

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS

January 25, 2012

BOARD OF PUBLIC WORKS

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JANUARY 25, 2012

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, JANUARY 25, 2012**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, January 25, 2012.

Board Members present:

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

Also present:

D'Andrea Lancelin, Deputy Secretary, Department of General Services
T. Eloise Foster, Secretary, Department of Budget & Management

CONSTRUCTION:

General Construction Project Contingency Fund 1988
Maryland Consolidated Capital Bond Loan of 2004
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

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 25, 2012

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
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**1. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
*Public School Construction Capital Improvement Program – Fiscal Year 2013***

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the Preliminary State School Construction Capital Improvement Program for the Fiscal Year 2013 in the amount of \$250 million. The Interagency Committee's proposed \$250 million Statewide program - based on the Governor's preliminary allocation - 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 Program would be funded by at least \$250 million from a proposed new bond authorization.

Background: The Interagency Committee has considered each local school system's capital improvement school construction program request submitted for Fiscal Year 2013. After evaluating the submissions from each local education agency, including discussion between local representatives and Interagency Committee staff, the Interagency Committee recommends the Fiscal Year 2013 Program to the Board of Public Works.

Generally, the recommended Program 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, and the highest priority systemic renovation projects. In addition, the recommended Program has taken account of new and amended regulations recently approved by the Board that address the location of schools outside of Priority Funding Areas, and the readiness of school facilities to serve as emergency shelters in the event of a federal, State, or local emergency event. The Program also includes planning approval for a number of 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.

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

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

APPROVED*	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

* Approved 2-0

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
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2. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Eastern Shore Region

Recommendation: Caroline, Dorchester, Kent, Queen Anne's, Talbot, Somerset, Wicomico and Worcester Counties recommend that the Board of Public Works approve a grant to the Eastern Shore Region in the amount of \$1,250,000 for the following public school construction projects:

A. Caroline County:

<u>Denton Elementary School</u>		
Backup Power Generator		\$36,750
<u>Greensboro Elementary School</u>		
Backup Power Generator		\$36,750
<u>North Caroline High School</u>		
Backup Power Generator		\$75,237
	Caroline County SubTotal	<u>\$148,737</u>

B. Dorchester County:

<u>Maces Lane Middle School</u>		
Geo-field Improvement		\$90,000
<u>Hurlock Elementary School</u>		
HVAC Controls Renovation		\$47,109
	Dorchester County SubTotal	<u>\$137,109</u>

C. Kent County

<u>Kent County High School</u>		
Auditorium Improvements		\$104,177
	Kent County SubTotal	<u>\$104,177</u>

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

2. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM (cont'd)
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Eastern Shore Region

D. Queen Anne's County

<u>Centreville Middle School</u> Technology Modernization	\$179,000	
		<u>Queen Anne's County SubTotal</u> \$179,000

E. Talbot County

<u>Easton High School</u> Rebuild HVAC System and Chiller	\$135,198	
		<u>Talbot County SubTotal</u> \$135,198

F. Somerset County

<u>Marion Sarah Peyton School</u> Bathroom Renovations	\$114,023	
		<u>Somerset County SubTotal</u> \$114,023

G. Wicomico County

<u>Pittsville Elementary and Middle School</u> Energy Efficient Lighting Upgrades	\$267,221	
		<u>Wicomico County SubTotal</u> \$267,221

H. Worcester County

<u>Berlin Intermediate School</u> Replace HVAC Unit	\$47,000	
<u>Pocomoke Middle School</u> Replace HVAC Unit	\$47,000	

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

**2. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM (cont'd)
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
*Eastern Shore Region***

H. Worcester County (cont'd)

<u>Snow Hill Middle School</u>		
Replace HVAC Unit	\$47,000	
<u>Stephen Decatur High School</u>		
Replace Gymnasium Lighting	\$23,535	
	Worcester County SubTotal	<u>\$ 164,535</u>
	Eastern Shore Region Total:	<u>\$1,250,000</u>

Authority: *Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation:* Chapter 572 (2011 Laws of Maryland) [House Bill 1213 (2011)].

Fund Source: D06E0202

Background: In enacting the State's Fiscal Year 2012 budget, the Governor and the General Assembly dedicated a supplementary appropriation of \$47.5 million to school construction projects. This is in addition to the \$264.6 million that funds the State's Public School Construction Capital Improvement Program for Fiscal Year 2012. See Secretary's Agenda Item 18 (May 4, 2011) (approving the FY 2012 State Capital Improvement Program).

The General Assembly authorized the Board of Public Works to approve individual public school improvement projects that meet a school or community need. The General Assembly allocated each county or region a specific sum for which local matching funds are not required. The FY 2012 supplementary appropriation allocated to the Eastern Shore Region is \$1,250,000. The Eastern Shore Region comprises Caroline, Dorchester, Kent, Queen Anne's, Talbot, Somerset, Wicomico, and Worcester Counties

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

2. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM** (cont'd)

Public School Construction Projects

***Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Eastern Shore Region***

The Board may approve individual projects that meet a school or community need. The General Assembly instructed the Board – in evaluating the recommendations submitted by local jurisdictions – to consider projects that:

- Benefit older school buildings
- Benefit schools with high proportions of children eligible for free and reduced meals
- Can be completed within one year
- Eliminate or reduce the use of relocatable classrooms
- Are designated A or B by the Interagency Committee on School Construction but were not fully funded in the FY 2012 Capital Improvement Program
- Reduce energy consumption or incorporate high performance/green building principles

Public School Construction Program: The Public School Construction Program has reviewed the Eastern Shore Region requests and states:

Caroline: These three projects will increase the number of county schools that can serve as emergency shelters.

Dorchester: The Mace's Lane Middle School was replaced in 2004. This request results from a deficiency in the geothermal ground source heating and cooling system when it was found that the system is inadequate for peak summertime loads. The cause has not been definitively determined. The proposed approach is less expensive than expanding the bore hole field to increase cooling capacity. This project would not be eligible under the State's CIP, ASP, or QZAB programs because: (1) State funding is not provided for a project at a facility placed in service within the past 15 years; and (2) the State does not support projects that have resulted from design or construction deficiencies.

Kent: This project would be eligible under the ASP or QZAB programs.

Queen Anne's: Portions of this project, *e.g.*, the upgrade or replacement of teachers' computers, are not eligible under the CIP, ASP or QZAB programs. Other portions, including the upgrade of infrastructure wiring and the conversion of chalkboards to marker boards, are typically eligible under the ASP and QZAB programs.

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

**2. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM (cont'd)
*Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Eastern Shore Region***

Talbot: This project would be eligible under the ASP or QZAB programs.

Somerset: This project would be eligible under the ASP or QZAB programs.

Wicomico: This project would be eligible under the CIP, ASP or QZAB programs. This request will complete the mechanical and electrical upgrade of this school.

Worcester: This project would be eligible under the ASP or QZAB programs.

Grant Administration: Upon Board of Public Works approval, the Public School Construction Program will administer the grant. COMAR 23.03.03 – Construction Procurement Method (including procurement methods, the Minority Business Enterprise program, prevailing wage requirements) applies to this grant. Technical review, payment, financial reporting, and audit procedures will be as set forth in the Administrative Procedures Guide of the Public School Construction Program or the Administrative Procedures Guide of the Aging School Program, as applicable.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

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3. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Baltimore City

Recommendation: Baltimore City recommends that the Board of Public Works approve a grant in the amount of \$9,000,000 for the following public school construction projects:

Fire Alarm System Replacement Projects (3)

Hilton Elementary School	\$ 270,000
Johnston Square Elementary/Middle School	\$ 304,000
Chinquapin Building	\$ 238,000

Roof Replacement Projects (2)

Gardenville Elementary School	\$ 517,000
Bay Brook Elementary/Middle School	\$ 382,000

Boiler/Chiller/Mechanical Equipment Replacement Projects (4)

Frederick Elementary School	\$ 515,000
Robert Poole Building	\$ 542,000
Walter P Carter Elementary/Middle School	\$ 444,000
Garrett Heights Elementary/Middle School	\$ 488,000

Window/Door Replacement Projects (7)

Dr. Bernard E Harris, Sr. Elementary School	\$ 225,000
Govans Elementary School	\$ 549,000
Westside Elementary School	\$ 433,000
Thomas Johnson Elementary/Middle School	\$ 352,000
Medfield Heights Elementary School	\$ 662,000
Alexander Hamilton Elementary School	\$ 549,000
Hilton Elementary School	\$ 608,000

Window Replacement Projects (4)

Callaway Elementary School	\$ 644,000
Langston Hughes Elementary School	\$ 234,000
Woodhome Elementary/Middle School	\$ 963,000
Rosemont Elementary/Middle (Partial) School	\$ 81,000

<u>TOTAL</u>	\$9,000,000
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BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

3. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM (cont'd)

Authority: *Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation: Chapter 572 (2011 Laws of Maryland) [House Bill 1213 (2011)].*

Fund Source: D06E0202

Background: In enacting the State's Fiscal Year 2012 budget, the Governor and the General Assembly dedicated a supplementary appropriation of \$47.5 million to school construction projects. This is in addition to the \$264.6 million that funds the State's Public School Construction Capital Improvement Program for Fiscal Year 2012. See Secretary's Agenda Item 18 (May 4, 2011) (approving the FY 2012 State Capital Improvement Program).

The General Assembly authorized the Board of Public Works to approve individual public school improvement projects that meet a school or community need. The General Assembly allocated each county or region a specific sum for which local matching funds are not required. The FY 2012 supplementary appropriation allocated to Baltimore City is \$9,000,000.

The Board may approve individual projects that meet a school or community need. The General Assembly instructed the Board – in evaluating the recommendations submitted by local jurisdictions – to consider projects that:

- Benefit older school buildings
- Benefit schools with high proportions of children eligible for free and reduced meals
- Can be completed within one year
- Eliminate or reduce the use of relocatable classrooms
- Are designated A or B by the Interagency Committee on School Construction but were not fully funded in the FY 2012 Capital Improvement Program
- Reduce energy consumption or incorporate high performance/green building principles

Public School Construction Program: The Public School Construction Program states that these projects were previously requested by Baltimore City Public Schools in the FY 2012 Public School Construction Capital Improvement Program; all were eligible for State funding but were deferred due to fiscal constraints.

Grant Administration: Upon Board of Public Works approval, the Public School Construction Program will administer the grant. COMAR 23.03.03 – Construction Procurement Method (including procurement methods, the Minority Business Enterprise program, prevailing wage requirements) applies to this grant. Technical review, payment, financial reporting, and audit procedures will be as set forth in the Administrative Procedures Guide of the Public School Construction Program or the Administrative Procedures Guide of the Aging School Program, as applicable.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION		WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

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4. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Public School Construction Projects

Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012

Howard County

Recommendation: Howard County recommends that the Board of Public Works re-allocate a portion of the \$4,000,000 in FY 2012 Alcoholic Beverage Supplementary Appropriation grant funds designated for Howard County Public Schools. Specifically, Howard County requests to ADD the Dunloggin Middle School roof system and DELETE the Oakland Mills High School and Wilde Lake High School projects.

Background: Reference is made to Secretary’s Agenda Item 12 (10/5/2011) in which the Board of Public Works approved Howard County’s request for allocation of the \$4,000,000 FY 2012 supplementary appropriation that the General Assembly authorized. The purpose of the grants is to fund individual public school improvement projects that meet a school or community need.

Specifically, the Board approved using the allocated \$4 million for five projects: Atholton High School, Hammond High School, Wilde Lake Middle School, Oakland Mills High School, and Wilde Lake High School.

Howard County is now seeking to use funds originally approved for Oakland Mills High School (\$1,000,000) and for Wilde Lake High School (\$750,000) on:

Dunloggin Middle School

Remove and replace existing 26-year-old low-sloped single-ply thermoplastic roof system, including insulation and sheet metal and replacing penthouse wall panels (64,000 square feet); remove and replace existing roof deck. \$1,750,000

Authority: *Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation: Chapter 572 (2011 Laws of Maryland) [House Bill 1213 (2011)].*

Fund Source: D06E0202

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve funding a total of 19 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$166,500.

Agreement #	Recipient	County	Amount
AT-2012-2085	JOHN B. PADGETT, III	St. Mary's	14,200
AT-2012-2135	SNOW HILL FARM LLC	Cecil	3,600
AT-2012-2136	JOHN L. MILLER	Allegany	4,200
AT-2012-2158	GERALD R. SIZEMORE	Cecil	4,900
AT-2012-2169-B	MAHMOUD EL-BAF	Wicomico	35,000
CH-2011-1875	WALTER E. SCHMIDT	Queen Anne's	800
CR-2012-2168	FRANBAR FARM, INC.	Queen Anne's	14,900
LS-2012-2157	DAVID H. EGGLETON	Baltimore	2,200
MP-2012-1936	ROBERT J. KLINE	Frederick	18,100
MP-2012-1938	ROBERT J. KLINE	Frederick	19,100
MP-2012-2156	CAROL D. SWANDBY	Frederick	6,200
MP-2012-2162	MARKELL C. SMITH	Frederick	7,800
MP-2012-2164	MARKELL C. SMITH	Frederick	6,900
MP-2012-2165	MARKELL C. SMITH	Frederick	4,200
MP-2012-2167	GOOD FRIDAY FARM	Frederick	3,500
NW-2012-2161	POSSUM HILL FARMS, INC	Caroline	5,400
NW-2012-2163	POSSUM HILL FARMS, INC	Caroline	5,400
RS-2012-2110	CHARLES ALAN SHARP	Howard	2,500
UP-2012-2129	BRYAN BABINGTON	Washington	7,600

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

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 25, 2012

SECRETARY'S AGENDA

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6. **DEPARTMENT OF AGRICULTURE**
Maryland Agricultural Cost-Share Program Additional Funding Requests

Recommendation: That the Board of Public Works approve **ADDITIONAL FUNDING** of 1 individual grant under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$846.66.

Agreement #	Recipient	County	Amount \$
MP-2011-2319	H. WAYNE SAVAGE	Frederick	846.66

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

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.

Additional funds are requested for these projects to offset additional costs realized at the completion of the project. These additional costs are a result of design changes required based on site conditions encountered during construction, design changes to improve project effectiveness, or because the level of co-cost share funding originally anticipated was not available when the project was completed.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

Contact: Mary Jo Childs 410-260-7335
mchilds@comp.state.md.us

7. **BOARD OF PUBLIC WORKS**
Procurement Agency Activity Report

Submission of the Procurement Agency Activity Reports by:

- A. Department of General Services, August 2011
- B. Department of Public Safety & Correctional Services, November 2011
- C. Department of Budget & Management, October 2011
- D. Department of Transportation, October and November 2011

to the Board of Public Works in accordance with COMAR 21.02.01.05 (Procurement Regulations).

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
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8. 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 indicated. The Department of the Environment fully concurs with this recommendation.

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

ANNE ARUNDEL COUNTY

- 10-0736 STONY BEACH CONDOMINIUMS – To dredge an area, and construct a boat ramp, an access pier, and a groin – Patapsco River, Curtis Bay
- 12-0068 *ANNAPOLIS COVE HOA – To emplace a stone sill, sand containment groins, coir fiber logs, and fill sand, and to fill, grade, and plant marsh vegetation along an eroding shoreline – Lake Ogleton, Annapolis
- 12-0239 TWIN HARBORS CA – To replace fixed, floating, and finger piers, and install mooring piles and a swim platform – Dividing Creek and Mill Creek – Arnold
- 12-0366 MARINE ENTERPRISES, LLC – To dredge a channel and provide for periodic maintenance dredging for a 6-year period - Rockhold Creek, Deale
- 12-0220 JEFFREY & LINDA NORRIS – To emplace stone revetment and replace vinyl bulkhead sheeting – Forked Creek, Arnold
- 12-0212 HUGH HAYES – To install stone revetment and bulkhead, emplace stone groins and replace timber pier and platform, two boatlifts and mooring piles – Magothy River, Pasadena

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

**8. BOARD OF PUBLIC WORKS (cont'd)
*Wetlands Licenses***

ANNE ARUNDEL COUNTY (cont'd)

11-0703 ROBERT EDEN – To emplace stone sill and scour stone and construct a stone groin – South River, Edgewater

11-0704 *BRENDA L. BOULTWOOD – To emplace scour stone and breakwater and to fill, grade, and plant marsh vegetation along an eroding shoreline – Church Creek, Edgewater

12-0221 JOHN & ALICIA BLAMPHIN – To emplace stone revetment and replace vinyl bulkhead – Forked Creek, Arnold

QUEEN ANNE'S COUNTY

12-0205 LAWRENCE T. HOYLE JR. – To emplace stone revetment and construct stone groins – Chester River, Centreville

*NOTE: In FY2012, BPW has approved 6.57 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 25, 2012

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
dmoore@comp.state.md.us

9. **BOARD OF PUBLIC WORKS**
Wetlands License 11-0552

Approval is requested of the following application for a wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case is classified as an extraordinary case because of the recommendation that compensation be assessed. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

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

TALBOT, CAROLINE & DORCHESTER COUNTIES

11-0552 **DELMARVA POWER & LIGHT CO.** – To replace existing timber poles with steel poles supporting an electrical transmission line and to install six 69kV lines – Choptank River and surrounding wetlands, beginning at Easton Substation in Talbot, continuing through Caroline, and ending at Todd Substation near Hurlock in Dorchester County

- Application received – February 25, 2011
- Public comment period ended – July 1, 2011
- MDE Report and Recommendation to approve received – December 27, 2011

Compensation: \$1000.00 non-recurring fee and an annual fee of \$1.00 per linear foot of cable, totaling \$32,940. The annual fee will be adjusted every five years based on the Consumer Price Index.

Indemnification: As a condition of this wetlands license, the licensee agrees to indemnify, defend and save harmless the State of Maryland, its officers and employees from and against any and all liability, suits, claims and actions of whatever kind, caused by or arising from the placement of the cables over

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

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10. BOARD OF PUBLIC WORKS
Wetlands License 10-0935

Approval is requested of the following application for wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case has been classified as an extraordinary case because a public informational hearing was held. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

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

TALBOT COUNTY

10-0935 **JULIE MONACO** – “Construct a 130-foot long by 5-foot wide pier with a 10-foot by 20-foot “L”, one boatlift and four mooring piles, all extending a maximum of 150 feet channelward of the mean high water line; to install one osprey pole in vegetated tidal wetlands approximately 45 feet landward of the mean high water line; and to fill, grade, and plant marsh vegetation along 590 feet of eroding shoreline with 3,360 cubic yards of sand and a low profile, stone, sand containment sill emplaced within a maximum of 68 feet channelward of the mean high water line, as depicted on the plans dated October 19, 2010.”
Pawpaw Cove on Black Walnut Point Road at Tax Map 44, Parcel 36, Lot 1, Tilghman

Application received – May 20, 2010
 Public comment period ended – November 1, 2010
 Public hearing held – December 14, 2010
 Hearing comment period closed – January 12, 2011
 MDE Report and Recommendation approving works as above described received – November 2, 2011

The Board of Public Works deferred this item (as Item 5) on January 4, 2012.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307
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**11. MARYLAND ENVIRONMENTAL SERVICE
*Dorsey Run AWWTP Improvements and Upgrades***

CONSTRUCTION Improvements and Equipment Upgrade
MES Project #11-05-23

ORIGINAL APPROVAL Sec. Agenda Item 13 (7/6/2011)

CONTRACTOR American Contracting & Environmental Services, Inc.
Laurel

ORIGINAL CONTRACT DESCRIPTION Labor, equipment, materials, tools, and supervision to make treatment process improvements and equipment upgrades to the Dorsey Run Advanced Wastewater Treatment Plant in Anne Arundel County.

MODIFICATION DESCRIPTION Supply and install a second mechanical screen, return sludge pumps, septage screen, motor control center, outfall walkway, administration building HVAC, air diffusers, and access hatches to two existing tanks.

ORIGINAL TERM 545 calendar days

MODIFIED TERM 545 calendar days

ORIGINAL CONTRACT AMOUNT \$ 3,934,000

MODIFICATION AMOUNT \$ 977,949

REVISED TOTAL CONTRACT AMOUNT \$ 4,911,949

PERCENTAGE INCREASE 25%

MBE PARTICIPATION 10%

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

11. MARYLAND ENVIRONMENTAL SERVICE (cont'd)
Dorsey Run AWWTP Improvements and Upgrades

REMARKS: When this project was originally bid, all bids significantly exceeded the budget, so the project scope was reduced and the project re-bid and awarded. This change order adds items that were deleted from the original scope. These additional items will conserve energy, make the plant safer to operate, and provide the operators better control of the biological process, resulting in a better quality effluent.

With the modification, the approved amount will exceed the amount authorized for the project by the 2009 MCCBL by 10.1%. MES will notify the General Assembly as required by the language of the MCCBL, which states "Expenditures for any of the following projects may not exceed the amount below by more than 7.5% without notification to the General Assembly."

FUND SOURCE	077 MCCBL of 2009
APPROPRIATION CODE	04083 (PCA# 11007)
RESIDENT BUSINESS	Yes
MD TAX CLEARANCE	11-1409-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION		WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

Contacts: Jean Peterson (410) 5147358
peterson@mdhousing.org
Norman Swoboda (410) 514-7355
swoboda@mdhousing.org

12. 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 the 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 (e.g., loss of income due to unemployment or illness). 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: **Gregory Bhola**
13809 Cortland Lane, Upper Marlboro, MD 20774
Prince George's County
Original Loan: \$5,000
Current Balance: \$5,000
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 25, 2012

SECRETARY'S AGENDA

Contact Person: Carol Gilbert (410) 514-7229
 gilbert@mdhousing.org
 Dawn Medley (410) 514-7237
 medley@mdhousing.org

13. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Neighborhood BusinessWorks Program – Fiscal Year 2011

Recommendation: The Department of Housing and Community Development recommends that the Board of Public Works approve the use of general obligation bond proceeds to fund the capital improvements through two loans in the amount of \$531,000 for Fiscal Year 2011.

BORROWER	DESCRIPTION	LOAN AMOUNT
Braganza Holdings, LLC Baltimore City	Purchase and renovate mixed use building (retail/apartments) in Gardenville. This \$1.1 million project also has financial support from the Baltimore Development Corp and a local bank.	\$450,000
Springdale Properties Cumberland	Major renovation of a mixed use building (laundromat/apartments). This \$344,623 project has financial support from the DHCD Be SMART program; the renovation is approximately 70% energy efficient.	\$81,000

Fund Source: MCCBL of 2010: *Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designed by local governments.* Item SA24(B).

Authority:

- ◆ The Budget Reconciliation and Financing Act of 2010 (BRFA) [SB 141].
- ◆ Section 8-301, State Finance and Procurement Article, Annotated Code of Maryland.
- ◆ Article – Housing and Community Development, §§6-301 through 6-311
- ◆ Regulations concerning the program are found at COMAR 05.13.01.

Background: The Neighborhood Business Development Program, operating as Neighborhood BusinessWorks, was established in 1995 to provide flexible gap financing for small businesses starting up or expanding in locally designated neighborhood revitalization areas throughout Maryland. Loans are made to Maryland-based local development corporations, microenterprises, nonprofit organizations, or small businesses. Loans and grants are made to these organizations whose activities contribute to the broader revitalization of the designated neighborhood (e.g., reuse of vacant/underutilized buildings or providing needed goods or services to area residents). Financing ranges from \$1,000 up to the lesser of (i) \$500,000 or (ii) 50 % of total project costs. Loan applicants must provide a cash contribution of at least 5% of the total project cost.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

APPENDIX

Report of emergency contracts awarded by various agencies in accordance with **COMAR 21.05.06** (Title 21 - State Procurement Regulations) and reported in accordance with **COMAR 21.02.01.05(A)(3)**.

Individual reports enclosed.

BOARD OF PUBLIC WORKS**JANUARY 25, 2012****APPENDIX****SECRETARY'S AGENDA**

Contact: Charles C. Jackson 240-895-4412
ccjackson@smcm.edu

REPORT OF EMERGENCY PROCUREMENT**ITEM: Appendix 1****ST. MARY'S COLLEGE OF MARYLAND**

CONTRACT TITLE: Emergency Reconstruction of Caroline
and Prince George Halls

DESCRIPTION: Replace/repair building insulation, ceilings, light fixtures, walls, floors and any other building components removed or damaged during recent remediation of mold in both Caroline Hall and Prince George Hall.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: October 17, 2011

AWARD: KBE Building Corporation, Columbia, MD

AMOUNT: \$1,105,436

CONTRACT AWARD DATE: November 22, 2011

TERM: 11/22/11 to 1/6/12

MBE PARTICIPATION: 0%

FUND SOURCE: St. Mary's College of Maryland

APPROPRIATION CODE: Agency R14-D00-Fund 48

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

REMARKS:

Nature of Emergency: In September 2011, the College discovered mold in several rooms within Prince George and Caroline Halls, two residential housing units that accommodate approximately 350 students. Throughout the month, the College began to identify mold in additional rooms. On October 14, Dr. Hung K. Cheung, M.D., M.P.H., F.A.C.O.E.M. was hired to provide emergency consulting services concerning the mold conditions. On October 17, Dr. Cheung recommended that given the mold's systemic nature, all students should be relocated as a precaution. The College took immediate steps to relocate students to alternate locations on campus and to hotels. During the week of October 30th, students were relocated from the hotels to the Sea Voyager, a cruise ship docked at Historic St. Mary's City's pier. [See Companion Item A-2 on today's Secretary's Agenda Appendix.] Those students remained on the Sea Voyager until the winter break began December 16, 2011. Accordingly, the remediation and restoration of Caroline and Prince George Halls had to be complete by January 6, 2012 to allow students to return to campus residences after the winter break.

Basis for Selection: KBE was chosen based on the College's past experiences on other projects including the Waring Commons student residences and the River Center project. KBE has the ability to pull together and manage the large work force required in a very short time frame and has always provided efficient and reliable management of projects for the College. This contract requires KBE to solicit as many bids as practicable for the work and to provide management and oversight for a fixed fee. The cost at award is \$1,105,436. Because of the extremely limited time frame to award the emergency contract, the college encouraged KBE to solicit MBE subcontractors but did not require a specific MBE goal. KBE awarded subcontracts based on a combination of price, availability to begin work immediately, and capacity to supply large crews to expedite the work at an accelerated rate.

TAX COMPLIANCE NO.: 11-2992-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX**SECRETARY'S AGENDA**

Contact: Charles C. Jackson 240-895-4412
ccjackson@smcm.edu

REPORT OF EMERGENCY PROCUREMENT**ITEM: Appendix 2****ST. MARY'S COLLEGE OF MARYLAND****CONTRACT TITLE:** Charter of the Sea Voyager Ship**CONTRACT TYPE:** Ship Charter**DESCRIPTION:** Charter the Sea Voyager to accommodate 244 students as a temporary residence.**PROCUREMENT METHOD:** Emergency**DATE EMERGENCY DECLARED:** October 17, 2011**AWARD:** International Shipping Partners**AMOUNT:** \$955,000 (lease and fuel)**CONTRACT AWARD DATE:** October 27, 2011**TERM:** 11/1/11 to 12/17/11**MBE PARTICIPATION:** 0%**FUND SOURCE:** St. Mary's College of Maryland**APPROPRIATION CODE:** Agency R14-D00-Fund 40

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

REMARKS:

Nature of Emergency: In early September 2011, the college discovered mold in several rooms within Prince George and Caroline Halls, two residential housing units that accommodate approximately 350 students. Throughout the month, the College began to identify mold in additional rooms. On October 14, Dr. Hung K. Cheung, M.D., M.P.H., F.A.C.O.E.M. was hired to provide emergency consulting services concerning the mold conditions. On October 17, Dr. Cheung recommended that given the mold's systemic nature, all students should be relocated as a precaution. The College took immediate steps to relocate students to alternate locations on campus and to hotels.

Students were placed in three hotels each approximately 30 to 40 minutes away, including one in Solomons. The College provided bus service to the hotels so students could return to campus for classes, meals, and co-curricular activities. The Sea Voyager enabled the college to return the students to campus to participate fully in its programs. Docked at Historic St. Mary's City pier for the Maryland Dove, the Sea Voyager is within a 3 minute walk to the College campus.

Basis for Selection: The Sea Voyager represented an ideal solution to the emergency housing needs of the college. The Sea Voyager was fortuitous in that it held the requisite capacity, was immediately available, could be delivered within a few days, and could be docked at the Dove pier with minimal accommodations. The ship arrived on October 30, 2011 and the students moved onboard on November 1. Students vacated the ship on December 16th at the conclusion of the fall academic semester.

Reason for Late Report: This emergency report is submitted one week beyond the required 45 days due to the magnitude of the administrative efforts needed to address the emergency described herein.

TAX COMPLIANCE NO.: 11-3034-0000.

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX

SECRETARY'S AGENDA

Contact: Nancy Hevey (410) 234-3819
hevey@mdmildep.org

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3

MILITARY DEPARTMENT
 Aberdeen Proving Ground

CONTRACT TITLE: Emergency Catering Services
 Freestate Challenge Academy
 ADPICS No. D50B2400013

CONTRACT TYPE: Service

DESCRIPTION: Catering Services: breakfast, lunch and dinner for approximately 180 youth for the Freestate Challenge Academy.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: October 27, 2011

BIDS: Federal Catering LLC
 DBA The Main Ingredient
 Annapolis, MD

AWARD: Federal Catering, LLC

AMOUNT: \$1,197,000

AWARD DATE: December 29, 2011

TERM: 1/1/12 through 12/19/12

MBE PARTICIPATION: 0%

FUND SOURCE: 75% Federal Funds/25% State
 Appropriation Code: D50H0105/1

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3 (continued)

REMARKS:

Nature of Emergency: The Freestate Challenge Academy accepts approximately 180 students for six-month terms. The Academy provides GED classes, computer and other skills training. The cadets reside on base and are provided breakfast, lunch and dinner daily. Historically, the cadets have been served their meals at Aberdeen Proving Ground's Dining Facility. APG advised that effective December 12, 2011, the Dining Facility would be closed; the Academy is allowed to use the Dining Facility but federally-supported food service will no longer be provided.

Because feeding of Academy cadets is mission critical, the Maryland Military Department sought a food services vendor to keep the Academy operational. The department solicited vendors on DGS-awarded emergency catering contracts for availability, viability and willingness. The magnitude – roughly 13,500 meals per month with no days off – is daunting. A maximum of \$26.60 per student per day for three meals is budgeted.

The department is requesting approval of a one-year contract. This is due to the fact that APG has notified the Academy that it must re-locate to another designated area at APG. At present, there has been no specific date when this move will take place. In addition, the Academy is exploring the potential for operating the Dining Facility itself to offer the cadets food-service experience in addition to the other opportunities provided by the program.

Basis for Selection: The vendor selected is Main Ingredient. Main Ingredient has been determined responsible, based on its experience with the U.S. Naval Academy, the University of Maryland, and the University of Baltimore. The department selected the vendor for its availability, viability and willingness to provide the catering required at the set price per student, per day.

TAX COMPLIANCE NO.: 11-3049-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION ✓

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

SECRETARY'S AGENDA

APPENDIX

Contact: Jane Bailey 410-767-4307
Jane.Bailey@dgs.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 4**

DEPARTMENT OF GENERAL SERVICES
Department of State Police

CONTRACT NO. AND TITLE: Emergency Roof Replacement
State Police Barracks – Westminster (Barrack 'G')
ADPICS No.: 001B2400354
Project: PG-601-120-003

CONTRACT TYPE: Maintenance

DESCRIPTION: Labor, materials, and equipment necessary to replace existing slate roof with 40-year asphalt fiberglass shingle roof system. The existing slate roof has many missing broken and deteriorated slates and water infiltration is causing damage to interior building components. All new valley and step flashing's will be 16 oz. copper, all gutters and down spouts will be replaced with a 6" seamless aluminum gutter system with new down spouts.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: September 8, 2011

BIDS:
Ruff Roofers, Baltimore, Md. \$76,905
Alliance Roofing, Baltimore, Md. \$88,330

AWARD: Ruff Roofers

AMOUNT: \$76,905

CONTRACT AWARD DATE: September 30, 2011

TERM 30 Days

BOARD OF PUBLIC WORKS

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SECRETARY'S AGENDA

APPENDIX

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4 (cont'd)

MBE PARTICIPATION: 20%

FUND SOURCE: H00 12 77051 01 1498

REMARKS:

Nature of Emergency: The present leaking condition is causing damage to the sub-structure and interior, which if addressed at this time can be minimized and easily repaired.

Basis for Selection: Ruff Roofers had the lower responsive and responsible bid. Both roofing companies solicited have a long history of performing at a high level on projects of a similar scope.

Reason for late report: DGS encountered administrative delays in obtaining documentation and the final submission was held pending receipt of documentation.

TAX COMPLIANCE NO.: 11-3003-0111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX

SECRETARY'S AGENDA

Contact: Sandy Johnson 410-767-7408
sjohnso5@dhr.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 5

DEPARTMENT OF HUMAN RESOURCES

CONTRACT TITLE: Rehabilitative Claims Submission
 ADPICS No. N00B2400295

CONTRACT TYPE: Information Technology Services

DESCRIPTION: Claims-submission electronic-processing services for the Department of Human Resources and Department of Juvenile Services to seek reimbursement from federal government for costs incurred in providing Medicaid rehabilitative services to Medicaid-eligible children placed in the State's care and custody. Claims-processing interacts with the Department of Health and Mental Hygiene's Medicaid Management Information System.

This emergency award ensured continuity of services from September 1 to December 31, 2011 when the existing contract's not-to-exceed amount had been reached and from January 1 to June 30, 2012 when a new procurement for the services had not yet been completed.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: September 1, 2011

AWARD: ACS State & Local Solutions, Inc.
 Washington, DC 20005

AMOUNT: \$542,655.00

AWARD DATE: September 1, 2011

TERM: 9/1/11-6/30/12

MBE PARTICIPATION: 0%

FUND SOURCE: 50% General 50% Federal (Title XIX)
 Appropriation Code: N00E0101

BOARD OF PUBLIC WORKS

JANUARY 25, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 5 (cont'd)

REMARKS:

Nature of Emergency: Through the rehabilitative-claims submission process, a contractor, on behalf of the Department of Human Resources, seeks reimbursement from the federal government for approximately \$20 million dollars annually for costs DHR incurs in providing Medicaid rehabilitative services to Medicaid-eligible children placed in the State's care and custody. DHR's initial contract for the services with ACS State and Local Solutions was procured under DoIT's CATS I Master Contract which expired on December 31, 2011 (an extension of that Master Contract is not available).

DHR pays the contractor on a fee-per-transaction basis. The original budget was based on a projection of processing an average of 50,000 claims monthly. DHR's aggressive outreach program to identify and submit more claims timely resulted in about 55,000 monthly claims (10% above projection). Although this increase in processed claims created more revenue for the State, it also meant higher compensation was due the contractor than the contract had anticipated. Hence, there was a funding shortfall to pay invoices from September 1 through December 31, 2011.

DHR is currently processing the solicitation for a new contract under DoIT's CATS II Master Contract; accordingly, the new contract was not in place on January 1, 2012. If these services were not continued through this emergency stopgap measure, DHR would continue to collect claims data from providers but would be unable to process it (*i.e.* seek federal reimbursement).

Basis for Selection: ACS State and Local Solutions, the incumbent contractor, provides continuity of service.

Reason for Late Report: DHR and DoIT needed time to best plan how to take to continue services and cover the budget shortfall. Additional time was needed to negotiate the emergency ten-month contract.

RESIDENT BUSINESS: Yes

TAX COMPLIANCE NO.: 11-2836-1111

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

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

January 25, 2012

**ITEM 1A
RURAL LEGACY PROGRAM FUNDS**

Contact: Lisa Ward
lward@dnr.state.md.us
(410) 260-8450

Recommendation: The Department of Natural Resources recommends that the Board of Public Works approve:

- Expanding six Rural Legacy Areas; and
- Reallocating \$1,362,702.71 of grant funds from previous fiscal years to eleven Rural Legacy Areas (*Because the Rural Legacy Program did not receive FY2012 grant funds, this Item does not involve award of FY2012 grants*).

Background: The Rural Legacy Program is designed to preserve large blocks of contiguous open space that are among the State's most valuable because of the existence of a multiple of agricultural, forestry, natural and cultural resources. To protect these resources, the Rural Legacy Program, acting through local government or private land trust sponsors, purchases conservation easements or fee simple interests in real property from willing property owners, based on Rural Legacy Plans that have been approved by the Rural Legacy Board. DNR will submit individual contracts to purchase conservation easements/fee simple interests to the Board of Public Works as the specific transactions arise.

Authority: Subtitle 9A – Rural Legacy Program, Natural Resources Article, Annotated Code of Maryland.

1. Agricultural Security Corridor Rural Legacy Area: *Caroline, Cecil, Dorchester, Kent and Talbot Counties*

Allocation of \$127,185.58 to acquire conservation easements and fee simple interests to protect a range of resources that includes forests, farmland, wetlands, historic sites, and endangered species habitat in the Agricultural Security Corridor in five counties on the Eastern Shore.

Conservation of property in this Area will support the local resource-based economy, including agricultural production and dairy, beef and poultry operations. The Board approved the designation of the Agricultural Security Corridor Rural Legacy Area in 1998.

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

January 25, 2012

**ITEM 1A (con't)
RURAL LEGACY PROGRAM FUNDS**

2. Anne Arundel South Rural Legacy Area: *Anne Arundel County*

Allocation of \$90,846.85 to acquire conservation easements and fee simple interests to protect agricultural, woodland, natural and cultural resource values and tributaries to the Chesapeake Bay and Patuxent River.

Conservation of property in this Area will support the local resource-based economy, including agricultural production and dairy, beef and poultry operations. The Board approved the designation of the Anne Arundel South Rural Legacy Area in 2000.

3. Coastal Bays Rural Legacy Area: *Worcester County*

- 400-acre **expansion** of the Rural Legacy Area to extend protection to Little Mill Run, a wetland of special state concern.
- **Allocation** of \$127,185.58 to acquire conservation easements and fee simple interests to protect forest, agricultural, natural areas and shoreline in Worcester County's coastal bays.

This Area includes important tidal marshland areas, forests, and farmland, which provides one of the most ecologically diverse and outstanding wildlife habitat in the State. Conservation of property in this Area will support the local resource-based economy. The Board approved the designation of the Coastal Bays Rural Legacy Area in 1998.

4. Deer Creek Rural Legacy Area (Formerly Lower Deer Creek): *Harford County*

Allocation of \$90,846.85 to acquire conservation easements and fee simple interests within the watershed of Deer Creek River, a State designated Scenic River, and adjacent to Rocks-Susquehanna State Park to protect historic farmland, forests, natural and cultural areas.

This Area is located within the Lower Susquehanna Heritage Greenway, a certified Maryland Heritage Area. The Board approved the designation of the Deer Creek Rural Legacy Area in 1999.

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

January 25, 2012

**ITEM 1A (con't)
RURAL LEGACY PROGRAM FUNDS**

5. Fair Hill Rural Legacy Area: Cecil County

Allocation of \$90,846.85 to acquire conservation easements and fee simple interests to protect farmland, forests, natural areas and historic sites in the northeast corner of Cecil County contiguous to Fair Hill Natural Resources Management Area. Conservation of property in this Area will support the local resource-based economy, including equestrian activities.

This Area includes significant bog turtle habitat, a State threatened species and a federally proposed threatened species. The Board approved the designation of the Fair Hill Rural Legacy Area in 1999.)

6. Little Pipe Creek Rural Legacy Area: Carroll County

Allocation of \$127,185.58 to acquire conservation easements and fee simple interests to protect farmland, woodland, natural and cultural land within the Little Pipe Creek and Upper Monocacy River Watersheds.

Conservation within the Area will provide water quality benefits not only for the two watersheds, but also for the underground aquifers that supply many residents with drinking water. The Board approved the designation of the Little Pipe Creek Rural Legacy Area in 1998.

7. Manor Rural Legacy Area: Baltimore and Harford Counties

Allocation of \$127,185.58 to acquire easements and fee simple interests to protect farmland, woodlands and significant natural and cultural resources in My Lady's Manor National Historic District and along the Little Gunpowder Falls, a Class Three Trout Stream. The Board approved the designation of the Manor Rural Legacy Area in 2000.

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

January 25, 2012

**ITEM 1A (con't)
RURAL LEGACY PROGRAM FUNDS**

8. Mountain Ridge Rural Legacy Area: *Allegany County*

- 335-acre **expansion** of the Rural Legacy Area to extend protection to adjacent areas of Dans Mountain Wildlife Management Area.
- **Allocation** of \$199,863.10 to acquire easements and fee simple interests of significant woodland, farmland and wetlands. The Area includes large blocks of unbroken forest, pristine ecologically significant areas and historic sites.

The Area includes exemplary plant and wildlife habitat, an important migration corridor and perhaps the most significant golden eagle flyway in the state. It is the first rural legacy area in Allegany County and the Ridge & Valley Physiographic Province, and will connect and enlarge the existing 10,163 acres of protected lands along the Allegany Front. The Board approved designation of the Mountain Ridge Rural Legacy Area in 2010.

9. Nanticoke Rural Legacy Area: *Dorchester County*

- 60-acre **expansion** of the Rural Legacy Area, considered the highest priority acquisition on the Nanticoke, would connect Rural Legacy Area easements to other protected lands, which link to the adjacent 28,562-acre Fishing Bay Wildlife Management Area, and create 50 miles of continuous riparian protection along the Nanticoke River of Dorchester County.
- **Allocation** of \$127,185.58 to acquire conservation easements and fee simple interests to protect farmland, forests and natural and historic properties in the Nanticoke River Watershed.

The Area includes exemplary plant and wildlife habitat and over 16 miles of shoreline along the Nanticoke River and Marshyhope Creek, and will provide a greenbelt around the Rural Historic Village of Vienna. The Board approved designation of the Nanticoke Rural Legacy Area in 2001.

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

January 25, 2012

**ITEM 1A (con't)
RURAL LEGACY PROGRAM FUNDS**

10. Piney Run Rural Legacy Area: *Baltimore County*

- 11,158-acre **expansion** of the Rural Legacy provides additional connectivity to Upper Patapsco Rural Legacy Area, provides additional buffer to the growth areas of Reisterstown, Timonium and Lutherville and includes important historic and cultural areas, including the Western Run National Register Historic District, where many preserved areas already exist.
- **Allocation** of \$127,185.58 to acquire conservation easements and fee simple interests to protect farmland, forests, natural areas and historic properties within and near National Register Historic Districts.

Conservation within the Area will provide water quality benefits to the Prettyboy and Loch Raven Reservoirs, two of the drinking supply reservoirs for the Baltimore Metropolitan Area. The Board approved the designation of the Piney Run Rural Legacy Area in 1998.

11. Zekiah Watershed: *Charles County*

Allocation of \$127,185.58 to acquire conservation easements and fee simple interests to protect farmland, forests and natural and historic properties contiguous to Zekiah Run. This Area contains the largest natural hardwood swamp in the State and is considered by the Smithsonian Institute to be one of the most important ecological areas on the East Coast. The Board approved the designation of the Zekiah Watershed Rural Legacy Area in 1998.

12. Foreman Branch Rural Legacy Area (Formerly Chino Farms): *Queen Anne's County*

2546-acre **expansion** would protect lands with prime agricultural soils and high ecological value, and provide additional connectivity beyond last year's expansion along Route 301 to the Kent County border.

The Area protects river frontage along the Chester River, prime agricultural lands, forest and wetlands which support natural habitats for wildlife and endangered species. The Board approved the designation of Foreman Branch Rural Legacy Area in 2000.

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

January 25, 2012

**ITEM 1A (con't)
RURAL LEGACY PROGRAM FUNDS**

13. Land's End Rural Legacy Area: *Queen Anne's County*

1486-acre **expansion** would protect waterfront, critical area, rare, threatened and/or endangered species habitat, historic structures, with funds being directed toward restoration projects within the Corsica and Chester River Watersheds.

The Area protects environmentally significant tributaries of the Chester and Corsica Rivers, including farmland, forest land, wetlands and wildlife habitat. The Board approved the designation of the Land's End Rural Legacy Area in 1998.

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: Tanya Green
410-767-6432
TDGreen@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Maryland Infant Hearing Program

CONTRACT ID: DHMH OPASS #12-10866;
Parent Outreach, Education and Training Activities
ADPICS NO: M00B2400366

CONTRACT DESCRIPTION: Develop a Parent-to-Parent Mentor program for families of children with hearing loss. Implement coordinated, ongoing parent outreach, education and training activities for families of Children and Youth with Special Health Care Needs (CYSHCN), including families of children with hearing loss and those at risk for hearing loss.

AWARD: The Parents' Place of Maryland, Inc.
Glen Burnie, MD

TERM: 2/1/2012 – 8/31/2014

AMOUNT: \$318,547 (2 Years; 7 Months)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (see Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

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

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: Request for approval of a sole source contract with The Parents' Place of Maryland (PPMD), a non-profit, family-centered organization that is the only entity in the State with an established Statewide and regional network of families for Children and Youth with Special Health Care Needs (CYSHCN).

The major focus of this contract is to develop a Parent-to-Parent Mentor program for families of children with hearing loss. PPMD already offers a unique training program, Parents Helping Parents (PHP), which strives to improve the quality of life for any CYSHCN of any age by educating, supporting and training their primary caregivers. This program provides a successful parallel program from which to develop the Parent-to-Parent Mentor Program.

As the federal family organization designee for both federal health and education programs in Maryland, PPMD is in a unique position to work in conjunction with both state and local level health and education agencies that provide services to families of infants and young children at risk for or with hearing loss to establish a regionally based, statewide system of parent support.

No MBE participation goal was established for this contract based upon the determination that there are no subcontracting opportunities available.

FUND SOURCE: 100% Federal
APPROP. CODE: M00F0302
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 11-2804-0110

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: 2-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*, and the DHMH and MHCC websites. MHCC verified that eMM notifications were sent to 648 prospective vendors. In addition, email notifications were directly sent to 203 minority businesses. A copy was also sent to the Governor's Office of Minority Affairs.

Three proposals were received in response to the RFP, and all were deemed to be reasonably susceptible of being selected for award. Market Decisions, LLC had the lowest price and was ranked technically #2. The technical differences between the #1 ranked technical offeror and Market Decisions, LLC were very close, and both offerors were deemed to be capable of performing all aspects of the scope of work. These slight technical differences did not offset the highest price offered by the #1 technical offeror. Therefore, award is recommended to Market Decisions, LLC as having the most advantageous offer for the State.

Under the provisions of Health-General Article §19-135(d), the Maryland Health Care Commission (MHCC) must implement a system to comparatively evaluate the quality of care and performance of nursing facilities that includes performance information from consumers and their families. Additionally, MHCC must annually report summary findings to nursing facilities, Marylanders, and other interested parties. The purpose of these activities is to improve the quality of care provided by nursing facilities by establishing a common set of performance measures and disseminating results to the public.

This contract will provide services needed to conduct annual surveys of care provided to over 25,000 long-term residents of nursing homes and 15,000 short-stay residents, who are discharged to return home, and produce the results of the surveys in a report suitable for public dissemination. Specific activities provided under the contract include, but are not limited to:

- Acquiring lists of responsible parties and residents from each of the 236 licensed nursing facilities in Maryland;
- Formatting, duplicating and mailing the survey;
- Tabulating the responses;
- Producing individual facility and statewide reports in an easy to understand format; and,
- Producing an analytic and methodological report.

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

ITEM: 2-S (Cont.)

It is anticipated that as many as 30,000 surveys will be mailed to achieve the needed response rate. This number is less than the total number of residents due to duplication in long term and short term stays, as well as multiple stays. About 10 - 15% of the residents do not meet the criteria for being surveyed, i.e. the resident died in the nursing home; the family is unknown or unable to be contacted; or the stay in the nursing home is too short.

The MHCC Nursing Home Family Survey has been conducted for each of the last four years; a Short Stay Resident Survey was piloted in 2010. Survey results are incorporated into the web-based Maryland Consumer Long Term Care (LTC) Guide at <http://mhcc.maryland.gov/longtermcare/index.html#nhp>. The LTC Guide has had over 45, 000 pages viewed in the first three quarters of 2011 by 14, 000 unique users. MHCC staff assists consumers without internet access to get the information they need from the Guide.

The MHCC Nursing Home Experience of Care Survey has been nationally recognized at two consecutive Consumer Assessment of HealthCare Providers and Systems (CAHPS) national meetings sponsored by the federal Agency for Healthcare Research and Quality (AHRQ) because of: (1) its 58% response rate which far exceeds the national average; and, (2) the receptivity of the survey results by consumers and the industry. The survey serves as another tool for Marylanders to use in their performance of due diligence when choosing a nursing home. The survey is also a tool for nursing homes as they compare their performance to the competition and identify where they excel and where they need to improve. Public reporting of performance information has been shown to result in improvements in nursing home performance in national studies.

A 25% MBE Participation Goal was established for this contract; however, the recommended awardee has committed to a 41% MBE Participation Goal to subcontract the extensive printing of reports under this contract.

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

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

ITEM: 2-S (Cont.)

FUND SOURCE: 100% Special (User Fees)

APPROP. CODE: M00R0101

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-3048-0000

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: 2-S (Cont.) ATTACHMENT

BIDS/PROPOSALS (Cont.):

<u>Offerors</u>	<u>Tech. Rank</u>	<u>Financial Price Offer * (Rank)</u>	<u>Overall Rank **</u>
Market Decisions Portland, ME	2	\$1,060,510.98 (1)	1
Schaefer Center for Public Policy, University of Baltimore Baltimore, MD	1	\$3,762,688.01 (3)	2
Synovate Falls Church, VA	3	\$1,490,121.38 (2)	3

Note: * The financial price was based upon a combination of fixed prices for the surveys and a model of fully loaded hourly rates for other services.

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

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

SERVICE CONTRACT

ITEM: 3-S
Agency Contact: Robert Ward
410-767-2211
rward@choosemaryland.org

DEPARTMENT/PROGRAM: Business and Economic Development (DBED)
Biotechnology Center

CONTRACT ID: Tech Transfer Summit North America 2011
Sponsorship
ADPICS NO. T00B2400007

DESCRIPTION: Request for retroactive approval of a contract to provide a regional host sponsorship agreement for the Maryland Biotechnology Center. This sponsorship is for the Tech Transfer Summit North America 2011 held on October 3rd and 4th, 2011. This event is a premier international platform for promoting, partnering and value creation within the bioscience industry.

AWARD: Technology Transfer Summit Limited
London, United Kingdom

TERM: 9/29/2011 – 12/31/2011

AMOUNT: \$50,000

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

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

ITEM: 3-S (Cont.)

REQUESTING AGENCY REMARKS: Request for retroactive approval of a sole source contract to provide the opportunity for the Biotechnology Center of Maryland to be a regional host sponsor partner with Technology Transfer Summit Limited (TTS) for a premiere biotechnology summit on the premises of the National Institutes of Health in Bethesda, Maryland on October 3rd and 4th, 2011.

This sponsorship agreement between both parties comprises of, but is not limited to, the following:

- Bringing together leading experts in the biotechnology industry throughout the United States and abroad for education on cutting edge technology principles and industry "Best Practices";
- Presenting 30 event speakers and moderators including two keynote speakers. Speakers offer panels and individual sessions on topics that include the intricacies of the technology transfer industry, legal issues, intellectual property, partnering, venture capital, biotech finance, angel investing and industry promotion via email, newsletters and websites;
- As a regional host sponsor with support from TTS, Maryland Biotechnology Center will seek to raise additional private sponsorships from companies and other potential sponsors in Maryland and neighboring states. All sponsorship fees and sponsor benefits will be agreed to by TTS. A revenue sharing agreement between TTS and the Maryland Biotechnology Center is incorporated within the agreement for current and future events; and,
- TTS and Maryland Biotechnology Center in the future will seek to build a long term and mutually beneficial relationship. A primary goal will be to work together to organize the summit annually in Bethesda, Maryland in conjunction with the National Institute of Health.

There was no MBE participation goal established for this sole source contract. This is a unique professional development partnership between TTS and the Maryland Biotechnology Center that does not have subcontracting opportunities.

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

ITEM: 3-S (Cont.)

FUND SOURCE: 100% Special (Maryland Economic Development Assistance Authority Fund)

APPROP. CODE: T00A0005

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-3092-0000

DBM REMARKS: Retroactive approval requested pursuant to Section 11-204(c) State Finance & Procurement Article.

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: 4-S (Cont.)

DJS is required to provide residential services and programming for youth who are ordered by the Juvenile Court to be placed in specific types of programs. Since DJS does not have sufficient In-State operated programs, Out-of-State private providers have been relied upon to provide services and programs for youth who cannot be placed in residential programs in Maryland.

There are approximately 787 youth in other per diem contracted residential services programs. This new contract is needed to expand the number of intensive and sex offender secure services by 24 beds in case the existing In-State providers do not accept the youth or do not have openings available for over 30 days. Every attempt will be made to keep the youth in the State in the court-ordered programs, unless the program is not available locally. In addition, one of the primary goals of DJS is to reduce the youth detention population. Having programs readily available for youth placements will help decrease the number of youth in DJS detention facilities.

For In-State providers, the State's Office of Children, through the Interagency Rates Committee (IRC), sets standardized rates for these services. Similarly, for Out-of-State providers, a government organization in the provider's state (the rate setting authority) establishes or approves standardized rates. For both In-State and Out-of-State providers, DJS determines the not to exceed amounts of each contract based upon an estimated number of youth that may require these services annually. Contractors are paid only for the youth placed in the program for the actual number of days they receive services. Daily (Per Diem) rates are paid in accordance with the IRC or the rate setting authority for Out-of-State providers.

These services were procured through Non-Competitive Negotiated Procurement of Human, Social or Educational Services. (See State Finance and Procurement Article 13-106 and COMAR 21.14.01.03 G). The reasons for employing this method of procurement are:

- DJS's Secretary and Procurement Officer have determined that two or more sources for the service are available but that because of the absence of effective competition, it is unreasonable to expect those sources to respond to an Invitation for Bids under COMAR 21.05.02 or Request for Proposals under COMAR 21.05.03;
- For these services, the recommended contractor has submitted an acceptable response to a Request for a General Expression of Interest (RGEI) that was last advertised on *eMarylandMarketplace.com* on 3/17/2011;

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

ITEM: 4-S (Cont.)

- Under this procurement method, contractors that respond to the RGEI may be awarded contracts as the need arises, as determined by the agency head. As stated above, the DJS Secretary has made this determination; and
- The Maryland Office of Children is the single point of entry for these services for In-State providers under approved negotiated rates for youth of the various State agencies.

Out-of-State Contractors are used only when In-State Contractors are not available. Youth with special physical, mental or emotional needs or who do not meet the admission criteria of In-State Contractors, are placed with Out-of-State Contractors.

There is no Minority Business Enterprise (MBE) participation goal established for this contract as it does not meet the criteria for inclusion of a MBE subcontracting goal as established by DJS and the Department of Human Resources (DHR). The criteria requires that all In-State foster care/per diem providers who have a capacity, as approved by the Interagency Rate Committee (IRC), of 25 or more slots across all programs to have a MBE participation goal. This is an Out-of-State provider with a contract designed to serve 24 DJS referred youth.

FUND SOURCE: 100% General

APPROP. CODES: V00G0102; V00H0102; V00I0102; V00J0102;
V00K0102; V00L0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2699-0010

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 MODIFICATION

ITEM: 5-S-MOD **Agency Contact:** Clarence J. Snuggs
410-514-7006
Snuggs@mdhousing.org

DEPARTMENT/PROGRAM: Housing and Community Development
(DHCD) Division of Development Finance

CONTRACT ID: S00B9200008;
Graphic Design, Advertising, and Marketing
Analysis
ADPICS NO. COE10778

CONTRACT APPROVED: 3/4/2009 DBM BPW Agenda Item 3-S

CONTRACTOR: Media Works, LTD
Owings Mills, MD
(MDOT Certified MBE)

CONTRACT DESCRIPTION: Provide graphic design, advertising and
marketing analysis services for the Department of Housing and Community Development's
Office of Communications and Marketing, concentrating on foreclosure prevention programs
awareness.

MODIFICATION DESCRIPTION: Approval request to increase the total
compensation amount based on an increased need for marketing services in support of the
Department's foreclosure prevention initiative and the Maryland Mortgage Program (MMP).

TERM OF ORIGINAL CONTRACT: 3/4/2009 - 3/3/2012

TERM OF MODIFICATION: 1/26/2012 - 3/3/2012

AMOUNT OF ORIGINAL CONTRACT: \$1,650,000 NTE (3 Years)

AMOUNT OF MODIFICATION: \$200,000 (Approx. 5 Weeks)

PRIOR MODIFICATIONS: \$425,000 (See Attachment)

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

ITEM: 5-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$2,275,000 NTE

PERCENT +/- (THIS MODIFICATION): +12.12%

OVERALL PERCENT +/-: +37.88%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 100% (Contractor is a MD Certified MBE)
(25% Subcontracting Goal)

MBE COMPLIANCE: 100% (Contractor is a MD Certified MBE)
(22.32% for Subcontracting Goal)

REQUESTING AGENCY REMARKS: Request for approval of a modification to increase the not-to exceed amount of the graphic design, advertising and marketing analysis services contract based upon an increased need for marketing services in support of the Department's foreclosure prevention initiative and the Maryland Mortgage Program (MMP).

DHCD intends to utilize the existing contract with Media Works, LTD (Media Works) to increase awareness of the DHCD's foreclosure prevention programs and the MMP.

DHCD helped nearly 1,200 Maryland families stay in their homes due to increased and targeted marketing, advertising and outreach for the Emergency Mortgage Assistance (EMA) Program that ended on September 30, 2011. Many more received assistance by calling the HOPE Hotline that was the cornerstone of these efforts, with the call to action, "Mortgage Late? Don't Wait!" DHCD used every dollar of its current contract with Media Works to address the need to get homeowners to call the HOPE Hotline. With the approval of the Board of Public Works, DHCD added another \$350,000 to this contract to ensure that Maryland was able to help as many families as possible with the Federal assistance provided by EMA. These efforts were successful, but left DHCD with no advertising resources to continue to attract homeowners to the HOPE Hotline – the homeowners who are still in need of assistance through the end of the contract term. DHCD is asking to increase the contract by \$120,000 for these efforts.

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

ITEM: 5-S-MOD (Cont.)

In addition, DHCD is asking for an additional \$80,000 to fill the gap for advertising for the MMP. It is critical to shore up the Department's MMP message to potential homebuyers and real estate agents and brokers in order to provide competitive mortgages and down payment assistance in targeted areas of Maryland such as: Allegany County; Baltimore City; Caroline County; Dorchester County; Garrett County; Kent County; and Somerset County. Areas within other counties, such as Anne Arundel, Prince George's, Harford, Baltimore and cities and towns in Western Maryland and on the Eastern Shore are also included.

DHCD is planning a new campaign to encourage existing homeowners in these targeted areas to consider using MMP to purchase a new home – thereby stimulating homeownership in these areas.

It is in the best interest of the State to modify the current contract in order to continue these services through the end of the contract term. DHCD is currently working on the procurement for graphic design, advertising and marketing analysis services and plans to have a new contract award in March 2012.

Media Works has performed very well under the contract, including responding well to the challenge of a stepped up marketing campaign for the EMA program. In addition, Media Works has provided "extra value" to the contract by: (1) consistently getting better rates for media ad placements for DHCD, particularly with radio stations; (2) working with area television stations to reduce quoted prices; (3) getting radio stations to provide web site advertising at no extra cost; (4) ensuring radio stations re-record spots free of charge when program guidelines change; (5) re-purposing scheduled "Mortgage Late, Don't Wait" ads for EMA at no additional charge; and (6) responding quickly with creative, low cost advertising ideas (buses, bus shelters, movie theaters, print, etc.).

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

ITEM: 5-S-MOD (Cont.)

FUND SOURCE: 100% Special (Combination of General
Bond Reserve Funds & State-Funded
Housing Loan Program Administrative
Fees)

APPROP. CODE: S00A2503

RESIDENT BUSINESS: Yes

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: 5-S-MOD (Cont.) **ATTACHMENT**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

MOD #1	\$25,000	Mod to increase compensation in support of an advertising campaign for the State's updated foreclosure mediation program for the period of 4/16/2010 to 3/3/2012. Approved by DHCD.
MOD #2	\$350,000	Mod to increase compensation in support of an advertising campaign for the Maryland Emergency Mortgage Program for the period of 9/8/2011 to 3/3/2012. Approved on the 9/7/2011 DBM BPW Agenda, Item 12-S-MOD.
MOD #3	\$50,000	Mod to increase compensation in support of an advertising campaign for the Be SMART initiative for the period of 11/22/2011 to 3/3/2012. Approved by DBM and reported on the November 2011 PAAR.
Total	<u>\$425,000</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Ronald Brothers
410-585-3100
rbrothers@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS)
Information Technology & Communications
Division (IT&CD)

CONTRACT ID: DPSCS/ITCD 2012-01;
Arrest Disposition Recovery
ADPICS # COE10281

CONTRACT APPROVED: 9/21/2011 DBM BPW Agenda Item 3-S

CONTRACTOR: Inquiries, Inc.
Easton, MD

CONTRACT DESCRIPTION: Provide arrest disposition recovery services
to allow the State to assume full ownership of Maryland criminal files maintained by the Federal
Bureau of Investigations (FBI).

MODIFICATION DESCRIPTION: Approval request to increase the approved
funding in order to utilize additional available grant funds for recovering additional files during
the base term of the contract.

TERM OF ORIGINAL CONTRACT: 10/1/2011-9/30/2012 (w/4 one-year
renewal options)

TERM OF MODIFICATION: 1/26/2012 - 9/30/2012

AMOUNT OF ORIGINAL CONTRACT: \$190,000 (1 Year)

AMOUNT OF MODIFICATION: \$77,477 (8 Months; 6 Days)

PRIOR MODIFICATIONS/OPTIONS: None

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

ITEM: 6-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$267,477

OVERALL PERCENT +/- (THIS MOD): +40.78%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MBE PARTICIPATION: 100% (Contractor is a MD Certified MBE)

REQUESTING AGENCY REMARKS: Request for approval of a modification to increase the available funding of the contract. DPSCS has an additional \$77,477 in grant funds to use for arrest disposition recovery services that it would like to utilize and complete more files prior to the end of the base contract term.

These services allow the State of Maryland to assume full ownership of criminal files now maintained by the FBI, an agency of the U.S. Department of Justice. Prior to 1998, the FBI had full ownership of Maryland criminal files. The service includes the comprehensive research and evaluation of arrests from December 2007 and prior, matching arrest information to dispositions using various data bases and resources so as to obtain dispositions missing in the Maryland Criminal Justice Information System.

Inquiries, Inc. has performed the services required under this contract in a very professional and efficient manner. This modification is in the best interest of the State to recover as many files as possible over the duration of the contract.

FUND SOURCE: 100% Federal (National Criminal History Improvement Program)

APPROP. CODE: Q00A0102

RESIDENT BUSINESS: Yes

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 MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Joselyn Hopkins
410-339-5013
jmhopkins@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of Inmate Health Services
Pharmacy Program

CONTRACT ID: Q0005057D – Mod #11;
Inmate Health Care Services –
Inmate Pharmacy Program
ADPICS No. COE08765

CONTRACTS APPROVED: 6/1/2005 DBM BPW Agenda Items 17-S

CONTRACTOR: Correct Rx Pharmacy Services, Inc.
Linthicum, MD

CONTRACT DESCRIPTION: Contract to implement statewide pharmacy
services for inmates in the custody of the Department of Public Safety and Correctional Services.

MODIFICATION DESCRIPTION: Request for retroactive approval to extend
the contract for a period of six months in order to allow time for the appeal process and transition
to a new contractor.

TERM OF ORIGINAL CONTRACT: 6/2/2005 – 6/30/2007 (w/3 one-year
renewal options)

TERM OF MODIFICATION: 1/1/2012 – 6/30/2012

AMOUNT OF ORIGINAL CONTRACT: \$31,958,458 (2 Years)

AMOUNT OF MODIFICATION: \$16,580,000 NTE (6 Months)

PRIOR MODIFICATIONS/OPTIONS: \$140,694,129 (See Attachment)

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

ITEM: 7-S-MOD (Cont.)

REVISED CONTRACT AMOUNT: \$189,232,587 NTE

PERCENT +/- (THIS MODIFICATION): +51.9%

OVERALL PERCENT +/-: +243.6%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 100% (Contractor is a MD Certified MBE)
4.5% Subcontracting Goal (20% of the Total
Contract Value with the exclusion of the
price for pharmaceuticals)

MBE COMPLIANCE: 100% (Contractor is a MD Certified MBE)
(1.21% for Subcontracting Goal)

REQUESTING AGENCY REMARKS: Request for retroactive approval to extend the contract by six months in order to continue the existing inmate pharmacy services Contract. Based upon the Board of Public Works (BPW) decision to defer the award of the new contract (see 12/21/2011 DBM BPW Agenda, Item 11-S) pending the appeal by the incumbent for this contract, Correct Rx, with the Maryland State Board of Contract Appeals (MSBCA), and the BPW's suggestion at the 12/21/2011 meeting that DPSCS bring the modification back as a retroactive request for approval, this modification is needed to continue inmate pharmacy services. If a decision by the MSBCA has not been issued during this extension period, the Department may request approval by the BPW for an additional extension period.

Correct Rx filed a protest of the solicitation for a new contract for this service on December 21, 2010. This protest was in addition to protests filed by the incumbent against the previous DPSCS procurement in October and November 2010 for the same general purpose, contesting the cancellation of the solicitation issued in January 2010 and seeking the reinstatement of an award from that procurement. The first two protests were denied by DPSCS in November 2010.

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

ITEM: 7-S-MOD (Cont.)

In November 2010, Correct Rx appealed these denials to the Maryland State Board of Contract Appeals (MSBCA). A hearing before the MSBCA was scheduled for May 11, 2011; however, on that date Correct Rx withdrew its appeal and the MSBCA dismissed the appeal with prejudice, meaning it could not be reinstated. Since the December 21st protest was essentially on the same grounds as the appeal that was withdrawn on May 11, 2011, the Department anticipated that this December 21st protest would also be withdrawn, however it was not. On July 29, 2011, the Department issued a Final Decision denying this protest. The incumbent appealed the Department's Final Decision on August 8, 2011. At this time, a hearing has not been scheduled for this appeal.

In addition, on February 17, 2011 the incumbent filed a "letter of concern" regarding the solicitation. This letter included the statement, "This letter is not a protest of improprieties in the solicitation." On March 9, 2011, the incumbent filed a second letter that was described as being a supplement to the February 17th letter. This March 9th letter also stated that the incumbent reserved the right to file a protest in the future. However, no additional correspondence identified as a protest was received from the incumbent prior to the receipt of proposals in

September 2011. The Department carefully considered the content of these letters and issued amendments to the RFP on June 9, 2011 and August 25, 2011 specifically addressing the concerns that were determined to be valid. On September 15, 2011, Correct Rx requested official responses to the letters of concern. The Department deemed it advisable to treat both of the letters as protests, despite the fact that the letters stated otherwise. The above chronology accounts for the six-month time period between the filing of the "protests" and the Department's issuance of the Final Decision. The Procurement Officer treated these complaints related to the solicitation as protests and upheld in part (the portions included in the June 9th and August 25 amendments) and denied in part (the portions not included in RFP amendments), both of them in a Final Decision dated September 19, 2011. The incumbent appealed the September 19, 2011 Final Decision on September 29, 2011. At this time, a hearing has not been scheduled for this appeal.

On December 1, 2011, the Department notified Correct Rx and the other non-selected offerors of the recommended award of a new contract for this service to an offeror other than Correct Rx. On December 8, 2011 Correct Rx protested the recommended award. On December 19, 2011, Correct Rx filed an additional protest based upon information provided to it in its debriefing held on December 12th. The responses denying these two protests are still being drafted. Thereafter the incumbent may appeal the denials.

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

ITEM: 7-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: Various

RESIDENT BUSINESS: Yes

DBM REMARKS: Retroactive approval requested pursuant to 11-204(c) State Finance & Procurement Article.

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: 7-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	N/A	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 - 6/30/2007. DBM Agenda Item 12-S-MOD (6/11/2008).
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period of 7/1/2006 - 6/30/2007. Approved by DPSCS.
Mod #3	\$7,804,432	Mod to clarify portions of the Statement of Work & to increase the original amount of the not to exceed limits for the period of 5/12/2007 - 6/30/2007. DBM Agenda Item 26-S-MOD (6/6/2007).
Option #1	\$24,131,340	Exercised the first Renewal Option as contained in the original contract for one year for the period of 7/1/2007 - 6/30/2008. DBM Agenda Item 26-S-MOD (6/6/2007).
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2007 - 6/30/2008. Approved by DPSCS.
Mod #5	\$1,950,000	Mod to clarify portions of the Statement of Work in a non-material change & to increase the not to exceed amount for the period 6/1/2008 - 6/30/2008. DBM Agenda Item 9-S-MOD (7/16/2008).

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

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

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Option #2	\$27,219,572	Exercised the 2nd Renewal Option as contained in the original contract for one year for the period of 7/1/2008 - 6/30/2009. DBM Agenda Item 14-S-OPTION (6/11/2008).
Mod #6	\$1,096,685	Mod to clarify portions of the Statement of Work in a non-material change and increase the not to exceed amount for the period 6/17/2009 - 6/30/2009. DBM Agenda Item 15-S-MOD (6/17/2009).
Option #3	\$28,063,380	Exercised the 3rd Renewal Option as contained in the original contract for one year for the period of 7/1/2009 - 6/30/2010. DBM Agenda Item 15-S-MOD (6/17/2009).
Mod #7	\$16,251,255	Mod to extend the current contract by six months for the period of 7/1/2010 to 12/31/2010. DBM Agenda Item 24-S-MOD (6/23/2010).
Mod #8	\$1,722,669	Mod to increase the not-to-exceed amounts of the contract in order to continue the existing services through the end of the contract term for the period of 12/1/2010 - 12/31/2010. DBM Agenda Item 11-S-MOD (12/1/2010).
Mod #9	\$18,454,796	Mod to extend the contract for a period of six months in order to complete a new procurement for inmate pharmacy services for the period of 1/1/2011 - 6/30/2011. DBM Agenda Item 9-S-MOD (12/15/2010).

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

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

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #10	14,000,000	Mod to extend the contract for a period of six months in order to complete a new procurement for inmate pharmacy services for the period of 7/1/2011 - 12/31/2011. DBM Agenda Item 14-S-MOD (6/1/2011).
Total	<u>\$140,694,129</u>	

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

SERVICES CONTRACT

ITEM: 8-S **Agency Contact:** Anne Timmons
410-767-4787
atimmons@dbm.state.md.us

DEPARTMENT/PROGRAM: Budget and Management (DBM)
Office of Personnel Services and Benefits
Employee Benefits Division

CONTRACT ID: F10B0400006;
Pharmacy Benefits Plan Management Services and
Pharmacy Purchasing Pool Management
ADPICS NOs. F10B0400006 (Admin.)
F10B0400007 (Claims)

CONTRACT DESCRIPTION: Contract to provide pharmacy benefits management and prescription coverage for State of Maryland employees, retirees, satellite organization employees, direct pay enrollees, and their respective eligible dependents. The plan is self-funded by the State and is a group health plan administered as part of the State Employee and Retiree Health and Benefits Program. The Contract includes management of the Maryland Rx Program, a purchasing pool for pharmacy benefits for State Employee and Retiree Health and Welfare Benefits Program, eligible local government entities, and qualifying not-for-profit organizations in Maryland (see Requesting Agency Remarks below).

AWARD: Express Scripts, Inc.
St. Louis, MO

TERM: 1/26/2012 - 6/30/2017

AMOUNT: \$2,433,094,930 Est. Total
(Approx. 5 Years; 5 Months)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

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

ITEM: 8-S (Cont.)

MBE PARTICIPATION: 0.12% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Catalyst Rx
Rockville, MD

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were sent directly to 41 prospective vendors. A copy was also sent to the Governor's Office of Minority Affairs.

Five proposals were received in response to the RFP, and three were deemed to be reasonably susceptible of being selected for award (see Attachment). One proposal was determined not to be reasonably susceptible of being selected for award for MBE issues. One Offeror was determined to be not responsible because it did not meet the minimum qualifications.

The RFP provided that technical factors were given equal weight to financial factors in the overall award determination. Award is recommended to Express Scripts, Inc. (ESI). ESI was the second highest technically ranked offeror with the lowest price and was determined to be the most advantageous offeror to the State.

This contract provides a Prescription Drug Benefits Plan ("Plan") and related management services for Maryland employees, retirees, their dependents and other participants. The Plan covers the cost of approved prescription drugs, subject to certain copayments.

This contract will replace the current contract, which will terminate effective 4/30/2012. Because there is a need for a 90 day transition period to this contract, work will begin promptly upon approval by the Board of Public Works (BPW). However, no payments are required to be made to the Contractor until after 5/1/2012. The transition will allow time for the Contractor to prepare for implementation and ID card issuance prior to 5/1/2012 and to participate in employee/retiree open enrollment activities beginning in April, 2012. The incumbent contractor will continue to provide administrative and management services through 4/30/2012.

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

ITEM: 8-S (Cont.)

The Plan will continue to serve satellite agencies and individuals eligible for participation in the Consolidated Omnibus Budget Reconciliation Act (COBRA) Continuation of Coverage activity. It is the only drug plan offered by the State to its approximately 105,000 current members (employees and retirees) living in Maryland, across the United States, and abroad. When employees' and retirees' dependents are added, over 200,000 individuals will be covered by this contract.

This contract also continues other features which include *pass-through pricing* and *full-disclosure of revenue* (collectively called *transparency* in the RFP). These features require the Contractor to fully disclose all revenue streams and pass them through to the State.

As in the current contract, this contract may be used by Maryland local governments and non-profit organizations that participate in the MD Rx Pool.

Like the current contract, this contract provides drug utilization reviews (DURs). DURs are used to monitor eligibility, use, and to improve quality in the delivery of prescription drugs. DUR activities help control costs by: decreasing the number of prescriptions that aren't needed, decreasing inappropriate drug use, and persuading non-compliant physicians to conform to the Plan's guidelines.

Aside from performing administrative duties, an integral part of the scope of work in this contract is the inclusion of a network of pharmacies. The Contractor will continue to provide a sufficiently sized and dispersed network of pharmacies to serve State employees and retirees.

The *Award Amount* above is the total estimated cost of both projected fixed fees (administrative fees) and projected claims, using a minimum guaranteed discount and projected increases for enrollment, utilization and prescription drug trend, which is the annual rate of change of prescription drug costs (per member or per primary contract holder). The *Award Amount* takes into account projected increases over all five years of the contract term.

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

ITEM: 8-S (Cont.)

The *Financial Price* is based upon a financial evaluation model to allow for proper comparison between offerors, as shown in the Attachment. The RFP financial model used the FY2009 pricing structure with a flat trend and static enrollment. A projected number of prescriptions and non-discounted claims to be processed were outlined in the model. Each vendor was asked to provide maximum fees for administration and dispensing and minimum rebates and guaranteed discounts on costs. Claims costs, however, are not fixed, despite the use of guaranteed pricing points, and are dependent on actual utilization by covered individuals in the Plan.

Since non-State participants in the MD Rx Pool pay all costs of their own participation, the requested *Award Amount* for this Item is the estimated amount for only the Maryland employees, retirees, their dependents and other participants.

The actual amount to be paid to the Contractor will be a function of the actual number of prescriptions and cost of the drugs dispensed. The source of reimbursable funds for this contract comes from transfers from agency budgets.

A MBE participation goal of 8% of the administrative fees paid to the Contractor has been established for this contract; however, ESI has committed to 8.1%. Most of the payments under this contract will be used by the Contractor to reimburse pharmacies for prescriptions purchased by covered individuals (e.g. employees, retirees, and their dependants). The only payments retained by the Contractor are the administrative fees. Accordingly, administrative fees are the only areas that the Contractor can use to obtain MBE participation. Since most activities to be performed by a Contractor for this service will be done by employees of the Contractor who also service other contracts (employees that process payment claims, handle customer telephone inquiries, etc.), it was determined that an 8% MBE participation is the maximum that could reasonably be achieved. As a percentage to the total contract value, including the estimated claims amount, the MBE participation goal is 0.12%.

Maryland's reciprocal preference law does not apply because Missouri, the state in which the recommended awardee resides, does not have an in-state preference unless the "quality is equal or better and price is the same or less".

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

ITEM: 8-S (Cont.)

After lengthy litigation, on January 11, 2012 the MSBCA made the decision of a complete denial of the multiple protests and appeals by the incumbent for this contract, Catalyst Rx.

As explained above, after applying enrollment increases and projected increases in drug costs over the five year term of the contract, the expected total expenditures under this contract will be about \$2.4 billion. Whereas \$47 million was the price difference between ESI and Catalyst for the \$1.6 billion model used in the financial proposal, based upon the \$2.4 billion actually projected to be spent, the price difference between ESI and Catalyst is expected to exceed \$102 million. A savings of this magnitude will permit the funding of many services enhancing the health and welfare of Maryland citizens that otherwise would not be affordable.

FUND SOURCE: 100% Reimbursable

APPROP. CODE: F10A0245

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-0396-0111

Note: This Item appeared as Item 1-S on the 3/9/2011 DBM BPW Agenda and as Item 9-S on the 3/23/2011 DBM BPW Agenda and was withdrawn both times.

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: 8-S (Cont.) ATTACHMENT

BIDS OR PROPOSALS (Cont.):

<u>Offerors</u>	<u>Technical Rank</u>	<u>Financial Price / Rank *</u>	<u>Overall Rank **</u>
Express Scripts, Inc. St. Louis, MO	2	\$1,628,275,932 (1)	1
Catalyst Rx Rockville, MD	1	\$1,675,625,387 (2)	2
Envision Pharmaceutical Services, Inc. Twinsburg, OH	3	\$1,746,541,146 (3)	3

Note: * Financial pricing five-year total cost estimates equal Administrative Fees + Ingredient Costs + Dispensing Fees – Rebates.

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

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

AMERICAN RECOVERY AND REINVESTMENT ACT

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 Towson University

CONTRACT ID: On-Call Construction Management at Risk Services: TU
Smith Biochemistry Building Renovation Stimulus Project
Contract No. C-00644 -Task Order Proposal #2010-66 AF

CONTRACT APPROVED: USM Item 1-C (10/21/09)
USM Item 2-C OPT (10/6/10)
USM Item 1-C (1/26/11)

CONTRACTOR: Plano Coudon, LLC
Baltimore, MD 21230

CONTRACT DESCRIPTION: On-Call Stimulus Construction Manager to provide professional management and construction services during pre-construction and construction for renovations to the 2,325 net square foot space in the Smith Biochemistry Building at Towson University. The principal objective of the renovation is to convert six existing rooms into one multidiscipline lab.

MODIFICATION DESCRIPTION: Award GMP#1 for construction; includes demolition, concrete, masonry, steel, roofing, doors, frames & hardware, glass & glazing, drywall, vinyl flooring, resinous floors, painting, walk-in freezer, lab casework, fire protection, mechanical, electrical, communications, CM allowances, CM general conditions, CM contingency, and CM construction fee.

ORIGINAL CONTRACT TERM: Sixteen weeks from issuance of design notice to proceed; and five months from construction notice to proceed.

ORIGINAL CONTRACT AMOUNT: \$ 957,000 (pre-construction fee and construction)

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

ITEM: 1-C MOD (continued)

MODIFICATION AMOUNT: \$ 828,120

REVISED TOTAL CONTRACT AMOUNT: \$ 1,785,120

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 0% (see remarks)

PERFORMANCE BOND: 100% performance bond is required.

ORIGINAL PROCUREMENT METHOD: Competitive sealed proposals

REQUESTING INSTITUTION REMARKS: The Board of Public Works approved USM Item 1-C on 1/26/11 in accordance with BPW letter dated October 19, 2009 which outlined the procedures for American Recovery and Reinvestment Act USM projects. The letter stipulated that if the task order award needs to be increased or decreased by \$500,000 or more after Board approval, USM would return to the Board for approval to modify the task order.

The original task order amount of \$957,000 includes pre-construction and construction. Due to higher than estimated bids for the mechanical and electrical trades, the projected construction cost was revised to \$1,778,120. This item recommends modifying Plano-Coudon's contract for GMP#1, which includes demolition, concrete, masonry, steel, roofing, doors, frames & hardware, glass & glazing, drywall, vinyl flooring, resinous floors, painting, walk-in freezer, lab casework, fire protection, mechanical, electrical, communications, CM allowances, CM general conditions, CM contingency, and CM construction fee.

This GMP represents MBE participation of 28.54%. The MBE participation for the pre-construction phase was 0%, therefore, there is no MBE compliance to report.

FUND SOURCE:	NSF Grant (ARRA Stimulus)	\$1,133,517
	Plant Funds	\$ 651,603

APPROPRIATION CODE: R30B24

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1246-1011

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**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 2-C MOD

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

INSTITUTION: University of Maryland, Baltimore for Towson University

CONTRACT ID: Construction Management at Risk Services for the Towson Center Arena Project at Towson University, RFP #2006-44R BS

CONTRACT APPROVED: USM Item 3-C (9/10/08)
USM Item 2-C MOD (5/5/10)
USM Item 2-C MOD (9/22/10)
USM Item 2-C MOD (4/06/11)
USM Item 3-C MOD (7/06/11)
USM Item 2-C Mod (10/19/11)

CONTRACTOR: Gilbane Building Company
Laurel, MD

CONTRACT DESCRIPTION: Professional management and construction services during pre-construction and construction of the Towson Center Arena Project at Towson University. This project is to construct a new 90,000 gross square foot, multi-use arena facility with a minimum capacity of 5,000 spectator seats and office, entertainment/gathering and support spaces. In addition, various parts of the Towson center will be renovated.

MODIFICATION DESCRIPTION: Increase quantity of MDE-mandated storm water management ponds; and include remaining site walls and site utilities.

CONTRACT TERM: Eighteen months from construction notice to proceed.

ORIGINAL CONTRACT AMOUNT: \$334,460 (pre-construction fees only: see remarks)

MODIFICATION AMOUNT: \$1,855,077

PRIOR MODIFICATIONS: \$ 55,337,917

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

ITEM: 2-C MOD (continued)

REVISED TOTAL CONTRACT AMOUNT: \$ 57,527,454

MBE PARTICIPATION: 25% (MBE participation for modification is 6%.)

MBE COMPLIANCE: 27.6%

PERFORMANCE BOND: A 100% performance bond is required

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

FUND SOURCE: USM Academic/Auxiliary Facility Revenue Bonds

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1529-0111

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: 3-C MOD

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

INSTITUTION: University of Maryland, Baltimore for Towson University

CONTRACT ID: Construction Management at Risk Services for the Towson University Renovation of Newell and Richmond Halls, RFP #2009-32 BS

CONTRACT APPROVED: USM Item 2-C (3/10/10)
USM Item 5-C (6/01/11)
USM Item 4-C (7/27/11)

CONTRACTOR: Henry H. Lewis LLC
d/b/a Lewis Contractors
Owings Mills, MD

CONTRACT DESCRIPTION: Professional management and construction services during pre-construction and construction for the renovations of Newell and Richmond Halls at Towson University totaling 89,492 square feet including site and utility requirements. The project consists restoring exterior envelope including windows, masonry repairs, copper gutters, and slate roof while preserving historic appearance of original buildings.

MODIFICATION DESCRIPTION: Modification to Lewis Contractors contract to extend the project schedule by 56 days in order to demo the existing terracotta and install new terracotta mullions, heads and sills on Newell Hall due to discovering unforeseen conditions which jeopardize the building's structural integrity. The modification includes cost for additional general conditions required to manage the additional work.

ORIGINAL CONTRACT TERM: Eighteen months from issuance of construction notice to proceed.

MODIFICATION TERM: Nineteen months and twenty-six days from issuance of construction notice to proceed.

ORIGINAL CONTRACT AMOUNT: \$85,368 (pre-construction fees only)

MODIFICATION AMOUNT: \$716,768

PRIOR MODIFICATION AMOUNTS: \$ 20,055,228

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

ITEM: 3-C MOD (continued)

REVISED TOTAL CONTRACT AMOUNT: \$ 20,857,364

MBE PARTICIPATION: 25% (Lewis Contractors has achieved 12.7% MBE participation on this modification.)

MBE COMPLIANCE: 26.7%

PERFORMANCE BOND: A 100% performance bond is required.

ORIGINAL PROCUREMENT METHOD: Competitive sealed proposals

FUND SOURCE: USM Academic/Auxiliary Facility Revenue Bond

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1751-1011

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: 4-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, 2/9/11

CONTRACTOR:

Baltimore Technology Park
Baltimore, Maryland 21230

DESCRIPTION: Provide co-location facility to house research computing equipment.

OPTION DESCRIPTION: Exercise second renewal option

ORIGINAL CONTRACT TERM: 2/19/10 -- 2/18/11 with four 1-year renewal options

OPTION TERM:

2/19/2012 through 2/18/2013

ORIGINAL CONTRACT AMOUNT:

\$634,000

OPTION AMOUNT:

\$615,600

ORIGINAL PROCUREMENT METHOD:

Competitive Sealed Bid

MBE PARTICIPATION:

None

PERFORMANCE BOND:

N/A

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

ITEM: 4-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 research equipment located in the Institute. 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 in the areas listed above over the past year which has resulted in no downtime affecting research equipment.

FUND SOURCE: Institute for Genome Sciences
Direct Research Initiative Funds

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2925-0000

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**

GENERAL MISCELLANEOUS

ITEM: 5-GM

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

Recommendation: In accordance with provisions of the State Finance and Procurement Article Section 8-301, Annotated Code of Maryland, the University System seeks Board of Public Works approval of the use of General Obligation Bond funding for the contracts noted below in the total amount of \$657,364.41.

**A. University of Maryland, Baltimore
UMB School of Pharmacy, Addition to Pharmacy Hall**

- 1. Description:** 1 ea. Biomolecular Imaging System
Procurement Method: Sole Source
Award: GE Healthcare Biosciences Corp
Piscataway, NJ 08855-1327
Amount: \$75,319.20
Fund Source: MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy. Item 052*
MD Tax Clearance: 11-2911-1111
Resident Business: No
- 2. Description:** 1 ea. 641XL 14LXP 64 Jet Rack w/long jets.
1 ea. 641XL 14LXP 64 Jet Rack w/long and short jets with mesh cover.
Procurement Method: Sole Source
Award: Lancer Inc
Winter Springs, FL 32708
Amount: \$9,937.00
Fund Source: MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy. Item 052*
MD Tax Clearance: 11-2988-0000
Resident Business: No

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 5-GM (continued)

B. University of Maryland, College Park
Campus Wide Building System and Infrastructure Improvements

1. **Description:** Fabricate drawings, and furnish all labor, materials, equipment, required for the Replacement of the Fire Alarm System.
Procurement Method: Competitive Sealed Proposals
Award: MGM Electrical Systems, Inc.
Severna Park, Maryland 21147
Amount: \$189,500.00
Fund Source: MCCBL of 2011: *Campus Wide Building System and Infrastructure Improvements*. Item 036
MD Tax Clearance: 11-2867-0111
Resident Business: Yes

2. **Description;** Replace existing indoor Medium Voltage, 480v and 120/208V switchgear with new outdoor Medium Voltage Switchgear and new indoor 480V and 120/208V switchboards located in basement of Hornbake Library, Building #147.
Procurement Method: Release from Master Order
Award: Electrico, Inc.
Baltimore, Maryland 21209
Amount: \$317,880.21
Fund Source: MCCBL of 2011: *Campus Wide Building System and Infrastructure Improvements*. Item 036
MD Tax Clearance: 11-2288-0111
Resident Business: Yes

3. **Description:** Provide One (1) 750kva outdoor transformer at Woods Hall and School of Architecture.
Procurement Method: Release from Master Order
Award: Shepherd Electric
Amount: \$60,228.00
Fund Source: MCCBL of 2011: *Campus Wide Building System and Infrastructure Improvements*. Item 036
MD Tax Clearance: 11-2766-1111
Resident Business: Yes

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

ITEM: 5-GM (continued)

**C. University of Maryland, College Park for
Bowie State University, Fine and Performing Arts Center**

- 1. Description:** Industrial Arts Equipment
Procurement Method: Contract Modification
Award: Midwest Technology Products
2600 Bridgeport Drive
Sioux City, IA 51111
Amount: \$4,500.00
Fund Source: MCCBL of 2010: *Provide funds to equip the Fine
and Performing Arts Center at Bowie State
University. Item 903*
MD Tax Clearance: 11-3093-0000
Resident Business: No

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**

REAL PROPERTY: Acquisition by Purchase

ITEM: 6-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center.

PROPERTY: 1638 N. Warwick Avenue, Baltimore

GRANTOR: Philip Bayrd

GRANTEE: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution Coppin State University.

APPRAISED VALUE: Lipman, Frizzell \$ 61,000.00
Grubb, Ellis \$ 51,000.00

FUND SOURCE: MCCBL of 2010: *Provide funds to acquire a site for the new Science and Technology Center. Item 050.*

PRICE: Acquisition: \$ 61,000.00
Ground Rent: \$ 000.00
Relocation \$ 44,007.60 *
Total \$105,007.60

* The tenant will receive relocation assistance.

REQUESTING INSTITUTION REMARKS: This property is being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Services Building. This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

BOARD OF PUBLIC WORKS - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 7-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center.

PROPERTY: 1713 Thomas Avenue, Baltimore

GRANTOR: Janika Peay, Ryan Frazier and Robert Frazier, Jr.

GRANTEE: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution Coppin State University.

APPRAISED VALUE: Lipman, Frizzel & Mitchell \$30,500.00
Cassidy Turley \$37,000.00

FUND SOURCE: MCCBL of 2010: *Provide funds to acquire a site for the new Science and Technology Center. Item 050*

PRICE: Acquisition: \$ 33,000.00
Ground Rent: \$ 1,500.00 *
Relocation: \$ 37,254.00 **
Total: \$ 71,754.00

* In addition, to obtain fee simple title, the underlying ground rent will be redeemed.

** The tenant will receive relocation assistance.

REMARKS: This is property being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Services Building. This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

BOARD OF PUBLIC WORKS - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 8-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center.

PROPERTY: 1733 Thomas Avenue, Baltimore

GRANTOR: JoAnn Belt

RANTEE: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution Coppin State University.

APPRAISED VALUE:	Lipman, Frizzell	\$ 53,500.00
	Grubb, Ellis and Landuaer	\$ 50,000.00

FUND SOURCE: MCCBL of 2010: *Provide funds to acquire a site for the new Science and Technology Center. Item 050.*

PRICE:	Acquisition:	\$ 58,500.00	*
	Ground Rent:	\$ 1,500.00	**
	Relocation	<u>\$ 24,150.00</u>	***
	Total	\$ 84,150.00	

* After discussions with the Office of the Attorney General, it was determined to settle this transaction at \$5,000 above appraised value to avoid a condemnation case.

** In addition, to obtain fee simple title, the underlying ground rent will be redeemed.

*** The tenant will receive relocation assistance.

REQUESTING INSTITUTION REMARKS: This property is being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Services Building. This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

BOARD OF PUBLIC WORKS - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 1-IT (Cont.)

REMARKS (cont'd):

Due to the proprietary nature of this service, there is no MBE participation for this contract.

IBM has provided excellent customer service and fulfilled its contractual obligations in the past.

FUND SOURCE: 100% General Funds

APPROP. CODE: Q00A0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2340-1111

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-IT

Agency Contact:
Ronald Brothers (410) 585-3100
rcbrothers@dpscs.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Public Safety & Correctional Services

CONTRACT ID:

Dataworks Plus
DPSCS IT&CD 2012-03
ADPICS No. Q00B2400058

CONTRACT DESCRIPTION:

Support and maintain MIRS Digital ID System.

AWARD:

Dataworks Plus
Greenville, SC

TERM:

4/01/2012 – 3/31/2015

AMOUNT:

\$187,195.63

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None

INCUMBENT:

Same

REMARKS:

DPSCS has determined that this sole source procurement is needed to continue the support and maintenance of the MIRS Digital ID System. The Dataworks Plus Photo Manager database serves the entire organization as the enterprise wide central repository for all images used utilized as part of the daily operation of DPSCS and local law enforcements agencies. The images maintained in the database include but not limited to facial photographs (mug shots), PhotoID badges, individual's body marking (scars, marks and tattoos) and individual's handwritten signature. The System also allow the users to create lineups, wanted posters and run facial recognition comparisons.

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

ITEM: 2-IT (Cont.)

Due to the proprietary nature of this service, there is no MBE participation for this contract.

Dataworks Plus has provided excellent service to DPSCS. By committing to a three-year contract will save DPSCS an estimated \$3,300 over the term of the contract.

FUND SOURCE: 100% General Funds

APPROP. CODE: Q00A0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2131-0000

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: 3-IT

Agency Contact:
Elliot Schlanger (410) 260-2994
ESchlanger@doit.state.md.us
Robert Krysiak (410) 260 7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Department of Information Technology

CONTRACT ID: MD Time Software Maintenance & Support
ADPICS No. F50B2400016

CONTRACTOR: 3C Solutions, Inc. d/b/a 3C Computer Solutions, Inc.
Purcellville, VA

CONTRACT DESCRIPTION: Maintain and support Leave Accounting System (LAS) and the web-enabled version of LAS known as MD Time.

TERM: 2/1/2012 – 1/31/2014 (w/2 one-year options)

AMOUNT: \$735,400.00 Base period
\$380,800.00 Option Yr.1
\$392,600.00 Option Yr.2
\$1,508,800.00 Total

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

INCUMBENT: Same

REMARKS: This contract provides software support for the Leave Accounting System and the MDTime leave accounting system currently used by 23 State agencies. This contract is managed by DoIT for all 23 agencies.

The LAS is a client server application that enables centralized timekeepers to post employee leave into a centralized database. The system maintains employee leave balances; produces reports for payroll exceptions, and provides agencies the ability to generate administrative reports to reflect leave usage and abuses. The MD Time system application is distributed to each employee to allow them to enter their own timecard. System edits are now executed before the employee submits their timecard.

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

ITEM: 3-IT (Cont.)

Current leave balances are maintained allowing for instant edits of leave availability. MD Time also includes electronic timecard approval processing. MD Time produces the exception reports for payroll along with anomaly reports to identify unique leave usage.

There is no MBE participation goal for this contract. 3C Computer Solutions, Inc. is the original developer of the software source code for the State and is the only source that can maintain the LAS and MD Time application.

FUND SOURCE: 100% Reimbursable
APPROP. CODE: A50A0403
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 11-2733-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Cheryl Hill (410) 545-0402
chill@sha.state.md.us

BPW – 01/25/12

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 1-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2010-13 C
Construction Contract Claims Review & Analysis
Services, Statewide
ADPICS NO. SBCS1013C

CONTRACT DESCRIPTION: This is the last of four (4) open-end task order contracts to provide construction contract claims review and analysis services, Statewide, for SHA's Office of Construction.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on June 2, 2011 for Contracts A & B, September 1, 2011 for Contract D and January 5, 2012 for Contract C.

AWARD: Urban Engineers, Inc.
Baltimore, Maryland

AMOUNT: \$1,000,000

TERM: Six (6) Years (ending January 26, 2018)

DBE PARTICIPATION: 20%

PROPOSALS:

	<u>Technical Proposal Rating (Max 730)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	586	1	Contract A BPW Approval 9/21/11
Alpha Corporation Baltimore, MD	543	2	Contract B BPW Approval 9/21/11
Urban Engineers, Inc. Baltimore, MD	541	3	\$1,000,000 (Contract C)
O'Connell & Lawrence, Inc. Olney, MD	477	4	Contract D BPW Approval 9/21/11
ARCADIS Columbia, MD	446	5	N/A

ITEM: 1-AE (Continued)

BPW – 01/25/12

PROPOSALS (Cont'd):

	<u>Technical Proposal Rating (Max 730)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Century Engineering, Inc. / Whitney Bailey Cox & Magnani, LLC Hunt Valley, MD	438	6	N/A
McDonough Bolyard Peck, Inc./ Michael Baker Jr., Inc. Columbia, MD	438	7	N/A
KCI Technologies, Inc. Sparks, MD	431	8	N/A
Wallace, Montgomery & Associates, LLP Towson, MD	410	9	N/A
Trauner Consulting Services, Inc./ Philadelphia, PA	402	10	N/A
EA Engineering, Science & Technology, Inc./ Capital Construction Consultants, Inc. Baltimore, MD	387	11	N/A
Exponent, Inc Alexandria, VA	366	12	N/A
ATCS, P.L.C. Annapolis, MD	322	13	N/A

REMARKS: This Solicitation was advertised in The Daily Record, eMaryland Marketplace and the SHA website. A total of thirteen (13) engineering consultant firms submitted technical proposals for this project, of which eleven (11) are Maryland firms.

The Consultant will provide the examination, evaluation, verification and final analysis of construction contract claims, statewide, for the Office of Construction.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term of the original contract to spend funds remaining on the contract as provided in Revised Board Advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 11-3043-0111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Cheryl Hill 410-545-0402
chill@sha.state.md.us

BPW – 01/25/12
 REVISED

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 2-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT NO. & TITLE: BCS 2007-02 A & B
 Inspection for Cleaning & Painting Bridges
 ADPICS NOS. CO280407 & CO280408

ORIGINAL CONTRACT APPROVED: Item 6-AE, DOT Agenda 12/12/07

ORIGINAL PROCURMENT METHOD: Maryland Architectural and Engineering Services Act

MODIFICATION: Modification No. 2 extends both contracts by eighteen-months and increases the contract value of each by \$1,000,000. These contracts provide for inspection of work done within SHA's bridge painting program.

CONTRACTOR:

Greenhorne & Omara, Inc. (Contract A)
 Laurel, MD

Greenman Pedersen Inc. (Contract B)
 Annapolis Junction, MD

TERM: 12/12/07-12/01/2011 (Original)
 12/02/11–02/01/12 (Modification No. 1)
 02/02/12–08/1/13 (Modification No. 2)

AMOUNT: \$1,000,000 each

ORIGINAL CONTRACT AMOUNT: \$2,000,000 each

REVISED CONTRACT AMOUNT: \$3,000,000 each

PERCENTAGE INCREASE: 50%

DBE PARTICIPATION: 18% each
 (Contract A) (DBE Compliance 5.88%)
 (Contract B) (DBE Compliance 16.63%)

REMARKS: These contracts provide for inspection services for the cleaning and painting of existing bridges, as required by the Federal Highway Administration. A majority of the supporting components in bridges are structural steel, and deterioration can affect the ability of structures to carry

ITEM: 2-AE-MOD (Continued)

BPW – 01/25/12

loadings. Open-end contracts for paint inspectors to monitor ongoing painting projects assure the paint is properly prepared (such as the removal of coatings with toxic metals such as lead) and the approved paint system is used. SHA does not have the in-house expertise to perform this function.

Additional funding became available to the Bridge Program last year, allowing painting contracts to be utilized at a faster rate than expected. The Office of Structures did not pursue new contracts for inspections in a timely manner given the accelerated advertisements of the painting projects.

The requested extension and increase in value are needed to allow new contracts to be procured. The replacement contract, BCS 2011-10, is in the early stages of the procurement process and has a projected Notice to Proceed date of June, 2013. A 60-day bridge letter was executed to allow on-going tasks to continue until this extension request could be presented to the Board of Public Works.

FUND SOURCE:	Federal and Special Transportation Funds Budgeted to SHA
APPROP CODE:	J02B0101
RESIDENT BUSINESS:	Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

Cheryl Hill 410-545-0402
chill@sha.state.md.us

BPW -- 01/25/12

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 3-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4770011414
Install, Repair and / or Replace Traffic Barriers at Various Locations in Dorchester, Somerset, Wicomico & Worcester Counties (District 1)
ADPICS NO. 4770011414

CONTRACT DESCRIPTION: This Contract consists of installing, repairing and/or replacing traffic barriers at various locations in District 1.

AWARD: L. S. Lee, Inc.
York, PA

AMOUNT: \$416,526 NTE

TERM OF CONTRACT: February 6, 2012 through December 31, 2014

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:	
L. S. Lee, Inc. York, PA	\$416,526
Penn Line Service, Inc. Scottdale, PA	\$627,779
Guardrails Etc., Inc. Baltimore, MD	\$647,695

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. One hundred sixty two (162) contractors were notified for this project on eMaryland Marketplace; Twenty eight (28) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

ITEM: 3-M (Continued)

BPW - 01/25/12

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2846-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Cheryl Hill 410-545-0402
chill@sha.state.md.us

BPW -- 01/25/12

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 4-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4772161413
 Install, Repair and Replace Traffic Barriers at Various
 Locations in Washington County
 ADPICS NO. 4772161413

CONTRACT DESCRIPTION: This Contract consists of installing, repairing and replacing traffic barriers at various locations in Washington County.

AWARD: Penn Line Service, Inc.
 Scottsdale, PA

AMOUNT: \$502,753 NTE

TERM OF CONTRACT: February 6, 2012 through December 31, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Penn Line Service, Inc. Scottsdale, PA	\$502,753
Green Acres Contracting Co. Scottsdale, PA	\$519,107
L. S. Lee, Inc. York, PA	\$597,159
Guardrails Etc., Inc. Baltimore, MD	\$909,850

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. Two hundred twenty two (222) contractors were notified for this project on eMaryland Marketplace; Thirty five (35) of which were MDOT Certified MBE's.

ITEM: 4-M (Continued)

BPW - 01/25/12

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2960-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Cheryl Hill 410-545-0402
chill@sha.state.md.us

BPW -- 01/25/12
 REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 5-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 5260851414SB
 Management of the Maintenance & Janitorial Services for
 the Crain Memorial Information Center in Charles County
 ADPICS NO. 5260851414

CONTRACT DESCRIPTION: This Contract consists of managing the maintenance &
 janitorial services for the Crain Memorial Information Center in Charles County.

AWARD: H. D. Myles
 Church Hill, MD

AMOUNT: \$608,001 NTE

TERM OF CONTRACT: February 6, 2012 through December 31, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Small Business Reserve)

BIDS:

H. D. Myles Church Hill, MD	\$608,001
Welco, LLC Kennedyville, MD	\$885,240

MBE PARTICIPATION: 11.35%

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. Four Hundred Seventy one (471) contractors were notified for this project on eMaryland
 Marketplace; One hundred twelve (112) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated
 quantities.

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

ITEM: 5-M (Continued)

BPW - 01/25/12

The MBE Goal established for this contract was 10%; however, the Contractor is exceeding the goal by 1.35%.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2935-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Cheryl Hill 410-545-0402
chill@sha.state.md.us

BPW -- 01/25/12

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 6-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 5270911414
 Operation of the Cambridge Creek Drawbridge in
 Dorchester County
 ADPICS NO. 5270911414

CONTRACT DESCRIPTION: This Contract consists of the operation of the Cambridge
 Creek Drawbridge in Dorchester County.

AWARD: Duck's Nest, LLC
 Cambridge, MD

AMOUNT: \$321,912 NTE

TERM OF CONTRACT: February 6, 2012 through December 31, 2014

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Duck's Nest LLC Cambridge, MD	\$321,912
Chesapeake Pilot Training, Inc. Chestertown, MD	\$379,620

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 (3) contractors were notified for this project on eMaryland Marketplace; None (0) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

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

ITEM: 6-M (Continued)

BPW - 01/25/12

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2945-0010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

John Thornton (410) 385-4850
jthornton@marylandports.com

BPW – 01/25/12

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

CONTRACT MODIFICATION: (Service)

ITEM: 7-S-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 511901
 Unarmed Security Guard Services
 ADPICS NO. CO280088

ORIGINAL CONTRACT APPROVED: Item 17-S, DOT Agenda 07/28/10

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

CONTRACTOR: Securitas Security Services USA, Inc.
 Baltimore, MD

MODIFICATION: Renewal Option No. 1 is the single two-year renewal option to extend the contract for the period August 8, 2012 through August 7, 2014.

AMOUNT: \$4,120,000

ORIGINAL CONTRACT AMOUNT: \$4,000,000

REVISED CONTRACT AMOUNT: \$8,120,000

PERCENTAGE INCREASE: 103%

ORIGINAL TERM: 8/8/10 – 8/7/12 (Original)
 8/8/12 – 8/7/14 (Renewal Option No. 1)

ORIGINAL MBE PARTICIPATION: 0% (Original)
 0% (Renewal Option No. 1)

REMARKS: The contractor provides unarmed security guard services at MPA terminals. The original contract term was August 8, 2010 through August 7, 2012 with the MPA having the unilateral right to renew for one (1) additional two (2) year period, subject to a single Consumer Price Index (CPI) price increase during the renewal term not to exceed 3%. MPA asked the contractor to waive the CPI, but they would not agree. Prices chargeable by the Contractor and the not-to-exceed value for the renewal term include the CPI increase of 3%.

MPA wishes to exercise the renewal option since the contractor knows MPA's security procedures and facilities and has performed the contract satisfactorily to date.

ITEM: 7-S-MOD (Continued)

BPW – 01/25/12

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J0300001

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

107

Suzette Moore - (410) 859-7792
 smoore2@bwiairport.com

BPW - 01/25/12

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 8-GM-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-04-001

NATURE OF REQUEST: Approval of Supplement No. 3 to Contract No. MAA-LC-04-001, Lease and Concession Contract (Contract), with AIRMALL Maryland, Inc. (AIRMALL), formerly known as BAA Maryland, Inc., for Maryland Aviation Administration (MAA) to reimburse AIRMALL for the cost of moving equipment and other items, the un-depreciated book value of Capital Improvements not replaced or relocated, and the cost of moving and reinstalling utilities to relocate Silver Diner BWI, LLC, an AIRMALL sublessee, within Concourse B as a result of MAA's construction of a new nine (9) lane passenger security checkpoint and secure passenger corridor connecting Concourses B and C (B/C Connector). MAA is contractually obligated under Article V(D)(2) of the Contract to pay these costs.

CONTRACTOR: AIRMALL Maryland, Inc.
 (Formerly known as BAA Maryland, Inc.)
 Baltimore, Maryland

AMOUNT: Up to \$2,634,000

DURATION: Work is to be completed during the course of the construction of the B/C Connector.

REMARKS: The MAA will reimburse AIRMALL on an actual cost basis, based on certified receipts and lien releases, up to but not exceeding \$2,634,000. This not to exceed amount includes the following:

- A. Up to, but not exceeding, \$100,000 to move Silver Diner's equipment and other items to the new location;
- B. Up to, but not exceeding, \$750,000 for the relocation, replacement and redistribution of utilities within the new Silver Diner location that are necessary for Silver Diner's operation; and
- C. Up to, but not to exceed, \$1.784 million to compensate Silver Diner for the un-depreciated book value of the Capital Improvements that are not replaced or relocated within the new location.

Due to the construction of the B/C Connector, Silver Diner will be relocated on Concourse B and therefore MAA is obligated to pay these relocation expenses. This type of revenue-producing contract at a transportation facility is exempt from State Procurement Law.

ITEM: 8-GM-MOD (Continued)

BPW – 01/25/12

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 use and lease of State property under State Finance and Procurement Article, Section 10-305.

RESIDENT BUSINESS: Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN ✓
	WITH DISCUSSION	WITHOUT DISCUSSION	109

George E. Fabula, Jr. (410) 767-3908
 gfabula@mta.maryland.gov

BPW – 01/25/12
 REVISED

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

LANDLORD LEASE

ITEM: 9-LL

MARYLAND TRANSIT ADMINISTRATION

PROPERTY LOCATION: New Carrollton Metro Station
 Garden City Drive and Cobb Road
 Prince George's County, Maryland
 New Carrollton East Lot

LICENSOR: Maryland Transit Administration

LICENSEE: Revenue Authority of Prince George's County

SPACE TYPE: Paved Lot

LICENSE TYPE: Renewal

SIZE: 391 marked spaces – surface parking lot

TERM: Two (2) years with an option to renew for an additional one (1) year period.

EFFECTIVE DATE: March 1, 2012

ANNUAL RENT: \$97,400 (first year)
 \$99,348 (second year)
 \$101,335 (option year)

MAINTENANCE RESPONSIBILITY: Revenue Authority of Prince George's County

SPECIAL CONDITIONS: Licensee shall pay on the yearly anniversary of this License, the sum of two-percent (2%) of gross receipts over \$350,000.

REMARKS: The Board of Public Works approved the current agreement on February 18, 2009, as Item 15-L. This is a continuation of the current agreement, which has been in place since 1989. Originally the parking agreement was between the State Highway Administration (SHA) and the Prince George's County Parking Authority for the same property.

On January 24, 2001, the Maryland Board of Public Works approved the transfer of 15.782-acres of land from SHA to MTA at the New Carrollton Metro/MARC Station, which included the subject east lot.

ITEM: 9-LL (Continued)

BPW – 01/25/12

As a result of that action, MTA also assumed the January 1989 Lease Agreement between the two parties. Board of Public Works' approval is requested for the real property license agreement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Cheryl Hill – 410-545-0402
chill@sha.state.md.us

BPW – 01/25/12

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

LANDLORD LEASE

ITEM: 10-LL MMC# 11-2805

STATE HIGHWAY ADMINISTRATION

PROPERTY LOCATION: Northeast quadrant of Md. Rte. 355 and Randolph Road,
Montgomery County

LESSOR: State Highway Administration

LESSEE: BVS Montrose, LLC

SPACE TYPE: Commercial Land (No Improvements)

LEASE TYPE: New

AREA: 0.3970 acres, +/-

TERM: Five (5) years

EFFECTIVE DATE: February 1, 2012

RENT: \$25,000

**UTILITIES/CUSTODIAL
RESPONSIBILITY:** BVS Montrose, LLC

SPECIAL CONDITIONS: This lease is for the maintenance of a backup water main that serves the tenant's property. In the near future the entrance, under which the pipe rests, will be conveyed to Montgomery County. Upon settlement of that conveyance, this lease will terminate. The tenant has agreed to a onetime payment of \$25,000 as rent regardless of the timeframe (up to five years). The tenant is responsible for all maintenance in addition to any taxes and assessments for the leased property. Lease may be terminated by the lessor or lessee with thirty (30) days notice.

REMARKS: This lease was prepared under the guidelines of BPW Advisory 2006-3. Board of Public Works approval is requested for the real property lease.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Cheryl Hill -- 410-545-0402
 chill@sha.state.md.us

BPW – 1/25/2012

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 11-RP MMC# 07-2129

STATE HIGHWAY ADMINISTRATION: Located on east side of Md. Route 355, north side of Randolph Road in Montgomery County, Maryland

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of the described parcels of land to BVS Montrose, LLC. The property to be conveyed consists of 1.7091 acres and is being conveyed as part of a larger land swap deal to fulfill project requirements for the Md. Route 355 project. Approval of the conveyance exchange I requested in accordance with Section 8-309(f)(i) of the Transportation Article, Annotated Code of Maryland.

SPECIAL CONDITIONS: The conveyance is made according to the terms of an option agreement between the parties dated May 31, 2011.

STATE CLEARINGHOUSE: Notice was not sent to the Clearinghouse because this property is less than 3 acres; however, notice was sent to Montgomery County on May 18, 2010.

LEGISLATIVE NOTICE: In accordance with State Finance and Procurement Article, Section 10-305, Legislative Notice was sent on March 3, 2011 to the Senate Budget & Taxation Committee and to the House Appropriations Committee, and the 45-day notice requirement expired on May 16, 2011.

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: BVS Montrose, LLC

CONSIDERATION: SHA has agreed to convey 1.7091 acres to BVS Montrose, LLC for the purchase price of \$1,309,240 plus 5,349 sq. ft in fee simple, 33,759 sq. ft in perpetual easement and 11,031 sq. ft. in temporary easement, which values \$1,581,760.

APPRAISED VALUE: \$2,891,000 appraised by Melville Peters, fee appraiser, reviewed and selected by William Caffrey, Jr., Chief, Appraisal Review Division

\$2,453,000 appraised by Bruce Dumler, fee appraiser, reviewed and approved by William Caffrey, Jr., Chief, Appraisal Review Division

REMARKS: Approval of conveyance exchange is requested in accordance with the Section 8-309 (f)(i) of the Transportation Article, Annotated Code of Maryland.

ITEM: 11-RP (Continued)

BPW – 1/25/12

This property is being conveyed in accordance with an option contract (see attached) which was secured on May 31, 2011 for property acquired by SHA for the Md. Route 355 project in Montgomery County.

The transaction was negotiated based on an appraisal with the date of value being January, 2010. The appraisals needed to be secured first as the basis of continued and lengthy negotiations between ORE and BVS Montrose, LLC, resulting in an option contract, attached hereto.

This consists of the appraised value of the actual purchase price of the extra land (\$2,891,000) reducing the cost by the acquisition from BVS Montrose, LLC (\$1,581,760), as required by the Md. Route 355 project (MO830A31).

SHA is concurrently requesting permission to dispose and execution of the Deed.

The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

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

ITEM 1-C (Cont.)

PERFORMANCE BOND

100% of full contract amount

REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com* on 6/29/2011. Thirteen Bids were received on 8/2/2011. One bidder was found non-responsive and non-responsive and was rejected, leaving twelve bids. The MBE goal of 30%, with no split, was met by Garcete Construction Co., Inc., and affirmed by MBE Office memo dated 8/29/2011. The recommended awardee has exceeded the MBE set goal of 30% (\$143,477.00) by achieving 45.4% (\$217,129.59). The total goal of 45.4% consists of 38.2% woman owned and 7.2% African American owned firms.

This Multi Purpose Building will serve as a maintenance/storage shop for the DNR Police consisting of four vehicle bays including one maintenance bay for police vehicles, an office with ADA restroom facilities, a secure storage area for DNR police confiscated evidence, special equipment storage, and police radio repair shop. This building will be located at the new DNR Police Area 3 Office Headquarters located off of College Parkway in Anne Arundel County. The Government estimate is \$545,000.00

FUND SOURCE

\$100,000.00 MCCBL 2010/Item011
\$373,907.00 MCCBL 2011/Item 007
(Provide Funds to design, construct, and equip Capital Development projects on DNR Property)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2064-0011

Note: This item previously appeared on the DGS/BPW Agenda on 11-2-2011 as Item 1-C and was withdrawn.

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

ITEM 2-C (Cont.)

This procurement was determined to be eligible for a Small Business Preference. The second low bidder, was eligible for a 5% preference. As a result of applying the 5% preference, the Procurement Officer, in accordance with COMAR 21.11.01.05B.(4), has accepted Adler's bid as the most favorable responsive bid from a responsible small business at \$435,000.00. Funding is available to award the contract at this amount.

FUND SOURCE

MCCBL 2010/Item 011 (Provide funds to design, construct, and equip capital development projects on Department of Natural Resources Property in accordance with 5-903(G) of the Natural Resources Article.)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2833-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 3-C-MOD

DEPARTMENT OF GENERAL SERVICES Rockville District Court Multi Service
Center (RDCMSC)
Rockville, Maryland (Montgomery County)

CONTRACT NO. AND TITLE Project No. BC-725-992-002;
Construct New Montgomery County
District Court/Multi-Service Center
At Rockville
ADPICS NO. COE13725

ORIGINAL CONTRACT APPROVED 10/15/2008 DGS/BPW 1-C

CONTRACTOR Coakley and Williams Construction
Gaithersburg, MD

CONTRACT DESCRIPTION Construction contract award includes all
labor and materials necessary to construct a 167,072 GSF District Court facility in downtown
Rockville, to service a portion of Montgomery County. Work to include the demolition of the
Old Rockville Library and construction of nine (9) courtrooms, four (4) meeting/multi purpose
rooms, court room holding areas, offices for judicial administration, court clerks, county
commissioners, advocates services, public defenders offices, parole and probation/DDMP, DGS
maintenance, and secure parking.

MODIFICATION DESCRIPTION This Change Order covers the cost to
replace the security hardware on twenty-three (23) stairwell access doors. Work includes:
controls wiring, power, and hardware.

TERM OF ORIGINAL CONTRACT 730 Calendar Days

TERM OF MODIFICATION Same

AMOUNT OF ORIGINAL CONTRACT \$59,939,300.00

AMOUNT OF MODIFICATION \$203,690.00

PRIOR MODIFICATIONS/OPTIONS \$3,039,571.26

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 3-C-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT \$63,182,561.26

PERCENT +/- (THIS MODIFICATION) 0.34%

OVERALL PERCENT 5.41%

ORIGINAL PROCUREMENT METHOD Competitive Sealed Proposals

ORIGINAL MBE PARTICIPATION 40.42%

MBE COMPLIANCE 35.81%

REMARKS The original contract had specified and indicated hardware operation that did not meet the security operational requirements of the District Court. The door hardware did not have a locking function and the card readers only shunted the push bar alarm which had to be manually reset. The public corridor doors could not be monitored by CCTV pop-up because there was insufficient wiring and power. Therefore, the work is necessary because the stairwell access doors with access card readers must lock on the interior of the stairwell. The corridor push bar must have a delayed egress alarm and the public corridor door must have a security CCTV camera pop-up when used. The contract time will not be extended.

FUND SOURCE MCCBL 2005/Item 009 (Provide funds to be credited to the Construction Contingency Fund to be administered in accordance with Section 3-609 of the State Finance and Procurement Article-Statewide)

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 11-3072-1111

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 4-M

DEPARTMENT OF GENERAL SERVICES Hyattsville District Court/Multi-Service
Center (HDCMSC)
Hyattsville, MD

CONTRACT NO. AND TITLE Janitorial Services;
ADPICS NO. 001B2400332

CONTRACT DISCRPTION Approval requested for a contract to provide
janitorial services for the Hyattsville District Court/Multi-Service Center located at 4990 Rhode
Island Ave. in Hyattsville, MD.

PROCUREMENT METHOD Preferred Provider
(Community Service Provider)

BIDS OR PROPOSALS **AMOUNT**
Lyle's Cleaning Services Division of Multi-Corp \$276,897.64
Westminster, MD

AWARD Lyle's Cleaning Services Division of Multi-
Corp
Westminster, MD

TERM 1/26/2012-1/25/2015

AMOUNT \$276,897.64 (3 Years)

MBE PARTICIPATION 0%

REMARKS Lyles' Cleaning Services is a Community
Service Provider under the Maryland Rehabilitation and Employment Program pursuant to
COMAR 21.11.05. Pricing for this Contract was approved by the Pricing and Selection
Committee on 11/7/2011. Housekeeping supplies in support of this Contract are to be purchased
from Blind Industries and Services of Maryland (BISM) to the extent they are possible.

FUND SOURCE DGS Operating Funds
H00 33601 0813 - \$276,897.64

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M

DEPARTMENT OF GENERAL SERVICE

Department of Labor Licensing and
Regulation (DLLR)
1100 N. Eutaw St.
Baltimore, MD

CONTRACT NO. AND TITLE

Project No. P00R2402446;
Janitorial Services
ADPICS NO. 001B2400322

DESCRIPTION

Approval for a contract for all labor,
equipment, and services for approximately 87,593 net cleanable sq. ft. at 1100 N. Eutaw St.

PROCUREMENT METHOD

Preference Provider
(Community Service Provider)

BIDS OR PROPOSALS

Goodwill Works of Chesapeake, Baltimore, MD

AMOUNT

\$910,472.42

AWARD

Goodwill Works of Chesapeake
Baltimore, MD
(MDOT certified MBE# 09-524)

TERM

2/1/2012-1/31/2015

AMOUNT

\$910,472.42 (3 years)

MBE PARTICIPATION

100 %

PERFORMANCE BOND

None

REMARKS

The Goodwill Works of Chesapeake a
Certified Sheltered Workshop under Maryland Works, pursuant to COMAR 21.11.05, has been
providing satisfactory service to the Employment Works Program, for the past three years.

Pricing for this contract was approved by the Maryland Works Pricing and Selection Committee.
Housekeeping supplies in support of this contract are to be purchased from Blind Industries and
Services of Maryland (BISM) to the extent they are available.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

FUND SOURCE

DLLR Operating Funds
P00 2012 24425 0813
P00 2013 24425 0813
P00 2014 24425 0813
P00 2015 24425 0813

RESIDENT BUSINESS

Yes

MD TAX CLEARANCE

11-2584-1110

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 6-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 in the total amount of \$5,402.07 (1 item)

Department of Veterans Affairs

War Memorial Building
Baltimore City

MODIFICATION DESCRIPTION

This modification is to provide additional AE services. The additional services include providing rendering of the front view of the War Memorial Building showing the proposed schemes of the security fencing and gates and attending additional meetings with Maryland Historical Trust and the Baltimore City Commission for Historical and Architectural Preservation (CHAP). This modification also changes funding stream to MCCBL Bond funds.

REMARKS

In order for this project to move forward it has to be approved by the Maryland Historical Trust and the Baltimore City Commission for Historical and Architectural Preservation (CHAP). The CHAP group wanted the iron security fence installed on the front porch area in order to maintain an open and inviting atmosphere at the front of the War Memorial Building. After meeting and presenting a rendering of the front view of the War Memorial Building with the iron security fence installed on the porch the project was given preliminary approval by CHAP. However, after careful review and scrutiny the Department of Veterans Affairs (DVA) decided not to move forward with the design as presented to the CHAP group. Installing a new security fence on the porch would involve drilling and attaching metal posts and gates onto the building structure. This work could potentially cause major damage and deterioration to a building which is considered one of Baltimore City's most prominent historical buildings. The DVA met again with CHAP group and explained the concerns to CHAP and after review and consideration the CHAP group agreed that the new security fence should not be installed on the porch and not attached to the building structure. CHAP asked that a new rendering be prepared for their review showing the security fence in the front of the building so that they get a good perspective of how the fence will look. A new rendering shall be presented to CHAP for their review and approval. This rendering will show the new iron security fence along the front of the building on the sidewalk area.

This change order is to provide a rendering of the new security fence in the front area of the War Memorial Building and to attend additional meetings with CHAP and Maryland Historical Trust. The modification amount is considered fair and reasonable.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS**ITEM** 6-GM (Cont.)

<u>CONTRACT NO. AND TITLE</u>	Project No. WM-101-100-001; Install Security Fencing and Gates
<u>ORIGINAL CONTRACT APPROVED</u>	DGS/DPRB - 9/1/2009; Item 35-E-007
<u>ORIGINAL PROCUREMENT METHOD</u>	Maryland Architectural and Engineering Services Act
<u>CONTRACTOR</u>	Prime Engineering, Inc. Owings Mills, MD
<u>ORIGINAL CONTRACT AMOUNT</u>	\$24,110.00
<u>AMOUNT OF MODIFICATION</u>	\$5,402.07
<u>PRIOR MODIFICATIONS/OPTIONS</u>	\$8,981.89
<u>REVISED TOTAL CONTRACT AMOUNT</u>	\$38,493.96
<u>PERCENT +/- (THIS MODIFICATION)</u>	14.03%
<u>OVERALL PERCENT +/-</u>	37.37%
<u>FUND SOURCE</u>	MCCBL 2010/Item 010 (Provide funds for the State Capital facilities Renewal program-Statewide)

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 7-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 \$94,430.00 (2 items).

The two fund sources for any particular item will be designated as either:
MCCBL 2010/Item 016 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)
MCCBL 2011/Item 008 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)

Department of Natural Resources

A. Mt. Nebo Wildlife Management Area (WMA)

DESCRIPTION

This project requires the contractor to provide all materials, equipment, supplies, etc., to resurface the parking lot at Mt. Nebo Wildlife Management Area.

REMARKS

Award is for Base bid and six Unit Prices. This solicitation was advertised and bid on *eMaryland Marketplace* (eMM). Notice of Availability was also posted on the DGS Bid Board.

The project estimate was \$56,000.00. This project was included on the FY-12 critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and zero vendors attended the prebid. Four vendors bid on the project with zero vendors under the project estimate.

CONTRACT NO. AND TITLE

Project No. G-012-120-010 REBID;
Resurface Parking Lot

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

Keystone Lime Co., Inc.
Springs, PA

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

<u>ITEM</u>	7-GM (Cont.)
<u>AMOUNT</u>	\$81,295.00
<u>TERM</u>	60 Calendar Days
<u>MBE PARTICIPATION</u>	5%
<u>FUND SOURCE</u>	MCCBL 2011/Item 008

B Bill Burton Fishing Pier State Park
Trappe, MD (Talbot County)

DESCRIPTION This project is to locate & excavate existing septic tank and line from building. Pump out tank and collapse or remove in its entirety. Install 1 new Singular TNT Precast Concrete Treatment combined septic tank and OSDS reduction unit. Test system for proper operation. Restore site to pre-construction condition. Remove and dispose of excess materials from State property.

CONTRACT NO. & TITLE Project No. P-000-117-910;
On-site Sewage Disposal System Upgrade

PROCUREMENT METHOD Small Procurement

AWARD Holly Lake Enterprises, Inc.
McDaniel, MD

AMOUNT \$13,135.00

FUND SOURCE MCCBL FY2010 Item 016

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 8-GM

REFERENCE

Department of General Services
Project No: BC-725-992-002
Construct New Montgomery County
District Court/Multi-Service Center
At Rockville

DESCRIPTION

Reference is made to the August 2011
Department of General Services Procurement Agency Activity Report (PAAR) Item 3-C-MOD
wherein change order #132 to Coakley and Williams in the amount of \$30,455.00 was reported.

BPW approval is now requested to revise the fund source as follows:

FROM: \$30,455.00 - Item 801/MCCBL 2009

TO: \$30,455.00 - Item 009/MCCBL 2005

Reason: To utilize Construction Contingency Funds not available at the time of the award
(approved by Budget Committees November 18, 2011).

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 9-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
Agricultural Land Preservation Easements
(Various Properties)

REFERENCE

Approval is requested for the Maryland
Agricultural Land Preservation Foundation, Department of Agriculture, to accept option
contracts for the purchase of agricultural preservation easements on the following properties:

SPECIAL CONDITIONS

Grantor relinquishes all rights to develop or
subdivide the land for industrial, commercial, or residential use. Land shall be preserved solely
for agricultural use in accordance with provisions of the Agricultural Article. No commercial
signs or bill boards are permitted, and there shall be no dumping on land except as is necessary
to normal farming operations. Grantor shall manage the property in accordance with sound
agricultural practices. Grantee shall have the right to enter land for inspection. No public rights
are granted. The term of these easements shall be in perpetuity pursuant to Agriculture Article
Section 2-514.1.

- A) As to items 1 through 4, pursuant and subject to the provisions of Agriculture Article
Section 2-513, Grantor has elected to reserve the right to apply for release of a lot to convey to
himself or his children for the purpose of constructing a dwelling for personal use as follows:
one lot of one acre or less if the subject property is at least 20 acres, but less than 70 acres, two
lots of one acre or less if the subject property is at least 70 acres, but less than 120 acres, or three
lots of one acre or less if the subject property is 120 acres or more.
- B) As to items 5 and 6, pursuant and subject to the provisions of Agriculture Article Section
2-513, Grantor has elected to reserve the right, along with his assignee, to apply for release of
one unrestricted lot, that may be conveyed to himself or others.
- C) As to items 7 through 10, the Grantor is waiving the right to request any additional lots.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 9-RP (Cont.)

<u>Grantor</u>	<u>Property</u>	<u>Price</u>		
<u>FAMILY LOTS</u>				
<u>Carroll County</u>				
1. Pipe Cr. Run Farm, LLC. 06-11-04	184.686Ac Less 1 acre Per dwelling	\$1,028,457.91 \$ 5,599.00/acre		
	(Appraised Value)	(Agricultural Value)	(Easement Value)	
a. Kelleher (staff)	\$1,470,000.00	\$172,473.06	\$1,297,526.94	
b. Belinko (fee)	\$1,102,116.00	\$172,473.06	\$ 929,642.94	
c. Muller (fee)	\$1,561,000.00	\$172,473.06	\$1,388,526.94	
Review Appraiser: Kelleher				

Charles County

2. Terry Olson, et al. 08-07-13	119.75Ac Less 1 acre Per dwelling	\$343,249.02* \$ 2,890.52/acre		
	(Appraised Value)	(Agricultural Value)	(Easement Value)	
a. Hooper (fee)	\$665,000.00	\$66,381.02	\$598,618.98	
b. Peters (fee)	\$653,200.00	\$66,381.02	\$586,818.98	
Review Appraiser: Kelleher				

Harford County

3. James Norton, et al. 12-11-04	83.87 Ac	\$457,800.00 \$ 5,458.58/acre		
	(Appraised Value)	(Agricultural Value)	(Easement Value)	
a. Page (fee)	\$654,000.00	\$98,094.91	\$555,905.09	
b. Cline (fee)	\$630,000.00	\$98,094.91	\$531,905.09	
Review Appraiser: Kelleher				

4. W & J Ludwig 12-11-05	61.52 Ac Less 1 acre Per dwelling	\$364,000.00 \$ 6,014.94/acre		
	(Appraised Value)	(Agricultural Value)	(Easement Value)	
a. Page (fee)	\$520,000.00	\$59,083.79	\$460,916.21	
b. Cline (fee)	\$510,000.00	\$59,083.79	\$450,916.21	
Review Appraiser: Kelleher				

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 9-RP (Cont.)**UNRESTRICTED LOTS****St. Mary's County**

5. L. & R. Rowland	221.57 Ac	\$744,990.75	
18-01-01	Less 1 acre	\$ 3,377.57/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Cline (fee)	\$880,000.00	\$135,009.25	\$744,990.75
b. Peters (fee)	\$992,600.00	\$135,009.25	\$857,590.75

Review Appraiser: Kelleher

6. Danny's Lane, LLC	58.21 Ac	\$308,030.90	
18-11-01	Less 1 acre	\$ 5,384.21/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher (staff)	\$343,500.00	\$35,469.10	\$308,030.90
b. Cline (Fee)	\$310,000.00	\$35,469.10	\$274,530.90
c. Peters (fee)	\$457,700.00	\$35,469.10	\$422,230.90

Review Appraiser: Kelleher

LOT WAIVER**Kent County**

7. John Fernwalt, Jr.	240 Ac	\$473,761.56	
14-09-04	Less 1 acre	\$ 1,990.59/acre	
	Per dwelling (2 Dwellings)		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Cadell (fee)	\$1,665,000.00	\$249,617.67	\$1,415,382.33
b. Cline (fee)	\$1,620,000.00	\$249,617.67	\$1,370,382.33

Review Appraiser: Andrews

St. Mary's County

8. Philip Hayden, Sr.	27.146 Ac	\$73,778.00	
18-04-02		\$ 2,717.82/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Cline (fee)	\$90,000.00	\$16,222.00	\$73,778.00
b. Peters (fee)	\$81,400.00	\$16,222.00	\$65,178.00

Review Appraiser: Kelleher

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP (Cont.)

Talbot County

9. Councill Family Trust	84.2 Ac	\$563,813.90
20-09-02		\$ 6,696.13/acre

	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Andrews (staff)	\$675,000.00	\$111,186.10	\$563,813.90
b. Cadell (fee)	\$760,000.00	\$111,186.10	\$648,813.90
c. McCain (fee)	\$565,000.00	\$111,186.10	\$453,813.90

Review Appraiser: Andrews

Washington County

10. Brian & Tori Baker	115.99Ac	\$480,701.56
21-11-03	Less 1 acre	\$ 4,180.38 /acre
	Per dwelling	

	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Belinko (fee)	\$747,435.00	\$91,593.15	\$655,841.85
b. Bowers (fee)	\$776,000.00	\$91,593.15	\$684,406.85

Review Appraiser: Beach

FUND SOURCES

\$ 1,052,614.98	615 10075
\$ 1,757,021.90	615 11070
<u>\$ 2,028,946.72</u>	L00 A11.11
\$4,838,583.60	Total

TOTAL ACRES (TA)

1,196.942

TA LESS DWELLINGS

1,188.942

AVERAGE PRICE PER ACRE

\$4,069.65

REMARKS

1. The Department of Agriculture recommends acceptance of these contracts.
2. The Department of General Services has reviewed the appraisals and has recommended that each appraisal "a." listed above be the appraised value of the land on which the easement is to be acquired.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP (Cont.)

3. * The purchase price for No. 2 (Olson) above of \$343,249.02 or \$2,890.52 per acre, represents an easement purchase at less than the approved easement offer for this property. The easement offer approved was \$598,618.98 or \$5,041 per acre. In the event the county pledges additional funds or state funds are re-allocated from other Charles County transactions, BPW approval will be sought for a higher easement offer and fund sources provided for the increase.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 10-LL-MOD

DEPARTMENT OF NATURAL RESOURCES Annapolis, MD
(Land and Property Management) (Anne Arundel County)

Tenant National Sailing Hall of Fame & Museum, Inc.
79 Prince George St.
Annapolis, MD 21401

Property Location 67-79 Prince George St.
Annapolis, MD 21401

Space Type Land **Lease Type** Extension
Duration 50 Years (following completion of trigger events) **Effective** February 24, 2012

Utilities Responsibility Tenant
Custodial Responsibility Tenant

Previous Board Action(s) 2/24/10 Item 5-LL

History Reference is made to Board of Public Works Action Agenda Item 5-LL on 2/24/2010 wherein the Board approved an Agreement of Interim Lease, which leased the premises to the Tenant on an interim basis while the Tenant pursued satisfaction of the terms of the Agreement to Lease and Lease. The Agreement to Lease and Lease provide for the development, construction, operating and maintaining of an environmentally sustainable and modern National Sailing Hall of Fame and Museum.

The Agreement to Lease contains express pre-conditions or Trigger Events that must be met prior to the second anniversary of Agreement to Lease. The Trigger Events, which must be satisfied by 2/23/2012, include demonstration to the State's satisfaction that sufficient funds have been raised for the project, complete pre development and permitting for the project and to transfer title of the National Sailing Hall Of Fame property to the State free and clear of all encumbrances. The Interim Lease and Agreement to Lease and Lease will automatically terminate, and be of no further effect, unless an extension of the automatic termination provision is approved by the Board of Public Works.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 10-LL-MOD (Cont.)

The Tenant acknowledges that the Trigger Events will not be satisfied by 2/23/2012. The Tenant has demonstrated to the State that they are diligently and actively working toward satisfaction of the Trigger Events.

The Tenant has completed the acquisition of the additional land, preliminary building design, establishment of an education program "*Teaching Math & Science Through Sailing*", expanded its Board, and established its web site. The Tenant is currently working on fund raising to commence the construction of the project.

The Board of Public Works is hereby requested to approve the extension the term of the Interim Lease and the automatic termination of the Agreement to Lease and Lease from 2/24/2012 through 2/23/2015 permitting additional time for the Tenant to complete all Trigger Events under the Agreement to Lease and Lease.

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** 11-LT

MARYLAND STATE DEPARTMENT OF EDUCATION
(Division of Rehabilitation Services-DORS)

Hagerstown, MD
(Washington County)

DEPARTMENT OF JUVENILE SERVICES**Landlord**

Mayor and City Council of Hagerstown
1 East Franklin St.
Hagerstown, MD 21740

Property Location

North Potomac Street Parking Deck
25 N. Potomac St.
Hagerstown, MD 21740

Space Type Parking
Duration 2 Years
Annual Rent \$6,708.00

Lease Type New
Effective 2/1/2012
Rate/Space/Month \$62.00

Number of Spaces
MSDE (DORS) 7
DJS 2
Total Spaces 9

Utilities Responsibility
Custodial Responsibility
Previous Board Actions

Landlord
Landlord
2/2/2005 Item 10-L; 2/21/2001 Item 17-L;
6/24/1992 Item 15-L;

Fund Sources

MSDE (DORS) U-1505, Object 1301
DJS 04.01.01.4360-Object 13 W01

Remarks

1. These spaces are to be used by Department of Education, Division of Rehabilitation Services and Department of Juvenile employees.
2. The number of spaces is on a 1:2 ratio established for this area.
3. 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

TENANT LEASE**ITEM** 12-LT-OPT

DEPARTMENT OF HUMAN RESOURCES Baltimore City
 (Baltimore City Department of Social Services)

Landlord J4P Associates
 280 Park Avenue, 5th Floor, East Building
 New York, NY 10017

Property Location 1400 E. North Avenue
 1920 N. Broadway
 Baltimore, MD 21213

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	94,912 Office
<u>Duration</u>	10 Years	<u>Effective</u>	2/1/2012		5,925 Storage
<u>Annual Rent</u>	\$1,575,539.20 Office	<u>Square Foot Rate</u>	\$16.60 Office		100,837 Total
	\$ 38,571.75 Storage	<u>Square Foot Rate</u>	\$ 6.51 Storage –Avg.		
	\$1,614,110.95 (Total)	<u>Prev. Sq. Ft. Rate</u>	\$12.45		

Effective Sq. Ft. Rate \$18.60 Office
Prev. Eff. Sq. Ft. Rate \$22.11
Utilities Responsibility Tenant
Custodial Responsibility Landlord
Previous Board Action(s) 9/24/1997 26-L, 1/26/2011 18-LT-MOD

Fund Sources 39% General, 61% Federal N00G0002 N00G0002 7b24
 1351 G0010 N00G0005 7e24 1351 G5000

Special Conditions

1. The lease contains escalations/de-escalations for custodial and real estate taxes.
2. The lease provides for two (2) renewal options for a five (5) year term subject to Board of Public Works approval.
3. The lease provides 160 use in common parking spaces free of charge.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 12-LT-OPT (Cont.)**Remarks**

1. This space has been used since August, 1990 as administrative and client contact office for the Baltimore City Department of Social Services.
2. Through the negotiations, it is anticipated that the State will save in excess of \$3.3 million over the 10 year renewal term. These savings were achieved by changing the lease structure, reducing the total area occupied and by converting formerly billed office space to storage space, at significantly lower rates. The lease structure was changed from essentially a triple net structure to a modified gross methodology, where only costs for cleaning and real estate taxes are passed along to the Tenant.
3. Through a comprehensive space analysis process Department of General Services Office of Real Estate reduced the leased office space by 2,815 net usable square feet. In addition, 2,640 net usable square feet was converted from office space to storage space thus saving approximately \$10.00 per square foot equaling to savings of \$26,400.00 annually or \$264,000.00 over the lease term.
4. The storage rental rate is \$6.26 per net usable square foot for years 1 through 5 and increases to \$6.75 per net usable square foot in years 6 through 10 resulting in an average rental rate of \$6.51 per net usable square foot over the term of the lease.
5. The Landlord estimated contribution to the facility and tenant space is estimated to be \$964,000.00 which includes an investment in lighting retro-fit and lighting sensors throughout the demised premise to reduced energy consumption.
6. At the request of the agency, the lunch room will be relocated from the basement level of the building to the second floor and the agency will pay an amount not to exceed \$25,000.00 towards the new lunch room.
7. The agency desires to convert the 5th floor of the building into a conference/training center for use by the agency. The design and estimate of this requirement has not been completed. In the event the cost exceeds \$50,000.00, DGS Office of Real Estate will come back to the Board of Public Works for further approval.
8. The lease contains a modified termination for convenience clause. The lease cannot be terminated during the first five (5) years of the term.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT-OPT (Cont.)

9. 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

CAPITAL GRANTS AND LOANS

ITEM 13-CGL

RECOMMENDATION That the Board of Public Works enter into a grant agreement for the following grant:

*Anne Arundel County Board of Education (Anne Arundel County)
Annapolis High School*

“For the design, construction, and capital equipping for stadium upgrades to include a new score board and field house at the Annapolis High School.”

\$400,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (MISC - Chapter 396, Acts of 2011)
DGS Item 023, (SL-018-110-038)*

MATCHING FUND No match required. The MCCBL requires the grant recipient to provide grant documents no later than June 1, 2013.

BACKGROUND

Total Project	\$400,000.00
11-023 (This Action)	\$400,000.00
Local Cost	\$ -0-

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, and 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 Department of General Services 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 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)
Berkshire Neighborhood Park Renovation*

*“For the design, construction, and capital improvements to the Park Berkshire
Neighborhood Park, located in District Heights.”*

\$200,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G080, (SL-020-110-038)*

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 Maryland-National Capital Park and Planning Commission has submitted documentation that it has appropriated \$200,000.00 in its Fiscal Year 2012 budget to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$400,000.00
	11-G080 (This Action)	\$200,000.00
	Local Cost	\$200,000.00

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 15-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 Dayspring Programs, Inc. (Baltimore City)

Dayspring Square

"For the construction and renovation of the Dayspring Square Facility, located in Baltimore City."

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2011 (Chapter 396, Acts of 2011)

DGS Item G105, (SL-016-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2013 and the BPW to certify a matching fund. The Board of Directors of Dayspring Programs, Inc. has submitted documentation that it has received a grant of \$250,000.00 from the France-Merrick Foundation to meet the matching fund requirement for this project. The foundation grant was also utilized as a match for the Loan of 2010.

BACKGROUND

Total Project	\$8,200,000.00
11-G105 (This Action)	\$ 50,000.00
10-G105 (Prior Action)	\$ 200,000.00
Local Cost	\$7,950,000.00
(Prior Action: 01/05/11 Agenda, Item 11-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.
- (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 16-CGL

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

Board of Trustees of Goucher College (Baltimore County)

MICUA - Goucher College

“To assist in the planning, design, construction, renovation, and capital equipping of the Julia Rogers Library on the Goucher College campus.”

\$3,000,000.00

Maryland Consolidated Capital Bond Loan of 2010 (MICUA - Chapter 483, Acts of 2010)

DGS Item G008, (EI-001-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Board of Trustees of Goucher College has submitted documentation that it has in excess \$3,000,000.00 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$24,087,000.00
10-G008 (This Action)	\$ 3,000,000.00
Local Cost	\$21,087,000.00

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 17-CGL

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

*Board of Directors of the Historic East Baltimore Community Action Coalition, Inc.
(Baltimore City)*

Historic Diamond Press Building

“For the repair of the Historic Diamond Press Building, located in Baltimore City.”

\$50,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G109 (SL-016-110-038)*

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 the matching funds. The Board of Directors of the Historic East Baltimore Community Action Coalition, Inc. is utilizing the value of property. The Department of General Services, Real Estate Office has reviewed the appraisal for the property located at 1807 E. Preston Street in Baltimore City and has approved a value of \$781,000.00 to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$62,485.00
	11-G109 (This Action)	\$50,000.00
	Local Cost	\$12,485.00

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 18-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 Jewish Social Service Agency, Inc. (Montgomery County)
Jewish Social Service Agency*

“For the design and construction of the Jewish Social Service Agency facility, located in Rockville.”

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G133*

\$235,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G067, (SL-015-110-038)*

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 Jewish Social Service Agency, Inc. has submitted documentation that it has \$977,576.31 in a money market account to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$670,000.00
	11-G133 (This Action)	\$100,000.00
	11-G067 (This Action)	\$235,000.00
	Local Cost	\$335,000.00

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 19-CGL

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

Board of Trustees of the St. Elizabeth School, Inc. (Baltimore City)

St. Elizabeth School Roof Replacement

“For the repair and renovation of the St. Elizabeth School roof, located in Baltimore City.”

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)

DGS Item G115

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)

DGS Item G042 (SL-014-110-038)

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 Trustees of the St. Elizabeth School, Inc. has submitted evidence in the form of invoices and canceled checks that it has \$211,439.00 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Trustees of the St. Elizabeth School, Inc. \$100,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$211,439.00
11-G115 (This Action)	\$ 50,000.00
11-G042 (This Action)	\$ 50,000.00
Local Cost	\$111,439.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-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 20-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 Vesta, Inc. (Prince George’s County)
Vesta Glenarden Facility
“For the renovation and reconstruction of the Vesta Lanham Facility, located in Glenarden.”
\$100,000.00
Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G086, (SL-013-110-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2013 and the BPW to certify a matching fund. The Board of Directors of Vesta, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$306,092.00 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Directors of Vesta, Inc. \$100,000.00 for eligible expenditures.

<u>BACKGROUND</u>	Total Project	\$1,629,280.00
	11-G086 (This Action)	\$ 100,000.00
	Local Cost	\$1,529,280.00

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 21-CGL

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

*Mayor and City Council of the City of Gaithersburg (Montgomery County)
Water Park at Bohrer Park*

“For the repair, reconstruction, renovation, and refurbishment of the water park at Bohrer Park, located in Gaithersburg.”

\$80,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G078*

\$125,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G137, (SL-019-110-038)*

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 Mayor and City Council of the City of Gaithersburg have submitted documentation that they have appropriated \$1,200,000.00 in their Fiscal Year 2012 budget to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$1,200,000.00
	11-G078 (This Action)	\$ 80,000.00
	11-G137 (This Action)	\$ 125,000.00
	Local Cost	\$ 995,000.00

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 22-CGL

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

*Board of Directors of Way Station, Inc. (Frederick County)
Way Station*

*“For the acquisition and renovation of the Way Station Facility, located in Frederick.”
\$200,000.00*

*Maryland Consolidated Capital Bond Loan of 2010 (LSI - Chapter 483, Acts of 2010)
DGS Item G049
\$100,000.00*

*Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010)
DGS Item G123, (SL-051-100-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Board of Directors of Way Station, Inc. is utilizing the value of property. The Department of General Services, Real Estate Office has reviewed the appraisal for the property located at 210 Abrecht Place in Frederick and has approved a value of \$550,000.00 to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$1,450,000.00
	10-G049 (This Action)	\$ 200,000.00
	10-G123 (This Action)	\$ 100,000.00
	Local Cost	\$1,150,000.00

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 23-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

Montgomery College – Germantown Campus

New Bioscience Education Center – Construction for Site Grading, Utilities and Road
New 72,690 NASF/126,900 GSF Biotechnology and Science Building which will
provide a modern teaching facility which will help supply a biotechnology workforce for
the Montgomery County area. **\$16,082,000.00**
MCCBL 2010, Item 902 CC-01-MC06/07/09/10-397

MATCHING FUND Montgomery College – \$16,082,000.00 Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

<u>BACKGROUND</u>	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$67,726,999.00	\$33,863,500.00	\$33,863,499.00
This Action	\$32,164,000.00	\$16,082,000.00	\$16,082,000.00
Previous Action-16-CGL, 6/23/2010	\$32,425,740.00	\$16,212,870.00	\$16,212,870.00
Previous Action-24-CGL, 4/18/2007	\$ 3,137,259.00	\$ 1,568,630.00	\$ 1,568,629.00

REMARKS

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 06/02/92 and approved by BPW 06/17/92.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Montgomery Community College and signed by local authorities.
- (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 24-CGL

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

*Board of Trustees of the Orthodox Congregation of Silver Spring, Inc.
(Montgomery County)
Orthodox Congregation of Silver Spring Preschool Building Repair
"For the repair of the roof and capital equipping of the preschool, located in Silver Spring."
\$48,000.00
Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G073, (SL-017-110-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2013 and the BPW to certify a matching fund. The Board of Trustees of the Orthodox Congregation of Silver Spring, Inc. has submitted evidence in the form of invoices and canceled checks that it has \$53,300.00 in eligible expenditures to meet the matching fund requirement for this project. BPW approval is also requested to reimburse the Board of Trustees of the Orthodox Congregation of Silver Spring, Inc. \$5,300.00 for eligible expenditures.

<u>BACKGROUND</u>	Total Project	\$96,912.00
	11-G073 (This Action)	\$48,000.00
	Local Cost	\$48,912.00

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

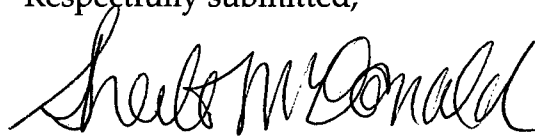
WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of January 25, 2012 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheila C. McDonald". The signature is written in a cursive, flowing style.

Sheila C. McDonald, Esq.
Executive Secretary

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