

**MEMORANDUM**

October 10, 2007

TO: The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

FROM: Rudolph F. Crew, Superintendent of Schools 

**SUBJECT: WITHDRAWAL OF AGENDA ITEM F- 6  
AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE  
NEGOTIATIONS AND EXECUTE A LEASE AGREEMENT WITH THE  
MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY FOR USE OF A  
PAVED PARCEL LOCATED UNDERNEATH STATE ROAD 878 AT SW  
80 STREET AND 71 AVENUE, FOR THE STAGING OF DISTRICT  
SCHOOL BUSES LOADING AND UNLOADING STUDENTS RIDING  
THE METRORAIL**

The attached Agenda item is being withdrawn from the October 17, 2007 Agenda, as the Miami-Dade County Expressway Authority has advised that certain terms of the proposed agreement will require further review by their staff prior to the Authority issuing final approval. It is anticipated that this item will be brought to the Board at its November 20, 2007 meeting.

RFC/JGT:aj

M525  
Attachment

cc: School Board Attorney  
Superintendent's Cabinet  
Ms. Ana Rijo-Conde

Office of School Facilities  
Jaime G. Torrens, Chief Facilities Officer

**SUBJECT: AUTHORIZATION FOR THE SUPERINTENDENT TO FINALIZE NEGOTIATIONS AND EXECUTE A LEASE AGREEMENT WITH THE MIAMI-DADE COUNTY EXPRESSWAY AUTHORITY FOR USE OF A PAVED PARCEL LOCATED UNDERNEATH STATE ROAD 878 AT SW 80 STREET AND 71 AVENUE, FOR THE STAGING OF DISTRICT SCHOOL BUSES LOADING AND UNLOADING STUDENTS RIDING THE METRORAIL**

**COMMITTEE: FACILITIES AND CONSTRUCTION REFORM**

**LINK TO**

**STRATEGIC PLAN: IMPROVE CONSTRUCTION SERVICES**

Background

Since 1994, the District has utilized a paved parcel of land located underneath State Road 878 at SW 80 Street and SW 71 Avenue (Property), for the staging of District school buses loading and unloading students riding the Metrorail (see location map). Approximately 100-150 students attending the Design and Architecture Senior High School, Maritime and Science Technology Academy and New World School of the Arts are shuttled by District school buses from the Dadeland North Metrorail station to this Property each afternoon, where the students board another District school bus that transports them home. The Florida Department of Transportation (FDOT) owns the Property, but operational and financial control was transferred to the Miami-Dade Expressway Authority (MDX) in 1996. Although a lease agreement between the District and FDOT previously existed, MDX has requested that the District enter into a new lease agreement with MDX to secure the District's continued use of the Property. The District's Department of Transportation has indicated a continuing need for this Property to serve students riding the Metrorail.

Proposed Lease Agreement

It is recommended that the Superintendent be authorized to finalize negotiations and execute a lease agreement with MDX under, substantially, the following terms and conditions:

- a five-year term, with one five-year renewal option at the Board's discretion;
- annual rental rate of \$1;

**ITEM WITHDRAWN  
(10/10/07)**

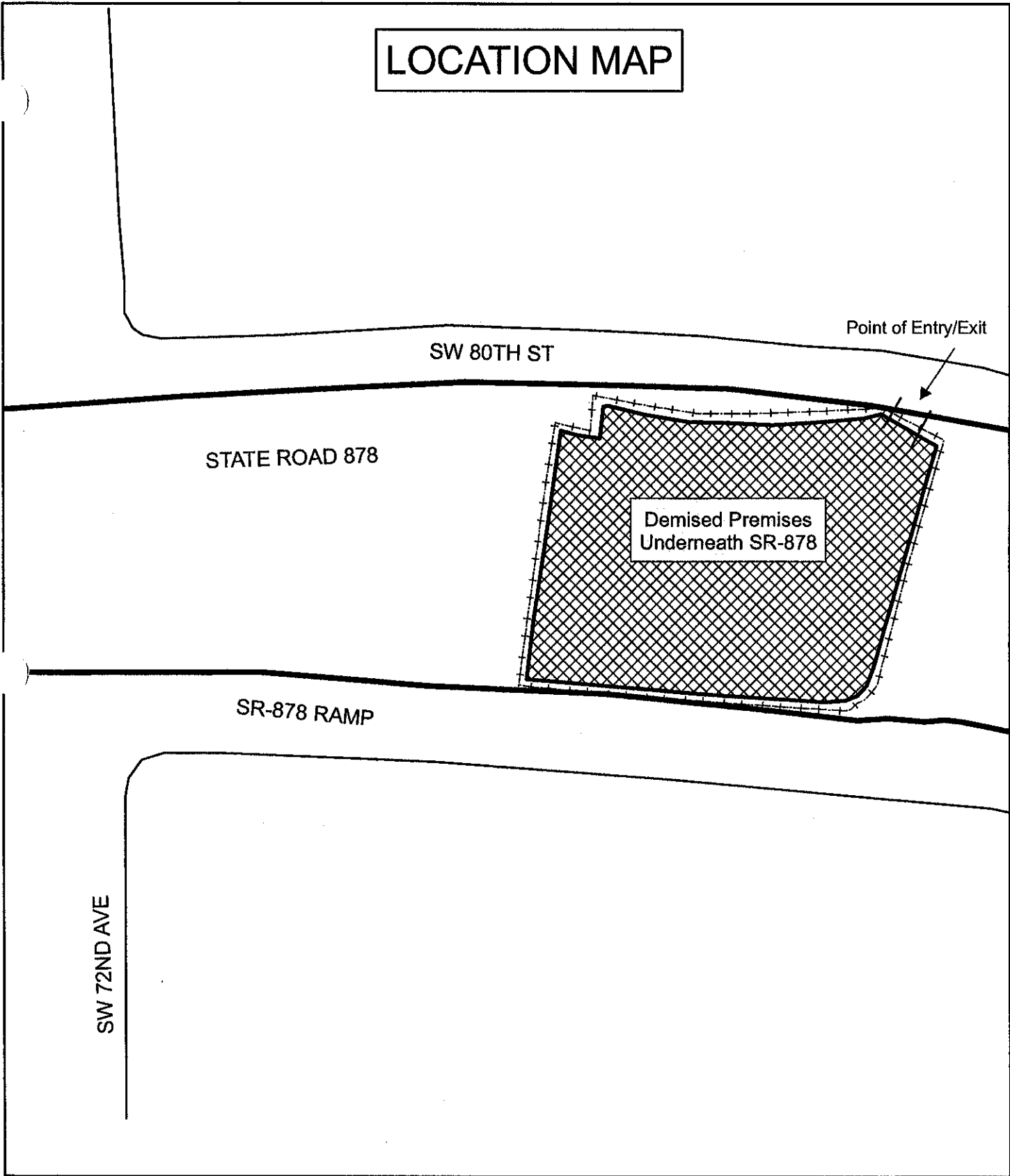
- the District shall have full custody, right and use of the Property at all times;
- the District shall be responsible for providing all maintenance, repairs and custodial services to the Property;
- the District shall be responsible for all utilities and operating expenses relating to the Property;
- either party may terminate the lease agreement at any time after the first year of the lease term, with 180 days prior written notice;
- either party may terminate the lease agreement with 10 days notice in the event of a default by the other party, which default is not cured;
- in the event MDX requires exclusive short-term use of the Property during the lease term, MDX may suspend the District's use of the Property for a period not to exceed 90 days. The District's lease obligations shall be abated during such suspension period;
- the District and MDX shall indemnify and hold each other harmless against any claims, actions or liabilities which may arise as a result of the other party's negligence, actions or failure to act under the terms of the lease agreement, to the extent of the limits of Florida Statutes;
- the District shall provide MDX with confirmation of the District's self insurance program on or before execution of the lease agreement; and
- for purposes of this lease agreement, the Superintendent of Schools shall be the party designated by the Board to grant or deny all approvals required by this agreement.

The Administrative Director for the Department of Transportation concurs with the proposed lease agreement. The lease agreement has been reviewed by the School Board Attorney's Office and Office of Risk and Benefits Management.


**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, authorize the Superintendent to finalize negotiations and execute a lease agreement with the Miami-Dade County Expressway Authority, for use of a paved parcel located underneath State Road 878 at SW 80 Street and SW 71 Avenue, for the staging of District school buses loading and unloading students riding the Metrorail, at an annual rental rate of \$1, and substantially in conformance with the terms and conditions noted above.

MCA:mca

# LOCATION MAP



**Legend**

 Demised Premises  
(located underneath SR 878)  
(not to scale)

