MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)
OPERATIONS COMMITTEE MEETING

WEDNESDAY, SEPTEMBER 8, 2010

2:00 PM

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

SUMMARY MINUTES

Attendees:

Present Committee Members:
Maritza Gutierrez, Chair
Shelly Smith Fano – in attendance via phone
Robert W. Holland, Esq. – in attendance via phone
Al Maloof, Ph.D. – in attendance via phone
Gus Pego, P.E.,
Gonzalo Sanabria– in attendance via phone

Absent Committee Members:
Nick Inamdar, Vice Chair
Yvonne Soler Mckinley

Present MDX Board Members
Felix M. Lasarte, Esq., MDX Chair
Louis V. Martinez, Esq., MDX Vice Chair
Norman R. Wartman

Staff:
Javier Rodriguez, P.E., Executive Director
Pamela Leslie, MDX General Counsel
Marie Schafer, MDX Director of Finance & Administration/CFO
Stephan Andriuk, Director, Toll Operations
Alfred Lurigados, Director of Engineering
Juan Toledo, Assistant Engineering Director
Helen Cordero, Manager, Contract Administration & Procurement
Maria Luisa Navia Lobo, MDX Board Secretary

CALL TO ORDER

Ms. Gutierrez, Chair of the Operations Committee, called the meeting to order. Ms. Navia Lobo called the roll and announced a quorum was present.

DECLARATION OF CONFLICT

- Potential Conflict of Interest Report

As customary, Ms. Leslie asked if Members had any conflicts of interest to declare in regards to the agenda. No conflicts were declared

OPERATIONS ACTION ITEMS:

A) Approval of Summary Minutes:

- Operations Committee Meeting of July 20, 2010

Ms. Gutierrez referred to the summary minutes corresponding to the July 20 meeting. Mr. Pego moved to approve the summary minutes. Mr. Holland seconded the motion. The motion was unanimously approved.

B) MDX Procurement/Contract Number RFP-10-06 Traffic and Revenue Consulting Services ($2,000,000)

- Approve waiver of minor irregularities
- Endorsement of the Technical Evaluation Committee (TEC) Recommendations.

Ms. Cordero introduced the item. She informed Committee Members that MDX released a Request for Proposals (RFP) on June 2, 2010, requesting Proposals from qualified firms to provide Traffic and Revenue Consulting Services. Two Proposals were received on July 7, 2010 from the following firms:

- Traffic & Revenue Associates d/b/a C&M Associates, Inc.
- Wilbur Smith Associates Inc.

The Proposal from Wilbur Smith Associates, Inc. (WSA) did not arrive at MDX by the time specified in the deadline included in the RFP of July 7th by 2:00 p.m. However, WSA was able to prove and staff was able to independently verify through the third party that the proposal was delivered by FEDEX to the incorrect location the day before the deadline. The FEDEX bill clearly showed that WSA sent the package to the correct MDX address and that FEDEX erroneously delivered the proposal to the incorrect location. In addition to the FEDEX bill, staff contacted FEDEX directly to verify the occurrence. FEDEX confirmed its error. The proposal was picked-up by FEDEX from the incorrect location and delivered to MDX on July 7, the deadline date, but past the deadline time.

Historically MDX has not waived a late proposal arrival, staff views the circumstances of this late arrival differently than other instances, in that the proposer did everything reasonably possible to ensure that the proposal was timely received at the correct address. In addition, the proposer was given written confirmation by FEDEX that the proposal had been properly delivered. Therefore, the proposer had no opportunity to take any corrective action prior to the deadline.

Staff recommends that each of these minor irregularities, including the late delivery of the WSA proposal be waived.

The TEC meeting was held on August 11, 2010, and the TEC members reviewed, discussed and evaluated the Proposals based on the requirements of the RFP. At the same meeting, the TEC scores were tabulated resulting in the following ranking:

1) Wilbur Smith Associates, Inc.
2) Traffic & Revenue Associates d/b/a C&M Associates, Inc.

The Technical Evaluation Committee endorsed the above ranking and forwarded a recommendation to the Operations Committee that staff enter into a contract with Wilbur Smith Associates, Inc., pending Committee and Board approval.

Committee members thoroughly discussed the item and recommended to not accept the TEC recommendation and to reprocure the services.

Ms. Leslie entertained questions from Committee Members.

Ms. Fano moved to approve the re-advertisement/reprocurement for Traffic and Revenue Consulting Services. Mr. Holland seconded the motion. The motion was unanimously approved.

Ms. Cordero informed Members of a letter received from C&M Associates, Inc., that was distributed at the meeting.

C) MDX Procurement/Contract No. RFP-03-47, MDX Work Program No. 87404.070 – SR 874 / Killian Parkway Interchange Improvements.

- Endorsement of Supplemental Agreement No. 8 for additional Scope of Post Design Services. ($171,000) (Consul-Tech Transportation, Inc.)

Mr. Lurigados introduced the item and explained the supplemental is for an additional $171,000 for post design services. The funding will be from the contingency fund being released to cover additional costs under the SA.

Mr. Pego moved to approve supplemental agreement No. 8. Mr. Holland seconded the motion. The motion was unanimously approved.

D) MDX Procurement/Contract Number ITB-11-01 Construction Services for Systemwide Roadway Improvements ($6,000,000)

- Endorsement of Contract Award to the lowest responsive and responsible Bidder.

Ms. Cordero introduced the item and explained that on August 4, 2010, seven bids were received. H&R Paving, Inc., was the lowest Bidder with a Bid Amount of $270,778.48 which reflects a Bid Factor Decrease of 1%. She further explained staff performed the customary compliance review of the bid submitted by H&R Paving, Inc., and found it to be responsive and responsible.

Ms. Cordero clarified that there was a large difference in the unit prices and the major reasons for the difference was that the first four low bids received were from asphalt paving contractors, who either produce their own asphalt and/or place it, which allows them to offer a lower bid. The rest of the bids were from contractors who usually subcontract paving and/or buy the asphalt from suppliers, which results in an overhead cost being included in their bids. The bidders were eligible to submit Local Business Bonus information. The Local Business (LB) Bonus was awarded to only one Bidder that qualified for the bonus. After applying the LB Bonus, H&R still had the lowest Bid Amount. The term of the Contract will be two years with one optional two year renewal.

Ms. Cordero informed members that originally the Operations Committee approved the award of two contracts under the procurement. Staff further evaluated the availability of work in the approved Five Year Work Program over the next 2 to 3 years, and determined that there was not enough work to assign to two contractors. Therefore, the solicitation was released with the intention of awarding one contract to the lowest responsive and responsible bibber.

Mr. Lasarte moved to endorse contract award to H&R Paving, Inc. Mr. Martinez seconded the motion. The motion was unanimously endorsed.

E) Endorsement for Board Approval of an Interlocal Agreement with Miami-Dade County for Transit Operations on Expressway Shoulders.

Mr. Lurigados introduced the item and explained the MPO completed a study in 2005 that recommended MDT bus operations along the shoulders of certain expressways would improve transit service travel times by using expressway shoulder as a by-pass lane during traffic congestion periods. In March 2006, MDX, MDC and the MPO entered into an agreement to allow MDT to operate buses on expressway shoulders along SR 878 and SR 874 as a pilot project for three years as an alternative to congested through lanes.

In 2009, the MPO conducted an evaluation of the project and determined that the pilot was effective because, under specific traffic-congested conditions, such operations removed MDT buses from slow traffic thus speeding passengers to their destinations and enhancing an alternative to citizens using their automobiles. Both MDX and MDT concurred with the MPO evaluation results and are entering into a new agreement to allow MDT bus operations along the shoulders of MDX Expressways for three years. The Interlocal Agreement is subject to renewal for additional three-year periods by written agreement of both parties.

Mr. Rodriguez recommended inviting Miami-Dade Transit to present an update at the next Operations Committee meeting.

Mr. Lasarte moved to endorse the Interlocal Agreement. Mr. Martinez seconded the motion. The motion was unanimously endorsed.

INFORMATIONAL ITEMS

Mr. Rodriguez informed Committee members of the two assignments tasked at the last Board meeting; the assessment of landscaping and enhancements on the MDX System and the truck traffic from the seaport to airport. Meetings have been scheduled to address both tasks.

Mr. Rodriguez updated Members of meetings held with a group of citizens from West Kendall area regarding the tolls on SR 874 and SR 878.

Mr. Lasarte expressed the importance of community outreach and the education process.

A) MDX Work Program Monthly Status Report –August 2010

B) HNTB SBE/LB Utilization Report – Contract Year 4 Final and Year 1

C) EAC SBE Utilization Report – Contract Year 4 Final and Year 5

D) MDX Contingency Release History Report

E) Procurement Reports:

- On-Going Procurement Report
- Executed Supplemental Agreements Report

ANNOUNCEMENTS

- MDX Budget and Finance Committee Meeting 9/17/10, 2:00 PM, William M. Lehman MDX Building
- Board Meeting 9/28/10, 4:00 PM, William M. Lehman MDX Building

ADJOURNMENT

The meeting was adjourned by Ms. Gutierrez.

Minutes prepared by Maria Luisa Navia Lobo, Board Secretary.