

MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)

BOARD OF DIRECTORS MEETING  
TUESDAY, APRIL 26, 2016

4:00 PM

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

SUMMARY MINUTES

Members Present

Louis V. Martinez, Esq., Chair  
Shelly Smith Fano, Vice Chair  
Rick Rodriguez Piña, Treasurer  
James Wolfe, P. E., District VI Secretary  
Vincent T. Brown, Esq.  
Maurice A. Ferré  
Alfredo L. Gonzalez, Esq.  
Maritza Gutierrez –via phone  
Arthur J. Meyer  
Javier L. Vázquez, Esq.  
Cliff Walters

Members Absent

Luz Weinberg

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  
Carlos M. Zaldivar, Esq., General Counsel  
Francine Steelman, Associate General Counsel  
Helen Cordero, Manager of Procurement and Contracts Administration  
Mario Diaz, Public Information Manager  
Maria Luisa Navia Lobo, Board Secretary

Consultants

Finance: Randy Topel, First Southwest Co.  
Transportation: Albert Sosa, HNTB (GEC-A)  
Rick Crooks, EAC Consultants (GEC-B)

CALL TO ORDER & ROLL CALL

Chair Martinez called the meeting to order. Ms. Navia Lobo called the roll and announced that a quorum of the MDX Board was present. Mr. Martinez welcomed Board Member, District VI Secretary James Wolfe, P.E.

PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Martinez requested that the Shade Meeting be moved to the end of the agenda. The revised agenda was unanimously approved.

DECLARATIONS OF VOTING CONFLICTS

Mr. Zaldivar asked Members if there were any voting conflicts regarding the items on the Board Agenda. No conflicts were declared.

CITIZEN COMMENT

- Councilman Nelson Rodriguez – City of Miami Lakes.

SMART PLAN VIDEO – Aileen Bouclé, MPO Executive Director

The Metropolitan Planning Organization's (MPO) Executive Director, Aileen Boucle and Alice Bravo, the Director of Miami-Dade County Transportation and Public Works Department presented a four minute video on the agency's Strategic Miami Area Rapid Transit "SMART Plan," which was unanimously approved by the MPO in April 2016. The goal of the SMART Plan is to increase the availability of rapid transit in 6 particular corridors within Miami-Dade County in response to the increased commuting needs, due to population and job growth in the County.

Ms. Bravo explained that once they have all the facts and plans for all 6 projects, the community will be educated on the project plans and implementation. Ms. Bravo further stated that this project strategy is commonly used across the county for advancing rapid transit projects.

Ms. Boucle distributed a map of the SMART Plan corridors that included the County's express bus network. She also stated that the County has identified funding needed for the planning and environmental phase of the SMART Plan project. The MPO Board also approved an implementation plan for the 6 corridors.

Ms. Bravo stated that the County does not currently enough funds to construct all 6 corridors; therefore, they are seeking federal funds. Applying for federal funds requires the County to comply with federal environmental law, which is why the County, is moving to Step 3, the Project Development Phase. She further stated they are working with all of their governmental agency partners, including MDX, to accomplish the SMART Plan project goals.

Mr. Ferré thanked Ms. Boule and Ms. Bravo for the presentations and stated that it is important for FDOT District Secretary Jim Wolfe, the MPO, the County and MDX to help move forward the SMART Plan vision. He quoted Mark Twain “vision without execution is hallucination;” and he stated “we’ve had 30-years of vision and now need execution to get this thing moving.”

Secretary Wolfe stated that the vision of the SMART Plan is very exciting. He noted that more engineering studies and cost estimates will be needed for the SMART Plan to attract federal funds and to move these projects forward. He also proposed that the SMART Plan be supported in this region as an important transit plan.

Mr. Vazquez asked Ms. Bravo if the SMART Plan requires that all of the 6 corridors be built at the same time; or if the individual corridors can be prioritized and phased in accordance with the community desires. Ms. Bravo responded that construction of the individual corridors would be phased-in depending upon receipt of federal funding and the ease of implementation. Mr. Vazquez stated that a community challenge to building the 6 corridors will be eliminating any “political agenda” for supporting certain corridors over the entire SMART Plan project. He stated that community confidence will be established by showing that the entire system will work.

Mr. Rodriguez Piña stated that we are in the midst of our (MDX) Strategic Master Plan. The more we know about each of our respective transportation plans, the better we can make collective decisions.

Mr. Martinez stated that conducting federal studies are required by the federal government to qualify for federal funding; and that this region is competing with many other states and cities applying for these valuable federal dollars. We need to work together in a holistic way to address the transportation needs.

Ms. Bravo asked the MDX Board for a resolution of support for the SMART Plan.

Mr. Martinez asked for a motion on a resolution of support for the SMART Plan. Mr. Vazquez moved to approve the resolution in support of the SMART Plan. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

[Resolution No. 16-21 in support of the SMART Plan is attached to these summary minutes and filed with the Board Secretary]

#### APPROVAL OF SUMMARY MINUTES

- Board Meeting of April 26, 2016

Mr. Ferré moved to approve the April 26, 2016 Summary Minutes. Mr. Gonzalez seconded the motion. The motion was unanimously approved.

#### EXECUTIVE DIRECTOR’S REPORT

Mr. Rodriguez briefed Members on the following issues of interest since that last Board meeting of April 26, 2016.

- Welcomed Secretary Wolfe to the Board
- Status of Projects:
- SR836 two major projects, 83628 and 83629.
  - The goal of SR836 is to eliminate operational inefficiencies and prepare the facility for express bus service. The SMART Plan, which is rail based also has a bus concept. The bus concept is what bridges the gap between the issues of today and what we want for tomorrow as we do the study and pursue federal and state funding.
  - 87410 – Extension of 874, partnership with FDOT/FTE. The design-build firm that was selected is completing the design and we are actively completing the ROW Acquisition. Construction will soon begin in June 2016.
  - Centralized Customer Service Center (CCSC) – MDX staff have been actively participating with FTE, Tampa Hillsborough and Central Fl. Expressway Authority in the development of the system, just recently they attended a financing workshop.
- On June 7, 2016 FTC will be holding their meeting at the MDX headquarters

Mr. Rodriguez informed Members that the Strategic Master Plan (SMP) is well underway. Mr. Luis Ajamil presented an update of the SMP since that last workshop where the projects were prioritized. Mr. Ajamil entertained questions from Members.

Mr. Wolfe informed Members that he reviewed the package and asked why Staff did not support express lanes on SR 836 when they are revenue positive. Mr. Rodriguez informed Members that the express lanes on SR 836 would be the shoulders. Shoulders are being converted to express lanes for buses during peak periods. In addition, Mr. Rodriguez stated that MDX just closed the System and introducing a toll within a toll is not something Staff can support at this time.

Mr. Ferré reported the MPO Board unanimously passed a resolution stating that transit is the highest priority.

Members thoroughly discussed the SMP.

#### GENERAL COUNSEL'S REPORT

- Attorney Client Privileged Meeting (Shade Meeting)  
regarding ETCC Litigation

The Shade Meeting was moved to the end of the agenda.

### MPO REPRESENTATIVE REPORT

Mr. Ferré reported the MPO Board unanimously passed the SMART Plan.

### TREASURER'S REPORT

Ms. Schafer reported for the ten-month period, revenues for the month of April 2016 posted at \$193 million, revenues continues to show positive results as discussed throughout the year. Expenses and Interest expense posted \$109 million under the budget by approximately 2%

### COMMITTEE REPORTS

- Budget & Finance Committee, 5/5/16
- Operations Committee 5/11/16

The Committee Reports were waived

### CONSENT AGENDA

#### A) Travel Approval and Ratification

- May 4-6, 2016, Attendance by Board Member Ferré at the Transportation Research Board (TRB) 15th International Conference on Managed Lanes in Miami, Florida
- June 13-15, 2016, Trip to Daytona Beach, Florida by Executive Director Rodriguez to attend FDOT Design Training Expo
- July 18-20, 2016, Trip to St. Pete Beach, Florida by Board Member Weinberg and Executive Director Rodriguez to attend the 2016 Transportation Summit - Floridians for Better Transportation (FBT)/TEAMFL
- July 24-26, 2016 Trip to Boston, MA by Board Member Ferré, Board Member Meyer and Executive Director Rodriguez to attend the IBTTA Summit on All-Electronic Tolling, Managed Lanes & Interoperability

Mr. Zaldivar read the Consent agenda items into the record. Mr. Vazquez and Mr. Brown requested to be added to the Members attending the IBTTA Meeting in Boston in July 2016. Mr. Brown moved to approve the Consent agenda as amended. Mr. Rodriguez Piña seconded the motion. The motion was unanimously approved.

### REGULAR AGENDA

- A) Approval of Fiscal Year 2017 Annual Budget & Reserves & Funding Requirements (Endorsed by the Budget & Finance Committee on 5/5/16)

Mr. Zaldivar read the agenda item into the record. Mr. Martinez stated the item was thoroughly discussed at the Budget Workshop held May 5, 2016.

Mr. Rodriguez Piña moved to approve the Fiscal Year 2017 Annual Budget and Reserves & Funding requirements. Mr. Brown seconded the motion. The motion was unanimously approved.

B) MDX Procurement/Contract No. RFP-16-04, Financial Auditing Services

- Approval of the Technical Evaluation Committee Recommendation to Select the Number One Ranked Proposer - (Endorsed by the Budget & Finance Committee on 5/5/16)

Mr. Zaldivar read the agenda item into the record. Ms. Cordero briefed Members on the procurement process and TEC recommendation. Proposals were received from the following three firms:

- BCA Watson Rice, LLP
- Keefe, McCullough & Co., LLP
- Moore Stephens Lovelace, P.A.

Staff performed compliance/responsiveness review of the Proposals. All Proposals contained minor irregularities that were cured pursuant to the provisions of the solicitation documentations and the MDX Procurement Policy. Consequently, all Proposals were deemed responsive and were forwarded to the Technical Evaluation Committee (TEC).

A TEC meeting was held on April 26, 2016, to evaluate the Technical Proposals, open the Price Proposals, and tabulate scores. The Proposal submitted by Keefe, McCullough & Co., LLP did not receive the required minimum Technical Score in order for the Price Proposal to be opened. Therefore, only two Proposers were considered for final selection. Pursuant to the tabulation of the Technical Scores and the Price Proposal Scores, the TEC forwarded a recommendation to select and award the Contract to the number one ranked Proposer, Moore Stephens Lovelace. The contract term will be for the completion of three fiscal year audits with the option to renew for the completion of two additional audits.

Ms. Smith Fano moved to approve the number one ranked proposer Moore Stephens Lovelace, P.A. Mr. Ferré seconded the motion. The motion was unanimously approved.

C) MDX Procurement/Contract Number RFP-16-01; Inspection and Reporting Services (\$4,650,000 Maximum for the 2 Contracts)

- Approval to enter into contract negotiations with and award the contracts to the two highest ranked Proposers Transystems Corporation Consultants and Marlin Engineering, Inc. (Endorsed by the Operations Committee on 5/11/16)

Mr. Zaldivar read the agenda item into the record. Ms. Cordero informed Members four (4) Proposals were received in response to the RFP from the following Proposers:

- Marlin Engineering, Inc.
- Network Engineering Services, Inc. /dba/ Bolton, Perez and Associates
- Transystems Corporation Consultants
- Volkert, Inc.

All Proposals contained minor irregularities that were cured pursuant to the provisions of the solicitation documentations and the MDX Procurement Policy. Consequently, all Proposals were deemed Responsive and were forwarded to the Technical Evaluation Committee (TEC) for evaluation.

The Contacts includes a fifteen percent (15%) Small Business participation requirement and a fifteen percent (15%) Local Business participation requirement. Mr. Vazquez moved to approve the contract award to the two highest ranked proposers; Transystems Corporation Consultants and Marlin Engineering, Inc. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

D) MDX Procurement/Contract Number RFP-16-03; Traffic & Revenue Consulting Services (\$2,500,000)

- Approval Contract Award to the sole respondent CDM Smith, Inc. (Endorsed by the Operations Committee on 5/11/16)

Mr. Zaldivar read the agenda item into the record. Ms. Cordero informed Members that on February 23, 2016, MDX released a Request for Proposal (RFP) seeking Proposals from consultants with the necessary qualifications and expertise to provide Traffic and Revenue Consulting Services.

On March 29, 2016, only one (1) Proposal was received in response to the RFP from CDM Smith Inc. Ms. Cordero explained that due to the specialized nature of the consulting services, there are only a hand-full of firms that provide these services. Therefore, it's common for public agencies to receive only a small number of responses for such proposals.

The TEC met on May 2, 2016 to evaluate the Proposal, and CDM Smith, Inc. scored over the required minimum score. The TEC recommended awarding the contract to the sole and qualified Proposer, CDM Smith Inc. Contingent to Committee's endorsement and Board approval, staff will enter into a contract with CDM Smith Inc. for five (5) years for a not to exceed amount (\$2,500,000.00).

Mr. Meyer moved to approve the contract award to the sole respondent; CDM Smith, Inc. Mr. Gonzalez seconded the motion the motion was unanimously approved.

E) MDX Work Program No. 83611; SR 836 / I-95 Interchange Improvements

- Approval of Eminent Domain Parcel Resolutions 15-21R and 15-22R (Endorsed by the Operations Committee on 5/11/16)

Mr. Zaldivar read the item into the record. Mr. Toledo explained that eminent domain Parcel Resolutions are required as part of the eminent domain process. It should be noted that the MDX Board previously approved these Resolutions and that revisions are now required to reflect updates to the associated exhibits produced during the right of way acquisition process.

Mr. Gonzalez moved to approve Resolutions 15-21R and 15-22R. Ms. Gutierrez seconded the motion. The motion was unanimously approved.

#### INFORMATIONAL ITEMS

- A) Procurement Report
- B) Communications Report

The Informational Items were not addressed

Mr. Ferré encouraged Members to attend the June 7, 2016 Florida Transportation Commission meeting being held in Miami at the MDX headquarters.

Mr. Martinez read the following statement to the public prior to the Shade Meeting:

“The time is now 5:28 p.m. 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 the meeting:

MDX Board Members present, Ms. Gutierrez – via phone  
MDX attorneys, Carlos Zaldivar and Francine Steelman  
Javier Rodriguez, MDX Executive Director

Outside Counsel  
Joseph Serota and Michael Ehrenstein

The meeting will be recorded by a certified court reporter and, at the conclusion of all litigation; the transcript will be made part of the public record.”

Mr. Martinez temporarily recessed the meeting in order for the Shade Meeting to proceed.

Mr. Martinez reconvened the Board Meeting at 6:44 p.m. and moved to adjourn

#### CHAIR’S COMMENTS

#### ANNOUNCEMENTS

- Florida Transportation Commission (FTC) Meeting, 6/7/16, William M. Lehman MDX Building, Board Room



- Board Meeting, 6/28/16 at 4:00 p.m., William M. Lehman MDX Building, Board Room

ADJOURNMENT

Chair Martinez adjourned the Meeting.

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