CENTRAL FLORIDA EXPRESSWAY AUTHORITY

MINUTES CENTRAL FLORIDA EXPRESSWAY AUTHORITY BOARD MEETING October 8, 2020

Location: Central Florida Expressway Authority 4974 ORL Tower Road Orlando, FL 32807 **Board Room**

A. CALL TO ORDER

The meeting was called to order at 9:00 a.m. by Vice Chairman Dyer.

Vice Chairman Dyer announced that he is sitting in for Chairman Carey since she had to be out of town today.

Board Members Present:

Mayor Buddy Dyer, City of Orlando (Vice Chairman) Commissioner Betsy VanderLey, Orange County (Treasurer) Commissioner Brandon Arrington, Osceola County Mayor Jerry Demings, Orange County Andria Herr, Gubernatorial Appointment Jay Madara, Gubernatorial Appointment Commissioner Sean Parks, Lake County Commissioner Curt Smith, Brevard County

Board Member Not Present:

Commissioner Brenda Carey, Seminole County (Chairman)

Staff Present at Dais:

Laura Kelley, Executive Director Diego "Woody" Rodriguez, General Counsel Mimi Lamaute, Recording Secretary

Non-Voting Advisor Not Present:

Nicola Liquori, Executive Director, Florida's Turnpike Enterprise

B. PUBLIC COMMENT

Verbal Comment

4974 ORL TOWER RD. ORLANDO, FL 32807 | PHONE: (407) 690-5000 | FAX: (407) 690-5011



Vice Chairman Dyer explained CFX public comment procedures require that citizens requesting to provide public comment before the Board, submit public comment 5 minutes before the meeting starts.

There were no public comments.

Written Comment

Vice Chairman Dyer explained members of the public can also submit written comments on items of interest in advance of each Board meeting. The form to submit written public comment is located on CFX's website at CFXWay.com. Written comments should be sent 48 hours prior to the meeting.

There were no public comments.

C. APPROVAL OF SEPTEMBER 10, 2020 BOARD MEETING MINUTES

This item will be presented for approval at the November 12, 2020 Board Meeting.

(No Board action was taken.)

D. APPROVAL OF CONSENT AGENDA

The Consent Agenda was presented for approval.

ADMINISTRATIVE SERVICES

1. Approval of Fourth Contract Renewal with Rubin, Turnbull & Associates, Inc. for Advocacy and Consultant Services, Contract No. 001382 (Agreement Value: \$90,000.00)

CONSTRUCTION

- 2. Approval of Construction Contract Modifications on the following projects:
 - a. Project 599-524 Precision Contracting Services, Inc. (\$ 127,805.18)
 - b. Project 417-134 Hubbard Construction Co. \$ 360,578.11
 - c. Project 429-316A Jr. Davis Construction Co., Inc. (\$ 148,202.21)
- Approval of Contract Award to KCCS, Inc. for Construction Engineering and Inspection Services for SR 417 Widening from Narcoossee Road to SR 528, Project No. 417-150, Contract No. 001637 (Agreement Value: \$7,500,000.00)
- Approval of Contract Award to Greenfield Diversified, LLC d/b/a Consulex for Systemwide Coatings Consultant, Contract No. 001706 (Agreement Value: not-to-exceed \$1,500,000.00)

ENGINEERING

- 5. Approval of Supplemental Agreement No. 4 with TLP Engineering Consultants, Inc. for SR 417 Widening from International Drive to John Young Parkway Post Design Services, Project No. 417-141, Contract No. 001312 (Agreement Value: not-to-exceed \$667,145.60)
- Approval of Supplemental Agreement No. 4 with RS&H, Inc. for SR 417 Widening from John Young Parkway to Landstar Boulevard, Project No. 417-142, Contract No. 001313 (Agreement Value: not-to-exceed \$92,161.96)
- Approval of Contract Award to DRMP, Inc. for Design Services for SR 516 Lake/Orange Expressway Segment 3, Project No. 516-238, Contract No. 001671 (Agreement Value: \$9,200,000.00)
- 8. Approval of Contract Award to Southern Development & Construction, Inc. for SR 417 Pond Modifications North of Berry Dease Road & SR 528 and SR 417 Guardrail Upgrades, Project Nos. 417-162 & 528-166, Contract No. 001725 (Agreement Value: \$1,047,740.00)

FINANCE

 Approval of Second Contract Renewal with Moore Stephens Lovelace P.A. for External Auditing Services, Contract No. 001241 (Agreement Value: \$81,900.00)

MAINTENANCE

- 10. Approval of First Contract Renewal with Infrastructure Corporation of America for Facilities Maintenance Services, Contract No. 001150 (Agreement Value: \$2,207,407.21)
- 11. Approval of Turtle Infrastructure Partners LLC as a Subcontractor for Infrastructure Corporation of America for SR 429/SR 414 Roadway and Bridge Maintenance Services, Contract No. 001152
- 12. Approval of Volkert, Inc. as a Subconsultant for Kisinger Campo & Associates, Corporation for Systemwide Bridge Inspection Services, Contract No. 001527
- 13. Approval of Second Contract Renewal with Chapco Fence LLC for Fence Repair Services along the Poinciana Parkway, Contract No. 001556 (Agreement Value: \$30,000.00)

TECHNOLOGY/TOLL OPERATIONS

- 14. Approval of Purchase Order to SHI International Corp. for Microsoft Dynamics and Power BI Licenses (Agreement Value: not-to-exceed \$440,300.94)
- 15. Approval of Purchase Order to SHI International Corp. for Checkmarx Licenses (Agreement Value: not-to-exceed \$64,243.62)

 Approval of First Contract Renewal with Cygilant, Inc. for Security Monitoring Services, Contract No. 001626 (Agreement Value: \$73,948.50)

TRAFFIC OPERATIONS

 Approval of RS&H, Inc. as a Subconsultant for AECOM Technical Services, Inc. for General Systems Consultant Services, Contract No. 001215

Consent Agenda Items #6 and #7 were pulled for a separate vote. Commissioner VanderLey abstained from voting on these items due to a CFX Code of Ethics conflict of interest with DRMP, Inc. (Form 8B, Memorandum of Voting Conflict Form is attached as **Exhibit "A"**).

A motion was made by Commissioner VanderLey and seconded by Ms. Herr to approve the Consent Agenda except for items #6 and #7. The motion carried unanimously with all eight (8) board members in attendance voting AYE by voice vote. Commissioner Carey was not present.

A motion was made by Mr. Madara and seconded by Commissioner Arrington to approve Consent Agenda items #6 and #7. The motion carried unanimously with seven (7) members present voting AYE by voice vote. Commissioner VanderLey abstained from voting. Commissioner Carey was not present.

E. REPORTS

1. CHAIRMAN'S REPORT

Vice Chairman Dyer announced the following:

- In recent months, CFX was recognized and received five awards for excellence. Encompassing financial reporting, project design and construction - including the 2020 Best in Construction Award for the recently completed SR 408/417 interchange.
- The next CFX Board meeting is on November 12, 2020.

2. TREASURER'S REPORT

Commissioner VanderLey reported that as of August toll revenues year-to-date were \$70,127,965, which is 59.7% over projections and 17.1% under prior year.

Total Operations, Maintenance and Administration expenses were \$7,549,708 million year-to-date, which is 9.5% under budget.

3. EXECUTIVE DIRECTOR'S REPORT

Ms. Kelley provided the Executive Director's Report in written form.

In addition, Ms. Kelley expanded on the following:

- Details of the September 25 technical tour for Orange County Public School representatives, facilitated by CFX staff;
- Chief Financial Officer, Lisa Lumbard and her team, were awarded the Certificate of Achievement for Excellence in Financial Recording for the 15th consecutive year; and
- Director of Engineering, Will Hawthorne, was named as one of Orlando's "40 under 40 Honoree" by the Orlando Business Journal.

F. REGULAR AGENDA ITEMS

1. MONTHLY COVID-19 FINANCIAL ASSESSMENT

Lisa Lumbard, Chief Financial Officer, explained how CFX's revenue and expenses are tracking as a result of COVID-19, because of the real time information provided some of the amounts are estimates and not the final numbers. She detailed the following: revenue variance over prior year; COVID impact by month; CFX strengths; construction projects approved to be paid out of the construction fund as of October 2020. Ms. Lumbard explained that the Poinciana Parkway Widening Project was the only project added since the September board meeting. She detailed the estimated budget vs actual as of the end of September 2020.

Ms. Lumbard noted that she continues to approve all construction projects prior to the procurement process to ensure sufficient funds are available to complete construction projects before they begin.

(This item was presented for informational purposes. No Board action was taken.)

2. POINCIANA PARKWAY WIDENING DESIGN/BUILD PROJECT

Will Hawthorne, Director of Engineering, provided the history of the Poinciana Parkway and corridor features. He described the process for the contractor/designer selection and cited the bids received.

The Board asked questions which were answered by Mr. Hawthorne.

Commissioner VanderLey abstained from voting on this item due to a CFX Code of Ethics conflict of interest with DRMP, Inc. (Form 8B, Memorandum of Voting Conflict Form is attached as **Exhibit "A"**).

A motion was made by Commissioner Arrington and seconded by Mayor Demings for award of the contract to The Lane Construction Corporation for design/build services for the SR 538 Poinciana Parkway Widening from Ronald Reagan Parkway to Cypress Parkway in the amount of \$92,628,420.00. The motion carried unanimously with seven (7) members present voting AYE by voice vote. Commissioner VanderLey abstained from voting. Commissioner Carey was not present.

3. MAINTENANCE UPDATE

Don Budnovich, Director of Maintenance, provided an update and overview of the CFX Maintenance program which includes 24/7 operation, roadway and bridge asset maintenance, landscape maintenance, facilities maintenance and miscellaneous asset maintenance.

(This item was presented for informational purposes. No Board action was taken.)

4. SUPPLIER DIVERSITY PROGRAM UPDATE

Iranetta Dennis, Director of Supplier Diversity, provided an update on the CFX Supplier Diversity program. She described the three programs promoted, who participates, FY 19 & 20 Disadvantaged/Minority/Women Business Enterprise contract awards, community partners, community engagement and ongoing initiatives.

The board asked questions which were answered by Ms. Dennis.

(This item was presented for informational purposes. No Board action was taken.)

G. BOARD MEMBER COMMENT

There was no board member comment.

H. ADJOURNMENT

Vice Chairman Dyer adjourned the meeting at 9:42 a.m.

Vice Chairman

Central Florida Expressway Authority

Mimi Lamaute

Recording Secretary

Central Florida Expressway Authority

Minutes approved on 100, 12, 2020.

Pursuant to the Florida Public Records Law and the CFX Records & Information Management Program Policy, audiotapes of all Board and applicable Committee meetings are maintained and available upon request to the Custodian of Public Records at (407) 690-5326, PublicRecords@CFXway.com, or 4974 ORL Tower Road, Orlando, FL 32807. Additionally, videotapes of Board meetings are available at the CFX website, www.CFXway.com.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME VanderLey, Betsy Kay			NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Central Florida Expressway Authority		
MAILING ADDRESS 4974 ORL Tower Road		THE BOARD, CO WHICH I SERVE		JTHORITY OR COMMITTEE ON	
CITY Orlando	COUNTY Orange	NAME OF POLITICAL SUBDIVISION:			
DATE ON WHICH VOTE OCCURRED 10/08/2020		MY POSITION IS	S ELECTIVE	☑ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filling the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the
minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- · You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the
 meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the
 agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST				
Betsy Kay VanderLey	, hereby disclose that on October 8	20 20		
(a) A measure came or will come b	before my agency which (check one or more)			
inured to my special private gain or loss;				
inured to the special gain or loss of my business associate,				
inured to the special gain o	inured to the special gain or loss of my relative,			
X inured to the special gain or loss of DRMP, INC., by whom I was retained.				
or				
inured to the special gain or	or loss of	, which		
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.				
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:				
for me based on the CFX Code of Ethics. A Lin provisions in Chapter 112, Florida Statutes, reg of Ethics which requires that a Board Member of previous two-year period.* As such I am abstail Item F2 is on the Regular Agenda in which the amount of \$92,628,420.00. DRMP, Inc., has be	Contral Florida Expressway Authority (CFX) there are three items related to an entity named DRMP, Inc., which is a potential of imited Liability Corporation which I manage had been providing business development services to DRMP, Inc., until recently. Egarding abstention from voting on actual conflicts, no longer apply because there is no current business relationship, CFX hard disclose and abstain from a vote that "will benefit any person with whom the Board Member knowingly was a business associating from the following items: Beoard is to award a contract to the Lane Construction Corporation for design/build services for the SR 538 Poinciana Parkwisten named as a sub-consultant partner in the proposed low bid.	While the as adopted a Code ciate in the vay Widening in the		
not-to-exceed \$92,161.96). DRMP, Inc., has been included as a sub-consultant.				
Item 7 on the Consent Agenda is for the Approval of a Contract Award to DRMP, Inc. for Design Services for SR 516 Lake/Orange Expressway – Segment 3, Project No. 516-238, Contract No. 001671 (Agreement Value: \$9,200,000.00).				
If disclosure of specific information who is also an attorney, may compas to provide the public with notice	on would violate confidentiality or privilege pursuant to law or rules governing attorneys, a ply with the disclosure requirements of this section by disclosing the nature of the interest is e of the conflict.	public officer, in such a way		
10/8/2020 Date Filed	Signature			

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.