

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
JANUARY 23, 2013

BOARD OF PUBLIC WORKS

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JANUARY 23, 2013

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, JANUARY 23, 2013**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, January 23, 2013.

Board Members present:

The Honorable Martin O'Malley, Governor
The Honorable Nancy K. Kopp, Treasurer
The Honorable Peter Franchot, Comptroller

Also present:

Al Collins, Secretary, Department of General Services
Eloise Foster, Secretary, Department of Budget & Management

CONSTRUCTION:

General Construction Project Contingency Fund 1988
Maryland Consolidated Capital Bond Loan of 2005
Maryland Consolidated Capital Bond Loan of 2006
Maryland Consolidated Capital Bond Loan of 2007
Maryland Consolidated Capital Bond Loan of 2008
Maryland Consolidated Capital Bond Loan of 2009
Maryland Consolidated Capital Bond Loan of 2010
Maryland Consolidated Capital Bond Loan of 2011
Maryland Consolidated Capital Bond Loan of 2012

On items where payments are to be made from proceeds of the above listed bond issues, full regard is given to the provisions of each Act and its prospective amendments.

Except as otherwise provided in these Acts, before the State agency or institution responsible for an individual item may begin work with funds secured under the Act, the agency or institution shall provide satisfactory assurances to the Board of Public Works that the work described in the individual items can be completed with the funds specified for that item.

If federal funds are available to help accomplish any project identified in these Acts, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds secured under these Acts, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in these Acts, not to expand its scope.

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

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1. **DEPARTMENT OF AGRICULTURE**
Maryland Agricultural Cost-Share Program Grant Requests

Recommendation: That the Board of Public Works approves funding a total of 9 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$123,700

Agreement #	Recipient	County	Amount
AT-2012-2221	WILLIAM R. MATTINGLY	Charles	20,500
AT-2012-2222	WILLIAM R. MATTINGLY	Charles	16,000
AT-2013-1974	RAYMOND M. NORRIS	St. Mary's	4,900
AT-2013-2193	J. DAVID REISLER, JR.	Cecil	28,900
CR-2013-2121	DAVID R. FISHER	Talbot	3,900
CR-2013-2190	RONALD COHEE	Caroline	24,400
MP-2013-2145	CLYDE C. CRUM & SON, INC.	Frederick	14,200
MP-2013-2191	RICHARD V. DEVILBISS, SR	Carroll	4,500
UP-2013-2174	AUSTIN FLOOK	Washington	6,400

Fund Source: MCCBL of 2011/Item 11071: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

Authority: "Cost-Sharing - Water Pollution Control" Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

Remarks: The Maryland Department of Agriculture has determined that each of these projects is eligible for cost-share funds. Each project has received technical certification from the appropriate Soil Conservation District Office. The farmer has signed the requisite cost-share agreement and accepts the grant conditions.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
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2. DEPARTMENT OF AGRICULTURE*Maryland Agricultural Cost-Share Program Reversion Requests*

Recommendation: That the Board of Public Works approves the **REVERSION** of the remaining balances of 83 projects cancelled or completed in accordance with the guidelines of the Maryland Agricultural Cost-Share Program.

A. Total submission amount: \$ 383,070.74

Agreement #	Recipient	County	Amount \$	Status
AT-2011-2130	CHRISTOPHER P. DEMAS	Charles	30400.00	Cancelled
AT-2011-2286	KRISTEN E. NICKERSON	Kent	3193.31	Completed
AT-2011-2389	BROWN'S BRANCH FARM, LLC	Queen Anne's	2200.00	Cancelled
AT-2011-2431	ERIN E. KNIPPENBERG	Allegany	108.30	Completed
AT-2012-1525	PARRAN S. BEAN	St. Mary's	133.20	Completed
AT-2012-1740	CHARLES RICE	Charles	27.44	Completed
AT-2012-1915	ME & JIMMY, INC	Dorchester	427.68	Completed
AT-2012-1973	CABIN CREEK FARM, LLC	Queen Anne's	1349.00	Completed
AT-2012-1974	CABIN CREEK FARM, LLC	Queen Anne's	2097.44	Completed
AT-2012-1975	CABIN CREEK FARM, LLC	Queen Anne's	1092.10	Completed
AT-2012-1976	CABIN CREEK FARM, LLC	Queen Anne's	849.85	Completed
AT-2012-1977	CABIN CREEK FARM, LLC	Queen Anne's	924.10	Completed
AT-2012-1978	CABIN CREEK FARM, LLC	Queen Anne's	3283.00	Completed
AT-2012-2081	CABIN CREEK FARM, LLC	Queen Anne's	1800.22	Completed
AT-2012-2082	CABIN CREEK FARM, LLC	Queen Anne's	1639.87	Completed
AT-2012-2209	ALLEN K. BELT	Montgomery	312.82	Completed
AT-2012-2245	KAREN L. JOHNSON	Washington	284.19	Completed
AT-2012-2337	DONALD C. KNOTT	St. Mary's	363.12	Completed
AT-2012-2408	BIG MEADOW, INC	Kent	1500.00	Completed
AT-2012-2412	RANDY L. HEIM	Kent	3600.00	Completed
AT-2012-2444	WILLIAM R. MATTINGLY	St. Mary's	11.52	Completed
AT-2012-2457	NEIL BRAYTON	Kent	39.87	Completed
AT-2012-2471	CHARLES A. HAYMAKER, JR	Queen Anne's	48.00	Completed
AT-2012-2507	JUSTIN S. CLOUGH	Queen Anne's	856.20	Completed
AT-2013-1761	W. RUSSELL CULLINS, JR	St. Mary's	223.62	Completed
CH-2011-2132	PATRICE R. MILLER	Talbot	1900.00	Cancelled
CH-2012-1509	BRYAN S. MC DONALD	Kent	21300.00	Cancelled
CH-2012-1916	RALPH L. BUCKEL, JR	Kent	242.02	Completed
CH-2012-1984	PAUL M. BOWMAN	Kent	281.06	Completed
CH-2012-2206	LOUISE KOLAKOWSKI	Talbot	2172.37	Completed
CR-2011-2134	CHESAPEAKE WILDLIFE HERITAGE	Talbot	13600.00	Cancelled
CR-2011-2361	HELEN M. MALKUS	Dorchester	942.32	Completed
CR-2011-2363-B	BRENDA J. COWGILL	Caroline	2525.62	Completed
CR-2011-2364-B	BRENDA J. COWGILL	Caroline	1375.00	Completed

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

2. **DEPARTMENT OF AGRICULTURE** (cont'd)
Maryland Agricultural Cost-Share Program Reversion Requests

Agreement #	Recipient	County	Amount \$	Status
CR-2012-1519	BOSTON FARM LLC	Dorchester	3730.72	Completed
CR-2012-1744-B	RICHARD SPIERING	Caroline	23100.00	Cancelled
CR-2012-1933	WALLACE MARTINETTI	Dorchester	595.89	Completed
CR-2012-1942	JOSIAH F. LINTHICUM	Dorchester	1643.74	Completed
CR-2012-1943	JOSIAH F. LINTHICUM	Dorchester	1773.18	Completed
CR-2012-1944	JOSIAH F. LINTHICUM	Dorchester	210.17	Completed
CR-2012-1945	JOSIAH F. LINTHICUM	Dorchester	970.10	Completed
CR-2012-1946	JOSIAH F. LINTHICUM	Dorchester	234.03	Completed
CR-2012-2073	HELEN M. MALKUS	Dorchester	600.00	Completed
CR-2013-1922-B	ROBERT L. SCHOONOVER	Caroline	2368.69	Completed
LS-2011-2381-R	INDIAN SPRING FARM, LLC.	Harford	7600.00	Cancelled
LS-2012-1717	ELIZABETH B. BENDER	Harford	27900.00	Cancelled
LS-2012-1861	ELIZABETH B. BENDER	Harford	13400.00	Cancelled
LS-2012-2516	CHRISTOPHER R. DIXON	Harford	33150.31	Completed
MP-2011-2310	DANIEL G. SCHWARTZ	Carroll	1300.38	Completed
MP-2011-2448	MELANIE A. STAMBAUGH	Carroll	2114.81	Completed
MP-2012-1729	BROWER & BROWER	Carroll	12714.65	Completed
MP-2012-1862	MOTTER RIDGE FARMS	Frederick	2400.00	Cancelled
MP-2012-2033	WILLIAM W. WOLFE	Frederick	4460.31	Completed
MP-2012-2376	EARLE F. GEISBERT	Frederick	971.26	Completed
MP-2012-2394	ROBERT J. KLINE	Frederick	2756.75	Completed
MP-2012-2395	ROBERT J. KLINE	Frederick	2078.81	Completed
MP-2012-2410	GAIL JOYCE	Montgomery	300.00	Completed
MP-2012-2416	JOHN E. RICE, III	Frederick	10490.57	Cancelled
MP-2012-2417	JOHN E. RICE, III	Frederick	612.22	Completed
MP-2012-2418	JOHN E. RICE, III	Frederick	10476.15	Cancelled
MP-2012-2455	FRANKLIN E. THOMPSON	Frederick	53820.72	Completed
MP-2012-2456	FRANKLIN E. THOMPSON	Frederick	15502.25	Completed
MP-2013-1777	GINGER S. MYERS	Carroll	1141.28	Completed
NW-2011-2272	REGINALD L. SELLERS, JR	Dorchester	238.87	Completed
NW-2011-2385	REGINALD L. SELLERS, JR	Dorchester	900.00	Cancelled
NW-2011-2425	EMERSON W. EBERSPACHER, JR	Dorchester	295.10	Completed
NW-2012-1896	LEON S. BANKS	Dorchester	546.40	Completed
NW-2012-2446-B	RUBY WEST	Wicomico	5211.50	Completed

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SECRETARY'S AGENDA

2. **DEPARTMENT OF AGRICULTURE** (cont'd)
Maryland Agricultural Cost-Share Program Reversion Requests

Agreement #	Recipient	County	Amount \$	Status
NW-2012-2447-B	BRENDA K. ZIMMERMAN	Wicomico	595.00	Completed
NW-2013-1751-R	THOMAS DI GREGORIO	Dorchester	234.71	Completed
NW-2013-1766-B	S & W WHITETAIL FARM, LLC.	Caroline	800.00	Completed
NW-2013-1876	THE GROVE GROWERS, LLC	Dorchester	233.12	Completed
NW-2013-1877	THE GROVE GROWERS, LLC	Dorchester	300.18	Completed
PR-2012-2360-B	JAMES A. KURTZ	Worcester	52.50	Completed
RS-2012-1947	LIBERTY DELIGHT FARMS	Baltimore	912.86	Completed
RS-2012-1948	LIBERTY DELIGHT FARMS	Baltimore	3020.49	Completed
RS-2012-2215	JAMES D. NIGHTINGALE, SR	Carroll	4700.00	Completed
RS-2012-2224	LORING T. SPARKS	Baltimore	6758.35	Completed
RS-2012-2596	ROBERT L. BULLOCK	Carroll	902.84	Completed
RS-2013-1986	MARVIN L. KALTRIDER	Carroll	2574.00	Completed
SA-2012-2419	ALVENA L. LANGENFELDER	Kent	3749.96	Completed
UP-2012-2409	MATTHEW E. IAGER	Washington	10181.99	Completed
WM-2012-2263	MDR POLO, LLC	Montgomery	1342.64	Completed

Fund Source: MCCBL of 2010/Item 10077: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

Authority: "Cost-Sharing - Water Pollution Control" Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
doldon.moore@maryland.gov

3. BOARD OF PUBLIC WORKS - Wetlands Licenses

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Board of Public Works' Wetlands Administrator recommends that a license be granted as proposed in the Department of the Environment's Report and Recommendation.

Authority: Title 16, Environment Article, Maryland Code; COMAR 23.02.04.

ANNE ARUNDEL COUNTY

- | | |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12-1042 | <u>*RICHARD C. ZANTZINGER III</u> – To fill, grade and plant marsh vegetation along an eroding shoreline, to emplace riprap revetment, remove and reconstruct timber pier and poles – West River, Harwood |
| 07-0303
(Reauthorization) | <u>THOMAS M. BRANDT, JR.</u> – To dredge a slip area - Severn River, Millersville |

BALTIMORE CITY

- | | |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 12-1305 | <u>BALTIMORE CITY D.O.T.</u> – To remove/reconstruct the USS Constellation Education and Heritage Center building – Inner Harbor, Patapsco River |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------|

*NOTE: In FY2013, BPW has approved 7.87 acres of living shoreline.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**JANUARY 23, 2013****SECRETARY'S AGENDA**

Contacts: Jean Peterson (410) 514-7358 peterson@mdhousing.org
 George Eaton (410) 514-7348 eaton@mdhousing.org

4. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing the deed of trust on one property that received a loan from DHCD's Down Payment and Settlement Expense Loan Program. The deed of trust is a second mortgage; the borrower is selling her property in lieu of foreclosure to pay off the first mortgage owed to DHCD, and the borrower has requested a release of the deed of trust securing the second mortgage on the basis of a hardship. Borrower will sign a promissory note in the amount of the outstanding principal of the second mortgage.

LOAN AUTHORITY: Down Payment and Settlement Expense Loan Program
 Housing and Community Development
 Article §§ 4-301-4-309, Maryland Code

**AUTHORITY TO RELEASE
 SECURITY INTEREST:** State Finance and Procurement
 Article §§ 10-305, Maryland Code

Loan Recipient: Carol Pannell
 1955 Dineen Road, Baltimore, MD 21222
 Baltimore County

Original Loan: \$3,500
 Current Balance: \$3,500
 Type: Second Mortgage

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

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 Diana Talios 410-514-7534 talios@dhcd.state.md.us
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5. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BORROWER: MHP Parkview Towers Limited Partnership

AUTHORITY: §§ 4-1501 *et. seq.*, Housing & Comm. Dev't Art., Annotated Code of Maryland
 COMAR 05.05.01

Rental Housing Works finances rental housing to be occupied by individuals with incomes of 60% or below of the area median income.

PROJECT: Parkview Towers
 7667 Maple Avenue
 Takoma Park, Montgomery County, 20912

AMOUNT: \$1,500,000

FUND SOURCE: MCCBL 2012 Rental Housing Program: *Provide funds for rental housing developments that serve low- and moderate-income households.*

COLLATERAL: Deed of Trust

RECOMMENDATION: That the Board of Public Works approve lending general obligation bond proceeds to MHP Parkview Towers Limited Partnership for the Parkview Towers project.

DESCRIPTION: MHP Parkview Towers Limited Partnership will acquire and rehabilitate a 125-unit rental housing community in Takoma Park, Montgomery County. Montgomery Housing Partnership is the project sponsor. The family-occupancy eleven-story building comprises a mix of efficiencies, and one, two, and three-bedroom units. Of the 125 units, 105 units will serve households with incomes at or below 60% of the area median income. Twenty units will be unrestricted market-rate units.

This Rental Housing Works loan will partially finance the project. Additional DHCD financing includes 4% Low Income Housing Tax Credits; a tax-exempt bond loan credit enhanced through the FHA Risk Sharing Program; a Maryland Housing Rehabilitation Program loan; and an Energy Innovation Fund loan.

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

5. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT *Continued*

<u>Fund Source</u>	<u>Amount</u>
Rental Housing Works (this Item)	\$ 1,500,000
Tax-exempt Bond Loan	10,925,000
MHRP Loan	500,000
EIF Loan	500,000
Weinberg Foundation Loan	784,773
Montgomery County Loan	950,000
Tax Credit Equity	5,016,038
Deferred Development Fee	1,030,726
Seller Note	1,776,527
Interim Income	692,202
Transferred Reserves	81,248
Total	\$23,756,514

REMARKS: The Department of Planning approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20120416-5334) on December 6, 2010.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Contacts: Patricia Sylvester 410-514-7481 sylvester@dhcd.state.md.us
 Diana Talios 410-514-7534 talios@dhcd.state.md.us
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6. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BORROWER: Greens at English Consul Limited Partnership

AUTHORITY: §§ 4-1501 *et. seq.*, Housing & Comm. Dev't Art., Annotated Code of Maryland
 COMAR 05.05.01

Rental Housing Works finances rental housing to be occupied by individuals with incomes of 60% or below of the area median income.

§§ 4-1201 -- 4-1209 Housing & Comm. Dev't Art., Annotated Code of Maryland
 COMAR 05.05.05

Partnership Rental Housing Program finances rental housing to be occupied by households with incomes of 50% or below of the Statewide median income.

PROJECT: The Greens at English Consul
 4120 Oak Road
 Lansdowne, Baltimore County, 21227

AMOUNT: \$2,000,000 [Rental Housing Works]
 \$375,000 [Partnership Rental Housing Program]

FUND SOURCE: MCCBL 2012 Rental Housing Program: *Provide funds for rental housing developments that serve low- and moderate-income households.*

MCCBL 2011 Partnership Rental Housing Program: *Provide funds for rental housing developments that serve low- and moderate-income households.*

COLLATERAL: Deeds of Trust

RECOMMENDATION: That the Board of Public Works approve lending general obligation bond proceeds to Greens at English Consul Limited Partnership for The Greens at English Consul project.

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

6. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT *Continued*

DESCRIPTION: Greens at English Consul Limited Partnership will construct a 90-unit rental housing development in Lansdowne, Baltimore County. Enterprise Housing Corporation is the project sponsor. The four-story brick building will offer a mix of affordable one and two-bedroom units for elderly occupancy. All of the units will serve households with incomes at or below 60% of the area median income. Five of the units will be restricted to households that do not exceed 50% of the Statewide median income.

The Rental Housing Works and the Partnership Rental Housing Program loans will partially finance the project. Additional DHCD financing includes 4% Low Income Housing Tax Credits; a short-term tax-exempt bond loan, which will be paired with a taxable loan credit enhanced by HUD; and an EmPOWER loan.

<u>Fund Source</u>	<u>Amount</u>
Rental Housing Works Program (this Item)	\$ 2,000,000
Partnership Rental Housing Program (this Item)	375,000
HUD/FHA – Taxable Loan (paired with short-term tax exempt bond loan of \$7,000,000)	5,368,000
EmPOWER	137,000
HOME (Baltimore County)	350,000
Affordable Housing Program (FHLB)	850,000
Tax Credit Equity	5,031,787
Deferred Development Fee	468,860
Developer's Equity	10,000
Total	\$14,590,647

REMARKS: The Department of Planning approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20120416-5334) on May 1, 2012.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Contacts: Patricia Sylvester 410-514-7481 sylvester@dhcd.state.md.us
 Diana Talios 410-514-7534 talios@dhcd.state.md.us
 Jean Peterson 410-514-7358 peterson@dhcd.state.md.us

7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BORROWER: Greens at Logan Field Limited Partnership

AUTHORITY: §§ 4-1501 *et. seq.*, Housing & Comm. Dev't Art., Annotated Code of Maryland
 COMAR 05.05.01

Rental Housing Works finances rental housing to be occupied by individuals with incomes of 60% or below of the area median income.

§§ 4-1201 -- 4-1209 Housing & Comm. Dev't Art., Annotated Code of Maryland
 COMAR 05.05.05

Partnership Rental Housing Program finances rental housing to be occupied by households with incomes of 50% or below of the Statewide median income.

PROJECT: The Greens at Logan Field
 3455 Dundalk Avenue
 Dundalk, Baltimore County, 21222

AMOUNT: \$2,000,000 [Rental Housing Works]
 \$450,000 [Partnership Rental Housing Program]

FUND SOURCE: MCCBL 2012 Rental Housing Program: *Provide funds for rental housing developments that serve low- and moderate-income households.*

MCCBL 2011 Partnership Rental Housing Program: *Provide funds for rental housing developments that serve low- and moderate-income households.*

COLLATERAL: Deeds of Trust

RECOMMENDATION: That the Board of Public Works approve lending general obligation bond proceeds to Greens at Logan Field Limited Partnership for the The Greens at Logan Field project.

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT *Continued*

DESCRIPTION: Greens at Logan Field Limited Partnership will construct a 102-unit rental housing development in Dundalk, Baltimore County. Enterprise Housing Corporation is the project sponsor. The four-story building will offer a mix of affordable one and two-bedroom units for elderly occupancy. All of the units will serve households with incomes at or below 60% of the area median income. Six of the units will be restricted to households that do not exceed 50% of the Statewide median income.

The Rental Housing Works and the Partnership Rental Housing Program loans will partially finance the project. Additional DHCD financing includes 4% Low Income Housing Tax Credits; a short-term tax-exempt bond loan, which will be paired with a \$taxable loan credit enhanced by HUD; and an EmPOWER loan.

<u>Fund Source</u>	<u>Amount</u>
Rental Housing Works (this Item)	\$ 2,000,000
Partnership Rental Housing Program (this Item)	450,000
HUD/FHA - Taxable Loan (paired with short-term tax-exempt bond loan of \$7,100,000)	6,704,600
EmPOWER	135,000
HOME (Baltimore County)	500,000
Affordable Housing Program (FHLB)	850,000
Tax Credit Equity	3,839,060
Deferred Development Fee	748,295
Developer's Equity	10,000
Total	\$ 15,236,955

REMARKS: The Department of Planning approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20120416-5335) on May 1, 2012.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
 dlever@msde.state.md.us

8. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**
Public School Construction Capital Improvement Program – Fiscal Year 2014

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the State School Construction Program for the Fiscal Year 2014 in the amount of \$250 million. The proposed \$250 million Statewide program comprises recommendations for specific projects in the approximate amount of \$187.5 million and a Statewide contingency in the approximate amount of \$62.5 million. The recommended Capital Improvement Program (CIP) is to be funded by this year's proposed general-obligation bond authorization (MCCBL of 2013).

Included in the FY 2014 CIP is the IAC's recommendation to fund 198 projects with \$21.6 million of funds reserved from the FY 2013 CIP Energy Efficiency Initiative (EEI) bond authorization: 179 projects are funded solely from FY 2013 EEI funds; 21 are funded with a mix of FY 2013 EEI funds and FY 2014 CIP funds.

Authority: Section 5-301 of the Education Article, Maryland Code; COMAR 23.03.02.03C(3).

Background: The Interagency Committee reviewed each local school system's capital improvement school construction program request submitted for FY 2014. The IAC recommendation is based on evaluation of the submissions from each local education agency, as well as discussion among local representatives, Public School Construction Program staff, and Maryland Energy Administration staff.

The proposed CIP reflects local priorities, while recognizing projects that address the mandates of the Bridge to Excellence in Education Act; urgent major projects that require a high level of State commitment to move forward; the high school science classroom initiative; the highest priority systemic renovation projects; the FY 2013 Energy Efficiency Initiative; and Maryland School for the Blind projects. The CIP takes into account whether proposed new or replacement schools are located outside of Priority Funding Areas and whether projects involving an increase of electrical capacity would serve as emergency shelters. The CIP includes planning approval for major projects and for projects that will address Bridge to Excellence requirements for full-day kindergarten and for pre-kindergarten for disadvantaged four-year olds.

Energy Efficiency Initiative. Reference is made to Secretary's Agenda Item 13 (May 23, 2012) in which the Board of Public Works reserved \$25 million in 2012 MCCBL funds for energy efficiency projects; specifically, the IAC stated in that Item: "The [FY 2013] Program reserves \$25 million for projects that enhance the energy efficiency of schools; procedures for this new initiative are in development and project applications are currently scheduled to be submitted in September 2012, and in coordination with submission of the FY 2014 Capital Improvement Program requests." This Item's recommendation of \$21.6 million is 86% of that reserved amount. A companion Item on today's Agenda [Item 9] recommends using an additional \$1.5 million from the reserve to enhance funding for eligible FY 2013 CIP projects. If this Item and Item 9 are approved, \$1.9 million will remain in the Statewide contingency for EEI projects.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us

9. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**
Public School Construction Capital Improvement Program FY 2013
Amendment: Energy Efficiency Initiative

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve amendments to the Fiscal Year 2013 Capital Improvement Program for projects improving energy efficiency.

Projects: Reference is made to Secretary's Item 13 (May 23, 2012) in which the Board approved the FY 2013 Public School Construction Capital Improvement Program. In that Item, the Board also reserved \$25 million in FY 2013 capital funds for energy efficiency projects. After the Board approved the Item, four school systems requested to increase funding for nine systemic renovation projects contained in the FY 2013 CIP using the reserved energy efficiency funds. Each request includes an amended scope that enhances each project's level of energy efficiency above that which would be achieved without the energy efficiency funds. Approval of these requests includes use of reverted CIP contingency funds as well as reserved energy efficiency funds.

<u>LEA/School/Scope</u>	<u>FY 13 EEI Funding</u>	<u>FY 13 CIP Funding</u>	<u>Total FY 13 Funding Increase</u>
<i>Cecil County Public Schools</i>			
Rising Sun ES: HVAC	\$208,000	\$(15,000)	\$193,000
<i>Frederick County Public Schools</i>			
Middletown ES: Boiler/Cooling Tower	\$ 70,000	\$ 2,000	\$ 72,000
Middletown HS: Boilers	\$ 88,000	\$ 2,000	\$ 90,000
<i>Washington County Public Schools</i>			
Funkstown ES: HVAC/Ceilings/Lights	\$117,000	\$ 0	\$117,000
<i>Baltimore City Public Schools</i>			
Govans ES: HVAC	\$237,000	\$177,000	\$414,000
Medfield Heights ES: HVAC	\$265,000	\$202,000	\$467,000
Patapsco PK-8: HVAC	\$303,000	\$216,000	\$519,000
Walter P. Carter PK-8: Chiller	\$106,000	\$132,000	\$238,000
Thomas Johnson PK-8: Boilers	\$ 85,000	\$114,000	\$199,000
Total	\$1,479,000	\$830,000	\$2,309,000

Authority: MCCBL of 2012 (Chapter 444, Maryland Laws): *Fund projects that improve the energy efficiency of schools, including improvements to HVAC systems, lighting, mechanical systems, windows and doors, and any other type of improvements that are specifically designed to improve the energy efficiency of a school.*

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 23, 2013

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us

10. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
Amendment to the Public School Construction Capital Improvement Program
Fiscal Year 2013

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve amendments to the Fiscal Year 2013 Capital Improvement Program as described below.

Amendments: Prince George's and Charles Counties could not use FY 2011 funds as originally allocated and have now opted to have those funds (which were reverted to and maintained in the contingency fund) applied to these FY 2013 CIP projects:

Prince George's County Public Schools

Catherine T. Reed Elementary: renovation-open space conversion	\$729,000
Deerfield Elementary: renovation-open space conversion	\$1,077,000
Waldon Woods Elementary: renovation-open space conversion	\$568,000
Bond Mill Elementary: renovation-open space conversion	\$208,000

Charles County Public Schools

St. Charles High: new	\$4,665
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Authority: The Maryland Consolidated Capital Bond Loan of 2011 (Chapter 396, Maryland Laws) specifies that any school construction funds allocated to an eligible project in a county that are not spent for the project may, within two years, at the county's option, be: (1) applied to another eligible project in the current fiscal year CIP; or (2) reverted to the contingency fund and reserved for eligible projects in the county in the next fiscal year CIP. See also COMAR 23.03.02.03E.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**JANUARY 23, 2013****SECRETARY'S AGENDA**

Contact: David Lever 410-767-0610
dlever@msdc.state.md.us

11. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer by the Frederick County Board of Education to the Frederick County Government of:

Central Admin/Support Services Building

7.09 acre site and building thereon

7630 Hayward Road

Frederick 21702

As a condition of approval, the Frederick County Government shall obtain approval from the Board of Public Works before transferring any right, title or interest to any portion of the property.

Background: The Frederick County Board of Education has determined that the Central Admin/Support Services Building is no longer needed for administrative and instructional purposes and requests permission to transfer the property to the Board of County Commissioners of Frederick County. The school has not been used for educational purposes since June 2011. There is no outstanding bond debt. The Interagency Committee approved the recommendation to transfer the property on November 8, 2012.

Authority: COMAR 23.03.02.23.B. The Interagency Committee on School Construction must review a request to transfer school property to the local government and make a recommendation to the Board of Public Works. The Board may approve, disapprove, or conditionally approve, the request to transfer school property.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS

JANUARY 23, 2012

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msdc.state.md.us

12. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer of ten acres by the Baltimore County Board of Education to the Baltimore County Government of:

**Eastern Parcel (10 acres) adjacent to:
 New Lutherville Area Elementary School
 12550 Roundtree Road
 Lutherville 21030**

As a condition of the approval, the Baltimore County Government shall obtain approval of the Board of Public Works before transferring any right, title or interest to any portion of the property.

Background: The Baltimore County Government owns the site proposed for the New Lutherville Area Elementary school and will transfer it to the Board of Education if the State approves a Program Open Space conversion. The Baltimore County Board of Education owns the eastern parcel of property adjacent to the proposed new school site. In consideration for the conveyance to it of the County Government property, the Board of Education will transfer ten acres of the eastern parcel to the County. The Baltimore County Board of Education has determined that the land is not required for educational purposes. The County and the Board of Education will share a new access drive which the County will maintain. The Interagency Committee approved the recommendation to transfer the property on November 8, 2012, as amended on December 6, 2012.

Authority: COMAR 23.03.02.23.B. The Interagency Committee on School Construction must review a request to transfer school property to the local government and make a recommendation to the Board of Public Works. The Board may approve, disapprove, or conditionally approve the request to transfer school property.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 1A
PROGRAM OPEN SPACE LOCAL SHARE**

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

Recommendation: Approval to commit \$1,681,359.00 for the following **acquisition** and **development** projects.

1. ***South Shore Trail Acquisition (Nichols Property) - \$95,400.00***
Anne Arundel County
POS #6004-2-291
MD20120713-0522

Background: Acquire 0.586 acres as an addition to the proposed South Shore Trail. The South Shore Trail will ultimately extend from Odenton to Annapolis, a distance of 16.9 miles. Currently .84 miles are in place from the Annapolis Mall to the Anne Arundel Medical Center. The subject parcel will be part of Phase I extending from Maryland Route 3 to Waterbury Road in Millersville, a distance of 2 miles.

Appraised Value:	Brice J. Worthington	\$88,638.00
	George T. Peabody	\$76,600.00

Property Cost: \$80,000.00

Incidental Costs: \$15,400.00

Fund Source: MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Anne Arundel County:
FY 2013 Funds
Program 89.22.54 Item 057 \$95,400.00

2. ***South Shore Trail Acquisition (Sroka Property) - \$43,453.00***
Anne Arundel County
POS #6005-2-292
MD20121113-0787

Background: Acquire 0.221 acres as an addition to the proposed South Shore Trail. The South Shore Trail will ultimately extend from Odenton to Annapolis, a distance of 16.9 miles. Currently .84 miles are in place from the Annapolis Mall to the Anne Arundel Medical Center. The subject parcel will be part of Phase I extending from Maryland Route 3 to Waterbury Road in Millersville, a distance of 2 miles.

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 1A (con't)
PROGRAM OPEN SPACE LOCAL SHARE**

Appraised Value: Brice J. Worthington \$35,905.00
George T. Peabody \$33,515.00
Property Cost: \$34,710.00
Incidental Costs: \$ 8,743.00

Fund Source: MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Anne Arundel County:
FY 2013 Funds
Program 89.22.54 Item 057 \$43,453.00

3. Fort Smallwood Park Development #2 - \$1,542,506.00
Anne Arundel County
POS #6060-2-294
MD20121126-0819

Background: Develop park facilities at the 110 acre waterfront park. The proposed facilities include a two lane boat ramp, protected harbor, new gatehouse at the park entrance, park road, parking, and trails. The park currently features a 370 foot fishing pier, car top boat launch, playground, volleyball and basketball courts, picnic pavilion, and 1.2 miles of shoreline.

Fund Source: MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Anne Arundel County:
FY 2011 Funds
Program 89.22.49 Item 055 \$3,555.20

MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Anne Arundel County:
FY 2013 Funds
Program 89.22.54 Item 057 \$1,538,950.80

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 2A
PROGRAM OPEN SPACE LOCAL SHARE**

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

Recommendation: Approval to commit \$1,575,500.00 for the following **acquisition** projects.

1. ***Santini Road Local Park (Athey Property) - \$1,206,500.00***
MNCPPC, Montgomery County
POS #6056-15-660
MD20121115-0805

Background: Acquire two parcels of land totaling 13.71 acres for the future development of a new local park to serve the recreational needs of the Burtonsville area of Montgomery County. The creation of this park will preclude the development of a 12 lot single family residential subdivision that was approved for the site. The existing improvements are in poor condition and will be razed.

Appraised Value:	Melville E. Peters	\$1,130,000.00
	James H. Pugh III	\$1,273,000.00

Property Cost: \$1,201,500.00

Incidental Costs: \$ 5,000.00

Fund Source: MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Montgomery County:
FY 2013 Funds
Program 89.22.54 Item 057 \$1,206,500.00

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 2A (con't)
PROGRAM OPEN SPACE LOCAL SHARE**

2. ***Santini Road Local Park (Eader Property) - \$170,000.00***
MNCPPC, Montgomery County
POS #6057-15-661
MD20121126-0818

Background: Acquire 0.24 acres to eventually be developed, along with other adjoining properties, into a new local park to serve the recreational needs of the Burtonsville area of Montgomery County. The existing improvements are in poor condition and will be razed.

Appraised Value:	Melville E. Peters	\$160,000.00
	James H. Pugh III	\$170,000.00

Property Cost: \$165,000.00

Incidental Costs: \$ 5,000.00

Fund Source: MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Montgomery County:
FY 2013 Funds
Program 89.22.54 Item 057 \$170,000.00

3. ***Matthew Henson Greenway, Unit 3 (Faith Arts Academy, Inc. Property) - \$80,000.00***
MNCPPC, Montgomery County
POS #6058-15-662
MD20121126-0816

Background: Acquire 0.49 additional acres for the existing 56.60 acre Matthew Henson Greenway. This greenway is improved with a heavily used paved hiker-biker trail that serves central and eastern Montgomery County.

Appraised Value:	Laura G. Lamb	\$170,000.00
	Peter A. Moholt	\$150,000.00

Property Cost: \$75,000.00

Incidental Costs: \$ 5,000.00

Fund Source: MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Montgomery County:
FY 2013 Funds
Program 89.22.54 Item 057 \$80,000.00

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 2A (con't)
PROGRAM OPEN SPACE LOCAL SHARE**

4. *Fairland Recreational Park (Dustin/Sullivan Property) - \$119,000.00*
MNCPPC, Montgomery County
POS #6059-15-663
MD20121115-0806

Background: Initial request for the acquisition of 1.55 additional acres for Fairland Recreational Park. Current park acreage is 367 acres. This acquisition will eliminate an inholding as the property is surrounded on all sides by the parkland, except for the road frontage. The existing improvement is in poor condition and will be razed to restore the site to its near natural condition. The total amount of Program Open Space assistance to be requested is \$419,000.00. Future requests for the remaining \$300,000.00 will be made in installments as funds become available.

Appraised Value:	Melville E. Peters	\$410,000.00
	Richard N. Pierce	\$418,000.00

Property Cost: \$414,000.00

Incidental Costs: \$ 5,000.00

Fund Source: MCCBL of 2012: Program Open Space, Local Capital Development
and Land Acquisition Grants, Montgomery County:
FY 2013 Funds
Program 89.22.54 Item 057 \$119,000.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 3A
PROGRAM OPEN SPACE LOCAL SHARE**

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

Recommendation: Approval to commit \$1,172,527.00 for the following **acquisition** project.

Wilmer Park (Self-Help Ventures Fund Property) - \$1,172,527.00
MNCPPC, Prince George's County
POS #6045-16-759
MD20121113-0788

Background: Acquire 80.571 acres in the southern portion of Prince George's County for interpretation of Wilmer Park and development of public active recreation areas. Wilmer Park opened its doors to African-American musicians, entertainers, athletes, and fans from the early 1950's through the late 1960's.

Appraised Value:	Charles W. White, IFAS	\$1,200,000.00
	John R. Fowler, CCIM	\$1,100,000.00

Property Cost: \$1,144,803.00

Incidental Costs: \$ 27,724.00

Fund Source: Program Open Space Local Share allocated to Prince George's County:
FY 2009
Program 81.20.04 Item 916 \$1,172,527.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 4A
PROGRAM OPEN SPACE STATE SHARE**

Contact: Emily Wilson
ewilson@dnr.state.md.us
(410) 260-8436

***Five Conservation-Easement Donations
2,352 acres in Queen Anne's and Dorchester Counties
POS #4505, 4506, 4507, 4508***

Recommendation: That the Board of Public Works approve the Department of Natural Resources accepting a donation from The Conservation Fund of five conservation easements that protect 2,352 acres of land in Queen Anne's and Dorchester Counties. The easements are located on the Conquest Farm (two easements), Larmore, Poplar Island Gun Club, and Williamson properties. These easements will permanently preserve, protect and maintain the natural, agricultural, environmental, scenic, cultural, rural, woodland and wetland characteristics of the properties. Where appropriate, DNR will use the easements to provide compatible access and recreation for the public.

Background: The Conservation Fund has offered to donate the five easements for the use of the Department of Natural Resources. The donated easements closely align with DNR protected lands and management objectives. The Larmore, Poplar Island, and Williamson properties, located within Target Ecological Areas, have ecological ranking scores of 107, 102, 85 respectively under the Program Open Space Targeting System. The Conquest Farm property, a Queen Anne's County-managed local park receiving a score of 33 under the Targeting System, meets the Targeting System Appendix A protocol as it is valued as a recreational project for parks management purposes.

1 & 2. Conquest Farm Easements (758 acres)

Queen Anne's County Tax Map 27:

Parcels 3,5,6: Liber 642, Folio 442 (682 acres)

Parcel 2: Liber 642, Folio 72 (76 acres)

Conquest Farms has over three miles of waterfront on the Chester and Corsica Rivers and is adjacent to the 218-acre conservation easement held by DNR and the Eastern Shore Land Conservancy on the Hawes Property acquired with Rural Legacy Funds in 2008.

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 4A (con't)
PROGRAM OPEN SPACE STATE SHARE**

3. Larmore Easement (910.43 acres)

Dorchester County Tax Map 83, Parcels 2, 9, 10: Liber/Folio 364/123, 583/23, 1063/3

The eased property is south of the Town of Vienna on Lewes Wharf Road and is adjacent to DNR-eased Weston Farms and Fishing Bay. This farm has water frontage on the Nanticoke River and Peach Orchard Creek, lies within the Nanticoke Rural Legacy Area, and adjoins Fishing Bay WMA.

4. Poplar Island Gun Club Easement (4.79 acres)

Dorchester County Tax Map 104, Parcel 23: Liber 319, Folio 417

In 1997, the Poplar Island Gun Club, Inc. sold a 4.97 acre easement to The Conservation Fund, which encumbered a portion of the Club's 6.96 acre parcel of land on Elliott's Island Road. In 2011 Lee Keeney and Donna Shroka purchased the eased property. The easement will provide public access to Fishing Bay. This property lies adjacent to Fishing Bay WMA protected lands

5. Williamson Easement (679 acres)

Dorchester County Tax Map 72, Parcel 12: Liber 368, Folio 20

The Williamson easement is adjacent to the Fishing Bay Wildlife Management Area and close to the Blackwater National Wildlife Refuge. The property contains over two miles of frontage on the Transquaking River.

Grantor: The Conservation Fund

Grantee: The State of Maryland to the use of the Department of Natural Resources

Property: 2,352 total acres

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 5A
PROGRAM OPEN SPACE STATE SHARE**

Contact: Emily Wilson
ewilson@dnr.state.md.us
(410) 260-8436

*Town of Thurmont
Frederick County
POS # 3971*

Recommendation: That the Board of Public Works approve the acquisition in fee simple of a 427 +/- acre parcel in Frederick County. This property is the former Thurmont Watershed which is heavily forested and excellent habitat for forest interior dwelling species. The property is surrounded by DNR lands. Acquisition will consolidate ownership, resolve management issues, and eliminate confusion over a shared boundary. DNR will manage the watershed as part of Cunningham Falls State Park and will increase recreational opportunities. Several DNR-maintained hiking trails cross this property. The Town of Thurmont will retain the portion of the property used as a shooting range for the Town Police. The Town and DNR will share a lane for access from Pryor Road. A right of entry will be granted to the Town to clarify usage of the lane.

The property is located within the Target Ecological Area and scored 92 under the Program Open Space Targeting System. This project meets the criteria of Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of its extraordinary location and the environmental value of the property.

Grantor: Town of Thurmont

Grantee: The State of Maryland to the use of the Department of Natural Resources

Property: 427 +/- acres, unimproved

Price: \$1,400,000.00

Appraisals: \$1,300,000 (10/25/11) – James R. Turlington, Reviewed by David Wallenberg
\$1,700,000 (11/14/11) – Richard L. Bowers, Reviewed by David Wallenberg

Fund Source: POS Acquisition Opportunity Loan 2009
Program 89.22.45 Item 500 \$1,400,000.00 (FY2010)

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 6A
PROGRAM OPEN SPACE STATE SHARE**

Contact: Emily Wilson
ewilson@dnr.state.md.us
(410) 260-8436

*Mohr Tract
Worcester County
POS # 4371*

Recommendation: That the Board of Public Works approve the acquisition in fee simple of an 84 +/- acre parcel in Worcester County. This mature growth forest is outstanding forest interior dwelling species habitat. The Mohr tract borders part of Cottingham Mill Run which flows into the Pocomoke River; this area is also part of an ecologically significant area. Acquisition will provide opportunities for management of timber, wildlife, recreation, natural areas, and water quality, and will help protect sensitive species. The property is contiguous to State lands and will be managed as part of Pocomoke State Forest.

The property is located within the Target Ecological Area and scored 120 under the Program Open Space Targeting System. This project meets the criteria of Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of its extraordinary location and the environmental value of the property.

Grantor: Margaret Dungan, Elizabeth Navarro & John H. Mohr

Grantee: The State of Maryland to the use of the Department of Natural Resources

Property: 84 +/- acres, unimproved

Price: \$268,500.00

Appraisals: \$220,000 (7/30/12) – Franc X. Korber, Reviewed by David Wallenberg
\$317,000 (8/17/12) – William J. Lefort, Reviewed by David Wallenberg

Fund Source: POS Acquisition Opportunity Loan 2009
Program 89.22.45 Item 500 \$268,500.00 (FY2010)

This project may qualify for federal NOAA land conservation funding through the Hurricane Sandy relief effort. Should NOAA funding become available, DNR will seek a federal funding reimbursement.

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

January 23, 2013

**ITEM 7A
SALE OF FOREST PRODUCTS**

Contact: Robert Feldt
rfeldt@dnr.state.md.us
(410)-260-8529

PROJECT NAME: Chesapeake State Forest, Wicomico County

SALES DESIGNATION: CF-11-13

AREA DESCRIPTION: 52 acres / Compartment # 1

DESCRIPTION: This is a harvest of 40- to 42-year old planted loblolly pines. Over 11% of the proposed harvest area has been set aside in irregular shaped areas as Green Tree Retention. These areas selected for retention contain standing woody debris, various species of hardwoods (mostly understory oaks), and pines. This sale includes 768,450.00 board feet of sawtimber and 66 cords and used the one-step method sales procedure. See BPW Advisory 2005-2. No bond money was used in the purchase of this land.

PROCUREMENT METHOD: Competitive Sealed Bid

BIDS:

Dorchester Lumber Co., Inc.,	MD	\$111,963.85
Paul M. Jones Lumber Co., Inc.	MD	\$109,120.00
Beauchamp Logging, Inc.	MD	\$95,000.00
Cropper Brothers Lumber Co.	MD	\$91,000.00

AWARD: Dorchester Lumber Co., Inc.

AMOUNT: \$111,963.85

ESTIMATED VALUE: \$108,111.00

Prices are on a \$/ton basis for: pine pulpwood, hardwood pulpwood, and sawtimber.

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 1-S **Agency Contact:** Luci A. Sager
410-468-2374
LSager@mdinsurance.state.md.us

DEPARTMENT: Maryland Insurance Administration (MIA)
Chief Actuary Unit

CONTRACT ID: D80R3400001;
Actuarial Consulting Services
For Health Benefit Plan Rate Filing Review
ADPICS # D80B3400005

CONTRACT DESCRIPTION: Contract to assist the MIA in providing Actuarial Consulting Services for the Health Benefit Plan to review an expected increase in the number of health benefit rate filings.

AWARD: Lewis & Ellis, Inc.
Richardson, TX

TERM: 1/24/2013 – 1/23/2014 (w/1 one-year renewal option)

AMOUNT: \$300,000 NTE (1 Year; Base Contract)
\$100,000 NTE (1 Year; Renewal Option)
\$400,000 NTE Total (2 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 0% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* (eMM). Copies of the RFP were mailed directly to 12 prospective vendors, three of which are Maryland firms and none are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Seven proposals were received in response to the RFP, all of which were determined to be reasonably susceptible of being selected for award. Lewis & Ellis, Inc. was ranked #1 overall with the #1 ranked technical proposal and the #5 ranked financial proposal. It was determined that Lewis & Ellis, Inc.'s technical proposal provided a significantly higher number of credentialed actuaries to dedicate to this project. Therefore, the technical differences between Lewis & Ellis, Inc. and the other offerors outweighed the differences in price. The lowest priced offeror was ranked #6 technically, and the 2nd, 3rd and 4th ranked financial offerors were technically ranked 5th, 3rd and 4th, respectively. The #2 ranked technical offeror was highest in price and ranked #7 financially (see Attachment). Therefore, award is being recommended to Lewis & Ellis, Inc. because it has been determined to be the most advantageous offeror. As per the terms of the RFP, one contract is being awarded. Also, the Contractor is not guaranteed any minimum or maximum amount of work under the Contract.

The Maryland Insurance Administration (MIA) issued this RFP to obtain one Contract to assist the MIA in providing the MIA with additional actuarial capacity to evaluate the rate filings to be submitted in 2013, which will reflect new federal health care reform requirements to determine compliance with the Insurance Article of the Annotated Code and the Code of Maryland Regulations. Specific examples of work include: review health benefit plan rate and rate-related filings as assigned by the MIA to determine compliance with the Insurance Article, COMAR, the Patient Protection and Affordable Care Act (PPACA), the MIA's Rate Review Manual, and applicable actuarial standards of practice (i.e., Actuarial Standard of Practice 8, "Regulatory Filings for Health Plan Entities," and Actuarial Standard of Practice 41, "Actuarial Communications"). Rate filing reviews for Maryland Health Benefit Exchange (MHBE) plans may include an analysis of the estimated impact to rates that result from the launch of the MHBE.

The MIA anticipates that the scheduled implementation of the MHBE in January, 2014, will bring about a significant increase in the number of rate filings to be reviewed. The rate filings with an effective date of January 1, 2014 must be filed by April 1, 2013 in order to participate in the MHBE, and MIA must have these rates approved by June 30, 2013. The MIA does not have sufficient staff to perform reviews of these filings and is therefore seeking the services of an independent actuarial consulting firm to provide professional actuarial services.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

The *Award Amount* above and the *Offer Amount* shown in the Attachment are different. The *Offer Amount* was based upon a pricing model that was part of the financial proposal submitted by offerors. The *Award Amount* is an estimate from the Chief Actuary Unit to cover any possible scenarios not anticipated in the pricing model.

Because of the specialized nature of the services to be performed and the limited number of people required to perform the services, a 0% MBE Participation Goal was established for this contract.

Maryland's reciprocal preference law does not apply because Texas, the state in which the recommended awardee resides, does not have an in-state preference.

FUND SOURCE: 100% Federal

APPROP. CODE: D80Z01

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-2882-0111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.) **ATTACHMENT**

BIDS OR PROPOSALS (Cont.):

<u>OFFERORS</u>	<u>TECHNICAL RANKING</u>	<u>FINANCIAL PRICE * (Base Term 1 Yr.)</u>	<u>FINANCIAL PRICE * (Renewal Option 1 Yr.)</u>	<u>FINANCIAL PRICE * RANKING (2 Years)</u>	<u>OVERALL RANKING **</u>
Lewis & Ellis, Inc. Richardson, TX	1	\$249,600	\$64,800	\$314,400 (5)	1
Oliver Wyman Milwaukee, WI	2	\$390,000	\$103,950	\$493,950 (7)	2
NovaRest Sahuarita, AZ	3	\$234,320	\$61,430	\$295,750 (3)	3
Hay Group, Inc. Arlington, VA	4	\$241,200	\$64,678	\$305,878 (4)	4
Merlinos & Associates, Inc. Norcross, GA	5	\$206,000	\$54,350	\$260,350 (2)	5

DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM:	1-S (Cont.)	ATTACHMENT (Cont.)				
		TECHNICAL RANKING	FINANCIAL PRICE * (Base Term 1 Yr.)	FINANCIAL PRICE * (Renewal Option 1 Yr.)	FINANCIAL PRICE * RANKING (2 Years)	OVERALL RANKING **
<u>OFFERORS</u>						
Risk & Regulatory Consulting Baltimore, MD	6	\$179,000	\$45,750	\$224,750 (1)	6	
Kevin Wolf & Associates, LLC Chicago, IL	7	\$286,000	\$74,250	\$360,250 (6)	7	

Note: * The financial prices were based upon a model for the fully loaded fixed hourly rates for an estimated number of hours for the services to be performed – Rate Filling Review and Training.

** Technical factors had greater weight than financial factors in the overall award determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Nancy Noonan
410-767-3796
NNoonan@mta.maryland.gov

DEPARTMENT/PROGRAM Transportation (MDOT)
Maryland Transit Administration (MTA)
Office of Treasury

CONTRACT ID: MTA-1370;
MARC and Commuter Bus Ticketing Services
ADPICS # J05B3400009

CONTRACT DESCRIPTION: Provide ticketing services for two Maryland Transit Administration (MTA) commuter transit modes, the Maryland Area Rail Commuter (MARC) train and MTA Commuter Bus systems. The services provided under this contract include: web based on-line sales; ticket-by-mail and store front sales.

AWARD: The Convention Store, Inc.
Baltimore, MD

TERM: 1/23/2013 – 1/22/2018

AMOUNT: \$18,311,916 (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one Acceptable Offer Received

MBE PARTICIPATION: 11.51%

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace* and posted to MTA's website. Copies of the solicitation notice were downloaded from the MTA website by interested Offerors which created a "planholders" list for future direct contact. A copy of the solicitation was also sent to the Governor's Office of Minority Affairs and the MTA Office of Fair Practice.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

Two proposals were received in response to the RFP, and both were deemed to be reasonably susceptible of being selected for award. Technical factors and financial factors were given equal weight in the overall award determination. Both Offerors were sent requests for Best and Final Offers (BAFOs). During the BAFO process, one Offeror requested to withdraw its proposal, which MTA allowed.

The remaining Offeror, The Convention Store, Inc., was determined to be responsible; the financial offer was considered fair and reasonable, and it was determined that other potential offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to The Convention Store, Inc.

This contract will reduce the cost of current MARC and Commuter Bus ticketing services by consolidating the mail- and internet-based sales of MARC and Commuter Bus fare media. This work which requires highly specialized areas of expertise is currently being managed by MTA's Office of Treasury, which will continue to provide overall project management and liaison services for the new contract. Ticketing is currently divided into two separate programs, MARC tickets and Commuter Bus tickets. The MARC tickets are handled through the operator. However, as the MTA shifts to the new vendor for MARC operations and maintenance in June, tickets will need to be processed differently because this service was not included in the scope of services for the operation of the MARC services. The Commuter Bus tickets are currently processed in house by three employment agency temps and one consultant. Plus temporary personnel were added in 2011 when the commuter benefits process was changed in the Washington region and required MTA to develop additional program changes. By combining these programs (MARC and Commuter Bus ticketing) and requiring a third party to process tickets, MTA will be able to reduce its temporary staffing, printing costs and supply costs.

The recommended contractor, The Convention Store, Inc., will provide a wide range of services, including the following: furnishing a computerized ticketing system (hardware and software); operating a web-based online purchasing system for all ticket and pass products for MARC and Commuter Bus; conducting a ticket-by-mail program; providing customer service to MARC and Commuter Bus riders who purchase tickets through this program; and distributing MTA-produced marketing/promotional materials for customer mailings. The Convention Store, Inc. will also establish a relationship with the Washington Metropolitan Area Transit Authority (WMATA) to accept transit benefit subsidies that are accepted on regional transit system's and provide ticket sales staff and equipment for the Odenton MARC station.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

A 10% MBE participation goal was established for this solicitation; however, the recommended contractor has agreed to an 11.51% participation goal.

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2174-1111

DBM REMARKS: As required by §13-403 State Personnel & Pension Article (SPP), the Secretary of the Department of Budget and Management certifies that this contract is exempt under the provisions of SPP §13-404(b)(1) because no State employees are available to perform this service.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Ben Steffen
410-764-3565
bsteffen@mhcc.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Maryland Health Care Commission (MHCC)

CONTRACT ID: MHCC 13-004;
MHCC Audit Services
ADPICS # M00B3400421

CONTRACT DESCRIPTION: Provide Audit Services for the Maryland Health
Care Commission (MHCC).

AWARD: Myers & Stauffer, LLC
Owings Mills, MD

TERM: 2/1/2013 – 1/31/2018

AMOUNT: \$1,421,800 (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only One Acceptable Proposal

MBE PARTICIPATION: 30%

VSBE PARTICIPATION: 1% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: CliftonLarsonAllen, LLC
Timonium, MD

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandmarketplace.com* and DHMH's and MHCC's websites. Email notifications were sent to 40 Veteran-Owned Small Businesses and 325 certified MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

Two proposals were received in response to the RFP; however, only one proposal was deemed to be reasonably susceptible of being selected for award. The other vendor's financial proposal was returned unopened.

The Contract provides for the following services:

- (1) Audit of physician practices reimbursed for uncompensated care by the Maryland Trauma Physician Services Fund;
- (2) Audit of trauma centers on-call and/or stand-by reimbursements;
- (3) Audit of trauma equipment grants;
- (4) Annual review of Maryland Health Insurance Partnership Plan participants;
- (5) Perform a financial statement audit of Chesapeake Regional Information System Patients (CRISP);
- (6) Perform penetration testing/security effectiveness testing for CRISP; and
- (7) Test the accuracy of claims data submitted by payors to the MHCC's Medical Care Data Base.

The Maryland Health Care Commission has contracted for audit services for components of the Maryland Trauma Physician Services Fund since April 2004. The Commission added audit of the Maryland Health Insurance Partnership in 2008 and audits of CRISP were added in July of 2010 (as a recipient of federal funds, those audits are required by the American Recovery and Reinvestment Act of 2009). As carriers' claims records are now used for attributing patients in the Maryland Multipayer Patient Centered Medical Home program, which has financial implications for the carriers and participating physician practices, testing the accuracy of claims data submitted by payors to the Commission's Medical Care Data Base is a new component of the Commission's audit program.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

FUND SOURCE: 100% Special (User Fees from hospitals, nursing homes, health care providers, and insurance companies; and Maryland Trauma Physician Services Fund, administrative expenses)

APPROP. CODE: M00R0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2848-0001

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT

ITEM: 4-S

Agency Contact: Jamie Tomaszewski
410-260-7386
jtomasze@dbm.state.md.us

DEPARTMENT/PROGRAM:

Budget and Management (DBM)

CONTRACT ID:

050B2400001;
Statewide Language Interpretation and Translation
Services, Service Category II
ADPICS # 050B3400003

CONTRACT DESCRIPTION:

interpretation with a Primary and Secondary Back-up Contractor.

AWARDS:

On-site (Category II):
Ad Astra, Inc. (Primary)
Silver Spring, MD

Interpreters Unlimited, Inc. (Secondary Back-up)
San Diego, CA

TERM:

1/30/2013 - 2/28/2018
(See Requesting Agency Remarks below)

AMOUNTS:

\$3,018,250 Est.

PROCUREMENT METHOD:

Competitive Sealed Proposals

BIDS OR PROPOSALS:

See Attachment

MBE PARTICIPATION:

10% for Primary On-site Interpretation Services;
0% for Secondary On-site Interpretation Services
(See Requesting Agency Remarks below)

PERFORMANCE SECURITY:

None

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

INCUMBENTS:

On-site (Category II):

Lionbridge Global Solutions II, Inc., Rockville, MD
(Primary)

CTS Language Link, Inc., Vancouver, WA
(Secondary Back-up)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and on DBM's website. In addition, a copy of the RFP was sent directly to 39 prospective offerors, of which 12 are Maryland firms and nine are MBEs.

A total of nine proposals were received in response to the RFP for On-site interpretations. One offeror was determined not to be responsible and another offeror was deemed not reasonably susceptible of being selected for award due to non-compliance with MBE submission requirements. After these eliminations, there were seven qualified offerors for On-site interpretation services.

The amounts reflected in the Offerors' financial proposals were based on models in the RFP used for evaluation purposes to establish firm fixed unit prices for interpretation and translation services.

The RFP provided for the possibility of multiple contract awards to the same or multiple vendors; one contract for each service category, and a secondary, backup contract for On-site interpretation services (Service Category II).

The Contracts for Service Categories I (Telephonic) and III (Written Documentation) were awarded on the 9/19/2012 DBM BPW Agenda, Item 21-S. A protest of the award recommendations for Service Category II (On-site) was received on September 14, 2012 from the Primary incumbent contractor. At that time, the current On-site Contract was extended to allow DBM time to respond to the protest. DBM denied the protest on December 21, 2012. Because the allowed time period for an appeal of the protest response has passed without an appeal being filed, DBM is now requesting approval of the contracts for Service Category II (On-site).

For Service Category II (On-site), Ad Astra, Inc. and Interpreters Unlimited, Inc. were ranked number one and number two both technically and financially, respectively. Accordingly, Ad Astra, Inc. is recommended for award as the primary On-site contractor, with Interpreters Unlimited, Inc. being the secondary contractor.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

The contract term has a start date of January 30, 2013 to allow for a 30 day transition period from the incumbent primary contractor to the new primary and secondary contractors. The "Go Live" date for this contract will be March 1, 2013 with a five year contract duration.

The MBE participation goals were determined based on a combination of researching opportunities for subcontractors and historical performance under the prior contracts. The goal for On-site interpretation is 10%. As with the previous contract, there is no MBE goal for the secondary On-site contractor because of the anticipated lower level of usage for this vendor, and because this vendor typically has less time to try to provide interpreters than does the primary On-site contractor.

These contracts are available for use by any agency of the State of Maryland, including the judicial and legislative branches. In addition, all local governments and qualifying not-for-profit organizations in Maryland are permitted to use the contracts to be awarded under this Item at the same prices and levels of service as for State agencies. Whereas the permitted usage by Maryland local governments was in the current contracts, the permitted usage by Maryland not-for-profit entities will be implemented for the first time under the contracts for which approval is requested in this Item.

NOTE: Whereas usage of these contracts by non-State of Maryland agencies is to be tracked and reported by the contractors, the requested contract approval amount listed on this Item are for State agency usage only.

FUND SOURCE: 100% Non-Budgeted

APPROP. CODE: Various Agencies

RESIDENT BUSINESSES: Yes (Ad Astra)
No (Interpreters Unlimited)

MD TAX CLEARANCES: 12-1994-0111 (Ad Astra)
12-1993-0000 (Interpreters Unlimited)

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.) **ATTACHMENT**

BIDS OR PROPOSALS (Cont.):

<u>Offerors - Onsite</u>	<u>Technical Rank</u>	<u>Financial Rank & Price*</u>	<u>Overall Rank**</u>
Ad Astra, Inc. (Silver Spring, MD)	1	1 - \$3,018,250.00	1
Interpreters Unlimited, Inc. (San Diego, CA)	2	2 - \$3,314,750.00	2
Lionbridge Global Solutions II, Inc. (Silver Spring, MD)	3	3 - \$3,845,046.00	3
CTS Language Link, Inc. (Vancouver, WA)	4	4 - \$3,972,900.00	4
Multilingual Solution, Inc. (Rockville, MD)	5	6 - \$5,563,948.93	5
Compass Language, Inc. (Annapolis, MD)	6	5 - \$4,978,385.00	6
Voiance Language Services, LLC (Tucson, AZ)	7	7 - \$5,666,667.00	7

Notes: * Financial Rank prices are the 5-year pricing totals based upon models in the RFP of estimated usages for multiple pricing scenarios in each Service Category.

** Technical factors were given equal weight with price factors in the overall award determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 5-S-OPTION **Agency Contact:** Yamillette Waite
410-865-1123
ycollett@mdot.state.md.us

DEPARTMENT/PROGRAM: Department of Transportation (MDOT)
Office of Procurement

CONTRACT ID: MDOT-OP-09-001; J01R9200013;
Availability and Utilization Disparity
Studies for the State of Maryland
ADPICS # COE70836

CONTRACT APPROVED: 12/2/2009 DBM BPW Agenda Item 5-S

CONTRACTOR: National Economic Research Associates,
Inc. (NERA)
Austin, TX

CONTRACT DESCRIPTION: Consulting services to undertake the
preparation of comprehensive and legally supportable availability and utilization disparity
studies for minority and woman owned businesses in the State.

OPTION DESCRIPTION: Approval request to exercise the first of two
two-year renewal options as contained in the original contract for consulting services as
described above.

TERM OF ORIGINAL CONTRACT: 12/4/2009 – 12/31/2012 (w/2 two-year
renewal options)

TERM OF OPTION: 2/1/2013 – 1/31/2015

AMOUNT OF ORIGINAL CONTRACT: \$2,000,000 (\$1,331,688 (Fixed Fee) and
\$668,312 NTE)
(Approx. 3 Years; 1 Month)

AMOUNT OF OPTION: \$0 (Original contract amount included
pricing for options)

PRIOR MODIFICATIONS/OPTIONS: \$465,175 NTE (See Attachment)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$2,465,175 (\$1,331,688 (Fixed Fee) and
\$1,133,487 NTE)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 30.1%

MBE COMPLIANCE: 28.1%

REQUESTING AGENCY REMARKS: Request for approval to exercise the first of two two-year renewal options as contained in the original contract to provide consulting services to undertake the preparation of comprehensive and legally defensible availability and utilization disparity studies for minority and woman owned businesses in the State. If the Contractor's study recommends a continuation of the State's MBE program and that recommendation is enacted, and if a continued or modified program is challenged, the Contractor must be available to assist, through expert testimony, in the State's defense of the program.

The Contract includes tasks regarding three distinct programs: the Minority Business Enterprise Program (MBE), the Disadvantaged Business Enterprise Program (DBE), and the Airport Concessions Disadvantaged Enterprise Program (ACDBE). The largest and most encompassing of the tasks was the undertaking and completion of an availability and utilization disparity study of the MBE program (the "2011 Disparity Study") to evaluate the program's continued compliance with the constitutional requirements for such programs set forth in *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989), as well as subsequently recognized federal and constitutional requirements. The 2011 Disparity Study was completed and delivered to the Maryland General Assembly during the 2011 Legislative Session. During the 2012 Legislative Session, the Maryland General Assembly reauthorized the State's MBE program through 2016.

On December 7, 2011 the Board of Public Works approved a first contract modification to add two additional tasks to the approved contract for the provision of the following services: (1) services related to the preparation of a legislative mandated evaluation of the annual Maryland MBE Program Personal Net Worth level and adjustment method utilizing the same extensive background analysis of the State's MBE program that NERA had already conducted in conjunction with the 2011 Disparity Study; and (2) engage the Contractor in further evaluation, development and implementation of the recommendations contained in the 2011 Disparity Study if such recommendations are considered for implementation in the State's MBE program.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.)

NERA continues to provide excellent performance to MDOT in the provision of consulting services for the balance of the contract tasks as contained in the original contract and those approved by the BPW in the first contract amendment. Therefore, MDOT believes exercising the renewal is in the best interest of the State in order for the Contractor to continue the prescribed work currently underway, and be available to assist by providing expert testimony, as described above, at the contract amount previously approved.

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J00A0101

RESIDENT BUSINESS: No

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION **ATTACHMENT**

PRIOR MODIFICATIONS:

Mod #1	\$465,175	Mod to (1) add two additional tasks (one for retroactive approval and one for prospective approval); (2) change the approach to one previously approved task; and (3) increase the NTE amount of the time and material portion of the Contract. Approved on the 12/7/2011 DBM BPW Agenda, Item 9-S-MOD.
Mod #2	\$0.00	Mod to extend the contract term by one month in order to bring the first two-year renewal option to the Board of Public Works for approval for the period of 1/1/2013 – 1/31/2013. Approved by MDOT.
Total	<u>\$465,175</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
SJohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Human Resources (DHR)
Social Services Administration (SSA)
Foster Care Maintenance Payments
Program

CONTRACT ID: SSA/RCC-11-055-A3;
Residential Child Care Services
APDICS CO No. COE69475

CONTRACT APPROVED: 3/23/2011 DBM BPW Agenda Item 5-S

CONTRACTOR: San Mar Children's Home, Inc.
Boonsboro, MD

CONTRACT DESCRIPTION: Approval request to provide Residential
Child Care (RCC) services for a total of 1,376 clients at various locations throughout Maryland
through 71 separate RCC contracts. (San Mar Children's Home, Inc. was approved for 20 beds.)

MODIFICATION DESCRIPTION: Approval request to modify the contract
with San Mar Children's Home, Inc. to reduce the number of RCC beds by four due to the
voluntary closure of one of the Provider's group home programs.

TERM OF ORIGINAL CONTRACT: 4/1/2011 - 3/31/2013

TERM OF MODIFICATION: 1/24/2013 - 3/31/2013

AMOUNT OF ORIGINAL CONTRACT: \$3,154,728 (2 Years)

AMOUNT OF MODIFICATION: (\$140,200) (5 Months; 29 Days)

PRIOR MODIFICATIONS/OPTIONS: (\$74,745) (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$2,939,783

PERCENT +/- (THIS MODIFICATION): -4.44%

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

OVERALL PERCENT +/- -6.81%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to modify the contract with San Mar Children's Home, Inc. to reduce the number of residential child care beds by four due the voluntary closure of its "Graff Program". The Graff Program is one of the RCC group home programs provided by San Mar Children's Home, Inc. The voluntarily closure of the Graff Program was based upon a reduction in the number of children being placed in group homes because of the initiative "Place Matters", which supports the shift of the foster care population into family settings.

This is a reimbursement contract. The Provider is paid solely for the actual children placed with him/her during the year, and then only for the actual number of days each child is with the Provider.

RCC programs are defined in COMAR 14.31.02.03B(13) as "a program of care provided in a residential setting by a Provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law."

The Governor's Office for Children (GOC) is the single point of entry for private Providers interested in supplying care under approved negotiated rates for youth of the various State agencies. This provider has rates that have been approved by the Interagency Rates Committee.

FUND SOURCE: 66% General; 34% Federal

APPROP. CODE: N00G0001

RESIDENT BUSINESS: Yes

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.) **ATTACHMENT**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	(\$52,833)	Modified the contract to decrease the number of beds in the group home program from 8 to 4 for the period of January 1/1/2012 through 3/31/2013. Approved on the 12/7/2011 DBM BPW Agenda, Item 10-S-MOD.
Mod #2	(\$21,912)	Modified the contract to align the contract rates to reflect the FY2013 rate established by the Interagency Rate Committee (IRC) for the period of 7/1/2012 through 3/31/2013. Approved by DHR.
Total	<u>(\$74,745)</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICE CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Ellen Flowers-Fields
410-767-3282
eflowersfields@dllr.state.md.us

DEPARTMENT/PROGRAM: Labor, Licensing and Regulation (DLLR)
Maryland Workforce Investment System

CONTRACT ID: DLLR-FY2012-030;
Branding, Communications and Outreach
for the Maryland Workforce Investment
System
ADPICS # COE71270

CONTRACT APPROVED: 4/12/2012 by DBM, reported on the April
2012 PAAR

CONTRACTOR: Full Capacity Marketing, Inc.
Washington, DC

CONTRACT DESCRIPTION: Provide an assessment of the current State
and local workforce investment branding systems and develop a single Statewide branding
architecture to provide a cost-effective communication and outreach process for the Local
Workforce Investment Areas (LWIAs) and One-Stop Career Centers that make up the Maryland
Workforce Investment System.

MODIFICATION DESCRIPTION: Approval request to modify the contract to
extend the term by five months during which the Contractor will build upon the Statewide
branding initiative to design and deploy business engagement strategies.

TERM OF ORIGINAL CONTRACT: 4/13/2012 – 10/12/2012

TERM OF MODIFICATION: 2/1/2013 – 6/30/2013 (5 Months)

AMOUNT OF ORIGINAL CONTRACT: \$90,970

AMOUNT OF MODIFICATION: \$53,900

PRIOR MODIFICATIONS/OPTIONS: \$0 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$144,870

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): +59.25%

OVERALL PERCENT +/-: +59.25%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 13.8%

MBE COMPLIANCE: 24.3%

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract by five months. The Contractor, Full Capacity Marketing, Inc. (FCM), will build upon the statewide branding initiative to design and deploy business engagement strategies that align with the foundational work of the brand initiative. FCM will conduct a more detailed analysis of the data gathered during the initial contract term, and gather data as needed to assess current business engagement strategies, develop a communications framework consistent with the branding strategies process, and assess existing business engagement tools. FCM will then develop a toolkit to support the accepted recommendations and statewide processes for business engagement and will design and deliver a capacity-building webinar to support local areas with understanding and implementing the business engagement toolkit and processes. This is a needed step in improving service delivery throughout the workforce investment system.

Through the branding initiative encompassed in this Contract, DLLR has been engaged in a comprehensive effort to more fully align all of parts of the State's Workforce Investment System. Workforce Development Services are delivered through a federal, state and local partnership, which includes 12 local workforce investment areas. Critical research, consensus building and resource creation has occurred under the contract.

DLLR was fortunate to be awarded a grant by the U.S. Department of Labor, Employment and Training Administration. It is in the best interest of the State to extend the contract by five months in order to utilize the awarded grant funding to expand business engagement strategies with the public workforce investment system. This initiative aligns with the Governor's priority to expand the access to and utilization of the State's workforce system by Maryland employers. This grant provides a unique opportunity for the State to build upon its statewide branding initiative with FCM to design and deploy business engagement strategies consistent with the foundational work of the brand initiative.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

FUND SOURCE: 100% Federal

APPROP. CODE: P00G0101

RESIDENT BUSINESS: No

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.) **ATTACHMENT**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$0	Mod to extend the contract by three months to complete Phase 3 for communications and outreach with new staff from the assessment of the current workforce investment branding systems in MD for LWIAs and One-Stop Career Centers for the period of 10/31/12 to 1/17/2013. Approved by DBM and reported on the September 2012 PAAR.
Mod # 2	\$0	Mod to extend the contract for two weeks in order to bring this new extension modification to the BPW for approval for the period of 1/18/2013 to 2/1/2013. Approved by DLLR.
Total	<u>\$0</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM:	8-S-MOD	Agency Contact: Marcus Filson 410-230-3325 filsonm@djs.state.md.us
DEPARTMENT/PROGRAM:		Department of Juvenile Services (DJS) Contractual Residential Operations
CONTRACT ID:		13-PD-001; Residential Care & Services to Youth ADPICS # COE70419
CONTRACT APPROVED:		5/23/2012 BPW Agenda Item 7-S
CONTRACTOR:		Rite of Passage, Inc. Minden, NV
CONTRACT DESCRIPTION:	Provide a residential services program at the Silver Oak Academy in Keymar, Maryland for an average daily population of 48 male youth (ages 14 to 18) who are referred by DJS and are before the Juvenile Courts of the State.	
MODIFICATION DESCRIPTION:	Request for approval of a modification to expand the capacity of the Silver Oak Academy program from 48 to 96 male youth.	
TERM OF ORIGINAL CONTRACT:	6/5/2012 – 6/30/2015	
TERM OF MODIFICATION:	2/1/2013 – 6/30/2015	
AMOUNT OF ORIGINAL CONTRACT:	\$17,812,138 (Approx. 3 Years; 1 Month)	
AMOUNT OF MODIFICATION:	\$11,757,378 (2 Years; 5 Months)	
PRIOR MODIFICATIONS/OPTIONS:	\$0 (See Attachment)	
REVISED TOTAL CONTRACT AMOUNT:	\$29,569,516	
OVERALL PERCENT +/- (THIS MOD):	+66.0%	
ORIGINAL PROCUREMENT METHOD:	Non-Competitive Negotiated Procurement of Human, Social or Educational Services	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S-MOD (Cont.)

MBE PARTICIPATION: 2.0%

MBE COMPLIANCE: 0.4%

REQUESTING AGENCY REMARKS: The Silver Oak Academy (SOA) is a staff-secure (non-fenced) residential program for boys that opened in July 2009 and is owned and operated by Rite of Passage, Inc. SOA provides a comprehensive program for male youth aged 14 to 18. The service components include: Education, Health Care, Cognitive Behavior Therapy, Family involvement, parent training, community service, restitution, recreation and aftercare planning.

The Department of Juvenile Services (DJS) needs additional capacity within the State of Maryland for residential placements of youth who are court ordered to be placed in an appropriate residential program for treatment, education and care. Currently, there is an average daily population of 62 youth in detention facilities that are waiting for an available placement in staff secure programs.

DJS issued a Statement of Need (SON) to increase the licensed number of placements at the Silver Oak Academy (SOA) and published notice of the SON in the Maryland Register on November 2, 2012. This SON is based on the need for intensive, highly structured, and therapeutic services, including after-care, for males between the ages of 14 and 21. These services will allow youth currently awaiting placement in detention around the State to be placed more quickly into a residential committed program, within the State of Maryland, that can safely and appropriately meet their therapeutic and security needs. The SOA filed an expansion request with the Governor's Office for Children shortly after the notice was provided in the Maryland Register. The Governor's Office for Children approved an expansion packet on November 27, 2012. DJS now licenses this residential child care program to house up to 96 male youth. Therefore, at this time, DJS is requesting approval to increase the available funding to cover the expanded licensed capacity of 96 youth for the SOA program.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODES: Various

RESIDENT BUSINESS: Yes

DBM REMARKS: The Board of Public Works deferred this
Item when presented as DBM Agenda Item 10-S-MOD on 1/2/2013.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S-MOD (Cont.) **ATTACHMENT**

Mod #1	\$0	Mod to change the contract language to identify the new website where DJS policies and procedures may be accessed, effective 12/18/2012 Approved by DJS.
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**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 9-GM **Agency Contact:** Matthew J. Fader
410-576-7906
mfader@oag.state.md.us

DEPARTMENT: Maryland Department of Transportation (MDOT)
Maryland Transit Administration (MTA)

AMOUNT OF REQUEST: \$199,617.54 (interest accrued at \$0.98 per day)

FUND SOURCE: Agency Funds

APPROP. CODES: PCA: 0102; AOBJ: 0299

DESCRIPTION: Pursuant to Md. Code Ann., State Gov't. §§12-404 – 405, the Maryland Transit Administration (MTA) requests approval for payment of a judgment in *Project Vote/Voting for America, Inc. v. Dickerson*, Civ. A. No. RDB-07-0092 (D. Md.).

REQUESTING AGENCY REMARKS: The Office of the Attorney General recommends approval of the requested payment of the judgment. The underlying lawsuit challenged the validity of a State regulation under the First and Fourteenth Amendments to the United States Constitution. Reference is made to a previous settlement submitted to the Board of Public Works (BPW) for approval on March 24, 2010 (Item 9-GM), and a previous judgment submitted for approval on December 19, 2012 (Item 15-GM), both of which failed for want of a second.

If the Board of Public Works approves payment of this judgment, a check should be made payable to "Brown, Goldstein & Levy Trust Account". The check should be mailed to Matthew J. Fader, AAG, Office of the Attorney General, 200 St. Paul Pl., 20th Floor, Baltimore, Maryland 21202 for distribution.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 1-C MOD

Agency Contact: James Salt
301-445-1987
jsalt@usmd.edu
USM Rep: Joe Evans

INSTITUTION:

University of Maryland, Baltimore for the
University of Baltimore

CONTRACT ID:

On-Call Construction Management at Risk
Services for UB Charles Royal Renovation,
Task Order Request #13-302 BS against On
Call CM RFP 85592RA

CONTRACT APPROVED:

USM Item 1-C OPT (12/7/11)
USM Item 4-C MOD (10/17/12)

CONTRACTOR:

Lewis Contractors
Owings Mills, Maryland 21117

CONTRACT DESCRIPTION: Construction Management at Risk Services during
preconstruction and construction phase on an On-Call basis for the University of Maryland,
Baltimore Service Center.

TASK ORDER DESCRIPTION: Professional management and construction services during
pre-construction and construction for renovation of Charles Royal Building for life safety, ADA
compliance, electrical systems, and architectural revisions.

MODIFICATION DESCRIPTION: Award GMP1 which includes, glazing, general carpentry,
flooring, mechanical, fire protection, electrical, CM allowances, CM general conditions, CM
contingency and CM construction fee.

TASK ORDER TERM:

Five weeks from the issuance of pre-
construction notice to proceed; and fourteen
weeks from the issuance of construction
notice to proceed.

ORIGINAL TASK ORDER AMOUNT:

\$7,500 (pre-construction fees only)

PRIOR MODIFICATIONS:

\$64,249.20

MODIFICATION AMOUNT:

\$1,394,567

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 1-C MOD (continued)

REVISED TOTAL CONTRACT AMOUNT: \$1,466,316.20

PROCUREMENT METHOD: On Call Task Order Proposals

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 32%

PERFORMANCE BOND: A 100% performance bond is required.

REQUESTING INSTITUTION REMARKS: No additional GMP's are anticipated for this project. MBE participation for this GMP is 31%.

FUND SOURCE: Plant Funds (\$534,787)
USM Academic/Auxiliary Facility Revenue
Bonds (\$859,780)

APPROP. CODE: R30B28

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2177-1011

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

SERVICE CONTRACT RENEWAL OPTION

ITEM: 2-S OPT

Agency Contact: James Salt
301-445-1987
jsalt@usmd.edu
USM Rep: Joe Evans

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

Co-Location Facility to House Research
Computing Equipment, IFB 86248CZ

CONTRACT APPROVED:

USM Item 1-S, (1/20/10)
USM Item 1-S OPT, (2/9/11)
USM Item 4-S OPT, (1/25/12)

CONTRACTOR:

Baltimore Technology Park
Baltimore, Maryland 21230

DESCRIPTION: Contract to provide a co-location facility to house research computing equipment.

OPTION DESCRIPTION: Exercise third renewal option

ORIGINAL CONTRACT TERM:

2/19/2010 through 2/18/2011, with four one-year contract renewal options

OPTION TERM:

2/19/2013 through 2/18/2014

ORIGINAL CONTRACT AMOUNT:

\$634,000.00

OPTION AMOUNT:

\$615,600.00

ORIGINAL PROCUREMENT METHOD:

Competitive Sealed Bid

MBE PARTICIPATION:

None

MBE COMPLIANCE:

None

PERFORMANCE BOND:

N/A

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 2-S OPT (continued)

REQUESTING INSTITUTION REMARKS: The Institute for Genome Sciences at the University of Maryland, Baltimore requires a co-location facility to house a mixture of servers, storage and network equipment that can communicate at very high data rates with other UMB equipment. The co-location facility is responsible for all aspects of the physical environment in which the equipment is situated including electrical power conditioning, emergency generator power and environmental controls.

Renewal is recommended based on satisfactory contractor performance under the terms and conditions of the contract over the past year and the fact that the rate of charge has not increased.

FUND SOURCE: Current Unrestricted Funds

APPROP. CODE: R30B28

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12- 2803-0000

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 1-GM

Agency Contact:

Charles F. Bristow (410) 865-1040
cbristow@mdot.state.md.us
Donna Zeigenhein (410) 260-7627
dzeigenhein@maryland.gov

DEPARTMENT: Transportation

CONTRACT ID: Resource Sharing Agreement/Bridgeport Tower, Frederick County

DESCRIPTION: Revenue-producing resource-sharing agreement for a non-exclusive right to install and maintain telecommunications equipment and services on a State-owned tower at Route 140 and Bridgeport Road, Frederick County.

AWARD: CELLCO Partnership d/b/a Verizon Wireless
Baltimore

TERM: 01/24/2013 - 01/23/2023 (with four 5-year renewal options)

AMOUNT: \$ 302,554 (10 years base)
\$ 181,532 (5 years; 1st renewal option)
\$ 217,838 (5 years; 2nd renewal option)
\$ 261,406 (5 years; 3rd renewal option)
\$ 313,687 (5 years; 4th renewal option)
\$1,277,017 (total 30 years value to the State)

AUTHORITY: §3A-307, State Finance & Procurement Article, Annotated Code of Maryland
§ 1-111, Transportation Article, Annotated Code of Maryland

REMARKS: Verizon Wireless will compensate the State for providing Verizon Wireless with a non-exclusive right to install and maintain telecommunications equipment on MDOT-owned tower located at Route 140 and Bridgeport Road, Frederick County. Verizon Wireless's payments will be deposited into the Department of Transportation IT Investment Fund. This transaction has been submitted to the Legislative Policy Committee for review and comment. Committee concurrence was obtained 9/17/12. Public notice has been posted on eMarylandMarketplace.com.

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2880-1111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 2-GM **Agency Contact:**
Elliot Schlanger (410) 260-2994
Elliot.Schlanger@maryland.gov
Donna Ziegenhein (410) 260-7627
Donna.Ziegenhein@maryland.gov

DEPARTMENT: Department of Information Technology

CONTRACT ID: Indefeasible Right of Use Agreement

DESCRIPTION: DoIT will grant Maryland Broadband Cooperative an exclusive, irrevocable right to use middle-mile fiber optic network

AWARD: Maryland Broadband Cooperative (Mdbc)
Salisbury

TERM: 02-01-2013 – 03/01/2033
(with two 10-year option renewals)

AMOUNT: \$0

REMARKS: The Department of Information Technology is the prime recipient of a Broadband Technology Opportunity Program (BTOP) grant to construct the State Broadband Capacity Building project. DoIT will allocate the use of certain fibers to Maryland Broadband Cooperative (Mdbc), a Maryland not-for-profit cooperative corporation and grant sub-recipient. Through this Indefeasible Right of Use Agreement, DoIT grants Mdbc an exclusive, irrevocable right to use the Mdbc fibers.

The BTOP grant is pursuant to Section 6001 of the American Recovery and Reinvestment Act of 2009 and administered by the United States Department of Commerce.

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0368-1110

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 3-IT

Agency Contact:

Elliot Schlanger (410) 260-2994
Elliot.Schlanger@maryland.gov
Donna Ziegenhein (410) 260-7627
Donna.Ziegenhein@maryland.gov

DEPARTMENT: Department of Information Technology

CONTRACT ID: Two-Way Radio 2013:
Mobile Radio Equipment
Communications Consoles and Associated Equipment
Installation, Repair and Preventive Maintenance Services
eMaryland Solicitation No. MDF5031005326
ADPICS No.: 060B3490002

CONTRACT DESCRIPTION: Multiple-award, indefinite-quantity, Purchase-Order-Request-for-Proposals-based master contract to provide mobile radio, communications consoles, and radio communications installation and communications maintenance services.

AWARD: See Page 6D

TERM: 1/25/2013 to 1/24/2018

AMOUNT: \$31,000,000

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5%

INCUMBENTS: See Page 7D

REMARKS: A notice of the availability of the Request for Proposals was advertised on *eMarylandMarketplace.com* and the DoIT website. E-mail notice was sent to all businesses that were identified as being capable of delivering these services on the Department of Transportation's Minority Business Enterprise Directory and to 17 minority business advocacy groups.

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM 3-IT (Cont'd)

DoIT received 25 proposals. A total of 22 qualified offerors are recommended for award of a Master Contract; 17 are Maryland businesses, seven are small businesses, and three are MBEs.

The Master Contract will succeed the previous two-way radio master contract, which expired December 31, 2012.

The new Two-Way Radio Master Contract encompasses the following three functional areas:

Functional Area I - Two-Way Radio Equipment

Functional Area II - Communications Consoles and Associated Equipment

Functional Area III - Installation, Repair and Preventative Maintenance Services

There will be a second level of competition through Purchase-Order-Request-for-Proposals (PORFP) process for all two-way radio equipment and services. A PORFP will be sent to all Master Contractors within the appropriate functional area, who are authorized to provide the hardware or services for the requested manufacturer's product line. For PORFPs designated as Small Business Reserve, only Master Contractors that are DGS-certified as small businesses will compete.

Functional Area III provides the only potential for subcontracting opportunities; therefore, an overall MBE subcontractor participation goal of 5% has been established for this Master Contract.

Master Contractors PORFP prices may not exceed the manufacturer's suggested retail price for the hardware being purchased. By use of the competitive PORFP process, prices should be lower than proposed Master Contract pricing.

This procurement vehicle was designed to provide State agencies with a wide selection of Master Contractors who offer an extensive variety of two-way radio equipment and services. State agencies will obtain two-way radio equipment, installation, repair and preventative maintenance services quickly and efficiently by issuing PORFPs specific to each agency's needs. This contracting vehicle is also available to local and county Maryland government jurisdictions.

Executive Branch agencies spent \$31 million dollars on the five-year predecessor contract. Based on this, DoIT recommends that the ceiling of the successor contract be set at \$31 million. Should agencies anticipate spending in excess of this amount and have funding available to do so, DoIT will return to the Board of Public Works with a request to raise the ceiling threshold.

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM 3-IT (Cont'd)

FUND SOURCE: Various

APPROP. CODE: Various

RESIDENT BUSINESS: See Page 6D

MD TAX CLEARANCE: See Page 6D

This Item was withdrawn when presented as Item 5-IT on December 19, 2012 and Item 5-IT on January 2, 2013.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 3 -IT (Cont'd)

AWARDEES

Company Name	MBE	SBR	MD	State	Control Number
ACG Systems			X	MD	12-2547-1111
Brekford Corp			X	MD	12-2548-1111
Brown's Communications, Inc.	X	X	X	MD	12-2549-1111
Comm-Lease, Inc. d/b/a CL Technologies	X	X	X	MD	12-2565-1111
Communications Electronics			X	MD	12-2550-1111
DiDonato Consulting Services			X	MD	12-2551-0111
EF Johnson Technologies				TX	12-2552-0001
Harris Corp				PA	12-2554-1011
Icom America, Inc.				WA	12-2868-1111
Knowledge Information Solutions, Inc.				VA	12-2555-1101
Metro Two Way & Tracking		X	X	MD	12-2556-1111
Mills Communications			X	MD	12-2557-1111
Motorola Solutions, Inc.			X	MD	12-2558-1111
MTC Communications, Inc.			X	MD	Pending
North Carroll Communications		X	X	MD	12-2559-1111
Procom	X	X	X	MD	12-2560-1111
Relm Wireless		X		FL	12-2869-0000
Skyline Network Engineering LLC d/b/a Skyline Technology Solutions			X	MD	12-2561-1111
Teltronic, Inc.			X	MD	12-2702-1111
Tessco Technologies			X	MD	12-2562-0111
Two Way Radio Service, Inc. d/b/a TWR Communications			X	MD	12-2588-1111
Waveband Communications, LLC			X	MD	12-2600-1111
Wireless Communications, Inc.		X	X	MD	12-2563-1111
Totals:	2	7	18		

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 3-IT (Cont'd)

INCUMBENT CONTRACTORS

ACG Systems, Inc., Annapolis

ARINC, Inc., Annapolis

Black Box Network Services a/k/a Nu-Vision Technologies, LLC, Millersville

Brekford Corp. (f/k/a Pelican Mobile), Hanover

Comm-Lease, Inc. d/b/a CL Technologies, Owings Mills

Communications Electronics, Inc., Timonium

DiDonato Consulting Services, Inc., Baltimore

EF Johnson, Irving, TX

General Dynamics Information Technology, Inc., Chesapeake, VA

Harris Corporation, Ellicott City

ICOM America, Inc., Bellevue, WA

Intellect Corporation, Baltimore

Mills' Communications, Inc., Westminster

Motorola, Inc., Columbia

MTC Communications Inc., Gaithersburg

Procom Corporation, Annapolis Junction

Skyline Technology Solutions, Eldersburg

Televate, LLC, Falls Church, VA

Teltronic, Inc., Beltsville

Two-Way Radio Service, Inc., Cumberland

Wireless Communications, Inc., Baltimore

DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 4-IT-MOD

Agency Contact:
Elliot Schlanger (410) 260-2994
Elliot.Schlanger@maryland.gov
Donna Ziegenhein (410) 260-7627
Donna.Ziegenhein@maryland.gov

DEPARTMENT/PROGRAM: Department of Information Technology

CONTRACT ID: Mobile Devices & Services
ADPICS No.: 060B3490004 COE71674

CONTRACT APPROVED: DoIT Item 7-IT (11/14/12)

CONTRACTOR: Sprint Solutions, Inc.
Columbia, MD

CONTRACT DESCRIPTION: Obtain mobile wireless services and equipment by participating in Western States Contracting Alliance (WSCA) agreement.

MODIFICATION DESCRIPTION: Add Sprint Solutions, Inc. to the participating agreement for the new WSCA contract.

ORIGINAL CONTRACT TERM: 11/01/2012 – 10/31/2016

MODIFICATION TERM: 1/24/2013 to 10/31/2016
(for Sprint Solutions)

ORIGINAL CONTRACT AMOUNT: \$12,000,000

MODIFICATION AMOUNT: no change

REVISED CONTRACT AMOUNT: no change

ORIGINAL PROCUREMENT METHOD: Intergovernmental Cooperative Purchasing

DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 4-IT-MOD (cont'd)

MBE PARTICIPATION: 0%

REMARKS: DoIT determined that participation in the WSCA will provide more cost benefits to the State than if the State procured these products and services independently. The Board of Public Works previously approved contracting through the WSCA with Verizon and T-Mobile Mobile (DoIT Item 7-IT [11/14/12]) and with AT&T (DoIT Item 3-IT MOD [1/2/13]). This action will add Sprint Solutions, Inc. as the State's fourth contractor for mobile wireless services and equipment

FUND SOURCE: Various Agencies.

APPROP. CODE: Various Agencies

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2096-0000

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Nancy Noonan (410) 767-3796
nnoonan@mta.maryland.gov

BPW – 01/23/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T-0455-0640
 Anchor Bolt Replacement for Direct Fixation
 Track in Metro Subway
 Baltimore City
 ADPICS NO.: T04550640

CONTRACT DESCRIPTION: This contract is for the removal, disposal and replacement of all anchor bolts with direct fixation fasteners in the Metro Subway from west of Mondawmin Station (Portal) to the east end of the Charles Center platform. The scope of work also includes replacement of contact rail insulators, contact rail support plates and fasteners.

AWARD: Bullock Construction Inc.
 Easton, MD

TERM: 330 Calendar Days

AMOUNT: \$2,563,600

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Bullock Construction Inc. Easton, MD	\$2,563,600
Amtrac Railroad Contractors Hagerstown, MD	\$2,953,600
Railroad Constructors, Inc Paulsboro, NJ	\$3,219,366
Atlas Railroad Construction LLC Bridgeville, PA	\$3,887,324

DBE PARTICIPATION: 100% (See Remarks)

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount.

ITEM: 1-C (Continued)

BPW – 01/23/13

REMARKS: The engineer's estimate for this contract was \$3,994,066. The DBE goal established for this contract was 19%; however the contractor is a certified DBE, therefore the participation on this contract is 100%.

This solicitation was advertised in eMaryland Marketplace and on MTA's website. Nineteen (19) firms received bid packages, four (4) of which were Maryland firms. Four (4) bids were received.

FUND SOURCE: 80% Federal Funds Budgeted to MTA
20% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-2891-1111

BOARD OF PUBLIC WORKS ACTION – THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

77

Gary R. Lockett (410) 385-4833
glockett2@marylandports.com

BPW – 01/23/13
REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Construction)

ITEM: 2-C-MOD

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 512901
 Masonville Vessel Berth
 Masonville Marine Terminal
 Baltimore City
 ADPICS NO.: CO292597

ORIGINAL CONTRACT APPROVED: Item 4-C, DOT Agenda 5/2/12

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: Corman Marine Construction, Inc.
 Annapolis Junction, MD

MODIFICATION: Modification No. 1 is to perform dredging of additional material from the Masonville Marine Terminal. The additional work is needed because a pre-dredge survey performed, as a requirement of the contract, showed that additional material needs to be removed to achieve the required depth to accommodate ships at the facility.

AMOUNT: \$692,500

ORIGINAL CONTRACT AMOUNT: \$20,273,338

REVISED CONTRACT AMOUNT: \$20,965,838

PERCENTAGE INCREASE: 3% (Modification No. 1)
 3% (Overall)

TERM: 400 Work Days (Original)
 0 Work Days (Modification No. 1)

MBE PARTICIPATION: 16% (MBE Compliance 11.55%)

REMARKS: The Maryland Port Administration (MPA) originally awarded this contract to construct a new marginal wharf at the Masonville Marine Terminal (Masonville). The current work, under the contract, consists of, but is not limited to, demolition, dredging, filling, grading,

ITEM: 2-C-MOD (Continued)

BPW – 01/23/13

drainage, utilities, paving, erosion and sediment control, storm drains, waterlines, wharf, personnel access platform, moorings, cathodic protection, and electrical work at the site. Also included in this contract is the construction of a new RO-RO ramp at an existing bulkhead location on the south side of the site. The RO-RO ramp work includes demolition of the existing relieving platform, construction of a new wharf and relieving platform, and associated site work in the immediate vicinity of the new ramp.

Under this modification, the MPA has determined the need for additional work, due to the conditions found at the Masonville site. The original volume for dredging was determined based upon hydrographic surveys performed at the beginning of design. As part of the required work under the contract a pre-dredge hydrographic survey was performed. Once the pre-dredge survey was completed, it was discovered that siltation of the area to be dredged had occurred between the start of design and when the contractor's survey was performed. As a result of the survey, the agency determined that additional dredging would be required to accommodate the vessels anticipated to use the wharf.

FUND SOURCE: 100% Special MPA Funds

APPROPRIATION CODE: J03D002

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION – THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$20,273,338	400 Work Days	05/02/2012	
Modification No. 1	\$692,500	0 Work Days	01/23/2013	Need to dredge additional material due to differing site conditions.
Revised Amount	\$20,965,838	400 Work Days		

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BPW- 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 3-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2005-22 A and D
 Photogrammetry and Design Mapping Services,
 Statewide
 ADPICS NOS.: CO292693 and CO292694

ORIGINAL CONTRACT APPROVED: Item 11-AE, DOT Agenda 10/17/07 (Contract A)
 Item 4-AE DOT Agenda 09/12/07 (Contract D)

ORIGINAL PROCURMENT METHOD: **Maryland Architectural and Engineering
 Services Act**

MODIFICATION: These modifications will extend the expiration date for an additional six (6) months without adding any additional contract authority. The contract services are for photogrammetry and design mapping, statewide.

CONTRACTORS: Axis Geospatial/JMT (Contract A)
 Sparks, MD

GMR Aerial Surveys, Inc.
 d/b/a Photo Science (Contract D)
 Lexington, KY

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$1,000,000 each

REVISED CONTRACT AMOUNT: \$0

PERCENTAGE INCREASE: 0%

TERM: Contract A
 10/17/07 - 10/01/11 (Original)
 10/01/11 – 11/01/11 (Modification No. 1)
 11/02/11 – 04/13/13 (Modification No. 2)
 04/14/13 – 10/14/13 (Modification No. 3)

ITEM: 3-AE-MOD (Continued)

BPW – 01/23/13

TERM (Cont.):

Contract D

09/12/07 – 09/01/11 (Original)

09/02/11 – 11/01/11 (Modification 1)

11/02/11 – 03/01/13 (Modification 2)

03/02/13 – 09/01/13 (Modification 3)

DBE PARTICIPATION:

25% (DBE Compliance 23.95%)-Contract A

25% (DBE Compliance 55.49%)-Contract D

REMARKS: These contracts provide for photogrammetry and design mapping services, statewide.

The requested increase in time is needed to allow new contracts to be procured. The replacement contracts are in the final stages of the procurement process and have a projected Notice to Proceed date of August 2013. A contributing factor to the delay has been the new processes set up to evaluate appropriate value and provide a complete quality control review of A&E procurements. As a result, the initial replacement procurement had to be scrapped and a new procurement was begun. SHA expects new contracts to be secured prior to this new expiration date.

FUND SOURCE:Federal and Special Transportation Funds
Budgeted to SHA**APPROPRIATION CODE:**

J02B0101

RESIDENT BUSINESS:

Yes

BOARD OF PUBLIC WORKS ACTION – THE ABOVE-REFERENCED ITEM WAS:**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,000,000	10/17/07 – 10/01/11	10/17/07 11-AE	
Modification No. 1		10/01/11 – 11/01/11	Bridge Extension	30-day extension DCAR
Modification No. 2		11/02/11 – 04/13/13	10/05/11 4-AE-MOD	To add additional time until new procurement
Modification No. 3		04/14/13 – 10/14/13	01/23/13	To add additional time until new procurement

CONTRACT D

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,000,000	09/12/07 – 09/01/11	09/12/07 4-AE	
Modification No. 1		09/02/11 – 11/01/11	Bridge Extension	30-day extension DCAR
Modification No. 2		11/02/11 – 03/01/13	10/05/11 4-AE-MOD	To add additional time until new procurement
Modification No. 3		03/02/13 – 09/01/13	01/23/13	To add additional time until new procurement

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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 4-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2006-18 A, B, C
 Environmental Engineering Compliance and
 Remediation Services
 Various Locations
 ADPICS NO.: CO292744; CO292745 and
 CO292746

ORIGINAL CONTRACT APPROVED: Item 4-AE, DOT Agenda 02/27/08
 (Contract A&C)
 Item 5-AE, DOT Agenda 03/12/08
 (Contract B)

ORIGINAL PROCURMENT METHOD: **Maryland Architectural and Engineering
 Services Act**

MODIFICATION: Modification No. 3 increases the contract authority for Contracts A and C and the extension of time for both these contracts. Modification No. 2 is an extension of time only for Contract B. These contracts provide environmental design, engineering, inspection, remediation and compliance in support of environmental laws and regulations.

CONTRACTORS: EA Engineering & Technology, Inc.
 Hunt Valley, MD (Contract A)

Earth Resources Technology, Inc.
 Laurel, MD (Contract B)

KCI Technologies
 Baltimore, MD (Contract C)

AMOUNT: \$250,000 (Contract A)
 \$250,000 (Contract C)

ORIGINAL CONTRACT AMOUNT: \$4,000,000 each

REVISED CONTRACT AMOUNT: \$5,000,000 (Contract A)
 \$4,950,000 (Contract C)

ITEM: 4-AE-MOD (Continued)

BPW - 01/23/13

PERCENTAGE INCREASE:

5.3% (Contract A)

5.3% (Contract C)

TERM:

02/27/08-02/01/12 (Original) Contracts A & C

02/02/12-02/01/13 (Modification No. 1)

02/02/13 - 02/01/13 (Modification No. 2)

02/02/13 - 08/01/13 (Modification No. 3)

03/12/08 - 03/01/12 (Original) Contract B

03/02/12 - 03/01/13 (Modification No. 1)

03/02/13 - 09/01/13 (Modification No. 2)

DBE PARTICIPATION:

25% (DBE Compliance 20.75%) Contract A

25% (DBE Compliance 100%-DBE Prime) Contract B

25% (DBE Compliance 19.29%)

REMARKS: The scope of SHA's environmental design, engineering, compliance, inspection and remediation contracts is unique and allows SHA to perform specialized work that is critical to the safety of SHA facilities and operations in compliance with environmental laws and regulations. These contracts are also essential for SHA to meet the requirements of the Tank Compliance Consent Order and Consent Order to Remediate Trichloroethylene (TCE) Contamination with the Maryland Department of the Environment (MDE), and the Third Party Audit Agreement with the Environmental Protection Agency (EPA).

The EPA Audit Agreement outlines SHA's responsibility to have an independent party perform compliance audits at specific facilities and disclose such infractions as failure to provide adequate compliance training at facilities, inadequate implementation of water pollution prevention plans, record-keeping deficiencies, and technical errors in documentation. These contracts also provide support for completing the annual updates to SHA's Asbestos Management Plan (AMP). Other tasks performed include industrial hygiene and hazardous material abatement, engineering support for the Storm Water Pollution Prevention Plan development and the Spill Prevention Control and Countermeasures Plan development, and post remediation monitoring of groundwater contamination.

The requested increase in time and additional contract authority is needed to allow new contracts to be procured. The replacement contracts are mid-way through the procurement process and have a projected Notice to Proceed date of June 2013.

FUND SOURCE:Federal and Special Transportation Funds
Budgeted to SHA**APPROPRIATION CODE:**

J02B0101

RESIDENT BUSINESS:

Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$4,000,000	02/27/08-02/01/12	02/27/08	
Modification No. 1	-	02/02/12-02/01/13	12/21/11 16-AE-MOD	Time needed to complete new procurements
Modification No. 2	\$750,000	02/02/12-02/01/13	04/04/12 1-AE-MOD	Additional funds needed to complete new procurements
Modification No. 3	\$250,000	02/02/13 – 08/01/13	01/23/13	Add additional time and contract authority to complete new procurements
Revised Amount	\$5,000,000			

CONTRACT B

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$4,000,000	03/12/08-03/01/12	03/12/08	
Modification No. 1	-	03/02/12-03/01/13	12/21/11 16-AE-MOD	Time needed to complete new procurements
Modification No. 2	-	03/02/13-09/01/13	01/23/13	Additional time needed to complete new procurements

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$4,000,000	02/27/08-02/01/12	02/27/08	
Modification No. 1	-	02/02/12-02/01/13	12/21/11 16-AE-MOD	Time needed to complete new procurements
Modification No. 2	\$700,000	02/02/12-02/01/13	04/04/12 1-AE-MOD	Additional funds needed to complete new procurements
Modification No. 3	\$250,000	02/02/13-08/01/13	01/23/13	Additional time and contract authority to complete new procurements
Revised Amount	\$4,950,000			

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BPW – 01/23/13
REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 5-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2007-04 A, B, C, D, E & F
 Survey and Engineering Services in Baltimore and
 Harford Counties (District 4)
 ADPICS NOS.: CO292697; CO293088;
 CO292700; CO292701; CO292702 & CO292703

ORIGINAL CONTRACT APPROVED: Item 7-AE, DOT Agenda 02/27/08
 (Contracts A, C, D, E & F)
 Item 6-AE, DOT Agenda 01/30/08 (Contract B)

ORIGINAL PROCURMENT METHOD: **Maryland Architectural and Engineering
 Services Act**

MODIFICATION: Modification No. 3 adds an additional to add twelve (12) months to each contract.

CONTRACTORS: URS Corporation (Contract A)
 Hung Valley, MD

McCormick Taylor, Inc. (Contract B)
 Baltimore, MD

Johnson, Mirmiran & Thompson, Inc. (Contract C)
 Sparks, MD

Rummel, Klepper & Kahl, LLP (Contract D)
 Baltimore, MD

Whitman, Requardt and Associates, LLP (Contract E)
 Baltimore, MD

STV Incorporated (Contract F)
 Baltimore, MD

TERM: Contracts A, C, D, E & F
 02/27/2008-02/01/2012 (Original)
 02/01/2012-02/01/13 (Modification No. 1)
 \$500,000 (Modification No. 2)
 02/02/13 – 02/01/14 (Modification No. 3)

ITEM: 5-AE-MOD (Continued)

BPW-01/23/13
(revised)**TERM (Cont.):**Contract B

01/30/2008-01/02/2012 (Original)

01/02/2012-01/02/2013 (Modification No.1)

\$500,000 (Modification No. 2)

01/03/13 – 02/28/13 (Modification No. 3)

03/01/13-01/02/14 (Modification No.4)

AMOUNT:

\$0

ORIGINAL CONTRACT AMOUNT:

\$1,500,000 each

REVISED CONTRACT AMOUNT:

0%

PERCENTAGE INCREASE:

0%

DBE PARTICIPATION:

23% (DBE Compliance 30.09%) (Contract A)

23% (DBE Compliance 20.67%) (Contract B)

23% (DBE Compliance 18.64%) (Contract C)

23% (DBE Compliance 20.28%) (Contract D)

23% (DBE Compliance 17.50%) (Contract E)

23% (DBE Compliance 26.64%) (Contract F)

REMARKS: The requested increase of time is needed to allow new contracts to be procured. The replacement contracts are in the final stages of procurement and have a projected Notice to Proceed date of Spring/Summer 2013. Although every effort is being made to expedite these contracts, there is currently a backlog of new A/E contracts in the pipeline which is causing some additional delay. In addition, SHA would like to achieve a 6 month overlap to allow design tasks of up to six months duration to be assigned prior to the new contracts being approved.

A 60-day bridge contract was executed in December 2012 to allow on-going tasks to continue for Contract B until the modification extension request could be presented to the Board of Public Works for approval.

FUND SOURCE:

Federal and Special Transportation Funds Budgeted to SHA

APPROPRIATION CODE:

J02B0101

RESIDENT BUSINESS:

Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

(revised)

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/27/08-2/1/12	2/27/08	
Modification No. 1	-	2/2/12-2/1/13	2/21/11 16-AE-MOD	To provide time until new procurement
Modification No. 2	\$500,000	2/2/12-2/1/13	4/4/12 2-AE-MOD	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			
Modification No. 3	-	2/2/13 – 2/1/14	1/23/13	To provide time until new procurement

CONTRACT B

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	1/30/08-1/2/12	1/30/08	
Modification No. 1	-	1/2/12-1/2/13	2/21/11 16-AE-MOD	To provide time until new procurement
Modification No. 2	\$500,000	1/3/12 – 1/2/13	4/4/12 2 AE-MOD	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			
Modification No. 3	-	1/3/13 – 2/28/13	1/21/12	To provide time until BPW approval of modification extension request
Modification No. 4	-	3/1/13 – 1/2/14	1/23/13	To provide time until new procurement

(revised)

ATTACHMENT I (Continued)

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/27/08-2/1/12	2/27/08	
Modification No. 1	-	2/2/12-2/1/13	12/21/11 16-AE-MOD	To provide time until new procurement
Modification No. 2	\$500,000	2/2/12 – 2/1/13	4/4/12 2-AE-MOD	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			
Modification No. 3	-	2/2/13 – 2/1/14	1/23/13	To provide time until new procurement

CONTRACT D

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/27/08-2/1/12	2/27/08	
Modification No. 1	-	2/2/12-2/1/13	2/21/11 16-AE-MOD	To provide time until new procurement
Modification No. 2	\$500,000	2/1/12-2/1/13	4/4/12 2-AE-MOD	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			
Modification No. 3	-	2/2/13 – 2/1/14	1/23/13	To provide time until new procurement

(revised)

ATTACHMENT I (Continued)

CONTRACT E

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/27/08-2/2/12	2/27/08	
Modification No. 1	-	2/2/12-2/1/13	12/21/11 16-AE-MOD	To provide time until new procurement
Modification No. 2	\$500,000	2/2/12 – 2/1/13	4/4/12 2-AE-MOD	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			
Modification No. 3	-	2/2/13 – 2/1/14	1/23/13	To provide time until new procurement

CONTRACT F

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/27/08-2/1/12	2/27/08	
Modification No. 1	-	2/2/12-2/1/13	12/21/11 16-AE-MOD	To provide time until new procurement
Modification No. 2	\$500,000	2/2/12 – 2/1/13	4/4/12 2-AE-MOD	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			
Modification No. 3	-	2/2/13 – 2/1/14	1/23/13	To provide time until new procurement

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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 6-AE-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: BCS 2007-12A
 Supplemental Engineering
 Support Services, District 1
 Dorchester, Somerset, Wicomico and Worcester
 Counties
 ADPICS NOS.: CO292704

ORIGINAL CONTRACT APPROVED: Item 7-AE, DOT Agenda 01/30/08

ORIGINAL PROCURMENT METHOD: Maryland Architectural and Engineering
 Services Act

MODIFICATION: This modification will extend the expiration date for an additional twelve (12) months and add \$500,000 of additional contract authority. The contract services are for Supplemental Engineering Support Services in District 1.

CONTRACTORS: Wallace, Montgomery & Associates, LLP/
 Greenman-Pedersen, Inc.
 Towson, MD

AMOUNT: \$500,000

ORIGINAL CONTRACT AMOUNT: \$2,000,000

REVISED CONTRACT AMOUNT: \$2,500,000

PERCENTAGE INCREASE: 25%

TERM: 01/30/08 - 01/02/12 (Original)
 01/03/12 – 07/01/13 (Modification 1)
 07/02/13 – 07/1/14 (Modification 2)

DBE PARTICIPATION: 24% (DBE Compliance 30.29%)

ITEM: 6-AE-MOD (Continued)

BPW – 01/23/13

REMARKS: This contract provides for supplemental engineering services for District 1, Dorchester, Somerset, Wicomico and Worcester Counties.

The requested increase in time and additional contract authority is needed to allow a new contract to be procured. The replacement contract is mid-way through the procurement process and has a projected Notice to Proceed date of December 2013.

FUND SOURCE: Federal and Special Transportation Funds
Budgeted to SHA

APPROPRIATION CODE: J02B0101

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	01/30/08 – 01/02/12	01/30/08 7-AE	
Modification No. 1		01/03/12 – 07/01/13	12/21/11 16AE Mod	To additional time until new procurement
Modification No. 2	\$500,000	07/02/13 – 07/01/14	01/23/13	To add additional Time and contract authority until new procurement
Revised Amount	\$2,500,000			

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BPW – 1/23/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT:

ITEM: 7-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 527D51415
 Operation of Drawbridges at Various Locations
 in Anne Arundel & Calvert Counties
 ADPICS NO.: 527D51415

CONTRACT DESCRIPTION: This Contract consists of operation of drawbridges at various locations in Anne Arundel & Calvert Counties.

AWARD: Chesapeake Pilot Training, Inc.
 Chestertown, MD

AMOUNT: \$820,820 NTE

TERM OF CONTRACT: 02/04/2013-02/04/2015

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Single Bid Received)

BIDS:
 Chesapeake Pilot Training, Inc. \$820,820
 Chestertown, MD

MBE PARTICIPATION: 0% (Single Element of Work)

PERFORMANCE SECURITY: Payment & Performance Bonds for 100% of the
 award amount exist on this contract.

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Three Hundred Thirty Two (332) contractors were notified for this project on eMaryland Marketplace; One Hundred Seventeen (117) of which were MDOT Certified MBE's.

100% of the work will be performed by a certified Small Business Enterprise.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

ITEM: 7-M (Continued)

BPW - 1/23/12

RESIDENT BUSINESS:

Yes

MD TAX CLEARANCE:

12-2575-0111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 1/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT:

ITEM: 8-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 5261911415SB
 Janitorial Services for the Princess Anne Rest
 Area in Somerset County
 ADPICS NO.: 5261911415

CONTRACT DESCRIPTION: This Contract consists of janitorial services for the Princess Anne Rest Area in Somerset County.

AWARD: Cleaning Better, Inc.
 Owings Mills, MD

AMOUNT: \$329,001 NTE

TERM OF CONTRACT: 02/04/2013-12/31/2015

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Cleaning Better, Inc. \$329,001
 Owings Mills, MD

Chesapeake Pilot Training, Inc. \$355,680
 Chestertown, MD

BMW Cleaning Solutions, LLC \$393,654
 Baltimore, MD

Ameri-Klean Services, Inc. \$399,420
 Baltimore, MD

Walter A. Smith Enterprises, Inc. \$405,663
 Lusk, TX

United Solutions Services, LLC \$422,100
 Columbia, MD

ITEM: 8-M (Continued)

BPW – 1/23/13

BIDS (Cont.):

Mr. Meticulous Cleaning Service Salisbury, MD	\$440,946
--------------------------------------------------	-----------

On Time Movers & Cleaning, LLC Altoona, PA	\$444,960
-----------------------------------------------	-----------

MBE PARTICIPATION: 100% (See Remarks)**PERFORMANCE SECURITY:** None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Six-Hundred Thirty Eight (638) contractors were notified for this project on eMaryland Marketplace; Two-Hundred Three (203) of which were MDOT Certified MBE's.

Although there was no MBE goal established for this contract as it is a single element of work, 100% of the work will be performed by a Certified Minority/Small Business Enterprise; therefore the MBE participation is 100%.

FUND SOURCE: 100% Special Funds Budgeted to SHA**APPROPRIATION CODE:** J02B0102**RESIDENT BUSINESS:** Yes**MD TAX CLEARANCE:** 12-2665-0110

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:
APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

Suzette Moore (410) 859-7792
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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

RENEWAL OPTION: (Maintenance)

ITEM: 9-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-09-020
 Plumbing Repair and Maintenance at BWI
 Thurgood Marshall Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO.: CO292773

ORIGINAL CONTRACT APPROVED: Item 3-M, DOT Agenda 02/24/10

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: G.E. Tignall & Co., Inc.
 Cockeysville, MD

MODIFICATION: Exercise the Renewal Option for a period of two (2) years from March 1, 2013 through February 28, 2015.

AMOUNT: \$303,029

ORIGINAL CONTRACT AMOUNT: \$450,150

REVISED CONTRACT AMOUNT: \$753,179

PERCENTAGE INCREASE: 68%

TERM: 03/10/10 – 02/28/13 (Original)
 03/01/13 – 02/28/15 (Renewal)

MBE PARTICIPATION: 15% (MBE Compliance 14.28%)

REMARKS: This contract provides for labor, equipment and expertise to perform plumbing repair services at BWI Marshall. G.E.Tignall always responds in a timely manner and provides very good customer service. Their staff is highly knowledgeable in the plumbing and mechanical trades and they provide excellent service and support to the Building Maintenance Section of MAA.

ITEM: 9-M-OPT (Continued)**BPW – 01/23/13**

This action represents the exercising of the two-year renewal option with the contractor that was provided for in the original contract.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$450,150	03/10/10 – 02/28/13	02/24/10, Item 3-M	
Renewal Option	\$303,029	03/01/13– 02/28/15	01/23/13	As provided for in original contract
Revised Amount	\$753,179			

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BPW – 01/23/13
 3rd REVISION

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Maintenance)

ITEM: 10-M-MOD

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T-8000-0207
 MARC Frederick Branch Track Signal Maintenance
 ADPICS NO.: CO292616

ORIGINAL CONTRACT APPROVED: Item 3-M, BPW Agenda 11/11/2008

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bids

CONTRACTOR: Amtrac Railroad Contractors
 Hagerstown, MD

MODIFICATION: This Change Order is being issued to increase the contract value to ensure Federal Railroad Administration (FRA) required on-going track and signal maintenance. Additional funding is required to cover overrun costs caused by miscellaneous and extra work.

AMOUNT: \$ 600,000

ORIGINAL CONTRACT AMOUNT: \$ 3,479,250

REVISED CONTRACT AMOUNT: \$4,079,250

PERCENTAGE INCREASE: 17.25 % (Modification No.1)
 17.25% (Overall)

ORIGINAL TERM: 11/11/08 – 11/10/13 (Original)
 01/23/13 – 11/10/13 (Modification No.1)

DBE PARTICIPATION: 100% (Certified DBE Contractor)

DBE COMPLIANCE: 25% DBE Goal (DBE Compliance 100%)

REMARKS: This contract provides for the maintenance of Track and Right-of-Way, Structures, Facilities and Equipment, and Communications and Signal Systems. The work consists primarily of maintaining all rail infrastructures situated within the right-of-way on or adjacent to MTA's MARC Frederick Branch, a predominantly single-track rail line running for 3.5 route-miles from Frederick Junction to a terminus at the downtown Frederick MARC station. In addition the contractor maintains all Pedestrian Train Warning Systems (PTWS) controlled by the MTA throughout the Brunswick and Camden Lines of the MARC system, and performs services relating to removal,

ITEM: 10-M-MOD (Continued)**BPW – 1/23/13**

replacement, and maintenance of pedestrian crosswalks at all MARC stations on the two lines mentioned above that are located within the State of Maryland.

During the course of the contract, unanticipated conditions arose which required additional work, depleting the contract authority at a faster rate than anticipated. When the MTA contract manager discovered that funds were being depleted, the additional work was halted and only FRA required safety-essential tasks were continued under the contract.

This contract fulfills Federal Railroad Administration (FRA) requirements for the MTA's MARC Train Division. This modification is in part retroactive; \$196,000 of the new authority is required to pay the contractor for work that has already been performed and \$404,000 is required to pay for ongoing inspection and maintenance services through the end of the contract. MTA is therefore seeking retroactive approval of the additional \$196,000 in contract authority pursuant to Section 11-204(c), State Finance and Procurement Article, Maryland Annotated Code. While MTA recognizes that a retroactive contract modification is not desirable, the additional contract authority is critical for MTA to ensure on-going track and signal maintenance and to pay the contractor for such work that has already been performed. This additional funding is required to cover unanticipated costs caused by extra work that was required to properly maintain the track. MTA recognizes that better contract management would have avoided this retroactive request to increase the contract amount. MTA will ensure going forward that the contract is more closely monitored to ensure this situation does not happen in the future.

By adding the additional funding, MTA authorizes the Amtrac Railroad Contractors to provide the repair and maintenance necessary to keep the MARC Train tracks and signals working to ensure the safety of MARC passengers. Following the end of the contract term on June 30, 2013, these services will be performed by the new MARC Third Party service operator, Bombardier Transportation Services USA Corp.

The vendor, Amtrac Railroad Contractors of Maryland, is MDOT certified and the only contractor participating on this project. The goal for this contract is 25% with Amtrac performing 100% of the DBE goal.

FUND SOURCE: 100% Federal Funds

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$3,479,250	11/11/08 11/10/13	11/5/2008	
Modification #1	\$ 600,000	01/23/13 11/10/13	1/23/2013	Increase the contract value to ensure on-going services
Revised Amount	\$4,079,250			

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BPW – 01/23/2013

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

RENEWAL OPTION: (Service)

ITEM: 11-S-OPT

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 210113-S
 Traffic Controller/Cashier Service
 Baltimore City
 ADPICS NO.: CO291927

ORIGINAL CONTRACT APPROVED: Item 9-S, DOT Agenda 4/7/10

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: Dunbar Guard Services, Inc.
 Baltimore, MD

MODIFICATION: Renewal Option No. 1 is the first of two options to extend the contract for the period May 1, 2013 through April 30, 2015.

AMOUNT: \$408,800

ORIGINAL CONTRACT AMOUNT: \$600,000

REVISED CONTRACT AMOUNT: \$1,008,800

PERCENTAGE INCREASE: 68%

TERM: 5/1/2010 – 4/30/2013 (Original)
 5/1/2013 – 4/30/2015 (Renewal Option No. 1)

MBE PARTICIPATION: 0% (Single Element of Work)

REMARKS: The Maryland Port Administration provides long-term parking (for a fee) to cruise passengers embarking and debarking at the Cruise Terminal and MPA needs the assistance of a contractor to handle traffic control and collection of parking fees.

The MPA requests approval to exercise Renewal Option No. 1 because the contractor's performance has been excellent and strictly in accordance with contract requirements. The contractor has been very responsive to the needs of the MPA and its cruise passengers. The renewal amount includes a CPI increase of 2.2 % for the two-year renewal term per the original contract.

ITEM: 11-S-OPT**BPW – 01/23/2013****FUND SOURCE:**

100% Special Funds budgeted to MPA

APPROPRIATION CODE:

J03-D00001

RESIDENT BUSINESS:

Yes

BOARD OF PUBLIC WORKS ACTION—THE ABOVE REFERENCED ITEM WAS:**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

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BPW – 01/23/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

RENEWAL OPTION: (Service)

ITEM: 12-S-OPT

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 270030-S
 Building Operations, Maintenance, and Leasing
 World Trade Center
 Baltimore City
 ADPICS NO.: CO292430

ORIGINAL CONTRACT APPROVED: Item 28-S, DOT Agenda 5/21/08

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

CONTRACTOR: Meridian Management Corporation
 Ponte Vedra Beach, FL

MODIFICATION: Renewal Option No. 1 (Modification No. 3) exercises the first of two three-year renewal options, for the period 6/10/2013 through 6/9/2016; confirms the revised scope of work to be provided by the contractor under the Leasing Agent Services section of the specifications following a partial termination for convenience of those services by MPA effective March 30, 2012; confirms the amount of a credit due MPA for the terminated work; and corrects in MPA's favor typographical errors in three unit prices quoted by the contractor in its price proposal.

AMOUNT: \$14,613,983 NTE

ORIGINAL CONTRACT AMOUNT: \$23,418,556 NTE

REVISED CONTRACT AMOUNT: \$38,032,539 NTE

PERCENTAGE INCREASE: 62% (Renewal Option No. 1)
 62% (Overall)

TERM: 6/10/08 – 6/9/13 (Original)
 6/10/13 – 6/9/16 (Renewal Option No. 1)

MBE PARTICIPATION: 36% (MBE Compliance 36%)

REMARKS: This contract provides MPA with building operations, maintenance, and leasing services at the World Trade Center. Renewal of the contract with Meridian allows MPA to offer its tenants continuity of experience and professionalism on the part of the building manager.

ITEM: 12-S-OPT (Continued)**BPW – 01/23/13**

Meridian's continued presence on-site provides MPA with a competitive advantage when trying to attract new tenants. Meridian is also heavily involved in the \$27 million energy performance contract currently being performed at the World Trade Center (and other MPA properties) by Pepco Energy Services. Maintaining Meridian as the building management company at the World Trade Center will help ensure the continued success of that project as it moves through the completion of construction and into the early years of maintenance and energy savings.

On March 30, 2012, MPA *partially* terminated for its convenience the Leasing Agent Services to be provided by Meridian under the contract, effective March 31, 2012. Since that time MPA and Meridian have debated the practical effect of that partial termination for convenience. Modification No. 3 confirms the parties agreement to a revised scope of work for the Leasing Agent Services (renamed Leasing Administrative Services) to be performed by Meridian following the partial termination for convenience, and provides for a credit to MPA of \$977.64 per month for the deleted work. Under the revised Leasing Administrative Services, MPA, rather than Meridian prepares and negotiates leases, extracts data from leases to prepare billings to tenants, and then sends that data to Meridian, which then invoices tenants for rent. MPA also now prepares and negotiates leases, saving MPA broker's commissions otherwise payable to Meridian. This arrangement also gives outside leasing brokers more incentive to steer potential tenants to the World Trade Center by allowing the outside brokers to collect full commissions for new tenants rather than splitting those commissions with Meridian.

Meridian's original price proposal submitted unit prices for categories of labor for repair and emergency work and for extra security personnel for each year of the original 5-year contract term. The unit prices Meridian intended to submit for year 5 for Security personnel were \$27.00 regular hourly rate, \$40.50 overtime rate, and \$54.00 holiday rate. However, in submitting those numbers Meridian unintentionally moved its decimal points one place to the right, submitting \$270.00, \$405.00, and \$540.00, respectively. Modification No. 3 formally corrects those mistakes to make the applicable rates \$27.00, \$40.50, and \$54.00.

The not-to-exceed value for the renewal term includes an allowance of \$6,300,000 (\$2.1 million per year) for tenant renovations or other capital improvements, and an allowance of \$900,000 (\$300,000 per year), both subject to appropriation, for day-to-day maintenance and repairs beyond those required to be furnished at no additional cost to MPA.

FUND SOURCE:	100% Special Funds Budgeted to MPA	
APPROPRIATION CODE:	J03D0001	\$8,313,983
	J03D0002	\$6,300,000
RESIDENT BUSINESS:	Yes	

BOARD OF PUBLIC WORKS ACTION—THE ABOVE REFERENCED ITEM WAS:

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$23,418,556	6/10/08 – 6/9/13	5/21/08	
Modification No. 1	\$ 0	6/10/08 – 6/9/13	N/A	Modified the percentages among contractor's MBE subcontractors without changing the overall participation
Modification No. 2	\$ 0	6/10/08 – 6/9/13	N/A	Added two additional MBE subcontractors to the approved MBE participation
Modification No. 3	\$14,613,983	6/10/13-6/9/16	1/23/13	Exercise the first of two, three year renewal options
Revised Amount	\$38,032,539			

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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE MODIFICATION

ITEM: 13-LL-MOD

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: SAA-MA-82-003, Supplement No. 3

ORIGINAL CONTRACT APPROVED: Item 17L, DOT Agenda September 16, 1981

NATURE OF REQUEST: Request approval of lease extension for additional period of six (6) months commencing February 1, 2013 and ending July 31, 2013. The Lease Agreement was for lease of land on Martin State Airport property for the construction of improvements for a corporate hangar facility.

LESSOR: Maryland Aviation Administration

LESSEE: Capital Funding Group, Inc.
Baltimore, MD

TERM: February 1, 1983–January 31, 2013
(30-year initial term)
February 1, 2013–July 31, 2013 (Extension)

REVENUE: \$2,663

REMARKS: Through this Lease Agreement, MAA currently leases property to the Lessee and the Lessee uses State property for the storage of aircraft and for the housing of associated shops, offices and waiting rooms for the support of Lessee's non-commercial aviation activities on the leased premises. This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use and lease of State property under State Finance and Procurement Article, Section 10-305. The original contract was approved by BPW as Item 17L on September 16, 1981. The original term of the Lease Agreement was comprised of two (2) parts: (1) a construction period that commenced when the Lease Agreement was executed by both parties and terminated when all construction work to be performed was completed and approved by both parties in writing; and (2) an operational period of thirty (30) years from the date the construction period terminated.

Due to continuing negotiations with Capital Funding Group, Inc. regarding terms of the new contract, the completion of a new Lease Contract which would have been effective February 1, 2013

ITEM: 13-LL-MOD (Continued)**BPW – 01/23/13**

will be delayed. Therefore, MAA recommends extending the term through July 31, 2013 or until the effective date of a succeeding agreement if one is reached prior to this six month extension.

MD TAX CLEARANCE: 12-2819-0101

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

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	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,324	2/1/83-1/31/13	Item 17L – 9/16/81	
Modification #1	\$2,663	2/1/13-7/31/13	1/23/13	Contract Negotiations
Revised Amount	\$4,987			

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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE MODIFICATION

ITEM: 14-LL-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: SAA-MA-82-013, Supplement No. 2

ORIGINAL CONTRACT APPROVED: Item 16L, DOT Agenda February 24, 1982

NATURE OF REQUEST: Request approval of lease extension for additional period of six (6) months commencing February 1, 2013 and ending July 31, 2013. The Lease Agreement was for lease of land on Martin State Airport property for the construction of improvements for a corporate hangar facility.

LESSOR: Maryland Aviation Administration

LESSEE: Darby Holdings, LLC
Hanover, MD

TERM: February 1, 1983–January 31, 2013
(30-year initial term)
February 1, 2013–July 31, 2013 (Extension)

REVENUE: \$2,663

REMARKS: Through this Lease Agreement, MAA currently leases property to the Lessee and the Lessee uses State property for the storage of aircraft and for the housing of associated shops, offices and waiting rooms for the support of Lessee's non-commercial aviation activities on the leased premises. This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use and lease of State property under State Finance and Procurement Article, Section 10-305. The original contract was approved by BPW as Item 16L on February 24, 1982. The original term of the Lease Agreement was comprised of two (2) parts: (1) a construction period that commenced when the Lease Agreement was executed by both parties and terminated when all construction work to be performed was completed and approved by both parties in writing; and (2) an operational period of thirty (30) years from the date the construction period terminated.

Due to continuing negotiations with Darby regarding terms of the new contract, the completion of a new Lease Contract which would have been effective February 1, 2013 will be delayed. Therefore,

ITEM: 14-LL-MOD (Continued)**BPW – 01/23/13**

MAA recommends extending the term through July 31, 2013 or until the effective date of a succeeding agreement if one is reached prior to this six month extension.

MD TAX CLEARANCE: 12-2820-1110

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,324	2/1/83-1/31/13	Item 16L – 2/24/82	
Modification #1	\$2,663	2/1/13-7/31/13	1/23/13	Contract Negotiations
Revised Amount	\$4,987			

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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE MODIFICATION

ITEM: 15-LL-MOD

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: SAA-MA-82-008, Supplement No. 2

ORIGINAL CONTRACT APPROVED: Item 22L, DOT Agenda September 16, 1981

NATURE OF REQUEST: Request approval of lease extension for additional period of six (6) months commencing February 1, 2013 and ending July 31, 2013. The Lease Agreement was for lease of land on Martin State Airport property for the construction of improvements for a corporate hangar facility.

LESSOR: Maryland Aviation Administration

LESSEE: McCormick & Company, Inc.
Sparks, MD

TERM: February 1, 1983–January 31, 2013
(30-year initial term)
February 1, 2013–July 31, 2013 (Extension)

REVENUE: \$2,662

REMARKS: Through this Lease Agreement, MAA currently leases property to the Lessee and the Lessee uses State property for the storage of aircraft and for the housing of associated shops, offices and waiting rooms for the support of Lessee's non-commercial aviation activities on the leased premises. This type of revenue-producing contract at a transportation facility is outside the scope of State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use and lease of State property under State Finance and Procurement Article, Section 10-305. The original contract was approved by BPW as Item 22L on September 16, 1981. The original term of the Lease Agreement was comprised of two (2) parts: (1) a construction period that commenced when the Lease Agreement was executed by both parties and terminated when all construction work to be performed was completed and approved by both parties in writing; and (2) an operational period of thirty (30) years from the date the construction period terminated.

ITEM: 15-LL-MOD (Continued)**BPW – 01/23/13**

Due to continuing negotiations with McCormick regarding terms of the new contract, the completion of a new Lease Contract which would have been effective February 1, 2013 will be delayed.

Therefore, MAA recommends extending the term through July 31, 2013 or until the effective date of a succeeding agreement if one is reached prior to this six month extension.

MD TAX CLEARANCE: 12-2878-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,324	2/1/83-1/31/13	Item 22L – 9/16/81	
Modification #1	\$2,662	2/1/13-7/31/13	1/23/13	Contract Negotiations
Revised Amount	\$4,986			

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BPW – 01/23/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

LANDLORD LEASE MODIFICATION

ITEM: 16-LL-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: SAA-LC-81-009, Supplement No. 2

ORIGINAL CONTRACT APPROVED: Item 26L, DOT Agenda June 9, 1982

NATURE OF REQUEST: Request approval for a one (1) year lease extension until February 28, 2014 for Ridgely/BWI LLP to operate, manage and maintain Cargo Building D at BWI Marshall.

LESSOR: Maryland Aviation Administration

LESSEE: Ridgely/BWI LLP
 Hunt Valley MD

TERM: March 1, 1981–February 28, 2013 (30-year initial term); March 1, 2013–February 28, 2014 (Extension)

REVENUE: \$74,487 per annum

REMARKS: Through this Lease agreement, Ridgely operates and manages Cargo Building D. This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law under State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a lease and use of State property under State Finance and Procurement Article, Section 10-305. The original contract was approved by BPW as Item 26L on June 9, 1982. The 30-year operational term commenced March 1, 1983 following the completion of the construction term.

Due to continuing negotiations with Ridgely regarding terms of the new contract, the completion of a new Lease Contract which would have been effective March 1, 2013 will be delayed. Therefore, MAA recommends extending the term through February 28, 2014 or until the effective date of a succeeding agreement if one is reached prior to this one year extension.

MD TAX CLEARANCE: 12-2169-0111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$53,321	3/1/83-2/28/13	Item 26L – 6/9/82	
Modification #1	\$74,487	3/1/13-2/28/14	1/23/13	Contract Negotiations
Revised Amount	\$127,808			

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BPW – 01/23/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE MODIFICATION

ITEM: 17-LL-MOD

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: SAA-MA-82-004, Supplement No. 3

ORIGINAL CONTRACT APPROVED: Item 18L, DOT Agenda September 16, 1981

NATURE OF REQUEST: Request approval of lease extension for additional period of six (6) months commencing February 1, 2013 and ending July 31, 2013. The Lease Agreement was for lease of land on Martin State Airport property for the construction of improvements for a corporate hangar facility.

LESSOR: Maryland Aviation Administration

LESSEE: Deniston Enterprises, Inc.
Baltimore, MD

TERM: February 1, 1983–January 31, 2013
(30-year initial term)
February 1, 2013–July 31, 2013 (Extension)

REVENUE: \$3,146

REMARKS: Through this Lease Agreement, MAA currently leases property to the Lessee and the Lessee uses State property for the storage of aircraft and for the housing of associated shops, offices and waiting rooms for the support of Lessee's non-commercial aviation activities on the leased premises. This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use and lease of State property under State Finance and Procurement Article, Section 10-305. The original contract was approved by BPW as Item 18L on September 16, 1981. The original term of the Lease Agreement was comprised of two (2) parts: (1) a construction period that commenced when the Lease Agreement was executed by both parties and terminated when all construction work to be performed was completed and approved by both parties in writing; and (2) an operational period of thirty (30) years from the date the construction period terminated.

ITEM: 17-LL-MOD (Continued)**BPW – 01/23/13**

Due to continuing negotiations with Deniston Enterprises regarding terms of the new contract, the completion of a new Lease Contract which would have been effective February 1, 2013 will be delayed. Therefore, MAA recommends extending the term through July 31, 2013 or until the effective date of a succeeding agreement if one is reached prior to this six month extension.

MD TAX CLEARANCE: 12-2821-0101

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,746	2/1/83-1/31/13	Item 18L – 9/16/81	
Modification #1	\$3,146	2/1/13-7/31/13	1/23/13	Contract Negotiations
Revised Amount	\$5,892			

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BPW – 01/23/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 18-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-13-001

NATURE OF REQUEST: Approval of lease of space to the USO of 4,807 square feet of terminal building space on the Lower Level, North Terminal, BWI Marshall Airport.

CONCESSIONAIRE: USO Metropolitan Washington (USO)
 Baltimore, MD

REVENUE: One Dollar (\$1) per year

DURATION: Seven (7) years (April 1, 2013 – March 31, 2020)

ACDBE PARTICIPATION: None

REMARKS: BWI Marshall is designated by the United States Air Force, Air Mobility Command (AMC) as the international gateway for military personnel for transport overseas. The USO is an essential support facility to accommodate the approximately 150,000 - 200,000 annual military passengers and their families flying through BWI Marshall. The USO is self-supporting, receiving no operating subsidy from MAA. The USO has leased this facility since January 2000. If the MAA determines that replacement of the original furniture, furnishings and equipment provided by MAA is required, MAA shall request a budget appropriation estimated to be \$150,000 to replace these items with items of similar quality at MAA's sole cost and expense.

Through this Lease Contract, MAA leases property to the Contractor and the Contractor uses State property for the right and privilege to operate a USO Lounge and Operations Center at BWI Marshall. This type of contract at a transportation facility is outside the scope of the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes the lease and use of State property under State Finance and Procurement Article, Section 10-305.

MD TAX CLEARANCE: 12-2367-0010

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:
 APPROVED DISAPPROVED DEFERRED WITHDRAWN
 WITH DISCUSSION WITHOUT DISCUSSION

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BPW – 01/23/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 19-GM

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-LC-13-033

NATURE OF REQUEST: Approval of a Lease Contract for the lease of land and facilities to Lessee for the right and privilege to operate and maintain the leased premises for the storage of aircraft and for housing associated shops, offices, waiting rooms and related facilities in support of Lessee's non-commercial aviation activities and such other uses relating thereto as the Administration may approve at Martin State Airport (MTN).

CONTRACTOR: Sigma Space Corporation
Lanham, MD

REVENUE: A Land Rental and Facility Rental Fee of \$110,231.00 per annum, which is based on a fair market appraisal, for 0.587 acres (25,569 square feet) of land and an existing hangar building consisting of 0.276 acres (12,042 square feet). The Land Rental and Facility Rental Fee shall be adjusted annually at the same rate as any percentage increase in the Consumer Price Index for all urban consumers for the Baltimore-Washington, DC-MD-VA-WV areas.

DURATION: A term of ten (10) years, commencing February 1, 2013 and ending January 31, 2023.

REMARKS: Lessee shall be responsible for all costs and expenses associated with the operation and maintenance of the leased premises including any improvements and utilities. MAA previously leased this property to Stanley Black and Decker Corporation (Black and Decker Manufacturing Company, Contract No. SAA-MA-82-005 approved as BPW Item 19-L on September 16, 1981) for the construction of a hangar and other facilities on the leased land.

The original lease agreement term was for a period of thirty (30) years, commencing February 1, 1983 and ending January 31, 2013. Stanley Black and Decker Corporation has elected not to enter into a new Lease Agreement for its current premises; however, its sublessee, Sigma Space Corporation, requested a new Lease Contract for the land and the facilities. Title to the improvements made by Stanley Black and Decker revert to the MAA on January 31, 2013, at the end of Stanley Black and Decker's thirty (30) year contract term.

ITEM: 19-GM (Continued)

BPW – 01/23/13

This type of revenue-producing contract at a transportation facility is outside the scope of State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the contract must be approved by the Board of Public Works because the Contract constitutes the lease and use of State property under State Finance and Procurement Article, Section 10-305.

MD TAX CLEARANCE

12-2928-1111

RESIDENT BUSINESS

Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:
APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

June Hornick (410) 865-1039
jhornick@mdot.state.md.us

BPW – 01/23/2013

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 20-GM

THE SECRETARY'S OFFICE

NATURE OF REQUEST: Submission of a request by the Department of Transportation (the "Department"), made by the Acting Secretary of Transportation, for the adoption of resolutions authorizing the issuance and sale by the Department of its Consolidated Transportation Bonds, Series 2013 in an amount not exceeding \$315,000,000, at a public sale to occur on or before June 30, 2013, as determined by the Secretary, taking into account then current market conditions, such Bonds being authorized by Subtitle 2 of Title 3 of the Transportation Article of the Annotated Code of Maryland.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD

UNIVERSITY SYSTEM OF MARYLAND

University of Maryland Center for
Environmental Science
Dorchester County, MD

CONTRACT NO. AND TITLE

Project No: UE-630-060-001;
Oyster Cultivation Facilities
Horn Point Laboratory
Cambridge, MD
ADPICS NO. COE72101

ORIGINAL CONTRACT APPROVED

3/4/2009 DGS/BPW Item 1-C

CONTRACTOR

Cianbro Corporation
Baltimore, MD

CONTRACT DESCRIPTION

Oyster Cultivation Facility located at the University of Maryland's Horn Point Laboratory in Cambridge, MD.

Contract approval for the construction of an

MODIFICATION DESCRIPTION

and install two (2) upgraded Vertical Turbine Sea Water Pumps. The upgraded pumps will be of aluminum-bronze alloy construction and will replace the two pumps originally provided under this contract, which were constructed of carbon steel with an epoxy coating.

This change order covers the cost to furnish

TERM OF ORIGINAL CONTRACT

455 Calendar Days

TERM OF MODIFICATION

180 Calendar Days

AMOUNT OF ORIGINAL CONTRACT

\$8,880,725.00

AMOUNT OF MODIFICATION

\$265,782.00

PRIOR MODIFICATIONS/OPTIONS

\$1,050,553.00

REVISED TOTAL CONTRACT AMOUNT

\$10,197,060.00

PERCENT +/- (THIS MODIFICATION)

2.99%

CONSTRUCTION CONTRACT MODIFICATION

OVERALL PERCENT +/- 14.82%

<u>ORIGINAL PROCUREMENT METHOD</u>	Negotiated Award After Unsatisfactory Competitive Sealed Bidding

ORIGINAL MBE PARTICIPATION	26%
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MBE COMPLIANCE 15.7%

REMARKS A letter was sent on November 9, 2012 notifying the members of the Board of Public Works that the Department of General Services was proceeding with a Change Order for the procurement of two aluminum-bronze sea water pumps.

The work is necessary because carbon-steel, epoxy coated, vertical turbine sea water pumps were installed and used. These pumps were approved for use by all parties during the design. During the inspection at the end of this year's oyster cultivation season, it was discovered that the sea water caused the failure of the threads that connected the pumps to the water processing system, creating contamination to the Oyster Cultivation Program.

A complete review of the system and the pumps has been completed and it was determined that the only pumps that can provide the proper sea water filtration system, without creating contamination to the oyster process, are aluminum-bronze.

<u>FUND SOURCE</u>	
	\$75,681.92 MCCBL 2006/Item 040 (Provide funds to complete the design of an oyster production facility at the Horn Point Laboratory)
	\$60,100.08 MCCBL 2007/Item 042 (Provide funds to construct an Oyster Production Facility at The Horn point Laboratory)
	\$130,000.00 (Using Agency Funds)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD (Cont.)

RESIDENT BUSINESS

Yes

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M

**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Drinking Driving Monitor Program

CONTRACT NO. AND TITLE

Project No. 001IT818940;
Watkins Security Agency, Inc.
ADPICS NO. 01B3400290

CONTRACT DESCRIPTION

Services to the Division of Parole and Probation, Drinking-Driver Monitor Program. This will cover ten (10) locations throughout the State.

Provide Uniformed Unarmed Guard

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

AMOUNT

TOTAL (3 year)

Region A (Western Maryland)

Hagerstown

Watkins Security Agency, Inc., Baltimore, MD	\$34,291.58	\$102,874.74
BTI Security, Silver Spring, MD	No Bid	
ABACUS Corporation, Baltimore, MD	No Bid	

Oakland

Watkins Security Agency, Inc., Baltimore, MD	\$31,215.86	\$93,647.58
BTI Security, Silver Spring, MD	No Bid	
ABACUS Corporation, Baltimore, MD	No Bid	

Region B (Central)

Aberdeen

Watkins Security Agency, Inc., Baltimore, MD	\$41,136.04	\$123,408.30
BTI Security, Silver Spring, MD	\$41,301.10	\$129,903.30
ABACUS Corporation, Baltimore, MD	\$42,129.56	\$126,388.68

Gaithersburg

Watkins Security Agency, Inc., Baltimore, MD	\$43,301.10	\$129,903.30
BTI Security, Silver Spring, MD	\$43,550.10	\$130,650.30
ABACUS Corporation, Baltimore, MD	\$44,346.30	\$133,038.90

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.)

Westminster

Watkins Security Agency, Inc., Baltimore, MD	\$40,683.90	\$122,051.70
BTI Security, Silver Spring, MD	\$40,917.86	\$122,753.58
ABACUS Corporation, Baltimore, MD	\$41,666.50	\$124,999.50

Region C (Eastern Shore)

Easton

Watkins Security Agency, Inc., Baltimore, MD	\$31,910.60	\$95,731.80
BTI Security, Silver Spring, MD	No Bid	
ABACUS Corporation, Baltimore, MD	No Bid	

Princess Anne

Watkins Security Agency, Inc., Baltimore, MD	\$30,932.57	\$92,797.71
BTI Security, Silver Spring, MD	No Bid	
ABACUS Corporation, Baltimore, MD	No Bid	

Snow Hill

Watkins Security Agency, Inc., Baltimore, MD	\$30,932.57	\$92,797.71
BTI Security, Silver Spring, MD	No Bid	
ABACUS Corporation, Baltimore, MD	No Bid	

Region D (Southern)

Rockville

Watkins Security Agency, Inc., Baltimore, MD	\$44,109.74	\$132,329.22
BTI Security, Silver Spring, MD	\$44,363.39	\$133,090.17
ABACUS Corporation, Baltimore, MD	\$45,175.07	\$135,525.21

Waldorf

Watkins Security Agency, Inc., Baltimore, MD	\$42,396.82	\$127,190.46
BTI Security, Silver Spring, MD	\$42,640.62	\$127,921.86
ABACUS Corporation, Baltimore, MD	\$43,420.78	\$130,262.34

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.)

AWARDS

Region A (Western Maryland)

Watkins Security Agency, Inc., Baltimore MD	\$196,522.32
------------------------------------------------	--------------

Region B (Central)

Watkins Security Agency, Inc., Baltimore MD	\$375,363.12
------------------------------------------------	--------------

Region C (Eastern Shore)

Watkins Security Agency, Inc., Baltimore MD	\$281,327.22
------------------------------------------------	--------------

Region D (Southern)

Watkins Security Agency, Inc., Baltimore MD	\$259,519.68
------------------------------------------------	--------------

<u>TERM</u>	2/1/2013-1/31/2016
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<u>AMOUNT</u>	\$1,112,732.34 (3 Year)
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<u>MBE PARTICIPATION</u>	5%
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<u>PERFORMANCE BOND</u>	Yes
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REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. Bids were due on 10/17/2012, and one (1) responsive priced bid was received for Regions A and C and three (3) responsive priced bids were received for Regions B and D. Approximately 273 vendors received notification for this solicitation.

The purpose of the above solicitation was to acquire a fixed price contract(s) for uniformed, unarmed security guard services, for the Department of Parole and Probation, Drinking Driving Monitor Program's ten (10) office facilities, located in 4 regions throughout the State. A bidder could successfully bid on any one or all regions. In addition this solicitation also has a bonding requirement, requiring a bid bond for total bids in excess of \$100,000.00. The four regions in the State are as follows:

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.)

Region A (Western): Hagerstown and Oakland locations

Region B (Central): Aberdeen, Gaithersburg and Westminster locations

Region C (Eastern Shore): Easton, Princess Anne and Snow Hill locations

Region D (Southern): Rockville and Waldorf locations

The low bids for all four regions were submitted by Watkins Security Agency, Inc. and are the recommended awardee. Watkins Security Agency, Inc. has confirmed their bid.

FUND SOURCE

Q00C02 1-16' RC110
RC210 8230 420

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

12-2419-1111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

John L. Gildner, Regional Institute for
 Children and Adolescents
 Rockville, MD

CONTRACT NO. AND TITLE

Unarmed Uniformed Guard Services;
 ADPICS NO. 001B3400291

DESCRIPTION

Approval is requested for a contract to
 provide unarmed uniformed guard services at the John L. Gildner Regional Institute for Children
 and Adolescents (RICA-Rockville) located at 15000 Bröschart Rd., Rockville, MD 20850, for a
 period of three years.

PROCUREMENT METHOD

Competitive Sealed Bids
 (Small Business Reserve)

BIDS OR PROPOSALS

Defensor Security, LLC, Alexandria, VA
 BTI Security, Silver Spring, MD
 Dunbar Guard Services, Baltimore, MD
 MPS Protective Services, Lanham, MD

AMOUNT

\$280,260.00
 \$281,232.00
 \$302,778.00
 \$315,868.41

AWARD

Defensor Security, LLC
 Alexandria, VA
 (SBR# SB12-2796)

TERM

2/1/2013-1/31/2016

AMOUNT

\$280,260.00 (3 years)

MBE PARTICIPATION

0%

HIRING AGREEMENT ELIGIBLE

Yes

PERFORMANCE BOND

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M (Cont.)

REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. This solicitation was advertised as Small Business Reserve Procurement. Four (4) bids were received.

The recommended contractor has confirmed its bid and is also the current vendor at this facility.

FUND SOURCE

M00 MK34 0877 (DHMH Operating Funds)

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

12-2756-01111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 4-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, *Annotated Code of Maryland*, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$140,353.80 (3 items).

Department of Natural Resources

A. Rocky Gap State Park
 Flintstone, MD (Allegany County)

DESCRIPTION

This project is to remove & dispose of asphalt shingles, gutter/downspouts, aluminum soffit & fascia. Install ice guard membrane, architectural shingles, related drip edge, roof vent and flashing, aluminum fascia, vented vinyl soffit, aluminum rain gutter downspout and removal and disposal of all debris off site.

REMARKS

CONTRACT NO. & TITLE

Project No. P-999-130-110;
 Exterior Renovations - Residence

PROCUREMENT METHOD

Small Procurement

AWARD

Western Maryland Construction Solutions,
 LLC, Frostburg, MD

AMOUNT

\$14,600.00

FUND SOURCE

MCCBL 2012/Item 013

B. Elms Wildlife Management Area (WMA)
 St. Mary's County

DESCRIPTION

The Contractor shall provide all labor, equipment, materials, supplies, supervision and insurance necessary to raze multiple structures throughout Elms WMA.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 4-GM (Cont.)

REMARKS

This solicitation was advertised and bid on *eMaryland Marketplace.com (eMM)*. A notice of availability was also posted on the DGS Bid Board.

The project estimate was \$214,200.00. This project was included on the FY-13 POS maintenance program and was in the priority schedule within the budgeted funding. DNR prepared the specifications and five vendors attended the prebid. Six vendors bid on the project with five vendors under the project estimate. The awarded vendor was evaluated and confirmed their bid. 5% MBE participation was provided in the documentation and was approved.

CONTRACT NO. AND TITLE

Project No: P-051-100-003 REBID;
Raze Buildings

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

C & H Investments, Builder & Home
Improvements, Inc.
Prince Frederick, MD

AMOUNT

\$92,780.00

TERM

120 Calendar Days

MBE PARTICIPATION

5%

FUND SOURCE

MCCBL 2012/Item 013

C. Seneca Creek State Park
Montgomery County

DESCRIPTION

Approval for a contract that will provide all labor, equipment, materials, supplies, supervision, and insurance necessary to replace the sidewalks on five comfort stations throughout the facility.

REMARKS

This solicitation was advertised and bid on *eMaryland Marketplace.com (eMM)*. Notice of availability was also posted on the DGS Bid Board.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 4-GM (Cont.)

The project estimate was \$48,842.00. This project was included on the FY-12 POS maintenance program, and was in the priority schedule within the budgeted funding. The awarded vendor was evaluated and confirmed his bid. 5% MBE participation was provided in the documentation and was approved.

CONTRACT NO. AND TITLE

Project No: P-019-120-010;
 Replace sidewalks

PROCUREMENT METHOD

Small Procurement

AWARD

Zane Development Company, LLC
 College Park, MD

AMOUNT

\$32,973.80

TERM

120 Calendar Days

MBE PARTICIPATION

5%

FUND SOURCE

MCCBL 2011/Item 008

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
 Foundation (MALPF)
 File # 06-11-89-24
 Carroll County, MD

REFERENCE

Reference is made to Item 36-RP of the Board of Public Works Agenda of July 11, 1990, wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an Agricultural Preservation Easement ("Easement #1") on 137.208 acres of land, known as the "Ross Farm" for \$230,000.00 from Marlin and Kathleen Hoff. Purchase of the Easement was completed on September 20, 1990.

Request is being made of the Board of Public Works to permit a 7 +/- acre parcel of land to be released from the Easement in order that Mrs. Hoff may grant an easement over and under the 7 +/- acres to Lehigh Cement Company, LLC ("Lehigh") for its use in constructing a subterranean conveyor belt to convey limestone aggregate along a four-mile-route from a quarry in New Windsor, to its processing plant in Union Bridge. The Town of New Windsor supports the construction of the conveyor belt as it is the most environmentally sensitive option for transporting the limestone aggregate; not only will noise and dust be minimized, but the potential pollution from trucks hauling as many as 500 round-trips per day along the rural roads will be eliminated. In addition, by eliminating the many trucking round trips between the quarry and the processing plant, the public and the farming community will enjoy a higher level of safety along the rural roads, and emergency vehicles will be able to pass unimpeded by the trucks.

In exchange for the release of the 7 +/- acre parcel (Parcel A) from the terms of the Easement #1, Mrs. Hoff shall encumber a 59.3 +/- acre parcel of land, known as the "Greene Farm" (Parcel B) with an agricultural land preservation easement (Easement #2). In addition, Mrs. Hoff shall amend Easement #1 to waive the right to request termination of the Easement #1 as provided by Agricultural Article Section 2-514. Easement #2 shall be perpetual. Both Easement #1 and Easement #2 shall require that an existing dwelling on each parcel remain with its respective parcel, and be prohibited from being subdivided.

RELEASOR

The State of Maryland, to the use of the
 Department of Agriculture on behalf of the
 Maryland Agricultural Land Preservation
 Foundation

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTYITEM 5-RP (Cont.)RELEASEE

Kathleen Hoff

PROPERTY

7 +/- acres

GRANTOR

Kathleen Hoff

GRANTEE

The State of Maryland, to the use of the
Department of Agriculture on behalf of the
Maryland Agricultural Land Preservation
Foundation

PROPERTY

59.3 acres

CONSIDERATION

No monetary consideration. Net gain to
MALPF of 52.9 +/- acres.

REMARKS

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item as it accommodates a plan that benefits the Hoff Family farming operations and the Foundation will receive a net gain of 52.9 +/- acres under easement.
2. The Department of General Services recommends approval of this item.
3. Costs associated with this exchange will be paid by Lehigh Cement Company, LLC.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 6-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
File # 07-01-16A (Cecil County, MD)

REFERENCE

Reference is made to No. 25 on Item 7-RP of this Department's Agenda of August 1, 2007, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement on 38.81 acres for \$113,430.00. Purchase of the easement was completed on July 11, 2008.

Board of Public Works Approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release 0.131 acre of land from the operation and effect of said agricultural preservation easement in exchange for 0.131 acre contiguous land to be added to the agricultural preservation area by placing it under a Deed of Easement. The Maryland Agricultural Land Preservation Foundation's Board of Trustees has approved the transaction. This request is being made in order to adjust the limits of a right of way excluded from the restrictions of the easement, but which is also used to access the farm. The adjustment will 1) provide enough width to turns in the existing right of way to allow access to farm equipment, 2) will move the improved portion of the right of way away from wetlands, and 3) allow for safer access for farm equipment due to topography. A plat depicting an aerial view of the right of way showing the adjustments to be made is attached hereto.

RELEASOR

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

RELEASEE

Ayers Farm, LLC

PROPERTY

0.131+/- acres

GRANTOR

Ayers Farm, LLC

GRANTEE:

The State of Maryland, to the use of the
Department of Agriculture on behalf of the
Maryland Agricultural Land Preservation
Foundation

REAL PROPERTY

PROPERTY: 0.131 +/- acres

REMARKS

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item as it accommodates a plan that benefits the farming operation.
2. Costs associated with this exchange will be paid by Ayers Farm, LLC.

Board of Public Works Action - The above referenced Item was:

DISAPPROVED

DEFERRED

WITHDRAWN

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 7-RP

MARYLAND ENVIRONMENTAL TRUST

14810 W. Old Baltimore Rd.
 Boyds, MD
 16 acres, Montgomery County
 File # 00-8491

REFERENCE

Approval is requested to declare surplus the above referenced property, located at 14810 W. Old Baltimore Rd. in Montgomery County, and to offer it for sale to Montgomery County. The subject property was donated to the Maryland Environmental Trust (MET) in December 2011 for the purpose of re-sale, and is not included on the Department of Natural Resources (DNR) and MET owned State property listing. The Montgomery County Parks and Recreation Department has expressed an interest in the property. Title and transfer documents are subject to legal review.

PROPERTY

16.00 +/- acres improved

OWNERSHIP

State of Maryland, to the use of the
 Maryland Environmental Trust

REMARKS

1. The Maryland Environmental Trust has determined that this property is excess to its needs.
2. The Maryland Department of Planning Attorney General's office was contacted regarding a clearinghouse review for this type of project, and advised an intergovernmental review is not required.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 8-LT

MARYLAND STATE DEPARTMENT OF EDUCATION
 (Regional of the Division of Rehabilitative Services)

Annapolis, MD
 Anne Arundel County

Landlord

Piera Family Limited Partnership
 3030 Old Riva Rd.
 Riva, MD 21140

Property Location

2525 Riva Rd., Suite 101
 Annapolis, MD 21401

Space Type Office
Duration 10 Years
Annual Rent \$61,120.27

Lease Type New
Effective 3/1/2013
Square Foot Rate \$25.67

Square Feet
 2,381

Utilities Responsibility
Custodial Responsibility
Previous Board Action(s)

Landlord
 Landlord
 N/A

Fund Source

100% Federal Funds 36.01.01.21.200

Special Conditions

1. This lease contains escalations/de-escalations for utilities, real estate taxes, and custodial services.
2. Landlord will provide ten (10) parking spaces free of charge.

Remarks

1. This space will house the regional office which will conduct administrative duties, as well as, light client contact for counseling.
2. This lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 8-LT (Cont.)

3. In accordance with the State Finance and Procurement Article, Section(s) 13-105 and 4-318, this space is exempt from publicly advertising. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 9-LT-OPT

DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

Parole and Probation
 Baltimore, MD

Landlord

Komar Properties Limited Partnership
 3300 Clippard Mill Rd.
 Baltimore, MD 21211

Property Location

428 E. Preston St.
 Baltimore, MD 21202

Space Type Office
Duration 10 Years
Annual Rent \$240,748.56 (avg)

<u>Lease Type</u>	<u>Renewal</u>	<u>Square Feet</u>
<u>Effective</u>	2/15/2013	15,912
<u>Square Foot Rate</u>	\$15.13 (avg)	
<u>Prev. Sq Ft Rate</u>	\$13.95	
<u>Eff. Sq Ft Rate</u>	\$17.13 (avg)	
<u>Prev. Eff. Sq Ft Rate</u>	\$17.22	

Utilities Responsibility
Custodial Responsibility

Tenant
 Landlord

Previous Board Actions

9/12/07, 14-LT; 9/18/02, 4-L; 11/10/98, 42-L;
 8/27/97, 39-L; 6/11/97, 27-L; 5/30/96, 38-L.

Fund Sources

35.03.02 32110 ABOJ 1310, 77%; 35.03.02 32213 ABOJ
 1310, 14%; 35.03.02 32310 ABOJ 1310, 4%; 35.03.02
32810 ABOJ 1310, 5%.

Special Condition

1. The utilities will be separately metered to the State as part of this lease renewal.
2. The lease contains escalations/de-escalations for real estate taxes and custodial services.
3. Parking is provided on a use in common basis at no charge.
4. Due to previous underground movement of the building, the Landlord, at its cost, initiated an engineering study to determine structural integrity of the building. The study is on going but initial reports indicate the building is sound. Due to the pendency of the final report, the landlord has agreed to waive recovery of any costs or expenses incurred by the Landlord as a result of the State's lease renewal, in the event the State determines it is in its best interest to terminate and vacate the building due to structural issues.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 9-LT-OPT (Cont.)

Remarks

1. This space has been utilized since 1997 as an administrative office and client contact office for the Division of Parole and Probation's Criminal Supervision Division and the Drinking Driver Monitor Program.
2. As part of this lease renewal, the landlord has agreed to reconfigure the Demised Premises to contain interview rooms and urinalysis collection outside a secured, inner area, as the agency model for Community Supervision reporting offices.
3. To promote energy efficiency and cost savings, the landlord has agreed to perform the following work as part of the lease renewal: to replace all HVAC units if and when they reach 15 years of age during the term of this lease; replace all lights with T-8 lamps with electronic ballast and 28 watt bulbs; separately meter the utilities to permit direct procurement by the State; and refurbish the restrooms to include sinks with .5 GPM flow rate, toilets with 1.28 GPF flush, and urinals with 1/8th GPF flush.
4. The new lease contains the new language for compliance with the State's recycling program, Section 9-1706 of the *Environment Article, Annotated Code of Maryland*.
5. The lease contains a termination for convenience clause.
6. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 10-LT-OPT (Revised)

DEPARTMENT OF THE JUDICIARY
(District Court)

Easton, MD
Talbot County

Landlord Town of Easton
14 S. Harrison St.
Easton, MD 21601

Property Location 108 W. Dover St.
Easton, MD 21601

Space Type Office
Duration 10 Years
Annual Rent \$138,324.00

Lease Type Renewal
Effective 2/1/2013
Square Foot Rate \$12.00
Previous Square Foot Rate \$12.00
Effective Square Foot Rate \$16.25

Square Feet
11,527

Utilities Responsibility Lessee
Custodial Responsibility Landlord
Previous Board Actions 8/1/2007-13-LT; 7/30/1997-56-L; 9/18/1996-15-1.

Fund Source 100% Gen. \$140,000 C0013 01 AOBJ 1301 PCA 00004

Special Conditions

1. The lease contains a reimbursement clause for operating expenses. These expenses are estimated to be \$6.00 per square foot.
2. The lease provides for an option renewal of 5 years.
3. The lease incorporates 5 reserved parking spaces.

Remarks

1. This space has been in use since 1997 for one courtroom and administrative office space.
2. The lease contains a termination for convenience clause.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 11-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

Board of Directors of the Alice Ferguson Foundation, Inc. (Prince George's County)
Alice Ferguson Foundation-Potomac Watershed Study Center
"For the construction of the Potomac Watershed Study Center, located in Prince George's County."

\$1,700,000.00

Maryland Consolidated Capital Bond Loan of 2012 (MISC - Chapter 444, Acts of 2012)
DGS Item G001, (SL-015-120-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Alice Ferguson Foundation, Inc. has submitted documentation that it has \$2,190,152.06 in various financial institutions to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$10,564,590.00
12-G001 (This Action)	\$ 1,700,000.00
Local Cost	\$ 8,864,590.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 12-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

*Board of Directors of the Carroll Baldwin Memorial Institute, Inc.
 (Howard County)*

Carroll Baldwin Hall

"For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Carroll Baldwin Hall, located in Savage."

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2012 (MCCBL – LHI - Chapter 444, Acts of 2012), DGS Item G122

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2012 (MCCBL – LSI - Chapter 444, Acts of 2012), DGS Item G066, (SL-077-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Carroll Baldwin Memorial Institute, Inc. is utilizing the value of property to meet the matching fund requirement. The Department of General Services, Real Estate Office, reviewed the appraisal for 9035 Baltimore Street in Savage and has accepted a value of \$880,000.00.

BACKGROUND

Total Project	\$294,000.00
12-G122 (This Action)	\$ 50,000.00
12-G066 (This Action)	\$100,000.00
10-G051 (Prior Action)	\$ 50,000.00
Local Cost	\$ 94,000.00

(Prior Action: 7/11/12 Agenda, Item 23-CGL)

REMARKS

(1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

(2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 12-CGL (Cont.)

- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

*Board of Directors of the Bowman Community Development Corporation
 (Anne Arundel County)
 Clay Street Development*

"For the repair and renovation of a building located in Annapolis."

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
 DGS Item G103, (SL-046-110-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Board of Directors of the Bowman Community Development Corporation is utilizing the value of property to meet the matching fund requirement. The Department of General Services, Real Estate Office, reviewed the appraisal for 61 West Washington Street in Annapolis and has accepted a value of \$510,000.00.

BACKGROUND

Total Project	\$1,100,000.00
11-G103 (This Action)	\$ 100,000.00
Local Cost	\$1,000,000.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

*Maryland-National Capital Park and Planning Commission (Prince George's County)
Dinosaur Park*

"For the planning, design, and construction of Dinosaur Park Improvements, located in Riverdale."

\$25,000.00

*Maryland Consolidated Capital Bond Loan of 2012 (LSI - Chapter 444, Acts of 2012)
DGS Item G079, (SL-016-120-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Maryland-National Capital Park and Planning Commission has submitted documentation that it has appropriated \$300,000.00 through Fiscal Year 2013 to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$325,000.00
12-G079 (This Action)	\$ 25,000.00
Local Cost	\$300,000.00

REMARKS

(1) The grant agreements have been modified with the following: 16. Indemnification: *To the extent permitted by law (including Courts and Judicial Proceedings Article, §5-301 et seq. the Local Government Tort Claims Act; Article 25A, §1A; and Courts and Judicial Proceedings Article, §5-509; Annotated Code of Maryland, as amended from time to time) and subject to the availability of appropriations, Grantee....*

(2) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

(3) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL (Cont.)

(4) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

*Maryland-National Capital Park and Planning Commission (Prince George's County)
 Green Branch Athletic Complex*

"For the planning, design, construction, and capital equipping of the Green Branch Athletic Complex, located in Prince George's County."

\$1,000,000.00

*Maryland Consolidated Capital Bond Loan of 2012 (MISC - Chapter 444, Acts of 2012)
 DGS Item G014, (SL-013-120-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Maryland-National Capital Park and Planning Commission has submitted documentation that it has appropriated \$7,733,000.00 through its Fiscal Year 2013 budget to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$2,000,000.00
12-G014 (This Action)	\$1,000,000.00
Local Cost	\$1,000,000.00

REMARKS

(1) The grant agreement has been modified with the following: 16. Indemnification: *To the extent permitted by law (including Courts and Judicial Proceedings Article, §5-301 et seq. the Local Government Tort Claims Act; Article §25A, 1A; and Courts and Judicial Proceedings Article, §5-509; Annotated Code of Maryland, as amended from time to time) and subject to the availability of appropriations, Grantee....*

(2) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

(3) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-CGL (Cont.)

(4) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 16-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

Lyric Foundation, Inc. (Baltimore City)

Patricia and Arthur Modell Performing Arts Center at the Lyric

"For the design, construction, renovation, and capital equipping of the Patricia and Arthur Modell Performing Arts Center at the Lyric, located in Baltimore."

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2012 (LSI - Chapter 444, Acts of 2012)
DGS Item G029, (SL-017-120-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Lyric Foundation, Inc. has submitted documentation that it has \$398,179.55 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$776,665.00
12-G029 (This Action)	\$250,000.00
Local Cost	\$526,665.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

RECOMMENDATION That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of Roberta's House, Inc. (Baltimore City)
Roberta's House

"For the acquisition, planning, design, renovation, construction, reconstruction, repair, and capital equipping of Roberta's House, located in Baltimore City."

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2008 (LSI, Chapter 336, Acts of 2008; amended by chapter 372, Acts of 2010; and by Chapter 639, Acts of 2012)

DGS Item G043

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2008 (LSI, Chapter 336, Acts of 2008; amended by chapter 372, Acts of 2010; and by Chapter 639, Acts of 2012)

DGS Item G142 (SL-094-080-038)

MATCHING FUND No match is required.

BACKGROUND

Total Project	\$4,349,445.00
08-G043 (This Action)	\$ 50,000.00
08-G142 (This Action)	\$ 250,000.00
Local Cost	\$4,049,445.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) Invoices should be submitted to the Comptroller's Office for the disbursement of funds.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

*Mayor and Board of Aldermen of the City of Frederick (Frederick County)
 Weinberg Center for the Arts*

"For the design and construction, repair, renovation, reconstruction, and capital equipping of the Weinberg Center for the Arts, located in Frederick."

\$75,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
 DGS Item G057*

\$75,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
 DGS Item G125, (SL-019-001-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Mayor and Board of Aldermen of the City of Frederick have submitted evidence in the form of canceled checks and invoices that they have \$337,785.00 in eligible expenditures to meet the matching fund requirement for this project. Board of Public Works approval is also requested to reimburse the Mayor and Board of Aldermen of the City of Frederick \$150,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$1,535,000.00
11-G057 (This Action)	\$ 75,000.00
11-G125 (This Action)	\$ 75,000.00
08-G067 (Prior Action)	\$ 55,000.00
08-G154 (Prior Action)	\$ 50,000.00
01-G000 (Prior Action)	\$ 100,000.00
00-G000 (Prior Action)	\$ 200,000.00
Local Cost	\$ 980,000.00

(Prior Actions: 12/16/09 Agenda, Item 14-CGL; 12/12/01 Agenda, Item 29-CGL; 9/20/00 Agenda, Item 25-CGL)

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL (Cont.)

- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Main Street Housing, Inc.
1521 S. Edgewood St.
Baltimore, MD 21227

PROJECT NO. AND TITLE

Project number: MHA-CB-09104-02
Waiver of Priority of Declaration and
Subordination Agreement of:
516 N. Washington Ave, Easton, MD 21601

DESCRIPTION

Board of Public Works approval is requested for a Waiver of Priority and Subordination Agreement for the benefit of Way Station, Inc. (a nonprofit organization) providing long-term permanent housing for persons with mental illness and very low incomes. On October 17, 2012 the Board approved a grant of \$90,000.00 (DGS Agenda, 27- CGL) to assist Main Street Housing, Inc. in the cost of acquiring a home at 516 N. Washington St., Easton, MD 21601 (the "Property") currently, Main Street Housing, Inc (MSHI) has a financing agreement in the form of a \$90,650.00 loan from Maryland Department of Housing and Community Development (MDHCD) for the acquisition of the Property based on the condition that the State subordinates its right of recovery on the Property to the MDHCD loan in the amount of \$90,000.00.

The Department of Health and Mental Hygiene recommends approval of a Waiver of Priority of Declaration and Subordination Agreement on behalf of MSHI.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDALANDLORD LEASEITEM 20-LL-MODDEPARTMENT OF PUBLIC SAFETY AND (Washington County)
CORRECTIONAL SERVICESTenant Maryland Solar, LLC
1732 W. Genesee St.
Syracuse NY 13204Property Location 18601 Roxbury Rd.
Hagerstown, MD 21746Space Type Land Type Modification Acre(s) 279 Ac.
Duration 19 Years/5Months Effective 1/24/2013
Annual Rent \$35,767.80 Years 1-3
3% Increases Years 4-20Utilities Responsibility TenantCustodial Responsibility TenantPrevious Board Action(s) 3/7/12 Item 11-LL-MOD Revised; 7/27/11 Item 12-LLRemarks The purpose of this Action Agenda Item is to seek approval of the transfer of First Solar, LLC's membership interests in the Tenant, Maryland Solar, LLC, to EFS Maryland Solar, LLC, an indirect subsidiary or affiliate of General Electric Capital Corporation, and PE – Maryland Solar, LLC, a wholly owned subsidiary or affiliate of PurEnergy LLC, and allow certain other transfers and modifications to the Lease.Reference On July 27, 2011, as Department of General Services Action Agenda Item 12-LL, the Board of Public Works approved a ground lease with Maryland Solar, LLC for the purposes of establishing a solar energy facility on underutilized prison land in Western Maryland. The lease is for a 20 year term and calls for the development and operation of a 20 MW solar energy facility consisting of approximately 100,000 separate photovoltaic panels.

On March 7, 2012, as Department of General Services Action Agenda Item 11-LL-MOD Revised, the Board of Public Works approved the transfer of membership interest in the Tenant, Maryland Solar, LLC, to First Solar Development, Inc.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDALANDLORD LEASEITEM 20-LL-MOD (Cont.)

The Board of Public Works is now requested to approve the transfer of the membership interest from First Solar, LLC to EFS Maryland Solar, LLC, an indirect subsidiary or affiliate of General Electric Capital Corporation, and PE – Maryland Solar, LLC, a wholly owned subsidiary or affiliate of PurEnergy LLC.

The Board of Public Works is further requested to approve an amendment to the Lease to permit certain financing and ownership changes, being a) certain minority interests in Maryland Solar, LLC or EFS Maryland Solar, LLC to be transferred, b) certain majority interests in Maryland Solar, LLC and its member entities to be transferred so long as certain conditions are met as specified in the Lease and Supplemental No. 3, and c) an assignment of the Lease to a pre-identified third party bank intermediary for purposes of a sale/leaseback financing of the Solar Project, with a sublease of the Demised Premises back to Maryland Solar, LLC with Maryland Solar LLC having the right to re-acquire the Lease at the termination of the sale/leaseback term.

Note: This item previously appeared on the DGS/BPW Agenda on 12-19-12 as Item 9-LL-MOD and 1-2-13 as Item 4-LL-MOD and was withdrawn at both.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

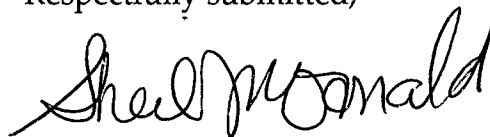
WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

There being no further business, the meeting of January 23, 2013 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheila McDonald". The signature is fluid and cursive, with the first name "Sheila" and last name "McDonald" clearly distinguishable.

Sheila C. McDonald, Esq.
Executive Secretary

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