

**GREATER MIAMI EXPRESSWAY AGENCY (GMX)
GOVERNING BOARD MEETING SUMMARY MINUTES**

**Monday, February 10, 2025
9:30 AM**

The Greater Miami Expressway Agency held a public meeting on Monday, February 10, 2025. The following were present:

Board Members Present:

- 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)
- Edward Pidermann, Board Member
- Stanley Rigaud, Board Member

Staff:

- Torey Alston, Executive Director
- Sandra Bridgeman, Director of Budget, Finance & Accounting/CFO
- Juan Toledo, Director of Engineering & Emergency Management
- Claudio Diaferia, Director of Toll Operations & Transportation Technology
- Maria Luisa Navia Lobo, Board/Executive Secretary

Contracted Legal Counsel:

- Jason Gonzalez, Lawson Huck Gonzalez

CALL TO ORDER

The meeting was called to order at 9:31 a.m. by Chair Cancio.

PLEDGE OF ALLEGIANCE

Board Member Pages led 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.

DECLARATION OF VOTING CONFLICTS

Board Member Blanco declared a conflict with Agenda Item VIII.A - GMX Procurement/Contract No. RFQ 24-02 –Design Engineering Services for the Widening of Eastbound SR 836 from SR 821/Homestead Extension of Florida’s Turnpike (HEFT) to East of NW 97th Avenue and Widening of

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Westbound SR 836 from HEFT to NW 87th Avenue, Work Program No. 83618.007 - Approval of Contract to BCC Engineering, LLC for a negotiated amount of \$3,827,304.23

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

PUBLIC COMMENT PERIOD

There were no public comments.

APPROVAL OF PRIOR MEETING MINUTES

- Board Meeting of December 11, 2024

Board Member Pidermann moved to approve the summary minutes of the December 11, 2024, Governing Board Meeting. Board Member Rigaud seconded the motion. The motion was unanimously approved.

CONSENT AGENDA

Mr. Jason Gonzalez, Legal Counsel, read the Consent Agenda items on record.

A) Administrative Item:

1. GMX Procurement/Contract No. RFQ 25-03 – Miscellaneous Design Services
 - Approval of the Technical Evaluation Committee's (TEC) recommendation to select and enter Contracts with the three (3) highest-ranked Proposers.
 - 1- BCC Engineering, LLC
 - 2- Ribbeck Engineering, Inc.
 - 3- CHA Consulting, Inc.

Board Member Pidermann moved to approve the Technical Evaluation recommendation to select and enter contracts with the three highest-ranked proposers. Vice Chair Perez seconded the motion. The motion was unanimously approved.

REGULAR AGENDA

- A) GMX Procurement/Contract No. RFQ 24-02 –Design Engineering Services for the Widening of Eastbound SR 836 from SR 821/Homestead Extension of Florida's Turnpike (HEFT) to East of NW 97th Avenue and Widening of Westbound SR 836 from HEFT to NW 87th Avenue, Work Program No. 83618.007
 - Approval of Contract to BCC Engineering, LLC for a negotiated amount of \$3,827,304.23

Mr. Alston introduced the item. Mr. Toledo gave a brief timeline for the project. He explained that the Technical Evaluation Committee (TEC) met on April 23, 2024, to evaluate and score the proposals. BCC Engineering LLC was the highest ranked firm. GMX entered contract negotiations with BCC Engineering

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LLC. Negotiations were completed with BCC Engineering and finalized the design fee that exceeds the original Work Program Design Budget of \$2,300,000.00, which was based on 6% of the Work Program Construction Cost of \$26,716,137.00 at the time the Work Program was approved in May 2024. The Work Program Budgets were based on 2023 construction cost estimates. Mr. Toledo further explained that over the last two years, the cost of materials has increased; based on the Fiscal Year 23/24 Strategic Resource Evaluation Study Highway Construction Materials prepared for FDOT, the most notable material increases are:

- Structural Concrete-Bids have increased by 16% in FY 23 and 46% in FY 24
- Asphalt-Bids have increased 9.4% in FY24
- Earth Work-Bids have doubled in FY 24

Staff updated the estimated Direct Construction Cost of the Project using the 2024 FDOT Historical Item Average Costs. The Direct Construction Cost increased from \$26,716,137.00 to \$36,804,045.00.

Chair Cancio and other board members express concerns about the significant cost increase and the need to understand the market conditions thoroughly.

Mr. Toledo explained that recent FDOT guidelines suggest budgeting up to 15% of the construction cost for design fees for projects over \$10M, depending on the project's complexity.

Board Member Miller stated that it is normal, at least from the FDOT's perspective, to see consultant fees in the 10% to 15% range of a construction project. With the prior estimate, the consultant fee was originally under that percentage. She further stated she believed the number was an accurate reflection, even based on the cost estimate of the construction project at the time, which was a little low. Based on the current project cost for construction, it was aligned.

Board Member Miller stated she understood that Members have concerns and that they can choose to go back out to bid with an adjusted construction cost estimate and an adjusted consultant fee.

Mr. Toledo entertained questions from Members. Board Member Pidermann requested that a map or sketch of the project site be included for all action items.

Board Member Pidermann moved to approve the contract with BCC Engineering, LLC. for a negotiated amount of \$3,827,304.23. Board Member Miller seconded the motion. Chair Cancio, Treasurer Pages, and Board Member Rigaud opposed the motion. Board Member Blanco abstained. The motion resulted in a tied vote, and the item was not approved.

B) Acceptance of Notice of Resignation by Mr. Torey Alston, Effective on January 17, 2025, and Mutual Agreement on Separation Terms:

- Available 120 days after separation to consult with the new Interim Executive Director, Board Members, the legal team, and department heads at \$0 to GMX to ensure adequate transition of leadership and seamless agency stability.
- A mutual agreement that the last day officially as a GMX employee will be Monday, February 17, 2025

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Chair Cancio read the action item on the record. She further stated that all Members had spoken privately and individually with Mr. Alston. The acceptance of the notice by Mr. Alston, effective January 17, 2025, and the mutual agreement of separation terms were unanimously approved.

C) Discussion and Selection of Interim Executive Director; Authorization to Update All Agencies, Stakeholders, and Financial Institutions

For the record, Mr. Alston informed Members that a draft Resolution distributed for their recommendation and action regarding the Interim Executive Director position requires three board members to sign along with the general counsel.

Chair Cancio stated that it's critical and essential for Board Members to choose wisely and carefully about the future of the agency, appointing somebody in the interim time, someone who will not be applying for the permanent position, someone who will bring stability, and that has been with the Agency since the beginning.

Chair Cancio proposed naming Mr. Rafael Garcia as Interim Executive Director. She further stated that Mr. Garcia has served the Agency in an interim capacity as general counsel; he has extreme knowledge of the agency and can help us search for a future Executive Director. She asked Members for their thoughts and discussion.

Board Member Pidermann stated that he greatly values the historical perspective and institutional knowledge of two staff members, Mr. Toledo, and Mr. Diaferia; either can serve as the Interim Executive Director or the permanent Executive Director if they apply.

Chair Cancio informed members that Florida Statute requires a national search for the Executive Director Position.

Members thoroughly discussed the recommendation. Treasurer Pages moved to appoint Mr. Rafael S. Garcia as the new Interim Executive Director of the Agency, including executing Resolution No. 0210-2025 and negotiating his employment agreement. Vice Chair Perez seconded the motion. The motion was unanimously approved.

REPORTS

Ms. Sandra Bridgeman distributed the Financial Report as of December 31, 2024, she highlighted GMX maintains a robust financial position as of the second quarter of fiscal year 2025, December 31, 2024; all revenues are comparable to those of the prior year. Operating Expenses have decreased slightly, reflecting the Agency's activities over the past six months. Additionally, toll transactions have experienced a modest increase. Consequently, our net revenues have risen marginally.

A) General Counsel's Report

- Miami-Dade County Commission Action on February 4, 2025, to not appeal the order entered by the Court on September 25, 2024, in Case No. 2021-024025-CA-01 and in any current litigation seeking to challenge the validity of the Greater Miami Expressway Agency Act of 2023, and direction to have the County voluntarily withdraw any pending motion that seeks the foregoing

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and voluntarily dismiss itself from any current appellate review of the Court Order

Mr. Gonzalez provided an update on the legal status of Miami-Dade County, noting that the county has withdrawn its appeal and will not pursue the dissolution of GMX.

Chair Cancio requested updates on pending matters with Miami-Dade County, including monies owed and discussions about properties.

Mr. Toledo reported on the status of the Miami Freedom Park project, noting significant comments from stakeholders and the need for further discussions.

Board Member Miller added that all the reviewing agencies provided significant comments to the Freedom Park team. FDOT provided them with comments, with the understanding of the need to regroup with the larger team Miami-Dade County, GMX, FDOT, and the City of Miami to get together to discuss progress and concerns with the timelines.

INFORMATIONAL ITEMS – No Board Action Required

- Procurement Report

ANNOUNCEMENTS

- Next Governing Board Meeting: Thursday, April 10, 2025, at 9:00 am

ADJOURNMENT

The meeting was adjourned at 10:40 am.

Summary Minutes are 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 or contact boardsecretary@gmx-way.com