

# GREATER MIAMI EXPRESSWAY AGENCY (GMX)

## Minutes of

Thursday, March 28, 2024

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The Greater Miami Expressway Agency held a public meeting on Thursday, March 28, 2024. The following were present:

### **Board Members:**

- Richard Blanco, Board Member (Secretary)
- Mariana “Marili” Cancio, Board Member (Chair)
- Stacy L. Miller, P.E., Board Member & FDOT District Six Secretary
- Rodolfo Pages, Board Member (Treasurer)
- Fatima Perez, Board Member (Vice-Chair)

### **Staff:**

- Torey Alston, Interim Executive Director
- Rafael Garcia, FDOT District Counsel and Acting GMX Counsel
- Marie Schafer, Director of Budget, Finance & Accounting/CFO
- Juan Toledo, Director of Engineering & Emergency Management
- Claudio Diaferia, Director of Toll Operations & Transportation Technology
- Jackie Buitrago, Procurement Manager
- Michelle Hedges, HR Manager and ADA Coordinator
- Maria Luisa Navia Lobo, Board/Executive Secretary

### **CALL TO ORDER**

The meeting was called to order at 9:01 a.m. by Chair Cancio.

### **PLEDGE OF ALLEGIANCE**

Board Member Blanco led board members in the pledge of allegiance.

### **ROLL CALL**

Board Secretary Navia Lobo called the roll and announced that a quorum of the GMX Board was present.

### **DECLARATIONS OF VOTING CONFLICTS**

Board Member Blanco declared a voting conflict with agenda item “*VIII. B GMX Procurement/Contract No: ITB -24-04 - Systemwide HVAC Maintenance and Repair Services (Contract Award \$815,553.88)*”

[Form 8A memorandum of Voting Conflict attached to these minutes]

### **PUBLIC COMMENT PERIOD**

No comments

### **APPROVAL OF PRIOR MEETING MINUTES**

- Board Meeting of January 25, 2024

Secretary Miller moved to approve the summary minutes of the January 25, 2024 meeting. Board Member Blanco seconded the motion. The motion was unanimously approved.

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### CONSENT AGENDA

#### A) ADMINISTRATIVE ITEMS

1. Travel Approval from May 4-7, 2024, to Atlanta, GA by Interim Executive Director Alston, to attend the International Bridge, Tunnel and Turnpike Association (IBTTA) Technology Summit.

#### B) HUMAN RESOURCE ITEMS

2. Approval of the Proposed Executive Director Job Description

Mr. Garcia read the Consent agenda item on the record. Board Member moved to approve the Consent agenda. Vice Chair Perez seconded the motion. The motion was unanimously approved.

### REGULAR AGENDA

#### A) GMX Procurement/Contract No: ITB -24-03 - Systemwide Pavement Marking Rehabilitation (Contract Award \$4,016,771.50)

- Approval to Award Contract to Successful Bidder

Mr. Toledo introduced the item and explained that the contract is for the installment/rehabilitation of pavement marking Systemwide to improve safety on GMX's roadways. Two Bid packages were received in response to the ITB from the following Bidders:

- McShea Contracting, LLC.
- TRP Construction Group LLC

The GEC performed a Bid analysis for all bidders. The analysis concluded that McShea Contracting, LLC, is the lowest responsive bidder. McShea Contracting LLC's bid is 0.07% above the Engineer's Estimate.

Staff recommends awarding the Contract to McShea Contracting LLC, the lowest responsive and responsible bidder. Mr. Toledo entertained questions from Members.

The item was unanimously approved.

#### B) GMX Procurement/Contract No: ITB -24-04 - Systemwide HVAC Maintenance and Repair Services (Contract Award \$815,553.88)

- Approval to Award Contract to Successful Bidder

Mr. Toledo introduced the item and explained that the ITB is for Systemwide HVAC maintenance and repairs of all the air conditioning units for facilities headquarters and toll shelters. Two bid packages were received in response to the ITB from the following Bidders:

- Edd Helms Air Conditioning, Inc.

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- Pilar Services, Inc.

The GEC performed a Bid analysis for the two bidders. The analysis concluded that Pilar Services, Inc. is the lowest responsive bidder. Pilar Services, Inc.'s bid is 14% below the Engineer's Estimate. Staff recommends awarding the Contract to the lowest Responsive and Responsible Bidder, Pilar Services, Inc.

Secretary Miller moved to approve the contract award to Pilar Services, Inc. Treasurer Pages seconded the motion. Board Member Blanco abstained. The motion was unanimously approved.

C) GMX Procurement/Contract No: ITB -24-05 - Toll Pavement Rehabilitation at Toll Zones 120 & 180 (NW 32<sup>ND</sup> Ave), and 140 & 160 (NW 17TH Ave) (Contract Award \$755,002.42)

- Approval to Award Contract to Successful Bidder

Mr. Toledo introduced the item and explained that the ITB was released seeking bids from qualified contractors for the toll pavement rehabilitation at toll zones 120 & 180 (NW 32nd Ave) and 140 & 160 (NW 17th Ave).

Two Bid packages were received in response to the ITB from the following Bidders:

- General Asphalt Co., LLC.
- Halley Engineering Contractors, Inc.

The GEC performed a Bid analysis for all bidders. The analysis concluded that General Asphalt Co., LLC is the lowest responsive bidder. General Asphalt Co., LLC's bid is 22% below the Engineer's Estimate. Staff recommends awarding the Contract to the lowest Responsive and Responsible Bidder General Asphalt Co., LLC.

The item was unanimously approved.

D) GMX Procurement/Contract No. RFQ-24-04 – General Counsel Consulting Services (Annual Not to Exceed Amount \$320,000)

- Approval to Award Contract to the successful proposer

Mr. Alston gave a summary of the recommendation for general counsel consulting services. He asked Ms. Schafer to explain the RFP process further. Ms. Schafer informed Members that the advertisement was released on December 6<sup>th</sup>, seeking proposals from qualified firms to provide general counsel services for various services, including financial support, procurement, construction, litigation, environmental and real estate. The advertisement was released to sixty-one (61) vendors registered on the GMX website to receive these services, and subsequently, thirteen (13) vendors downloaded the solicitation documents.

Two (2) consultants attended the non-mandatory pre-proposal conference held at the GMX Headquarters Building on December 20, 2023.

On January 24, 2024, one (1) proposal was received in response to the RFQ from the following proposer:

- Lawson Huck Gonzalez, PLLC

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The Technical Evaluation Committee (TEC) met on February 14, 2024 to evaluate the proposal, conduct an oral presentation/interview, and score the proposal. Based on the TEC meeting results, the recommendation is for GMX to select and enter into contract negotiations with Lawson Huck Gonzalez, PLLC, and award the Contract.

The contract is a three-year contract with the ability to extend for an additional two years, there's an annual cap, task authorization driven of \$320,000 on an annual basis.

Ms. Schafer entertained questions related to the \$320,000 cap.

Mr. Alston informed Members that staff received assurances from the firm that they would provide a full year of all the services without worrying about the consultant reaching the number or the amount of the \$320,000 cap.

Ms. Schafer clarified that the litigation and general services contracts will be two separate contracts.

Chair Cancio expressed concern with the hourly rates. Secretary Miller expressed concern about how the RFQ was advertised and what were the elements of the advertisement. Ms. Schafer informed Members that within the RFQ, there was hourly rate compensation and language on a lump sum. So, should the negotiations be on a lump sum, all of the services would be included in the lump sum of \$320,000 annually.

Chair Cancio expressed concern that there might be a potential conflict of interest when assigning litigation matters. Part of a general counsel's job sometimes involves assigning or procuring outside help for different matters.

Mr. Garcia informed Members that the matter should probably be brought back before the Board for consideration.

Vice Chair Perez asked if the firm in the Miami office had a partner or associate locally.

Ms. Buitrago informed Members that one of the requirements of the RFQ was for the firm to have an operational office in Miami-Dade County, Broward County, or Monroe County. The proposer confirmed that they have an operational office in Miami-Dade County.

Mr. Garcia stated that Mr. Jason Gonzalez confirmed that he would establish a part-time residence in Miami-Dade County for purposes of attending GMX meetings.

Members thoroughly discussed the item.

Chair Cancio recommended moving to a vote on this item, with the caveat of instructions to the Interim Executive Director to negotiate the final contract to approve the lump sum contract for general counsel services; the item was unanimously approved.

#### E) Board Policy Review (Engineering)

- Active Traffic Management Policy
- Aesthetic Enhancement Policy
- Excess Real Property Leasing Policy
- Real Property Acquisition Policy

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- Surplus Real Property Disposition Policy –(new)

Mr. Alston introduced the item, round two of the GMX policy review. He asked Mr. Toledo to summarize the Engineering policies presented.

Mr. Toledo thanked FDOT partners who provided comments and suggestions. He summarized the engineering policies and highlighted substantive changes. He introduced a new policy, the Surplus Real Property Disposition Policy, which outlines the Surplus Real Property Disposition process to be followed by GMX. It addresses parcels or properties that the agency currently maintains that are no longer needed.

Mr. Toledo entertained questions from Members.

Secretary Miller recommended holding the Aesthetics Enhancements Policy. She explained that FDOT just provided comments that have not been incorporated for further review.

Members unanimously approved all the policies presented except for the Aesthetics Enhancement Policy.

### **REPORTS**

#### A) Interim Executive Director Report

Mr. Alston presented a PowerPoint and highlighted the following;

Effective governance, financial stability, overall operations, continuity of services, communications, and people and culture.

- Kudos to the Board Chair for confirmation by the Florida Senate.
- Reminder of Board Meeting dates.
- Schedule of detailed discussions on agency policies.
- Kick-off of the budget and work program cycle

Mr. Alston introduced a new hire, Mr. Carl Joseph, Facilities and Roadway Manager. In addition, a new hire, Ms. Enya Williams, Human Resources Generalist, will join the GMX team next Monday.

- Meetings with Miami-Dade County Department of Transportation & Public Works Director

The Update on County Correspondence – Formal notice was sent to the county’s Department of Transportation and Public Works director regarding outstanding payments. They are contemplating how to do the reimbursement and what name should be on the reimbursement.

- Recent TPO Action – The TPO Board debated two related items; appointments by the TPO to GMX along with reinstating Board Member Pages in the “toll agency” slot as appointed by the Governor; the TPO Executive Policy Committee decided to defer all actions and reconsider no later than six (6) months from committee action.
- South Florida Saves Program – Update - In the month of January, approximately 186,000 customers received relief, which equates to \$1.36 million. In the month of February, almost 180,000 of our customers benefitted from this program.

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The Interim Executive Director's report was unanimously accepted.

[The Interim Executive Director's presentation is filed with the Board Secretary.]

### **INFORMATIONAL ITEMS – No Board Action Required**

A) Procurement Report

### **ANNOUNCEMENTS**

- Executive Director Search Committee Meeting, March 28, 2024, at 10:00 am or immediately following the Board Meeting
- Next Governing Board Meeting and Budget Hearing - May 9, 2024 at 9:00 am

### **ADJOURNMENT**

The meeting was adjourned at 10:10 am.

*Summary Minutes prepared by MariaLuisa Navia Lobo, Board Secretary. Minutes are in summary form. For an electronic video copy of the meeting recording, please visit [www.gmx-way.com](http://www.gmx-way.com) or contact [boardsecretary@gmx-way.com](mailto:boardsecretary@gmx-way.com)*