

**MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)
BOARD OF DIRECTORS MEETING**

**TUESDAY, SEPTEMBER 25, 2018
4:00 PM**

**WILLIAM M. LEHMAN MDX BUILDING
3790 NW 21ST STREET
MIAMI, FLORIDA 33142**

**AGENDA
SUMMARY MINUTES**

Members Present

Carlos A. Gimenez, Chair
Leonard Boord, Vice Chair
Louis V. Martinez, Esq., Treasurer
Audrey M. Edmonson
Shelly Smith Fano
Maritza Gutiérrez – via phone
Arthur J. Meyer
Luz Weinberg – via phone

Members Absent

James Wolfe, P. E., District VI Secretary

Staff

Javier Rodriguez, P.E., Executive Director
Marie T. Schafer, Director of Finance/CFO
Steve Andriuk, Director of Toll Operations
Juan Toledo, Director of Engineering
Carlos Zaldivar, General Counsel
Francine Steelman, Associate General Counsel
Helen Cordero, Manager of Procurement and Contracts Administration
Maria Luisa Navia Lobo, Board Secretary

Consultants

Albert Sosa, HNTB (GEC-A)
Rick Crooks, EAC Consultants (GEC-B)
Tere Garcia, Ajamil & Partners, Inc. (GEC-A)
Randy Topel, First Southwest Co.
Maria Perdomo, FDOT
Jaclyn Sequiera, FDOT

CALL TO ORDER

Chair Gimenez called the meeting to order at 4:12 p.m.

PLEDGE OF ALLEGIANCE

Chair Gimenez asked Mr. Martinez to lead in the Pledge of Allegiance.

ROLL CALL

Ms. Navia Lobo called the roll and announced that a quorum of the MDX Board was present.

APPROVAL OF AGENDA

Mr. Martinez moved to approve the agenda as presented. Ms. Smit Fano seconded the motion. The motion was unanimously approved.

DECLARATIONS OF VOTING CONFLICTS

No conflicts were declared

CITIZEN COMMENT

No comments

CHAIR'S COMMENTS

Chair Gimenez thanked Members for electing him to the position of Chair and stated that he is looking forward to moving MDX forward for the betterment of the community. He also asked that we open lines of communication with the State Legislature to address issues that are of interest to MDX.

FDOT I-395/SR836 PRESENTATION

FDOT engineers Maria Perdomo and Jaclyn Sequiera presented this Project and its enhancements to the Board.

The presentation is filed with the Board Secretary.

APPROVAL OF SUMMARY MINUTES

- Board Meeting of June 26, 2018

Mr. Martinez moved to approve the Summary Minutes. Mr. Boord seconded the motion. The motion was unanimously approved.

EXECUTIVE DIRECTOR'S REPORT

Mr. Rodriguez briefed Members on the following matters:

- The Diverging Diamond Interchange (DDI) on 27th Avenue opened on Aug 13th. It's one of the elements of the SR 836 reconstruction project. Video of traffic was presented.
- The DDI at 57th Avenue will be opening in November 2018.

- On September 6th he attended the Florida Transportation Commission to present the Annual Performance Measures.
- He attended meetings with elected officials and candidates to clarify inaccuracies regarding MDX and the Kendall Parkway Project.
- He attended a meeting with Representative Avila and Mayor Cid of Miami Lakes, and explained why their projects were put on hold, which was due to the toll rate reduction.
- Provided an update to the Dolphin Park and Ride Project

GENERAL COUNSEL'S REPORT

Mr. Zaldivar reported on the ETCC Litigation and stated that Judge Sorondo is still in the process of putting together the appellate brief that is due December 1, 2018

TPO REPRESENTATIVE REPORT

Ms. Smith Fano informed Members that at the last TPO meeting the locally preferred alternative BRT was selected.

TREASURER'S REPORT

Mr. Martinez reported the Treasurer's Report is for the 2-month period (July and August) of fiscal year 2019. Toll Revenue year to date was \$2.3 million below the forecast due to the Centralized Customer Service System (CCSS). CCSS began processing all transactions in July. Initially there were delays in processing payments but by the month of August all SunPass transactions and revenue were current. However, customers who are billed by Toll by Plate have not been billed. It is anticipated Toll-by-Plate customers will begin to be billed starting in October and will be allowed additional time to pay their bill. Expenses are tracking to the budget.

Mr. Boord stated that last year the Customer Rewards Program issued \$5.5M in reward checks to its customers. In July of this year MDX implemented a toll reduction that is worth \$15M.

The rewards program was thoroughly discussed. A communication to the registered users of the System will be sent out in November 2018.

CONSENT AGENDA

A) Travel Ratification and Approval:

- September 6, 2018, Trip to Tallahassee, Florida by Executive Director Rodriguez to attend the Florida Transportation Commission Meeting and present the Annual Transportation Authority Oversight Report
- October 12 -16, 2018 – Trip to Baltimore, MD by MDX Board Members and Executive Director Rodriguez to attend the IBTTA Board of Directors/Committee Meetings (Oct 12-13) and IBTTA 86th Annual Meeting & Exhibition (October 12-13)

- November 1-2, 2018 - Trip to Tampa, FL by Board Member Meyer to Attend the TEAMFL Quarterly Meeting.
- November 15-16, 2018 – Trip to Gainesville, Florida by Executive Director Rodriguez to attend/participate in the Henry Fuller Task Team
- November 27-28 – Trip to Tampa, Florida by Executive Director Rodriguez to attend as a panelist at the 6th Annual Florida Automated Vehicle Summit Session: "Designing Automated Vehicle for the Future"

Ms. Smith Fano moved to approve the Consent Agenda. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

REGULAR AGENDA

A) MDX Procurement/Contract Number RFQ-15-02; MDX Work Program No. 83628.050 Construction Engineering and Inspection (CE&I) Services for the Design-Build Project of SR 836 Operational, Capacity and Interchange Improvements (\$2,672,753.10)

- Approval of Supplemental Agreement No. 2.
 - Mr. Toledo introduced the item - Supplemental Agreement No. 2 in the amount of \$2,672,753.10 is for the Professional Services Agreement for Construction Engineering and Inspection (CE&I) Services with New Millennium Engineering Inc.

Mr. Boord expressed concern with time extension for Weather Days. Chair Gimenez requested a report from 2015 on time extension granted for weather days. In addition, Mr. Meyer requested that the report include the contractor's adherence to the small and local business participation requirement. The item was thoroughly discussed.

Mr. Martinez moved to defer the item. Mr. Meyer seconded the motion. The motion was unanimously deferred.

B) MDX Procurement/Contract Number RFP-15-02; MDX Work Program No. 87410.030 Design-Build (DB) Services for SR 874 Ramp Connections to SW 128th street (\$3,402,355.33)

- Approval of Supplemental Agreement No. 3.

Mr. Toledo introduced the item- Supplemental Agreement No. 3 to the Design-Build Contract with The Demoya Group, Inc. in the amount of \$3,402,355.33 is to include the construction of a third northbound lane on SR 874 through the Killian Parkway Interchange. Mr. Martinez moved to approve Supplemental No. 3. Mr. Boord seconded the motion. The motion was unanimously approved.

C) MDX Procurement/Contract Number RFP-11-02; MDX Work Program No. 83629.020 Design Engineering Services for the SR 836 Interchange Modifications at 87th Avenue (\$676,236.63)

- Approval of Supplemental Agreement No. 7.

- Mr. Toledo introduced the item- Supplemental Agreement No. 7 to the Design Engineering Services Contract with A & P Consulting Transportation Engineers, Corp. MDX has requested that the Consultant make several changes to the design of this Project to alleviate existing traffic issues in the westbound direction of SR 836 in proximity to the Project.

Commissioner Edmonson moved to approve Supplemental agreement No. 7. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

D) MDX Work Program No. 83611; SR 836/I-95 Interchange Improvements (\$47,100)

- Approval of Offer of Judgement
- Delegation of Settlement Authority to the MDX Executive Director in the Amount of the Offer of Judgement

Mr. Toledo introduced the item for Project SR836/I-95 interchange. The appraised value of this parcel #732 is \$177,900. The MDX Property Acquisition Policy only provides settlement authority to the Executive Director up to 25% above MDX's appraised value, or an increase of \$100,000 above the appraised value, whichever is greater. The maximum settlement amount that the Executive Director may offer for this parcel is \$277,900. Staff is requesting OEI Committee's approval for a settlement amount that is \$47,100 over the Executive Director's authority, thereby enabling counsel to issue the Offer of Judgement in the amount of \$325,000.

Mr. Boord moved to approve the Offer of Judgement and the delegation of authority to the Executive Director in the amount of the Offer of Judgement. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

Mr. Rodriguez informed Members that the Right of Way Policy will be brought to Committee for discussion and revisions.

- E) MDX Work Program No. 83629; Interlocal Construction and Maintenance Agreement between Miami-Dade County and the Miami-Dade Expressway Authority for the Reconstruction of NW 82nd Avenue. (\$3,160,000 Estimate)
- Approval of an Interlocal Construction and Maintenance Agreement between Miami-Dade County and MDX for the Reconstruction of NW 82nd Avenue between NW 7th Street and NW 12th Street as part of the MDX SR 836 Interchange Modifications at 87th Avenue Project.

MDX Project 83629 is currently reconstructing the existing SR 836 and NW 87th Avenue Interchange. As part of the MDX 83629 Project, Miami-Dade County has requested that MDX extend NW 82nd Avenue from NW 12th Street to the south under SR836 to NW 10th Street; and to widen existing NW 82nd Avenue between NW 10th Street and NW 7th Street. The Interlocal Construction and Maintenance Agreement will facilitate the construction of NW 82nd Avenue, which will provide additional mobility and transportation connectivity options within the City of Doral and unincorporated Miami-Dade.

The costs associated with this Project will be covered 100% by MDX, and upon completion, the roadway will be given-back to the County, at which time it will be considered a contributory asset to Miami-Dade County. The amount of \$3,160,000 is currently included in the MDX FY 19-23 Five Year Work Program for the implementation of this Project.

Commissioner Edmonson moved to approve the Interlocal Construction and Maintenance Agreement between MDX and Miami-Dade County for the reconstruction of NW 82nd Ave. Mr. Meyer seconded the motion. The motion was unanimously approved.

- F) MDX Work Program No. 83629; Interlocal Construction and Maintenance Agreement between Miami-Dade County and the Miami-Dade Expressway Authority for the Reconstruction of NW 7th Street.
- Approval of an Interlocal Construction and Maintenance Agreement between Miami-Dade County and MDX for the Reconstruction of NW 7th Street including the Midway Pump Station Conveyance Phase II Project between NW 76th Avenue and NW 79th Avenue as part of the MDX SR 836 Interchange Modifications at 87th Avenue Project.

Interlocal Construction and Maintenance Agreement between Miami-Dade County (MDC) and MDX for the construction of NW 7th Street

The costs associated with this Project will be covered 100% by MDC, and upon completion, the roadway will be given-back to the County. The County will provide MDX with \$2,828,000 for this Project in advance of the start of construction, in accordance with the Interlocal Construction and Maintenance Agreement attached hereto as Exhibit No. 1. The County shall fully fund any additional Project work they request.

Commissioner Edmonson moved to approve the Interlocal Agreement for the construction of NW 7th Street. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

G) MDX Project Resolution in support of the MDX ROW Program

- Approval of Project Resolution No. 18-03 for MDX Work Program No. 92404; SR 924 Extension West to the Homestead Extension of the Florida Turnpike

Mr. Toledo introduced the item and explained that the adoption of this Project Resolution will facilitate the acquisition of real property necessary to construct Project 92404, as well as the adjacent Florida Turnpike Enterprise (FTE) Project, thereby ultimately facilitating the completion of the construction of this critically needed transportation improvement.

Mr. Boord moved to approve Resolution No. 18-03. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

H) Donation of NW 6th Street ROW to Miami-Dade County for the West District Waste Water Treatment Plant

- Approval of transfer of Parcels 13, 14 and 16 to Miami-Dade County for the West District Waste Water Treatment Plant

Mr. Toledo introduced the item and explained that the County, through its Public Works and Waste Management department, requested the donation of certain MDX right of way located along NW 6th Street to use as access to their future West District Wastewater treatment plant to facilitate the County construction.

Ms. Smith Fano moved to approve the transfer of Parcels 13, 14 and 16 to Miami-Dade County for the West District Waste Water Treatment Plant. Commissioner Edmonson seconded the motion the motion was unanimously approved.

- I) MDX Procurement/Contract No.: ILA-MDC-FY19-01; MDX Work Program No.: 83618; Interlocal Agreement (ILA) between Miami-Dade County and MDX for Implementation of Mitigation Measures and other Policy Requirements for the MDX SR 836 Southwest Extension Project.
- Approval of Interlocal Agreement between Miami-Dade County and MDX for Implementation of Mitigation Measures and other Policy Requirements for the MDX SR 836 Southwest Extension Project.

Mr. Rodriguez introduced the item. The Interlocal Agreement (ILA) is in substantial form and memorializes commitments that were made for the project development process of the Parkway. The ILA requirements are summarized as follows:

- 1) Elevated construction in the Pensucco Wetlands.
- 2) Avoidance and minimization of agricultural impacts.
- 3) Class II and IV DERM permits
- 4) Wetland preservation adjacent to the facility.
- 5) Agricultural and preservation requirements.
- 6) Management of archeological and historically significant sites.
- 7) Traffic analysis for future concurrency management.
- 8) Multi-use recreational trail.
- 9) Express bus service.
- 10) Quarterly progress reports.

Mr. Rodriguez asked for Board approval of the ILA in its substantial form. The item was thoroughly discussed.

Mr. Boord moved to approve the Interlocal agreement between MDX and Miami-Dade County for implementation of mitigation measures and other policy requirements for the MDX SR 936 Southwest Extension Project. Mr. Meyer seconded the motion. Commissioner Edmonson opposed the motion. The motion was approved.

DISCUSSION ITEMS

- A) Customer Rewards Program

The item was discussed with the Treasurer's Report

INFORMATIONAL ITEMS

- A) Procurement Report

The informational item was not addressed.

ANNOUNCEMENTS

- Board Meeting, 10/30/18, 4:00 PM, William M. Lehman MDX Building – Board Room

ADJOURNMENT

Chair Gimenez adjourned the Board Meeting.

Summary Minutes prepared by Maria Luisa Navia Lobo, Board Secretary.