

# CENTRAL FLORIDA EXPRESSWAY AUTHORITY

## MINUTES BOARD MEETING December 14, 2023

Location: Central Florida Expressway Authority  
4974 ORL Tower Road  
Orlando, FL 32807  
Boardroom

### A. CALL TO ORDER

The meeting was called to order at approximately 9:02 a.m. by Vice Chairman Arrington.

#### Board Members Present:

Commissioner Brandon Arrington, Osceola County (Vice Chairman)  
Christopher "CJ" Maier, Gubernatorial Appointment (Treasurer)  
Mayor Buddy Dyer, City of Orlando  
Commissioner Andria Herr, Seminole County  
Rafael "Ralph" Martinez, Gubernatorial Appointment  
Commissioner Christine Moore, Orange County  
Joe Nunziata, Gubernatorial Appointment  
Commissioner Sean Parks, Lake County

#### Board Member Appearing Telephonically:

Mayor Jerry Demings, Orange County (Chairman)

#### Board Member Not Present:

Commissioner Tom Goodson, Brevard County

#### Staff Present at Dais:

Michelle Maikisch, Executive Director  
Mimi Lamaute, Board Recording Secretary

#### Others Present at Dais:

Jo O. Thacker, Esquire, Interim General Counsel, Nelson Mullins Riley & Scarborough LLP

#### Non-Voting Advisor Present:

Nicola Liquori, Executive Director, Florida's Turnpike Enterprise

**B. PUBLIC COMMENT**

- **Public Comment (In-Person):** There were no written public comments received.
- **Public Comment (Written):** There were no written public comments received.

**C. APPROVAL OF OCTOBER 12, 2023 BOARD MEETING MINUTES**

A motion was made by Commissioner Herr and seconded by Mayor Dyer to approve the October 12, 2023 Board Meeting Minutes as presented. The motion carried unanimously with all seven (7) Board Members in attendance voting AYE by voice vote. One (1) Board Member, Mayor Demings voting AYE telephonically. Two (2) Board Members, Commissioner Goodson and Commissioner Moore were not in attendance.

**D. APPROVAL OF CONSENT AGENDA**

The Consent Agenda was presented for approval as follows:

**ADMINISTRATIVE SERVICES**

1. Approval of Supplemental Agreement No. 1 with Rubin, Turnbull & Associates, Inc. for Advocacy and Consultant Services, Contract No. 001382 (Agreement Value: \$45,000.00)

**CONSTRUCTION**

2. Approval of Construction Contract Modifications on the following projects:

Project 408-167	Chinchor Electric, Inc.	\$ 45,350.00
Project 414-640	United Signs & Signals, Inc.	\$ (342,837.55)
Project 417-141	Hubbard Construction Company	\$ 1,989,104.33
Project 417-142	Prince Contracting, LLC	\$ 1,103,210.19
Project 417-149	Sacyr Construccion SA, Inc.	\$ 161,832.32
Project 417-151	Ranger Construction Industries, Inc.	\$ 546,486.27
Project 429-153	SEMA Construction, Inc.	\$ 1,598,746.24
Project 599-646	SICE, Inc.	\$ 252,787.42
3. Approval of Contract Award to DRMP, Inc. for Systemwide Construction Engineering and Inspection (CEI) Services, Contract No. 002061 (Agreement Value: not-to-exceed \$4,500,000.00)
4. Approval of Payments to Hubbard Construction Company and Dura-Stress, Inc. for Material Price Index Adjustments for SR 417 Widening from International Drive to John Young Parkway, Project No. 417-141 (Agreement Value: \$122,891.63 and \$122,891.64)

5. Approval of Payment to Hubbard Construction Company for a Material Price Index Adjustments for SR 417 Widening from International Drive to John Young Parkway, Project No. 417-141 (Agreement Value: \$131,208.47)
6. Approval of Payment to The Lane Construction Corporation for a Material Price Index Adjustment for SR 538 Poinciana Parkway Widening from Ronald Reagan Parkway to Cypress Parkway, Project No. 538-165 (Agreement Value: \$2,724.19)
7. Approval of Payments to The Lane Construction Corporation and Dura-Stress, Inc. for Material Price Index Adjustments for SR 538 Poinciana Parkway Widening from Ronald Reagan Parkway to Cypress Parkway, Project No. 538-165 (Agreement Value: \$458,717.75 and \$458,717.76)

#### ENGINEERING

8. Approval of Third Contract Renewal with Dewberry Engineers, Inc. for General Engineering Consultant Services, Contract No. 001145 (Agreement Value: \$8,438,745.00)
9. Approval of DLR Mobile Repair Inc. dba DLR Services as Subconsultant to Dewberry Engineers, Inc. for General Engineering Consultant Services, Contract No. 001145
10. Approval of Supplemental Agreement No. 5 with WGI, Inc. for Design Consultant Services for Poinciana Parkway Extension (Segment 1), Project No. 538-234, Contract No. 001647 (Agreement Value: not-to-exceed \$120,847.77)
11. Approval of Supplemental Agreement No. 4 with G-A-I Consultants, Inc. for Design Consultant Services for Poinciana Parkway Extension (Segment 2), Project No. 538-235, Contract No. 001648 (Agreement Value: not-to-exceed \$124,837.80)
12. Approval of Supplemental Agreement No. 1 with RS&H, Inc. for Professional Services for SR 534 Segment 3 – East of Jim Branch Creek to CR 15 (Narcoossee Road), Project No. 534-243, Contract No. 001921 (Agreement Value: not-to-exceed \$661,667.69)
13. Approval of Contract Award to Ranger Construction Industries, Inc. for SR 429 and SR 414 Resurfacing, Project No. 429-745, Contract No. 002046 (Agreement Value: \$11,880,659.86)
14. Approval of Final Ranking and Authorization for Negotiations for Design Consultant Services for SR 528 Dallas Boulevard Interchange, Project No. 528-307, Contract No. 002047
15. Approval of Contract Award to Gomez Construction Company for CFX East District Facility Renovation & 525 S. Magnolia Ave. - Parking Lot Phase II, Project Nos. 599-416C & 599-421B, Contract No. 002048 (Agreement Value: \$3,446,426.21)
16. Approval of Final Ranking and Authorization for Negotiations for Professional Engineering Consultant Services for the Project Development and Environmental Study of the SR 417 Widening from SR 528 to SR 408, Project No. 417-178, Contract No. 002056

17. Approval of Supplemental Agreement No. 1 with CSX Transportation, Inc. for Preliminary Engineering Services for CR 532/Osceola Polk Line Road Widening, Project No. 538-235A, Contract No. 002065 (Agreement Value: not-to-exceed \$25,000.00)
18. Approval of Mitigation Credit Purchases with Holland Properties, Inc. d/b/a TM-Econ Mitigation Bank, Project No. 528-168 (Agreement Value: not-to-exceed \$135,000.00)
19. Authorization for Executive Director to Enter Into Agreements with Gopher Tortoise Recipient Sites for SR 516 (Agreement Value: not-to-exceed \$600,000.00)

#### FINANCE

20. Approval of Final Ranking and Authorization for Negotiations for Workday Enterprise Resource Planning Implementation Services, Contract No. 002057

#### INTERNAL AUDIT

21. Acceptance of Internal Audit Report:
  - a. Fiscal 2023 Sensitive Data Review
  - b. Fiscal 2024 Visitor Toll Pass Program and Transponder Interoperability Fraud Review

#### LEGAL

22. Approval of Subconsultants to Nelson Mullins Riley & Scarborough LLP for Right of Way Counsel Services Contract No. 001953
23. Approval of First Contract Renewal with Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A. for Legal Services, Contract No. 001982 (Agreement Value: \$0)
24. Approval of Mediated Settlement Agreement Between Whispering Pines Plantation, LLC and CFX, Project No: 528-757

#### MAINTENANCE

25. Approval of Purchase Order to Vertiv Corporation for Uninterruptible Power Supply (UPS) Unit (Agreement Value: not-to-exceed \$102,000.00)
26. Approval of Supplemental Agreement No. 4 and Ratification of Supplemental No. 3 with Aero Groundtek LLC for Landscape Maintenance Services for SR 408, SR 417 and CFX Headquarters, Contract No. 001680 (Agreement Value: not-to-exceed \$1,120,000.00 and \$160,000.00)

#### TECHNOLOGY/TOLL OPERATIONS

27. Approval of Purchase Order to CDW-G, LLC for CheckMarx Licenses (Agreement Value: not-to-exceed \$93,584.00)

28. Approval of Contract Renewal No. 4 with Kyra Solutions, Inc. for Image Processing Solutions, Contract No. 001660 (Agreement Value \$0)
29. Approval of Purchase Order to Dasher Technologies for Server and Equipment Maintenance and Support Services for the Infinity Toll Collection System (Agreement Value: \$526,408.26)
30. Approval of Purchase Order to Dasher Technologies for Veeam Backup Software Maintenance and Support Services (Agreement Value: not-to-exceed \$90,394.41)

#### TRAFFIC OPERATIONS

31. Approval of Contract Award to Vanasse Hangen Brustlin, Inc. for Design Consultant Services for Systemwide Miscellaneous ITS Upgrades, Project No. 599-571, Contract No. 002016 (Agreement Value: \$1,500,000.00)
32. Approval of Purchase Order to Southwest Research Institute for Lane Control Subsystem Enhancements to SunGuide Software (Agreement Value: not-to-exceed \$109,000.00)

**A motion was made by Mr. Martinez and seconded by Commissioner Herr to approve the Consent Agenda as presented. The motion carried unanimously with all seven (7) Board Members in attendance voting AYE by voice vote. One (1) Board Member, Mayor Demings voting AYE telephonically. Two (2) Board Members, Commissioner Goodson and Commissioner Moore were not in attendance.**

#### E. REPORTS

##### 1. CHAIRMAN'S REPORT

Vice Chairman Arrington announced that later in the meeting there will be a presentation about the economic benefits that CFX creates in the Central Florida region from our esteemed colleagues from the University of South Florida Center for Urban Transportation Research (CUTR).

##### 2. TREASURER'S REPORT

Mr. Christopher "CJ" Maier reported that as of the end of October 2023, CFX's toll revenue year-to-date were \$234,000,000, which is 1% over projection.

In the month of October, E-PASS customers saved \$12,100,000 through the 2023 State Toll Relief Program and \$110,000,000 total in the first ten months of the program.

Total Operations, Maintenance and Administration expenses were \$31,000,000, which is 9% under budget.

After debt service, the total net revenue available for projects was \$141,500,000.

### 3. EXECUTIVE DIRECTOR'S REPORT

Ms. Maikisch distributed the Executive Director's Report in written form.

In addition, Ms. Maikisch highlighted the following:

- Ms. Maikisch reported that as of CFX's last board meeting the Department of Highway Safety and Motor Vehicles has provided CFX with an additional two (2) troopers. There are now 10 troopers patrolling the CFX system. She thanked Governor DeSantis, his team, the Department of Highway Safety and Motor Vehicles, Executive Director Kern and FHP Troop D Chief, Chris Blackmon. Staff continues the conversations regarding CFX's request for the remaining 6 troopers.
- Earlier this month CFX's Uni Multi-State transponder and CFX's Visitor Toll Pass were included in an article in the *New York Times* as part of a story relating to national toll interoperability. Congratulations to the communications and operations teams.
- Ms. Maikisch announced that she did a technical interview and CFX's team provided a tour of its solar array projects to a news crew from NBC out of New York. CFX's collaboration with the Ray in Georgia led to a reporter being interested in highlighting what CFX is doing for an upcoming special that will be hosted by Al Roker. Details on the actual broadcast dates will be shared once they are available.
- Finally, she announced that the CFX will be holding its Sixth Annual Chili Cook-Off. This signature event allows staff, consultants and vendors to have a little fun and compete against one another for a great cause. This year, the funds raised will go to Abilities Workshop, a non-profit that assists families with a variety of programs and workshops to help navigate the process if a child has been diagnosed with autism or another special need. The Chili Cook-Off is Thursday, January 25th. Tickets are only \$10.

*Commissioner Moore arrived at this time: 9:06 a.m.*

### F. REGULAR AGENDA ITEMS

#### 1. APPROVAL OF COMMITTEE APPOINTMENTS

Board Member, Ralph Martinez, is nominating Mr. Charles Lee for reappointment to the Environmental Stewardship Committee.

Board Member, Christopher "CJ" Maier, is nominating Mr. Rick Pullum to the Audit Committee.

Mr. Joe Nunziata disclosed that Mr. Pullum is the President of One Florida Bank, and that Mr. Nunziata is on the Board of that bank. He stated that Mr. Pullum would be a great addition to the Audit Committee.

**A motion was made by Mr. Martinez and seconded by Commissioner Herr to approve the reappointment of Mr. Charles Lee to the Environmental Stewardship Committee and the appointment of Mr. Rick Pullum to the Audit Committee. The motion carried unanimously with all eight (8) Board Members in attendance voting AYE by voice vote. One (1) Board Member, Mayor**

**Demings voting AYE telephonically. One (1) Board Member, Commissioner Goodson was not in attendance.**

**2. FISCAL YEAR 2023 FINANCIAL STATEMENTS**

Mr. Michael Carlisle, Director of Accounting and Finance and Mr. Joel A. Knopp, Shareholder, MSL CPAs & Advisors detailed the FY 2023 Financial Statements.

**A motion was made by Mr. Nunziata and seconded by Mr. Martinez for acceptance of Fiscal Year 2023 Financial Statements. The motion carried unanimously with all eight (8) Board Members in attendance voting AYE by voice vote. One (1) Board Member, Mayor Demings voting AYE telephonically. One (1) Board Member, Commissioner Goodson was not in attendance.**

**3. FLORIDA TRANSPORTATION COMMISSION REPORT UPDATE**

Ms. Sue Chrzan, Chief of Staff/Public Affairs Officer, provided details and an update on the Florida Transportation Commission Report.

The Board Members asked questions which were answered by Ms. Chrzan.

(This item was presented for information only. No action was taken by the Board.)

*Mayor Demings was no longer participating telephonically at this time: 9:21 a.m.*

**4. SR 516 LAKE/ORANGE EXPRESSWAY – SEGMENT 3 FROM LAKE/ORANGE COUNTY LINE TO SR 429**

Mr. Dana Chester, Director of Engineering, requested award of the construction contract to SEMA Construction, Inc. He provided project highlights, detailed the project timeline and described the bids received for the SR 516 Lake/Orange Expressway – Segment 3 from Lake/Orange County Line to SR 429 project.

**A motion was made by Commissioner Parks and seconded by Commissioner Moore to approve the award of the contact to SEMA Construction, Inc. for the SR 516 Lake/Orange Expressway – Segment 3 in the amount of \$218,890,000.00. The motion carried unanimously with all eight (8) Board Members in attendance voting AYE by voice vote. Two (2) Board Members, Mayor Demings and Commissioner Goodson were not in attendance.**

5. **CENTER FOR URBAN TRANSPORTATION RESEARCH (CUTR) STUDY, THE ECONOMIC IMPACT AND BENEFITS OF THE CFX FIVE-YEAR WORK PLAN**

Mr. Sisinnio Concas, Program Director, USF Center for Urban Transportation Research explained the results of the Economic Impact and Benefits of the CFX Five-Year Workplan to the region.

The Board Members commented and asked questions which were answered by Mr. Concas.

(This item was presented for information only. No action was taken by the Board.)

G. **BOARD MEMBER COMMENT**


The following Board Member commented:

- Mr. Maier

Vice Chairman Arrington announced that there will not be a January Board meeting. The next Board Meeting is scheduled for February 8, 2024.

H. **ADJOURNMENT**

Vice Chairman Arrington adjourned the Board Meeting at approximately 9:56 a.m.

  
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Commissioner Brandon Arrington  
Vice Chairman  
Central Florida Expressway Authority

  
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Mimi Lamaute  
Recording Secretary  
Central Florida Expressway Authority

Minutes approved on Feb. 8, 2024.

*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](mailto: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](http://www.CFXway.com).*