

SEP 24 1984

RESOLUTION

NO. 84-M-33

Resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Urban Mass Transportation Act of 1964 as Amended.

WHEREAS, the Secretary of Transportation is authorized to make grant for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as Amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

NOW THEREFORE, BE IT RESOLVED by the Orange County Board of County Commissioners

1. That the Chairman of the Board of County Commissioners is authorized to execute and file an application and a grant contract, on behalf of Orange County with the U.S. Department of Transportation, to aid in the financial planning and negotiations process necessary to implement a private franchise arrangement for the development, financing and ownership of the first leg of the Orlando Southwest Corridor Transit Project.
2. That the Chairman is authorized to execute and file with such application an assurance or any other document required by the U. S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That Michael J. Tako, P.E., Transportation Director is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.

4. That the Chairman is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

CERTIFICATE

The undersigned duly qualified and acting Chairman of the Orange County Board of County Commissioners certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Orange County Board of County Commissioners held on September 24, 1984.

If applicant has an official seal, impress here.

Attest

Thomas Locker, Clerk
Board of County Commissioners

Mary Jo Garrison
Mary Jo Garrison, Deputy Clerk
Board of County Commissioners

Orange County

Hal Marston

by Hal Marston, Chairman
Board of County Commissioners

February 8, 1985

Date

ORANGE COUNTY

ORLANDO, FLORIDA

FLORIDA

BOARD OF COUNTY COMMISSIONERS

POST OFFICE BOX 1393
ORLANDO, FLORIDA 32802-1393
TELEPHONE (305) 236-7350

February 7, 1985

Mr. James O'Connor
Regional Administrator
UMTA - REGION IV
1720 Peachtree Road
Atlanta, GA 30309

Dear Mr. O'Connor:

On January 25, 1985, Orange County, Florida resubmitted a grant proposal to UMTA requesting Federal support of the financial planning and negotiation process necessary to successfully implement a private franchise arrangement for the development, financing and ownership of the first leg of the Orlando Southwest Corridor Transit Project.

This letter responds to the concerns which were raised during a telephone conversation between Mr. Alex McNeil of your office and Mr. Michael J. Tako, Transportation Director for Orange County, on February 6, 1985.

1. Orange County Board of Commissioners Resolution

Enclosed you will find a Resolution signed by the chairman of the Orange County Board of Commissioners authorizing the application for a grant support in connection with the financial planning and negotiations process towards a final franchise agreement. A copy of the minutes of the Board session on September 24, 1984 authorizing the submission of the grant request is also enclosed. The Resolution similarly sets forth the County's obligation to allocate a local match fund for the project costs.

2. Opinion of Counsel

The enclosed opinion of counsel clears the County from any legal impediment that can hinder its application for Section 8 Discretionary Funds assistance. It also declares that under Florida Statutes, the County is authorized to provide and assist public transportation by acquisition, construction and operation of existing or additional transit facilities.

3. Form 424

We are resubmitting the original Form 424 bearing a \$350,000 request for UMTA Section 8 Discretionary grants support.

Mr. James O'Connor
February 7, 1985
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Let me express my appreciation to you and your staff for giving time and consideration to Orange County's grant request. Any time you have questions or comments or require additional information, contact Michael J. Tako at (305) 420-3177, and he will be able to give you assistance.

We look forward to hearing from you on this request as soon as possible. We thank you in advance for what we project to be a successful culmination of the private franchise approach to public transit which we are pursuing.

Respectfully yours,



HAL MARSTON, Chairman
Orange County
Board of Commissioners

HM:adl

enclosures

CC: Alex Mc Neil,
Grants Department, UMTA

February 8, 1985

Mr. Michael J. Tako, P.E.
Transportation Director
ORANGE COUNTY
2450 33rd Street
Orlando, FL 32809

Dear Mr. Tako:

With regard to the application by Orange County for a federal grant involving the Orlando/Southwest Corridor Project, Orange County has already established its eligibility with UMTA to receive and carry out mass transportation grants. However, I am sending this opinion of counsel to you to further assure the expedient review of the County's grant application.

This communication will serve as the requisite opinion of counsel to be filed with the Urban Mass Transportation Administration, United States Department of Transportation, in connection with applications of Orange County for financial assistance pursuant to the provisions of Section 8 Discretionary Funds of the Urban Mass Transportation Act of 1964, as amended (the "Act"), for financial planning, preliminary construction, land acquisition and operating assistance project(s). I understand that Orange County has been duly designated as a recipient in accordance with the provisions of Section 8 of the Act, and that the Urban Mass Transportation Administration has concurred in/acknowledged that designation. The legal authority for Orange County's ability to carry out financial planning, preliminary construction, land acquisition and/or operating assistance projects directly, by lease, contract, or otherwise is set forth below:

1. Orange County is authorized under Section 125.01, F.S. to provide and assist public transportation by acquisition, construction and operation of existing or additional transit facilities. This assistance may be provided directly by Orange County or by lease arrangements with other parties.
2. The authority of Orange County to provide for its share of project funds for the program of projects is set forth in that Resolution approved by the Board agreeing to allocate funds for said project.

Michael J. Tako, P.E.

February 8, 1985

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3. I have reviewed the pertinent Federal, State and local laws, and I am of the opinion that there is no legal impediment to your making applications for Section 8 Discretionary Funds assistance. Furthermore, as a result of my examination, I find that there is no pending or threatened litigation or other action which might in any way adversely affect the proposed project in the program, or the ability of Orange County to carry out such projects in the program.

Sincerely,



KAYE COLLIE,
Assistant County Attorney

KC:adl

FEDERAL ASSISTANCE		2. APPLICANT'S APPLICATION	a. NUMBER One (1)	3. STATE APPLICATION IDENTIFIER	a. NUMBER
1. TYPE OF ACTION (Mark appropriate box) <input type="checkbox"/> PREAPPLICATION <input type="checkbox"/> APPLICATION <input type="checkbox"/> NOTIFICATION OF INTENT (Opt) <input type="checkbox"/> REPORT OF FEDERAL ACTION		b. DATE Year month day 19 85 01 28			b. DATE ASSIGNED Year month day 19
		<i>Leave Blank</i>			

4. LEGAL APPLICANT/RECIPIENT			5. FEDERAL EMPLOYER IDENTIFICATION NO. 59-70-0004K		
a. Applicant Name	: Orange County Board of Commissioners, FL		6. PRO. GRAM (From Federal Catalog)	a. NUMBER 2 0 0 5 0 5	
b. Organization Unit	: County			b. TITLE	
c. Street/P.O. Box	: P. O. Box 1393		Urban Mass Transportation Administration Technical Studies Grant		
d. City	: Orlando	e. County	: Orange		
f. State	: Florida	g. ZIP Code	: 32802		
h. Contact Person (Name & telephone No.)	: Michael J. Tako (305) 420-3177				

7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT		8. TYPE OF APPLICANT/RECIPIENT	
Urban Mass Transportation Administration Technical Studies Grant Public-Private Financing Planning Process		A-State B-Interstate C-Substate District D-County E-City F-School District G-Special Purpose District H-Community Action Agency I-Higher Educational Institution J-Indian Tribe K-Other (Specify)	
APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THEIR MEETING <u>SEP 24 1984</u>		Enter appropriate letter <input type="checkbox"/> D	
		9. TYPE OF ASSISTANCE	
		A-Basic Grant B-Supplemental Grant C-Loan D-Insurance E-Other Enter appropriate letter(s) <input type="checkbox"/> A	

10. AREA OF PROJECT IMPACT (Names of cities, counties, States, etc.)	11. ESTIMATED NUMBER OF PERSONS BENEFITING	12. TYPE OF APPLICATION
Orange County, Osceola County and Orlando, Florida	571,441	A-New B-Renewal C-Revision D-Continuation E-Augmentation Enter appropriate letter <input type="checkbox"/> A

13. PROPOSED FUNDING		14. CONGRESSIONAL DISTRICTS OF:		15. TYPE OF CHANGE (For 13a or 13d)	
a. FEDERAL	\$ 350,000 .00	a. APPLICANT	FL	A-Increase Dollars B-Decrease Dollars C-Increase Duration D-Decrease Duration E-Cancellation F-Other (Specify)	
b. APPLICANT	67,500 .00	b. PROJECT	FL	Enter appropriate letter(s) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
c. STATE	.00	16. PROJECT START DATE	Year month day 1985 02 08	17. PROJECT DURATION 12 Months	
d. LOCAL	.00	18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY		19. EXISTING FEDERAL IDENTIFICATION NUMBER	
e. OTHER	707,500 .00	Year month day 19 84 01 28			
f. TOTAL	\$1,125,000 .00				

20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code)	21. REMARKS ADDED
Urban Mass Transportation Administration, Atlanta, GA 30309	<input type="checkbox"/> Yes <input type="checkbox"/> No

22. THE APPLICANT CERTIFIES THAT	a. To the best of my knowledge and belief, data in this preapplication/application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is approved.	b. If required by OMB Circular A-95 this application was submitted, pursuant to its instructions therein, to appropriate clearinghouses and all responses are attached: sponsor	Response attached
	(1) East Central Florida Regional Planning Council <input type="checkbox"/> <input checked="" type="checkbox"/>	(2) Florida State Clearinghouse <input type="checkbox"/> <input checked="" type="checkbox"/>	

23. CERTIFYING REPRESENTATIVE	a. TYPED NAME AND TITLE HAL MARSTON, COMMISSIONER & CHAIRMAN	b. SIGNATURE <i>Hal Marston</i>	c. DATE SIGNED Year month day 1985 01 25
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24. AGENCY NAME	25. APPLICATION RECEIVED Year month day
	19

26. ORGANIZATIONAL UNIT	27. ADMINISTRATIVE OFFICE	28. FEDERAL APPLICATION IDENTIFICATION

29. ADDRESS	30. FEDERAL GRANT IDENTIFICATION

31. ACTION TAKEN	32. FUNDING		33. ACTION DATE Year month day 19	34. STARTING DATE Year month day 19
	a. AWARDED	a. FEDERAL \$.00		
b. REJECTED	b. APPLICANT .00	35. CONTACT FOR ADDITIONAL INFORMATION (Name and telephone number)		36. ENDING DATE Year month day 19
c. RETURNED FOR AMENDMENT	c. STATE .00			
d. DEFERRED	d. LOCAL .00	37. REMARKS ADDED		<input type="checkbox"/> Yes <input type="checkbox"/> No
e. WITHDRAWN	e. OTHER .00			
f. TOTAL \$.00	f. TOTAL \$.00			

32. a. In taking above action, any comments received from clearinghouses were considered in accordance with provisions of Part 1, OMB Circular A-95.	b. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.)
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SECTION I - STRUCTURE/RECIPIENT DATA

SECTION II - CERTIFICATION

SECTION III - FEDERAL AGENCY ACTION