

MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)

BOARD MEETING

TUESDAY, MAY 31, 2011
4:00 PM

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

Members Present:

Felix Lasarte, Esq., Chair
Louis V. Martinez, Esq., Vice Chair
Jorge M. Vigil, Esq., Treasurer
Gus Pego, P. E., District VI Secretary
Shelly Smith Fano
Maritza Gutierrez
Robert W. Holland, Esq.
Nick A. Inamdar
Al Maloof, Ph.D.
Gonzalo Sanabria
Yvonne Soler McKinley - in attendance via phone
Norman Wartman

Members Absent:

Maurice Ferré

Staff:

Javier Rodriguez, Executive Director
Pamela Leslie, General Counsel
Steve Andriuk, Director, Toll Operations
Marie Schafer, Chief Financial Officer
Alfred Lurigados, Director of Engineering
Helen Cordero, Manager of Procurement and Contracts Administration
Cindy Polo, Communications Manager
Maria Luisa Navia Lobo, Board Secretary

Consultants:

Transportation: John Martel, HNTB (GEC-A)
Chris Bucknor, EAC Consultants (GEC-B)
Finance: Lakshmi McGrath, First Southwest Co.

CALL TO ORDER & ROLL CALL

Chair Lasarte called the meeting to order and asked Ms. Navia Lobo to call the roll and announced that a quorum was present.

PLEDGE OF ALLEGIANCE

Chair Lasarte asked Ms. Gutierrez to lead in the Pledge of Allegiance.

DECLARATION OF VOTING CONFLICTS

As customary, Ms. Leslie asked if Members present and in attendance via phone had any voting conflicts of interest to declare in regards to the agenda. Mr. Lasarte declared a conflict with Regular Agenda Item IX. D “*MDX Procurement/Contract No.: RFP-11-06; Work Program No.: 87409.030; Design/Build Services for SR 874 Mainline Reconstruction.*”

[a copy of Mr. Lasarte’s conflict form is attached to these minutes]

CITIZEN COMMENT

There were no requests this month.

APPROVAL OF SUMMARY MINUTES

- Board Meeting of April 26, 2011

Mr. Lasarte referred to the summary minutes corresponding to the April 26 meeting. Mr. Martinez moved to approve the summary minutes. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

EXECUTIVE DIRECTOR’S REPORT

Mr. Rodriguez reported on the following items since the last Board Meeting:

- FY 2012 Annual Budget is on the agenda for approval after being discussed at the Budget Workshop on May 11, 2011. The Budget maintains all service levels and meets all of the debt service coverage requirements.
- Project No. 83622, opened earlier this month which included a fourth lane east bound between 57th Avenue and Le Jeune Road.
- SR 874 reconstruction from the HEFT to Kendall should be completed this summer and on schedule.
- Open Road Tolling update - a workshop will be scheduled in July 2011. Mr. Andriuk presented the ORT monthly update.
 - Moving slowly with the enhancements of the ORT back office system, in the final phase of the in-lane component. The operational testing will begin within 2 – 3 weeks; running the system for sixty days without failure for final acceptance. The next improvement will be the SR836 and SR 112 beginning in 2013.

- Mr. Rodriguez participated in Career Day at Citrus Grove Middle School
- MDX staff met with the Korean Expressway Corporation which operates all the expressways in Korea and who were being hosted by FIU.
- Mr. Rodriguez and staff attended the TEAMFL quarterly meeting. TEAMFL Board discussion on what's TEAMFL's mission and how to move forward as agencies to advance transportation in the State of Florida and primarily user financing transportation.
- Staff participated at the IBTTA Interoperability and All Electronic Toll Collection Workshop
- Meeting with FIU regarding the possible relocation of the Youth Fair.
- Invited to participate on a panel hosted by the University of Miami School of Engineering entitled "Our Vision for the Future of Miami-Dade County."
- Invited to participate on a panel at the Florida Institute of Consulting Engineers (FICE) in Orlando on May 25th.
- Speaker at the Florida Engineering Society monthly luncheon.
- May 20 – Ms. Leslie and Ms. Schafer attended the Florida Transportation Commission meeting in Tampa, Fl, where the agency oversight report was accepted.
- Invitation from Miami-Dade County to attend a Climate Leadership Academy in Washington, D.C June 8-10, 2011. Will be participating with the Miami-Dade County Team. The Leadership Academy is being provided by the Institute of Sustainable Communities. On the Consent Agenda for approval.
- Joined FDOT on the Click it or Ticket Campaign during the Memorial Day Holiday.
- MDX has been awarded the IBTTA 2011 Toll Excellence Award for Social Responsibility for the MDX ORT outreach campaign

Mr. Rodriguez entertained questions from Members.

GENERAL COUNSEL'S REPORT

Ms. Leslie reported the whistleblower action was voluntarily dismissed by the complainant. She reminded Members to complete the financial disclosure forms prior to July 1, 2011.

Ms. Leslie asked Members that if they have any candidate questions for the upcoming election at the June Board meeting, to please contact her.

Ms. Leslie introduced Ms. Steelman as MDX's new Associate Attorney/Risk Manager.

MPO REPRESENTATIVE REPORT

Ms. Gutierrez reported there was no quorum at the last MPO board meeting.

TREASURER'S REPORT

Mr. Vigil reported overall revenues for the ten-month period through April 2011 was \$433,000 above the forecast. Toll and fee revenues are \$1.25 million above the \$101.9 million forecast. Traffic is approximately less than 3% below the forecast through April 2011. The Authority continues to monitor receivables, carrying on average 8.8% of revenue as receivables. Investment income is \$1.1 million below the \$3.1 million forecast and continues to be a challenge due to the state of the economy and low interest rate environment. Expenses for the ten-month period are \$2.3 million below the \$32.5 million budgeted. Expenses are broken up based on actual tasks authorized and lump sum. Forecasted expenses for FY 2011 are expected to be within 3% of the annual budget.

Mr. Vigil brought to the Board's attention; Goldman Sachs, Morgan Stanley and J.P Morgan are projecting higher gas prices through the next year. He explained this is an issue that needs to be monitored.

Members thoroughly discussed the item. Ms. Schafer entertained questions from Members.

COMMITTEE REPORTS

- A) Budget & Finance Committee, 5/11/11
- B) Operations Committee. 5/25/11

Committee reports were waived.

CONSENT AGENDA

A) Travel Approval

- May 25, 2011, Travel to Orlando, FL by Mr. Rodriguez to Participate on a Panel at the 2011 Florida Institute of Consulting Engineers (FICE)/Florida Department of Transportation (FDOT) Transportation Conference
- June 8-10, 2011, Travel to Arlington, VA, by Mr. Rodriguez to attend the Institute for Sustainable Communities Climate Leadership Academy Workshop (Invitation by Miami-Dade County to Participate in the City Led Team) (Only Cost to MDX - Registration fee \$300.00)
- June 14-15, 2011, Trip to New York, NY by Chair Lasarte and Board Member Maloof to attend InfraAmericas US P3 Infrastructure Forum 2011.

Mr. Lasarte informed Members that he would personally pay for his trip. Mr. Martinez moved to approve the Consent agenda. Mr. Wartman seconded the motion. The motion was unanimously approved.

REGULAR AGENDA

- A) Approval of Resolution No. 11-03 - A Resolution Congratulating Ananth Prasad on his Appointment as Secretary of the Florida Department of Transportation (FDOT) – Requested at the

April 26, 2011 Board Meeting.

Ms. Leslie read the Regular Agenda item for the record. She explained that at the last Board meeting Board Member Ferre' requested a resolution be drafted congratulating the new FDOT Secretary on his appointment.

Mr. Holland moved to approve Resolution No. 11-03. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

B) Approval of Fiscal Year 2012 Annual Operating Budget

Ms. Leslie read the Regular Agenda item for the record. Ms. Schafer briefed Members on the FY 2012 annual Operating Budget. She explained overall the Fiscal Year 2011-2012 Annual Operating Budget of \$135 million is comprised of \$83 million principal and interest the \$10 million of the R&R program and \$41.4 million of operating expense. A Budget Workshop was held on May 15, 2011 preceded by the Budget & Finance Committee meeting. The Annual Operating Budget was endorsed to the Board with an adjustment to the Public Communications Budget as follows:

The \$500,000 Media Campaign Placement, \$100,000 Media Production and \$65,000 Public Relations budget line items be reduced to zero for a total \$665,000 expenditure reduction.

Overall the budget increased from the prior year of \$14.9 million; \$12.1 million of the increase is debt related, \$2.8 million relates to the operating expenses. The pass through expenses from FDOT was a \$3.8 increase which was offset by MDX direct expenses reduction of \$1 million.

Mr. Holland moved to approve the FY 2012 annual Operating Budget. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

C) MDX Procurement/Contract No.: RFP-11-02; Work Program No.: 83629.020; Final Design Services for SR 836 Interchange Modifications at 87th Avenue (\$5,608,506 Estimate)

- Approval of Technical Evaluation Committee Recommendation
- Approval to enter into negotiations with the Successful Proposer

Ms. Leslie read the Regular Agenda item for the record and informed Members the Operations Committee endorsed the item at its meeting of May 25, 2011. Mr. Lurigados explained the approval would enable MDX to enter into contract negotiation with the selected team of A& P Consulting Transportation Engineers Corp.

Ms. Smith Fano moved to approve the technical evaluation committee recommendation and to enter into contract negotiations with the successful proposer. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

Mr. Lasarte passed the gavel to Vice Chair Martinez because he declared a voting conflict with the following item.

D) MDX Procurement/Contract No.: RFP-11-06; Work Program No.: 87409.030; Design/Build Services for SR 874 Mainline Reconstruction (Endorsed by the Operations Committee on 5/25/11)

- Approval of TEC Recommendations

- Approval of Contract Award

Ms. Leslie read the Regular Agenda item for the record and informed Members the Operations Committee endorsed the item at its meeting of May 25, 2011.

Mr. Vigil asked, “why there is a huge discrepancy between the engineer’s estimate and the price proposal?” Mr. Lurigados informed Members that the price estimates are calculated by the latest prices of the industry, FDOT, Turnpike etc. There were two very aggressive price proposals. Mr. Martinez, who was the Board oversight on the TEC explained that the difference between the number one and number two ranked firms was very close. Mr. Holland requested that if the contract is approved, to issue the notice-to-proceed as soon as possible to get the project going at a savings and to fulfill promises to the community. Mr. Rodriguez informed Members that the contract time is less than two years. Mr. Vigil asked if the contract has indexing, because this was a problem with the contractor in the past. Mr. Lurigados stated emphatically that there is no indexing on the contract. Mr. Lurigados informed Members should the contractor not finish on time there are liquidated damages in the contract.

Mr. Maloof moved to approve the TEC recommendation. Mr. Wartman seconded the motion. Mr. Lasarte abstained. The item was unanimously approved.

Mr. Martinez passed the gavel back to Chair Lasarte.

E) MDX Procurement/Contract No.: RFQ-10-02; Miscellaneous Design Services

- Approval of removal of Task Authorization Cap
- Approval of Contract Extension for Post Design Services

Ms. Leslie read the Regular Agenda item for the record and informed Members the Operations Committee endorsed the item at its meeting of May 25, 2011.

Mr. Sanabria moved to approve the removal of task authorization cap and contract extension for post design services. Mr. Holland seconded the motion. The motion was unanimously approved.

F) MDX Oversight and Management of the Open Road Tolling Account Management and Toll Enforcement System (AMTES) for the Miami-Dade Public Works Causeway Division’s Rickenbacker and Venetian Causeways Open Road Tolling Lanes (Endorsed by the Operations Committee on 5/25/11)

- Approval of Interlocal Agreement between MDX and Miami-Dade County

Ms. Leslie read the Regular Agenda item for the record and informed Members the Operations Committee endorsed the item at its meeting of May 25, 2011. Mr. Andriuk informed members Miami-Dade County will have a decrease in congestion and an increase in efficiency by moving to SunPass® as the County’s predominant method of electronic collection at the Rickenbacker and Venetian Causeways. MDX will provide oversight to the back-office operations. Mr. Andriuk entertained questions from Members.

Mr. Holland moved to approve the Interlocal Agreement. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

Mr. Bauman with Miami-Dade County thanked the Board.

INFORMATIONAL ITEM

A) Procurement Report

The informational item was not addressed.

CHAIR'S COMMENTS

ANNOUNCEMENTS

- Board of Directors Meeting and Election of Officers, 6/28/11, 4:00 PM, William M. Lehman MDX Building

ADJOURNMENT

The meeting was adjourned by Mr. Lasarte.

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