

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

**BOARD MEETING**  
**Tuesday, April 21, 2015**  
**4:00 PM**

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

**SUMMARY MINUTES**

**Members Present**

Maritza Gutierrez, Chair  
Maurice A. Ferré, Vice Chair  
Rick Rodriguez Piña, Treasurer - via phone  
Jose “Pepe” Cancio  
Alfredo L. Gonzalez, Esq.  
Robert W. Holland, Esq. - via phone  
Louis V. Martinez, Esq.  
Arthur J. Meyer  
Shelly Smith Fano  
Javier L. Vázquez, Esq.  
Cliff B. Walters

**Members Absent**

Gus Pego, P. E., District VI Secretary  
Luz Weinberg

**Staff**

Javier Rodriguez, Executive Director  
Carlos Zaldivar, General Counsel  
Marie Schafer, Chief Financial Officer  
Steve Andriuk, Director of toll Operations  
Juan Toledo, P.E., Director of Engineering  
Helen Cordero, Manager of Procurement and Contracts Administration  
Mario Diaz, Public Information Manager  
Francine Steelman, Associate General Counsel  
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 Gutierrez called the meeting to order. Ms. Navia Lobo called the roll and announced a quorum of the MDX Board was present.

**PLEDGE OF ALLEGIANCE**

Chair Gutierrez asked Mr. Meyer to lead in the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chair Gutierrez recommended adding two agenda items:

- Whistleblower Policy
- Lobbyist Registration Policy

The items were discussed and endorsed by the Policy & Planning Committee that met prior to the Board meeting. Mr. Ferré moved to accept the agenda with additions and Mr. Gonzalez seconded the motion. The 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**

There were no comments

**APPROVAL OF SUMMARY MINUTES**

- Board Meeting of March 24, 2015

Mr. Martinez moved to approve the Summary Minutes for the March 24, 2015 meeting. Ms. Fano seconded the motion. The motion was unanimously approved.

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Rodriguez briefed Members on the following topics of interest:

- A notice to proceed to proceed was issued for MDX Project 83628 – SR 836 between 57<sup>th</sup> Avenue and 17<sup>th</sup> Avenue. The design-build team has already initiated the work.
- Contract execution for MDX Project 87410 – extension of the Don Shula Expressway over the Turnpike and out to the Miami Executive Airport. A notice to proceed is forthcoming. The commitments MDX made with the revenues generated in closing the System on SR 836 and SR 112 are well underway to being reality.
- Centralized Customer Service Center (CCSC) – Meeting is scheduled for an award soon.

Mr. Rodriguez informed Members that he will be travelling to Portland, Oregon in his capacity as IBTTA President to attend and participate in the Transportation Finance and Road Usage Charging Conference. Ms. Schafer will also be attending and they will serve

as moderators of sessions and panelists on mileage based user financing and toll financing, which both relevant issues all over the Country.

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

Mr. Zaldivar reported on the following topics:

- The MCM bid protest has run its course. The parties attempted to mediate this matter on April 1, 2015 and no agreement was reached. MCM filed a Motion for Summary Judgment on April 20, 2015 with no date for a hearing.
- ETCC Litigation is set for trial September 8, 2015.
- Ms. Steelman was asked to join the Florida Automated Vehicle Stakeholders Working Group.

### **MPO REPRESENTATIVE REPORT**

Mr. Ferré reported the MPO's search for an Executive Director is underway, There is an attempt by Representative Nunez to modify the makeup of the MPO.

### **TREASURER'S REPORT**

Ms. Schafer reported on the past nine-month period. She clarified that the Treasurer's report is an Accrual Based Accounting. Toll and Fee Revenues for the nine-month period was \$121 million compared to \$128 million that was budgeted. The nine-month period we collected \$113 million on a cash basis of that, \$13 million Toll-by-Plate customers, \$100 million for SunPass customers. The remaining amount is on the balance sheet as a receivable. Interest and dividend income \$1.5 million compared to \$1.2 budget. Expenses are below the budget by 6%, interest expense in below budget by 8%. Overall net revenues posted at \$47.9 million for the nine month period. Ms. Gutierrez asked Ms. Schafer to clarify net revenues. Ms. Schafer clarified that net revenue goes first to fund up the reserve per the requirement and back to the construction fund, pay as you go money. All the money is committed to the Capital Program,

Mr. Ferré moved to accept the Treasurer's report as presented. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

Ms. Gutierrez welcomed Mr. Rodriguez Pina in attendance via phone.

### **COMMITTEE REPORTS**

- Operations Committee Meeting, 4/21/15
- Policy & Planning Committee, 4/21/15

Committee Reports were waived.

### **CONSENT AGENDA**

A) Travel Approval:

- May 31 – June 2, Trip to Oklahoma City, OK by Executive Director Rodriguez to attend IBTTA Maintenance & Roadway Operations Workshop

Mr. Vazquez moved to approve the Consent agenda. Mr. Cancio seconded the motion. The motion was unanimously approved.

**REGULAR AGENDA**

A) MDX Procurement/Contract Number RFP-15-03; General Engineering Consultant Services – Work Program Production (GEC-A) (\$10,000,000 Cap)

- Endorsement of Contract Extension.

Mr. Zaldivar read the agenda item into the record. Mr. Martinez, Chair of the Operations Committee briefed Members on the action taken by the Operations Committee to extend the contract for six months and advertise for a new contract by July 2015. If more time is needed, the contract allows for an additional six-month extension.

Mr. Martinez moved to approve the six months contract extension. Mr. Gonzalez seconded the motion. The motion was unanimously approved.

Mr. Martinez directed staff to prepare the RFP for the GEC –A procurement for approval at the July 2015 Operations Committee Meeting. Mr. Gonzalez seconded the motion. The motion was unanimously approved.

Mr. Cancio asked that signage on MDX partnership projects be posted.

B) Approval to Reaffirm the following policies – (Endorsed by the Policy & Planning Committee on 4/21/15 3:00 p.m.) (Discussed and endorsed at the Policies Workshop 3/10/15)

- Non-Discrimination and Anti-Harassment Policy
- Active Traffic Management Policy
- Property Acquisition Policy
- Public Records Policy
- General Policies

Mr. Zaldivar read the agenda item into the record. He explained that the Whistleblower and Lobbyist Registration policies were endorsed at the Policy & Planning Committee meeting held prior to the Board meeting on April 21, 2015.

Ms. Smith Fano thanked all who attended the workshop for their outstanding joint efforts.

Ms. Fano moved to reaffirm and approve the following polices:

- Non-Discrimination and Anti-Harassment Policy
- Active Traffic Management Policy
- Property Acquisition Policy
- Public Records Policy
- General Policies
- Whistleblower Policy – Endorsed by The Policy & Planning Committee 4/2/15
- Lobbyist Registration Policy– Endorsed by The Policy & Planning Committee 4/2/15

Mr. Vazquez seconded the motion. The motion was unanimously approved.

- C) Approval of Revision to the Business Travel Policy – (Endorsed by the Policy & Planning Committee on 4/21/15 3:00 p.m.) (Discussed and endorsed at the Policies Workshop 3/10/15)

Mr. Zaldivar read the Agenda item into the record. Mr. Vazquez moved to approve revision to the Business Travel Policy. Mr. Martinez seconded the motion. The motion was unanimously approved.

- D) Approval of Revision to the Citizen Comment Policy– (Endorsed by the Policy & Planning Committee on 4/21/15 3:00 p.m.) (Discussed and endorsed at the Policies Workshop 3/10/15)

Mr. Zaldivar read the Agenda item into the record. Mr. Martinez moved to approve revisions to the Citizen Comment Policy. Ms. Smith Fano seconded the motion. The motion was unanimously approved.

- E) Approval of Revision of the Delegation of Authority Policy (Endorsed by the Policy & Planning Committee on 4/21/15 3:00 p.m.) (Discussed and endorsed at the Policies Workshop 3/10/15)

Mr. Zaldivar read the Agenda item into the record. Ms. Smith Fano moved to approve revisions to the Delegation of Authority Policy. Mr. Martinez seconded the motion. The motion was unanimously approved.

- F) Approval of Revision of the Aesthetics Enhancement Policy (Endorsed by the Policy & Planning Committee on 4/21/15 3:00 p.m.) (Discussed and endorsed at the Policies Workshop 3/10/15)

Mr. Zaldivar read the Agenda item into the record. Mr. Martinez moved to approve revisions to the Aesthetics Enhancements Policy. Mr. Gonzalez seconded the motion. The motion was unanimously approved.

### **INFORMATIONAL ITEMS**

- A) Procurement Report

Mr. Cancio requested that the Procurement Report reflect the upper limiting amounts of the active contracts.

- B) Communications Report

Mr. Diaz gave an update of the Advantage Program.

### **CHAIR'S COMMENTS**

Ms. Gutierrez informed Members that the Board of Miami-Dade County Commissioners

moved forward with a resolution requesting that MDX not increase the tolls.

Ms. Gutierrez thanked staff for the safety improvements and enhancements included in the Work Program.

Mr. Rodriguez informed Members that the Budget Workshop is scheduled for May 14<sup>th</sup> and the Board Meeting is scheduled for May 19, 2015.

Mr. Meyer asked for a full report of individuals that have signed up for the Advantage program and those that signed up within the extended time period.

**ANNOUNCEMENTS:**

- Operations Committee Meeting, 5/12/15 at 10:00 a.m., William M. Lehman MDX Building
- Budget Workshop, 5/14/15 at 10:00 a.m., William M. Lehman MDX Building
- Budget & Finance Committee Meeting, 5/14/15 at 11:00 a.m., William M. Lehman MDX Building
- Board Meeting, 5/19/15 at 4:00 p.m., William M. Lehman MDX Building

**ADJOURNMENT**

Chair Gutierrez adjourned the Meeting.

Summary Minutes prepared by Maria Luisa Navia Lobo, Board Secretary