

**MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)**

**BOARD OF DIRECTORS MEETING  
OCTOBER 24, 2017  
4:00 PM**

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

**SUMMARY MINUTES**

**Members Present**

Shelly Smith Fano, Chair  
Audrey M. Edmonson, Vice Chair  
Leonard Boord, Treasurer  
James Wolfe, P. E., District VI Secretary  
Carlos A. Gimenez  
Maritza Gutiérrez  
Louis V. Martinez, Esq.  
Arthur J. Meyer  
Cliff Walters

**Members Absent**

**Staff**

Javier Rodriguez, P.E., Executive Director  
Marie Schafer, Chief Financial Officer  
Juan Toledo, P.E., Director of Engineering  
Steve Andriuk, Director of Toll Operations  
Francine Steelman, Esq., 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)

**CALL TO ORDER**

Chair Smith Fano called the meeting to order at 4:00 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Smith Fano asked Commissioner Edmonson 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**

Ms. Steelman informed Members that agenda Item VIII. C had been revised and that the Revised Agenda Item Report was distributed in the blue folders. The agenda was unanimously approved.

**DECLARATIONS OF VOTING CONFLICTS**

Ms. Steelman asked Members if there were any voting conflicts regarding the items on the Board Agenda. Mr. Walters declared a conflict with the following agenda Items:

- **Agenda Item VII. D** - 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 (\$330,812.12)
- **Agenda Item VII. E** - MDX Procurement/Contract Number RFP-09-06; MDX Work Program No. 92407.011; Project Development and Environment (PD&E) Study Services for the SR 924 East Extension to I-95 (\$31,218.45)

Copies of Mr. Walters Conflict Forms are attached to these Summary Minutes.

**CITIZEN COMMENT**

The following individuals addressed the Board regarding agenda Item VII. C:

- Daniel Halley – Halley Engineering Contractors - 8620 SW 48 Street, Miami, FL
- Mauricio Gonzalez – Lead Engineering – 1077 SW 60 Ave, Miami FL
- Fernando Sanchez – Lead Engineering – 4166 Sapphire Terrace Weston, FL

**APPROVAL OF SUMMARY MINUTES**

- Board Meeting of August 29,2017

The Summary Minutes were unanimously approved.

**EXECUTIVE DIRECTOR’S REPORT**

Mr. Rodriguez briefed Members on the following issues that occurred after the Board meeting of August 29, 2017:

- Update on Hurricane Irma. The MDX System sustained minor damages; tolls were lifted for 15 days at a cost of approximately \$9 million. He also thanked the State and

Emergency Management for working with MDX to ensure the roads were clear for recovery efforts.

- Projects' Update:
  - 87410 Construction continues with focus on 128<sup>th</sup> Street
  - 83628 & 83629 – major traffic shifts at Lejeune Road
  - 83618 –Alternative Workshop Public Meeting will be held on Monday, October 30, 2017 at Archbishop Coleman F. Carrol High School from 6:30 pm – 9:00 p.m. On Tuesday October 31<sup>st</sup> the application for Amendment to the Miami-Dade County Comprehensive Development Master Plan (CDMP) will be filed. He also stated that later this fiscal year the traffic and revenue and financial consultants will present a financial plan on the financing of the project.
  - 83611 –I-395 Project - No settlement reached by FDOT and the teams.
  - Dolphin Park and Ride – Construction resumes after Hurricane Irma. We are working with Miami-Dade County staff on operational issues.
  - Working with FTE, MDX is taking the lead in the construction for the construction of FTE Ramps between the Homestead Extension of Florida's Turnpike (HEFT) and SR 836 westbound.
- CCSS - Saturday October 21, 2017 Florida went live with the US Southeast hub. This is a partnership of all Florida agencies with North Carolina and Georgia; and working towards a national interoperable system.

#### TPO Report

Mr. Rodriguez reported that MDX staff continues to work with the TPO, on the first phase of the East-West corridor.

On October 17<sup>th</sup>, Congressman Diaz-Balart hosted a meeting with transportation officials with Elaine Chao, United States Secretary of Transportation.

Mayor Gimenez recommended that there be an Alternatives Workshop that would conduct an analysis of number of parcels and displacements if the extension of SR 836 were inside the urban development boundary.

Mr. Rodriguez entertained questions from Members.

#### **GENERAL COUNSEL'S REPORT**

Ms. Steelman reported the ETCC litigation is still going on and that Mr. Zaldivar will give an update at the next meeting.

#### **TREASURER'S REPORT**

Mr. Boord reported for September a shortfall of \$6.4 million from the projected budget, taking into account that in the budget there was a \$3.2 million Hurricane reserve allowance. In the months of July and August there were \$1.8 million in excess revenue that mitigate a portion of the shortfall of the toll suspension. It is anticipated that the increase in revenue from the budget will continue mitigating the toll suspension further.

Mr. Boord further stated an analysis of potential caps and monthly rates will be brought back to Committee for further discussion in January/February 2018.

Ms. Schafer informed Members that as customary, prior to the conclusion of the year-end audit, the Committee is presented with the FY 2017 Financial update. She stated that the auditors will present the final report in November 2017.

Ms. Gutierrez asked Ms. Schafer to present a high level update on the financials that were presented at the Committee meeting.

Ms. Schafer entertained questions from Members.

## **REGULAR AGENDA**

### A) Approval of the Fiscal Year 2017 Payment for Customers Registered in the Frequent Driver Rewards Program

Ms. Gutierrez moved the item for discussion. Commissioner Edmonson seconded the motion.

The Item was endorsed by the Joint FPP& OECI Committee on 10/19/17. Ms. Schafer introduced the item and explained that in Fiscal Year 2017, 182,000 individuals registered for this program. However, only 80,000 registrations are eligible to review payment. The recommendation for Fiscal Year 2017 reward payment is 22% of the eligible tolls paid during July 1, 2016 through June 30, 2017. The total payment for all rewards for Fiscal Year 2017 is approximately \$5.6 million. Open enrollment will begin on December 1, 2017.

Ms. Gutierrez moved to approve the Fiscal Year 2017 Frequent Driver Rewards Program and the open enrollment date of December 1, 2017. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

### B) MDX Procurement/Contract Number RFQ-17-02; MDX Work Program Nos. 30034.051, 40044.051 & 10021.051 Construction Engineering and Inspection (CE&I) Services for SR 924 Gratigny Parkway Milling and Resurfacing (MP 0 to 1.2), Drainage Improvements and Speed Feedback Signs (Not to Exceed \$767,131)

- Approval of Contract Award

The Item was endorsed by the Joint FPP& OECI Committee on 10/19/17. Commissioner Edmonson moved to approve the Contract award. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

### C) MDX Procurement/Contract Number ITB-18-01; MDX Work Program Nos. 30034.060, 40044.060 & 10021.060 Construction Services for SR 924 Gratigny Parkway Milling and Resurfacing (MP 0 to 1.2), Drainage Improvements and Speed Feedback Signs (\$2,368,312.00 Engineers Estimate)

- Approval of Contract Award to the Lowest Responsive and Responsible Bidder

Ms. Steelman read the agenda item and explained that the motion before the Board has been amended by Staff to reject all bids and re-advertise the project.

Ms. Cordero introduced the item and made reference to at the Revise Agenda Item Report.

She explained after the Committee took action on both Staff's recommendations, Part 2 of the compliant Bid Packages were opened at the committee meeting. The lowest bid of \$2,998,577.00 is ~25% higher than the Engineer's Estimate. Committee members expressed concerns about awarding the contract for a substantial amount above the Engineer's Estimate. After discussion, the Committee endorsed the award of the contract to the lowest Bidder pending compliance review and a bid analysis.

Pursuant to Staff's review, both Bid Packages were found to be responsive. The Bids were then analyzed by the General Engineering Consultant (GEC), which concluded the following:

- The lowest bidder is over 26% above the advertised Engineer's Estimate;
- Both Bids were higher than average in the controlling items of the Project (drainage);
- Accepting the lowest bid represents an exposure to the agency if unforeseen conditions require increase of drainage quantities; and
- MDX would likely benefit from lower bids from a larger pool of bids.

Staff reviewed and concurs with the GEC Bid Analysis and conclusion. Therefore, in the best interest of MDX, Staff recommended that the Board reject all both bids; and that MDX re-advertise the Project.

Mr. Martinez moved the item for discussion. Mr. Meyer seconded the motion.

Ms. Cordero and Mr. Toledo entertained questions from Members. The item was thoroughly discussed.

Mr. Martinez moved that all Bids be rejected and that MDX re-advertise the Project. Mr. Meyer seconded the motion. Ms. Navia Lobo called the roll.

C. Gimenez -aye  
 M. Gutierrez -aye  
 L. Martinez -aye  
 AJ. Meyer -nay  
 C. Walters -aye  
 L. Boord -aye  
 J. Wolfe -aye  
 A. Edmonson -aye  
 S. Smith Fano -aye

The motion was approved.

D) MDX Procurement/Contract Number RFP-11-02; MDX Work Program No. 83629.020; Design Engineering Services for the SR 836 Interchange Modifications at 87<sup>th</sup> Avenue (\$330,812.12)

- Approval of Supplemental Agreement No. 6

The Item was endorsed by the Joint FPP& OECI Committee on 10/19/17. Commissioner Edmonson moved the item for discussion. Mr. Meyer seconded the motion.

Mr. Toledo introduced the item and explained that the purpose of the Supplemental Agreement is to alleviate congestion in the westbound direction of SR 836. The new improvements will significantly improve the congestion currently originating from the westbound lanes that must

merge back down to the existing four (4) lanes, and facilitate the existing and future volume of traffic exiting to NW 107<sup>th</sup> Avenue. He further explained that this Supplemental would:

- Facilitate the proposed future special use lane providing five (5) through lanes under the existing gantry just west of NW 97<sup>th</sup> Avenue;
- Widening the existing shoulder that will accommodate transit on the shoulder; and
- Providing a (two) 2 lane exit to NW 107<sup>th</sup> Avenue (NORTH), currently this a one (1) lane exit.

The Supplemental Agreement also takes into consideration a contract credit in the amount of \$52,633.90 for unused design services. Mr. Toledo entertained questions from Members.

Commissioner Edmonson moved to approve Supplemental Agreement No. 6. Mr. Meyer seconded the motion. Mr. Walters abstained. The motion was unanimously approved

E) MDX Procurement/Contract Number RFP-09-06; MDX Work Program No. 92407.011; Project Development and Environment (PD&E) Study Services for the SR 924 East Extension to I-95 (\$31,218.45)

- Approval of Supplemental Agreement No. 8

The Item was endorsed by the Joint FPP& OECI Committee on 10/19/17. Mr. Martinez moved the item for discussion. Mayor Gimenez seconded the motion.

Mr. Toledo introduced the item and explained Supplemental Agreement No. 8 is required to account for additional efforts to complete the PD&E Study. The Florida Department of Transportation (FDOT) has requested that a Lane Elimination Study be conducted for the reduction of the number of lanes along NW 119<sup>th</sup> Street. The study will be conducted using the information already prepared as part of the PD&E Study. He also explained that the Contract included a 30% Small Business Participation Requirement, which to-date has been met by the Consultant. Supplemental Agreement No. 8 increases the Contract Amount by \$31,218.45. Staff recommends that the full amount of the additional funds for Supplemental Agreement No. 8 (\$31,218.45) be excluded from the Contract Amount for purposes of calculating the SB Participation Requirement for the Agreement. This exclusion will not affect compliance with the Policy as the overall SB participation in this Contract exceeds 10%.

Mr. Martinez moved to approve Supplemental No. 8. Mayor Gimenez seconded the motion. Mr. Walters abstained. The motion was unanimously approved.

F) MDX Work Program No. 83618; SR 836 Southwest Extension (\$781,500)

- Approval of Initial Offer on Parcel 100

The Item was endorsed by the Joint FPP& OECI Committee on 10/19/17. Mayor Gimenez moved the item for discussion. Commissioner Edmonson seconded the motion.

Mr. Rodriguez introduced the item and explained that acquisition of Parcel 100 would serve a public purpose and is necessary for the construction of MDX Project 83618 as all current alternatives go through Parcel 100. Staff recommends MDX move forward with the advance

acquisition of this parcel and make an initial offer of \$781,500. The purchase of Parcel 100 is required for the construction of the SR 836 Southwest Extension Project.

Mayor Gimenez moved to approve the initial offer on Parcel 100. Commissioner Edmonson seconded the motion. The motion was unanimously approved.

G) MDX Work Program No. 92404; SR 924 Extension West to the HEFT (\$924,500)

- Approval of Initial Offer on Parcel 101

The Item was endorsed by the Joint FPP& OECI Committee on 10/19/17.

Mayor Gimenez moved to approve the initial offer on Parcel 101. Mr. Martinez seconded the motion. The motion was unanimously approved.

### **INFORMATIONAL ITEMS**

A) Procurement Report

B) Communications Report

Mr. Rodriguez informed Members that he will reach out to the contractors and vendors to discuss and how to improve the procurement process.

### **CHAIR'S COMMENTS**

Ms. Smith Fano recognized and thanked MDX Staff for their hard work in preparing and recovering from Hurricane Irma. She commended Governor Scott, Secretary Wolfe and Mayor Gimenez for their leadership before during and after the storm.

### **ANNOUNCEMENTS**

- Joint FPP & OECI Committees Meeting, 11/28/17, 10:30 a.m., William M. Lehman MDX Building – Board Room
- Board of Directors Meeting, 12/5/17, 4:00 p.m., William M. Lehman MDX Building – Board Room

### **ADJOURNMENT**

Chair Smith Fano adjourned the Board Meeting at 5:32 p.m.

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