

PROPOSED RESOLUTION 2025-R-14

RESOLUTION NO. 3904

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA; APPROVING AMENDMENT NO. 1 TO THE TRIPARTY AGREEMENT WITH THE BROWARD METROPOLITAN PLANNING ORGANIZATION ("MPO") AND METROPOLITAN TRANSPORTATION ENGINEERING & CONSTRUCTION COOPERATIVE ("MTECC") FOR THE PEMBROKE PINES MOBILITY HUB CAPITAL PROJECT; AUTHORIZING THE CITY MANGER AND CITY ADMINISTRATION TO EXECUTE AMENDMENT NO. 1 AND TO TAKE ALL ACTIONS NECESSARY TO FURTHER THE INTENT OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Pembroke Pines (the "City") approved Resolution No. 3875 on August 21, 2024, authorizing the City Manager to enter into the Tri-Party Agreement for the Pembroke Pines Mobility Hub Capital Project (the "Agreement") with the MPO and MTECC, (collectively referred to as the "Parties") regarding the use of grant funds for the Pembroke Pines Mobility Hub Capital Project; and

WHEREAS, the Agreement executed on or about September 12, 2024 provided for the allocation of \$2,361,600.00 in grant funding to the Pembroke Pines Mobility Hub Capital Project; and

WHEREAS, the Parties desire to amend the Agreement as provided in Amendment No. 1, attached hereto and incorporated herein as Exhibit "A," to award the City an additional \$247,752.00 in funding for the Pembroke Pines Mobility Hub Capital Project from Federal Transit Administration (FTA) Grant No. FL-2016-028, specifically under Activity Line Item (ALI) 11.93.05; and

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WHEREAS, the City Commission for the City of Pembroke Pines finds that approval of Amendment No. 1, attached hereto and incorporated herein as **Exhibit "A,"** to the Agreement with the MPA and MTECC for the Pembroke Pines Mobility Hub Capital Project, is in the best interests of the health, safety, and welfare of the residents of the City of Pembroke Pines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THAT:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution.

Section 2: The City Commission of the City of Pembroke Pines hereby approves Amendment No. 1, attached hereto and incorporated herein as **Exhibit "A,"** to the Tri-Party Agreement for the Pembroke Pines Mobility Hub Capital Project (the "Agreement").

Section 3: The City Manager and City Administration are hereby authorized to execute Amendment No. 1 and to take all actions necessary to further the intent of this resolution.

Section 4: If any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

Section 5: All resolutions inconsistent or in conflict herewith shall be and are

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hereby repealed insofar as there is conflict or inconsistency.

Section 6: That this resolution shall be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA THIS 7TH DAY OF MAY, 2025.



DEBRA EWING ROGERS, CITY CLERK

CITY OF PEMBROKE PINES, FLORIDA

ANGELO CASTILLO, MAYOR

APPROVED AS TO FORM:

[Signature]
OFFICE OF THE CITY ATTORNEY

CASTILLO	<u>AYE</u>
GOOD	<u>AYE</u>
SCHWARTZ	<u>AYE</u>
RODRIGUEZ	<u>AYE</u>
HERNANDEZ	<u>AYE</u>

**AMENDMENT NO. 1 TO THE TRIPARTY AGREEMENT
FOR THE PEMBROKE PINES MOBILITY HUB CAPITAL PROJECT**

This Amendment No. 1 (“Amendment”) to the Triparty Agreement dated September 12, 2024 (the “Agreement”) is made and entered into by and among: the Broward Metropolitan Planning Organization (“BMPO”), the City of Pembroke Pines (“CITY”), and the Metro Transportation Engineering & Construction Cooperative (“MTECC”), (each individually a “Party” and collectively the “Parties”).

RECITALS

WHEREAS, the Parties previously entered into the Agreement to implement the Pembroke Pines Mobility Hub Capital Project (the “Project”);

WHEREAS, the Parties desire to amend the Agreement to include additional grant funding from the BMPO for the purpose of constructing pedestrian lighting at the Pembroke Pines Mobility Hub due to a shortfall caused by inflation and cost escalation;

WHEREAS, the additional grant funding in the amount of \$247,752, from Federal Transit Administration (FTA) Grant No. FL-2016-028, specifically under Activity Line Item (ALI) 11.93.05, shall be added to the existing Project Budget for the purpose stated herein;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein, the Parties agree as follows:

1. Section 1.6 of the Agreement is hereby amended to read as follows:

Grant Funds – the Grant Agreement has provided to BMPO as a grantee a total of ~~\$2,624,000~~ 2,871,752 and BMPO has set aside \$262,400 for BMPO administration and oversight and ~~\$2,361,600~~ \$2,609,352 (“Grant Funds”) to reimburse MTECC’s design and construction of the Project improvements shown in Exhibit “A”.

2. Section 2.2 of the Agreement is hereby amended to read as follows:

In Fiscal Year 2025, the BMPO will make available ~~\$2,361,600~~ \$2,609,352 of funds from the Grants 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, subject to FTA’s Obligation, to reimburse MTECC to complete the design and construction of the agreed Project improvements. The solicitation of design professionals and/or contractors for the Project shall not commence until the BMPO has executed the Grant Agreement.

3. Amendment to Exhibit D – Project Budget

Exhibit “D” to the Agreement is hereby amended to include an additional \$247,752 in Grant Funds under FTA Grant No. FL-2016-028, ALI 11.93.05, for the construction of pedestrian lighting at the Pembroke Pines Mobility Hub (FTA Grant No. FL-2020-012). The revised total Grant Funds available to the Project shall be \$2,609,352 (original \$2,361,600 + additional \$247,752).

4. Budget Allocation

The additional funds shall be used exclusively for pedestrian lighting improvements consistent with the Project scope and FTA Grant requirements and shall be subject to all applicable terms of the Agreement.

5. Full Force and Effect

Except as expressly modified by this Amendment, all other terms and conditions of the Agreement remain in full force and effect.

6. Effective Date

This Amendment shall become effective upon execution by all Parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to the Agreement: **CITY OF PEMBROKE PINES, FLORIDA** through its CITY COMMISSIONERS, signing by and through its MAYOR, authorized to execute same by action on the 13 day of May, 2025, and **METRO TRANSPORTATION ENGINEERING & CONSTRUCTION COOPERATIVE**, through its Chair and Executive Director, and **BROWARD METROPOLITAN PLANNING ORGANIZATION**, signing by and through its Chair and Executive Director, duly authorized to execute same:

“CITY OF PEMBROKE PINES”
By: [Signature]
Mayor

By: Angelo Castillo

This 13 day of May, 2025.



Attest: [Signature]
By: [Signature]
Name: DEBRA ROGERS, City Clerk

“MTECC”

By: _____
Caryl Shuham, Chair

This _____ day of _____ 2025.

By: _____
Lowell R. Clary, Executive Director

This _____ day of _____, 2025

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: _____
Yvette Colbourne, Chair

This _____ day of _____, 2025.

By: _____
Gregory Stuart, Executive Director

This _____ 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



City of Pembroke Pines, FL

601 City Center Way
Pembroke Pines, FL
33025
www.ppines.com

Agenda Request Form

Agenda Number: 13.

File ID: 2025-R-14

Type: Resolution

Status: Passed

Version: 1

**Agenda
Section:**

In Control: City Commission

File Created: 04/27/2025

Short Title: MTECC TRIPARTY AGREEMENT AMENDMENT 1

Final Action: 05/07/2025

Title: MOTION TO ADOPT PROPOSED RESOLUTION 2025-R-14. PROPOSED RESOLUTION 2025-R-14 IS A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES APPROVING AND ADOPTING AMENDMENT NO. 1 TO THE TRIPARTY AGREEMENT FOR THE PEMBROKE PINES MOBILITY HUB CAPITAL PROJECT AMONG THE CITY OF PEMBROKE PINES ("CITY"), METRO TRANSPORTATION ENGINEERING & CONSTRUCTION COOPERATIVE ("MTECC"), AND THE BROWARD METROPOLITAN PLANNING ORGANIZATION ("BMPO"), FOR ADDITIONAL GRANT FUNDING IN THE AMOUNT OF \$247,752 FROM THE FEDERAL TRANSIT ADMINISTRATION (FTA) TO IMPLEMENT THE CONSTRUCTION OF PEDESTRIAN LIGHTING AT THE PEMBROKE PINES MOBILITY HUB PROJECT.

***Agenda Date:** 05/07/2025

Enactment Date: 05/07/2025

Agenda Number: 13.

Enactment Number: 3904

Internal Notes:

Attachments: 1. Reso 2025-R-14- (First Amendment to the Tri-Party Mobility Hub Agreement), 2. Amendment_No_1_Pembroke_Pines_Hub_Triparty_Agr, 3. Resolution 3727 Proposed Resolution 2020-R-52 - CITY CENTER MOBILITY HUB PLANNING DESIGN AND IMPLEMENTATION II, 4. ONLINE - Exhibit A (BMPO Pembroke Pines Mobility Hub Master Plan)

Related Files:

1	City Commission	05/07/2025	adopt	Pass
Action Text: A motion was made by Commissioner Good Jr., seconded by Commissioner Rodriguez, to adopt Proposed Resolution 2025-R-14. The motion carried by the following vote:				
Aye: - 5 Mayor Castillo, Vice Mayor Hernandez, Commissioner Good Jr., Commissioner Rodriguez, and Commissioner Schwartz				
Nay: - 0				

SUMMARY EXPLANATION AND BACKGROUND:

1. On December 16, 2020, the City of Pembroke Pines Commission passed Resolution 3727 (Prop 2020-R-52), which endorsed the recommendations of the Pembroke Pines Mobility Hub Master Plan and supported the MPO's efforts to prepare the recommended capital improvements for Federal Transit Administration (FTA) funding. Exhibit A of resolution 3727 includes additional details of the Mobility Hub Master Plan (attached). The master plan identifies capital improvements to facilitate better connectivity to transit and multimodal transportation in and around City Center, including pedestrian crosswalks, bus shelters, pedestrian lighting and a multiuse path.

2. On July 26, 2024, the Broward MPO submitted to FTA an amendment to the existing Capital Mobility Hub Grant Agreement Number FL-2020-012-01 for the Pembroke Pines Mobility Hub Project in the amount of \$2,624,000 of FTA grant funding. The City of Pembroke Pines City Commission adopted Resolution 2024-R-27 on August 21, 2024, approving and adopting the Triparty Agreement for the Project.

3. The Metropolitan Transportation Engineering & Construction Cooperative (MTECC) adopted Resolution 2024-05 at its meeting on September 9, 2024, authorizing the MTECC Chair to execute the Triparty Agreement for the Project. The Broward Metropolitan Planning Organization (BMPO) approved and executed the Triparty Agreement at its meeting on September 12, 2024.

4. In late 2024, MTECC began work on the project, including updating the preliminary planning-level cost estimates from the 2020 Pembroke Pines Mobility Hub Master Plan. The updated MTECC Engineer's Cost Estimate required removing the pedestrian scale lighting for the new shared-use path from the base bid due to inflation and cost escalation. To avoid moving the pedestrian lighting which is important for safety and security of the project to be a bid option, the BMPO completed a comprehensive analysis to identify cost savings from other FTA grants.

5. The BMPO identified FTA Grant (No. FL-2016-028) to have cost savings in the amount of \$247,752 and requested FTA to repurpose these funds for the funding gap for the pedestrian scale lighting in the Pembroke Pines Mobility Hub project's base bid. The BMPO submitted a Budget Revision to FTA on February 25, 2025, to request the \$247,752 be used for the pedestrian scale lighting for the Pembroke Pines Mobility Hub.

6. On March 5, 2025, the Budget Revision for the Federal Award was approved by the FTA. Following the approval of this Amendment, the BMPO will be positioned to add \$247,752 to the Pembroke Pines Mobility Hub project's grant budget.

7. Request City Commission adopt proposed Resolution No. 2025-R-14.

FINANCIAL IMPACT DETAIL:

- a) **Initial Cost:** None. \$247,752 are repurposed grant funds.
- b) **Amount budgeted for this item in Account No:** Upon Commission's approval a budget adjustment will be made to allocate the funds to the appropriate accounts.
- c) **Source of funding for difference, if not fully budgeted:** Not Applicable.
- d) **5 year projection of the operational cost of the project:** Not Applicable.
- e) **Detail of additional staff requirements:** Not Applicable.

FEASIBILITY REVIEW:

- a) **Was a Feasibility Review/Cost Analysis of Out-Sourcing vs. In-House Labor Conducted for this service?** Not Applicable.
- b) **If Yes, what is the total cost or total savings of utilizing Out-Sourcing vs. In-House Labor for this service?** Not Applicable.