team to review the proposals.
 - DES firm proposals due January 14, 2025.
 - City Team reviews due by end of January, Executive Director review/approve proposal rankings.
 - Request fee proposal from top ranked firm.
 - Negotiate fee proposal in February 2025
 - Design targeted to start by early March 2025

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 3 of 3**

- **Coconut Creek HUD Project – Lighting on Lyons Road - MPO HUD Grant**
 - PMC active under Task Order for this project up to \$25,000, Finalized scope and negotiated fee for PMC amendment to Work Order to add project management, design reviews, etc.
 - Tri-Party Agreement signed
 - Design RFWOP finalized proposed fee in negotiations between top ranked firm and MTECC/City Team.
 - Fee is \$313,041.74 for fixed fee costs, and \$92,939.08. for optional services, some of which will be needed, but the exact number (generally priced by service by site (utility location, tree relocation as examples) until the design is well underway. Approved Project Budget for design is \$330,564. The design will start in January and a Budget Amendment will be proposed to “true up” the design budget from the Project Contingency of \$228,776.
 - Design starts in January 2025.
- **City of Fort Lauderdale 17th Street HUB Project**
 - City Commission approved the concept scope of services in the Spring.
 - MTECC PMC Work Order for up to \$25K for key early activities to help complete exhibits for Tri-Party Agreement.
 - Tri-Party Agreement:
 - MTECC and MPO Boards approved December 12.
 - City Commission approved December 17, 2024. Executive Director attended the City Commission meeting to be available for questions.
 - Finalize signatures to complete Tri-Party Agreement in early January.
 - Draft RFWOP for design services in January 2025.

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



MTECC Executive Director Activities

January 2025

Board Activities:

- No Board Meeting in January.
- Cancelled the February Board meeting to allow time for items at the Federal level to be further defined on grants.
- Updated the Board on Federal Office of Management and Budget (OMB) temporary stop on all Federal grants and loans.
- Updated the Board on the Federal OMB recession of the prior direction to temporary stop Federal grants and loans.

Administrative Activities:

- MTECC Staff Meetings – routine MTECC staff meetings are held virtually (January 7 and January 23) to schedule and follow up on key MTECC activities.
- Further follow up with the MTECC City members that have not yet paid the annual fee: Deerfield Beach, Hallandale Beach and Fort Lauderdale.
- Finance and Accounting Services:
 - Routine update for MTECC transactions.
 - Working on the Project Accounting System for budget and actual reports – still in process.
- Program Management Services:
 - Coordination of activities with Program Management Consultant (PMC) during January.
 - Finalized negotiations of the proposed amendment and executed the amendment to the PMC Work Order for Coconut Creek Lyons Road Lighting Project to add Project Manager and Design Review services for the design and construction phases of the project.
 - Discussed amendment of the Pembroke Pines Mobility Hub Project PMC Work Order to develop an amendment consistent with the Coconut Creek work order amendment to add project management and design review for the design and construction phases of the project.

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:
 - Meeting with FDOT during January to discuss comments on MTECC procedures on Procurement of Professional Services, Project Management and Invoice and Payment Processing.
 - Provided updated Procurement of Professional Services and Invoice and Payment Processing procedure to FDOT based on their earlier comments.
 - Goal is to get FDOT to sign off on the procedures and move to procurement for the design library for FDOT LAP funded grants.

Project Activities (official request for MTECC services):

- **Pembroke Pines – FDOT LAP Project 449690-1 (design FY 24-25)**
 - PMC active under Task Order for this project up to \$25,000.
 - Initial discussions of the project scope and planning for early project steps.
 - Goal is to have the design started by late Spring 2025.
 - No activity in January 2024.
- **Pembroke Pines – FTA/MPO Project 4334292 (design FY 24-25)**
 - PMC active under Task Order for this project up to \$25,000, PMC preparing proposed amendment to add scope for PMC to serve as MTECC project manager, design reviews, etc.
 - Tri-Party Agreement between City, MTECC and Broward MPO.
 - Environmental review completed.
 - Federal grant between FTA and Broward MPO.
 - Design Stage:
 - DES firm proposals received January 14, 2025, in response to Request for Work Order Proposal (RFWOP) from all five design consultants.
 - City Team reviewed and ranked the proposals by January 31, 2025, CTS Engineering was the top ranked proposer.
 - Request fee proposal from top ranked firm in early February 2025.
 - Negotiate fee proposal by March 6, 2025.
 - Design targeted to start by mid-March 2025

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



- **Coconut Creek HUD Project – Lighting on Lyons Road - MPO HUD Grant**
 - PMC active under Task Order for this project up to \$25,000, Finalized scope and negotiated fee for PMC amendment to Work Order to add project management, design reviews, etc.
 - Tri-Party Agreement signed
 - Design RFWOP finalized proposed fee in negotiations between top ranked firm and MTECC/City Team.
 - Fee is \$313,041.74 for fixed fee costs, and \$92,939.08. for optional services, some of which will be needed, but the exact number (generally priced by service by site (utility location, tree relocation as examples) until the design is well underway. Approved Project Budget for design is \$330,564. The design will start in January and a Budget Amendment will be proposed to “true up” the design budget from the Project Contingency of \$228,776 at the next MTECC Board meeting.
 - Discussion with City of Coconut Creek on the possible impact of Federal OMB direction to temporary stop Federal grants. Agreed to delay the Notice to Proceed to February 6, 2025, to allow time for further direction. OMB rescinded the temporary stop.
 - Notice to Proceed Issued to Marlin Engineering on February 6, 2025.
 - Kick-off meeting being scheduled for February 2025.
- **City of Fort Lauderdale 17th Street HUB Project**
 - MTECC PMC Work Order for up to \$25K for key early activities to help complete exhibits for Tri-Party Agreement.
 - Tri-Party Agreement executed between City, MTECC and Broad MPO.
 - Federal grant executed between FTA and Broad MPO.
 - Design Services:
 - Developed draft RFWOP for design services in January 2025, that is under review.
 - Issue RFWOP to design consultant library in early March 2025.

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



MTECC Executive Director Activities

February 2025

Board Activities:

- No Board Meeting in February.
- Began preparation of items for the March Board meeting.
- Provided MTECC orientation for new Board member

Administrative Activities:

- MTECC Staff Meetings – routine MTECC staff meetings are held virtually (February 6) to schedule and follow up on key MTECC activities.
- Further follow up with the MTECC City members that have not yet paid the annual fee: Deerfield Beach, Hallandale Beach and Fort Lauderdale. Hallandale payment in process. Deerfield Beach noted they would move to process.
- Finance and Accounting Services:
 - Routine update for MTECC transactions.
 - Issues with CPA contracted services. Working with CPA team to make adjustments to staffing.
 - Approved payments during the month of February.
- Provide support for audit services work on fiscal year 2023-24 financial statements.
- Program Management Services:
 - Coordination of activities with Program Management Consultant (PMC) during January.
 - Made an update to negotiated PMC Work Order for Coconut Creek Lyons Road Lighting Project to add Project Manager and Design Review services for the design and construction phases of the project and match to the project budget.
 - Working with PMC on the amendment of the Pembroke Pines Mobility Hub Project PMC Work Order to add project management and design review for the design and construction phases of the project.
 - Negotiated technical services to provide MTECC staff training for timely update of the MTECC Internet Site.

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) LAP Library:
 - FDOT District 4 and Central Office staff level signed off on the procedures for Procurement of Professional Services and Invoice and Payment Processing procedures.
 - Providing example of sample invoice with backup.
 - Providing letter of items to request waiver such as FDOT cap on professional service contracts of \$1.5 million.
 - Providing draft Request for Qualifications for LAP eligible design services

Project Activities (official request for MTECC services):

- **Pembroke Pines – FDOT LAP Project 449690-1 (design FY 24-25)**
 - PMC active under Task Order for this project up to \$25,000.
 - Initial discussions of the project scope and planning for early project steps.
 - Goal is to have the design started by late Spring 2025.
 - Worked with FDOT on getting process signed off to move forward with the RFQ for design services.
- **Pembroke Pines – FTA/MPO Project 4334292 (design FY 24-25)**
 - PMC active under Task Order for this project up to \$25,000, PMC preparing proposed amendment to add scope for PMC to serve as MTECC project manager, design reviews, etc.
 - Design Stage:
 - Request fee proposal from top ranked firm in early February 2025.
 - Participated in two negotiation sessions on the fee proposal in February. Target is to finish negotiations by early March 2025.
 - Design targeted to start by mid-March 2025

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 3 of 3**

- **Coconut Creek HUD Project – Lighting on Lyons Road - MPO HUD Grant**
 - PMC work order amendment finalized to add MTECC Project Manager and design reviews.
 - Design RFWOP finalized proposed fee in negotiations between top ranked firm and MTECC/City Team.
 - Fee is \$313,041.74 for fixed fee costs, and \$92,939.08. for optional services, some of which will be needed, but the exact number (generally priced by service by site (utility location, tree relocation as examples) until the design is well underway. Approved Project Budget for design is \$330,564. The design will start in January and a Budget Amendment will be proposed to “true up” the design budget from the Project Contingency of \$228,776 at the next MTECC Board meeting.
 - Signed Work Order for Fixed Fee with Marlin Engineering.
 - Approved Notice to Proceed Issued to Marlin Engineering on February 6, 2025.
 - Participated in Project Design Kick-off meeting February 25, 2025.
- **City of Fort Lauderdale 17th Street HUB Project**
 - MTECC PMC Work Order for up to \$25K for key early activities.
 - Design Services:
 - Developed draft RFWOP for design services in February 2025.
 - Submitted draft RFWOP to City team for review.
 - Issue RFWOP to design consultant library mid-March 2025.

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



**Metro Trans Engineering & Construction
Cooperative (MTECC)**
Meeting Date: 03/13/2025

3.

SUMMARY:
PMC Report

Attachments

PMC Report - Dec 2024 through March 2025



PROGRESS REPORT- PMC SERVICES

TO: Lowell Clary, Executive Director, MTECC
FROM: Christine W. Fanchi, P.E., WSP Project Manager
PROJECT: PROGRAM MANagements SERVICES
SUBJECT: Summary Project Progress Report
PERIOD: December 2024- February 2025
DATE: March 4, 2025

Task 1: PROJECT MANAGEMENT

- Overall on-going coordination with MTECC Team
- MTECC Team Bi-Weekly Progress Meeting and follow-up

Task 2: MEMBER CITY/LAP COORDINATION

- Support MTECC staff with Tri-Party Agreement for SE 17th Street
- Pembroke HUB- Coordinate project design services with City staff
- Lyons Road Lighting- Project coordination with design consultant/city

Task 3: WEBSITE DEVELOPMENT

- Finalize website

Task 4: PROCUREMENT SUPPORT

- Lyons Road Lighting – Attend negotiation meetings
- Lyons Road Lighting- Prepare negotiations Summary
- SE 17th Street- Revise scope of work to advertise for engineering
- Pembroke Pines HUB- Attend 2 Negotiations meetings

Task 5: TECHNICAL PROJECT SUPPORT

- SE 17th Street- Meet with Brightline to discuss Railroad Crossing Project Coordination
- SE 17th Street- Update project cost estimate
- Pembroke Pines HUB- Revise project cost estimate to add FTA funds
- Coordinate with City/BMPO Staff as necessary to finalize documents
- Lyons Road Lighting- Coordinate/lead Project Kick-off Meeting on 2/25/25 & review agenda