

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

**BOARD OF DIRECTORS MEETING**

**JANUARY 30, 2018**

**4:00 PM**

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

**AGENDA**

**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 – in attendance via phone  
Cliff Walters

**Members Absent**

**Staff**

Javier Rodriguez, P.E., Executive Director  
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)  
Randy Topel, First Southwest Co.

**CALL TO ORDER**

Chair Smith Fano called the meeting to order at 4:10 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Smith Fano asked Mr. Boord 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**

Commissioner Edmonson moved to approve the agenda. Secretary Wolfe seconded the motion. The agenda was unanimously approved.

**DECLARATIONS OF VOTING CONFLICTS**

No conflicts were declared.

**CITIZEN COMMENT**

No comments.

**APPROVAL OF SUMMARY MINUTES**

- Board Meeting of December 5, 2017

Commissioner Edmonson moved to approve the Summary Minutes. Mr. Walters seconded the motion. The Summary Minutes were unanimously approved.

**EXECUTIVE DIRECTOR'S REPORT & TPO REPORT**

Mr. Rodriguez briefed Members on the following issues, which occurred after the Board meeting of December 5, 2017

- Status of on-going construction on SR 836:
  - Project 83628 – 65% completed. Major closures for the flyover installation on LeJeune Rd. expected to be completed May 2018
  - Project 83629 – 60% completed. Major shifts in traffic will occur soon. Informational meeting with the City of Doral, expected to be completed May 2018
  - Kendall Parkway – SW Extension of SR 836. – the Comprehensive Development Master Plan (“CDMP”) application has been posted to the County’s website and staff continues working with County staff to ensure the application addressed commitments to be made. The CDMP approval is anytime between June – October 2018. A finance plan will be presented in March 2018 as well as a Board workshop in April, 2018 to discuss potential toll rates followed by a Public Hearing in May-June 2018.
- Update on the Frequent Driver Program and Survey results.
- TPO Board Meeting held on 1/25/18
- 1/25-26/18 attended the 2018 Transportation Summit and participated in a panel discussion on 1/26

- TPO General Assembly will be held on 3/22/18 – FDOT’s Secretary Michael J. Dew will be a guest speaker.

### **GENERAL COUNSEL’S REPORT**

Attorney Client Privileged Meeting- Shade Meeting – Regarding ETCC Litigation

Ms. Steelman informed Members that the Shade Meeting will be moved to the end of the agenda.

### **TREASURER’S REPORT**

Mr. Boord presented the Treasurer’s report. He informed Members that on the revenue side we continue to have a variance. He asked Mr. Andriuk to explain the status of the SE Hub.

Mr. Andriuk reported that on October 20<sup>th</sup>, 2017 the SE Hub went live and MDX transition to the uniform financial message. The transitioning encountered several issues with the hub that services MDX, FTE and the hub that services the interoperable partners in Florida, North Carolina and Georgia. SunPass transactions represents around 70%- 80% of traffic were flowing without issue except for some pocket of transaction dating back to the go-live date of October 2017 that were not processed by FTE. These were identified in January 10, 2018 and were processed and resolved as of Jan 15, 2018.

Mr. Boord informed Members the net variance is approximately \$1.5 million, it is expected that this will be caught up by the next report.

He further stated that at the previous Board Meeting, it was discussed that a study was being conducted for billing by transponder, MDX customer usage and frequency and billing within peak and non-peak hours, the study should be completed and presented at the February 2018 Committee Meeting.

### **CONSENT AGENDA**

A) Travel Approval:

- January 31 - February 1, 2018 Trip to Tallahassee, Florida by Board Members to attend Miami-Dade County Days.

B) Approval of MDX Board of Directors Meetings’ Schedule

Mr. Martinez moved to approve the Consent Agenda. Ms. Gutierrez seconded the motion. The Consent agenda was unanimously approved.

### **REGULAR AGENDA**

A) MDX Procurement/Contract Number ITB-18-04; 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 (\$2,556,122.69 Engineers Estimate) (Endorsed by the OECI Committee 1/17/18)

- Approval of Contract Award

Ms. Cordero introduced the Item and explained that on November 1, 2017 MDX released an Invitation to Bid (ITB) seeking bids from qualified contractors to provide construction services

for SR 924/Gratigny Parkway Milling and Resurfacing (MP 0 to 1.2), Speed Feedback Signs and Drainage Improvements.

On December 12, 2017, seven (7) Bid Packages were received from the following Bidders:

1. Community Asphalt Corp.
2. General Asphalt Co., Inc.
3. Halley Engineering Contractors, Inc.
4. JVA Engineering Contractor Inc.
5. Lead Engineering Contractors, LLC
6. Roadway Construction, LLC
7. Sacyr Construccion SA, Inc./Sacyr Construction USA LLC

Halley Engineering Contractors, Inc., was the lowest Responsive and Responsible Bidder, with a contract amount of \$2,469,530.37.

The Contract includes a fifteen percent (15%) Small Business (SB) participation requirement and a fifteen percent (15%) MDX certified Local Business (LB) participation requirement.

Mr. Martinez moved to approve the contract award. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

B) MDX/ FDOT/ Beacon Lakes Three Party Agreement (Endorsed by the OECI Committee 1/17/18)

- Approval of Three Party Agreement

Mr. Toledo introduced the item and explained that as part of the Dolphin Station Park and Ride Project, MDX is constructing NW 121<sup>st</sup> Avenue from NW 12<sup>th</sup> Street to NW 12<sup>th</sup> Street. Miami-Dade County is requiring the Beacon Lakes Community Development District (“CDD”) to construct a portion of NW 121<sup>st</sup> Avenue from the MDX construction limits to the theoretical centerline of NW 14<sup>th</sup> Street, as well as a portion of NW 14<sup>th</sup> Street, all of which currently lies within FDOT right of way and which is also subject to the FDOT/MDX Transfer Agreement.

The Three Party Agreement is between the FDOT, MDX and CDD and will allow the CDD to construct improvements to NW 121<sup>st</sup> Avenue at the CDD’s sole expense. These improvements will facilitate access to and from the Dolphin Station Park and Ride Facility.

There is no fiscal impact to MDX for the construction of the improvements, which will be fully funded by the CDD. MDX is contributing the value of the ROW that will be transferred as a contributory asset.

Mr. Martinez moved to approve the 3 party Agreement. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

**INFORMATIONAL ITEMS**

- A) Procurement Report
- B) Communications Report

The Informational items were not addressed.

**SHADE MEETING**

Ms. Smith Fano read the following statement to the public prior to the Shade Meeting:

“The time is now 4:30\_p.m. We are about to have an attorney/client session in accordance with Florida Statute 286.011 regarding the litigation styled Electronic Transaction Consultants Corporation v. Miami-Dade Expressway Authority, Case No. 12-46272 CA 40, in the 11<sup>th</sup> Judicial Circuit, In and For Miami-Dade County, Florida. The session is estimated to last 30-45 Minutes and the following people will be in attendance at this meeting:

myself and Board Members [those present]:

- Vice Chair Audrey M. Edmonson
- Member Leonard Boord
- Member James A. Wolfe
- Member Carlos A. Gimenez
- Member Martiza Gutierrez
- Member Louis V. Martinez
- Member Arthur J. Meyer
- Member Cliff Walters
- MDX Attorneys
  - Joseph H. Serota
  - Michael Ehrenstein
  - Eric Hockman
  - Rodolfo Sorondo, Jr.
- Javier Rodriguez, MDX Executive Director
- Francine Steelman, MDX Associate General Counsel

These proceedings will be recorded by a certified court reporter and, at the conclusion of all litigation discussed; the transcript will be made part of the Public Record.

All those individuals who I have not named should leave this room and reconvene in the conference room adjoining these chambers”

Ms. Smith Fano temporarily recessed the meeting in order for the Shade Meeting to proceed.

Ms. Smith Fano reconvened the Board Meeting at 6:18 p.m. and moved to adjourn

**ANNOUNCEMENTS**

- Board of Directors Meeting, February 27, 2018, 4:00 p.m., William M. Lehman MDX Building – Board Room

**ADJOURNMENT**

Chair Smith Fano adjourned the Board Meeting.

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