

MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)

**BOARD OF DIRECTORS MEETING
DECEMBER 5, 2017
4:00 PM**

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

SUMMARY MINUTES

Members Present

Shelly Smith Fano, Chair
Leonard Boord, Treasurer
James Wolfe, P. E., District VI Secretary
Maritza Gutiérrez
Louis V. Martinez, Esq.
Arthur J. Meyer
Cliff Walters

Members Absent

Audrey M. Edmonson, Vice Chair
Carlos A. Gimenez

Staff

Javier Rodriguez, P.E., Executive Director
Carlos Zaldivar, General Counsel
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
Michael Killiany, Assistant 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 4:00 p.m.

PLEDGE OF ALLEGIANCE

Chair Smith Fano asked Secretary Wolfe to lead in the Pledge of Allegiance.

ROLL CALL

Mr. Killiany called the roll and announced that a quorum of the MDX Board was present.

APPROVAL OF AGENDA

Chair Smith Fano added Item VIII. E to the agenda. Item VIII. E consisted of a resolution that was distributed at the meeting. Secretary Wolfe moved to approve the agenda as amended. Mr. Boord 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 October 24, 2017

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 October 24, 2017:

- The Frequent Driver Reward program checks were mailed on November 30, 2017, as of the date of the Board meeting, 32% of the checks have already been cashed. Open registration for 2018 opened on December 1, 2017 as part of the registration a survey was included. As of that date, 4,500 individuals took the survey, 2500 are existing customers and 2,000 were new registrations. Survey results were distributed at the meeting.
- At the request of Mayor Joseph of North Miami, on December 12th Staff will make a presentation to the North Miami Commission on the MDX Project 924 East.
- Last month's TPO meeting was cancelled. The focus of the TPO over the last months has been how to fund the SMART plan, primarily the North and South corridors.

GENERAL COUNSEL'S REPORT

Mr. Zaldivar gave an update on the ETCC Litigation.

He informed Members the Attorney General Office was contacted for an update regarding a request for opinion regarding the 2017 legislation; and no response has been received.

TREASURER'S REPORT

Mr. Boord informed Members that as the Executive Director outlined the preliminary report regarding MDX customer usage and frequency. There will be an expanded report presented at the next meeting.

CONSENT AGENDA

A) Travel Approval:

- January 25-26, 2018, Trip to Orlando, FL by Board Member Meyer and Executive Director Rodriguez to attend the TEAMFL Annual Meeting

B) MDX Procurement/Contract Number ITB-18-03; MDX Work Program No. 83629.060 Construction Services for the Reconstruction of NW 82nd Avenue from NW 7th Street to NW 12th Street (\$3,022,000 Estimate)

- Approval to Advertise

C) MDX Procurement/Contract Number ITB-18-02; MDX Work Program No. 30056.060; Construction Services for Civil Infrastructure Modifications for Toll Zones on SR 874, SR 878 and SR 924 (\$2,316,792 Estimate)

- Approval to Advertise

D) MDX Procurement/Contract Number RFQ-18-02; MDX Work Program No. 30056.051; Construction Engineering and Inspection (CE&I) Services for the Civil Infrastructure Modifications for Toll Zones on SR 874, SR 878 and SR 924 (\$545,300)

- Approval to Advertise

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

REGULAR AGENDA

A) Approval of Fiscal Year 2017 Audited Comprehensive Annual Financial Report (CAFR), Disposal of Fixed Assets and Contribution of Assets to Other Entities

Ms. Schafer informed Members that Mr. William Blend, with Moore Stephens Lovelace CPAs & Advisor, will presented the External Audited Comprehensive Annual Financial Report at the Joint Committee Meeting on November 16, 2017. The audit resulted is an unmodified (clean) opinion of the financial statements.

Ms. Schafer stated that for Fiscal Year 2017, asset disposals had a total book value of \$4.7 million that comprised of equipment and roadway infrastructure.

The Fiscal Year 2017 financial statements reflect several contributions of assets to other governmental entities totaling \$3.5 million. The Authority contributed assets valued at \$3.1 million to the County for construction of the Dolphin Park & Ride Station; \$242,000 to FDOT for open road tolling (ORT) sign panels; and \$112,000 to the County, City of Miami and FDOT for paving and guardrail.

Ms. Gutierrez moved to approve the CAFR, Disposal of Fixed Assets and Contribution of Assets to Other governmental entities. Mr. Meyer seconded the motion. The motion was

unanimously approved.

- B) Approval of MDX FY 2019-2023 Five Year Work Program – Transportation Improvement, Capital Improvement and Renewal & Replacement Programs (\$678.2 Million for the Five Years)

Mr. Toledo briefed Members and discussed the following projects in the Work Program:

- Right-of-way acquisition funding for the first phase of Project 83618 – SR 836 Southwest Extension, in preparation for advancement of the construction phase, which will be included in a future work program cycle;
- Construction of 82nd Avenue and westbound lanes improvements as part of Project 83629 – SR 836 Interchange Modifications at 87th Avenue to improve traffic operations in the area;
- Design and construction of ramps to and from the Dolphin Station Park & Ride to provide direct access for western Miami-Dade County as an alternative to NW 12th Street, which is at traffic capacity. Also, the design and construction of Florida’s Turnpike Enterprise (FTE) Southbound HEFT to Westbound SR 836 Express Lane Ramp Bridge (\$15 million) to be funded 100% by FTE (pending funding agreement) to provide direct access to westbound SR 836 for future FTE southbound Express Lane users as part of Project 83634 – SR 836 HEFT Ramp Connections;
- Widening of 127th Avenue including 3rd lane extension as part of Project 87410 – SR 874 Ramp Connector to SW 128th Street to be funded by Miami-Dade County to improve traffic operations in the area;
- Additional right-of-way acquisition for Project 92404 – SR 924 Extension west to HEFT as well as advancement of the Eastbound segment from HEFT to 107th Avenue to improve traffic operations in the area;
- Advancement of the safety projects for SR 112, SR 874 and SR 878 that were presented to the MDX Board in April and May of 2017 Board meetings and include: addition of ramps, auxiliary lanes, signage and interchange modifications to improve operations;
- LED roadway lighting as part of Project 30049 – SR 112, SR 836, SR 874 and SR 924 following the implementation of SR 878 corridor as a pilot project. This conversion will produce savings in energy cost and improve visibility along the system; and
- Shift budget for Fiscal Year 2023 to fund the R&R Program for Project 30050 – SR 836 Milling, Resurfacing and Pavement Markings to meet requirements to maintain the system in good condition.

The total estimated cost of all funded projects within the proposed FY 2019-2023 Work Program is \$1.2 billion, of which \$305.3 million have been spent through FY 2017; \$220.3 million is projected in FY 2018, and \$678.3 million from FY 2019 through FY 2023.

Mr. Martinez moved to approve the FY 2019-2023 Five Year Work Program. Mr. Meyer seconded the motion. The motion was unanimously approved.

[The presentation is filed with the Board Secretary]

C) MDX Work Program No. 83634 SR 836 New HEFT Ramp Connections (\$15,000,000)

- Approval of a Locally Funded Agreement (LFA) with Florida's Turnpike Enterprise (FTE) to Facilitate the Construction of FTE Ramp A-2B Bridge by MDX

Mr. Toledo introduced the item and explained MDX and FTE have been coordinating the conceptual design for additional ramp movements between SR 836 and the HEFT as well as between SR 836 and the Dolphin Station Park and Ride Facility. FTE will be widening the HEFT in this area as part of a larger FTE project. To ensure the timely completion of the interchange and to minimize negative impact to existing traffic, FTE has agreed to provide MDX with the funding to construct the Ramp A-2B Bridge as part of the proposed MDX Interchange Modification Design-Build contract. All Project management responsibilities and cost sharing for both MDX and FTE are identified in the Locally Funded Agreement.

Ms. Gutierrez moved to approve the Locally Funded Agreement. Mr. Boord seconded the motion. The motion was unanimously approved.

D) MDX Procurement/Contract Number MDX-18-02; MDX Work Program Nos. 40041, 40042 & 40043 Cooperative Purchase Agreement (CPA) on FDOT Agreement Number BE355 for the Deployment of Future and Lifecycle Replacement of Open Road Toll Collection Facilities for MDX (\$33,609,745)

- Approval of CPA Execution

Mr. Andriuk introduced the item and informed Members that MDX is in the contract disentanglement period with Electronic Transaction Consultants (ETCC) that will expire in August 2018. The agreement is for the installation, commissioning and maintenance of the lanes on SR 874, SR 878 and SR 924.

On May 17, 2017, FDOT entered into an Agreement with TransCore LP for the deployment and maintenance and lifecycle replacement of the All Electronic Toll (AET)/Open Road Tolling (ORT) and Express Lane facilities owned and operated by the FDOT. This AET/ORT solution meets the performance standards required by MDX and is currently being used on SR 112 and SR 836.

Staff recommends utilizing the contract piggybacking process by entering into a contract with TransCore, as procured by FDOT, for the replacement of tolling equipment on SR 874, SR 878 and SR 924. In addition, MDX currently has a contract with TransCore for maintenance services of the system on SR 112 and SR 836. Staff performed a comparison of the services and cost between the MDX contract and the FDOT contract and determined that the FDOT contract is more favorable. Therefore, Staff also recommends ending the existing maintenance contract with TransCore and exercising the maintenance options in the FDOT contract to provide maintenance on the entire MDX roadway system for a period of up to ten (10) years.

The total cost of the Services is \$33,609,745, which includes the negotiated amount of \$21,995 for the fiber lateral connections required for the installation of the system. All other prices included in the cost are based on the FDOT contract.

Mr. Andriuk presented a TransCore video showing some of the components and functions of

TransCore's Infinity Tolling System and Maintenance.

The item was thoroughly discussed.

Mr. Martinez moved to approve the CPA execution. Mr. Meyer seconded the motion. The motion was unanimously approved.

E) **Added item:**

MDX Resolution 17-03- reaffirming MDX's Commitment to manage and operate the East-West corridor of the SMART plan.

The resolution was distributed at the meeting for Board consideration. Mr. Rodriguez read the resolution onto the record.

Mr. Martinez moved to approve resolution 17-03. Ms. Gutierrez seconded the motion the motion was unanimously approved.

DISCUSSION ITEM

A) MDX Update to the Transportation and Infrastructure Subcommittee of the House of Representatives on CS to HB 1049 (Financial Analysis requested at Joint FPP & OECI Committee 11/16/17)

Ms. Smith Fano informed Members that Staff gave a presentation at the joint committee meeting regarding HB 1049 that passed during the 2017 Legislative session. During the presentation various aspects of the law were discussed; and a request was made for Staff to prepare an analysis of the impact to MDX's finances if the MDX Board reduced tolls and applied toll increases based on the Consumer Price Index ("CPI").

Mr. Topel informed members that per the committee's request, they performed an analysis on the impact the requested 5% reduction on annual toll revenue would have on system project capacity or financing ability, as well as the net effect that annual CPI rate adjustments would have on the financing options. In estimating the impact, FSW analyzed four alternative funding options that would typically be utilized to fund system projects. He presented the following scenarios;

- 5% reduction on the existing System with no CPI increase
- 5% reduction with CPI increase starting FY 2020
- With and without 5% reduction and 83618 project
- With and without 5% revenue reduction & 83618 project

Members thoroughly discussed the scenarios and analysis

[The presentation is filed with the Board Secretary]

INFORMATIONAL ITEMS

- A) Procurement Report
- B) Communications Report

CHAIR'S COMMENTS

Ms. Smith Fano informed Members that last month she memorialized the Board's position on the TPO's request that MDX pay a participation fee. She shared her response with the committee on November 16th and sent it the same day. The TPO's request, MDX's response and TPO's reply were provided to the Members. She gave an update on her meeting with Chairman Bovo and Director Boucle regarding the implementation of a participation fee, which will be used by the TPO to hire a lobbyist at the state and federal level, host peer exchanges or special events and engage in critical activities to advance TPO priorities, particularly the implementation of the SMART Plan. Ms. Smith Fano further stated that MDX will continue to be good partners with the TPO and all of the TPO members; and will do everything possible to advance Miami-Dade County's transportation priorities. MDX, however, will not pay the TPO a participate fee.

Mr. Martinez requested the Board support Ms. Smith Fano's position that MDX should not pay the TPO a participation fee. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

ANNOUNCEMENTS

- Board of Directors Meeting, January 30, 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.