MIAMI-DADE EXPRESSWAY AUTHORITY (MDX)
OPERATIONS COMMITTEE MEETING
THURSDAY, JUNE 18, 2015
11:00 AM
WILLIAM M. LEHMAN MDX BUILDING
3790 NW 21ST STREET
MIAMI, FLORIDA 33142

SUMMARY MINUTES

Present Committee Members:
Louis V. Martinez, Esq., Chair
Rick Rodriguez Piña, Vice Chair
Alfredo L. Gonzalez, Esq.
Gus Pego, P.E.
Arthur J. Meyer
Javier L. Vázquez, Esq.

Absent Committee Members:

Present MDX Board Members:
Maritza Gutierrez, MDX Chair
Maurice A. Ferré, MDX Vice Chair
Jose “Pepe” Cancio

Staff:
Javier Rodriguez, P.E., Executive Director
Juan Toledo, P.E., Deputy Executive Director/ Director of Engineering
Steve Andriuk, Deputy Executive Director/Director of Toll Operations
Carlos Zaldivar, Esq., General Counsel
Marie T. Schaefer, Deputy Executive Director/CFO
Francine Steelman, Esq., Associate General Counsel
Helen M. Cordero, Manager of Procurement and Contract Administration

Consultants:
Albert Sosa, HNTB (GEC-A)
Rick Crooks, EAC Consulting, (GEC-B)
CALL TO ORDER

Mr. Martinez called the meeting to order. Ms. Navia Lobo called the roll and announced a quorum was present.

DECLARATIONS OF VOTING CONFLICTS

- Potential Conflict of Interest Report

Mr. Zaldivar asked if any of the Committee Members had a Conflict of Interest to declare regarding the Committee’s agenda. Ms. Gutierrez declared a conflict with Agenda item IV. B “MDX Procurement/Contract Number ITB-15-03; MDX Work Program No. 87404.060; Construction Services for Roadway Improvements for SW 104th Street/Killian Parkway from East of SW 112th Avenue to West of 107th Court (Engineer’s Estimate $951,782.37)”.

[a copy of Ms. Gutierrez’s conflict form is attached to these summary minutes]

PUBLIC COMMENT

No Public Comment

OPERATIONS ACTION ITEMS

A) Approval of Summary Minutes:

- Operations Committee Meeting of May 12, 2015

Ms. Gutierrez moved to approve the Summary Minutes for the May 12th, 2015 Operations Committee meeting. Mr. Rodriguez Piña seconded the motion. The motion was unanimously approved.

B) MDX Procurement/Contract Number ITB-15-03; MDX Work Program No. 87404.060; Construction Services for Roadway Improvements for SW 104th Street/Killian Parkway from East of SW 112th Avenue to West of 107th Court (Engineer’s Estimate $951,782.37)

- Authorize Staff to enter into negotiations with the sole responsive bidder, Halley Engineering Contractors, Inc., (“Halley”) to reduce the submitted Bid Amount to an amount equal to or less than the Engineer’s Estimate, and if successful enter into the Contract; and

- If negotiations with Halley are not successful, cancel the Procurement and re-advertise the Project.

Ms. Cordero introduced the item and informed Members that the following three bid proposals were received:

- H & J Asphalt, Inc.
- H & R Paving, Inc.
- Halley Engineering Contractors, Inc.
Ms. Cordero explained that the bid proposals from H & J Asphalt and H & R Paving had conflicting information regarding compliance with the Small Business Participation Requirement. Upon request for clarification, both firms confirmed the inability to meet the required 50% Small Business Participation Requirement. Both firms were deemed non-compliant with the Small Business Participation Requirement and therefore non-responsive.

The bid proposal submitted by Halley was responsive. However, the Bid Amount was substantially higher than the other two bidders and the MDX Engineer’s Estimate.

Staff recommends negotiating with Halley, as the sole Responsive Bidder, to reduce the Bid Amount to an amount equal to or less than the Engineer’s Estimate of $951,782.10. If the parties are successful in negotiating the Bid Amount, Staff requests authorization to enter into a Contract with Halley. If the negotiations with Halley are not successful, Staff is requesting approval to re-advertise the project with a Small Business Participation Requirement of 15%.

Mr. Rodriguez informed Members that if negotiations with Halley do not happen, the project will be re-advertised for construction in summer 2016. The project’s improvements will provide an additional full lane of traffic that will allow vehicles to enter Miami Dade College or merge into the through lanes east of SW 109th Court.

Mr. Rodriguez and Ms. Cordero entertained questions from Members.

Mr. Vazquez endorsed authorizing Staff to enter into negotiations with Halley. Mr. Meyer seconded the motion. The motion was unanimously endorsed.

Mr. Vazquez also moved to approve the cancellation and re-advertisement of the procurement if the negotiations with Halley are not successful. Mr. Meyer seconded the motion. The motion was unanimously approved.

C) MDX Procurement/Contract Number RFP-16-02; General Engineering Consultant Services – Work Program Production (GEC-A)

- Approval to Advertise a Request for Proposal (RFP)

Mr. Toledo introduced the Item. Mr. Rodriguez explained that the Scope of Work for GEC-A and GEC-B are exactly the same. Both contracts are directed by task authorizations. Task authorizations issued to GEC-B are for project operations and management; and GEC-A task authorizations are related to the Works Program, Finance and engineering support services.

Mr. Rodriguez stated there are three items to be discussed in response to the GEC-B procurement:

1. Composition of the Technical Evaluation Committee
2. Board Member Oversight – Should there be one Board Member or the Committee as oversight
3. Annual Budget Cap - Staff would propose removing the annual budget cap on GEC-A. This would promote more competition in the industry and would allow the Authority maximum flexibility on how to move the Agency’s future program forward.

Mr. Martinez asked for a motion in order to discuss the item. Mr. Gonzalez moved to approve the advertisement. Mr. Vazquez seconded the motion. The item is open for discussion.
Mr. Martinez asked Mr. Rodriguez Piña, who was the Board Oversight Member on the GEC-B procurement if Staff’s recommendation was in line with the suggestions made. Mr. Rodriguez Piña stated that the recommendations are consistent; and that the competition aspect will bring value and innovation to the Agency.

Mr. Vazquez stated that the TEC composition, it should remain the same.

Ms. Gutierrez thanked Staff for moving up the schedule for the GEC-A procurement. She agrees with the recommendation to lift the budget cap. She expressed the importance of expanding the TEC for the oral presentations as a committee of the whole instead of a single Board Member. She further expressed the importance of the contract, which serves as an extension of Staff.

Ms. Gutierrez asked whether there is efficiency having with two separate contracts (GEC-A and GEC-B) instead of one contract in the future.

Mr. Zaldivar summarized topics that were discussed:

- Rigid Cone of Silence
- TEC Composition
- Oversight expansion to Operation Committee
- Lifting of Budget Cap
- Local Participation
- Scoring
- Modification to Evaluation Criteria

The item was thoroughly discussed and the Committee recommended deferring the approval of the advertisement to the next Operations Committee.

D) MDX Procurement/Contract Number RFP-16-01; Inspection and Reporting Services for MDX Structures ($4,650,000 Estimate)

- Approval to Advertise Request for Proposal (RFP)

Mr. Toledo introduced the item and explained that Staff is requesting the advertisement for two qualified consulting firms to provide Structures Inspection and Reporting Services for bridge structures under MDX’s jurisdiction to comply with Federal Regulations National Bridge Inspection Standards.

The Contract shall be managed with task authorizations and shall have an initial term of four (4) years with two (2) optional renewal periods of two (2) years each. Staff recommends 15% Small Business and 15% Local Business requirement for these contracts.

Mr. Walters was appointed as the Board Oversight Member.

Ms. Gutierrez moved to approve the advertisement and the TEC composition. Mr. Gonzalez seconded the motion. The motion was unanimously approved.

E) MDX Work Program No. 87410; SR 874 Ramp Connector to SW 128th Street

- Endorsement of Eminent Domain Parcel Resolution No. 15-17

Mr. Toledo explained that the MDX Board adopted Resolution No. 14-06, which declared that construction of Project 87410 (SR 874 Ramp Connector to SW 128th Street) would serve a public
purpose by providing additional mobility and transportation connectivity to SE corner of West Kendall.

MDX, through its Staff and consultants, is ready to begin negotiating with the property owner of the above listed Parcel. Should negotiations fail, to ensure the construction of MDX Project 87410 is not delayed, MDX shall begin eminent domain proceedings on the Parcels that are not acquired through a negotiated conveyance. This Eminent Domain Parcel Resolution is required as part of the eminent domain process.

Mr. Meyer moved to endorse Resolution No. 15-17. Mr. Gonzalez seconded the motion. The motion was unanimously endorsed.

INFORMATIONAL ITEMS

A) List of MDX Parcels
C) HNTB SBE/LB Utilization Report
D) EAC SBE/LB Utilization Report
E) MDX Contingency Release History Report
F) Procurement Report

The Informational item were not addressed.

ANNOUNCEMENTS

- Think Big Sub-Committee, 6/18/15 at 12:00 p.m. William M. Lehman MDX Building – Board Room
- Inter-Governmental & Public Communications Committee Meeting, 6/24/15 at 11:00 a.m., William M. Lehman MDX Building - Dolphin Conference Room
- Board of Directors Meeting and Election of Officers, 6/30/15 at 4:00 p.m., William M. Lehman MDX Building – Board Room

ADJOURNMENT

The meeting was adjourned by Mr. Martinez
Minutes prepared by Maria Luisa Navia Lobo, Board Secretary