

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
MARCH 20, 2013

BOARD OF PUBLIC WORKS
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MARCH 20, 2013

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, MARCH 20, 2013**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, March 20, 2013.

Board Members present:

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

Also present:

Eloise Foster, Secretary, Department of Budget & Management

CONSTRUCTION:

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

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

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

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

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
norman.astle@maryland.gov

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

Recommendation: That the Board of Public Works approve funding a total of 43 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$841,472

Agreement #	Recipient	County	Amount
AT-2013-2342	CLARENCE E. TUCKER, SR	Charles	14,200
AT-2013-2375	JUSTIN S. CLOUGH	Queen Anne's	11,800
CR-2013-2338-B	TRINA N. GARVEY	Caroline	35,000
MP-2013-1768	RICHARD L. GROSSNICKLE	Frederick	19,300
MP-2013-2384	DAVID N. MYERS	Frederick	600
MP-2013-2385	DAVID N. MYERS	Frederick	9,300
MP-2013-2388	DAVID N. MYERS	Frederick	7,500
MP-2013-2391	DAVID N. MYERS	Frederick	19,100
MP-2013-2392	DAVID N. MYERS	Frederick	400
MP-2013-2399	J. RICHARD VALENTINE	Frederick	7,700
MP-2013-2400	COLLEEN M. HISTON	Carroll	3,900
MP-2013-2401	COLLEEN M. HISTON	Carroll	2,800
MP-2013-2402	COLLEEN M. HISTON	Carroll	13,400
MP-2013-2403	N. W. FARMS, LLC	Carroll	20,600
MP-2013-2404	N. W. FARMS, LLC	Carroll	19,300
MP-2013-2405	N. W. FARMS, LLC	Carroll	12,300
MP-2013-2429	JEFFREY A. ENGEL	Carroll	12,400
MP-2013-2430	JEFFREY A. ENGEL	Carroll	30,200
MP-2013-2431	JEFFREY A. ENGEL	Carroll	19,600
NW-2013-2340	ANTHONY L. MONATH	Caroline	14,600
NW-2013-2341	JAMES W. PHILLIPS, III	Dorchester	5,400
NW-2013-2343-B	HARRY J. WEST, JR	Wicomico	35,000
NW-2013-2344	HARRY J. WEST, JR	Wicomico	5,400
NW-2013-2370	LANCE E. BROWN	Caroline	55,200
NW-2013-2371-B	LANCE E. BROWN	Calvert	54,600
NW-2013-2376	RONALD T. FISHER, SR	Wicomico	5,400
NW-2013-2377	BARRY D. MALPASS	Wicomico	14,600
NW-2013-2378-B	BARRY D. MALPASS	Wicomico	33,700
NW-2013-2379	PATRICK A. MOORE	Wicomico	5,400
PA-2013-2250	STEUART PITTMAN, JR	Anne Arundel	1,500
PA-2013-2251	STEUART PITTMAN, JR	Anne Arundel	16,800
PR-2013-2215	KEITH N. LITTLETON	Worcester	40,200
PR-2013-2372	ASHAN CHOUDHARY	Worcester	71,000
PR-2013-2373-B	ASHAN CHOUDHARY	Worcester	35,000

BOARD OF PUBLIC WORKS

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SECRETARY'S AGENDA

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

Agreement #	Recipient	County	Amount
PR-2013-2397	RAYMOND F. ADKINS	Wicomico	3,900
R-2013-2432	ANDREW J. HAGGERTY	Wicomico	20,800
RS-2013-2157	KEVIN STANLEY	Montgomery	2,000
RS-2013-2374	STREET MOORE	Baltimore	15,579
RS-2013-2382	THOMAS E. COLE	Baltimore	2,800
RS-2013-2383	THOMAS E. COLE	Baltimore	8,200
RS-2013-2433	THOMAS D. MORRIS, INC.	Baltimore	116,093
RS-2013-2434	THOMAS D. MORRIS, INC.	Baltimore	15,200
UP-2013-2004	ROBERT E. MARTZ	Washington	3,700

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

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

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

Total submission amount: \$2,120.63

Agreement #	Recipient	County	Amount \$
MP-2012-2564	OAKRIDGE FARMS	Frederick	2,120.63

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

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

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

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

MARCH 20, 2013

SECRETARY'S AGENDA

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3. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program Reversion Requests

Recommendation: That the Board of Public Works approve the **REVERSION** of the remaining balances of 67 projects cancelled or completed in accordance with the guidelines of the Maryland Agricultural Cost-Share Program.

A. Total submission amount: \$489,795.02

Agreement #	Recipient	County	Amount \$	Status
AT-2011-2284	TERRY L. RUSSELL	St. Mary's	4200.00	Cancelled
AT-2011-2407	E. DAVID MECK	Cecil	5467.41	Completed
AT-2012-1939	ROBERT A. BEDINGFIELD	Garrett	41.10	Completed
AT-2012-2075	BRYAN K. DOWELL	Calvert	1750.94	Completed
AT-2012-2336	DONALD C. KNOTT	St. Mary's	4246.01	Completed
AT-2012-2391	BROWN'S BRANCH FARM, LLC	Queen Anne's	563.70	Completed
AT-2012-2411	COVE RUN FARMS, LLC	Garrett	1013.09	Completed
AT-2013-1767	JOHN RICHARD KNOTT, JR	St. Mary's	404.37	Completed
AT-2013-1936	COVE RUN FARMS, LLC	Garrett	262.82	Completed
CH-2011-2255	FRANCIS O. DAY COMPANY, INC.	Kent	843.27	Completed
CH-2012-2278	PIPPIN & ASHLEY, LLC	Queen Anne's	803.07	Completed
CH-2012-2517	ERIC R. PARDEE	Queen Anne's	1200.00	Completed
CH-2012-2577	RIVER FARM	Kent	984.84	Completed
CR-2012-2555-B	DAVID W. ROGERS	Caroline	411.25	Completed
CR-2013-1754	HIGGS BROTHERS DAIRY LLC	Queen Anne's	1031.16	Completed
CR-2013-1930-B	MARK R. SUMP	Talbot	97.50	Completed
CR-2013-1941	DAVID R. FISHER	Talbot	7059.21	Completed
CR-2013-2081	WILLIAM H. BECKWITH, JR	Dorchester	215.00	Completed
LS-2012-2009-R	VERONIQUE J. MALLET	Harford	4841.11	Completed
LS-2012-2349	LINDA L. SMITH	Harford	1634.00	Completed
LS-2013-1773	BRIAN M. SIMMONS	Harford	542.46	Completed
MP-2009-3162	FAITH A. LEATHERMAN	Frederick	1300.00	Cancelled
MP-2011-2206	G. LAVINIA MCGOLERICK	Frederick	6700.00	Cancelled
MP-2011-2207	G. LAVINIA MCGOLERICK	Frederick	4800.00	Cancelled
MP-2011-2208	G. LAVINIA MCGOLERICK	Frederick	8700.00	Cancelled
MP-2011-2209	G. LAVINIA MCGOLERICK	Frederick	1800.00	Cancelled
MP-2012-1838	WILLIAM A. ADAMS	Frederick	4626.87	Completed
MP-2012-1839	WILLIAM A. ADAMS	Frederick	2584.37	Completed
MP-2012-1888	THOMAS J. DOUGHERTY	Frederick	9600.00	Cancelled
MP-2012-1937	RANDY D. SOWERS	Frederick	100000.00	Cancelled
MP-2012-1989	BROWER & BROWER	Carroll	608.78	Completed
MP-2012-2103	FLICKINGER FARM, LLC	Frederick	52.90	Completed
MP-2012-2155	WILLIAM H. MCGREW, JR	Carroll	244.61	Completed

BOARD OF PUBLIC WORKS

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SECRETARY'S AGENDA

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

Agreement #	Recipient	County	Amount \$	Status
MP-2012-2162	MARKELL C. SMITH	Frederick	1121.15	Completed
MP-2012-2164	MARKELL C. SMITH	Frederick	797.08	Completed
MP-2012-2165	MARKELL C. SMITH	Frederick	437.98	Completed
MP-2012-2251	MYRON J. MARTIN	Washington	8183.60	Completed
MP-2012-2260	CARROLL R. GLASS, JR	Frederick	798.75	Completed
MP-2012-2262	CARROLL R. GLASS, JR	Frederick	1550.00	Completed
MP-2012-2460	CHARLES R. KRIETZ	Frederick	2149.87	Completed
MP-2012-2529	JEFFREY A. ENGEL	Carroll	228.22	Completed
MP-2012-2561	OAKRIDGE FARMS	Frederick	2318.00	Completed
MP-2012-2562	OAKRIDGE FARMS	Frederick	3931.56	Completed
MP-2012-2565	OAKRIDGE FARMS	Frederick	574.75	Completed
MP-2012-2606	ANDREW S. LAUDENKLOS	Carroll	100000.00	Cancelled
MP-2012-2607	MELVIN A. ZIMMERMAN	Frederick	718.77	Completed
MP-2013-1874	RAEMELTON PROPERTIES LLC	Frederick	7383.75	Completed
MP-2013-1882	EDWARD E. HALLEIN, JR	Frederick	1996.07	Completed
NW-2012-2036	DALE L. WRIGHT, JR	Caroline	3836.25	Completed
NW-2012-2547	WILLIAM A. O'DAY & SON, LLC	Dorchester	90.26	Completed
NW-2013-2038-B	ALLEN HARIM FARMS, LLC	Dorchester	700.00	Completed
NW-2013-2082-B	ALLEN HARIM FARMS, LLC	Dorchester	700.00	Completed
PA-2011-2404	DAVID LIKER	Howard	6300.00	Cancelled
PA-2011-2446-P	JOHN ISABELLE ACRES FARM	Prince George's	13200.00	Cancelled
PR-2012-1505	GREGORY WILKINS	Worcester	656.25	Completed
PR-2012-2127	ZAHID M KHAN	Wicomico	30100.00	Cancelled
PR-2012-2405-B	WILLARDS, LLC.	Wicomico	35000.00	Cancelled
PR-2013-2075-B	WILLIAM G. HOWARD	Wicomico	4081.87	Completed
RS-2011-2405	MARTIN P. HILL	Carroll	1100.00	Cancelled
RS-2012-1662	ROBERT L. KONDNER	Baltimore	9583.04	Completed
RS-2012-2302	JOHN W. MC GINNIS	Baltimore	2189.20	Completed
RS-2012-2425	EDWARD ENSOR	Baltimore	10482.09	Completed
RS-2012-2585	WAREDACA FARM, LLC	Montgomery	503.62	Completed
UP-2012-2154	VIRGINIA P. CLAGETT	Washington	1403.37	Completed
UP-2012-2173	BRYAN BABINGTON	Washington	540.77	Completed
UP-2013-1760	MISTY MEADOW FARMS, INC	Washington	57766.16	Completed
UP-2013-2042	JAMES R. WADE	Washington	742.75	Completed

BOARD OF PUBLIC WORKS**MARCH 20, 2013****SECRETARY'S AGENDA**

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

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

4. BOARD OF PUBLIC WORKS *Wetlands Licenses*

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

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

ANNE ARUNDEL COUNTY

12-1047 AMY SOLAN, ROBERT SALASIN & SCOTT RAND – To construct new and replace existing bulkhead – Spa Creek, Annapolis

DORCHESTER COUNTY

11-0779 EASTERN SHORE PROPERTIES, LP – To construct a timber bridge section (decking surface) – Hoopers Island

TALBOT COUNTY

13-0047 HARBOURSIDE INC. – To maintenance dredge two areas and provide for maintenance dredging for six years – Miles River at St. Michaels Harbor, St. Michaels

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

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

5. BOARD OF PUBLIC WORKS *Wetlands License 12-0224*

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.

ST. MARY'S COUNTY

12-0224 TIMOTHY E. BECKWITH – To control shoreline erosion and provide access to navigation for applicant's two undeveloped approved subdivision lots.
Breton Bay at 21085 Breton Beach Court (Lots 4 and 5), Protestant Point, Browns Minor Subdivision in Leonardtown.

Lot 4

As depicted on plans dated April 26, 2012:

- Construct 190-foot long by 6-foot wide timber pier with a 10-foot by 20-foot platform, one boat lift and three mooring piles, all extending a maximum of 200 feet channelward of the mean high water line
- Plant marsh vegetation along 80 feet of eroding shoreline
- Construct four 8-foot wide by 35-foot long stone sand containment structures along 714 feet of shoreline extending 35 feet channelward of the mean high water line

Lot 5:

As depicted on plans dated April 26, 2012:

- Construct 217-foot long by 3-foot wide walkway over vegetated tidal wetlands
- Construct 240-foot long by 6-foot wide timber pier with 10-foot by 18-foot platform, one 20-foot long by 3-foot wide finger pier and six mooring piles, all extending a maximum of 226 feet channelward of the mean high water line
- Plant marsh vegetation along 20 feet of eroding shoreline
- Construct one 8-foot wide by 35-foot long stone sand containment structure extending 35 feet channelward of the mean high water line

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

5. BOARD OF PUBLIC WORKS (cont'd) *Wetlands License 12-0224*

- | | |
|--|--------------------|
| • Application received at MDE | September 15, 2011 |
| • Public comment period ended | December 15, 2011 |
| • Public informational hearing held | January 31, 2012 |
| • Hearing comment period ended | February 29, 2012 |
| • MDE Report and Recommendation received | May 15, 2012 |
| • MDE R&R public review period ended | July 18, 2012 |
| • U.S. Army permit issued | January 2013 |
| • Wetlands Administrator report: | March 1, 2013 |

ADMINISTRATOR'S REMARKS

The Wetlands Administrator recommends that the license be granted as the applicant's proposed activities are an exercise of his riparian rights to wharf out for navigation and to protect his property from shoreline erosion. He concurs with MDE that there will be no direct impacts to aquatic resources or upland habitat. After holding a public informational hearing, the Administrator received three public comments. The Administrator held his review in abeyance until the U.S. Army issued its individual permit authorizing the activities. On February 1, 2013, the Administrator addressed the public comments in writing. The Administrator concludes in his Report that the public comments are based on neighbors' past practice of accessing applicant's beach as their own and that a license must be granted based on the riparian rights that attach to applicant's property.

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

APPROVED ✓

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

Contact: D. Gregory Cole (410) 767-6376
 Pamela Hepner (410) 767-6952
 pheapner@choosemaryland.org

6. DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT *Maryland Economic Development Assistance Authority and Fund*

BORROWER: Dorchester County

AUTHORITY: § 5-316, Economic Development Article, Annotated Code of Maryland

PROJECT: Dorchester Incubator Project

AMOUNT: \$1,263,500 Conditional Grant

FUND SOURCE: MCCBL of 2003 (Chapter 204, Acts of 2003):
Smart Growth Economic Development Infrastructure Fund

DESCRIPTION: Reference is made to Secretary's Agenda Item 9 (1/7/2004) in which the Board of Public Works approved the Department of Business and Economic Development lending \$1.75 million in general-obligation bond proceeds to MEDCO to use to acquire 113 acres south of the Cambridge-Dorchester Airport for the Dorchester Technology Park. The Item approved some of those funds being spent for pre-development costs. Upon Board approval, DBED encumbered the entire approved amount.

The County purchased the land using its own funds with the intention of being reimbursed by MEDCO once the infrastructure was in place. The County later elected, with DBED and MEDCO's concurrence, to maintain ownership of the Park and was not reimbursed for acquisition costs as the Board approval had contemplated. The only amount of the encumbered MCCBL funds that was spent was \$486,450 for development costs.

DBED now seeks to repurpose the remaining encumbered money and use it as a conditional grant directly to Dorchester County. The County would use the money to partially fund construction of an incubator to be located in the Technology Park. The \$2.3 million incubator will comprise approximately 15,000 square feet of office space on 4.6 acres. This will be the first technology incubator in the Eastern Shore Region. The proposed incubator and business development facility will focus on increasing the rate of start-up and survival of small businesses in the region.

The proposed DBED grant will require the County to operate the project as an incubator for eligible industry sectors for five years following project completion. The County's promise will be secured by a lien on the facility (including the 4.6 acres).

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

6. **DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT** (cont'd)
Maryland Economic Development Assistance Authority and Fund

Project Budget (\$ in '000s):*Uses*

Land Purchase	
Improvements	
Building	1,933
Machinery & Equipment	
Other Capital Expenditures	<u>375</u>
TOTAL COSTS	\$ 2,308

Sources

DBED	\$ 1,263
TEDCO	1,000
Other Sources	<u>45</u>
TOTAL SOURCES	\$ 2,308

STATE CLEARINGHOUSE: #MD20030418-0351

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**MARCH 20, 2013****SECRETARY'S AGENDA**

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

7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing the deeds of trust on six properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program. The deeds of trust are second mortgages; the borrowers are selling their property in lieu of foreclosure to pay off the first mortgage owed to DHCD, and the borrowers have 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). Borrowers 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

- A. **Loan Recipient:** Natalie Bacon
 610 Main Street, #308, Laurel, MD 20707
 Prince George's County
- Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
- B. **Loan Recipient:** Anika Jones
 4409 Silverbrook Lane, 303, Owings Mills, MD 21116
 Baltimore County
- Original Loan: \$10,000
 Current Balance: \$10,000
 Type: Second Mortgage
- C. **Loan Recipient:** Kelly King
 335 Leyton Road, Reisterstown, MD 21136
 Baltimore County
- Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage

BOARD OF PUBLIC WORKS**MARCH 20, 2013****SECRETARY'S AGENDA****7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

- D. **Loan Recipient:** Tia Macon
 4386 Eagle Court, Waldorf, MD 20603
 Charles County
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
- E. **Loan Recipient:** David Mahns
 914 Cheswold Court, D5, Bel Air, MD 21014
 Harford County
 Original Loan: \$7,900
 Current Balance: \$7,900
 Type: Second Mortgage
- F. **Loan Recipient:** Katelyn Trice
 501 Prospect Blvd #25A, Frederick, MD 21701
 Frederick County
 Original Loan: \$7,500
 Current Balance: \$7,500
 Type: Second Mortgage

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

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

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 Elaine Cornick 410-514-7534 cornick@dhcd.state.md.us
 Jean Peterson 410-514-7358 peterson@dhcd.state.md.us

8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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

The *Rental Housing Works Program* finances rental housing that will be occupied by individuals with incomes of 60% and below of the area median income.

§§ 4-1201 – 4-1209, Housing & Community Dev't Article,
 Annotated Code of Maryland
 COMAR 05.05.05

The *Partnership Rental Housing Program* finances rental housing that will be occupied by households with incomes of 50% and below of the Statewide median income.

BORROWER: Spring Valley Workforce Housing Limited Partnership

PROJECT: Spring Valley Apartments
 46533 Valley Court
 Lexington Park, St. Mary's County 20653

AMOUNT: \$1,500,000 (Rental Housing Works Program)
 \$2,850,000 (Partnership Rental Housing Program)

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

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

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

COLLATERAL: Deeds of Trust

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

8. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (cont'd)

DESCRIPTION: The project is the acquisition and rehabilitation of a 128-unit mixed-income family rental housing complex in Lexington Park, St. Mary's County. The project will offer affordable and market rate units with a mix of one, two, and three-bedroom units. BHH, Inc. and the Housing Authority of St. Mary's County are the co-sponsors. The g.o. bond loans will be used to partially finance the project, which will include 65 units serving households at or below 50% of the area median income, 38 units for households at or below 50% of the Statewide median income, and 25 market-rate units that will have no income restrictions.

<u>Fund Source</u>	<u>Amount</u>
Rental Housing Works Program (this Item)	\$ 1,500,000.00
Partnership Rental Housing Program (this Item)	\$ 2,582,416.48
Partnership Rental Housing Program (this Item)	\$ 267,583.52
CDA/FHA Risk Sharing Mortgage	\$ 6,905,000.00
DHCD Multifamily Housing Rehabilitation Program	\$ 400,000.00
DHCD EmPower Energy Grant	\$ 570,895.00
DHCD Tax Credit Equity valued at	\$ 2,848,573.00
Interim Income	\$ 501,063.00
Deferred Developer's Fee	\$ 193,212.00
Total	\$ 15,768,743.00

The Maryland Department of Planning approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy on July 20, 2012 (# SP 20120705-5374).

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307
efrke@menv.com

9. **MARYLAND ENVIRONMENTAL SERVICE**
Cunningham Falls State Park Sewer System Improvements

A/E CONTRACT: Engineering Services
MES Project # 13-05-31

DESCRIPTION: Upgrades to sewer system at Cunningham Falls State Park

AWARD: Buchart Horn, Inc., Baltimore

TERM: 24 months from notice to proceed

AMOUNT: \$125,500

PROCUREMENT METHOD: MES A/E Shortlist

MBE PARTICIPATION: 41%

REMARKS: The wastewater generated at Cunningham Falls State Park is conveyed to the Town of Thurmont for treatment and disposal. Infiltration and inflow enters the sewer system within the Park and is then conveyed to Thurmont's wastewater treatment plant. This causes significant problems for the Town and the State is charged for these excessive stormwater flows. The work to be performed under this contract consists of sewer system survey and mapping, closed circuit TV inspection of portions of the system, and preparation of a design development report with recommended improvements.

FUND SOURCE: MCCBL of 2012, *MES Infrastructure Improvement Fund*

APPROPRIATION CODES: 076 MCCBL 12 (PCA #11021)

TAX COMPLIANCE NO.: 12-2888-0111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
SKKulkarni@dpscs.state.md.us

10. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES Dorsey Run Correctional Facility (DRCF) Phase I

Contract: IT Network Equipment
 KJC-000-130-IT1
 ADPICS No: 603P3400027

Recommendation: That the Board of Public Works approve the use of general-obligation bond proceeds for the following task order: provide network communication equipment consisting of a router and associated peripherals, including control and digital signal processors, interface cards, switches, AC power supplies, and Cisco communications license, for the Dorsey Run Correctional Facility east compound (Phase I) in Jessup.

Authority: Section 8-301, State Finance and Procurement Article, Annotated Code of Maryland

Award: OmegaCor Technologies, Millersville

Amount: \$ 81,205

Government Estimate; \$ 97,731

Term: 90 Calendar Days

Fund Source: MCCBL of 2012: *MCPRS, Dorsey Run Correctional Facility, Phase I*, Item 035

MBE Participation: None

Remarks: This is a task order placed with one of the master hardware contractors approved by the Board of Public Works (DoIT Item 4-IT [Nov. 14, 2012]). DPSCS received price bids from eight approved contractors and is recommending award to the contractor who submitted the lowest responsive price bid.

Tax Compliance No.: 13-0793-1111

Resident Business: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

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

11. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer by the Queen Anne's County Board of Education to the Board of County Commissioners of Queen Anne's County of:

Sudlersville Middle
 10.7 acre site and building thereon
 201 N. Church Street
 Sudlersville 21668

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

Background: The Queen Anne's County Board of Education has determined that this facility is no longer needed for educational purposes and requests permission to transfer the Sudlersville Middle School property to the Board of County Commissioners of Queen Anne's County. The school was closed for administrative purposes in 2012. There is no outstanding bond debt. The Interagency Committee approved the recommendation to transfer the property on February 19, 2013.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us
 Sheila McDonald 410.260.7335
smcdonald@comp.state.md.us

12. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Public School Construction

Amendments to the Sales and Use Tax – Alcoholic Beverages

Supplementary Appropriation FY 2012

Charles and Frederick County Public Schools

Recommendation: Charles and Frederick Public Schools request that the Board of Public Works approve amendments to the Fiscal Year 2012 supplementary appropriation projects approved in the Board's original allocations.

Previous Approvals: Charles County, Secretary's Agenda Item 16 (3/7/12)
 Frederick County, Secretary's Agenda Item 16 (2/8/12)

Background: In the State's Fiscal Year 2012 operating budget, the General Assembly authorized the Board of Public Works to approve individual public school improvement projects that met a school or community need by allocating each county or region a specific sum for which local matching funds were not required. Chapter 395 (Acts of 2011). The Board approved the requests but Some of the school systems could not use the supplementary appropriations for the projects the Board approved.

Specific Requests: The following school systems have requested that the unexpended funds from the approved projects be applied to the following eligible projects:

Charles County Public Schools

F.B. Gwynn Educational Center: Therapy Pool Upgrade	\$51,745
---	----------

Frederick County Public Schools

Frederick High – Feasibility Study	\$131,955
------------------------------------	-----------

Public School Construction Program Remarks: The Public School Construction Program has evaluated the new project request and states:

Charles County: The special-needs therapy pool repair and improvements will change the institutional atmosphere providing an uplifting environment for children in therapy, minimizing the emotional impact of a therapeutic environment. The work is compatible with the remainder of the school's recent capital work. The project would be eligible under the rules of the Aging Schools Program and the Qualified Zone Academy Bond programs.

BOARD OF PUBLIC WORKS

MARCH 20, 2013

SECRETARY'S AGENDA

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

Public School Construction

Amendments to the Sales and Use Tax – Alcoholic Beverages

Supplementary Appropriation FY 2012

Charles and Frederick County Public Schools

Public School Construction Program Remarks (cont'd):

Frederick County: Development of educational specifications, a hazardous materials study, and geotechnical and traffic studies have been traditionally considered a local obligation and are not supported by State capital funds.

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 are 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

MARCH 20, 2013

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**MARCH 20, 2013****APPENDIX****SECRETARY'S AGENDA**

Contact: Joselyn M. Hopkins (410) 339-5013
jmhopkins@dpscs.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Maryland Correctional Institution for Women

CONTRACT TITLE: Louver Repairs @ MCIW
ADPICS No. Q00P3405505

CONTRACT TYPE: Maintenance

DESCRIPTION: Repair louvers on heating coils in dietary department

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: January 24, 2013

BID:
T&P Mechanical \$26,800
Lisbon, Maryland

AWARD: T&P Mechanical

AMOUNT: \$26,800

AWARD DATE: January 25, 2013

TERM: 02/08/13 to 02/14/13

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General Funds
Appropriation Code: S3410 8120

BOARD OF PUBLIC WORKS

MARCH 20, 2013

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

REMARKS:

Nature of Emergency: The louvers for the heating coils located in the dietary department were inoperable. Immediate repairs were necessary because of falling temperatures in the facility and the risk of remaining heating coils freezing and bursting. DPSCS declared an emergency to prevent safety and health hazards to the inmates and staff at the Maryland Correctional Institution for Women.

Basis for Selection: T&P Mechanical was the only bidder to submit a responsive bid. The price was fair and reasonable.

TAX COMPLIANCE NO.: 13-0237-0111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY

REMARKS:

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

March 20, 2013

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

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

Recommendation: Approval to commit \$119,414.30 for the following **development** project.

Conowingo Park Development Phase II - \$119,414.30
Cecil County
POS #4564-7-194
MD20040714-0765

Background: Continue work on the northern section of the park including relocation of utility poles and the construction of a stone parking lot, athletic fields, tennis courts, and other park amenities. In addition, the park entrance will be brought into compliance with SHA requirements. Stormwater management will be addressed via water quality grass swales.

Prior Approvals: Previous Total Funds Approved: \$247,674.67
POS Agenda Item 1A (Sept. 22, 2004): \$38,340.50
POS Agenda Item 3A (March 4, 2009) \$136,526.57
POS Agenda Item 5A(3) (Aug. 26, 2009): \$42,807.60
DNR-RP Agenda Item 1A (Dec. 7, 2011): \$30,000.00

Fund Source:

Outdoor Recreation Land Loan – 2012 (Chapter 395, Acts of 2011)
FY 2012 Local Projects
Source Code: 11051 Item 051 \$20,640.29

MCCBL of 2010 (Chapter 483, Acts of 2010)
Program Open Space – Local/Prior Funds Replacement
Source Code: 10056 Item 056 \$77,156.40

MCCBL of 2012 (Chapter 444, Acts of 2012)
Program Open Space – Local/Prior Funds Replacement
Source Code: 12057 Item 057 \$21,617.61

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

March 20, 2013

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

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

Recommendation: Approval to commit \$279,300.00 for the following **acquisition** project.

***Jericho Park – Michael’s Property Acquisition - \$279,300.00
City of Bowie, Prince George’s County
POS #6069-16-760
MD20130130-0063***

Background: Acquire 14.03 additional acres for existing 64 acre park. This acquisition will preserve unimproved land from development and add recreational open space.

Appraised Value:	Associated Appraisers	\$364,800.00
	Gatewood Company, Inc.	\$420,000.00

Property Cost: \$275,000.00

Incidental Costs: \$ 4,300.00

Fund Source:

MCCBL of 2010 (Chapter 483, Acts of 2010)
Program Open Space – Local/Prior Funds Replacement
Source Code: 10056 Item 056 \$8,404.00

MCCBL of 2012 (Chapter 444, Acts of 2012)
Program Open Space – Local/Prior Funds Replacement
Source Code: 12057 Item 057 \$270,896.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

March 20, 2013

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

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

Recommendation: Approval to commit \$51,157.00 for the following **development** project.

Agricultural Center Restrooms, Rural Heritage Village - \$51,157.00
Washington County
POS #6067-21-287
MD20130118-0039

Background: Construct handicapped-accessible restrooms in the Rural Heritage Village at the Washington County Agricultural Education Center.

Fund Source:

MCCBL of 2012 (Chapter 444, Acts of 2012)
Program Open Space – Local/Prior Funds Replacement
Source Code: 12057 Item 057 \$51,157.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

March 20, 2013

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

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

Mary Catherine Teter - \$456,950.00
Allegany County
POS #4451

Recommendation: That the Board of Public Works approve the acquisition in fee simple of 155 +/- acres in Allegany County. The property comprises primarily woodlands and pastureland and will be added to Warrior Mountain Wildlife Management Area. Acquisition will provide area for habitat expansion for ground nesting and early succession dependent birds and mammals. Public recreational hiking and hunting opportunities will be increased as a result of the acquisition.

The property is located within the Target Ecological Area. This project also meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of its extraordinary location and its environmental value, scoring 100 under the Program Open Space Targeting System.

Special Conditions:

1. Board approval is requested for the use of up to \$45,695 in POS Stabilization funds to raze all structures. See § 5-903(f) of the Natural Resources Article, Annotated Code of Maryland.
2. The Commissioners of Allegany County approved this acquisition as required by § Section 5-910 of the Natural Resources Article, Annotated Code of Maryland.

Grantor: Mary Catherine Teter

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

Property: 155 +/- acres, unimproved

Price: \$456,950 (discounted sale)
Price reflects a 5% discount from the recommended value of \$481,000.00

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

March 20, 2013

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

Appraisals: \$481,000 (10/19/12) – Leslie U. Hutzell - Reviewed by David Wallenberg

\$485,000 (10/15/12) – Michael P. Goodfellow - Reviewed by David Wallenberg

Fund Source:

POS Acquisition Opportunity Loan 2009 (Chapter 419, Acts of 2009)

Source Code: 50009 Item 500 \$456,950.00

Outdoor Recreation Land Loan – 2013 (Chapter 148, Acts of 2012)

Program Open Space – State Acquisition

Source Code: A0510 Item 010 \$45,695.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

March 20, 2013

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

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

*Elliott Haines, III - \$56,500.00
Frederick County
POS #4336*

Recommendation: That the Board of Public Works approve the acquisition in fee simple of a 9 +/- acre parcel located in Frederick County on the eastern slope of South Mountain adjacent to Washington Monument State Park. The substantially forested property directly adjoins a patch work of State and National Park lands and will provide a resource base and buffer for the Maryland portion of the Appalachian National Scenic Trail. The property will be managed together with South Mountain State Park. Acquisition will strengthen a thin corridor of protection along this stretch of the Appalachian Trail.

The property is located within the Target Ecological Area. This project also meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of its extraordinary location and its environmental value of the property, scoring 83 under the Program Open Space Targeting System.

Grantor: Elliott Haines, III

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

Property: 9 +/- acres, unimproved

Price: \$56,500.00

Appraisals: \$47,000 (3/1/12) – Patrick B. Bowers – Reviewed by David Wallenberg

\$69,375 (2/1/12) – Karen H. Belinko – Reviewed by David Wallenberg

Fund Source:

POS Acquisition Opportunity Loan 2009 (Chapter 419, Acts of 2009)

Source Code: 50009 Item 500 \$56,500.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

March 20, 2013

**ITEM 6A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$110,671.30 to the Washington County Board of County Commissioners for acquisition of 31.77-acre conservation easement.

***Mid-Maryland Washington Rural Legacy Area
Morgan Property***

Background: Reference is made to DNR-RP Agenda Item 3A (Oct. 3, 2012) in which the Board of Public Works authorized a \$1,260,000.00 FY 2013 grant for easement acquisitions for the Mid-Maryland Washington Rural Legacy Area.

Description: Acquisition of this 31.77-acre conservation easement in Washington County will protect productive forest lands, and provide permanent protection to 1,600 feet of stream buffer along unnamed tributaries to Little Antietam Creek, a tributary to the Potomac River. This easement will be held by the Washington County Board of County Commissioners.

Amount: \$110,671.30

Easement Value: \$104,841.00 (\$3,300.00 per acre)

Other Costs: \$ 5,830.30

Administrative:	\$3,145.23	
Incidental:	\$1,112.45	(\$100.00 Title Work/Insurance
		\$408.45 Title Insurance
		\$229.00 Title Abstract
		\$375.00 Title Exam)
Program Compliance:	\$1,572.62	

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

March 20, 2013

**ITEM 6A (con't)
RURAL LEGACY PROGRAM FUNDS**

Fund Source:

Outdoor Recreation Land Loan – 2009 (Chapter 335, Acts of 2008)

Rural Legacy Program - 2009

Source Code: 09025 Item 025 \$80,153.00

MCCBL of 2011 (Chapter 396, Acts of 2011)

Rural Legacy Program - 2012

Source Code: 11050 Item 050 \$30,518.30

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

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

March 20, 2013

**ITEM 7A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$174,536.52 to The Land Preservation Trust, Inc. of Baltimore County for acquisition of this 31.1683-acre conservation easement .

***Piney Run Rural Legacy Area
Moore and Skaggs Property***

Background: Reference is made to DNR-RP Agenda Item 3A (Oct. 3, 2012) in which the Board of Public Works authorized a \$568,000.00 FY 2013 grant for easement acquisitions for the Piney Run Rural Legacy Area.

Project Description: Acquisition of this 31.1683-acre conservation easement in Baltimore County will protect productive agricultural and forest lands, and provide permanent protection to 535 feet of forested stream corridor along unnamed tributaries to Piney Run, a tributary to Loch Raven Reservoir and Gunpowder Falls. This easement will be held by the Department of Natural Resources and The Land Preservation Trust, Inc.

Amount: \$174,536.52

Easement Value: \$164,916.52 (\$5,291.16 per acre)

Total Other Costs: \$ 9,620.00

Administrative:	\$4,947.00	
Incidental:	\$2,200.00	(\$1,900.00 Title Work \$ 300.00 Recording fees)
Program Compliance:	\$2,473.00	

Fund Source:
MCCBL of 2011 (Chapter 396, Acts of 2011)
Rural Legacy Program - 2012
Source Code: 11050 Item 050 \$174,536.52

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

March 20, 2013

**ITEM 8A
SALE OF FOREST PRODUCTS:**

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

Project: Potomac & Garrett State Forests - Garrett County
PG-01-13
58 acres / Compartment # 33

Timber Sale: Stand I will be subject to a shelterwood harvest and will thin the stand to approximately 80% density with 100 sq. ft. of basal area.. Stand J will also be a shelterwood harvest and will thin the stand to approximately 60% density with 100 sq. ft. of basal area. Oaks will be retained as seed trees in both stands.

This sale includes 144,294.00 board feet of sawtimber and 834 cords. No bond money was used in the purchase of this land.

Sales Method: Competitive Sealed Bid (one-step method). See BPW Advisory 2005-2.

Bids:

Glotfelty Lumber Co.	(MD)	\$68,700.00
Allegheny Wood Products	(WV)	\$53,200.00
Northwest Hardwoods, Inc.	(PA)	\$47,750.00

Award: Glotfelty Lumber Co.

Amount: \$68,700.00

Estimated value: \$63,018.00

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

DEPARTMENT/PROGRAM: Department of Human Resources (DHR)
Calvert County Department of Social Services
(CALDSS)

CONTRACT ID: CALDSS/SSA/12-008;
ADPICS # N00B3400300

CONTRACT DESCRIPTION: Provide legal representation for the Calvert County
Department of Social Services for matters of Child Welfare, Adult Protective Services, Adult
Services, Foster Care, Child Care, and Services to Families with Children before the Calvert
County Courts.

AWARD: Ferrante and Dill, LLC
Prince Frederick, MD

TERM: 4/1/2013 - 3/31/2016

AMOUNT: \$336,888 (3 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks Below)

PERFORMANCE SECURITY: None

INCUMBENT: The Law Michele R. Harris, LLC
La Plata, MD

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: A Notice of the Availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*, *The Daily Record*, and the DHR website. Copies of the solicitation notice were directly mailed to 53 potential Offerors, all of which are Maryland firms and eight are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Four proposals were received in response to the RFP, all of which were deemed to be reasonably susceptible of being selected for award. Ferrante and Dill, LLC (F&D) was determined to have the most advantageous offer to the State and is, therefore, recommended for award. Although ranked second technically and financially, the difference technically between this Offeror and the highest technically ranked Offeror was not significant enough to support paying 3.5% (\$11,709) more in price to the highest technically ranked Offeror. The lowest priced Offeror was ranked fourth (last) technically with limited experience in key requirements of the RFP. Although its price was 32% (\$81,891) lower than F&D, the #2 priced Offeror, the technical superiority of F&D outweighed the difference in price.

F&D's proposal demonstrated a clear understanding of the Calvert County judicial system and the environment in which the services are to be provided. In addition, F&D's proposal indicated a depth of experience in family law with a thorough understanding of the nature and complexity of the work to be accomplished.

This Contract will provide legal representation in the courts of Calvert County in accordance with Human Services Article, §3-601 of the Annotated Code of Maryland. These services include, but are not limited to, Child Welfare Services, Child Protective Services, Foster Care, Adoptions, Services to Families with Children, Adult Services and Purchase of Child Care. In addition, the Contractor will consult with and advise CALDSS staff on other general legal matters which may come before the Agency.

No Minority Business Enterprise subcontracting goal was established for this contract. This is because over 90% of the annual costs of this Contract are for personnel. In addition, CALDSS provides office space; office supplies; and use of a computer, telephone, fax, and other equipment as needed. Therefore, no other subcontracting opportunities are available.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

FUND SOURCE: 80% General; 20% Federal

APPROP. CODE: N00G0003

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-0631-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

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

BIDS OR PROPOSALS (Cont.):

Offerors	Technical Ranking	Financial Price / Ranking	Overall Ranking *
Ferrante & Dill, LLC Prince Frederick, MD	2	\$336,888 / 2	1
Cumberland & Erly, LLC Prince Frederick, MD	1	\$348,597 / 3	2
The Law Office of Michele R. Harris La Plata, MD	3	\$468,635 / 4	3
Lafayette Law Office, LLC Prince Frederick, MD	4	\$254,997 / 1	4

*Note: Technical factors and financial factors had equal weight in the overall ranking determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICE CONTRACT

ITEM: 2-S **Agency Contact:** Patricia Tyler
410-767-3282
ptyler@dllr.state.md.us

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

CONTRACT ID: DLLR-FY2013-019;
GED Testing Services
ADPICS # P00B3400079

CONTRACT DESCRIPTION: Approval request of a Sole Source Contract to
provide the development and administration of all computer-based GED testing in Maryland.

AWARD: GED Testing Service, LLC
Bloomington, MN

TERM: 3/21/2013 – 12/31/2013 (w/5 one-year
renewal options)

AMOUNT: \$3,000,000 Est. Annual Payments to the Contractor
\$600,000 Est. Annual Revenue to the State
(See Requesting Agency Remarks below)

PROCUREMENT METHOD: Sole Source (Revenue Generating)

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

REQUESTING AGENCY REMARKS: Request for approval to enter into a Sole Source contract with GED Testing Service, LLC. GED Testing Service, LLC is the creator of the GED® Test used in all 50 States, District of Columbia, United States (U.S.) Insular areas, Canadian Provinces and territories, the U.S. Military and Federal Correctional Institutions. GED Testing Service, LLC partners with state and local testing programs to deliver the test to nearly 800,000 adults every year. No other entity can provide the GED® Test, and all testing in U.S. states is done in partnership between GED Testing Service, LLC and the state-eligible agency.

This contract is to provide a pilot program for computer-based electronic testing versus paper testing for Applicants (Test Takers) wishing to obtain their GED. At this time, both paper and computer-based electronic testing are available. After January 1, 2014, only computer-based electronic testing will be available. DLLR is using the nine months and 10 days base term period as a pilot program to ensure a smooth transition to the electronic testing. If successful, this contract has five one-year renewal options available to continue the program. If any changes are made to the electronic GED tests or rates, a contract modification or a new contract may occur.

This is a revenue generating contract. There are no direct payments from DLLR to the Contractor under this contract. Payments will be made directly to the Contractor by the individual Test Taker in the amount of \$30 per each of the five Content Areas, up to \$150 for the entire battery of the GED® Test. The Contractor, GED Testing Service, LLC, will remit \$6 per Content Area, up to \$30 for the entire battery of tests, to DLLR as the Jurisdictional Fee on a monthly basis.

Currently, the Maryland GED office administers about 10,000 paper tests per year. It is anticipated that the number of Test Takers would double with the computer-based electronic testing. The *Award Amount* is based upon an estimated 20,000 Test Takers per year multiplied by \$150 for the full battery of tests.

No MBE participation goal was established for this contract because there are no subcontracting opportunities available for this proprietary service.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

FUND SOURCE: 100% Non-Budgeted (Revenue Generating)

APPROP. CODE: P00G0112

RESIDENT BUSINESS: Yes

MD TAX CLERANCE: 13-0673-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Richard (Rick) Lore
410-581-4274
rlore@mpt.org

DEPARTMENT/PROGRAM: Maryland Public Television (MPT)
Development

CONTRACT ID: Outbound Telemarketing Services
ADPICS # R15B3400138

CONTRACT DESCRIPTION: Provide outbound telemarketing services for Public Broadcasting Service (PBS) areas serviced by Maryland Public Television (MPT) that includes calling on members whose support has recently lapsed; also re-engagement of deeper lapsed members; and/or existing supporters for additional gifts. The primary pool will be members contributing under the "Major Donor Level" (\$1,000 and above annually).

AWARD: Phone Bank Systems, Inc.
Lansing, MI

TERM: 4/1/2013 – 3/31/2016 (w/2 one-year renewal options)

AMOUNT: \$263,093 (3 Years; Base Contract)
\$ 87,698 (1 Year; Renewal Option #1)
\$ 87,698 (1 Year; Renewal Option #2)
\$438,489 Total 5 Years

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the Availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace*.

Two proposals were received in response to the RFP, both of which were deemed to be reasonably susceptible of being selected for award. Award is recommended to Phone Bank Systems, Inc. (PB), the incumbent, as having the more advantageous offer for the State. PB was ranked #1 technically with a slightly higher percentage success rate of acquiring sustainer members and had the lower price.

PB has provided outbound telemarketing services to over 30 PBS stations since 1985. PB quotes a successful call versus contacts ratio of 70% for renewal and additional gift campaigns, 60% or higher for lapsed donors. These numbers are on par with system averages, and are satisfactory. PB projects a 25% rate of successful calls per contact, with a fulfillment rate of 75%. These numbers too are on par with system averages, and are satisfactory. PB provides daily reports to client stations, including all elements MPT would require thereby allowing MPT to monitor progress of the telemarketing efforts and provide any feedback as necessary.

No MBE participation goal was established for this contract as an entity performing this work must have PBS outbound telemarketing experience. A search of the MBE Directory found no MBEs with the required experience. Knowledge of public media and its programming is vital and a necessary component of a successful campaign.

FUND SOURCE: 100% Special

APPROP. CODE: R15P00.03

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 13-0800-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ATTACHMENT

ITEM: 3-S (Cont.)

BIDS OR PROPOSALS (Cont.):

<i>Offerors</i>	<i>Technical Ranking</i>	<i>Financial Price Base Contract (3 Years)</i>	<i>Financial Price Renewal Opt. #1 (1 Year)</i>	<i>Financial Price Renewal Opt. #2 (1 Year)</i>	<i>Total Financial Price / Ranking (5 Years)</i>	<i>Overall Ranking *</i>
Phone Bank Systems, Inc. Lansing, MI	1	\$263,093	\$87,698	\$86,698	\$438,488 / 1	1
Aria Communications Cambridge, WI	2	\$260,700	\$90,200	\$92,400	\$443,300 / 2	2

Note: * Technical factors and financial factors had equal weight in the overall ranking determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 4-S **Agency Contact:** Clarence Snuggs
410-514-7006
Snuggs@mdhousing.org

DEPARTMENT/PROGRAM: Department of Housing and Community
Development (DHCD)
Housing and Building Energy Programs

CONTRACT ID: S00R3400006;
Evaluation, Measurement, and Verification of
EmPOWER Maryland Low Income Energy
Efficiency Program Contractor Services
ADPICS # S00B3400019

CONTRACT DESCRIPTION: Provide evaluation, measurement, and verification
(EM&V) services under the EmPOWER Maryland Program, and other energy efficiency
programs as determined appropriate by DHCD.

AWARD: GDS Associates, Inc.
Marietta, GA

TERM: 3/21/2013 – 3/20/2016

AMOUNT: \$1,500,000 NTE (3 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 10% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for
Proposals (RFP) was advertised on *eMarylandMarketplace* and posted on DHCD's website.
Copies of the solicitation notice were mailed directly to 46 prospective vendors, 37 of which are
Maryland firms, and included 36 MBEs. A copy was also sent to the Governor's Office of
Minority Affairs.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

DHCD received four offers in response to the RFP, all of which were deemed to be reasonably susceptible of being selected for award. Award is recommended to GDS Associates, Inc. (GDS), whose proposal was determined to be the most advantageous to the State. As stated in the RFP, technical factors were given greater weight than financial factors in the overall ranking determination. Although GDS had the highest priced financial proposal, its #1 ranked technical proposal outweighed the 25% lower price of the #2 ranked technical Offeror. GDS' proposal showed that it not only has a background in energy management, including experience providing evaluation, measurement, and verification (EM&V) services to states, public agencies and utility partners, it has direct, specific experience with Maryland's program. GDS' experience, coupled with its clear methodology and well organized team, brings efficiencies to the process and will allow GDS to begin work immediately.

The focus of this Contract is to design and document a comprehensive and complete EM&V strategy for the EmPOWER Maryland Low Income Energy Efficiency Program (EmPOWER MD LIEEP) that meets the requirements of the Maryland Public Service Commission (PSC). The Contractor will then implement the EM&V strategy and provide all data, analyses and information to DHCD to support evaluation of and reporting on the EmPOWER MD LIEEP program. It is critical that the Contractor be able to begin EM&V services immediately, with little need for ramp-up or training time.

In December 2011, the PSC ordered DHCD to become the sole provider of weatherization and energy retrofitting programs for low income households throughout the State through the EmPOWER MD LIEEP, approving \$70.6 million for three years to help low-income single family and multifamily homes become more energy efficient. These efforts are authorized through the EmPOWER Maryland Energy Efficiency Act of 2007, which charges development and implementation of a variety of programs to reach Governor O'Malley's goal of 15% reduction in energy consumption by 2015.

EmPOWER MD LIEEP is required to have a high level of oversight and evaluation in order to determine overall program effectiveness, cost-effectiveness and energy savings. DHCD's EmPOWER MD LIEEP evaluation must be conducted on two levels: first by an experienced, third party EM&V specialist, and second by the PSC's EM&V Contractor. DHCD's EM&V Contractor must have a significant level of experience in evaluating utility-funded low-income programs in order to meet the requirements of the PSC and the PSC's EM&V Contractor without any undue delays. The program evaluation on both levels must meet rigorous PSC requirements. Evaluations are conducted on an ongoing basis to ensure that administrative and program changes are made as necessary for the most effective use of rate-payer dollars.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

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

The *Award Amount* above and the *Financial Price* shown in the Attachment are different. The *Financial Price* was based upon a pricing model that was part of the financial proposal submitted by the Offerors. The *Award Amount* is the budgeted amount for this contract.

A 10% MBE participation goal was established for this contract based upon the available subcontracting opportunities such as conducting field inspections; installing metering equipment and collecting and analyzing data.

FUND SOURCE: 100% Special (EmPOWER MD Fund)

APPROP. CODE: S00A2504

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 13-0660-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.) ATTACHMENT

BIDS OR PROPOSALS (Cont.):

<u>OFFERORS</u>	<u>TECHNICAL RANKING</u>	<u>FINANCIAL PRICE */ RANKING</u>	<u>OVERALL RANKING **</u>
GDS Associates, Inc. Marietta, GA	1	\$1,747,980.00 (4)	1
BithEnergy, Inc. Baltimore, MD	2	\$1,400,792.46 (1)	2
The Cadmus Group, LLC Waltham, MA	3	\$1,523,340.00 (3)	3
Apprise, Inc. Princeton, NJ	4	\$1,416,150.00 (2)	4

Note: * The financial price was based up a model in the RFP for evaluation purposes only.

** Technical factors had more weight than financial factors in the overall ranking determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 5-S-OPTION **Agency Contact:** Albert Annan
410-767-0114
aannan@msde.state.md.us

DEPARTMENT/PROGRAM: Education (MSDE)
Division of Accountability, Assessment and
Data Systems (DAADS)

CONTRACT ID: R00R6202188/R00B6200076;
Maryland School Assessment for Science
Test (MSAST)
ADPICS # COE64730

CONTRACT APPROVED: 4/5/2006 DBM BPW Agenda Item 9-S

CONTRACTOR: NCS Pearson, Inc.
(formerly Pearson Education Measurement)
Iowa City, IA

CONTRACT DESCRIPTION: Contract to develop, administer, score and
report the Maryland School Assessment Test for Science (MSAST) for Grades 5 and Grade 8 in
Maryland schools. The MSAST is used to determine students' and schools' achievement as
required by the Federal No Child Left Behind (NCLB) Initiative Program.

OPTION DESCRIPTION: Approval request to exercise the final one-
year renewal option for Test Edition Year 2013-2014 for the MSAST.

TERM OF ORIGINAL CONTRACT: 4/16/2006 – 12/31/2011

TERM OF OPTION: 3/21/2013 – 12/31/2014

AMOUNT OF ORIGINAL CONTRACT: \$25,627,602 (5 Test Edition Years)

AMOUNT OF OPTION: \$4,307,055 (1 Test Edition Year)

PRIOR MODIFICATIONS/OPTIONS: \$8,531,851 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$38,466,508

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.)

MBE PARTICIPATION: 4.35%

MBE COMPLIANCE: 3.52%

REQUESTING AGENCY REMARKS: Request for approval to exercise the final one-Test Edition Year renewal option as contained in Modification #3 of the contract for the Maryland School Assessment for Science (MSAST).

Exercising this renewal option is in the best interest of the State because it is more cost-effective to continue with the current contract and build upon the system already in place with NCS Pearson, Inc. rather than have a new contract with very complex logistical and knowledge transfer issues. NCS Pearson, Inc. has built the test forms, administration manuals, and computer delivery interface, created test items for computer delivery, reports and item analysis programming that is being used currently. If the State were to conduct procurement for a new contract, all of these deliverables would be developed again from "scratch" rather than being able to build upon the existing deliverables or re-using them for the next test edition years. Additionally, due to substantial investment in startup costs, the cost for a new contract would be much more costly than the 2% increase in cost for the renewal option as compared with the contract costs for the preceding option year contract costs.

The MSAST, administered to students in grades 5 and 8 Statewide, is used to determine student and school achievements as required by the Federal No Child Left Behind (NCLB) Act. Results are produced at the student, school, district and State levels.

The term of the tests overlap because test development for each test year edition must begin in the current year for administration in the spring for the following year. Approval of this request will allow time to develop the test items, test forms, and be ready for administration next year.

FUND SOURCE: 100% General

APPROP. CODE: R00A0104

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.) ATTACHMENT

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod # 1	\$18,947	Modified the contract to provide additional staff to provide technical assistance and support for the MSA Science range finding effective 1/28/2011. Approved by MSDE.
Mod # 2	\$0	Modified the contract term to align with the term of the contract for the MSA in reading and mathematics. Approved on 4/6/2011 DBM BPW Agenda Item 8-S-MOD.
Mod # 3	\$8,512,904	Modified the contract to extend the term for two Test Edition Years: 2011-2012; 2012-2013; with one test edition renewal option: 2013-2014 (\$4,307,055) in order to assess the impact of pending reauthorization of Elementary and Secondary School Education Act (ESEA). Approved on the 6/1/2011 DBM BPW Agenda Item 21-S-MOD.
Total	<u>\$8,531,851</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Albert Annan
410-767-0114
aannan@msde.state.md.us

DEPARTMENT/PROGRAM: Education (MSDE)
Division of Accountability, Assessment and
Data Systems (DAADS)

CONTRACT ID: R00B6200009;
Maryland School Assessment Test
Development
ADPICS # COE68177

CONTRACT APPROVED: 8/31/2005 DBM BPW Agenda Item 3-S

CONTRACTOR: NCS Pearson, Inc.
Iowa City, IA
(Merged with Harcourt Assessment, Inc. –
Novation dated 9/10/2008)

CONTRACT DESCRIPTION: Contract for the development, scoring,
analysis and reporting of the Maryland School Assessment test (MSA) in reading and
mathematics in grades 3-8 Statewide. This contract covers five test edition years.

OPTION/MODIFICATION DESCRIPTION: Approval request to exercise the final one-
year renewal option for Test Edition Year 2013-2014; and modify the contract to (1) remove the
modified assessment module and (2) add an erasure analysis feature to the test.

TERM OF ORIGINAL CONTRACT: 9/1/2005 – 12/31/2011

TERM OF OPTION/MODIFICATION: 3/21/2013 - 12/31/2014

AMOUNT OF ORIGINAL CONTRACT: \$54,177,751 (5 Test Edition Years)

AMOUNT OF OPTION/MODIFICATION: \$15,908,000 (Renewal Option)
\$ 26,984 (MOD #1)
(\$ 3,600,000) (MOD #2)
\$12,334,984 Total (1 Test Edition Year)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$45,253,770 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$111,766,505

PERCENT +/- (THIS MODIFICATION): +22.77%

OVERALL PERCENT +/-: +106.30%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5%

MBE COMPLIANCE: 2.58%

REQUESTING AGENCY REMARKS: Request for approval to exercise the final renewal option for the Maryland School Assessment (MSA) in Reading and Mathematics 2013 - 2014 Test Edition. Along with the renewal option, this request also includes a modification for the removal of the Modified Assessments administered to students in grades 3 - 8 and the addition of the crasure analysis system (EA system) that is used to detect possible cheating in schools. This EA system has become the industry standard to determine if student responses, which are "fill in the circle" have been changed. The EA system can determine if answer choices have been changed from wrong to right, wrong to wrong or right to wrong.

The MSA, administered to students in grades 3 - 8 Statewide in reading and mathematics, is used to determine student and school achievements for accountability purposes as required by the Federal No Child Left Behind (NCLB) Act. Results are produced at the student, school, district and state levels to determine achievements and accountability measures.

In 2008, the MSA contract was amended to include the Modified Maryland School Assessment (Mod-MSA), which is designed to measure the achievements of students with disabilities receiving special education services who meet specific participation requirements. The Mod-MSA differs in format from the MSA in that it provides students access to the grade level content standards that incorporate variations in test delivery to meet the specific learning characteristics of the student. The addition of the Mod-MSA added 12 additional tests to the contract scope. However, due to budget cuts, the Modified Assessments is being removed from this contract.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

The renewal option is in the best interest of the State because it is more cost effective to continue with the current contract and build upon the system already in place with NCS Pearson, Inc. rather than have a new contract with complex transitional issues. NCS Pearson, Inc. has built the test forms, administration manuals, computer delivery interface, created test items for computer delivery, reports and item analysis programming that is currently being used. If the State were to conduct procurement for a new contract, all of these deliverables would be developed again from "scratch" rather than being able to build upon the existing deliverables or re-using them for the next test edition year. Additionally, the annual cost quoted for the renewal is the same as that of the previous year's extension costs. Also, in 2006 when the contract was last bid the second lowest bid price was 27.35% higher and a third bidder was 87.89% higher.

The term of the tests overlap because test development for each test year edition must begin in the current year for administration in the spring for the following year. Approval of this request will allow time to develop the test items, test forms, and be ready for administration next year.

FUND SOURCE: 100% General

APPROP. CODE: R00A0104

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

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

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod. #1	\$3,895,984	Modified the contract as follows: 1) change all test books to be consumable with answer spaces embedded in the test book; 2) remove the requirement for the development of a formative assessment sample test and implement releasing a form to the public of an actual test; 3) increase the number of Test Administrator's and Coordinator's Manuals sent to local school systems; 4) increase the number of testing instruments for Special Education students; 5) delete the norm referenced test (NRT) items and replace with additional items aligned with Maryland Content Standards; 6) increase the number of items to be field tested on the mathematics test; and 7) provide a checklist of secure test materials by school system, school, and package identification number in both hard and electronic copies. 10/18/2007 – 12/31/2011. 10/17/2007 DBM BPW Approved Agenda Item 13-S-MOD
Mod. #2	\$12,866,122	Modified the Contract to develop, score, and report an alternate MSA in reading and mathematics for special education students in grades 3 - 8. For the period of 2/13/2008 – 12/31/2011. Approved on the 2/13/2008 DBM BPW Agenda, Item 12-S-MOD.
Mod. #3	(\$3,425,954)	Modified the "Modified Maryland School Assessment" (Mod-MSA) portion of the MSA assessments in order to implement modified assessments for students with disabilities that conform to the new United States Department of Education guidelines for the period of 4/1/2010 – 12/31/2011. Approved on the 1/5/2011 DBM BPW Agenda, Item 5-S-MOD.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

Mod. #4	\$31,816,000	Modified the MSA contract to extend the term for two additional test edition years (2011-2012 & 2012-2013) with an additional one-year renewal option * (2013-2014 Test Edition) in order to assess and implement the requirements of the pending reauthorization of the Elementary and Secondary School Education Act (ESEA) for the period of 6/1/2011 – 12/31/2013. Approved on the 6/1/2011 DBM BPW Agenda, Item 20-S-MOD.
Mod #5	\$101,618	Modified the MSA scope of services for the Multiple Mark Analysis for Spring 2012 and 2013 Administration. Approved on the 5/2/2012 DMB BPW Agenda, Item 11-S-MOD
Total	<u>\$45,253,770</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Albert Annan
410-767-0114
aannan@msde.state.md.us

DEPARTMENT/PROGRAM: Education (MSDE)
Division of Accountability and
Assessment (DAADS)

CONTRACT ID: R00B8200075;
Development of Alternative Maryland
School Assessment Tests (ALT-MSA)
ADPICS # COE68417

CONTRACT APPROVED: 6/25/2008 DBM BPW Agenda Item 8-S

CONTRACTOR: NCS Pearson, Inc.
Iowa City, IA

CONTRACT DESCRIPTION: Contract for the comprehensive
development, administration management, scoring, analysis and reporting of the Alternate
Maryland School Assessment test (ALT-MSA). The ALT-MSA is an alternative learning
assessment for students with significant cognitive disabilities who cannot participate in the
general Maryland School Assessment (MSA) test even with accommodations.

MODIFICATION DESCRIPTION: Approval request to extend the ALT-MSA
contract for two additional test edition years (2013-2014 and 2014-2015) in order to allow time
to transition to the new national alternate assessment tests being developed by National Center
for State Collaborative (NCSC).

TERM OF ORIGINAL CONTRACT: 7/1/2008 – 6/30/2013

TERM OF MODIFICATION: 3/21/2013 – 12/31/2015

AMOUNT OF ORIGINAL CONTRACT: \$22,505,111 (5 Years)

AMOUNT OF MODIFICATION: \$9,266,376 Total (2 Test Edition Years)

PRIOR OPTIONS/MODIFICATIONS: (\$395,305) (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$31,376,182

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): +41.18%

OVERALL PERCENT +/-: +37.61%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

MBE COMPLIANCE: 4.30%

REQUESTING AGENCY REMARKS: The ALT-MSA is Maryland's alternate assessment for students with significant cognitive disabilities who cannot participate in Maryland's general education assessment - the Maryland School Assessment (MSA), even with accommodations. As a component of the State's Education Accountability Program, all students in grades 3 - 8 and 10 in Maryland participate in either the MSA or the ALT-MSA.

Participation in the ALT-MSA is determined by the grade that a student would normally be in based on his or her age, rather than based on his or her level of cognitive functioning. The ALT-MSA consists of a portfolio of artifacts for reading and mathematics that are collected during the period from October - February each year. Each student portfolio also includes a videotape of the student engaged in a task representing one of his or her reading or mathematics or science mastery goals. Services of this contract include designing and development of the tests, storing and management of test materials, scoring of the tests, and analysis and reporting of test results.

Maryland will be participating in the National Center and State Collaborative (NCSC) comprehensive assessment beginning with the 2015-2016 school year, replacing Maryland's current ALT-MSA program. NCSC is a consortia of states that will develop assessments for students with severe cognitive disabilities including formative and summative assessments, professional development and curriculum/instructional resources for teachers. These new assessments will be aligned to the Common Core State Standards which Maryland adopted in June 2010.

The purpose of this two Test Edition Year extension is to allow continuity of the assessment by the current contractor through the transition period.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

This two Test Edition Year extension is in the best interest of the State because it is more cost effective to continue with the current contract and utilize the system already in place with NCS Pearson, Inc., which has built the test forms, administration manuals, computer delivery interface, created test items for computer delivery, reports and item analysis programming that are currently being used. If the State were to conduct a procurement for a new contract, all of these deliverables would be developed again from "scratch" rather than being able to build upon the existing deliverables or re-using them for the next test edition year. Also, a new contractor will have to invest in substantial startup costs which would cause a new contract price to be higher than the 2.94% price increase for the two years extension as compared with the average contract price for the last two years.

The term of the tests overlap because test development for each test year edition must begin in the current year for administration in the spring of the following year. Approval of this request will allow time to develop the test items, test forms, and be ready for administration next year while yielding time to prepare for transition to the new NCSC assessment system.

FUND SOURCE: 100% General

APPROP. CODE: R00A0104

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

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

PRIOR MODIFICATIONS/OPTIONS (Cont.):

MOD #1	(\$395,305)	Modified the contract to: (1) discontinue the digitization of student test portfolio; (2) extend the term for secure storage of student test portfolio; and (3) enhance the professional development modules to accommodate hearing impaired users for the period of 1/7/2010 – 10/31/2014. Approved on the 1/6/2010 DBM BPW Agenda, Item 7-S-MOD.
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**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 8-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
Sjohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Department of Human Resources (DHR)
Baltimore City Department of Social
Services (BCDSS)

CONTRACT ID: BCDSS/AFS-10-050-A1;
Transitional Shelter and Human Services for
Single Adults
ADPICS # COE77170

CONTRACT APPROVED: 3/10/2010 DBM BPW Agenda Item 1-S

CONTRACTOR: Project PLASE, Inc.
Baltimore, MD

CONTRACT DESCRIPTION: Provide up to 10 slots of overnight
emergency accommodations for single adults within Baltimore City, including psychosocial
services.

MODIFICATION DESCRIPTION: Approval request to extend the term of the
contract by eight months in order to complete the procurement and award a new contract for
emergency accommodations and psychosocial services.

TERM OF ORIGINAL CONTRACT: 4/1/2010 – 3/31/2013

TERM OF MODIFICATION: 4/1/2013 – 11/30/2013

AMOUNT OF ORIGINAL CONTRACT: \$470,850 (3 Years)

AMOUNT OF MODIFICATION: \$81,213 (8 Months)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$552,063

OVERALL PERCENT +/- (THIS MOD): +17.2%

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S-MOD (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 45%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract for transitional shelter and human services for single adults by extending the term by eight months in order to complete the procurement and award a new contract for these services.

The Baltimore City Department of Social Services, Homeless Emergency Environmental Services Unit (HEESU) has primary responsibility for offering case management services and housing counselor services to those who are homeless and those who are at risk of homelessness. This population includes homeless vulnerable adults and those who are not appropriate for emergency shelter and need additional supports, including those who are vulnerable and/or physically, mentally or emotionally disabled.

The current Contractor, Project PLASE, Inc. provides 10 shelter beds and support services to homeless men and women placed by HEESU. Project PLASE maintains a 100% capacity rate for all contracted beds. During the term of the contract 154 individuals have been served, with 40% transitioned to permanent or supportive housing and 20% discharged to transitional housing programs. Project PLASE has met all deliverables during the term of the contract and is compliant with the 25% MBE participation goal established for this contract. For these reasons it is in the State's best interest to approve this contract modification.

FUND SOURCE: 100% Special (Baltimore City Emergency Services Center)

APPROP. CODE: N00G0002

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA****SERVICES CONTRACT MODIFICATION**

ITEM: 9-S-MOD **Agency Contact:** Michael DiBattista
410-230-3344
DIBATTIM@djs.state.md.us

DEPARTMENT/PROGRAM: Department of Juvenile Services (DJS)
Contractual Residential Operations

CONTRACT IDS: See Attachment;
Residential Care & Services to Youth
ADPICS #s (See Attachment)

CONTRACTS APPROVED: 10/20/2010 DBM BPW Agenda Item 3-S;
6/1/2011 DBM BPW Agenda Item 4-S

CONTRACTORS: See Attachment

CONTRACT DESCRIPTION: Multiple contracts for currently licensed contractors to provide residential and non-residential services for youth referred by DJS who are before the Juvenile Courts of the State of Maryland. The types of programs include: treatment foster care, group homes, therapeutic group homes, residential schools, home based therapy, home based supervision and independent living.

MODIFICATION DESCRIPTION: Request for approval to increase the available funding for seven per diem contracts based upon increased youth placements in these programs in order to continue services for the duration of the contracts.

TERMS OF ORIGINAL CONTRACTS: 7/1/2010 – 6/30/2013
7/1/2011 – 6/30/2015

TERMS OF MODIFICATIONS: 4/1/2013 – 6/30/2013
4/1/2013 – 6/30/2015

AMOUNT OF ORIGINAL CONTRACTS: \$35,783,546 Total (See Attachment)

AMOUNT OF MODIFICATIONS: \$7,296,818 Total (See Attachment)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNTS: \$43,080,364 Total (See Attachment)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): +20.3%

ORIGINAL PROCUREMENT METHOD: Non-Competitive Negotiated Procurement
of Human, Social or Educational Services

MBE PARTICIPATION: 5% (for 4 of the 7 Providers)
(See Attachment)

MBE COMPLIANCE: See Attachment

REQUESTING AGENCY REMARKS: Request for approval of modifications to
increase the available funding amounts for seven per diem contracts to provide care and services
for additional youth to be served by these programs for the remainder of the contract terms.

These increases are necessary due to the following:

- These contracts include programs that have the type of supervision and services which best match the identified risk level, supervision requirements and treatment needs of youth who are committed to DJS.
- DJS continuously reviews and adjusts available programming based on needs of the population, data about youth responses to programming and current best practices.
- The contract amounts have been adjusted according to utilization trends.
- In addition, costs have increased for two of the programs (NCCF and United States Fellowship) based upon the current rate and type of program now used by DJS.

The programs provided through these contracts include:

- Hardware secure and staff secure treatment (Abraxas);
- Residential treatment for youth with serious mental health needs (Woodbourne);
- Community-based settings for youth who are in need of residential care and linkage to community resources (Hearts and Homes, United States Fellowship, NCCF); and,
- Services designed to provide short-term stabilization and assessment, as well as continued placement, if needed (Hearts and Homes, Tuttle's Place, Children's Home Girls Diagnostic).

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODES: Various

RESIDENT BUSINESSES: See Attachment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

ATTACHMENT

CONTRACT # * CONTRACTOR/CITY/STATE	ORIGINAL CONTRACT AMOUNT	MODIFICATION AMOUNT	REVISED TOTAL CONTRACT AMOUNT	OVERALL +/- % (THIS MOD)	ORIGINAL # OF DJS CHILD CARE BEDS	NEW # OF DJS CHILD CARE BEDS	RESIDENT BUSINESS: YES or NO
ADPICS - V00B1400003/ COE77029 <i>Term: 07/01/2010- 6/30/2013</i> 11-PD-004; Services: RTC Cornell Abraxas Group, Inc. Pittsburg, PA	\$5,523,282	\$1,371,000	\$6,894,282	24.82%	14	27	NO
ADPICS - V00B1400059/ COE77078 <i>Term: 7/1/2011 - 6/30/2015</i> 12-PD-014; Services: GH,TGH,S,TFC,ILP Hearts and Homes for Youth, Inc. Silver Spring, MD MBE Compliance: 2%	\$12,400,000	\$3,289,058	\$15,689,058	26.52%	25	55	YES
ADPICS - V00B1400034/ COE77080 <i>Term: 7/1/2011 - 6/30/2015</i> 12-PD-040; Services: GH Tuttie's Place, Inc. Baltimore, MD MBE Compliance: 0%	\$557,264	\$1,300,000	\$1,857,264	233.28%	2	9	YES
ADPICS - V00B1400054/ COE77261 <i>Term: 7/1/2011 - 6/30/2015</i> 12-PD-041; Services: GH,RS United States Fellowship, Inc. Annapolis, MD	\$4,040,000	\$375,000	\$4,415,000	9.28%	14	14	YES

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

ATTACHMENT

CONTRACT # * CONTRACTOR/CITY/STATE	ORIGINAL CONTRACT AMOUNT	MODIFICATION AMOUNT	REVISED TOTAL CONTRACT AMOUNT	OVERALL +/- % (THIS MOD)	ORIGINAL # OF DJS CHILD CARE BEDS	NEW # OF DJS CHILD CARE BEDS	RESIDENT BUSINESS: YES or NO
ADPICS - V00B1400012 / COE77098 7/1/2010- 6/30/2013 11-PD-002; Services: GH The Children's Home, Inc. Catonsville, MD	\$240,000	\$410,000	\$650,000	170.83%	1	7	YES
ADPICS - V00B1400072 COE77262 Term: 7/1/2011 - 6/30/2015 12-PD-036; Services: RS The National Center for Children and Families, Inc. Bethesda, MD MBE Compliance: 2.4%	\$6,223,000	\$113,000	\$6,336,000	1.82%	30	30	YES
ADPICS - V00B1400041 / COE77108 Term: 7/1/2011 - 6/30/2015 12-PD-039; Services: RTC Woodbourne Center Baltimore, MD MBE Compliance: 0.27%	\$6,800,000	\$438,760	\$7,238,760	6.45%	27	34	YES
GRAND TOTAL:	\$35,783,546	\$7,296,818	\$43,080,364	20.39%	113	176	

Note: * MBE = MDOT Certified Minority Business; and Code for Type of Facility/Services: R = Residential; NR = Non-Residential; TFC = Treatment Foster Care; GH = Group Home; TGH = Therapeutic Group Home; RS = Residential School; HBT = Home Based Therapy; S= Supervision; ILP = Independent Living Program; TMP = Teen Maternity Program

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICE CONTRACT MODIFICATION**ITEM:** 10-S-MOD

Agency Contact: Anne Timmons
410-767-4787
anne.timmons@maryland.gov

DEPARTMENT/PROGRAM:

Budget and Management (DBM)
Office of Personnel Services and Benefits
(OPSB)
Employee Benefits Division (EBD)

CONTRACT ID:

F10B8200015;
Preferred Provider Organization (PPO);
Point of Service (POS);
Exclusive Provider Organization (EPO)
Healthcare Benefits Services for Maryland
State Employees and Retirees
ADPICS Nos. See Attachment

CONTRACTS APPROVED:

3/18/2009 DBM BPW Agenda Items
1-S, 2-S, 3-S

CONTRACTORS:

See Attachment

CONTRACT DESCRIPTION:

Multiple award contracts to provide Preferred Provider Organization (PPO), Point of Service (POS), and Exclusive Provider Organization (EPO) health care benefits to State of Maryland employees, satellite employees, direct pay enrollees, retirees, and eligible dependents.

MODIFICATION DESCRIPTION:

Due to changes in the State's employee benefits plans, all of the State's benefits contracts require modifications (see related DBM contract modification Items 10-S-MOD through 16-S-MOD). This modification: (1) changes the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) creates a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extends the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

TERM OF ORIGINAL CONTRACTS:

3/19/2009 - 6/30/2014 (5 Years; 3 ½ Mos.)

TERMS OF MODIFICATIONS:

7/1/2013 – 6/30/2014
7/1/2014 – 12/31/2014

AMOUNT OF ORIGINAL CONTRACTS:

\$4,936,000,000 Est. Cum. Total
(See Attachment)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

AMOUNT OF MODIFICATIONS: \$522,233,000 (See Attachment)

PRIOR MODIFICATIONS/OPTIONS: \$411,324,131 (See Attachment)

REVISED TOTAL CONTRACT AMOUNTS: \$5,869,557,131 (See Attachment)

PERCENT +/- (THIS MODIFICATION): +10.6%

OVERALL PERCENT +/-: +18.9%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 0.3% (6% of Administrative Fees)

MBE COMPLIANCE: See Attachment

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts to (1) change the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) create a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extend the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

This change is necessary to accommodate certain federal reporting requirements under both healthcare reform (the Patient Protection and Affordable Care Act) and those of the Centers for Medicare and Medicaid (CMS).

FUND SOURCE: Various

APPROP. CODE: F10A0240

RESIDENT BUSINESSES: Yes for all

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

ITEM: 10-S-MOD (Cont.)

ATTACHMENT

Contract Type/Contractors	Mod Description	Approval/Effective Date	Admin Fees Est.	Claims Est.	Total Contract Est.
PPO Contracts:					
Care First of Maryland, Inc; Owings Mills, MD					
ADPICs: CO# COE79209; COE79212; COE79213					
MBE COMPLIANCE: 2.86%					
Original Award Est.			\$96,000,000	\$2,284,000,000	\$2,380,000,000
Mod - 1	Dependent Eligibility	6/17/2009 BPW Item 31-S-MOD	\$0	\$6,100,000	\$6,100,000
Mod - 2	H1N1 Vaccinations	10/7/2009 BPW Item 9-S-MOD	\$0	\$1,417,572	\$1,417,572
Mod - 3	MBE	11/17/2010, DBM Approved	\$0	\$0	\$0
Mod - 4	Health Care Reform	6/1/2011 BPW Item 15-S-MOD	\$0	\$2,405,000	\$2,405,000
Mod - 5	MBE	8/12/2011, DBM Approved	\$0	\$0	\$0
Mod - 6	Plan Design	6/4/2012, DBM Approved	\$0	\$0	\$0
Mod - 7	Spending Increase	9/19/2012, BPW Item 9-S-MOD	\$9,400,000	\$0	\$9,400,000
Current Mod	FY to CY	This Agenda Item	\$8,743,000	\$178,824,000	\$187,567,000
Revised Total Est. Amount:			\$114,143,000	\$2,472,746,572	\$2,586,889,572

United HealthCare Insurance Co.; Minnetonka, MN (Local Office in Elkridge, MD)

ADPICs: CO# COE79221; COE79223

MBE COMPLIANCE: 11.08%

Original Award Est.			\$11,000,000	\$185,000,000	\$196,000,000
Mod - 1	Dependent Eligibility	6/17/2009 BPW Item 31-S-MOD	\$0	\$500,000	\$500,000
Mod - 2	H1N1 Vaccinations	10/7/2009 BPW Item 9-S-MOD	\$0	\$172,220	\$172,220
Mod - 3	MBE	11/17/2010, DBM Approved	\$0	\$0	\$0
Mod - 4	Health Care Reform	6/1/2011 BPW Item 15-S-MOD	\$0	\$195,000	\$195,000
Mod - 5	Plan Design	6/4/2012, DBM Approved	\$0	\$0	\$0
Mod - 6	MBE	7/16/2012, DBM Approved	\$0	\$0	\$0
Mod - 7	Spending Increase	9/19/2012, BPW Item 9-S-MOD	\$800,000	\$0	\$800,000
Current Mod	FY to CY	This Agenda Item	\$1,080,000	\$16,247,000	\$17,327,000
Revised Total Est. Amount:			\$12,880,000	\$202,114,220	\$214,994,220

TOTAL PPO:

\$127,023,000 \$2,674,860,792 \$2,801,883,792

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

ITEM: 10-S-MOD (Cont.)

ATTACHMENT

<u>Contract Type/Contractors</u>		Admin Fees Est.	Claims Est.	Total Contract Est.
POS Contracts: Care First of Maryland, Inc; Owings Mills, MD ADPICs: CO# COE79229; COE79230				
MBE COMPLIANCE: 3.46%				
Original Award Est.		\$36,000,000	\$729,000,000	\$765,000,000
Mod - 1	Dependent Eligibility	\$0	\$1,900,000	\$1,900,000
Mod - 2	H1N1 Vaccinations	\$0	\$489,359	\$489,359
Mod - 3	MBE	\$0	\$0	\$0
Mod - 4	Health Care Reform	\$0	\$1,246,000	\$1,246,000
Mod - 5	MBE	\$0	\$0	\$0
Mod - 6	Plan Design	\$0	\$0	\$0
Current Mod	FY to CY	\$2,087,000	\$35,375,000	\$37,462,000
Revised Total Est. Amount:	This Agenda Item	\$38,087,000	\$768,010,359	\$806,097,359

United HealthCare Insurance Co.; Minnetonka, MN (Local Office in Elkridge, MD)

ADPICs: CO# COE79232; COE79235

MBE COMPLIANCE: 10.65%

Original Award Est.				
Mod - 1	Dependent Eligibility	\$28,000,000	\$549,000,000	\$577,000,000
Mod - 2	H1N1 Vaccinations	\$0	\$1,200,000	\$1,200,000
Mod - 3	MBE	\$0	\$502,000	\$502,000
Mod - 4	Health Care Reform	\$0	\$0	\$0
Mod - 5	Plan Design	\$0	\$500,000	\$500,000
Mod - 6	MBE	\$0	\$0	\$0
Current Mod	FY to CY	\$1,786,000	\$28,500,000	\$30,286,000
Revised Total Est. Amount:	This Agenda Item	\$29,786,000	\$579,702,000	\$609,488,000

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

ITEM: 10-S-MOD (Cont.)

ATTACHMENT

Contract Type/Contractors

Aetna Life Insurance Co.; Hartford, CT. (Local office in Linthicum, MD)

ADPICs: CO# COE79238; COE79239

MBE COMPLIANCE: 5.73%

	Admin Fees Est.	Claims Est.	Total Contract Est.
Original Award Est.			
Mod - 1	\$13,000,000	\$173,000,000	\$186,000,000
Mod - 2	\$0	\$500,000	\$500,000
Mod - 3	\$0	\$97,880	\$97,880
Mod - 4	\$0	\$435,000	\$435,000
Mod - 5	\$0	\$0	\$0
Current Mod	\$500,000	\$0	\$500,000
Revised Total Est. Amount:	\$1,026,000	\$13,637,000	\$14,663,000
	\$14,526,000	\$187,669,880	\$202,195,880

TOTAL POS:

\$82,399,000	\$1,535,382,239	\$1,617,781,239
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EPO Contracts:

CareFirst Blue Choice, Inc; Owings Mills, MD

ADPICs: CO# COE79244; COE79246

MBE COMPLIANCE: 3.41%

Original Award Est.			
Mod - 1	\$19,000,000	\$396,000,000	\$415,000,000
Mod - 2	\$0	\$1,200,000	\$1,200,000
Mod - 3	\$0	\$286,793	\$286,793
Mod - 4	\$0	\$856,340	\$856,340
Mod - 5	\$0	\$0	\$0
Mod - 6	\$0	\$395,000	\$395,000
Mod - 7	\$0	\$0	\$0
Mod - 8	\$0	\$0	\$0
Current Mod	\$20,053,314	\$358,791,829	\$378,845,143
Revised Total Est. Amount:	\$6,826,000	\$168,890,000	\$175,716,000
	\$45,879,314	\$926,419,962	\$972,299,276

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

ITEM: 10-S-MOD (Cont.)

ATTACHMENT

Contract Type/Contractors

Admin Fees Est.	Claims Est.	Total Contract Est.
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United HealthCare Insurance Co.; Minnetonka, MN (Local Office in Elkridge, MD)

ADPICs: CO# COE79247; COE79250

MBE COMPLIANCE: 41.55%

Original Award Est.

Mod - 1	Dependent Eligibility	6/17/2009 BPW Item 31-S-MOD	\$16,000,000	\$299,000,000	\$315,000,000
Mod - 2	H1N1 Vaccinations	10/7/2009 BPW Item 9-S-MOD	\$0	\$500,000	\$500,000
Mod - 3	Mental Health Parity	3/10/2010 BPW Item 7-S-MOD	\$0	\$205,340	\$205,340
Mod - 4	MBE	4/13/2011, DBM Approved	\$0	\$335,936	\$335,936
Mod - 5	Health Care Reform	6/1/2011 BPW Item 15-S-MOD	\$0	\$0	\$0
Mod - 6	Plan Design	6/4/2012, DBM Approved	\$0	\$206,000	\$206,000
Mod - 7	MBE	7/16/2012, DBM Approved	\$0	\$0	\$0
Current Mod	FY to CY	This Agenda Item	\$2,140,000	\$44,947,000	\$47,087,000
Revised Total Est. Amount:			\$18,140,000	\$345,194,276	\$363,334,276

Aetna Life Insurance Co.; Hartford, CT. (Local office in Linthicum, MD)

ADPICs: CO# COE79252; COE79254

MBE COMPLIANCE: 5.54%

Original Award Est.

Mod - 1	Dependent Eligibility	6/17/2009 BPW Item 31-S-MOD	\$8,000,000	\$94,000,000	\$102,000,000
Mod - 2	H1N1 Vaccinations	10/7/2009 BPW Item 9-S-MOD	\$0	\$48,000	\$48,000
Mod - 3	Mental Health Parity	3/10/2010 BPW Item 7-S-MOD	\$0	\$11,200	\$11,200
Mod - 4	Health Care Reform	6/1/2011 BPW Item 15-S-MOD	\$0	\$42,348	\$42,348
Mod - 5	Plan Design	6/4/2012, DBM Approved	\$0	\$32,000	\$32,000
Current Mod	FY to CY	This Agenda Item	\$934,000	\$11,191,000	\$12,125,000
Revised Total Est. Amount:			\$8,934,000	\$105,324,548	\$114,258,548

TOTAL EPO:

\$72,953,314	\$1,376,938,786	\$1,449,892,100
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DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ATTACHMENT

ITEM: 10-S-MOD (Cont.)

	Admin Fees Est.	Claims Est.	Total Contract Est.
TOTAL ALL CURRENT MODS:	\$24,622,000	\$497,611,000	\$522,233,000
TOTAL ALL PREVIOUS MODS:	\$30,753,314	\$380,570,817	\$411,324,131
REVISED GRAND TOTAL ALL:	\$282,375,314	\$5,587,181,817	\$5,869,557,131

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ATTACHMENT

ITEM: 10-S-MOD (Cont.)

Note: * Complete Mod Descriptions for the Prior Modifications are listed below:

- Dependent Eligibility – Modified the contracts to change the definitions of Dependent to include same sex domestic partners and their dependents and to add additional funding in order to accommodate the increased number of dependents for the period from 7/1/2009 to 6/30/201. Approved on the 6/17/2009 DBM BPW Agenda, Item 31-S-MOD.
- H1N1 Vaccinations – Modified the contracts to provide coverage for the H1N1 vaccinations for all State of Maryland employees, satellite employees, direct pay employees, retirees, and eligible dependents for the period from 10/7/2009 to 6/30/2010. Approved on the 10/7/2009 DBM BPW Agenda, Item 9-S-MOD.
- Mental Health Parity – Modified the EPO contracts to comply with the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008, effective for Maryland programs on 7/1/2010 through 6/30/2014. Approved on the 3/10/2010 DBM BPW Agenda, Item 7-S-MOD.
- Health Care Reform – Modified the contracts to comply with the Patient Protection and Affordable Care Act (PPACA) of 2010 and the applicable regulations promulgated thereto by the federal Department of Health and Human Services, as well as the Maryland General Assembly HB405 for the period of 7/1/2011 to 6/30/2014. Approved on the 6/1/2011 DBM BPW Agenda, Item 15-S-MOD.
- Plan Design – Modified the contracts' plan design to comply with the Memorandums of Understanding between the State and the exclusive representatives, with exception of Bargaining Unit 1 (State Law Enforcement Officers Labor Alliance – SLEOLA), effective 7/1/2012 through 6/30/2014. Approved by DBM on 6/4/2012.
- MBE – Over the course of the contract term, DBM has worked with the Contractors to continue to make a good faith effort to meet the MBE Participation Goals established in the contracts. Additional MBEs have been added as needed through these contract modifications, and approved by DBM. The effective dates of these modifications vary and are listed above under each Health Care Plan and Provider.
- Spending Increase – Increased the approved expenditure authority for Administrative Fees for both PPO contracts and one POS contract, as well as the Claims and Administrative Fees for one EPO contract to accommodate enrollment changes. Approved on the 9/19/2012 DBM BPW Agenda, Item 9-S-MOD.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION**ITEM:** 11-S-MOD

Agency Contact: Anne Timmons
410-767-4787
anne.timmons@maryland.gov

DEPARTMENT/PROGRAM:

Budget and Management (DBM)
Office of Personnel Services and Benefits
(OPSB)
Employee Benefits Division (EBD)

CONTRACT ID:

F10B8200014;
Dental Benefits Program (DPPO and
DHMO)
ADPICS # COE79255 (DHMO);
COE79258 (DPPO)

CONTRACT APPROVED:

3/18/2009 DBM/BPW Agenda Item 4-S

CONTRACTOR:

United Concordia Companies, Inc.
United Concordia Life and Health Insurance
Company (UCCI)
Harrisburg, PA

CONTRACT DESCRIPTION:

Provides Dental coverage for State of Maryland employees, satellite employees, direct pay employees, retirees, and eligible dependents. Two plans are offered: a Dental Health Maintenance Organization (DHMO) and a Dental Preferred Provider Organization (DPPO).

MODIFICATION DESCRIPTION:

Due to changes in the State's employee benefits plans, all of the State's benefits contracts require modifications (see related DBM contract modification Items 10-S-MOD through 16-S-MOD). This modification: (1) changes the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) creates a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extends the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

TERM OF ORIGINAL CONTRACT:

3/19/2009 – 6/30/2014 (5 Years; 3 ½ Mos.)

TERMS OF MODIFICATION:

7/1/2013 – 6/30/2014
7/1/2014 – 12/31/2014

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA****ITEM:** 11-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT:	\$ 61,446,669 (DHMO) <u>\$125,868,729</u> (DPPO) \$187,315,398 Total
AMOUNT OF MODIFICATION:	\$ 4,940,000 (DHMO) <u>\$20,702,000</u> (DPPO) \$25,642,000 Total
PRIOR MODIFICATIONS/OPTIONS:	\$ 155,126 (DHMO) <u>\$70,494,847</u> (DPPO) \$70,649,973 Total (See Attachment)
REVISED TOTAL CONTRACT AMOUNT:	\$283,907,371 Est.
PERCENT +/- (THIS MODIFICATION):	+13.8%
OVERALL PERCENT +/-:	+51.6%
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals
MBE PARTICIPATION:	0.5% of Total Premiums Paid (15% of Administrative Fees)
MBE COMPLIANCE:	<u>0.6%</u> (DHMO) <u>0.6%</u> (DPPO)

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts to (1) change the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) create a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extend the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

This change is necessary to accommodate certain federal reporting requirements under both healthcare reform (the Patient Protection and Affordable Care Act) and those of the Centers for Medicare and Medicaid (CMS).

REVISED

44B

BPW 3/20/2013

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S-MOD (Cont.)

FUND SOURCE: 100% Reimbursable

APPROP. CODE: Various

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S-MOD (Cont.) **ATTACHMENT**

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	\$100,126 (DHMO) <u>\$319,847</u> (DPPO) \$419,973 Total	Modified the contracts to change the definitions of Dependent to include same sex domestic partners and their dependents and to add additional funding in order to accommodate the increased number of dependents for the period of 7/1/2009 - 6/30/2014. Approved on the 6/17/2009 DBM BPW Agenda, Item 33-S-MOD.
Mod #2	\$0	Modified the contracts to change MBE Subcontractors for the period of 9/15/2009 - 6/30/2014. Approved by DBM on 9/15/2009.
Mod #3	\$ 55,000 (DHMO) <u>\$175,000</u> (DPPO) \$230,000 Total	Modified the contracts for the claims only to comply with the Patient Protection and Affordable Care Act (PPACA) of 2010 and the applicable regulations promulgated thereto by the federal Department of Health and Human Services, as well as the Maryland General Assembly HB 405 for the period of 7/1/2011 - 6/30/2014. Approved on the 6/1/2011 DBM BPW Agenda, Item 16-S-MOD.
Mod #4	\$70,000,000 (DPPO)	Mod to increase the expenditure authorization for the DPPO contract (claims only) to accommodate increased DPPO enrollment. Approved on the 9/19/2012 DBM BPW Agenda, Item 10-S-MOD.
Total	<u>\$70,649,973</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION**ITEM:** 12-S-MOD

Agency Contact: Anne Timmons
410-767-4787
anne.timmons@maryland.gov

DEPARTMENT/PROGRAM:

Budget and Management (DBM)
Office of Personnel Services and Benefits
(OPSB)
Employee Benefits Division (EBD)

CONTRACT ID:

F10B0400011;
Behavioral Health & Employee Assistance
Program (EAP) Benefit Administration
Services
ADPICS # COE79260 (Claims);
COE79261 (Admin. Fees)

CONTRACT APPROVED:

3/23/2011 DBM BPW Agenda Item 1-S

CONTRACTOR:

APS Healthcare Bethesda, Inc. (APS)
Baltimore, MD

CONTRACT DESCRIPTION:

Contract to provide Third Party Administrative services for Maryland State active employees, retirees and their dependents enrolled in the Preferred Provider Organization (PPO) or Point of Service (POS) medical plans. The contract also provides Employee Assistance Plan (EAP) benefits to all active State employees.

MODIFICATION DESCRIPTION:

Due to changes in the State's employee benefits plans, all of the State's benefits contracts require modifications (see related DBM contract modification Items 10-S-MOD through 16-S-MOD). This modification: (1) changes the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) creates a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extends the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

TERM OF ORIGINAL CONTRACT:

4/1/2011 – 6/30/2014

TERMS OF MODIFICATION:

7/1/2013 – 6/30/2014
7/1/2014 – 12/31/2014

DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM: 12-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT: \$57,487,058 Total (3 Years)

AMOUNT OF MODIFICATION: \$ 710,000 (Administrative Fees)
\$7,172,000 (Claims)
\$7,882,000 Total

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

REVISED TOTAL CONTRACT AMOUNT: \$65,369,058

OVERALL PERCENT +/- (THIS MOD): +13.7%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 1.08% (10% of Administrative Fees)

MBE COMPLIANCE: 26.3% of Administrative Fees

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts to (1) change the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) create a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extend the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

This change is necessary to accommodate certain federal reporting requirements under both healthcare reform (the Patient Protection and Affordable Care Act) and those of the Centers for Medicare and Medicaid (CMS).

FUND SOURCE: 100% Reimbursable

APPROP. CODE: Various

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 12-S-MOD (Cont.) **ATTACHMENT**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$0	Modification to amend the in-network and out-of-network plan design for the Preferred Provider Organization (PPO) and Point of Service (POS) benefits option from \$2,000,000 per person to unlimited. Approved by DBM on 6/9/2011.
Mod #2	\$0	Modification to amend the standard/goal for the Quarterly Performance Guarantee (PG-11) in the original contract (approved @ the 3/23/2011 BPW) from 90 days to 30 days. Approved by DBM on 4/27/2012.
Mod #3	\$0	Modification to include a statement that Partners Healthcare Solutions, Inc., which APS Healthcare Bethesda, Inc. is a wholly-owned subsidiary of effective January 11, 2012, has provided a guaranty of the Contractor's performance under the Contract. Approved by DBM on 5/30/2012.
Mod #4	\$0	Modification to reflects plan changes brought about by Union negotiations regarding Medical and Behavioral Health Programs. Approved by DBM on 6/29/2012.
Total	<u>\$0</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 13-S-MOD **Agency Contact:** Anne Timmons
410-767-4787
anne.timmons@maryland.gov

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

CONTRACT ID: F10B9200027;
Flexible Spending Accounts For Maryland State Employees
ADPICS # COE79262

CONTRACT APPROVED: 1/20/2010 DBM BPW Agenda Item 1-S

CONTRACTOR: ConnectYourCare, LCC
Hunt Valley, MD

CONTRACT DESCRIPTION: Provide Third Party Administrative Services for Flexible Spending Accounts (FSA) for health care and dependent day care programs for Maryland State employees, satellite agencies, and COBRA participants. FSAs provide employees with the ability to use pre-tax dollars to cover healthcare expenses paid out of pocket and dependent day care expenses.

MODIFICATION DESCRIPTION: Due to changes in the State's employee benefits plans, all of the State's benefits contracts require modifications (see related DBM contract modification Items 10-S-MOD through 16-S-MOD). This modification: (1) changes the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) creates a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extends the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

TERM OF ORIGINAL CONTRACT: 1/21/2010 - 6/30/2015
(5 Years; 5 Months; 10 Days)

TERMS OF MODIFICATION: 7/1/2013 – 6/30/2015
7/1/2015 – 12/31/2015

AMOUNT OF ORIGINAL CONTRACT: \$3,091,940

REVISED

50B

BPW 3/20/2013

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA****ITEM:** 13-S-MOD (Cont.)

AMOUNT OF OPTION/MODIFICATION: \$292,597
PRIOR OPTIONS/MODIFICATIONS: None
REVISED TOTAL CONTRACT AMOUNT: \$3,384,537
OVERALL PERCENT +/- (THIS MOD): +9.5%
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 16.3%
MBE COMPLIANCE: 22.5%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract to (1) change the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) create a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extend the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

This change is necessary to accommodate certain federal reporting requirements under both healthcare reform (the Patient Protection and Affordable Care Act) and those of the Centers for Medicare and Medicaid (CMS).

FUND SOURCE: 100% Reimbursable

APPROP. CODE: Various

RESIDENT BUSINESS: Yes

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

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

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 15-S-MOD **Agency Contact:** Anne Timmons
410-767-4787
anne.timmons@maryland.gov

DEPARTMENT/PROGRAM: Budget and Management (DBM)
Employee Benefits Division (EBD)
Maryland State Employees' and Retirees'
Benefits Program

CONTRACT ID: F10B1400014;
Group Long Term Care Insurance
ADPICS # COE79268

CONTRACT APPROVED: 4/1/2012 DBM BPW Agenda Item 1-S

CONTRACTOR: The Prudential Insurance Company of
America
Livingston, NJ

CONTRACT DESCRIPTION: Provide voluntary, group long-term care insurance benefits to Maryland State Employees, Retirees and eligible family members. This is a tax-qualified group plan that has been approved/certified by the State of Maryland Insurance Administration.

MODIFICATION DESCRIPTION: Due to changes in the State's employee benefits plans, all of the State's benefits contracts require modifications (see related DBM contract modification Items 10-S-MOD through 16-S-MOD). This modification: (1) changes the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) creates a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) reduces the term of the contract by six months to coincide with the end of the CY for the final contract Plan Year.

TERM OF ORIGINAL CONTRACT 7/1/2012 - 6/30/2017

TERM OF MODIFICATION: 7/1/2013 – 12/31/2016

AMOUNT OF ORIGINAL CONTRACT \$9,000,000 Est. Value (5 Years)

AMOUNT OF OPTION/MODIFICATION: \$0

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 15-S-MOD (Cont.)

PRIOR OPTIONS/MODIFICATION: None

REVISED TOTAL CONTRACT AMOUNT: \$9,000,000 Est.

OVERALL PERCENT +/- (THIS MOD): +0.0%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 2%

MBE COMPLIANCE: 3%

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts to (1) change the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; and (2) create a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months. An extension of this contract is not required as Group Long Term Care Insurance will not be continued to be provided through the State after this contract expires due to Prudential discontinuing new sales of their Group Long Term Care Insurance.

This change is necessary to align this plan's plan year with the other insurance plans under the State Employee and Retiree Health and Welfare Benefits Program.

FUND SOURCE: 100% Reimbursable

APPROP. CODE: F10A02.02

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 16-S-MOD **Agency Contact:** Anne Timmons
410-767-4787
anne.timmons@maryland.gov

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

CONTRACT ID: F10B3400001R; Group Term Life and
Accidental Death & Dismemberment
(AD&D) Insurance
ADPICS # COE79269 (Life);
COE79271 (AD&D)

CONTRACT APPROVED: 1/2/2013 DBM BPW Agenda Item 3-S

CONTRACTOR Minnesota Life Insurance Co.
(Minnesota Life)
St. Paul, MN

CONTRACT DESCRIPTION: Provide voluntary contributory Group Term
Life (Life) insurance services and voluntary contributory Accidental Death and Dismemberment
(AD&D) insurance services for active, satellite account and retired employees, direct pay
enrollees and their eligible dependents.

MODIFICATION DESCRIPTION: Due to changes in the State's employee
benefits plans, all of the State's benefits contracts require modifications (see related DBM
contract modification Items 10-S-MOD through 16-S-MOD). This modification: (1) changes
the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with
CY2014; (2) creates a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six
months; and (3) extends the term of the contract by six months to coincide with the end of the
CY for the last contract Plan Year.

TERM OF ORIGINAL CONTRACT: 1/3/2013 - 6/30/2018

TERMS OF MODIFICATION: 7/1/2013 – 6/30/2018
7/1/2018 – 12/31/2018

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA****ITEM:** 16-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT: \$113,118,014 Est. (Life)
\$ 10,921,696 Est. (AD&D)
\$124,039,710 Est. Total

AMOUNT OF MODIFICATION: \$13,686,758 Est. (Life)
\$ 1,143,548 Est. (AD&D)
\$14,830,306 Est. Total

PRIOR OPTIONS/MODIFICATIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$126,804,772 Est. (Life)
\$ 12,065,244 Est. (AD&D)
\$138,870,016 Est. Total

OVERALL PERCENT +/- (THIS MOD): +12.0%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 1.02%

MBE COMPLIANCE: N/A

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts to (1) change the contract's Plan Year from the State fiscal year (FY) to the calendar year (CY) beginning with CY2014; (2) create a Short Plan Year to cover the period from 7/1/2013 to 12/31/2013 for six months; and (3) extend the term of the contract by six months to coincide with the end of the CY for the last contract Plan Year.

This change is necessary to accommodate certain federal reporting requirements under both healthcare reform (the Patient Protection and Affordable Care Act) and those of the Centers for Medicare and Medicaid (CMS).

REVISED

57B

BPW 3/20/2013

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 16-S-MOD (Cont.)

FUND SOURCE: 100% Reimbursable (Employee Contributions)

APPROP. CODE: F10A02

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 17-GM **Agency Contact:** Kimberly Millender, AAG
410-537-1012
kmillender@oag.state.md.us

DEPARTMENT/PROGRAM Maryland Transportation Authority (MDTA)

AMOUNT OF REQUEST: \$20,000

DESCRIPTION: Settlement for all claims in the case *McDaniel v. Arnold, et.al.*, Case No. 10-cv-00189, filed in the U.S. District Court for the District of Maryland.

FUND SOURCE: Agency Funds

REQUESTING AGENCY REMARKS: The Office of the Attorney General (OAG) and the Maryland Transportation Authority (MDTA) recommend payment of \$20,000 in settlement of all claims made in tort and civil rights lawsuit. This is pursuant to State Government Article, §§ 12-404 and 12-405.

The OAG has determined that the MDTA Officers were acting within the scope of their employment and were not acting with malice or gross negligence.

If this request is approved, a check should be made jointly payable to "Brian McDaniel & Joyce and Associates, LLC". The check should be mailed to Stephen Thibodeau, Assistant Attorney General for the MDTA, 2310 Broening Highway, Suite 150, Baltimore, Maryland 21224, who will ensure delivery to the Plaintiff's attorney and ensure all necessary documentation, settlement agreements, and releases are completed.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 18-S **Agency Contact:** Cathie L. Nash
410-234-3819
nashc@mdmildep.org

DEPARTMENT/PROGRAM: Maryland Military Department (MILDEP)
Freestate ChalleNGe Youth Program

CONTRACT ID: MIL 13-009;
Freestate ChalleNGe Academy Cafeteria Services
ADPICS # D50B3400005

CONTRACT DESCRIPTION: Provide cafeteria food services for the Freestate
ChalleNGe Youth program, a tuition-free program offered to at-risk adolescents aged 16 to 18
years old.

AWARD: Federal Catering, LLC
(dba Main Ingredient)
Annapolis, MD

TERM: 3/24/2013 – 3/23/2014 (w/1 one year renewal
option)

AMOUNT: \$1,067,220 (1 Year; Base)
\$1,067,220 (1 Year; Renewal Option)
\$2,134,440 Total (2 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks)

PERFORMANCE SECURITY: None

INCUMBENT: Same

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 18-S (Cont.)

REQUESTING AGENCY REMARKS: A Notice of the Availability of Request for Proposals (RFP) was advertised on *eMaryland Marketplace* (eMM) and the Maryland Military Department (MILDEP) website. Through eMM, 121 potential vendors, 103 of which are Maryland firms and 19 are MBEs, were notified of the need for cafeteria services. In addition, five potential vendors, none of which are MBEs, were directly solicited. A copy of the solicitation was also sent to the Governor's Office of Minority Affairs.

The MILDEP received five proposals in response to the RFP, all of which were deemed to be reasonably susceptible of being selected for award. Award is recommended to Federal Catering, LLC dba Main Ingredient. The Main Ingredient was ranked overall #1 with the highest ranked technical proposal and the lowest price.

The Contractor will provide for a three week rotating menu of healthy foods for active 16 to 18 year olds. In addition, the Contractor will provide a one week menu of bagged lunches for when cadets are away from the cafeteria on job shadowing assignments. All foods shall be prepared on site in a sanitary manner and according to all health and food safety regulations. All food purchased by the Contractor must comply with all food standards such as USDA, Grade AA, etc. and be stored and prepared at the proper temperatures at all times.

Maryland's Freestate Challenge program is endorsed by the State of Maryland and is in a cooperative agreement between The Maryland National Guard and the National Guard Bureau. The Academy is located on Edgewood Area of the Aberdeen Proving Grounds in Harford County, Maryland. The Academy is a tuition-free program, which offers at-risk adolescents an opportunity to change their future for the better by providing the skills, education and self-discipline needed to become responsible, productive citizens. The initial program consists of a 22-week residential phase. During this phase the cadets learn self-discipline, leadership and responsibility. Participants live and work in a controlled military environment, encouraging teamwork and personal growth. A 12-month post-residential phase focuses on helping enroll graduates in continued education, technical school programs or entry-level employment. During the post-residential phase, students are assisted by at least one trained mentor from the community for further development.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA****ITEM:** 18-S (Cont.)

No MBE subcontracting goal was established for this contract. The cafeteria facility is considered a "TURN-KEY" operation, meaning the cafeteria facility is ready for a qualified contractor to walk in and start operating as designed.

FUND SOURCE: 75 % Federal; 25% General**APPROP. CODE:** D50H01**RESIDENT BUSINESS:** Yes**MD TAX CLEARANCE:** 13-0794-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENTAL

62B

BPW 3/20/2013

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ATTACHMENT

ITEM: 18-S (Cont.)

OFFERORS	CERTIFICATIONS	TECHNICAL RANKING	FINANCIAL PRICE 1 YEAR BASE	FINANCIAL PRICE 1 YEAR OPTION	TOTAL FINANCIAL PRICE * (2 YEARS) / FINANCIAL RANKING	OVERALL RANKING **
Federal Catering, LLC dba Main Ingredient Annapolis, MD	SBR	1	\$1,067,220	\$1,067,220	\$2,134,440 / 1	1
Simply Good, LLC Baltimore, MD	MBE	2	\$1,372,140	\$1,372,140	\$2,744,280 / 4	2
Kingsville Station at White Marsh, Inc. White Marsh MD		4	\$1,247,400	\$1,247,400	\$2,494,800 / 2	3
Crystal Enterprises, Inc. Glenn Dale MD	MBE	3	\$1,413,720	\$1,413,720	\$2,827,440 / 5	4
Black Tie Caterers Baltimore, MD	MBE/SBR	5	\$1,330,560	\$1,330,560	\$2,661,120 / 3	5

Note: * The financial price is a fully loaded price per day per youth for three meals per day.

** Technical factors and financial factors were given equal weight in the overall ranking determination.

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

ARCHITECTURE/ENGINEERING

ITEM: 1-AE

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On Call Structural/Civil Engineering
Services RFP# 87176CP

DESCRIPTION: On Call A/E service contracts for full structural/civil engineering services for the University System of Maryland institutions in the Baltimore region on an as needed basis. Project types include evaluation and analysis of existing structural conditions of buildings and facilities; civil projects including surveys and utilities location; and streetscape designs including sidewalks, plazas, and parking lots.

AWARD:

Rummel, Klepper & Kahl, LLP
81 Mosher Street
Baltimore, MD 21217

RMF Engineering, Inc.
190 West Ostend Street
Baltimore, MD 21230

Carroll Engineering, Inc.
11350 McCormick Road
Hunt Valley, MD 21031

Whitney Bailey Cox and Magnani, LLC
849 Fairmount Ave, Suite 100
Baltimore, MD 21286

CONTRACT TERM: 03/20/13 – 03/19/16 (3 years with one 2-year renewal option)

AMOUNT:

\$2,400,000

PROCUREMENT METHOD:

Competitive Sealed Proposals

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

ITEM: 1-AE (cont.)

PROPOSALS:	<u>Ranking</u>	<u>Score</u>
Rummel, Klepper & Kahl, LLP Baltimore, MD	1	82.85
Carroll Engineering, Inc. Hunt Valley, MD	2	82.65
Whitney, Bailey, Cox & Magnani, LLC Baltimore, MD	3	82.65
RMF Engineering, Inc. Baltimore, MD	4	82.38

MBE PARTICIPATION: 15% on task orders greater than \$50,000

PERFORMANCE BOND: A performance bond is not required.

REQUESTING INSTITUTION REMARKS: The solicitation was advertised in *eMarylandMarketPlace*. Nineteen firms responded to the University's solicitation. After review by the Qualification Committee, the top five firms were requested to submit fee proposals. During the negotiation process only four firms presented reasonable fee proposals and were selected to move forward for award. The selection process inclusive of the fee negotiations was reviewed and approved by the University's Executive Review Group which includes a public member from outside of the University. The source of funds for these projects will vary but include facilities renewal funds, departmental operating funds, and auxiliary services funds.

FUND SOURCE: Various

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-0033-1111 (Rummel, Klepper & Kahl)
13-0028-1111 (Whitney, Bailey, Cox & Magnani)
13-0030-1111 (RMF Engineering)
13-0029-1111 (Carroll Engineering)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION 100

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

ARCHITECTURE/ENGINEERING SERVICES

ITEM: 2-AE

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On Call Architectural/Engineering Services
for Medical Research/High Tech Projects
RFP# 87267CP

CONTRACT DESCRIPTION: On Call A/E service contracts for full architectural engineering services for the University System of Maryland institutions in the Baltimore region on an as needed basis. The medical research/high tech project types include medical scientific laboratories, teaching labs, computer labs, and associated support areas.

AWARD:

Ammon Heisler Sachs Architects, PC
One North Charles Street
Mezzanine One
Baltimore, MD 21201

Cannon Design
250 West Pratt Street
Baltimore, MD 21201

Colimore Architects
1240 Key Highway
Baltimore, MD 21230

Gaudreau, Inc.
810 Light Street
Baltimore, MD 21230

Marshall Craft Associates, Inc.
6112 York Road
Baltimore, MD 21212

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

ITEM: 2-AE (continued)

CONTRACT TERM: 03/20/13 – 03/19/2016 (3 years with one 2-year renewal option)

AMOUNT: \$4,500,000

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:	<u>Ranking</u>	<u>Score</u>
Gaudreau Baltimore, MD	1	87.98
Cannon Design Baltimore, MD	2	87.49
Marshall Craft Associates. Baltimore, MD	3	86.21
Colimore Architects Baltimore, MD	4	85.85
Ammon Heisler Sachs Architects Baltimore, MD	5	85.73

MBE PARTICIPATION: 25% on task orders greater than \$50,000

PERFORMANCE BOND: A performance bond is not required.

REQUESTING INSTITUTION REMARKS: The solicitation was advertised in *eMarylandMarketPlace*. Nine firms responded to the University's solicitation. After review by the Qualification Committee, the top five firms were requested to submit fee proposals. The selection process inclusive of the fee negotiations was reviewed and approved by the University's Executive Review Group which includes a public member from outside of the University. The source of funds includes facilities renewal funds, departmental operating funds, and auxiliary services funds.

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

ITEM: 2-AE (continued)

FUND SOURCE:

Various

RESIDENT BUSINESS:

Yes

MD TAX CLEARANCE:

13-0676-1111 Ammon Heisler Sachs
13-0679-0001 Cannon Design
13-0678-0000 Colimore Architects
13-0677-0111 Gaudreau
13-0675-1111 Marshall Craft Associates

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ARCHITECTURE/ENGINEERING SERVICES

ITEM: 3-AE

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On Call Architectural/Engineering
Services for Academic Projects
RFP# 87268CP

CONTRACT DESCRIPTION: On Call A/E service contracts for full architectural engineering services for the University System of Maryland institutions in the Baltimore region on an as needed basis. Academic projects include classrooms, conference rooms, office spaces, and associated support areas.

AWARD:

Design Collective Inc
601 East Pratt Street
Suite 300
Baltimore, MD 21201

Cho Benn Holback and Associates
100 N Charles Street, 24th Floor
Baltimore, MD 21202

Whitman Requardt and Associates, LLP
801 South Caroline Street
Baltimore, MD 21231

Marshall Craft Associates, Inc.
6112 York Road
Baltimore, MD 21212

GWWO, Inc.,
800 Wyman Park Rd
Suite 300
Baltimore, MD 21231

Ziger/Snead LLP Architect
1006 Morton Street
Baltimore, MD 21201

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

ITEM: 3-AE (continued)

Read & Company Architects
1501 Saint Paul Street #110
Baltimore, MD 21202

CONTRACT TERM: 03/20/13 – 03/19/2016 (3 years with one 2-year renewal option)

AMOUNT: \$6,300,000

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:

	<u>Ranking</u>	<u>Score</u>
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Design Collective Baltimore, MD	1	87.33
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Cho Benn Holbakn Baltimore, MD	2	86.64
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Marshall Craft Associates. Baltimore, MD	3	84.36
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Read Architects Baltimore, MD	4	84.10
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Ziger Snead Baltimore, MD	5	84.07
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Whitman Requardt Assocaites Baltimore, MD	6	83.78
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GWWO Baltimore, MD	7	82.80
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MBE PARTICIPATION: 25% on task orders greater than \$50,000

PERFORMANCE BOND: A performance bond is not required

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

ITEM: 3-AE (continued)

REQUESTING INSTITUTION REMARKS: The solicitation was advertised in *eMarylandMarketPlace*. Nineteen firms responded to the University's solicitation. After review by the Qualification Committee, the top seven firms were requested to submit fee proposals. The selection process inclusive of the fee negotiations was reviewed and approved by the University's Executive Review Group which includes a public member from outside of the University. The source of funds for these projects includes facilities renewal funds, departmental operating funds, and auxiliary services funds.

FUND SOURCE:

Various

RESIDENT BUSINESS:

Yes

MD TAX CLEARANCE:

13-0726-1111 Design Collective
13-0788-1111 Cho Benn Holback
13-0718-1111 Marshall Craft
13-0717-0111 Read Architects
13-0758-1111 Ziger Sneed
13-0786-1111 Whitman Requardt Associates
13-0719-0111 GWWO

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 4-AE OPT (continued)

OPTION DESCRIPTION:	First renewal option
ORIGINAL CONTRACT TERM:	3/25/10-3/24/13 w/ one 2-year renewal option
OPTION TERM:	03/25/13- 03/24/15
ORIGINAL CONTRACTAMOUNT:	\$3,600,000 (maximum of 36 months)
OPTION AMOUNT:	\$2,400,000 (estimated of 24 months)
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals
MBE PARTICIPATION:	10%
MBE COMPLIANCE:	8.7%
PERFORMANCE SECURITY:	A performance bond is not required

REQUESTING INSTITUTION REMARKS: Renewal is recommended for the six firms based on satisfactory performance in meeting short lead-time projects requiring a quick response. Pricing under the original contract is unchanged for this option period. These firms will be required to use the hourly rates provided as part of the original solicitation. The contract had an overall 10% MBE participation goal; due to numerous small task orders with no MBE opportunity, 8.7% was achieved overall.

FUND SOURCE:	Various
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	13-0680-1111 (RMF Engineering) 13-0681-1111 (Mueller Associates) 13-0682-0111 (Kibart Inc.) 13-0683-1111 (Gipe Associates) 13-0684-1111 (James Posey Associates Inc) 13-0685-0111 (MS Engineers, Inc.)

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ARCHITECTURE/ENGINEERING SERVICES OPTION

ITEM: 5-AE OPT

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On Call Mechanical/Electrical
Engineering Services for Medical
Research/High Tech Projects
86245-MED-MM

CONTRACT APPROVED:

USM Item 1-AE (3/24/2010)

CONTRACTORS:

RMF Engineering, Inc.
5520 Research Park Drive, Suite 300
Baltimore, MD 21228

Mueller Associates
1401 S. Edgewood Street
Baltimore, MD 21227

Kibart, Inc.
901 Dulaney Valley Road
Towson, MD 21204

MS Engineers, Inc.
9192 Red branch Road, Suite 290
Columbia, MD 21045

CONTRACT DESCRIPTION: On Call Mechanical/Electrical Engineering contracts for full mechanical/electrical engineering services for the University System of Maryland institutions in the Baltimore region on an as needed basis. The medical research/high-tech project types include medical research and scientific laboratories, teaching labs, computer labs and associated administrative areas.

OPTION DESCRIPTION:

First renewal option

ORIGINAL CONTRACT TERM: 3/25/10 – 3/24/13 w/ one 2-year renewal option

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

ITEM: 5-AE OPT (continued)

OPTION TERM: 03/25/13-03/24/15

ORIGINAL CONTRACT AMOUNT: \$2,400,000 (maximum of 36 months)

OPTION AMOUNT: \$1,600,000 (estimated of 24 months)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

MBE COMPLIANCE: 13%

PERFORMANCE SECURITY: A performance bond is not required

REQUESTING INSTITUTION REMARKS: Renewal is recommended for the four firms based on satisfactory performance in meeting short lead-time projects requiring a quick response. Pricing under the original contract is unchanged for this option period. These firms will be required to use the hourly rates they provided as part of the original solicitation

FUND SOURCE: Various

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-0741-1111 (RMF Engineering)
13-0742-1111 (Mueller Associates)
13-0743-0111 (Kibart Inc.)
13-0744-0111 (MS Engineers, Inc.)

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 6-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: Towson University
Harford County Site
RFP #2010-14BS

CONTRACT APPROVED: USM Item 4-GM (08/01/12)
USM Item 1-C MOD (02/06/13)

CONTRACTOR: Turner Construction Company
Baltimore, MD 21201

CONTRACT DESCRIPTION: Professional management and construction services during the pre-construction and construction of a 55,000 gross square foot classroom/office building to deliver academic programs to Harford and Cecil Counties in response to under-served regional demand for four-year degree programs, including growth due to Base Realignment and Closure Act (BRAC).

GMP DESCRIPTION: Award GMP #2 for construction which includes elevator, roofing, visual display and cast stone packages, UMB allowances, CM general conditions, CM-GMP contingency, and CM construction fee.

CONTRACT TERM: 17.5 months from construction notice to proceed

CONTRACT AMOUNT : \$25,000 (pre-construction only)

PRIOR GMP AMOUNT: \$21,488,346

THIS GMP AMOUNT: \$786,004

REVISED TOTAL CONTRACT AMOUNT: \$ 22,299,350

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

ITEM: 6-C MOD (Continued)

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 25.5%

PERFORMANCE BOND: 100% performance bond is required.

ORIGINAL PROCUREMENT METHOD: Contract Assignment

REQUESTING INSTITUTION REMARKS: The Board of Public Works previously approved Towson University entering into a ground lease with Harford Community College and accepting an assignment of the College's Construction Management contract with Turner Construction Company for the project's pre-construction phase. The approval also allowed USM to later amend the contract to include USM's standard terms and conditions and the remainder of the work to be done under the pre-construction phase including bidding and GMP preparation. This Item requests approval to award GMP #2 for the construction phase of the project. MBE participation for this modification is 18.2%.

FUND SOURCE: Plant Funds

APPROP. CODE: R30B24

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-1567-1111

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

APPROVED **DISAPPROVED** **DEFERRED *** **WITHDRAWN**

WITH DISCUSSION **WITHOUT DISCUSSION**

** - Item Deferred: 2-1 vote. Treasurer Kopp voted against motion to defer.*

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 7-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 Campus
Site & Safety Improvements Phase II, RFP 2011-16 AF

CONTRACT APPROVED: USM Item 2-C (03/7/2012)

CONTRACTOR: The Whiting-Turner Contracting Company
Baltimore, Maryland 21286-3048

CONTRACT DESCRIPTION: Professional management and construction services during pre-construction and construction for the Towson University Campus Site and Safety Improvements Project Phase II. The project consists of providing a pedestrian connection between the West and East campuses, developing the necessary site, utility and infrastructure improvements to support the proposed pedestrian improvements, designing the new pedestrian bridge across Osler Drive, renewing and replacing utility and pedestrian infrastructure and eliminating pedestrian-vehicle conflicts.

GMP DESCRIPTION: GMP 1 includes construction of pedestrian bridge; utility and roadway infrastructure relocation; and various site, utility, storm water management, and infrastructure improvements.

CONTRACT TERM: Twelve months from issuance of pre-construction notice to proceed; eighteen months from construction notice to proceed.

AMOUNT CONTRACT: \$85,000.00 (pre-construction fees only)

GMP AMOUNT: \$12,345,180.00

REVISED TOTAL CONTRACT AMOUNT: \$12,430,180.00

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

ITEM: 7-C MOD (continued)

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 33.63%

PERFORMANCE BOND: A 100% performance bond is required.

FUND SOURCE: MCCBL 2012: *Construct a variety of campus wide infrastructures and site improvements in two phases to improve the safety and functionality of the campus.* Item 053 - \$5,574,466.17

MCCBL 2013: *Construction funding has been added to FY 2014 to complete Phase II of the project.* The General Assembly pre-authorized funding for the project during the 2012 Legislative Session. - \$6,770,713.83

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0156-1111

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: 8-GM

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

Recommendation: The Board of Public Works is requested to approve the use of general obligation bond proceeds for the following contracts totaling \$266,534.00:

Authority: State Finance and Procurement Article, Annotated Code of Maryland, 8-301

A. University of Maryland, College Park

Potomac Building #092

Y-400275 – Perform Restroom ADA Modifications

Description: ADA Modifications for new elevator and ramp

Procurement Method: Architectural/Engineering Services

Award: Ayers Saint Gross

SBR: No

Amount: \$99,878.00

Fund Source: MCCBL 2011: *Accessibility Modifications. Provide funds to design and construct handicapped accessibility modifications at State-owned facilities.* Item 001

Tax Compliance No. 13-0781-0111

Resident Business: Yes

B. University of Maryland, College Park

Woods Hall

A163497 – Perform Restroom ADA Modifications

Description: Restroom ADA Modifications

Procurement Method: Simplified Procurement, Competitive

Award: Colossal Contractors

SBR: Yes

Amount: \$24,200.00

Fund Source: MCCBL 2011: *Accessibility Modifications. Provide funds to design and construct handicapped accessibility modifications at State-owned facilities.* Item 001

Tax Compliance No. 13-0736-0111

Resident Business: Yes

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 8-GM (continued)

C. University of Maryland, College Park

Taliaferro Hall

A163498 – Perform Restroom ADA Modifications

Description: Restroom ADA Modifications
Procurement Method: Simplified Procurement, Competitive
Award: Colossal Contractors

SBR: Yes

Amount: \$24,500.00

Fund Source: MCCBL 2011: *Accessibility Modifications. Provide funds to design and construct handicapped accessibility modifications at State-owned facilities.* Item 001

Tax Compliance No. 13-0736-0111

Resident Business: Yes

D. Bowie State University

James Gymnasium

1. Description: Engineering Design Services for HVAC Upgrade
Procurement Method: Competitive Simplified Procurement
Award: Gipe Associates, Inc

Baltimore, MD 21286

Amount: \$78,900

Fund Source MCCBL 2012: *Supplemental Facilities Renewal.* Item 049

MD Tax Clearance: 13-0799-1111

Resident Business: Yes

2. Description: Commissioning Services for HVAC Upgrade
Procurement Method: Competitive Simplified Procurement
Award: Facility Dynamics Engineering

Columbia, MD 21046

Amount: \$39,056

Fund Source MCCBL 2012: *Supplemental Facilities Renewal.* Item 049

MD Tax Clearance: 13-0780-1111

Resident Business: Yes

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 Condemnation

ITEM: 9-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: Ms. Janika Peay, *et al.*

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

APPRAISED VALUE:	Colliers Pinkard	\$ 30,500.00
	Lipman Frizzell & Mitchell	\$ 37,000.00

FUND SOURCE: MCCBL 2012: *Provide funds for site acquisition, design, and construction of a New Science and Technology Center.* Item 046

PRICE:	Acquisition:	\$ 37,000.00 *
	Relocation:	\$ 37,254.00
	Ground Rent:	\$ 1,500.00 **
	Total:	\$ 75,754.00

* Acquisition cost contained in agreed inquisition signed by owners and the University.

** Ground Rent Redemption.

REQUESTING INSTITUTION 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. The Board of Public Works approved acquisition of this property by condemnation on 3/21/12, Item 9-RP. 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

Agency Contact:

Anne Timmons (410) 767-4710

atimmons@dbm.state.md.us

Donna Ziegenhein (410) 260-7627

DEPARTMENT/PROGRAM:

Department of Budget & Management
Employee Benefits Division

CONTRACT ID:

Interactive Voice Response and Benefits
Administration System Maintenance Contract
ADPICS No.: F10B3400009

CONTRACT DESCRIPTION: Software, hardware and system enhancements; system maintenance; and support for two DBM systems: Benefits Administration System (BAS) and Interactive Voice Response System (IVR) (or collectively BAS/IVR)

AWARD:

M. S. Technologies Corporation
Rockville

TERM:

4/1/2013 – 3/31/2015

AMOUNT:

\$ 906,036 NTE - Maintenance
\$ 336,224 NTE - Enhancements & Maintenance
 \$1,242,260 NTE Total (2 Years)

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

100% (Contractor is a certified MBE)

PERFORMANCE SECURITY:

None

INCUMBENT:

Same

REMARKS: The recommended contractor, M.S. Technologies Corporation (MST) developed DBM's BAS/IVR from its own proprietary source code and has provided the State several customized enhancements. This procurement for maintenance services is sole-source because MST owns the base source code for BAS/IVR and the customized enhancements to the system are inextricably linked to the proprietary source code.

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

ITEM: 1-IT (Cont'd)

DBM competitively procured the system in October 1998. Including the initial procurement, the State has invested approximately \$4,135,400 in BAS/IVR using MST's services for the original installation, on-going maintenance services, and several necessary enhancements.

BAS/IVR is a mission critical function that must operate 24 hours a day 7 days a week without any critical breakdowns. No disruption in services is permissible. BAS/IVR is integral to successful enrollment, various federal and State notifications, and general administration of the State Employee and Retiree Health and Welfare Benefits Program.

The enhancements now proposed are:

<i>Enhancements</i>	<i>Programming Price</i>	<i>Annual Maintenance</i>
Additional data field for life insurance carrier	\$ 5,000	\$0
Convert open enrollment from FY to CY	\$ 55,714	\$0
Modify enrollment process for Rx coverage to provide data to meet Medicare Part D reporting req'ts	\$222,185	\$26,662

MST is completely familiar with BAS/IVR's operations and systems architecture. Continuing with MST's maintenance services will guarantee a continued smooth operation of the BAS/IVR to service 250,000 individuals enrolled in the benefits program. Given the excellent record of timely performance and close cooperation between EBD, DBM's Application Systems Management, and MST in the development, implementation and maintenance of the BAS/IVR systems and its enhancements, DBM finds it in the State's the best interest to award MST the proposed contract.

FUND SOURCE: 100% Reimbursable
APPROP. CODE: F10A0202
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 13-0331-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 03/20/13
 REVISED

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-13-004
 Runway 15R-33L Standards Compliance Earthwork
 Package at BWI Thurgood Marshall Airport
 (BWI Marshall), Anne Arundel County
 ADPICS NO.: MAACO13004

CONTRACT DESCRIPTION: This contract provides: clearing and grubbing; storm drain installation; installation of a concrete box culvert with headwalls; sanitary sewer relocation; underground fire hydrant relocation; and mass earthwork and service roadway construction for Runway 15R-33L. It is one contract in the BWI Runway Safety Area (RSA) Pavement Management and Standards Compliance Program which seeks to address RSA standards as mandated by Congress, and dictated by the Federal Aviation Administration, to be completed by December 31, 2015.

AWARD: American Infrastructure-MD, Inc. d/b/a
 American Infrastructure
 Fallston, MD

AMOUNT: \$21,756,470

TERM: 320 Calendar Days from NTP

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:	
American Infrastructure-MD, Inc. d/b/a American Infrastructure Fallston, MD	\$21,756,470
Independence Excavating, Inc. Independence, OH	\$22,197,541
Concrete General, Inc. Gaithersburg, MD	\$22,744,989
Sargent Corp. Ashland, VA	\$22,834,781
The Lane Construction Co., Inc. Chantilly, VA	\$24,346,441

ITEM: 1-C (Continued)**BPW – 03/20/13****REVISED****BIDS (Cont.):**

Brawner Builders, Inc. Hunt Valley, MD	\$24,706,697
Gray & Sons, Inc. Timonium, MD	\$25,817,358
Joseph B. Fay, Co. Baltimore, MD	\$28,569,888
Dixie Construction Churchville, MD	\$30,722,183
Lagan Virginia, LLC Woodbridge, VA	\$31,630,839
Facchina Construction Glen Burnie, MD	\$35,539,966

DBE PARTICIPATION: 26.01%**PERFORMANCE SECURITY:** Performance and Payment Bonds at 100% of Contract Amount**REMARKS:** The Engineer's Estimate was \$25,833,904.

This Solicitation was advertised on eMM and on the MAA Website. The solicitation was sent to the Governor's Office of Minority Affairs and five (5) minority business associations on November 14, 2012. Thirty-five (35) sets of specifications were sold and eleven (11) firms submitted bids.

The DBE goal established for this contract was 25%; however American Infrastructure will be exceeding the goal by 1.01%

MAA received a protest from Brawner Builders, Inc. the sixth lowest bidder (and whose bid was nearly \$3 million higher than the low bidder). Brawner's protest was based upon the way other bidders computed the construction quality control plan (CQC) for line items X-4-3.1A and X-4-31C. Brawner alleged that the bids submitted by the first five bidders were non-responsive because they failed to compute the CQC percentage as delineated on the bid form. However, the bid form contained clerical errors for the two line items which referred the bidders to the wrong items upon which to compute the percentage. Eight other CQC plan line items used the correct bid items upon which to make the computation. Because the two CQC items did not correctly state the bid items upon which to make the computation, MAA determined that it was in the State's best interest to take corrective action and delete these two bid items from the bid in accordance with GP2.17 which permits MAA to reject a bid in whole or part and in accordance with GP2.19D which permits MAA to make an award by item or groups by items or total bid when it has been determined that it is in the best interest of the State to do so.

ITEM: 1-C (Continued)**BPW – 03/20/13
REVISED**

The deleted items represent non-construction work and are a very small percentage of the estimated contract cost. The engineer's estimate for these deleted items was \$1,500 and \$2,160 respectively (compared to an engineer's estimate of approximately \$25 million for the entire contract). This action did not change the order of the bids and all bidders were notified of MAA's action on February 15, 2013.

MAA's corrective action effectively rendered Brawner's protest moot. Brawner filed a second protest on February 22, 2013 alleging that MAA action in deleting the flawed line items was inappropriate and contrary to Maryland law and public policy. MAA's corrective action, however, was in accordance with the Maryland law and the provisions of the solicitation. MAA denied the protest on March 7, 2013. Brawner did not file an appeal with the Maryland State Board of Contract Appeals.

The Runway 15R-33L RSA improvement program was previously described in MDOT Board Agenda Item 18-EX approved on May 23, 2012. The RSA improvements seek to address safety standards for runways dictated by the FAA. The work in this contract is necessary to be completed before the follow on contracts for Runway 15R-33L and final work on Runway 10-28 can be accomplished.

The Board previously approved a lease from MAA to the Maryland Transportation Authority for airport facilities projects including the runways in order to allow the Authority to issue passenger facility charge bonds. This lease was approved on November 14, 2012 as MDOT Board Agenda Item 14-LL. The bonds were issued by the Authority in December of 2012.

FUND SOURCE:	100% Passenger Facility Charge (PFC) Revenue Funds Budgeted to MAA and Future Federal Funds
APPROPRIATION CODE:	J06I0003
MD TAX CLEARANCE:	13-0734-1000
RESIDENT BUSINESS:	Yes

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

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

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

BPW – 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 2-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID:

MAA-CO-13-011

Consolidated Rental Car Facility Garage Repairs at
 BWI Thurgood Marshall Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO.: MAACO13011

CONTRACT DESCRIPTION: This contract provides for repairs to the Consolidated Rental Car Facility (CRCF) Garage at BWI Marshall. The work includes but not limited to: power washing of existing garage deck slabs on Level 1 thru Level 2 including ramps to Level 2; repair of existing parking control equipment and install new equipment for satellite employee parking lot; construct a new pedestrian walkway from the satellite employee parking lot to Valley Road; and provide a new protected walkway for pedestrians along Valley Road.

AWARD:

Concrete Protection & Restoration, Inc.

Baltimore, MD

AMOUNT:

\$1,900,000

TERM:

545 Calendar Days from NTP

PROCUREMENT METHOD:

Competitive Sealed Bidding

BIDS:

Concrete Protection & Restoration, Inc. Baltimore, MD	\$1,900,000
Mid-Atlantic General Contractors, Inc. Beltsville, MD	\$2,187,916
Bensky Construction Co., LLC Baltimore, MD	\$2,377,000
Restoration East, LLC Baltimore, MD	\$2,398,000
Haris Design & Construction Co. Rockville, MD	\$2,399,850

ITEM: 2-C (Continued)**BPW – 03/20/13****BIDS (Cont.):**

Vista Contracting, Inc. \$2,432,200
Washington, DC

J.A. Argetakis Contracting Co., Inc. \$2,464,729
Baltimore, MD

Eastern Waterproofing & Restoration \$2,706,228
Co., Inc.
Jessup, MD

Paige Industrial Services, Inc. \$2,806,730
Landover, MD

MBE PARTICIPATION: 30%

PERFORMANCE SECURITY: Performance and Payment Bonds at 100% of Contract Amount

REMARKS: The Engineer's Estimate was \$2,605,480.

This Solicitation was advertised on eMM and on the MAA Website. The solicitation was sent to the Governor's Office of Minority Affairs and five (5) minority business associations on October 3, 2012. Twenty-three (23) sets of specifications were sold and eleven (11) firms submitted bids.

MAA received a bid protest from Southern Improvement Co., Inc. on December 7, 2012. However, Southern Improvement Co., Inc. submitted a bid which did not meet the MBE goal of the contract and it did not request a waiver of the MBE goal. MAA deemed Southern's bid non-responsive and rejected it on January 10, 2013. Thus, in accordance with COMAR 21.10.02.01B(1), Southern was no longer considered an interested party. Therefore, in accordance with COMAR 21.10.02.02, Southern had no standing to file a protest. Southern did not appeal this determination to MSBCA.

FUND SOURCE: 100% Customer Facility Charge (CFC)
Funds Budgeted to MAA

APPROPRIATION CODE: J0610003

MD TAX CLEARANCE: 13-0785-1111

RESIDENT BUSINESS: Yes

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

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

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

BPW - 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 3-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID:

MAA-CO-13-013

Taxiway P and Runway 15R Deicing Pad Pavement
 Rehabilitation and Standards Compliance Project at
 BWI Thurgood Marshall Airport (BWI Marshall)
 Anne Arundel County
 ADPICS NO.: MAACO13013

CONTRACT DESCRIPTION: This contract provides for the demolition and removal of existing pavement, installation of new glycol collection and drainage infrastructure, trench drains, airfield lighting, oil/water separator and new concrete and asphalt pavement for the Runway 15R Deicing Pad.

AWARD:

Atlantic Contracting & Material Co., Inc.
 Upper Marlboro, MD

AMOUNT:

\$14,168,409

TERM:

150 Calendar Days from NTP

PROCUREMENT METHOD:

Competitive Sealed Bidding

BIDS:

Atlantic Contracting & Material Co., Inc. Upper Marlboro, MD	\$14,168,409
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The Lane Construction Corp. Chantilly, VA	\$14,236,255
--	--------------

P. Flanigan & Sons, Inc. Baltimore, MD	\$14,938,890
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Kimball-Milani JV, LLC Baltimore, MD	\$16,137,405
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DBE PARTICIPATION:

33.28%

PERFORMANCE SECURITY:

Performance and Payment Bonds at 100% of
 Contract Amount

ITEM: 3-C (Continued)

BPW - 03/20/13

REMARKS: The Engineer's Estimate was \$17,468,640.

This Solicitation was advertised on eMM and on the MAA Website. The solicitation was sent to the Governor's Office of Minority Affairs and five (5) minority business associations on November 20, 2012. Twenty (20) sets of specifications were sold and four (4) firms submitted bids.

The DBE goal established for this contract was 30%; however Atlantic Contracting & Materials Co., Inc. will be exceeding the goal by 3.28%

MAA received a bid protest from Atlantic Contracting & Materials Co., Inc. The protest related to the computation of incentives for Portland Cement Concrete made by one bidder, The Lane Construction Corp. MAA determined it was in the best interest of the State to make an award of the contract only on the basis of the base bid. The base bid provides for the work associated with the demolition and construction of the Runway 15R deicing pad. An award only on the basis of the base bid will ensure that the contract can be completed within this construction season and will allow the Runway 15R deicing pad to be available for 2013/2014 deicing season. MAA's action eliminated the grounds for Atlantic's protest as it was the low bidder on the base bid. All bidders were notified of MAA's action and no bidder filed a bid protest.

FUND SOURCE:	100% Passenger Facility Charge (PFC) Revenue Funds Budgeted to MAA and Future Federal Funds
APPROPRIATION CODE:	J06I0003
MD TAX CLEARANCE:	13-0733-011
RESIDENT BUSINESS:	Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

126

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BPW – 03/20/13
REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 4-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-13-016 A, B, C, D & E
 Comprehensive Paving Improvements 2013
 at BWI Thurgood Marshall (BWI) & Martin State (MTN)
 Airports
 ADPICS NOS: MAACO13016A, MAACO13016B,
 MAACO13016C, MAACO13016D & MAACO13016E

CONTRACT DESCRIPTION: The work to be performed under this multiple-award contract will be to provide all labor, materials and equipment necessary for airside and landside paving at BWI and MTN. The work includes: asphalt and concrete paving, joint repairs and sealing; excavation and grading; reconstruction of manholes and inlets; maintenance of traffic, and sediment and erosion control.

AWARD:

LANDSIDE

P. Flanigan & Sons, Inc. (Contract A)
 Baltimore, MD

Image Asphalt Maintenance, Inc. (Contract D)
 Pasadena, MD

Gray & Son, Inc. (Contract E)
 Timonium, MD

American Infrastructure, Inc. (Contract B)
 Fallston, MD

AIRSIDE

P. Flanigan & Sons, Inc. (Contract A)
 Baltimore, MD

American Infrastructure, Inc. (Contract B)
 Fallston, MD

Reliable Contracting Co. (Contract C)
 Millersville, MD

TERM OF CONTRACT: Three (3) years

AMOUNT: \$20,000,000 NTE

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Multi-Step)

ITEM: 4-C (Continued)

BPW – 03/20/13

REVISED**LANDSIDE BIDS:**

	<u>Technical</u>	<u>Actual Price (Based on 3 projects)</u>
P. Flanigan & Sons Inc. Baltimore, MD	N/A	\$1,082,923
Image Asphalt Maintenance, Inc. Pasadena, MD	N/A	\$1,258,738
Gray & Son, Inc. Timonium, MD	N/A	\$1,272,906
American Infrastructure, Inc. Fallston, MD	N/A	\$1,399,683
Reliable Contracting Millersville, MD	N/A	\$1,620,643
The American Asphalt Paving Co., LLC Baltimore, MD	N/A	\$1,627,095

AIRSIDE PROPOSALS:

	<u>Technical</u>	<u>Actual Aggregate Price (Based on 2 projects)</u>
P. Flanigan & Sons Inc. Baltimore, MD	Acceptable	\$888,988
American Infrastructure, Inc. Fallston, MD	Acceptable	\$1,011,513
Reliable Contracting Co. Millersville, MD	Acceptable	\$1,027,634

MBE PARTICIPATION:

24.70% (Contract A)
20% (Contract B – D)
20.62% (Contract E)

PERFORMANCE SECURITY:

A Performance Bond at 100% of Project Task Amount exists.

REMARKS: The Engineers Estimate for the landside bid is \$1,517,040 and the aggregate engineers estimate for the airside bid is \$1,133,642.

This Solicitation was advertised on eMaryland Marketplace and on the MAA Website. The Solicitation was sent to the Governor's Office of Minority Affairs and five (5) minority business associations on September 17, 2012. Eleven (11) sets of specifications were sold and six (6) contractors submitted bids.

Three (3) bids were received and evaluated for the airside projects. All three (3) bidders were found to be technically acceptable for airside work and are being recommended for award.

ITEM: 4-C (Continued)

BPW – 03/20/13
REVISED

MAA is recommending for award four (4) of the six (6) bids received for the landside work. The specific tasks bid during the bidding process are being recommended for award to the contractors with the lowest bid per the contract language.

The MBE goal was established at 20%, however P. Flanigan & Sons, Inc. has exceeded the goal by 4.70% and Gray and Son, Inc. has exceeded the goal by .62%.

In an effort to promote competition and control costs, after award, contractors will be required to compete on specific individual tasks. MAA reserves the right to award any task to one of the successful contractors when a specific expertise is required or when the continuation of a prior task is required.

The contract amount is based on the final budget amount. None of the contractors have a guaranteed minimum or maximum amount, except for the overall budget limitation.

APPROPRIATION CODE: J06I0003

FUND SOURCE: 100% Special Funds Budgeted to MAA

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-0791-1111 P. Flanigan & Sons, Inc.
13-0788-1000 American Infrastructure, Inc.
13-0812-1111 Reliable Contracting Co., Inc.
13-0790-0111 Image Asphalt Maintenance, Inc.
13-0789-1111 Gray & Son, Inc.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Nancy Noonan (410) 767-3796
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BPW – 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION:

ITEM: 5-C-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-1076-0540
 Bush Bus Division, Building #2 – Heating
 & Ventilation Replacement
 Baltimore City
 ADPICS NO. CO293653

ORIGINAL CONTRACT APPROVED: Item 3-C, DOT Agenda 07/22/09

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MODIFICATION: Change Order No. 001 is for the Settlement of Claims and Final Bid Quantity Adjustments. The estimated quantities are adjusted to reflect actual quantities used in the contract.

CONTRACTOR: Towson Mechanical, Inc.
 Timonium, MD

AMOUNT: (\$9,481) CREDIT

ORIGINAL CONTRACT AMOUNT: \$1,166,975

REVISED CONTRACT AMOUNT: \$1,157,494

PERCENTAGE DECREASE: -0.81% (Modification No. 1)

TERM: 240 Calendar Days from NTP (original)

DBE PARTICIPATION: 35% (DBE Compliance 39.76%)

REMARKS: This project consists of the following work at the MTA Bush St. Bus Division, located at 1515 Washington Blvd., Baltimore Maryland: (1) Installation of new heating and ventilation in Bus Maintenance Building 2; (2) Connection of the steam heating equipment to the existing low pressure steam piping and condensate return; and (3) Removal of the existing heating and ventilation system.

The work also included all necessary material, labor, tools, equipment, supervision, mobilization, demobilization, demolition, hauling, proper disposal, testing, and other considerations required for the completion of the Contract.

ITEM: 5-C-MOD

BPW - 03/20/13

BPW Advisory No. 1995-1 states, "A contract modification that changes a cost component of a contract by more than \$50,000 must be submitted to the Board on an Action Agenda for approval, even if the overall modification is less than \$50,000." The cost component for "Miscellaneous Work Allowance" was decreased by \$71,335 and \$85,000 was added for claims settlement.

FUND SOURCE:

80% Federal Funds Budgeted to MTA
20% Special Funds Budgeted to MTA

APPROPRIATION CODE:

J05H0105

RESIDENT BUSINESS:

Yes

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

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$1,166,975	240 CD	07/22/09	
Modification #1	(\$9,481)			
Revised Amount	\$1,157,494			
Final settlement of claims				

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BPW - 03/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 6-AE

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 513804
 Dredging Engineering Consulting Services
 Various Locations
 ADPICS NO: P513804

CONTRACT DESCRIPTION: The purpose of this contract is to provide dredging engineering consulting services to support the State of Maryland's Dredged Material Management Program.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on February 7, 2013.

AWARD: Gahagan & Bryant Associates, Inc.
 Baltimore, MD

AMOUNT: \$6,000,000

TERM: 4/1/13 – 7/31/18

PROPOSALS:

	<u>Technical Proposal Rating (Max 1,800)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Gahagan & Bryant Associates, Inc. Baltimore, MD	1,641	1	\$6,000,000
Waterways Surveys & Engineering, Ltd. Virginia Beach, VA	1,424	2	N/A

MBE PARTICIPATION: 15%

REMARKS: The Solicitation was advertised in The Daily Record and SHA web page. Two (2) engineering consultant firms submitted technical proposals for this project; one of which is a Maryland firm.

ITEM: 6-AE (Continued)

BPW - 03/20/13

The Consultant shall furnish all necessary labor, supervision, materials and equipment to provide the MPA with professional dredging, dredged material placement site and site operations engineering services. The Consultant services may include but are not limited to determination of the feasibility of creating wetlands and upland habitat using dredged material; comparison of alternative placement sites and preparation of recommendations for a priority development and evaluations and recommendations regarding dredging methods and operating procedures to be used; preparation of conceptual designs, operations plans and construction documents; providing detailed costs for construction, operations and maintenance for selected placement sites; hydrographic and topographic surveys and soil sampling and testing related to dredged material placement and filling operations; compilation of base soil maps; development of geotechnical reports for each site to assist the MPA in determining whether or not any investigated site will support construction of a dredged material placement facility.

The Consultant will advise the MPA of what kind of construction facility is most appropriate and whether or not MPA should proceed with feasibility and design studies; take soil and sediment borings at each site, borings may be needed at both land and sea site locations; identification of borrow sources and develop geotechnical reports for each site to assist the MPA in determining whether or not any investigated site will support construction of a dredged material placement facility.

The actual contract term is 4/1/13 - 3/31/18, however 4 months has been added to the contract term to allow time for final invoicing and closeouts.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	29.04.02
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	13-0040-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW -- 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 7-AE

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 513805
 Coastal Engineering Consulting Services
 Various Locations
 ADPICS NO: P513805

CONTRACT DESCRIPTION: The purpose of this contract is to provide coastal engineering consulting services to support the State of Maryland's Dredged Material Management Program.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on February 7, 2013.

AWARD: Moffatt & Nichol
 Baltimore, MD

AMOUNT: \$4,800,000

TERM: 4/1/13 – 7/31/18

PROPOSALS:

	Technical Proposal Rating (Max 1,800)	Technical Ranking	NTE Price
Moffatt & Nichol Baltimore, MD	1,743	1	\$4,800,000
Anchor QEA, LLC Columbia, MD	1,527	2	N/A

MBE PARTICIPATION: 15%

REMARKS: The Solicitation was advertised in The Daily Record and SHA web page. A total two (2) engineering consultant firms submitted technical proposals for this project; both were Maryland firms.

The purpose of this contract is to provide coastal engineering consulting services to support the State of Maryland's Dredged Material Management Program. The Consultant shall furnish all necessary labor, supervision, materials and equipment to provide the MPA with professional coastal engineering services.

ITEM: 7-AE (Continued)

BPW – 03/20/13

The Consultant services may include but are not limited to: compilation of coastal data for wind, tides, currents, storm propagated and ship generated waves; determination of sediment deposition rates of shoaling, hydrodynamic characterization, compilation of wave analysis including wave heights, frequency, periods, run up and overtopping; determination of erosion and sediment control measures, protection for existing and proposed wetland areas; development of designs, plans and specifications for shoreline protection devices such as breakwaters, jetties and protected dike embankments, relative to various containment facilities.

The Consultant will also perform hydrodynamic modeling and the development of coastal studies reports for each site; determination of parameters for habitat development (including the need for beach nourishment, shoreline stabilization and erosion control). The Consultant will be also involved in compilation of base soil maps; development of geotechnical reports for each site to assist the MPA in determining whether or not any investigated site will support construction of a dredged material placement facility; takes soil and sediment borings at each site, borings may be needed at both land and sea site locations.

The actual contract term is 4/1/13 – 3/31/18, however 4 months has been added to the contract term to allow time for final invoicing and closeouts.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	29.04.02
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	13-0041-0111

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

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

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BPW -- 03/20/13

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 8-AE

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 513806
 Environmental Engineering Consulting Services
 Various Locations
 ADPICS NO: P513806

CONTRACT DESCRIPTION: The purpose of this contract is to provide environmental engineering consulting services to support the State of Maryland's Dredged Material Management Program.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on February 7, 2013.

AWARD: EA Engineering, Science and Technology, Inc.
 Hunt Valley, MD

AMOUNT: \$4,200,000

TERM: 4/1/13 – 7/31/18

PROPOSALS:

	<u>Technical Proposal Rating (Max 1,800)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
EA Engineering, Science & Technology, Inc. Hunt Valley, MD	1,570	1	\$4,200,000
Cardno TEC Annapolis, MD	1,351	2	N/A
Johnson, Mirmian & Thompson / Bay Land A Joint Venture Sparks, MD	1,345	3	N/A

MBE PARTICIPATION: 15%

ITEM:

8-AE (Continued)

BPW – 03/20/13

REMARKS: The Solicitation was advertised in The Daily Record and SHA web page. A total of three (3) engineering consultant firms submitted technical proposals for this project, all were Maryland firms.

The purpose of this contract is to provide environmental engineering consulting services to support the State of Maryland's Dredged Material Management Program. The Consultant shall furnish all necessary labor, supervision, materials and equipment to provide the MPA with professional environmental engineering services.

The Consultant services may include but are not limited to: development of an environmental assessment of potential dredged material placement sites; defining environmental effects of proposed construction for site selection and operation of aquatic and/or upland sites for placement of dredged material; and determination of the environmental suitability of selected sites, options, methodologies for continuing evaluation for placement of dredged material.

The Consultant also determines environmental parameters for habitat development (for example, aquatic resources, including migrating and nesting use by water-birds, waterfowl and other groups); and develops environmental reports for the dredged material placement sites to assist the MPA in determining whether or not any investigated site will be suitable construction of a dredged material placement facility.

The Consultant will advise the MPA of what kind of construction facility is most appropriate from an environmental stand-point and whether or not MPA should proceed with feasibility and design studies. The Consultant might be required to take soil and sediment borings at each site, borings may be needed at both land and sea site locations.

The actual contract term is 4/1/13 – 3/31/18, however 4 months has been added to the contract term to allow time for final invoicing and closeouts.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	29.04.02
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	13-0042-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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BPW – 03/20/13
 (revised)

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION:

(Architectural/Engineering)

ITEM: 9-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT ID:

BCS 2007-20 A, B, C, D, E, F, G & H
 Hydraulic and Hydrology Engineering Services
 Various Locations
 ADPICS NOS.: CO294396; CO294397
 CO294398, CO294399, CO294400, CO294401;
 CO294402 & CO294403

ORIGINAL CONTRACT APPROVED:

Item 3-AE, DOT Agenda 4/15/09 (Contracts A – F & H)
 Item 9-AE, DOT Agenda 5/20/09 (Contract G)

ORIGINAL PROCURMENT METHOD:

**Maryland Architectural and Engineering Services
Act**

MODIFICATION: Modification No. 1 adds additional contract authority and one (1) year to each contract.

CONTRACTORS:

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

A. Morton Thomas and Associates/
 HNTB Corporation (Contract B)
 Rockville, MD

Century Engineering, Inc./
 URS Corporation (Contract C)
 Hunt Valley, MD

KCI Technologies, Inc. (Contract D)
 Sparks, MD

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

Dewberry & Davis/
 Whitney, Bailey, Cox & Magnani, LLC (Contract F)
 Baltimore, MD

McCormick Taylor, Inc./AECOM (Contract G)
 Baltimore, MD

Wallace, Montgomery & Associates, LLP/ (Contract H)
 Whitman, Requardt and Associates, LLP
 Towson, MD

ITEM: 9-AE-MOD (Continued)

BPW – 03/20/13
(revised)

TERM:

Contracts A – F and H
04/15/2009-04/01/2013 (Original)
04/02/2013-04/01/2014 (Modification No. 1)

Contract G
05/20/2009-05/01/2013 (Original)
05/02/2013-05/01/2014 (Modification No.1)

AMOUNT: \$750,000 each (\$6,000,000 Grand Total)

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

REVISED CONTRACT AMOUNT: \$2,750,000 each

PERCENTAGE INCREASE: 37.5% each

DBE PARTICIPATION: 25% (DBE Compliance 29.84%) (Contract A)
25% (DBE Compliance 25.43%) (Contract B)
25% (DBE Compliance 25.02%) (Contract C)
25% (DBE Compliance 25.48%) (Contract D)
25% (DBE Compliance 26.97%) (Contract E)
25% (DBE Compliance 28.62%) (Contract F)
25% (DBE Compliance 18.08%) (Contract G)
25% (DBE Compliance 20.41%) (Contract H)

REMARKS: The requested additional contract authority and time is needed to allow for tasks to be continued until new contracts can be procured. The replacement contracts are in the final stages of procurement and should be awarded by December of 2013.

FUND SOURCE: Federal and Special Transportation Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

(revised)

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

CONTRACT B

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

(revised)

ATTACHMENT I (cont'd)

CONTRACT D

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

CONTRACT E

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

CONTRACT F

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

CONTRACT G

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	05/20/09 – 05/01/13	05/20/09	
Modification No. 1	\$ 750,000	05/02/13 – 05/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

(revised)**ATTACHMENT I CONT'D****CONTRACT H**

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$2,000,000	04/15/09 – 04/01/13	04/15/09	
Modification No. 1	\$ 750,000	04/02/13 – 04/01/14	03/20/13	To add time and additional contract authority until new procurement
Revised Amount	\$2,750,000			

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BPW – 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 10-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2008-01 A, B & C
 Cartographic & GIS Services
 Various Locations
 ADPICS NOS.: CO294406; CO294407
 & CO294408

ORIGINAL CONTRACT APPROVED: Contracts A - C
 Item 5-AE, DOT Agenda 03/18/09

ORIGINAL PROCUREMENT METHOD: Maryland Architectural and Engineering Services
 Act

MODIFICATION: Modification No. 2 adds an additional six (6) months to each contract.

CONTRACTORS:

Whitney, Bailey, Cox & Magnani, LLC (Contract A)
 Baltimore, MD

KCI Technologies, Inc. (Contract B)
 Sparks, MD

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

TERM:

Contracts A- C
 03/18/09 – 03/01/13 (Original)
 03/02/13 – 05/01/13 (Modification No.1)
 05/02/13 – 11/01/13 (Modification No. 2)

AMOUNT: \$0 (Contracts A – C)

ORIGINAL CONTRACT AMOUNT: \$5,000,000 each

REVISED CONTRACT AMOUNT: \$5,000,000 each

PERCENTAGE INCREASE: 0%

DBE PARTICIPATION: 25% (DBE Compliance 30.46%) (Contract A)
 25% (DBE Compliance 21.07%) (Contract B)
 25% (DBE Compliance 19.22%) (Contract C)

ITEM: 10-AE-MOD (Continued)**BPW – 03/20/13**

REMARKS: Modification No. 1 was a sixty (60) day bridge extension to the contract to be able to get this modification to the Board. The requested additional time is needed to allow for tasks to be continued until new contracts can be procured. The replacement contracts are in the final stages of procurement and should have notice to proceed by May 2013.

FUND SOURCE: Federal and Special Transportation Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101

RESIDENT BUSINESS: Yes

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

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION****145**

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$5,000,000	03/18/09 – 03/01/13	03/18/09	
Modification No. 1		03/02/13 – 05/01/13	02/28/13	Bridge Extension
Modification No. 2		05/02/13 – 11/01/13	03/20/13	To add time until new procurement

CONTRACT B

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$5,000,000	03/18/09 – 03/01/13	03/18/09	
Modification No. 1		03/02/13 – 05/01/13	02/28/13	Bridge Extension
Modification No. 2		05/02/13 – 11/01/13	03/20/13	To add time until new procurement

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$5,000,000	03/18/09 – 03/01/13	03/18/09	
Modification No. 1		03/02/13 – 05/01/13	02/28/13	Bridge Extension
Modification No. 2		05/02/13 – 11/01/13	03/20/13	To add time until new procurement

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

BPW - 03/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY DISPOSITION

ITEM: 11-RP MMC# 11-3011

MARYLAND AVIATION ADMINISTRATION: Located at 7178 & 7180 Ridge Road,
Hanover Maryland 21076
Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to dispose of property, as described, which is excess to the needs of the Maryland Aviation Administration (MAA).

The property to be conveyed consists of 1.67± acres of unimproved property and is being conveyed to the Grantee at the current fair market value as established by two independent appraisals and sold at a public auction held on November 29, 2012. The subject properties were acquired in 1989 through the Federal Aviation Regulation Part 150 Voluntary Acquisition Program for Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall). This program provided eighty percent (80%) of the funding to purchase residential properties which were impacted by aircraft noise but were the zoned commercial or industrial.

SPECIAL CONDITIONS: The fair market value of the property was subject to approval by the Federal Aviation Administration (FAA). An amount equal to eighty percent (80%) of the appraised value is due to the FAA as reimbursement. The FAA's portion of the disposal proceeds will be placed in escrow and will be eligible for other airport noise compatibility projects, or returned to the Airport Improvement Program Trust Fund. The property is being sold subject to an aviation easement to the benefit of the State for the right of flight for the passage of aircraft in the airspace above the premises hereby conveyed.

STATE CLEARING HOUSE: The Clearinghouse conducted an intergovernmental review of the property under MD20120420-0271 and has recommended to declare ± 1.67 acres of land surplus to the State of Maryland.

LEGISLATIVE NOTICE: Notice to Senate Budget and Taxation Committee and the House Appropriations Committee was sent on June 21, 2012 in accordance with Section 10-305 of the State Finance and Procurement Article. The 45 day review period expired on August 6, 2012.

GRANTOR: State of Maryland, Maryland Aviation
Administration

GRANTEE: Francis E. Gardiner III, t/a Gar Mor
Properties, LLC

CONSIDERATION: \$378,000

ITEM: 11-RP (Continued)

BPW – 03/20/13

APPRAISED VALUE:

\$471,700 as of August 15, 2012, by Melville Peters, Associated Appraisers, fee appraiser; approved and selected.

\$417,500 as of July 13, 2012, by Stephen Muller, Muller-Casella Associates, fee appraiser; approved.

Review Appraiser, William Caffrey, September 20, 2012.

REMARKS: Approval of conveyance is requested in accordance with the Section 10-305 of the State Finance and Procurement Article, Annotated Code of Maryland. MAA issued a request to declare the property excess as Item 15-RP on November 14, 2012. The request was approved. The property has an appraised value of \$471,700. The auction was held on November 29, 2012 and had one active bidder. The bidding stopped at \$300,000 at which time it was announced that the minimum acceptable offer was \$378,000. The bidder, Mr. Francis Gardiner III, raised his bid to \$378,000 and was the high bidder.

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

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

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

BPW – 03/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY DISPOSITION

ITEM: 12-RP MMC# 11-3012

MARYLAND AVIATION ADMINISTRATION: Located at 7190, 7192 & 7194 Ridge Road,
Hanover Maryland 21076
Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to dispose of property, as described, which is excess to the needs of the Maryland Aviation Administration (MAA).

The property to be conveyed consists of 1.24± acres of unimproved property and is being conveyed to the Grantee at the current fair market value as established by two independent appraisals and sold at a public auction held on November 29, 2012. The subject properties were acquired in 1991 and 1995 through the Federal Aviation Regulation Part 150 Voluntary Acquisition Program for Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall). This program provided eighty percent (80%) of the funding to purchase residential properties which were impacted by aircraft noise but were the zoned commercial or industrial.

SPECIAL CONDITIONS: The fair market value of the property was subject to approval by the Federal Aviation Administration (FAA). An amount equal to eighty percent (80%) of the appraised value is due to the FAA as reimbursement. The FAA's portion of the disposal proceeds will be placed in escrow and will be eligible for other airport noise compatibility projects, or returned to the Airport Improvement Program Trust Fund. The property is being sold subject to an aviation easement to the benefit of the State for the right of flight for the passage of aircraft in the airspace above the premises hereby conveyed.

STATE CLEARING HOUSE: The Clearinghouse conducted an intergovernmental review of the property under MD20120420-0272 and has recommended to declare ± 1.24 acres of land surplus to the State of Maryland.

LEGISLATIVE NOTICE: Notice to Senate Budget and Taxation Committee and the House Appropriations Committee was sent on June 21, 2012 in accordance with Section 10-305 of the State Finance and Procurement Article. The 45 day review period expired on August 6, 2012.

GRANTOR: State of Maryland, Maryland Aviation Administration

GRANTEE: Francis E. Gardiner III, t/a Gar Mor Properties, LLC

CONSIDERATION: \$303,000

ITEM: 12-RP (Continued)

BPW – 03/20/13

APPRAISED VALUE:

\$378,100 as of August 15, 2012, by Melville Peters, Associated Appraisers, fee appraiser; approved and selected.

\$341,100 as of July 13, 2012, by Stephen Muller, Muller-Casella Associates, fee appraiser; approved.

Review Appraiser, William Caffrey,
September 18, 2012.

REMARKS: Approval of conveyance is requested in accordance with the Section 10-305 of the State Finance and Procurement Article, Annotated Code of Maryland. MAA issued a request to declare the property excess as Item 16-RP on November 14, 2012. The request was approved. The property has an appraised value of \$378,100. The auction was held on November 29, 2012 and had two active bidders. The bidding stopped at \$200,000 at which time it was announced that the minimum acceptable offer was \$303,000. One bidder, Mr. Francis Gardiner III, raised his bid to \$303,000 and was the high bidder.

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

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

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

BPW – 03/20/13

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY DISPOSITION

ITEM: 13-RP MMC# 12-3022

MARYLAND AVIATION ADMINISTRATION: Located at 1347 Hanover Road, Hanover
Maryland 21076
Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to dispose of a parcel of land, as described, which is excess to the needs of the Maryland Aviation Administration (MAA).

The property to be conveyed consists of 1.00± acres of unimproved property and is being conveyed to the Grantee at the current fair market value as established by two independent appraisals and sold at a public auction held on December 20, 2012. The subject property was acquired in 1997 through the Federal Aviation Regulation Part 150 Voluntary Acquisition Program for Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall). This program provided eighty percent (80%) of the funding to purchase residential properties which were impacted by aircraft noise but were the zoned commercial or industrial.

SPECIAL CONDITIONS: The fair market value of the property was subject to approval by the Federal Aviation Administration (FAA). An amount equal to eighty percent (80%) of the appraised value is due to the FAA as reimbursement. The FAA's portion of the disposal proceeds will be placed in escrow and will be eligible for other airport noise compatibility projects, or returned to the Airport Improvement Program Trust Fund. The property is being sold subject to an aviation easement to the benefit of the State for the right of flight for the passage of aircraft in the airspace above the premises hereby conveyed.

STATE CLEARING HOUSE: The Clearinghouse conducted an intergovernmental review of the property under MD20120918-0673 and has recommended to declare ± 1.00 acres of land surplus to the State of Maryland.

LEGISLATIVE NOTICE: Notice to Senate Budget and Taxation Committee and the House Appropriations Committee was sent on September 25, 2012 in accordance with Section 10-305 of the State Finance and Procurement Article. The 45 day review period expired on November 9, 2012.

GRANTOR: State of Maryland, Maryland Aviation
Administration

GRANTEE: David Scheffenacker, t/a Preston -
Scheffenacker Properties

CONSIDERATION: \$180,000

ITEM: 13-RP (Continued)

BPW - 03/20/13

APPRAISED VALUE:

\$220,000 as of November 8, 2012, by
George Peabody, Peabody Associated, LLC
Appraisers, fee appraiser; approved.

\$225,000 as of October 19, 2012, by
Stephen Muller, Muller-Casella Associates,
fee appraiser; approved and selected.

Review Appraiser, William Caffrey,
December 4, 2012.

REMARKS: Approval of conveyance is requested in accordance with the Section 10-305 of the State Finance and Procurement Article, Annotated Code of Maryland. MAA issued a request to declare the property excess as Item 13-RP on December 5, 2012. The request was approved. The property has an appraised value of \$225,000. The auction was held on December 20, 2012 and had one active bidder. The bidding stopped at \$100,000 at which time it was announced that the minimum acceptable offer was \$180,000. The bidder, Mr. David Scheffenacker, raised his bid to \$180,000 and was the high bidder.

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

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION****152**

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

BPW -- 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY LEASE AMENDMENT

ITEM: 14-RP

MARYLAND TRANSIT ADMINISTRATION: Second Amendment to Easement Agreement
 (Baltimore Penn Station Light Rail)

EXPLANATION: The Maryland Transit Administration (MTA) and the National Railroad Passenger Corporation (Amtrak) have agreed to amend the existing Easement Agreement and First Amendment to Easement Agreement for the Penn Line Light Rail Station at Penn Station in Baltimore City, Maryland. This Second Amendment will allow MTA to install, maintain and repair all improvements related to MTA's passenger information system, PA/LED and closed circuit television systems.

GRANTOR: National Railroad Passenger Corporation (Amtrak)

GRANTEE: Maryland Transit Administration

CONSIDERATION: \$0.00

SPECIAL CONDITIONS: N/A

REMARKS: MTA and Amtrak entered into an Easement Agreement dated October 30, 1996 granting MTA an easement to support a new light rail station along the Penn Line. On March 11, 1998, MTA and Amtrak entered into a First Amendment to Easement Agreement for additional rights. There is no monetary consideration for the use of this property and MTA will receive the benefit of being able to use this area for the installation and operation of the PA/LED and CCTV systems.

Board of Public Works approval is requested for this Second Amendment to Easement Agreement.

This Item was previously submitted and withdrawn as Item 19-RP on the 2/20/13 DOT Agenda.

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

APPROVED

DISSAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

153

George E. Fabula, Jr. 410-767-3908
GFabula@mta.maryland.gov

BPW -- 03/20/13

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY LEASE AMENDMENT

ITEM: 15-RP

MARYLAND TRANSIT ADMINISTRATION: Second Amendment to Lease Agreement
(Perryville, Aberdeen, Edgewood, Glenn L. Martin,
BWI, New Carrollton MARC Stations)

EXPLANATION: The Maryland Transit Administration (MTA) and the National Railroad Passenger Corporation (Amtrak) have agreed to amend the existing Lease Agreement and First Amendment to Lease Agreement for the passenger rail lines to include the Baltimore-Washington International (BWI) and New Carrollton MARC Station. The purpose of the Second Amendment will allow MTA to install, maintain, and repair MTA's planned closed circuit television system.

LESSOR: National Railroad Passenger Corporation (Amtrak)

LESSEE: Maryland Transit Administration

CONSIDERATION: \$0.00

SPECIAL CONDITIONS: N/A

REMARKS: MTA and Amtrak entered into a Lease Agreement dated April 4, 1991, as amended by a First Amendment and approved by the Maryland Board of Public Works on February 22, 2012, as Item 2-RP-MOD. The First Amendment granted MTA certain expanded rights at Perryville, Aberdeen, Edgewood and Glen L. Martin to support two capital projects. The Second Amendment to the Lease Agreement will provide the same rights at New Carrollton and the BWI MARC Stations to support MTA's project for closed circuit televisions to continue to support MARC services along the Penn Line. There is no monetary consideration for the use of these properties and MTA will receive the benefit of being able to use these areas for the installation and operation of the CCTV systems.

Board of Public Works approval is requested for this Second Amendment to Lease Agreement.

This Item was previously submitted and withdrawn as Item 18-RP on the 2/20/13 DOT Agenda.

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

APPROVED

DISSAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

154

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C

DEPARTMENT OF NATURAL RESOURCES Sandy Point State Park
 Annapolis, MD
 (Anne Arundel County)

CONTRACT NO. AND TITLE Project No. P-021-070-010;
 Replacement of Timber Bulkhead
 ADPICS NO. 001B3400401

DESCRIPTION Approval for a contract for the replacement
 of deteriorating timber bulkhead, connection of existing utilities, docks, piers, gangways,
 boardwalks, as parts of new bulkhead construction located at Sandy Point State Park.

PROCUREMENT METHOD Competitive Sealed Bids

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
John H. Norris & Sons, Inc., Crownsville, MD	\$2,996,400.00
Cianbro Corporation, Baltimore, MD	\$3,047,550.00
Edwin A. and John O. Crandell, Inc., West River, MD	\$3,286,880.00

AWARD John H. Norris & Sons, Inc.
 Crownsville, MD

AMOUNT \$2,996,400.00

TERM 300 Calendar Days

MBE PARTICIPATION 25% (7% African American, 14% Women
 owned, and 4% Asian American-owned)

REMARKS A notice of availability of an Invitation for
 Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. A
 total of three bids were received. The low bidder, John H. Norris & Sons confirmed its bid. The
 MBE goal of 25% for this project was achieved.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C (Cont.)

The Department of Budget and Management (DBM) and DGS have recommended an allocation of \$386,112.00 from the Construction Contingency Fund for the replacement of the Timber Bulkhead at Sandy Point State Park.

In accordance with the *State Finance and Procurement Article, Section 3-609, subsection (g)*, the Budget Committees have been notified of this recommendation and they concur with the recommendation. The Government estimate was \$2,150,000.00.

FUND SOURCE

\$2,610,288.00 MCCBL 2012/Item 058
 (DNR Waterway Improvement Fund)
 \$ 386,122.00 MCCBL 2007/Item 036
 (Construction Contingency Fund)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

13-0633-0111

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 2-C-MOD

DEPARTMENT OF NATURAL RESOURCES Janes Island State Park
 Somerset County, MD

CONTRACT NO. AND TITLE Project No: P-057-120-010;
 Overlay Camp Loop and Cabin Access Road
 ADPICS NO. COE78114

ORIGINAL CONTRACT APPROVED 3/21/2012 DGS/BPW Item 3-GM

CONTRACTOR American Paving Corporation
 Salisbury, MD

CONTRACT DESCRIPTION This project requires the contractor to
 provide all materials, equipment, supplies, etc., to resurface the Camp Loop and Cabin Access
 Roads at Janes Island State Park in Somerset County.

MODIFICATION DESCRIPTION As bid, the existing parking lot was to be
 patched and overlaid with a 2" surface course of new asphalt. During the two years that ensued
 between the completion of the design and the start of construction, the deterioration had
 progressed to the point where patching and overlaying was no longer viable.

Instead, the existing asphalt was milled (CO # 2) which allowed the removal of root mass which
 had been undermining the existing asphalt.

Under Change Order #3, the Unit Price quantities are being reconciled to reflect the quantities
 for the modified scope.

Unit Price #1 for surface course was reduced in depth, given the stronger base beneath it.
 Reduce by 245 tons @ \$85.18 per ton = (\$20,869.10)

Unit Price #2 is being expanded in order to provide a 3" Base Course across the entire lot.
 Increase by 1008 tons @ \$87.32 per ton = \$88,018.56

Unit Price #3 for patching was eliminated and is credited back to the State.
 Reduce by 800 Sq. Yards @ \$75.77 per SY = (\$60,616.00)

Unit Price #4 for CR-6 (Stone) was expanded to create transitions for the raised lot.
 Increase by 376 tons @ \$49.17 per ton = \$18,487.92

TERM OF ORIGINAL CONTRACT 60 Calendar Days

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 2-C-MOD (Cont.)

<u>TERM OF MODIFICATION</u>	60 Calendar Days
<u>AMOUNT OF ORIGINAL CONTRACT</u>	\$193,142.00
<u>AMOUNT OF MODIFICATION</u>	\$25,021.38
<u>PRIOR MODIFICATIONS/OPTIONS</u>	\$32,575.15
<u>REVISED TOTAL CONTRACT AMOUNT</u>	\$250,738.53
<u>PERCENT +/- (THIS MODIFICATION)</u>	12.95%
<u>OVERALL PERCENT +/-</u>	29.82%
<u>ORIGINAL PROCUREMENT METHOD</u>	Competitive Sealed Bids
<u>ORIGINAL MBE PARTICIPATION</u>	15%
<u>MBE COMPLIANCE</u>	0%
<u>REMARKS</u>	Contract time will be unchanged. This Change Order is being issued to reconcile Unit Price Items that were included in contract documents.
<u>FUND SOURCE</u>	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.)
<u>RESIDENT BUSINESS</u>	Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF GENERAL SERVICES

John R. Hargreaves District Court/Multi-
Service Center (DCMSC)
Denton, MD

CONTRACT NO. AND TITLE

Project No. MDDGS31006222;
Unarmed Uniformed Guard Services
ADPICS NO. 001B3400406

DESCRIPTION

unarmed uniformed guard service for the John R. Hargreaves District Court/Multi-Service Center, Denton, MD.

Approval requested for a contract to provide

PROCUREMENT METHOD

Competitive Sealed Bids
(Small Business Reserve)

BIDS OR PROPOSALS

Bennett Detective and Protective Agency,
Dover, DE
BTI Security, Silver Spring, MD
National Security & Investigations, LLC
Dunkirk, MD

\$306,487.20

\$316,559.04

\$343,896.00

AWARD

Bennett Detective and Protective Agency
Dover, DE
(SBR #SB12-4511)

TERM

4/1/2013 – 3/31/2016

AMOUNT

\$306,487.20 (3 years)

MBE PARTICIPATION

5%

PERFORMANCE BOND

N/A

HIRING AGREEMENT ELIGIBLE

No

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 3-M (Cont.)**REMARKS**

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. with a 5% Minority Business Enterprise goal and Small Business Reserve. Three bids were received for the bid opening on January 22, 2013.

The contractor shall provide a security management plan and furnish all labor, supplies, and equipment necessary to provide unarmed uniformed guard services, 24 per day, 7 days a week, 365 day a year at the John R. Hargreaves District Court/Multi-Service Center.

The recommended awardee, Bennett Detective and Protective Agency, is the incumbent, and has confirmed its bid price and is a DGS a certified SBR vendor.

FUND SOURCE

DGS Operating Funds
H00 33491 0823

RESIDENT BUSINESS:

Yes

TAX COMPLIANCE NO:

13-0630-1111

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

George M. Taylor District Court/ Multi
Service Center (DCMSC)
Glen Burnie, MD

CONTRACT NO. AND TITLE

Project No. MDDGS31005921;
Unarmed Uniformed Guard Services
ADPICS NO. 001B3400334

DESCRIPTION

Approval is requested for a contract to
provide unarmed uniformed guard services at the George M. Taylor District Court Multi-Service
Center, located at Glen Burnie, MD.

PROCUREMENT METHOD

Competitive Sealed Bids
(Small Business Reserve)

BIDS OR PROPOSALS

Graham Security Services, Glen Burnie,, MD	<u>AMOUNT</u>
Stronghold Security, LLC Columbia, MD	\$404,466.96
BTI Security, Silver Spring, MD	\$427,038.24
Proactive Special Security Services, Rockville, MD	\$434,154.00
All American MD, LLC California, MD	\$436,127.52
	\$502,016.40

AWARD

Graham Security Services
Glen Burnie, MD
(SBR# SB12-301)

TERM

4/1/2013-3/31/2016

AMOUNT

\$404,466.96 (3 years)

MBE PARTICIPATION

10%

PERFORMANCE BOND

Yes

HIRING AGREEMENT ELIGIBLE

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. This solicitation was advertised as Small Business Reserve Procurement. Five (5) bids were received for the bid opening on December 19, 2012.

The recommended awardee, Graham Security Services has confirmed its bid price and the agency has approved the funds; Graham Security Services is the current vendor at this facility.

FUND SOURCE

DGS Operating Funds

H00 13 33531 0823 \$33,705.58

H00 14 33531 0823 \$134,822.33

H00 15 33531 0823 \$134,822.33

H00 16 33531 0823 \$101,116.72

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

13-0679-1111

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 5-M

DEPARTMENT OF GENERAL SERVICES

Essex/Rosedale District Court/Multi-Service
Center (DCMSC)
Baltimore, MD

CONTRACT NO. AND TITLE

Unarmed Uniformed Guard Services;
ADPICS NO. 001B3400388

DESCRIPTION

Approval is requested for a contract to
provide security guard services at the Essex/Rosedale District Court/Multi-Service Center, 8914
Kelso Drive, Baltimore, MD.

PROCUREMENT METHOD

Competitive Sealed Bids
(Small Business Reserve)

BIDS OR PROPOSALS

BTI Security, Silver Spring, MD
Defensor Security, LLC Alexandria, VA
Baltimore Security Consultants LLC
dba/Signal 88 Security, Baltimore, MD

AMOUNT

\$343,937.60
\$352,028.00
\$396,912.00

AWARD

BTI Security
Silver Spring, MD
(SBR# SB11-3610)

TERM

4/1/2013-3/31/2016

AMOUNT

\$343,937.60 (3 Years)

MBE PARTICIPATION

2%

HIRING AGREEMENT ELIGIBLE

Yes

PERFORMANCE BOND

Yes

REMARKS

A notice of availability of an Invitation for
Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. The
recommended Contractor, BTI Security has been found responsive and responsible.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

The contractor has confirmed its bid. The recommended awardee is a DGS certified Small Business Reserve provider.

The Contractor shall develop and maintain a security management plan and furnish all labor, supplies and equipment necessary to provide the uniformed guard service for Essex/Rosedale

District Court and Multi-Service Center at 8914 Kelso Drive, Baltimore, MD 21221, in strict conformance with the methods and conditions specified in these detailed specifications. The work under this contract will cover all Security Tasks on a daily, weekly and monthly basis.

The specifications require a minimum of two (2) unarmed security guards Monday through Friday, except holidays, and three (3) unarmed security guards Saturdays, Sundays and State Holidays.

FUND SOURCE

HOO 33521 0823

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO

13-0142-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

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 \$65,799.00 (1 item).

Department of Health and Mental Hygiene

Holly Center
Salisbury, MD 21804

DESCRIPTION

Approval for a contract to provide all labor, equipment, tools, materials, supplies, submittals, permits from independent electrical testing, necessary to install two (2) Curtis Engines 50 kw, 120/208 acv 3-phase, 60 hz. Diesel, 1800 rpm Generator with ATS and fuel tank for the 500-600 and Health Service Buildings.

REMARKS

The Procurement Officer has evaluated the bid documents and has determined that the contractor Seaside has submitted the lowest bid.

CONTRACT NO. AND TITLE

Project No. MR-000-130-001;
Replacement of Emergency Generator

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

Seaside Electric, Inc.
Berlin, MD

AMOUNT

\$65,799.00

TERM

180 Days from Notice To Proceed

MBE PARTICIPATION

10%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS**ITEM** 6-GM**FUND SOURCE**

MCCBL 2012 Item 007 (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 changes in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$66,789.00 (2 items).

Department of Natural Resources

The fund sources for this particular item will be designated as:
MCCBL 2012/Item 013 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public use facilities on State-Owned property).

A. Rocky Gap State Park
 Flintstone, Allegany County

DESCRIPTION

Approval for a contract to provide plumbing and retro fit services to the Forestry Office at Rocky Gap State Park.

REMARKS

Work includes: install, extend and connect new PVC waste piping system to 5 ft, outside of building foundation, w/clean-out & tie-in to existing waste line. Provide, install & extend existing water supply line from new Well Storage Tank (approx. 40-60 gal., hydro pneumatic) to new electric hot water heater, kitchen sink, two (2) lavatory sinks and two(2) toilets. Install 2 ADA compliant toilets w/seats and sinks. Provide and install HVAC system with piping and controls to heat, cool and properly match and size horizontal gas furnace, supply and return air ducting and filter.

CONTRACT NO. & TITLE

Project No. P-059-130-110;
Plumbing & HVAC Retrofit Forestry Office

PROCUREMENT METHOD

Small Procurement

AWARD

J.M. Kudrick & Sons
Cumberland, MD

AMOUNT

\$46,775.00

GENERAL MISCELLANEOUS

FUND SOURCE

MCCBL 2012 Item 013

DESCRIPTION

<u>DESCRIPTION</u>	Approval for a contract for electrical retrofit services at the Forestry Office at Rocky Gap State Park.
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REMARKS Included in this work is: remove existing electrical wiring, devices, fixtures, etc., and install new electrical wiring, data cables, devices, and fixtures. Relocate existing building breaker panel to the Conference Room exterior wall and a second breaker panel for future use in the pole barn.

CONTRACT NO. & TITLE

**Project No. P-059-130-210;
Electrical Retrofit - Forestry Office**

PROCUREMENT METHOD

Small Procurement

AWARD

BYCO Enterprises, Inc.
Grantsville, MD

AMOUNT

\$20,014.00

FUND SOURCE

MCCBL 2012 Item 013

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

Capital Projects Unencumbered Balances

DESCRIPTION

In accordance with *State Finance and Procurement Article, Section 8-129, Annotated Code of Maryland*, Board of Public Works approval is requested for the transfer of unencumbered balances for funds associated with completed Capital Projects.

The Department of General Services and Department of Budget and Management (Office of Capital Budgeting) have reviewed the unencumbered balances and recommend approval of the following actions:

Transfer spending authority to the Construction Contingency Fund of \$230,613.13, transfer of cash to the General Fund \$25,419.50 and cancel Federal Funds \$2,500,000.00. An itemized listing of completed projects is provided below.

MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2003

Chapter 204 of the 2003 Laws of Maryland

DEPARTMENT OF JUVENILE JUSTICE

		<u>Original Authorization</u>
042 Facilities Grants	\$ 12,843.88	\$ 898,000.00
Total MCCBL 2003	\$ 12,843.88	

MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2006

Chapter 046 of the 2006 Laws of Maryland

HISTORIC ST. MARY'S CITY COMMISSION

008 St. John's Archaeological Site	\$ 5,022.24	\$ 1,330,000.00
ST. MARY'S COLLEGE		
018 Student Services Building	\$ 3,099.33	\$ 8,600,000.00
MARYLAND SCHOOL FOR THE DEAF		
019 Elementary, Family Education Complex	\$ 118,785.47	\$24,605,000.00
Total MCCBL 2006	\$ 126,907.04	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 8-GM (Cont.)

MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2007

Chapter 488 of the 2007 Laws of Maryland

HISTORIC ST. MARY'S CITY COMMISSION

033	St. John's Archaeological Site	\$ 65,953.69	\$ 650,000.00
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STATE GOVERNMENT CENTER - ANNAPOLIS

034	Interior Piping – State House	\$ 4,404.11	\$3,550,000.00
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JUDICIARY/MULTISERVICE CENTER

038	Parking Deck at Centreville DC/MSD	\$ 18,590.39	\$1,500,000.00
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DEPARTMENT OF JUVENILE JUSTICE

048	Facilities Grants	\$ 216.30	\$1,958,000.00
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Total MCCBL 2007	\$ 89,164.49	
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MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008

Chapter 336 of the 2008 Laws of Maryland

CLIFTON T PERKINS HOSPITAL CENTER

703	Maximum Security Wing	\$ 1,697.72	\$5,000,000.00
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Total MCCBL 2008	\$ 1,697.72	
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Total transfer of spending authority to the

Construction Contingency Fund

\$ 230,613.13

CAPITAL APPROPRIATION 2001

Chapter 204 of the 2000 Laws of Maryland

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

019	Lab Tower Ductwork	\$ 657.42	\$1,000,000.00
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Total CA 2001	\$ 657.42	
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CAPITAL APPROPRIATION 2002

Chapter 102 of the 2001 Laws of Maryland

HISTORIC ST. MARY'S CITY COMMISSION

103	Md Heritage Project	\$ 24,762.08	\$ 225,000.00
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Total CA 2002	\$ 24,762.08	
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**Total cash transferred to the General Fund and
canceled spending authority**

\$ 25,419.50

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 8-GM (Cont.)

CAPITAL APPROPRIATION 2011

Chapter 395 of the 2010 Laws of Maryland

DEPARTMENT OF VETERANS AFFAIRS

235 Charlotte Hall Emergency Generator

\$2,500,000.00

\$2,500,000.00

Total CA 2011

\$2,500,000.00

Total Federal Funds canceled

\$2,500,000.00

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

MILITARY DEPARTMENT

.533 acres, North Point Blvd.,
 Baltimore County
 File # 00-4066

REFERENCE

Approval is requested for an Amendment to Agreement of Sale to purchase an additional .533 acres +/- of improved land on North Point Boulevard in Baltimore County from The Mayor and Council for Baltimore City. Reference is made to item 7-RP approved by the Board of Public Works on November 14, 2012, where approval was given for an acquisition of 5.74 acres at \$65,000.00 per acre, not to exceed \$373,000.00. Following BPW approval and survey of the property, the City of Baltimore determined the balance of the parcel (.533 acres) was no longer needed and offered the entire parcel to the State. Title will be vested in the Military Department. Title and transfer documents are subject to legal review.

OWNERSHIP

The Mayor and Council for Baltimore City

GRANTEE

State of Maryland, to the use of the Military Department

PROPERTY

.533 acres +/- unimproved

PRICE

\$34,745.00

FUND SOURCE

MCCBL 2012/Item 011 (Provide funds for land acquisition, design, and construction of alterations and an addition to the Dundalk Readiness Center)

APPRAISED VALUES

\$65,000.00 per acre -Stephen H. Mueller, Fee Appraiser 10/25/11. Reviewed by David Kelleher.
 \$60,000.00 per acre -James R. Turlington, Fee Appraiser 10/08/11. Reviewed by David Kelleher.

REMARKS

- 1 Baltimore City Board of Estimates approved this transaction at a meeting held on 10/3/2012, and subsequently executed an Amendment to Agreement of Sale for the additional .533 acres.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

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

2. The Military Department recommends approval of this item.
3. Purchase price includes new acreage of .533 acres at \$65,000.00 per acre, for a total of \$34,645.00 and \$100.00 correction to prior approved purchase price, for a total of \$34,745.

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

MARYLAND HIGHER EDUCATION
COMMISSION

Harford County Community College
 Bel Air, MD (Harford County)

Tenant

Harford County Sheriff's Office – Training Department
 401 Thomas Run Rd.
 Bel Air, MD 21015

Property Location

Edgewood Hall
 401 Thomas Run Rd
 Bel Air, MD 21015

Space Type Classroom/ Offices

Lease Type New

Duration 2 Years

Effective 4/1/2013

Annual Rent \$21,600.00

Background

As the educational partner of Harford County Community College (HCC) the Harford County Sheriff's Office (HCSO) sponsors in-service programs and correctional and law enforcement academics. These non-credit programs are reviewed and approved by HCC.

Participants register for the programs, which are approved by the State of Maryland for continuing education credits. In lieu of per student tuition, the HCSO agrees to subsidize tuition to the College. The tuition subsidy is a set annual amount of \$21,600.00 payable in monthly installments of \$1,800.00.

In July 2012, the Harford County Sheriff's Office (HCSO) and the Harford County Community College (HCC) entered into a Memorandum of Understanding (MOU) to articulate this agreement.

Pursuant to *COMAR 13B.07.04.01D*, a college may not enter into an agreement to sell, lease, transfer, or otherwise dispose of real property in which the State has participated in without the prior approval of the Maryland Higher Education Commission and the subsequent approval of the Board of Public Works.

The Maryland Higher Education Commission has approved this lease signifying that this lease agreement does not impede the College's ability to implement its mission, nor does this agreement diminish the intended purpose of the building.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 10-LL (Cont.)

Special Conditions

1. The leased space is located in Edgewood Hall on the main campus of the College and includes three classrooms (classrooms 144, 146 and 163) and an adjoining common areas as available.
2. The term of the agreement is three (3) years with the right of the parties to extend the term upon mutual consent, subject to Board of Public Works approval.
3. Landlord shall be responsible for obtaining all permits, licenses, inspections and approvals required for occupancy of the premises.
4. Tenant shall, during the entire term, keep in full force and effect for the protection of both Landlord and the Tenant, a policy of public liability and property damage insurance with respect to the Premises protecting against claims for personal injury, death or property damages, the insurance shall provide protection limits of not less than \$250,000.00 per each occurrence, and not less than \$1,000,000.00 umbrella coverage and not less than \$50,000.00 for property damage. The tenant's policy shall be primary and non-contributory. Tenant shall be named additional insured. Current Certificates of Insurance shall be filed with the HCC finance office.
5. Tenant shall be solely responsible for the safety from all hazards of all equipment, furniture, materials and supplies owned by them and shall carry insurance as it deems necessary for its own protection.
6. Tenant shall provide fire insurance for its contents and protect the College against any fire damage caused by partner's negligence. Fire legal liability limits of not less than \$250,000.00 plus the limit of the umbrella liability coverage shall be provided by the tenant. Landlord shall be named additional insured. Current Certificates of Insurance shall be filed with the HCC finance office.
7. Tenant shall indemnify and hold harmless the State of Maryland, the Higher Education Commission and Harford Community College against any and all liability or claim of liability, including reasonable attorney's fees, arising out of tenant's use and occupancy, conduct, operation or management of the premises during the term.
8. Either party may terminate this lease for convenience.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

LANDLORD LEASE

1. The Tenant shall occupy and use the Demised Premises for, and only for, a group home for seven individuals with developmental disabilities.
2. The Tenant is responsible for all maintenance of the property.
3. The Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its and occupancy of the premises.
4. The Tenant shall maintain at its expense, throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction, occurring within the Demised Premises. General Comprehensive Liability insurance will have a minimum coverage of \$1,000,000 combined single limit per occurrence and shall contain broad form GCL Endorsement or its equivalent.
5. The Tenant shall indemnify and hold harmless the State of Maryland and Maryland Department of Health and Mental Hygiene against any and all liability or claim of liability (including reasonable attorney's fees) arising out of licensee's use and occupancy, conduct, operation or management of the premises during the term of the lease.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 11-LL-OPT (Cont.)

6. This Lease contains a termination for convenience clause.

Remarks

Appalachian Parent operates for the purpose of providing activities, programs, and facilities for the evaluation, training, employment, socialization, and transportation of persons who have developmental disabilities to enable them to become more productive and functional members of society or to promote their quality of life or maintain themselves in the community.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

LANDLORD LEASE

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

<u>Utilities Responsibility</u>	Tenant
<u>Custodial Responsibility</u>	Tenant
<u>Previous Board Action(s)</u>	3/12/2008 Item 7-LL

1. This space is used as a residential rehabilitation unit for five (5) individuals with developmental disabilities.
2. The Tenant is responsible for all maintenance of the property.
3. The lease may be renewed by mutual agreement by the parties for one (1) additional term of five (5) years subject to Board of Public Works approval.
4. The Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its use and occupancy of the premises.
5. The Tenant shall maintain at its expense, throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction occurring within the demised premises. General Comprehensive Liability insurance will have a minimum coverage of \$1,000,000 combined single limit per occurrence and shall contain broad form GCL Endorsement or its equivalent.
6. The Tenant shall indemnify and hold harmless the State of Maryland and the Department of Health and Mental Hygiene against any and all liability or claim of liability, including reasonable attorney's fees, arising out of tenant's use and occupancy, conduct, operation or management of the premises during the term.
7. The Landlord may terminate this lease during any renewal term whenever the landlord determines that termination is in the best interest of the landlord.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 12-LL-OPT (Cont.)

Remarks

1. Crossroads teaches skills and provides resources that empower individuals with mental health needs to live satisfying and productive lives. Crossroads promotes acceptance through advocacy and community education. Crossroads also actively teaches skills through its day and residential programs and through one-on-one assistance in the communities.

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 13-LT

MARYLAND HIGHER EDUCATION
COMMISSION

Chesapeake College
Wye Mills, MD (Queen Anne's County)

Tenant

Mr. Ralph Whaley, Jr.
P.O. Box 8
Wye Mills, MD 21679

Property Location

Farmland bordered by U.S. Route 50 and
State Routes 662 & 213
Chesapeake College
Wye Mills, MD 21679

Space Type Farmland
Duration 3 Years
Annual Rent \$13,035.00

Lease Type New **Square Feet** 55 acres
Effective 4/1/2013
Rate Per Acre \$237.00

Background

1. Pursuant to *COMAR 13B.07.04.01D*, a college may not enter into an agreement to sell, lease, transfer, or otherwise dispose of real property in which the State has participated in without the prior approval of the Maryland Higher Education Commission and the subsequent approval of the Board of Public Works.
2. The Maryland Higher Education Commission has approved the lease signifying that this lease agreement does not impede the College's ability to implement its mission, nor does this agreement diminish the intended purpose of the College.
3. The Chesapeake College Board of Trustees approved the farm land lease with the Tenant.

Special Conditions

1. The lease is for three (3) parcels of tillable farmland, a total of 55 acres located on the Wye Mills campus for the exclusive use of tenant for the cultivation of mutually agreed upon crops.
2. The lease provides one (1) option term of three (3) years by mutual consent between the Landlord and the Tenant, subject to Board of Public Works approval.
3. Landlord assumes no responsibility for equipment and/or materials on the property, nor shall the area be used by the Tenant as a place of indefinite storage of such equipment or materials.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 13-LT (Cont.)

4. Tenant shall actively control noxious weeds, erosion and ground pH balance which is determined satisfactory by Queen Anne's County.
5. Tenant shall maintain:
 - a. Insurance covering the College for any damage to College grounds or property caused by Tenant's equipment and indemnifies the College for such damage of \$1,000,000 for each occurrence and \$2,000,000.00 aggregate.
 - b. Workers Compensation Insurance as required by laws of the State of Maryland.
 - c. If automotive equipment is used in the operation, Automobile Liability Insurance with limits of not less than \$500,000.00 for each accident.
6. The Landlord undertakes no liability for damage to crops of the Tenant (a local farmer) by the negligence or misconduct of students or contractors, for which cause of action Mr. Whaley may resort to any appropriate remedy at law.
7. Landlord may terminate this lease at anytime during the lease or any renewal term, whenever the Landlord determines that termination is in the best interest of the Landlord.

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** 14-LT**COMPTROLLER OF MARYLAND**Revenue Administration
Salisbury, MD (Wicomico County)**Landlord**Seagull Square Retail, LLC
28 East Main St.
Salisbury, MD 21801**Property Location**1306 S. Salisbury Boulevard, Suite 182
Salisbury, MD 21801

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	2,280
<u>Duration</u>	5 Years	<u>Effective</u>	6/1/2013		
<u>Annual Rent</u>	\$44,642.40 (Avg.)	<u>Square Foot Rate</u>	\$19.58 (Avg.)		
		<u>Effective Sq. Ft. Rate</u>	\$21.58 (Avg.)		

Utilities Responsibility

Tenant

Custodial Responsibility

Landlord

Previous Board Action(s)

N/A

Fund Source

PCA E00A0401 % General Funds

Special Conditions

1. The lease provides use-in-common parking spaces at no cost to the State.

Remarks

1. This office will provide daily taxpayer services to the residents of the lower Eastern Shore of Maryland. The office will also handle audits, collection activities and investigations of individuals and local businesses to ensure compliance with the revenue laws of the State.
2. This office is currently located on the second floor of the Salisbury Multi-Service Center. Relocation will provide expanded space to house additional employees needed to provide the service, as well as, ground floor space to provide improved accessibility to the public.
3. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT-OPT

JUDICIARY OF MARYLAND

District Court
 Princess Anne, MD (Somerset County)

Landlord

A&A Realty, Inc.
 c/o Princess Anne Realty, Inc.
 32645 Perry Hawkins Rd.
 Princess Anne, MD 21853

Property Location

12155 Elm St.
 Princess Anne, MD 21853

Space Type Office
Duration 5 Years
Annual Rent: \$150,480.00

<u>Lease Type</u>	Renewal	<u>Square Feet</u>	10,808
<u>Effective</u>	6/20/2013		
<u>Square Foot Rate</u>	\$13.92		
<u>Previous Square Foot Rate</u>	\$14.40		
<u>Effective Square Foot Rate</u>	\$15.17		
<u>Previous Eff. Sq. Foot Rate</u>	\$15.65		

Utilities Responsibility
Custodial Responsibility

Tenant
 Landlord

Previous Board Actions

7/3/2002 – 18-L

Fund Source

C00 0004 01 1301-100 % General Funds

Special Condition

1. The lease contains escalations/de-escalations for janitorial service and real estate taxes.
2. The lease incorporates use-in-common parking spaces free of charge.

Remarks

1. This space has been used since 2003 as the Somerset County District Court. Court proceedings are conducted at this location, as well as, trial support services, case preparation, and archives for Somerset District Court records.
2. The reduction in the net usable square rental rate of \$0.48 will result in \$25,939.20 rental cost savings to the State over the term of the lease.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT-OPT (Cont.)

3. The lease contains a termination for convenience clause.
4. 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

TENANT LEASE

ITEM 16-LT-OPT

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DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 16-LT-OPT (Cont.)

3. This space was acquired by sole source in accordance with the *DGS Space Management Manual, Paragraph 6-605 E.*, as authorized by *COMAR 21.02.05.05*. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 17-LT-OPT

OFFICE OF ADMINISTRATIVE HEARINGS Cumberland, MD
(Allegany County)

Landlord Allegany Museum, Inc.
44 Baltimore St.
Cumberland, MD 21502

Property Location 3 Pershing St.
1st Floor
Cumberland, MD 21502

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	998
<u>Duration</u>	5 Years	<u>Effective</u>	April 1, 2013		
<u>Annual Rent</u>	\$13,373.20	<u>Square Foot Rate</u>	\$13.49		
		<u>Prev. Sq. Ft. Rate</u>	\$14.20		

<u>Utilities Responsibility</u>	Landlord
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<u>Custodial Responsibility</u>	Landlord
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Previous Board Actions 09/22/10 Item 18-LT; 10/03/07 Item 5-LT; 09/17/03 Item 8-L; 05/08/02 Item 10-L; 04/30/97 Item 13-L; 06/26/91 Item 12-L.

Fund Sources D00 A01 PCA 20009 100% Reimbursable

Special Conditions The lease contains escalations/de-escalations for real estate taxes, utilities and cleaning.

Remarks

1. The agency occupied office space at this location since 1997.
2. Negotiation of the rental rate provides a savings of \$3,542.90 over the term of 5 years by reducing the rent by \$0.71 per net usable square foot.
3. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 17-LT-OPT (Cont.)

4. This space was acquired by sole source in accordance with the *DGS Space Management Manual, Paragraph 6-605 E.*, as authorized by *COMAR 21.02.05.05*. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 18-LT-MOD

DEPARTMENT OF HUMAN RESOURCES Essex, MD
 (Computer Information System (CIS) (Baltimore County)
 (Citizens Review)

Sublease Landlord MBMS Development, LLC
 P.O. Box 196
 Stevenson, MD 21153

Master Landlord/Owner Middlesex Associates, a Maryland Partnership
 2800 Quarry Lake Dr., Suite 340
 Baltimore, MD 21209

Property Location 1100 Eastern Avenue
 Essex, MD 21221

Previous Board Action(s) 6/2/1999 – Item 21-L; 5/4/2011 Item 9-LT-OPT
Fund Source: 33.01.05.02 – General Funds 63% Federal Funds 37%

DESCRIPTION Board of Public Works approval is requested for the expenditure of funds not to exceed \$151,000.00 for the renovation of a portion of the leased space located at 1100 Eastern Ave. in Baltimore County.

BACKGROUND As Item 9-LT-OPT on the May 4, 2011 Department of General Services Action Agenda, the Board of Public Works approved a lease agreement for the Department of Human Resources Computer Information Services (CIS) for 30,250 net usable square feet of office and special use space for a term of 10 years at the above location. Since that time, CIS has modified its usage of the space and no longer requires use of all the space.

REMARKS In keeping with the state's space utilization initiative, the Department of Human Resources desires to co-locate the Citizen's Review Board from its current location at 4201 Patterson Ave. into the space no longer required by the CIS at 1100 Eastern Ave

To accomplish this action, it will be necessary to renovate approximately 3,798 net usable square feet of office space to meet the special confidentiality needs of the Citizen's Review Board including the following: demolition of existing space; re-configuration of the heating and cooling system creating a new separate zone for the renovated space; creating a separate entrance, electrical work, drywall, ceiling work, paint and carpet.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 18-LT-MOD (Cont.)

The Citizen's Review Board occupancy at this location is anticipated to commence in May, 2013 and will permit the Citizen's Review Board more efficient use of its office space than its previous location at 4210 Patterson Avenue.

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 a grant agreement for the following grant:

Board of Directors of the Babe Ruth Foundation, Inc. and the Mayor and City Council of Baltimore City (Baltimore City)

Brooks Robinson Statue – Babe Ruth Birthplace Foundation

“For the design and construction of the Brooks Robinson Statue at the Babe Ruth Birthplace Foundation, located in Baltimore City.”

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2012 (LSI-Chapter 444, Acts of 2012)
DGS Item G040, (SL-021-120-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Babe Ruth Foundation, Inc. and the Mayor and City Council of Baltimore City have submitted evidence in the form of canceled checks and invoices that they have \$338,497.00 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 the Babe Ruth Foundation, Inc. and the Mayor and City Council of Baltimore City \$100,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$656,194.06
12-G040 (This Action)	\$100,000.00
Local Cost	\$556,194.06

REMARKS

(1) The grant agreement has been modified with the following: Recitals – Item C. The Foundation gifted the statue to the City, owner of the designated plaza. As part of the gifting agreement, the City is responsible for securing, maintaining, and repairing the statue and its pedestal.; and 16. Indemnification: *To the extent permitted by law, and for the City, subject to the Local Government Tort Claims Acts, the Grantee.....*

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL (Cont.)

- (3) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (4) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL

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

*Board of Governors of the Charles E. Smith Life Communities, Inc.
(Montgomery County)*

Charles E. Smith Life Communities - Revitz House

"For the construction, renovation, and capital equipping of improvements to facilities at the Revitz House on the campus of the Charles E. Smith Life Communities in Rockville."

\$675,000.00

Maryland Capital Bond Loan of 2011(MISC-Chapter 396, Acts of 2011), DGS Item G003

\$675,000.00

*Maryland Capital Bond Loan of 2012(MISC-Chapter 444, Acts of 2012), DGS Item G003
SL-026-090-038*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and June 1, 2014 respectively and the Board of Public Works to certify a matching fund. The Board of Governors of the Charles E. Smith Life Communities, Inc. has provided documentation that it has \$2,480,188.05 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$7,440,000.00
12-G003 (This Action)	\$ 675,000.00
11-G003 (This Action)	\$ 675,000.00
09-G001 (Prior Action)	\$ 650,000.00
Local Cost	\$5,440,000.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-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 21-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 Children's Home, Inc. (Baltimore County)

Children's Home Therapeutic Group Home Building

"For the planning, design, and construction of the Children's Home Therapeutic Group Home building, located in Catonsville."

\$200,000.00

Maryland Consolidated Capital Bond Loan of 2012 (LSI-Chapter 444, Acts of 2012)

DGS Item G049

\$200,000.00

Maryland Consolidated Capital Bond Loan of 2012 (LHI-Chapter 444, Acts of 2012)

DGS Item G114, (SL-022-120-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Children's Home, Inc., has submitted evidence in the form of canceled checks and invoices that it has \$844,629.00 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 the Children's Home, Inc., \$400,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$873,000.00
12-G049 (This Action)	\$200,000.00
12-G114 (This Action)	\$200,000.00
Local Cost	\$473,000.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-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 22-CGL

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

Mayor and Town Council of the Town of North Beach (Calvert County)
North Beach Public Works Building

"For the construction of a Public Works Building, located in North Beach."

\$200,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G050, (SL-052-110-038)

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 Town Council of the Town of North Beach have submitted evidence in the form of canceled checks and invoices that they have \$458,079.56 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Mayor and Town Council of the Town of North Beach \$200,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$483,896.00
11-G050 (This Action)	\$200,000.00
Local Cost	\$283,896.00

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

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

Board of Directors of the Gaudenzia Foundation, Inc. (Baltimore City)
Park Heights Women and Children Center

"For the planning, design, and construction of the Park Heights Women and Children Center, located in Baltimore City."

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LSI-Chapter 396, Acts of 2011)
DGS Item G041, (SL-054-110-038)

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 Gaudenzia Foundation, Inc., has provided documentation that it has \$216,611.33, in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$5,433,300.00
11-G041 (This Action)	\$ 100,000.00
Local Cost	\$5,333,300.00

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 24-CGL

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

*Board of Directors of the Potomac Community Resources, Inc. (Montgomery County)
 Potomac Community Resources Home*

*"For the planning and design of the Potomac Community Resources Home for
 Individuals with Developmental Differences/Intellectual Disabilities, located in
 Potomac."*

\$50,000.00

*Maryland Consolidated Capital Bond Loan of 2012 (LSI-Chapter 444, Acts of 2012)
 DGS Item G074 (SL-020-120-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Potomac Community Resources, Inc. have submitted documentation that Montgomery County Government has appropriated \$50,000.00 through its Fiscal Year 2013, to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$100,000.00
12-G074 (This Action)	\$ 50,000.00
Local Cost	\$ 50,000.00

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 25-CGL

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

*Board of Directors of the Benedictine School for Exceptional Children, Inc.
 (Caroline County)*

Senior Housing for the Disabled

"For the construction of senior housing, located in Ridgely."

\$250,000.00

*Maryland Consolidated Capital Bond Loan of 2012 (LHI-Chapter 444, Acts of 2012)
 DGS Item G116 (SL-023-120-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Benedictine School for Exceptional Children, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$1,074,572.55, in eligible expenditures to meet the matching fund requirement for this project.

BPW approval is also requested to reimburse the Board of Directors of the Benedictine School for Exceptional Children, Inc. \$250,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$1,074,572.55
12-G116 (This Action)	\$ 250,000.00
Local Cost	\$ 824,572.55

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 26-CGL

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

*Board of Directors of the Star Spangled Banner Flag House Association, Inc.
 (Baltimore City)*

Star-Spangled Banner Flag House

"For the planning, design, repair, renovation, reconstruction, and capital equipping of the Star-Spangled Banner Flag House, located in Baltimore City; subject to the requirement that the grantee may provide the matching fund and the Board of Public Works may certify the matching fund in installments and each installment shall be at least Twenty Five Thousand Dollars (\$25,000)."

\$150,000.00 – current match \$75,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI-Chapter 396, Acts of 2011)
 DGS Item G044 (SL-053-110-038)*

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 Star Spangled Banner Flag House Association, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$78,259.02 in eligible expenditures to meet \$75,000.00 of the matching fund requirement at this time.

BACKGROUND

Total Project	\$300,000.00
11-G044 (This Action)	\$150,000.00 **
Local Cost	- \$150,000.00

REMARKS

(1) Grantee may provide the matching fund and the Board of Public Works may certify the matching fund in installments and each installment shall be at least Twenty Five Thousand Dollars (\$25,000.00). ** The grant is limited to \$75,000.00, based on the current documented match pending future Board of Public Works certification of additional matching fund documentation.

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 26-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of March 20, 2013 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, reading "Sheila McDonald". The signature is written in a cursive, flowing style with a large initial "S" and "M".

Sheila C. McDonald, Esq.
Executive Secretary

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