

MINUTES  
OF THE  
MEETING OF THE  
BOARD OF PUBLIC WORKS

March 21, 2012

# BOARD OF PUBLIC WORKS

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MARCH 21, 2012

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**MINUTES OF THE MEETING OF  
THE BOARD OF PUBLIC WORKS, MARCH 21, 2012**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, March 21, 2012.

Board Members present:

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

Also present:

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

**CONSTRUCTION:**

General Construction Project Contingency Fund 1988  
Maryland Consolidated Capital Bond Loan of 2004  
Maryland Consolidated Capital Bond Loan of 2005  
Maryland Consolidated Capital Bond Loan of 2006  
Maryland Consolidated Capital Bond Loan of 2007  
Maryland Consolidated Capital Bond Loan of 2008  
Maryland Consolidated Capital Bond Loan of 2009  
Maryland Consolidated Capital Bond Loan of 2010  
Maryland Consolidated Capital Bond Loan of 2011

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

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

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

## BOARD OF PUBLIC WORKS

MARCH 21, 2012

## SECRETARY'S AGENDA

Norman Astle (410) 841-5864  
Astlene@mda.state.md.us

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

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

Total submission amount: \$265,700.

Agreement #	Recipient	County	Amount
AT-2012-2198	NORBERT P. ABELL	St. Mary's	1,900
AT-2012-2258	DENNIS W. MAGROFF	Garrett	2,800
CR-2012-2252	FORGE BRANCH FARM, LLC	Caroline	7,100
CR-2012-2254	WAYNE T. QUIDAS	Caroline	14,600
CR-2012-2256	WALTER E. KNOX	Talbot	11,300
CR-2012-2267	KATHRYN CALLAHAN TRUST	Talbot	3,600
CR-2012-2268	SCOTT COLLIER	Talbot	50,100
CR-2012-2269	SCOTT COLLIER	Talbot	7,000
CR-2012-2270-B	SCOTT COLLIER	Talbot	7,700
MP-2012-2033	WILLIAM W. WOLFE	Frederick	24,500
MP-2012-2250	KEITH E. WARNER	Carroll	20,300
MP-2012-2257	SCOTT A. BAUGHER	Carroll	6,400
NW-2012-2253-B	POSSUM HILL FARMS, INC	Caroline	35,000
RS-2012-2271	TRENTON MILL FARMS, PARTNERSHIP	Baltimore	13,100
RS-2012-2272	TRENTON MILL FARMS, PARTNERSHIP	Baltimore	13,100
RS-2012-2273	TRENTON MILL FARMS, PARTNERSHIP	Baltimore	10,100
RS-2012-2274	TRENTON MILL FARMS, PARTNERSHIP	Baltimore	13,700
UP-2012-2088	RICHARD J. HARTLE, JR	Washington	20,500
UP-2012-2171	BRYAN BABINGTON	Washington	2,900

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

# BOARD OF PUBLIC WORKS

MARCH 21, 2012

## SECRETARY'S AGENDA

Norman Astle (410) 841-5864  
Astlene@mda.state.md.us

### 2. DEPARTMENT OF AGRICULTURE

#### *Maryland Agricultural Cost-Share Program Additional Funding Requests*

**Recommendation:** That the Board of Public Works approve **ADDITIONAL FUNDING** of 5 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$6,088.06

Agreement #	Recipient	County	Amount \$
AT-2009-2638	LAWRENCE E. CROSSLAND	Allegany	1,458.94
AT-2010-2188	KING EDWARD STABLES, INC.	Charles	813.60
AT-2011-1953	RALPH P. MILLER	Garrett	583.73
LS-2011-1760	SERENITY HILL FARM, LLC	Harford	460.67
RS-2009-3447	THE FARM, LTD.	Baltimore	2,771.12

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

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

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

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

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS****MARCH 21, 2012****SECRETARY'S AGENDA**

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

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

Submission of the Procurement Agency Activity Reports by:

- A. Department of Budget and Management, January 2012
- B. Department of General Services, November 2011
- C. Department of Transportation, January 2012
- D. Department of Public Safety & Correctional Services, December 2011 and January 2012
- E. State Treasurer's Office, 3<sup>rd</sup> and 4<sup>th</sup> Quarters (2011)

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

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

# BOARD OF PUBLIC WORKS

MARCH 21, 2012

## SECRETARY'S AGENDA

Contact: Mary Jo Childs, 410-260-7335  
[mchilds@comp.state.md.us](mailto:mchilds@comp.state.md.us)

### 4. BOARD OF PUBLIC WORKS *State Procurement Regulations*

**Recommended Action:** That the Board of Public Works propose amendments to the State Procurement Regulations, COMAR Title 21, that would: (1) effect the veteran-owned small business program; and (2) adopt the statutory definition of the Department of Information Technology and the University System as primary procurement units and clarify small procurement procedures to conform with practice.

**Background:** The veteran-owned small business enterprise procurement program, which takes effect on July 1, 2012, establishes a 0.5% participation goal for veteran-owned small businesses. Sections 14-601 – 14-605, State Finance and Procurement Article, Annotated Code of Maryland. The Board of Public Works is required to adopt regulations to implement the program. This regulatory proposal also clarifies the small procurement regulations and updates the definition of primary procurement unit. This proposal was submitted for review to the Procurement Advisory Council and to the State Department of Veterans Affairs. Approval of this Item will allow submission to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

#### ***Proposed Amendments:***

##### **Veteran-owned small business program**

- New Chapter 12 in Subtitle 11, Veteran-Owned Small Business Enterprises
- COMAR 21.10.02.02 Filing of Protest
- COMAR 21.02.02.02 Jurisdiction
- COMAR 21.05.08.07 Bid/Proposal Affidavit

##### **Small procurement**

- COMAR 21.05.07.01 Definitions
- COMAR 21.05.07.06 Standards

##### **Definition of primary procurement unit**

- COMAR 21.05.09.01 Definitions

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

# BOARD OF PUBLIC WORKS

MARCH 21, 2012

## SECRETARY'S AGENDA

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

### 5. BOARD OF PUBLIC WORKS Wetlands Licenses

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

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

#### ANNE ARUNDEL COUNTY

- 12-0373                      LONDONTOWN PROPERTY OWNERS ASSOC. – To construct groins, fill, grade, and plant marsh along an eroding shoreline, and install an osprey nesting pole – Glebe Creek, Edgewater
- 12-0455                      SHERWOOD FOREST CLUB, INC. – To construct a revetment, rip-rap, groin, extend drainage pipes, and plant marsh grasses – Severn River

#### KENT COUNTY

- 12-0396                      DEAN LURKER – To remove rubble and stone revetment and replace with sand and emplace breakwaters and pier pilings - Chesapeake Bay, Rock Hall

\*NOTE: In FY2012, BPW has approved 14.41 acres of living shoreline.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

# BOARD OF PUBLIC WORKS

March 21, 2012

## SECRETARY'S AGENDA

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

### 6. BOARD OF PUBLIC WORKS *Wetlands License 10-0327*

Approval is requested of the following application for a wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case is classified as an extraordinary case because a 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.

### BALTIMORE COUNTY

10-0327 BWI SPARROWS POINT, LLC – Rehabilitate and upgrade existing Pier #3 to accommodate berthing of the next generation of Roll-on, Roll-off vessels; replace existing deteriorated bulkhead  
*Patapsco River, Pier #3, Sparrows Point Shipyard*

Application Received: October 20, 2009  
Revised Plans Submitted: January 6, 2011  
Public Comment Period Closing Date: April 15, 2011  
Public Hearing Held: June 28, 2011  
Revised Plans Submitted: December 1, 2011  
MDE Report and Recommendation Received: February 16, 2012

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

# BOARD OF PUBLIC WORKS

March 21, 2012

## SECRETARY'S AGENDA

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

### 7. BOARD OF PUBLIC WORKS Wetlands License 11-0695

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

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

### CALVERT & ST. MARY'S COUNTIES

11-0695 SOUTHERN MARYLAND ELECTRIC COOPERATIVE, INC. (SMECO)  
To upgrade electrical capability from central Calvert County to central St. Mary's County by placing six 230kV and three 69kV lines for the aerial wetland crossing and three 230kV lines and one communication cable in the horizontal directional drilling crossings of the Patuxent River and Huntington and St. Leonard Creeks.

Application Received: April 18, 2011  
Public Comment Period Ended: September 1, 2011  
Public Hearing Held: October 25, 2011  
Hearing Comment Period Closed: November 23, 2011  
MDE Report and Recommendation Received: February 15, 2012  
End Public Review Period of Department's  
Report and Recommendation: March 2, 2012

*Compensation:* \$1000.00 non-recurring fee and an annual fee of \$1.00 per linear foot for eight electrical conduits and one telecommunications cable, totaling \$28,550.00. The annual fee will be adjusted every five years based on the Consumer Price Index.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

## BOARD OF PUBLIC WORKS

MARCH 21, 2012

## SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307  
[efrke@menv.com](mailto:efrke@menv.com)

8. **MARYLAND ENVIRONMENTAL SERVICE**  
***Deep Creek Lake Water Distribution System Upgrades***

**CONTRACT** Distribution System Upgrades  
 MES Project # 12-05-12

**DESCRIPTION** Labor, equipment, materials, tools, and supervision for improvements to the Deep Creek Lake State Park's water distribution system

**PROCUREMENT METHOD** Competitive Sealed Bids

**BIDS:**

Robert Beitzel Excavating	Oakland, MD	\$98,799.00
Arnold Contractors	Oakland, MD	\$108,500.00

**AWARD** Robert Beitzel Excavating

**AMOUNT** \$98,799.00

**TERM** 90 days from Notice to Proceed

**MBE PARTICIPATION** 5%

**REMARKS:** Deep Creek Lake State Park has an aging water distribution system which was constructed in the 1970s. Leaks are becoming frequent due to pipe deterioration. Department of Natural Resources Park maintenance staff is responsible for minor repairs to the system; however, DNR is not always able to make the repair. Relatively sizeable leaks are sometimes not repaired for substantial periods because DNR does not have the resources to fix them. The result is additional costs associated with increased water production. This project will reduce those problems.

**FUND SOURCE** MCCBL of 2005, *MES Infrastructure Improvement Fund*

**APPROPRIATION CODE** 180 MCCBL 05 (PCA #10932)

**TAX COMPLIANCE NO.:** 12-0216-0110

**RESIDENT BUSINESS:** Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

# BOARD OF PUBLIC WORKS

MARCH 21, 2012

## SECRETARY'S AGENDA

Contacts: Jean Peterson (410) 514-7358  
peterson@mdhousing.org  
Norman Swoboda (410) 514-7355  
swoboda@mdhousing.org

### 9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**BORROWER:** Bello Machre, Inc.

**LOAN AUTHORITY:** Group Home Financing Program  
§§4-601 – 4-612 Housing & Community  
Development Article, Annotated Code of Maryland  
COMAR 05.04.09

**AUTHORITY TO RELEASE  
LIEN:**

§ 10-305, State Finance & Procurement Article,  
Annotated Code of Maryland

**AMOUNT:**

Original Loan: \$151,000  
Current Balance: 92,196

**RECOMMENDATION:** That the Board of Public Works approve: reducing the balance due on the outstanding loan; releasing a lien on 1007 Nabbs Creek Road, Pasadena; and substituting a second lien on 7803 Spencer Road, Glen Burnie, to secure the remaining loan balance. These actions will permit the borrower, Bello Machre, Inc., to facilitate the sale of the Pasadena property so it can proceed with plans to operate a group home in a newly-acquired larger Glen Burnie property that is more suitable for that purpose.

**BACKGROUND:** In February 1991, DHCD lent the borrower \$151,000 to acquire and renovate 1007 Nabbs Creek Road, Pasasdena, so the borrower could serve three persons with specialized housing needs. The loan was at 2.5% interest and required monthly amortizing payments for 30 years. The property has been effectively operated as a group home since acquisition and the loan is current.

Recently, the borrower had the opportunity to acquire 7803 Spencer Road, Glen Burnie, a larger property that is better suited to serve as a group home. The borrower intended to use the Pasadena property sale proceeds as well as a \$480,000 loan from a local bank to fund the acquisition of the Glen Burnie property. The bank loan is secured with a first position lien on the Glen Burnie property.

**BOARD OF PUBLIC WORKS****MARCH 21, 2012****SECRETARY'S AGENDA****9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)**

**BACKGROUND: (cont'd)** Unfortunately, DHCD's loan servicer erred in estimating the borrower's Pasadena property sale proceeds by \$64,000. By the time the servicer corrected the error, Bello Machre had committed to buy the Glen Burnie property. That led to circumstances where Bello Machre would be able to honor its commitment and fund the Glen Burnie property only by using its reserves, including all money for property maintenance and improvements. This would create a significant hardship; accordingly, Bello Machre asked DHCD for relief.

**PROPOSAL:** DHCD proposes that Bello Machre's current loan be reduced by \$28,196 (the balance originally quoted by the servicer). DHCD will secure the remainder of the debt (\$64,000) as a second position lien against the Glen Burnie property. The loan will remain at 2.5% interest but the term will be modified to 144 months. In exchange, DHCD will release the lien on the Pasadena property thus permitting the completion of the sale and avoiding the hardship for Bello Machre that would result if full repayment were required.

**MARKET VALUE:** In November 2011, the Glen Burnie property was appraised to be worth \$600,000. The first lien held by the local bank is \$480,000. If DHCD secures a \$64,000 second lien on the building, the loan to value would be approximately 91%.

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

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

**BOARD OF PUBLIC WORKS****MARCH 21, 2012****SECRETARY'S AGENDA**

Contacts: Jean Peterson (410) 514-7358  
 peterson@mdhousing.org  
 Norman Swoboda (410) 514-7355  
 swoboda@mdhousing.org

**10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**RECOMMENDATION:** That the Board of Public Works approve releasing the deeds of trust on two 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  
 §§ 4-301 – 4-309, Housing & Community Development  
 Article, Annotated Code of Maryland

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

- A. Loan Recipient:** **Jonathan Streat**  
 5320 Nelson Avenue, Baltimore, MD 21215  
 Baltimore City  
 Original Loan: \$5,000  
 Current Balance: \$5,000  
 Type: Second Mortgage
- B. Loan Recipient:** **Nandi Wilson**  
 2006 Iverson Street, Temple Hills, MD 20748  
 Prince George's County  
 Original Loan: \$5,000  
 Current Balance: \$5,000  
 Type: Second Mortgage

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

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

**BOARD OF PUBLIC WORKS**

**MARCH 21, 2012**

**SECRETARY'S AGENDA**

**APPENDIX**

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

Individual reports enclosed.

**BOARD OF PUBLIC WORKS****MARCH 21, 2012****APPENDIX****SECRETARY'S AGENDA**

Contact: Thomas Hickey 410-865-1121  
thickey@mdot.state.md.us

**REPORT OF EMERGENCY PROCUREMENT****ITEM: Appendix 1****DEPARTMENT OF TRANSPORTATION**

The Secretary's Office

**CONTRACT TITLE:** Fire/flood remediation at MDOT Headquarters  
ADPICS No. J01B2400016

**CONTRACT TYPE:** Service

**DESCRIPTION:** Electrical fire resulted in need for emergency water extraction, clean up, and repairs to warehouse area, mechanical room, storage room, lower level lobby, conference room, hall, mail room at MDOT Headquarters. Work includes water extraction, equipment decontamination, removal and installation of baseboard and drywall, painting of walls, cleaning of cubicles, desks, chairs, bookcase contents, cleaning and deodorizing carpet, application of anti-microbial agents, HEPA vacuuming and HVAC ductwork cleaning.

**PROCUREMENT METHOD:** Emergency

**DATE EMERGENCY DECLARED:** December 17, 2011

**BIDS:** Royal Plus, Inc. (one bid received)

**AWARD:** Royal Plus, Inc.

**AMOUNT:** \$45,534.47

**CONTRACT AWARD DATE:** December 17, 2011

**CONTRACT TERM:** 12/17/11-1/11/12

**MBE PARTICIPATION:** 0%

**FUND SOURCE:** 100% Special

## BOARD OF PUBLIC WORKS

MARCH 21, 2012

## APPENDIX

## SECRETARY'S AGENDA

**REPORT OF EMERGENCY PROCUREMENT****ITEM:** Appendix 1(continued)**REMARKS:**

***Nature of Emergency:*** Fire and water damage occurred in several rooms and hallways on the ground floor of the Secretary of Transportation's Office on Saturday, December 17, 2011. Immediate remediation of the damaged area was required to eliminate potential mold before the building opened for the work week.

***Basis for Selection:*** MDOT first searched the DGS website for an existing emergency contract to cover fire/flood remediation services but none was listed. Then, due to the close proximity of Royal Plus and the urgent need to start clean-up of water damage which would result in mold within 48 hours, MDOT determined this vendor was the most reasonable choice. And, in fact, MDOT subsequently learned that this vendor is on DGS's alternate list of contacts for this type of emergency service.

The original invoice, in the amount of \$52,909.55, was negotiated down to \$45,534.47. This was accomplished by analyzing the 116-line item invoice detail and requesting that adjustments be made based on economies of scale, reasonableness of quantity, and consolidation of items that appeared to overlap.

**TAX COMPLIANCE NO.:** 12-0056-1111**RESIDENT BUSINESS:** Yes

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**BOARD OF PUBLIC WORKS ACTION:****REPORT ACCEPTED****WITH DISCUSSION****WITHOUT DISCUSSION****REPORTED REMANDED TO DEPT./AGENCY****REMARKS:**

**BOARD OF PUBLIC WORKS****MARCH 21, 2012****APPENDIX****SECRETARY'S AGENDA**

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

**REPORT OF EMERGENCY PROCUREMENT****ITEM:** Appendix 2**DEPARTMENT OF GENERAL SERVICES FOR THE  
MARYLAND STATE POLICE**

**CONTRACT:** Emergency Fuel Clean-Up  
Generator Gasoline Tank  
College Park Barrack "Q"  
ADPICS No.: 001B2400415  
Project: PQ-731-120-003

**CONTRACT TYPE:** Maintenance

**DESCRIPTION:** Clean up gasoline that leaked from generator tank and connection; remove free product; remove and dispose contaminated soil; remove concrete walkway; install temporary tank; core drill and install recovery wells; vacuum free product from inside generator room; remove underground piping and transition pump; analyze materials before disposal; restore area to original condition and install new sidewalk. Monitoring and screening will continue until materials under the concrete slab have cleared Maryland Department of the Environment testing.

**PROCUREMENT METHOD:** Emergency

**DATE EMERGENCY DECLARED:** December 5, 2011

**BIDS:**  
Kalyani Environmental Solutions, LLC \$64,392.31  
Baltimore, Md.

**AWARD:** Kalyani Environmental Solutions, LLC

**AMOUNT:** \$64,692.31

**AWARD DATE:** December 5, 2011

**TERM** 180 Calendar Days

## BOARD OF PUBLIC WORKS

MARCH 21, 2012

## APPENDIX

## SECRETARY'S AGENDA

## REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

MBE PARTICIPATION 0%

FUND SOURCE: MSP Funding

## REMARKS:

*Nature of Emergency:* On December 5, 2011, at the State Police College Park Barrack "Q", the gasoline fuel tank and connecting line were leaking and spilled approximately 100 gallons of gasoline into the generator room and through an expansion joint to the soil below. This required immediate cleanup and ongoing aeration to remove the fumes generated by the fuel below the slab. Monitoring must continue until fumes have subsided to satisfactory levels.

*Basis for Selection:* Immediate actions were required. Competitive bidding was not possible as the leak had to be stopped and the spilled fuel cleaned up immediately. Kalyani Environmental, LLC, was selected because MSP has used them for tank problems at other locations in the past. They have responded and completed all assignments and have provided satisfactory service to MSP.

*Reason for Late Report:* The agency was waiting for a final invoice to submit the report to the Board of Public Works. However, MDE required a monitoring program to assure that all leaking materials are removed. Once it was determined that the project monitoring may go on for several months delaying the final invoice, the report was submitted.

TAX COMPLIANCE NO.: 12-0075-0110

RESIDENT BUSINESS: Yes

## BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

**BOARD OF PUBLIC WORKS****MARCH 21, 2012****APPENDIX****SECRETARY'S AGENDA**

Contact: Tom Lewis 410-724-3003  
[Lewistd@dhmh.state.md.us](mailto:Lewistd@dhmh.state.md.us)

**REPORT OF EMERGENCY PROCUREMENT****ITEM:** Appendix 3

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**  
Clifton T. Perkins Hospital Center

**CONTRACT TITLE:** Independent Study for Clifton T. Perkins Hospital Center  
ADPICS No. M00B2400342  
OPASS 12-10859

**CONTRACT TYPE:** Service

**DESCRIPTION:** Independent analysis of safety, security and efficiency of the Clifton T. Perkins Hospital Center.

**PROCUREMENT METHOD:** Emergency

**DATE EMERGENCY DECLARED:** October 27, 2011

**AWARD:** Dr. Joel L. Dvoskin, M.D.

**AMOUNT:** \$50,000.00

**AWARD DATE:** November 9, 2011

**TERM:** 12/12/11 – 6/30/12

**MBE PARTICIPATION:** 0%

**FUND SOURCE:** 100% General

**APPROP. CODE:** M00L1001

## BOARD OF PUBLIC WORKS

MARCH 21, 2012

## APPENDIX

## SECRETARY'S AGENDA

## REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3 (cont'd)

## REMARKS:

**Nature of Emergency:** In light of the recent patients deaths at Clifton T. Perkins Hospital Center, the services of an outside consultant were necessary to provide an independent evaluation of policies, procedures, training and staffing related to the safety of Hospital patients and staff so that necessary changes to enhance safety may be made immediately.

**Basis for Selection:** Dr. Dvsokin was chosen because of his extensive background and knowledge in the forensic field.

**Reason for Late Report:** Although contract negotiations with Dr. Dvoskin began in November, 2011 there was a significant amount of back and forth over contract terms. The contract was finalized on January 26, 2012. Because of the need to report preliminary findings to the Legislature in January, Dr. Dvoskin began his work on December 12<sup>th</sup> with the anticipation that his contract would be approved.

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-0116-0000

## 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 21, 2012**

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

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

**Recommendation:** Approval to commit \$438,000.00 for the following **development** project.

***Lake Waterford Park Adaptive Recreation Track - \$438,000.00***  
***Anne Arundel County***  
***POS #5949-2-287***  
***MD20120124-0045***

**Background:** Develop a 220 yard, five lane, rubberized track to be part of the Adaptive Recreation Complex at Lake Waterford Park. The track will complement the rubberized baseball field and the ADA accessible playground that are currently in operation at the park.

**Fund Source:** MCCBL of 2010: Program Open Space, Local Capital Development  
and Land Acquisition Grants, Anne Arundel County:  
Program 89.22.49 Item 055 \$188.22

MCCBL of 2011: Program Open Space, Local Capital Development  
and Land Acquisition Grants, Anne Arundel County:  
Program 89.22.51 Item 051 \$437,811.78

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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 21, 2012**

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

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

**Recommendation:** Approval to commit \$36,000.00 for the following **development** project.

***Union Bridge Little Pipe Creek Trail Extension - \$36,000.00***

***Carroll County***

***POS #5950-6-324***

***MD20120201-0060***

**Background:** Extend the existing 5 foot wide trail by 2,000 linear feet to allow park users to explore more of the natural resource area within Little Pipe Creek Wetlands Park. This trail extension is the second phase of a three-phased trail project. Funds for Program Open Space Project #5833-6-315 Little Pipe Creek Trail Extension totaling \$5,521.86 were approved by the Board of Public Works on the Secretary=s Agenda: October 6, 2010, Item 1A.

**Fund Source:** Program Open Space Local Share allocated to Carroll County:  
Program 81.20.04 Item 906 \$26,247.75

MCCBL of 2011: Program Open Space, Local Capital Development  
and Land Acquisition Grants, Carroll County:  
Program 89.22.51 Item 051 \$9,752.25

---

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 21, 2012

ITEM 3A  
RURAL LEGACY PROGRAM FUNDSContact: Lisa Ward  
lward@dnr.state.md.us  
(410) 260-8450

**Recommendation:** Approval to grant \$365,854.40 to Carroll County for the following project from Rural Legacy Funds.

*Little Pipe Creek Rural Legacy Area  
Michael Albaugh Property*

**Background:** The Board of Public Works authorized a \$1,000,000 FY 2011 Grant for easement acquisitions for the Little Pipe Creek Rural Legacy Area on the September 1, 2010 Program Open Space Agenda Item 11A.

**Project Description:** Acquisition of this 94.057-acre conservation easement will protect valuable farmland in Carroll County. The acquisition will buffer over 2,600 linear feet of Double Pipe Creek, as well as an additional 1,830 linear feet of the Monocacy River, a major tributary to the Potomac River. This easement will be held by Carroll County.

**Value of Easement:** Total easement value \$349,421.75 - \$3,715.00 per acre

**Total Other Costs:** \$ 16,432.65

Administrative:	\$10,482.65	
Incidental:	\$ 5,950.00	(\$ 5,950 Survey)
Program Compliance:	\$ 0.00	(County paying)

**Amount Requested:** \$365,854.40

**Fund Source:** MCCBL of 2010: Rural Legacy Program  
Program 89.22.49 Item 054 \$ 365,854.40 (FY 2011)

---

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 21, 2012**

**ITEM 4A  
RURAL LEGACY PROGRAM FUNDS**

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

**Recommendation:** Approval to grant \$65,891.60 to Carroll County for the following project from Rural Legacy Funds.

***Little Pipe Creek Rural Legacy Area  
Edwin & Nancy Gregg Property***

**Background:** The Board of Public Works authorized a \$1,000,000 FY 2011 Grant for easement acquisitions for the Little Pipe Creek Rural Legacy Area on the September 1, 2010 Program Open Space Agenda Item 11A.

**Project Description:** Acquisition of this 13.172-acre conservation easement will protect valuable farmland in Carroll County. The acquisition will buffer approximately 600 linear feet of unnamed tributaries to Little Pipe Creek. This easement will be held by Carroll County.

**Value of Easement:** Total easement value \$65,000 - \$4,934.70 per acre

**Total Other Costs:** \$ 891.60

Administrative:	\$ .00	(County paying)
Incidental:	\$891.60	( Title work)
Program Compliance:	\$ .00	(County paying)

**Amount Requested:** \$65,891.60

**Fund Source:** MCCBL of 2010: Rural Legacy Program  
Program 89.22.49 Item 054 \$ 65,891.60 (FY 2011)

---

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 21, 2012

ITEM 5A  
RURAL LEGACY PROGRAM FUNDSContact: Lisa Ward  
lward@dnr.state.md.us  
(410) 260-8450

**Recommendation:** Approval to grant \$550,882.66 to the Frederick County Board of Commissioners for the following project from Rural Legacy Funds.

*Mid-Maryland Frederick Rural Legacy Area  
W & W Property Management, LLC Property*

**Background:** The Board of Public Works authorized a \$1,000,000.00 FY 2009 Grant for easement acquisitions for the Mid-Maryland Frederick Rural Legacy Area on the January 7, 2009 Program Open Space Agenda Item 10A, and \$500,000.00 on the September 1, 2010 Program Open Space Agenda Item 11A.

**Project Description:** Acquisition of this 109.462-acre conservation easement will protect productive farmland and woodlands, and serve to buffer 2,000 linear feet of unnamed tributaries to Broad Run Creek. Broad Run Creek is a tributary to Catoctin Creek, which is classified as a Use IVP Recreational Trout Waters stream, and a tributary to the Potomac River. This easement will be held by Frederick County, which has generously contributed to the acquisition.

**Value of Easement:** Total easement value \$696,835.00 - \$6,366.00 per acre (Frederick County is contributing \$158,000.00.)

**Total Other Costs:** \$ 12,047.66

Administrative:	\$8,000.00	
Incidental:	\$4,047.66	(\$ 150.00 Closing fee \$ 250.00 Title Exam \$2,347.66 Title Insurance \$1,300.00 Survey)
Program Compliance:	\$ 0.00	

**Amount Requested:** \$550,882.66

**Fund Source:** MCCBL of 2010: Rural Legacy Program  
Program 89.22.49 Item 054 \$ 550,882.66 (FY 2011)

---

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 21, 2012

ITEM 6A  
RURAL LEGACY PROGRAM FUNDSContact: Lisa Ward  
lward@dnr.state.md.us  
(410) 260-8450

**Recommendation:** Approval to grant \$760,394.24 to the Frederick County Board of Commissioners for the following project from Rural Legacy Funds.

*Mid-Maryland Frederick Rural Legacy Area  
Ila Jane Damazo Property*

**Background:** The Board of Public Works authorized a \$1,000,000.00 FY 2009 Grant for easement acquisitions for the Mid-Maryland Frederick Rural Legacy Area on the January 7, 2009 Program Open Space Agenda Item 10A.

**Project Description:** Acquisition of this 130.0445-acre conservation easement will protect productive farmland and woodlands, and serve to buffer 3,120 linear feet of unnamed tributaries to Little Catoctin Creek. The Little Catoctin is classified as a Use IP Recreational Trout Waters stream, and a tributary to the Potomac River Watershed. This easement will be held by Frederick County, which has generously contributed to the acquisition.

**Value of Easement:** Total easement value \$907,060.00 - \$6,975.00 per acre (Frederick County is contributing \$158,000.00.)

**Total Other Costs:** \$ 11,334.24

Administrative:	\$8,000.00	
Incidental:	\$3,334.24	(\$ 150.00 Closing fee \$ 250.00 Title Exam \$ 2,934.24 Title Insurance)
Program Compliance:	\$ 0.00	

**Amount Requested:** \$760,394.24

**Fund Source:** MCCBL of 2010: Rural Legacy Program  
Program 89.22.49 Item 054 \$760,394.24 (FY 2011)

---

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 21, 2012**

**ITEM 7A  
RURAL LEGACY PROGRAM FUNDS**

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

**Recommendation:** Approval to grant \$279,828.95 to Worcester County for the following project from Rural Legacy Funds.

***Coastal Bays Rural Legacy Area  
Tidewater Farms Property***

**Background:** The Board of Public Works authorized a \$750,000 FY 2008 Grant for easement acquisitions for the Coastal Bays Rural Legacy Area on the April 2, 2008 Program Open Space Agenda Item 9A, and a \$500,000 FY 2009 Grant on the January 7, 2009 Program Open Space Agenda Item 10A.

**Project Description:** Acquisition of this 251.149-acre conservation easement will protect productive agricultural and forest lands. The acquisition will protect 6,000 linear feet of Tanhouse Creek, which is located within the Chincoteague Bay Watershed. This easement will be held by the County Commissioners of Worcester County.

**Value of Easement:** Total easement value \$482,500.00 - \$1,921.17 per acre (The U.S. Department of Agriculture is contributing \$241,250.00 pursuant to the Farm and Ranchlands Protection Program.)

**Total Other Costs:** \$ 38,578.95

Administrative:	\$14,475.00	
Incidental:	\$16,866.45	(\$ 564.50 Title Work/Insurance \$6,750.00 Appraisals \$7,630.00 Survey \$1,921.95 Settlement fees)
Program Compliance:	\$ 7,237.50	

**Amount Requested:** \$279,828.95

**Fund Source:** Program 81.20.04 Item 025 \$279,828.95 (FY 2009)

---

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 21, 2012**

**ITEM 8A  
RURAL LEGACY PROGRAM FUNDS**

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

**Recommendation:** Approval to grant \$159,739.08 to the Lower Shore Land Trust for the following project from Rural Legacy Funds.

***Dividing Creek Rural Legacy Area  
Riggin Property***

**Background:** The Board of Public Works authorized a \$1,000,000 FY 2009 Grant for easement acquisitions for the Dividing Creek Rural Legacy Area on the January 7, 2009 Program Open Space Agenda Item 10A, and a \$500,000 FY 2010 Grant on the December 16, 2009 Program Open Space Agenda Item 10A.

**Project Description:** Acquisition of this 90.78-acre conservation easement will protect productive agricultural and forest lands. The acquisition will protect 1,800 linear feet of Tony's Branch, a tributary of Dividing Creek, which is located within the Pocomoke River Watershed. This easement will be held by the Department of Natural Resources and the Lower Shore Land Trust.

**Value of Easement:** Total easement value \$197,084.00 - \$2,171.01 per acre (The U.S. Department of Agriculture is contributing \$60,000.00 pursuant to the Farm and Ranchlands Protection Program.)

**Total Other Costs:** \$ 22,655.08

Administrative:	\$ 5,912.00	
Incidental:	\$13,787.08	(\$ 784.08 Title Work/Insurance \$ 115.00 Recording fees \$3,200.00 Appraisals \$6,225.00 Survey \$1,563.00 Settlement fees \$1,900.00 Environmental Assessment)
Program Compliance:	\$ 2,956.00	

**Amount Requested:** \$159,739.08

**Fund Source:** Program 81.20.04 Item 025 \$159,739.08 (FY 2009)

---

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 21, 2012**

**ITEM 9A  
PROGRAM OPEN SPACE  
CONSERVATION RESERVE ENHANCEMENT PROGRAM FUNDS**

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

**Recommendation:** Approval to grant to the Washington County Commissioners \$226,957.17 for the following project from Program Open Space Stateside Funds.

**Project Name:** Czarra Conservation Reserve Enhancement Program Easement,  
Washington County

**Background:** Reference is made to Program Open Space Agenda Item 9A (September 16, 2009) in which the Board of Public Works approved the Conservation Reserve Enhancement Program (CREP) easement acquisition program and authorized the use of bond funds issued under the Program Open Space Land Acquisition Opportunity Loan Act of 2009 to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program* (April 24, 2009).

**Project Description:** Czarra CREP Easement. Acquisition of this 57.36-acre CREP easement located in Washington County permanently protects water quality through forested and grass riparian buffers along 1,900 feet of Little Antietam Creek and associated tributaries. Little Antietam Creek lies within the Potomac River Watershed, an important tributary of the Chesapeake Bay. This CREP easement will be co-held by Washington County and the Department of Natural Resources.

**Value of Easement:** Total easement value \$206,857.36 - \$3,606.30 per acre

**Other Costs:** \$20,099.81

Administrative:	\$ 6,205.72
Incidental:	\$ 10,791.23
Compliance:	\$ 3,102.86

**Total Amount Requested:** \$226,957.17

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

**March 21, 2012**

**ITEM 9A (con't)**

**PROGRAM OPEN SPACE**

**CONSERVATION RESERVE ENHANCEMENT PROGRAM FUNDS**

**CREP Targeting:** The CREP easement program focuses its efforts on "Target Level 1" and "Target Level 2" counties where the easement practices will have the greatest impact on water quality. Targeting for CREP was a multiagency and conservation partnership organization effort that utilized nine high priority, science based, data sets and areas of special consideration developed from the past 10 years of research and study of water quality and natural resource conditions in the State's 134 watersheds. Washington County is a Target Level 2 county.

**Easement Valuation System:** DNR uses an easement evaluation system based on:

- (1) whether the property is located within a "Target Level 1" or "Target Level 2" county;
- (2) the width of the buffers; and
- (3) the amount of land in the CREP contract that will be covered by the easement.

The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

**Fund Source:** Program 81.20.03 Item 447 \$ 20,099.81 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009  
Program 89.22.45 Item 500 \$ 206,857.36 (FY 2010)

**Remarks:** This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property.

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Board of Public Works Action: the above referenced item was

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

**SERVICES CONTRACT**

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

**DEPARTMENT:** Maryland Insurance Administration (MIA)  
Examination and Auditing

**CONTRACT ID:** D80R2400001;  
Financial Examination Services  
Financial Exam Specialists  
ADPICS No. D80B2400009

**CONTRACT DESCRIPTION:** Provide Financial Examination Consulting Services through nine contracts for the following five functional areas: (1) Property and Casualty - Actuarial Services; (2) Reinsurance Services; (3) Information Technology Audit Services; (4) Life and Health - Actuarial Services; and (5) Investment Services.

**AWARDS:** See Attachment 1

**TERM:** 3/22/2012 – 3/21/2015 (w/2 one-year renewal options)

**AMOUNT:** \$4,570,600 NTE (3 Years; Base Contract)  
\$1,556,100 NTE (1 Year; 1<sup>st</sup> Renewal Option)  
\$1,587,000 NTE (1 Year; 2<sup>nd</sup> Renewal Option)  
\$7,713,700 NTE Total (5 Years)

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**BIDS OR PROPOSALS:** See Attachment 2

**MBE PARTICIPATION:** 2.74% overall (7% for functional areas 2, 3 & 5)  
(See Requesting Agency Remarks below)

**PERFORMANCE SECURITY:** None

**INCUMBENTS:** See Attachment 2

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

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

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* (eMM). Copies of the RFP were mailed directly to 31 prospective vendors, nine of which are Maryland firms and included one MBE. A copy of the RFP was also sent to the Governor's Office of Minority Affairs.

The Maryland Insurance Administration (MIA) issued this RFP to obtain up to ten Contracts (one Primary Contractor and at its discretion one Backup Contractor for each functional area) to assist the MIA to ensure the continued financial solvency of insurers authorized to do business in Maryland.

Fifteen proposals were received in response to the RFP, 14 of which were determined to be reasonably susceptible of being selected for award. One proposal for two functional areas was deemed not reasonably susceptible of being selected for award due to MBE issues. Offerors could submit one proposal for one functional area up to all five functional areas. As per the terms of the RFP, awards will be made for five Primary and four Backup Contracts. Awards are being recommended to the five offerors with the highest overall ranked proposals for the five functional areas (see Attachments 1 and 2).

Awards are recommended to Lewis & Ellis, Inc., INS Regulatory Insurance Services, Inc., Bostick/Crawford Consulting Group, Inc., Noble Consulting Services, Inc., and RSM McGladrey Inc. (see Attachment 1). Neither the Primary Contractors nor Backup Contractors are guaranteed any minimum or maximum amount of work under the Contracts.

The MIA is mandated by § 2-205 of the Insurance Article, Maryland Annotated Code, to conduct financial examinations of insurance companies, health maintenance organizations, and managed care organizations at least once every five years. There are approximately 70 such companies domiciled in the State of Maryland. The purpose of these examinations is to ensure the continued financial solvency of insurers authorized to do business in Maryland by detecting solvency issues in advance and ensuring compliance with National Association of Insurance Commissioners (NAIC) requirements and Maryland law. This Section also performs organizational examinations of new companies, and target examinations as a result of specific concerns about a company's solvency or other information the MIA may become aware of and may require continued monitoring by the MIA. The responsibility for these examinations rests with the Examination and Auditing Unit.

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

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

The MBE Participation Goals were established by functional areas as follows:

- (1) Property and Casualty - Actuarial Services = 0%;
- (2) Reinsurance Services = 7%;
- (3) Information Technology Audit Services = 7%;
- (4) Life and Health - Actuarial Services = 0%; and
- (5) Investment Services = 7%.

Therefore, the overall MBE Participation Goal for these services as a whole is 2.74%.

**FUND SOURCE:** 100% Special (The insurance company being examined will pay the Contractor.)

**APPROP. CODE:** D80Z01

**RESIDENT BUSINESSES:** See Attachment 1

**MD TAX CLEARANCES:** See Attachment 1

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

**AWARDS / MD TAX CLEARANCES / RESIDENT BUSINESSES (Cont.):**

<b><u>AWARDEES &amp; MD TAX CLEARANCES</u></b>	<b><u>PRIMARY/SECONDARY CONTRACT AWARDS</u></b>	<b><u>RESIDENT BUSINESSES</u></b>
Lewis & Ellis Inc. Richardson, TX (Local Office in Baltimore, MD) 12-0008-0111	Primary (1) (4)	Yes
INS Regulatory Insurance Services, Inc. Philadelphia, PA 12-0007-0111	Primary (2)	No
Bostick/Crawford Consulting Group Plano, TX 12-0239-0000	Primary (3)	No
Noble Consulting Services, Inc. Indianapolis, IN 12-9928-0000	Primary (5)	No
RSM McGladrey, Inc. Baltimore, MD 12-0010-1111	Backup (1) (3) (4) (5)	Yes

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

**ITEM:** 1-S (Cont.) **ATTACHMENT 2**

**BIDS OR PROPOSALS (Cont.):**

<u><b>Offerors</b></u>	<u><b>Technical Ranking</b></u>	<u><b>Financial Price Price/Ranking **</b></u>	<u><b>Overall Ranking ***</b></u>
<b><u>(1) Property &amp; Casualty - Actuarial Services:</u></b>			
Lewis & Ellis Inc. * Richardson, TX (Local Office in Baltimore, MD)	1	\$895,000 (2)	1
RSM McGladrey, Inc. Baltimore, MD	2	\$870,000 (1)	2
Merlinos & Associates, Inc. Norcross, GA	4	\$1,145,000 (3)	3
INS Regulatory Insurance Services, Inc. Philadelphia, PA	3	\$1,410,000 (5)	4
Pinnacle Actuarial Resources, Inc. * Garden City, NY	5	\$1,300,000 (4)	5
<b><u>(2) Reinsurance Services:</u></b>			
INS Regulatory Insurance Services, Inc. * Philadelphia, PA	1	\$348,000 (5)	1
Noble Consulting Services, Inc. Indianapolis, IN	2	\$210,000 (1)	2
RSM McGladrey Inc. Baltimore, MD	3	\$253,000 (4)	3
Examination Resources Atlanta, GA	4	\$231,000 (3)	4
Lewis & Ellis Actuarial Consultants * Richardson, TX (Local Office in Baltimore, MD)	5	\$225,000 (2)	5
Smith/Little LLC Charleston, WV	6	\$352,000 (6)	6

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

**ITEM:** 1-S (Cont.) **ATTACHMENT 2**

**BIDS OR PROPOSALS (Cont.):**

<u><b>Offerors</b></u>	<u><b>Technical Ranking</b></u>	<u><b>Financial Price Price/Ranking **</b></u>	<u><b>Overall Ranking ***</b></u>
<b><u>(3) Information Technology Audit Services:</u></b>			
Bostick/Crawford Consulting Group Plano, TX	4	\$990,000 (2)	1
RSM McGladrey, Inc. * Baltimore, MD	1	\$1,152,000 (7)	2
Jennan Enterprise Tallahassee, FL	5	\$990,000 (2)	3
Sigma Technology Partners, LLC Silver Spring, MD	10	\$657,000 (1)	4
Noble Consulting Services, Inc. Indianapolis, IN	7	\$1,050,000 (4)	5
AGI Services Tyrone, GA	6	\$1,117,500 (6)	6
ParenteBeard, LLC Philadelphia, PA	2	\$1,185,000 (9)	7
JVP Partners, Inc Evanston, IL	9	\$1,084,500 (5)	8
Examination Resource Atlanta, GA	8	\$1,155,000 (8)	9
INS Regulatory Insurance Services, Inc. Philadelphia, PA	3	\$1,490,000 (10)	10

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

**ITEM:** 1-S (Cont.) **ATTACHMENT 2**

**BIDS OR PROPOSALS (Cont.):**

<u>Offerors</u>	<u>Technical Ranking</u>	<u>Financial Price Price/Ranking **</u>	<u>Overall Ranking ***</u>
<b><u>(4) Life and Health - Actuarial Services:</u></b>			
Lewis & Ellis Inc. * Richardson, TX	1	\$1,168,700 (2)	1
RSM McGladrey, Inc. Baltimore, MD	3	\$1,131,000 (1)	2
INS Regulatory Insurance Services, Inc. * Philadelphia, PA	2	\$1,540,500 (4)	3
Noble Consulting Services, Inc. Indianapolis, IN	4	\$1,495,000 (3)	4
<b><u>(5) Investment Services:</u></b>			
Noble Consulting Services, Inc. Indianapolis, IN	<u>1</u>	\$400,000 (2)	1
RSM McGladrey, Inc. * Baltimore, MD	<u>2</u>	\$412,500 (3)	2
Examination Resources Atlanta, GA	<u>3</u>	\$385,000 (1)	<u>3</u>

Notes: \* Incumbents.

\*\* The financial prices were based upon a model for the fully loaded fixed hourly rates for an estimated number of hours for each functional area for the services to be performed.

\*\*\* Technical factors and financial factors had equal weight in the overall award determination.

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

**SERVICES CONTRACT**

**ITEM:** 2-S **Agency Contact:** Richard E. Norman  
410-229-4109  
rnorman@oah.state.md.us

**DEPARTMENT/PROGRAM:** Office of Administrative Hearings (OAH)  
Administration

**CONTRACT ID:** OAH CR 11-01;  
Court Reporting Services  
ADPICS BPO# D99B2400002

**CONTRACT DESCRIPTION:** Provide court reporting services including:  
recording testimony, transcription and furnishing transcripts or other media for administrative  
hearings and other events as needed.

**AWARD:** For The Record, Inc.  
White Plains, MD

**TERM:** 4/1/2012 – 3/31/2015 (w/2 one-year renewal  
options)

**AMOUNT:** \$392,128 (3 Years; Base Contract)  
\$130,709 (1 Year; 1<sup>st</sup> Renewal Option)  
\$130,709 (1 Year; 2<sup>nd</sup> Renewal Option)  
\$653,546 Total (5 Years)

**PROCUREMENT METHOD:** Competitive Seal Proposals

**BIDS OR PROPOSALS:** See Attachment

**MBE PARTICIPATION:** 100% (Contractor is a Maryland Certified MBE)  
5% Subcontracting Goal  
(See Requesting Agency Remarks below)

**MBE WAIVER:** 20% (See Requesting Agency Remarks below)

**PERFORMANCE SECURITY:** None

**INCUMBENT:** Same

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

**ITEM:** 2-S (Cont.)

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Request for Proposal (RFP) was posted on *eMarylandMarketplace.com*. The RFP was sent via email to ten Maryland Department of Transportation (MDOT) certified MBEs matching the criteria for Court Reporting and Transcription Services. A copy of the solicitation was also sent to the Governor's Office for Minority Affairs.

Three proposals were received in response to the RFP. For The Record, Inc. (FTR) was ranked overall #1. FTR had the #1 technical proposal and the highest price. However, the difference between the price proposals (\$10,775 or 1.7% for the lowest priced offeror and \$6,233 or less than 1% for the second lowest priced offeror) did not outweigh the differences between the technical proposals of the three offerors. FTR submitted a technical proposal that outlined its experience and capabilities by offering more reporters and transcriptionist and more office staff personnel working as a management team to provide services to OAH. The proposal also provided for different types of reporters to be available for stenotype reporting; voice reporting; and stenomasking reporting. Therefore, award is recommended to FTR that was deemed to have the most advantageous Offer to the State.

The Contractor will provide court reporting services which include recording testimony, transcription, and furnishing transcript or other media for administrative hearing and other to-be-designated events. Any agency of the State of Maryland may order these services under any contract, which results from this solicitation. Court reporting and transcriptions are vital to preserve administrative hearings for appellate review.

Each agency is responsible for funding the transcriptions for its own court cases. The budget is established based on the history of cases for the agency. OAH does not receive copies of all transcripts. Sometimes only one copy is provided to the agency. If other participants want copies of the transcripts, they must pay for them separately.

A protest was received from one of the non-awardees, Hunt Reporting Company (HRC), on 8/11/2011. OAH denied the protest on 8/24/2011. HRC filed an appeal with the Maryland State Board of Contract Appeals (MSBCA) on 9/2/2011. The hearing was held in December 2011. The MSBCA made its decision on 2/1/2012 and denied the appeal.

A 25% MBE Participation goal was established for this solicitation. However, FTR requested a 20% MBE waiver, which was granted by OAH. In addition, the recommended Contractor is a Maryland Certified MBE.

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

**ITEM:** 2-S (Cont.)

**FUND SOURCE:** 100% Reimbursable

**APPROP. CODE:** D99A1101

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0333-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**ITEM:** 2-S (Cont.) **ATTACHMENT**

**BIDS OR PROPOSALS (Cont.):**

<b>Offerors</b>	<b>Tech. Rank</b>	<b>Financial Price Base Contract (3 Years)</b>	<b>Financial Price 1<sup>st</sup> Renewal Option (1 Year)</b>	<b>Financial Price 2<sup>nd</sup> Renewal Option (1 Year)</b>	<b>Financial Price / Rank Total 5 Years</b>	<b>Overall Rank *</b>
For the Record, Inc. White Plains, MD	1	\$392,128	\$130,709	\$130,709	\$653,546 (3)	1
Hunt Reporting Company Glen Burnie, MD:	2	\$381,076	\$131,790	\$134,447	\$647,313 (2)	2
JR Investigative and Legal Services, LLC Baldwin, MD	3	\$377,025	\$131,616	\$134,130	\$642,771 (1)	3

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

## SERVICES CONTRACT

**ITEM:** 3-S

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

**DEPARTMENT/PROGRAM:**

Department of Human Resources (DHR)  
Harford County Dept. of Social Services (HADSS)

**CONTRACT ID:**

**HADSS/SSA/12-001;  
ADPICS No. N00B2400384**

**CONTRACT DESCRIPTION:**

**CONTRACT DESCRIPTION:** Provide the services of a practicing attorney to represent DHR and the Harford County Department of Social Services (HADSS) in child welfare and adult services cases before the Harford County Courts.

**AWARD:**

Love, Fleming & Bearsch, LLC  
Bel Air, MD

**TERM:**

4/1/2012 - 3/31/2015 (w/2 one-year renewal options)

**AMOUNT:**

**\$480,000 (3 Years; Base Contract)**  
**\$165,000 (1 Year; 1<sup>st</sup> Renewal Option)**  
**\$165,000 (1 Year; 2<sup>nd</sup> Renewal Option)**  
**\$810,000 Total (5 Years)**

**PROCUREMENT METHOD:**

### Competitive Sealed Proposals

**BIDS OR PROPOSALS:**

See Attachment

**MBE PARTICIPATION:**

5% (See Requesting Agency Remarks Below)

**INCUMBENT:**

**Bolton & Kearney, P.A.**  
**Aberdeen, MD**

**SUPPLEMENT B  
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.com* and the DHR website. Copies of the solicitation notice were directly mailed to 12 potential Offerors, all of which are Maryland firms and three are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Three proposals were received in response to the RFP; all of which were deemed to be reasonably susceptible of being selected for award. Love, Fleming & Bearsch, LLC (LF&B) was determined to have the most advantageous offer to the State with the highest ranked technical offer and the lowest price, and is therefore recommended for award. LF&B has 16 years of experience in child welfare and adult services cases. Its proposal indicated the capacity to perform the contractual requirements; a comprehensive technological solution to meet the Department's needs, and a competent, experienced project team to oversee the contract requirements.

This contract provides legal representation in the courts of Harford 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 and adult services, including terminations of parental rights (TPR) hearings, emergency shelter hearings, adjudicatory hearings, regularly scheduled hearings to review a child's continued placement in an out-of-home placement and all scheduled Court appearances for biological parents who participate in the Family Recovery Court.

A 5% MBE participation goal was established for this Contract based upon the limited subcontracting opportunities to provide office supplies, information technology support and maintenance, and accounting services. Due to the sensitive nature of the services being provided under this Contract, the core services are not available for subcontracting.

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

**ITEM:** 3-S (Cont.)

**FUND SOURCE:** 82.7% General; 17.3% Federal

**APPROP. CODE:** N00G0003

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0083-0111

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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**

**ATTACHMENT**

**ITEM:** 3-S (Cont.)

**BIDS OR PROPOSALS (Cont):**

Offerors	Technical Ranking	Financial Price Base Term (3 Years)	Financial Price 1 <sup>st</sup> Renewal Option (1 Yr.)	Financial Price 2 <sup>nd</sup> Renewal Option (1 Yr.)	Financial Price / Rank Total 5 Years	Overall Ranking
Love, Fleming & Bearsch, LLC Bel Air, MD	1	\$480,000	\$165,000	\$165,000	\$810,000 (1)	1
Bolton & Kearney, P.A. Aberdeen, MD	2	\$516,000	\$180,000	\$180,000	\$876,000 (3)	2
The Law Offices of Sondra M. Douglas, LLC Towson, MD	3	\$488,000	\$168,000	\$170,000	\$826,000 (2)	3

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

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

**SERVICES CONTRACT**

**ITEM:** 4-S **Agency Contact:** Sandy Johnson  
410-767-7408  
Sjohnso5@dhr.state.md.us

**DEPARTMENT/PROGRAM:** Department of Human Resources (DHR)  
Family Investment Administration (FIA)  
Disability Services Operations

**CONTRACT ID:** FIA/DDO-12-001;  
Disability Determination Operations Services  
ADPICS NO. N00B2400370

**CONTRACT DESCRIPTION:** Contract to manage and monitor the services of a Medical Review Team to review evidence of medical disability for individuals who apply for Maryland Medical Assistance in accordance with the Social Security Administration's (SSA) regulations for determining whether an individual is disabled.

**AWARD:** MAXIMUS Federal Services, Inc.  
Reston, VA  
(Local Office in Columbia, MD)

**TERM:** 4/1/2012 – 3/31/2014 (w/2 one-year renewal options)

**AMOUNT:** \$ 8,215,490 NTE (2 Years; Base Contract)  
\$ 2,049,281 NTE (1 Year; Renewal Option #1)  
\$ 968,388 NTE (1 Year; Renewal Option #2)  
\$11,233,159 NTE Total (4 Years)

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS OR PROPOSALS:** See Attachment 1

**MBE PARTICIPATION:** None (See Requesting Agency Remarks below)

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

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

**PERFORMANCE SECURITY:** None

**HIRING AGREEMENT ELIGIBLE:** Yes

**INCUMBENT:** Health Management Associates, Inc.  
Baltimore, MD

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace* and the DHR website. Copies of the solicitation notice were mailed directly to 16 prospective vendors, four of which are Maryland firms and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Three bids were received in response to the IFB. However, the apparent lowest priced bidder was unable to cure a deficiency in its bid submission after several requests to provide the required documentation. Therefore, its bid was deemed to be nonresponsive and eliminated. Of the two remaining bids, the lower priced bid from MAXIMUS Federal Services, Inc. (MAXIMUS) was deemed responsive. MAXIMUS was determined to be a responsible bidder, and is therefore recommended for award. Moreover, the price has been deemed fair and reasonable.

Currently, MAXIMUS' Medical Review Team (MRT) panel performs more than 15,000 disability determinations per year for State disability determination offices, the Social Security Administration (SSA), local municipalities and other federal agencies. MAXIMUS is well versed in disability determination operations and representation to produce successful attainment of Social Security disability approval decisions.

Customers benefit when the recommendation of the MRT physician is that they are disabled for at least 12 months. If determined disabled, the customer is eligible to receive federal Medical Assistance through DHR. In addition, the State is mandated by federal law to provide a disability determination for all individuals applying for Medical Assistance as a blind or disabled person per 42 CFR 416.919 and 42 CFR 416.920.

No MBE participation goal was established for this contract based upon the determination that no MBEs are available to perform the services required to make disability determinations according to the SSA's Five-Step Disability Determination process.

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

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

**FUND SOURCE:** 50% General; 50% Federal

**APPROP. CODE:** N00I0004

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 12-0154-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

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

**ATTACHMENT**

**BIDS OR PROPOSALS**

Bidders	Financial Price Base Contract (2 Years)	Financial Price Renewal Option #1 (1 Year)	Financial Price Renewal Option #2 (1 Year)	Total Financial Price * (4 Years)
MAXIMUS Federal Services, Inc. Reston, VA (Local Office in Columbia, MD)	\$8,215,490	\$2,049,281	\$968,388	\$11,233,159
Health Management Associates, Inc. Baltimore, MD	\$8,295,000	\$3,693,000	\$2,126,600	\$14,114,620

Note: \* The Financial Price is based upon a model of an estimated number of completed transactions to obtain the fully-loaded fixed unit prices for the services to be provided in the contract. With the enactment of Health Care Reform (the Affordable Care Act) in January 2014, the expectation is there will be a significant decline in the number of individuals requiring a disability determination for Medical Assistance eligibility. Therefore, the estimated number of completed transactions is less for each of the renewal option years.

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

**SERVICES CONTRACT**

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

**DEPARTMENT/PROGRAM:** Housing and Community Development (DHCD)  
Office of Communications and Marketing

**CONTRACT ID:** S00B2400009;  
Media Buying, Creative Services, and Marketing  
Analysis Services  
ADPICS NO. S00B2400009

**CONTRACT DESCRIPTION:** Provide media buying, creative services, and  
marketing analysis services for the Department's Office of Communications and Marketing,  
including foreclosure prevention programs awareness.

**AWARD:** Media Works, LTD  
Baltimore, MD  
(MDOT Certified MBE)

**TERM:** 4/1/2012 - 3/31/2015

**AMOUNT:** \$2,250,000 NTE (3 Years)

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**BIDS OR PROPOSALS:** See Attachment

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

**PERFORMANCE SECURITY:** None

**INCUMBENT:** Same

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

**ITEM:** 5-S (Cont.)

**REQUESTING AGENCY REMARKS:** A notice of availability of the Request for Proposals (RFP) was advertised in *eMarylandMarketplace.com* and DHCD's website. Copies of the solicitation notice were mailed directly to 55 prospective vendors, 47 of which are Maryland firms, and included 25 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.

Award is recommended to Media Works, LTD (Media Works), whose proposal was determined to be the most advantageous to the State. Media Works' proposal ranked first technically and second financially, for an overall #1 ranking. Media Works' technical superiority outweighed the slightly lower price (\$24,975 less or 9.8%) of the #2 ranked technical offeror based upon its strength in media placement, which is the primary focus of this contract. Media Works has 25 years of experience specifically oriented to finding the right media mix to reach a customer's target audiences. DHCD believes Media Works' buying power will be leveraged to maximize DHCD's media purchases. Because of its specific expertise and longevity in the marketplace, Media Works is uniquely positioned to deliver excellent value in media placement.

In addition to media buying, services to be provided include creative and marketing analysis services. Media Works and its MBE partners bring an ability to provide the state with creative services aimed at getting immediate response from DHCD's target markets and superior skills in marketing analysis at the level required for DHCD to be well informed of the effectiveness of its targeted advertising strategies for planning in subsequent years.

The *Award Amount* above and the *Financial Price Amount* shown in the Attachment are different. The *Financial Price Amount* was based upon a pricing model that was part of the financial proposal submitted by Offerors and did not include direct cost aspects, including media/advertising placement/ buying since all such placements are provided by the Contractor at actual cost, with no mark-up or profit. DHCD anticipates spending approximately \$670,000 on advertising placement each year for the three years of the contract (or a total of \$2,010,000). Therefore, the *Award Amount* of \$2,250,000 includes the anticipated media placement dollars plus the Financial Price as an estimated not-to-exceed (NTE) amount.

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

**ITEM:** 5-S (Cont.)

**FUND SOURCE:** 99.01% Special (Combination of General Bond  
Reserve Fund & State Funded Loan Programs)  
0.09% Federal (U.S. Department of Energy Grant)

**APPROP. CODE:** S00A2503

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0133-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

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

**BIDS OR PROPOSALS (Cont.):**

<b><u>OFFERORS</u></b>	<b><u>TECHNICAL RANKING</u></b>	<b><u>FINANCIAL PRICE &amp; RANKING</u></b>	<b><u>OVERALL RANKING**</u></b>
Media Works Baltimore, MD	1	\$252,900 (2)	1
Integrated Designs Glen Burnie, MD	2	\$227,925 (1)	2
Herrmann Advertising Annapolis, MD	3	\$310,500 (4)	3
Havit Advertising Fulton, MD	4	\$289,800 (3)	4

Note: \* The Financial Price was based upon a model in the RFP to obtain hourly rates for an estimated number of hours for each category.

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

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

**SERVICES CONTRACT RENEWAL OPTION**

<b>ITEM:</b>	6-S-OPTION	<b>Agency Contact:</b> Marcus Filson 410-230-3325 filsonm@djs.state.md.us
<b>DEPARTMENT/PROGRAM:</b>		Juvenile Services (DJS) Somatic Health Services
<b>CONTRACT ID:</b>		08-JS-055; Medical Services for Youth at Selected DJS Facilities ADPICS NO. V00B2400059
<b>CONTRACT APPROVED:</b>		6/3/2009 DBM BPW Agenda Item 8-S
<b>CONTRACTOR:</b>		Jay A. Bernstein, M.D. Rockville, MD
<b>CONTRACT DESCRIPTION:</b>	Provide physician services to approximately 500 male and female youth between the ages of 6 and 21, who have been placed into the care of any of the nine DJS facilities.	
<b>OPTION DESCRIPTION:</b>	Approval request to continue the existing physician services by exercising the first of two one-year renewal options as contained in the original contract.	
<b>TERM OF ORIGINAL CONTRACT:</b>	4/1/2009 – 3/31/2012 (w/2 one-year renewal options)	
<b>TERM OF OPTION:</b>	4/1/2012 – 3/31/2013	
<b>AMOUNT OF ORIGINAL CONTRACT:</b>	\$3,568,164 (3 Years)	
<b>AMOUNT OF OPTION:</b>	\$1,265,805 (1 Year)	
<b>PRIOR MODIFICATION/OPTIONS:</b>	None	

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

**ITEM:** 6-S-OPTION (Cont.)

**REVISED TOTAL CONTRACT AMOUNTS:** \$4,833,969

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION** 0%

**REQUESTING AGENCY REMARKS:** Request for approval to continue existing services by exercising the first of two one-year renewal options as contained in the original contract. The amount of the renewal option includes a 3.3% Consumer Price Index increase in the monthly fixed prices as specified in the contract.

The Contractor, Jay A. Bernstein, M.D., provides comprehensive medical services for youth residing at various DJS operated facilities. A full range of medical services are provided to male and female youth including on-site health care and on-call consultation to the nursing staff 24 hours per day, seven days per week. Youth are examined and treated for preventive, acute and chronic care including admission history and physical examination, sick care, and follow-up visits as needed. Dr. Bernstein coordinates services with other health care providers and participates in the treatment and discharge planning for each youth. In FY2011, Dr. Bernstein completed over 4,500 history and physical examinations, and over 8,000 other patient visits, as well as conducted quality assurance activities.

An average daily population of 493 youth receives medical care at these nine DJS facilities: Baltimore City Juvenile Justice Center, Cheltenham Youth Facility, William Donald Schaefer House, Alfred D. Noyes Children's Center, Thomas J.S. Waxter Young Women's Center, Lower Eastern Shore Children's Center, J. DeWeese Carter Center, Western Maryland Children's Center and the Victor Cullen Center.

It is in the best interest of the State to exercise this renewal option in order to continue these essential services for the health and well being of the youth in the custody of DJS. DJS is satisfied with Dr. Bernstein's performance of the services and the dependable coverage for the facilities. Many youth have serious health issues when they are admitted to the facilities. Without these services, the youth would not receive proper health treatment while residing at the facilities under DJS' care.

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

**ITEM:** 6-S-OPTION (Cont.)

**FUND SOURCE:** 100% General

**APPROP. CODE:** V00G0103, V00I0103, V00J0103,  
V00K0103, V00L0103

**RESIDENT BUSINESS:** Yes

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 7-S-MOD **Agency Contact:** Richard E. Norman  
410-229-4109  
rnorman@oah.state.md.us

**DEPARTMENT/PROGRAM:** Office of Administrative Hearings  
Administration

**CONTRACT ID:** OAH CR 08-01;  
Court Reporting Services  
ADPICS NO. D99B9200005 / COE20412

**CONTRACT APPROVED:** 8/20/2008 DBM BPW Agenda Item 1-S

**CONTRACTOR:** For The Record, Inc.  
Waldorf, MD

**CONTRACT DESCRIPTION:** Contract to provide court-reporting services  
including: recording testimony, transcription and furnishing transcripts or other media for  
administrative hearings and other events as needed.

**MODIFICATION DESCRIPTION:** Request for retroactive approval of a  
modification to extend the term of the contract due to a protest and appeal of the new contract  
award recommendation.

**TERM OF ORIGINAL CONTRACT:** 9/1/2008 – 8/31/2009 (w/2 one-year renewal  
options)

**TERM OF MODIFICATION:** 11/1/2011 – 3/31/2012

**AMOUNT OF ORIGINAL CONTRACT:** \$291,883 (1 Year)

**AMOUNT OF MODIFICATION:** \$62,500 (5 Months)

**PRIOR MODIFICATIONS/OPTIONS:** \$316,883 (See Attachment)

**REVISED TOTAL CONTRACT AMOUNT:** \$671,266

**PERCENT +/- (THIS MODIFICATION):** +21.41%

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

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

**OVERALL PERCENT +/-:** +29.98%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 100% (Contractor is a Maryland Certified MBE)  
5% Subcontracting Goal

**MBE COMPLIANCE:** 1.45%

**REQUESTING AGENCY REMARKS:** Request for retroactive approval of a modification to extend the term of the contract due to a protest of the new contract award and the appeal of the denial of the protest.

It is in the best interest of the State to approve this retroactive modification request, because the pricing is the same as for the base contract three years ago. OAH did not anticipate receiving a protest on the recommended award of the new contract in August 2011. OAH denied the protest by the non-awardee; however, an appeal was filed with the Maryland State Board of Contract Appeals (MSBCA). OAH extended the current contract under its delegation from DBM for a two month period not to exceed (NTE) \$25,000. At the end of October 2011, the hearing with the MSCBA had not been conducted. OAH extended the contract again for another two months believing it had the delegated authority to approve each individual modification as long as it was NTE \$25,000. The hearing was set for 12/1/2011, and the MSBCA made its decision on 2/1/2012 in OAH's favor. However, every two months OAH did a contract extension NTE \$25,000.

In February 2012, prior to the end of the extended contract term, OAH submitted the new contract award to DBM for submission to the BPW for approval. At that time, DBM discovered the misunderstanding of the delegated authority for modifications and prepared this agenda item to correct the error. In addition, OAH needed to extend the contract for more time in order to bring the new contract award to the BPW for approval, so an additional one-month extension is also being requested at this time.

This contract has provided the Office of Administrative Hearings (OAH) with court reporting services. Court reporting and transcriptions are vital to preserve administrative hearings for appellate review.

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

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

For The Record, Inc. (FTR) has provided an excellent level of service with regard to its high quality of court transcripts, timeliness, responsiveness and accuracy through its experienced staff and established procedures. For FY2011, FTR has provided services for 642 OAH hearings with approximately 854 transcriptions being done that range from 5 pages to over 350 pages with few or no errors.

**FUND SOURCE:** 100% Reimbursable

**APPROP. CODE:** D99A1101

**RESIDENT BUSINESS:** Yes

**DBM REMARKS:**  
11-204(c) State Finance & Procurement Article.

Retroactive approval requested pursuant to

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

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

**PRIOR MODIFICATIONS/OPTIONS**

OPT. #1	\$291,883	Exercised the first of two one-year renewal options as contained in the original contract for the period of 9/1/2009 – 8/31/2010. Approved on the 7/22/2009 DBM BPW Agenda, Item 8-S-OPTION.
OPT. #2	\$0	Exercised the second and final one-year renewal option as contained in the original contract for the period of 9/1/2010 – 8/31/2011. Approved on the 7/28/2010 DBM BPW Agenda, Item 3-S-OPTION.
Mod. #1	\$25,000	Modified the contract to extend the term by two months in order to allow time for the appeal of the denial of a protest by the non-awardee of the new contract award recommendation for the period of 9/1/2011 – 10/31/2011. Approved by OAH.
Total	<u>\$316,883</u>	

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

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 8-S-MOD **Agency Contact:** Michael Halpin  
410-767-8733  
mhalpin@msrp.state.md.us

**DEPARTMENT/PROGRAM:** Maryland Supplemental Retirement Plans  
(MSRP)  
Board of Trustees for the Maryland  
Teachers & State Employees  
Supplemental Retirement Plans

**CONTRACT ID:** MSRP-05/2006; Investment Management  
Services Stable Value Fund  
ADPICS CO NO. COE18824

**CONTRACT APPROVED:** 7/5/2006 DBM BPW Agenda Item 4-S

**CONTRACTOR:** Deutsche Investment Management  
Americas, Inc.  
New York, NY  
(Local Office in Baltimore, MD)

**CONTRACT DESCRIPTION:** Contract to provide investment management  
services for the Maryland Supplemental Retirement Plans Stable Value Fund.

**MODIFICATION DESCRIPTION:** Approval request to extend the current  
contract by eighteen months to allow manager continuity during the restructure of the  
investment, changing several submanagers and insurance contracts.

**TERM OF ORIGINAL CONTRACT:** 7/24/2006 – 7/23/2009 (w/1 two-year  
renewal option)

**TERM OF MODIFICATION:** 4/24/2012 – 10/23/2013

**AMOUNT OF ORIGINAL CONTRACT:** \$1,500,000 Est. (3 Years)

**AMOUNT OF MODIFICATION:** \$788,250 Est. (18 Months)

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

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

**PRIOR MODIFICATIONS/OPTIONS:** \$1,390,150 Est. (See Attachment)  
**REVISED TOTAL CONTRACT AMOUNT:** \$3,678,400 Est.  
**PERCENT +/- (THIS MODIFICATION):** +52.55%  
**OVERALL PERCENT +/-:** +77.89%  
**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals  
**MBE PARTICIPATION:** 8% (of total investment management fees)  
**MBE COMPLIANCE:** 8.47%

**REQUESTING AGENCY REMARKS:** Request for approval to extend the contract by eighteen months while the incumbent manager completes a substantial restructuring of the stable value investment—involving several sub-managers and insurance contracts. The MSRP Board committed to commence this restructuring at the January 23, 2012 meeting. The Board and advisors have observed increasing requests for less favorable contract terms and investment guidelines on behalf of existing wrap providers. These changes would be contrary to the Board's stated investment objective to preserve principal value and provide a relatively stable rate of return for participant balances in the Investment Contract Pool.

The Board was preparing to conduct a new procurement for stable value manager before the expiration of the current contract extension, but the investment restructuring presents a much greater priority. An eighteen month period was selected by the Board of Trustees to provide sufficient time to fully implement the restructuring and begin to mark new investment performance information.

The MSRP Board has confidence in the expertise of the incumbent stable value manager. Information from competing advisors in the past year indicates that the incumbent's current fee remains competitive, especially given the increasing complexity of fulfilling our contract scope of work.

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

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

This contract provides investment management services for the MSRP Stable Value Fund. The contractor is a Plan fiduciary and manages this pool of assets as one of the investment options for the participants of the Maryland 457 Plan, 401(k) Plan, and 401(a) Match Plan. The Stable Value Fund, also referred to as the Investment Contract Pool, is currently valued at about \$780 million.

As is customary in many investment manager agreements, the fees for this stable value arrangement are paid out of earnings or assets of the Stable Value Fund. These charges are invoiced and monitored through the Board of Trustees' staff and payment initiated through the bank custodian (currently Bank of New York Mellon of New York, NY.)

The Maryland Supplemental Retirement Plans (MSRP) Board of Trustees (the Board) has general oversight authority and responsibility for the above-mentioned Plans. MSRP enables State employees and teachers to participate in voluntary, tax-favored retirement savings plans. The Board has ongoing authority for (1) reviewing plans administration performance and results; (2) assisting with employee communication materials; and, (3) meeting tax, securities, and various other regulatory promulgations and requirements of administering the Plans.

**FUND SOURCE:** 100% Non-Budgeted (Fees paid from Investment Earnings)

**APPROP. CODE:** G50L0001

**RESIDENT BUSINESS:** Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

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

**PRIOR MODIFICATIONS/OPTIONS (Cont):**

Opt. #1	\$1,010,000 Est.	Exercised the single two-year renewal option as contained in the original contract for the period of 7/24/2009 – 7/23/2011. Approved on the 7/22/2009 DBM BPW Agenda, Item 10-S-OPTION.
Mod. #1	\$380,150 Est.	Modified the contract to extend the term of the contract by nine months in order to revise the solicitation and conduct a new procurement due to having to reject all proposals from the previous procurement for the period 7/24/2011 to 4/23/2012. Approved on the 7/6/2011 DBM BPW Agenda, Item 10-S-MOD.
Total	<u>\$1,390,150 Est.</u>	

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

**GENERAL MISCELLANEOUS**

**ITEM:** 9-GM **Agency Contact:** Stephanie Lane-Weber, AAG  
410-576-6340  
slaneweber@oag.state.md.us

**DEPARTMENT:** Public Safety & Correctional Services (DPSCS)

**FUND SOURCE:** Agency Funds

**APPROP. CODES:** Q00A0101

**AMOUNT OF REQUEST:** \$15,000.00

**DESCRIPTION:** Pursuant to Md. Code Ann., State Gov't. §§12-404-405, the Maryland Department of Public Safety and Correctional Services (DPSCS) and the Office of the Attorney General (OAG) request approval for payment of a settlement of all claims in *Douglas Errol Fulford-el v. Warden John S. Wolfe, et.al.*, Civil No. WDQ-10-151.

**REQUESTING AGENCY REMARKS:** The above referenced case arises from the settlement of a federal civil rights case where a former Maryland Correctional Adjustment Center inmate asserts that conditions of confinement while on suicide watch amounted to cruel and unusual conditions.

The Office of the Attorney General has determined that the officers were neither grossly negligent nor malicious in the performance of their duties and this request otherwise accords with §12-405 of the State Government Article, Maryland Code.

If this settlement is approved, a check should be made payable to "Roetzel and Andress" and mailed to Stephanie Lane-Weber, Office of the Attorney General, 200 St. Paul Place, Baltimore, Maryland 21202.

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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:** 10-S                      **Agency Contact:** Denise Shackelford  
410-767-6116  
shackelfordd@dhmh.state.md.us

**DEPARTMENT/PROGRAM:** Health and Mental Hygiene (DHMH)  
Laboratories Administration

**CONTRACT ID:** DHMH/OPASS-12-10765;  
Courier Services for Regions B, C, E & F  
ADPICS No. M00B2400364

**CONTRACT DESCRIPTION:** Provide daily scheduled pickup, transport and delivery of laboratory coolers, specimens, supplies, samples and mail between 201 W. Preston Street in Baltimore and the local health departments and clinics throughout the State by regions. This contract is for Regions B, C, E & F. (See Requesting Agency Remarks below.)

**AWARD:** Rapid Response Delivery  
Baltimore, MD

**TERM:** 6/1/2012 – 1/31/2017

**AMOUNT:** \$1,117,715 (4 Years, 8 Months)

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS OR PROPOSALS:** See Attachment

**MBE PARTICIPATION:** 20% (See Requesting Agency Remarks below)

**PERFORMANCE SECURITY:** None

**INCUMBENT:** Same

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

**ITEM:** 10-S (Cont.)

**REQUESTING AGENCY REMARKS:** A notice of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and on the DHMH Procurement website. The notification was sent directly to 43 potential vendors, of which 33 are Maryland firms, 12 are minority businesses and 11 are small businesses. A copy was also sent to the Governor's Office of Minority Affairs.

There were six separate regions of the State designated for these services. Bidders could submit bids for any one or more up to all of the six service regions. There were 65 bids from 12 bidders received in response to the IFB. The lowest responsive bids in each region were verified, and the bidders were deemed responsible. On 1/4/2012, the Board of Public Works (BPW) approved the award of two Contracts to serve the six regions of the State (see Item 2-S on the 1/4/2012 DBM BPW Agenda). Rapid Response Delivery was awarded a contract to serve Regions A and D; and Trans Logistix was awarded a contract to serve Regions B, C, E and F.

The Contracts provide courier services to pickup and deliver specimen coolers, mail, laboratory supplies and laboratory results at Health Departments, Clinics and the post office in Region A (Baltimore City Post Office & Clinics); Region B (Northeast Maryland); Region C (Southern Maryland Counties); and Region D (Howard County and Carroll County); Region E (Eastern Shore) and Region F (Western Maryland).

On 1/11/2012 at the kick-off meeting with DHMH, Trans Logistix defaulted on its Contract prior to the start date of 2/1/2012. Trans Logistix stated that it could not provide the contracted services at the prices it bid and would need to increase its prices. DHMH terminated the Contract with Trans Logistix and began reviewing the bids for Regions B, C, E and F again to award new contracts. The bid prices were guaranteed for 120 days, so DHMH was able to go to the next lowest priced bidder for each of these four regions. However, the initial evaluation of the bids did not include the detailed review of the MBE subcontractor's certification or the determination of responsibility of the bidders beyond the lowest responsive bid in each region. Upon further review for each of these four regions, it was determined that the next lowest bids in two of the regions were from bidders deemed not responsible and the other two regions' lowest bids had MBE subcontractors that were not Maryland certified MBEs. The review process continued until a responsive bid by a responsible bidder was determined for each of the four regions. Five additional bidders (16 bids) were eliminated and so notified on 2/3/2012. Rapid Response Delivery is now recommended for award for Regions B, C, E and F.

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

**ITEM: 10-S (Cont.)**

If the BPW approves this contract, Rapid Response Delivery will provide these courier services throughout the State in all six regions.

The IFB stated specific dates for each year of the contract; therefore, the prices are valid during the specific dates of 2/1/2012 through 1/31/2017. The current contract for these regions was extended until 5/31/2012 to ensure DHMH had enough time to make a new award recommendation and submit it to the BPW for approval. Therefore, the term of this new contract is only four years and eight months beginning on 6/1/2012 and ending on 1/31/2017. The Award Amount has been adjusted from the Bid Price for the four-month reduction.

The Contractor will begin each day's run, as specified by Region, by picking up from the Central Laboratory supplies, specimen collection containers, supporting data and mail which will be delivered to the clinics in the Region. The Contractor will stop at each site in the order shown on the schedule in the contract to drop off anything designated for that clinic and to collect items to be returned to the Central Laboratory.

This is an indefinite quantity contract with firm fixed unit prices. The total contract amount is based upon historic usage and formulated as part of the model in the bid price. The actual amount paid to the Contractor shall be calculated using the firm fixed unit prices specified on the bid sheet for the price per day for pickups and the actual number of days pickups were performed by the Contractor.

A 20% MBE participation goal was established for this contract based upon the ability to subcontract courier services. A search of the MBE database was conducted, and the results suggested that there are numerous minority businesses that may be able to provide services required in the courier contract specifications. However, none of them indicated their services covered medical/laboratory specimen pick or delivery.

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

**ITEM:** 10-S (Cont.)

**FUND SOURCE:** 100% General

**APPROP. CODE:** M00J02.01

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0153-0111

Note: This Item appeared as Item 3-S on the 3/7/2012 DBM BPW Agenda and was withdrawn.

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**ITEM:** 10-S (Cont.) **ATTACHMENT**

**BIDS OR PROPOSALS (Cont.):**

<u><b>BIDS</b></u>	<u><b>BIDDERS</b></u>	<u><b>REGIONS</b></u>
\$118,800.00 \$128,026.80 \$133,848.00 \$155,349.12	<b>Rapid Response Delivery, Inc.</b> Falcon Express Stat Courier Services BWA Courier	<b>B</b>
\$328,680.00 \$329,020.56 \$336,864.00 \$381,712.80	<b>Rapid Response Delivery, Inc.</b> Falcon Express Stat Courier Services BWA Courier	<b>C</b>
\$495,000.00 \$495,588.72 \$600,072.00 \$818,875.20	<b>Rapid Response Delivery, Inc.</b> Falcon Express Stat Courier Services BWA Courier	<b>E</b>
\$254,100.00 \$260,187.84 \$261,360.00	<b>Rapid Response Delivery, Inc.</b> Falcon Express Stat Courier Services	<b>F</b>

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

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 11-S-MOD      **Agency Contact:** Patricia Nowakowski  
410-767-8180  
nowakowskip@dhmh.state.md.us

**DEPARTMENT/PROGRAM:** Health and Mental Hygiene (DHMH)  
Medical Care Program  
Office of Eligibility Services (OES)

**CONTRACT ID:** OPASS 06-8749-5;  
Enrollment Broker Services  
ADPICS No. COE22266

**CONTRACT APPROVED:** 8/10/2005 DBM BPW Agenda Item 15-S

**CONTRACTOR:** Policy Studies, Inc.  
Denver, CO  
(Local office Baltimore, MD)

**CONTRACT DESCRIPTION:** Contract to provide Statewide outreach, education and enrollment services to HealthChoice and Maryland Children's Health Program enrollees in order to ensure the availability of and access to appropriate health care services.

**MODIFICATION DESCRIPTION:** Approval request to extend the contract term by twelve months in order to allow time to resolve the protest against the award of a new contract for these services and to transition to the new contractor.

**TERM OF ORIGINAL CONTRACT:** 8/11/2005 - 6/30/2008 (w/3 one-year renewal options)

**TERM OF MODIFICATION:** 4/1/2012 - 3/31/2013

**AMOUNT OF ORIGINAL CONTRACT:** \$20,767,825 Est. (3 Years)

**AMOUNT OF MODIFICATION:** \$7,560,000 (12 Months)

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

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

<b>PRIOR MODIFICATIONS/OPTIONS:</b>	\$34,032,529 (See Attachment)
<b>REVISED TOTAL CONTRACT AMOUNT:</b>	\$62,360,354
<b>PERCENT +/- (THIS MODIFICATION):</b>	+36.40%
<b>OVERALL PERCENT +/-:</b>	+80.26%
<b>ORIGINAL PROCUREMENT METHOD:</b>	Competitive Sealed Proposals
<b>MBE PARTICIPATION:</b>	25%
<b>MBE COMPLIANCE:</b>	23.2%

**REQUESTING AGENCY REMARKS:** Request for approval of a modification to extend the contract term by twelve months to allow time to resolve the protest/pending appeal against the award of a new contract for these services. However, if there is an earlier resolution of the protest/appeal, the Department has the right to terminate this extension with 90 days notice, without liability to Policy Studies, Inc. (PSI) for any costs associated with the termination.

A new procurement for enrollment broker services was conducted with the new contract award scheduled to begin on 4/1/2012. The incumbent, Policy Studies, Inc. (PSI), was initially recommended for award with the overall highest ranked offer. However, even though PSI agreed to the overall 25% MBE participation goal, PSI requested a waiver of the 7% MBE sub-goal to an African American owned business. The request for the MBE waiver was denied based upon the determination that a good faith effort was not substantiated by PSI in order to meet the required 7% MBE sub-goal for African American owned business. The recommendation for award to PSI was rescinded based upon this non-compliance.

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

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

On 2/27/2012, PSI protested the decision by DHMH to rescind the award to PSI. DHMH denied the protest on 3/6/2012. On 3/15/2012, PSI filed an appeal with the Maryland State Board of Contract Appeals (MSBCA). Because of the timing of the Board of Public Works (BPW) meetings and the need to have a 90-day transition period to the new recommended vendor, this one-year extension is being brought to the BPW for approval prior to the contract end date of 3/31/2012. Minimally, this extension will be needed for 90 days to allow time for the transition. If necessary, the one year extension allows for the appeal to the MSBCA.

Moreover, for the duration of this extension, PSI will provide pricing and performance guarantees at a reduced rate of approximately \$1M less for the year than its current contract rates.

**FUND SOURCE:** 52% Federal; 48% General

**APPROP. CODE:** M00Q01.03

**RESIDENT BUSINESS:** Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

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

**PRIOR MODIFICATIONS/OPTIONS (Cont):**

Mod #1	\$2,553,998 (Base Contract) \$1,197,013 (1 Year; 1 <sup>st</sup> Renewal Opt.) \$1,203,788 (1 Year; 2 <sup>nd</sup> Renewal Opt.) <u>\$1,260,238</u> (1 Year; 3 <sup>rd</sup> Renewal Opt.) \$6,215,037	Modification request to add additional services to the existing base contract period and to three available renewal option periods to accommodate the State's new Primary Adult Care (PAC) Program. This includes an increase in funding for all periods. Effective 5/1/2006 - 6/30/2008. Approved on the 4/19/2006 DBM BPW Agenda Item 10-S-MOD.
Mod #2	\$127,374 (Base Contract) \$ 58,235 (1 Year; 1 <sup>st</sup> Renewal Opt.) \$ 59,982 (1 Year; 2 <sup>nd</sup> Renewal Opt.) <u>\$ 61,781</u> (1 Year; 3 <sup>rd</sup> Renewal Opt.) \$307,372 Total (3 Years, 8.5 Months)	Modification request to add additional services to the existing base contract period and to three available renewal option periods to accommodate mandated legislation. This includes an increase in funding for all periods. Effective 10/18/2007 - 6/30/2008. Approved on the 10/17/2007 DBM BPW Agenda Item 12-S-MOD.
Opt. #1	\$8,084,684	Exercised the first of three renewal options as contained in the original contract. Effective 7/1/2008 – 6/30/2009. Approved on the 5/21/2008 DBM BPW Agenda Item 20-S-OPTION.
Opt. #2	\$8,299,833	Exercised the second of three renewal options as contained in the original contract. Effective 7/1/2009 – 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda Item 13-S-OPTION.

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

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

**PRIOR MODIFICATIONS/OPTIONS (Cont):**

Opt. #3	\$8,540,640	Exercised the third and final renewal option as contained in the original contract. Effective 7/1/2010 – 6/30/2011. Approved on the 5/19/2010 DBM BPW Agenda, Item 6-S-OPTION.
Mod#3	\$6,426,000	Modified the contract to extend the term by 9 months to allow more time to complete the new solicitation due to changes in federal regulations for the period of 7/1/2011 – 3/31/2012. Approved on the 6/15/2011 DBM BPW Agenda, Item 15-S-MOD.
Total	<u>\$34,032,529</u>	(Only the base term amounts are included for Mod #1 & Mod #2)

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

**CONSTRUCTION CONTRACT**

**ITEM:** 1-C

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

**INSTITUTION:**

University of Maryland, Baltimore

**CONTRACT ID:**

On-Call Construction Management at Risk Services for:  
UM Medical Examiners Building First and Third Floor Lab  
and Office Renovations  
Task Order Request #12-295AF against  
On Call CM Contract RFP 85592RA

**CONTRACT APPROVED:**

USM Item 1-C (11/28/2007)  
USM Item 2-C OPT (12/3/2008)  
USM Item 1-C OPT (12/2/2009)  
USM Item 3-C OPT (11/17/2010)  
USM Item 1-C OPT (12/7/2011)

**DESCRIPTION:** Professional management and construction services during pre-construction and construction for renovations to the University of Maryland's Medical Examiners Building first and third floor labs and offices. The project consists of modifying the lab layout to provide more flexible research lab, lab support, office, conference room, and administrative support facilities, as well as modernizing the mechanical, electrical, fire protection and telecommunications systems as required by code and University standards.

**AWARD:**

Plano Coudon, LLC  
Baltimore, MD 21230

**CONTRACT TERM:**

15 weeks from issuance of pre-construction notice to proceed;  
16 weeks from issuance of construction notice to proceed.

**AMOUNT:**

\$17,500 (pre-construction fees only: see remarks)

**PROCUREMENT METHOD:**

On-Call CM Task Order Proposals

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

**ITEM:** 1-C (continued)

**TASK ORDER PROPOSALS:**

	<u>Price</u>
Plano-Coudon, Baltimore, MD	\$229,800
Whiting Turner, Baltimore, MD	\$237,023
Lewis Contractors, Owings Mills, MD	\$241,930
J. Vinton Schafer & Sons, Inc., Abingdon, MD	\$247,035

**MBE PARTICIPATION:** 25%

**PERFORMANCE BOND:** A 100% performance bond is required.

**REQUESTING INSTITUTION REMARKS:** This project was competed among the four existing On-Call Construction Managers who each submitted a proposal. The proposals were evaluated based on price which includes preconstruction phase fees, construction phase fees, general conditions and CM contingency. Award of this task order is recommended to Plano Coudon, LLC based on low price.

The estimated construction cost for this project is \$1,780,000. This Item recommends award for pre-construction services only. If the University and the Contractor agree to a Guaranteed Maximum Price for construction, the University will return to the Board with a recommendation to modify the contract to include the actual construction costs, which includes the CM's construction services fee.

**FUND SOURCE:** Plant Funds

**APPROP. CODE:** R30B21

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0282-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT**

**ITEM:** 2-C

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

**INSTITUTION:**

University of Maryland, Baltimore

**CONTRACT ID:**

On-Call Construction Management at Risk Services for:  
UM Medical School Teaching Facilities Seventh Floor Lab  
and Office Renovations  
Task Order Request #12-239 AF against  
On Call CM Contract RFP 85592RA

**CONTRACT APPROVED:**

USM Item 1-C (11/28/2007)  
USM Item 2-C OPT (12/3/2008)  
USM Item 1-C OPT (12/2/2009)  
USM Item 3-C OPT (11/17/2010)  
USM Item 1-C OPT (12/7/2011)

**CONTRACT DESCRIPTION:** Professional management and construction services during pre-construction and construction for renovations to University of Maryland's Medical School Teaching Facilities seventh floor labs and offices. The project consists of modifying the lab layout to provide more flexible research lab, lab support, office, conference room, and administrative support facilities, as well as modernizing the mechanical, electrical, fire protection and telecommunications systems required by code and University standards.

**AWARD:**

Plano Coudon, LLC  
Baltimore, MD 21230

**CONTRACT TERM:**

23 weeks from issuance of pre-construction notice to proceed;  
20 weeks from the issuance of construction notice to proceed.

**AMOUNT:**

\$17,500 (pre-construction fees only: see remarks)

**PROCUREMENT METHOD:**

On-Call Task Order Proposals

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

**ITEM: 2-C (continued)**

<b>TASK ORDER PROPOSALS:</b>	<u>Price</u>
Plano-Coudon Baltimore, MD	\$243,100
Whiting Turner Baltimore, MD	\$244,383
Lewis Contractors Owings Mills, MD	\$252,970
J. Vinton Schafer & Sons, Inc. Abingdon, MD	\$263,105

**MBE PARTICIPATION:** 25%

**PERFORMANCE BOND:** A 100% performance bond is required.

**REQUESTING INSTITUTION REMARKS:** This project was competed among the four existing On-Call Construction Managers who each submitted a proposal. The proposals were evaluated based on price which includes preconstruction phase fees, construction phase fees, general conditions and CM contingency. Award of this task order is recommended to Plano Coudon, LLC based on low price.

The estimated construction cost for this project is \$1,735,000. This Item recommends award for pre-construction services only. If the University and the Contractor agree to a Guaranteed Maximum Price for construction, the University will return to the Board with a recommendation to modify the contract to include the actual construction costs, which includes the CM's construction services fee.

**FUND SOURCE:** Plant Funds

**APPROP. CODE:** R30B21

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0281-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT OPTION**

**ITEM:** 3-C OPT

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

**INSTITUTION:**

University of Maryland, Baltimore

**CONTRACT ID:**

On Call Mechanical Contracting Services  
for the University System of Maryland  
Institutions in the Baltimore Region  
BID# 86553MM

**CONTRACT APPROVED:**

USM Item 1-C (04/06/11)

**CONTRACTORS:**

Denver-Elek, Inc.  
Baltimore, MD

Emjay Engineering & Construction  
Company, Inc.  
Baltimore, MD

Maryland Mechanical Systems, Inc.  
Baltimore, MD

**CONTRACT DESCRIPTION:** All labor, materials, equipment, and supervision necessary for mechanical construction projects on an on-call basis for the Physical Plant/Offices of Facilities Management at the University System of Maryland institutions in the Baltimore Region.

**OPTION DESCRIPTION:** Scope of work and contract terms and conditions are unchanged for this first renewal option.

**ORIGINAL CONTRACT TERM:**

04/07/2011 – 04/06/2012 (with 4 one-year renewal options)

**OPTION TERM:**

04/07/2012 – 04/06/2013 (first of 4 one-year renewal options)

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

**ITEM:** 3-C OPT (continued)

**ORIGINAL CONTRACT AMOUNT:** \$3,000,000 (annual estimate)  
No single project to exceed \$500,000

**OPTION AMOUNT:** \$3,000,000 estimated annually

**ORIGINAL PROCUREMENT METHOD:** Multi-Step

**MBE PARTICIPATION:** 15% on Task Orders up to \$25,000  
25% on Task Orders \$25,000 and over

**MBE COMPLIANCE:** 19.8% Under \$25,000  
25.5% \$25,000 and greater

**PERFORMANCE SECURITY:** Bond required for task order over \$100,000

**REQUESTING INSTITUTION REMARKS:** Renewal is recommended for the three firms based on satisfactory job performance. Price increases for this option period are based on the Consumer Price Index. These firms will invoice at the fixed hourly rates as well as material mark-up, sub-contractor mark-up, and equipment rental mark-up originally quoted. The percentage mark-up for material, subcontractors, and equipment rental will remain the same in the renewal option terms.

**FUND SOURCE:** Various Institutional Funds

**RESIDENT BUSINESSES:** Yes

**MD TAX CLEARANCE:** 12-0226-1111 Denver-Elek, Inc.  
12-0227-1111 Emjay Engineering & Construction Co., Inc..  
12-0228-1111 Maryland Mechanical Systems, Inc.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**SERVICE CONTRACT OPTION**

**ITEM:** 4-S OPT

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

**INSTITUTION:** University of Maryland, Baltimore

**CONTRACT ID:** Federal Consultant, RFP 86543RH

**CONTRACT APPROVED:** USM Item 1-S (3/23/2011)

**CONTRACTOR:** Van Scoyoc Associates  
Washington DC 20001

**CONTRACT DESCRIPTION:** Professional government relations firm to represent the University's interest of the at the federal level.

**OPTION DESCRIPTION:** Exercise first renewal option.

**ORIGINAL CONTRACT TERM:** 04/01/2011 – 03/31/2012  
(with 4 one-year renewal options)

**OPTION TERM:** 04/01/2012 – 03/31/2013  
(first of 4 one-year renewal options)

**ORIGINAL CONTRACT AMOUNT:** \$126,000.00

**OPTION AMOUNT:** \$126,000.00

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 0%

**PERFORMANCE SECURITY:** N/A

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

**ITEM:** 4-S OPT (continued)

**REQUESTING INSTITUTION REMARKS:** The University's consultants work with Congress and federal agencies to further the University's interest in key areas. They will work closely with the University's Office for Government and Community Affairs to direct, monitor and provide reports/updates regarding University's federal legislative agenda on behalf of the University. Renewal is recommended based on the Consultant's continual satisfactory services to the University.

**FUND SOURCE:** Current Unrestricted Funds

**APPROP. CODE:** R30B21

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 12-0295-0010

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**GENERAL MISCELLANEOUS**

**ITEM: 5-GM**

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

**Recommendation:** That the Board of Public Works approve the use of general obligation bond funding proceeds for the following contracts totaling \$470,219.58.

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

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

- |           |                            |   |
|-----------|----------------------------|---|
| <b>1.</b> | <b>Description:</b>        | 1 ea. Maxima Direct Drive Vacuum Pump   |
|           | <b>Procurement Method:</b> | Indefinite Delivery Contract  |
|           | <b>Award:</b>              | Fisher Scientific<br>Hanover Park, IL 60133   |
|           | <b>Amount:</b>             | \$1,893.22  |
|           | <b>Fund Source:</b>        | MCCBL 2009: <i>Provide funds to equip an addition and renovation to the School of Pharmacy.</i><br>Item 052 |
|           | <b>MD Tax Clearance:</b>   | 12-0246-1110  |
|           | <b>Resident Business:</b>  | No  |
  
- |           |                            |   |
|-----------|----------------------------|---|
| <b>2.</b> | <b>Description:</b>        | 1 ea. 25.7 cu. ft. Ultra Low Freezer (-86 degrees C) with a 24 unit freezer storage system.                 |
|           | <b>Procurement Method:</b> | Simplified Acquisition  |
|           | <b>Award:</b>              | Sanyo<br>Wood Dale, IL. 60191   |
|           | <b>Amount:</b>             | \$13,996.00   |
|           | <b>Fund Source:</b>        | MCCBL 2009: <i>Provide funds to equip an addition and renovation to the School of Pharmacy.</i><br>Item 052 |
|           | <b>MD Tax Clearance:</b>   | 12-0267-1111  |
|           | <b>Resident Business:</b>  | No  |

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

**ITEM: 5-GM (continued)**

**A. University of Maryland, Baltimore**

UMB School of Pharmacy, Addition to Pharmacy Hall (continued)

3.   **Description:**                   1 ea. TQ Detector System  
      **Procurement Method:**       Sole Source  
      **Award:**                    Waters Corp  
                                      Milford, MA 01757  
      **Amount:**                   \$280,022.02  
      **Fund Source:**             MCCBL 2009: *Provide funds to equip an addition*  
                                      *and renovation to the School of Pharmacy.*  
                                      Item 052  
      **MD Tax Clearance:**       12-0232-1111  
      **Resident Business:**       No

**B. University of Maryland, Baltimore County**

UMBC Performing Arts & Humanities Building

1.   **Description:**                   Furniture  
      **Procurement Method:**       Preferred Provider  
      **Award:**                    Maryland Correctional Enterprises (MCE)  
                                      Jessup MD 20794  
      **Amount:**                   \$ 25,365.50  
      **Fund Source:**             MCCBL 2011: *Provide funds to furnish and equip*  
                                      *the Performing Arts and Humanities Building at*  
                                      *UMBC.* Item 045  
      **MD Tax Clearance:**       12-0268-0000  
      **Resident Business:**       Yes
2.   **Description:**                   Light Tools  
      **Procurement Method:**       Simplified Procurement  
      **Award:**                    McMaster-Carr  
                                      Atlanta, GA 30336-2853  
      **Amount:**                   \$1,896.92  
      **Fund Source:**             MCCBL 2011: *Provide funds to furnish and equip*  
                                      *the Performing Arts and Humanities Building at*  
                                      *UMBC.* Item 045  
      **MD Tax Clearance:**       N/A  
      **Resident Business:**       No

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

**ITEM: 5-GM (continued)**

**B. University of Maryland, Baltimore County  
UMBC Performing Arts & Humanities Building (continued)**

- |    |                            |   |
|----|----------------------------|---|
| 3. | <b>Description:</b>        | Costume Shop  |
|    | <b>Procurement Method:</b> | Simplified Procurement  |
|    | <b>Award:</b>              | South Star Supply<br>Nashville, TN 37209  |
|    | <b>Amount:</b>             | \$5,213.26  |
|    | <b>Fund Source:</b>        | <i>MCCBL 2011: Provide funds to furnish and equip<br/>the Performing Arts and Humanities Building at<br/>UMBC. Item 045</i> |
|    | <b>MD Tax Clearance:</b>   | N/A   |
|    | <b>Resident Business:</b>  | No  |
|    |                            |   |
| 4. | <b>Description:</b>        | Miscellaneous Equipment   |
|    | <b>Procurement Method:</b> | Simplified Procurement  |
|    | <b>Award:</b>              | Global Industrial<br>Port Washington, NY 11050  |
|    | <b>Amount:</b>             | \$2,325.24  |
|    | <b>Fund Source:</b>        | <i>MCCBL 2011: Provide funds to furnish and equip<br/>the Performing Arts and Humanities Building at<br/>UMBC. Item 045</i> |
|    | <b>MD Tax Clearance:</b>   | N/A   |
|    | <b>Resident Business:</b>  | No  |
|    |                            |   |
| 5. | <b>Description:</b>        | Furniture   |
|    | <b>Procurement Method:</b> | Simplified Procurement  |
|    | <b>Award:</b>              | Douron Commercial Interiors<br>Owings Mills, MD 21117   |
|    | <b>Amount:</b>             | \$3,505.80  |
|    | <b>Fund Source:</b>        | <i>MCCBL 2011: Provide funds to furnish and equip<br/>the Performing Arts and Humanities Building at<br/>UMBC. Item 045</i> |
|    | <b>MD Tax Clearance:</b>   | N/A   |
|    | <b>Resident Business:</b>  | Yes   |

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

**ITEM: 5-GM (continued)**

**B. University of Maryland, Baltimore County  
UMBC Performing Arts & Humanities Building (continued)**

- |    |  |   |
|----|--|---|
| 6. | <b>Description:</b><br><b>Procurement Method:</b><br><b>Award:</b><br><br><b>Amount:</b><br><b>Fund Source:</b><br><br><b>MD Tax Clearance:</b><br><b>Resident Business:</b> | Light Tools<br>Simplified Procurement<br>AJ Stationers.<br>Washington, DC 20005<br>\$495.00<br>MCCBL 2011: <i>Provide funds to furnish and equip the Performing Arts and Humanities Building at UMBC. Item 045</i><br>N/A<br>No   |
| 7. | <b>Description:</b><br><b>Procurement Method:</b><br><b>Award:</b><br><br><b>Amount:</b><br><b>Fund Source:</b><br><br><b>MD Tax Clearance:</b><br><b>Resident Business:</b> | Theatre Equipment<br>Simplified Procurement<br>Bench Depot<br>Tecate, CA 91980<br>\$1,587.60<br>MCCBL 2011: <i>Provide funds to furnish and equip the Performing Arts and Humanities Building at UMBC. Item 045</i><br>N/A<br>No  |
| 8. | <b>Description:</b><br><b>Procurement Method:</b><br><b>Award:</b><br><br><b>Amount:</b><br><b>Fund Source:</b><br><br><b>MD Tax Clearance:</b><br><b>Resident Business:</b> | Costume Shop<br>Simplified Procurement<br>Multicam East<br>Baltimore, MD 21201<br>\$1,610.27<br>MCCBL 2011: <i>Provide funds to furnish and equip the Performing Arts and Humanities Building at UMBC. Item 045</i><br>N/A<br>Yes |

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

**ITEM: 5-GM (continued)**

**B. University of Maryland, Baltimore County  
UMBC Performing Arts & Humanities Building (continued)**

- |     |  |  |
|-----|--|--|
| 9.  | <b>Description:</b><br><b>Procurement Method:</b><br><b>Award:</b><br><br><b>Amount:</b><br><b>Fund Source:</b><br><br><br><b>MD Tax Clearance:</b><br><b>Resident Business:</b> | IT Supplies –Network Equipment<br>Preferred Provider – MEEC Contract<br>DISYS Solutions, Inc.<br>Chantilly, VA 20151<br>\$97,308.75<br><i>MCCBL 2011: Provide funds to furnish and equip<br/>the Performing Arts and Humanities Building at<br/>UMBC. Item 045</i><br>12-0300-1111<br>No |
| 10. | <b>Description:</b><br><b>Procurement Method:</b><br><b>Award:</b><br><br><b>Amount:</b><br><b>Fund Source:</b><br><br><br><b>MD Tax Clearance:</b><br><b>Resident Business:</b> | IT Supplies – Cabling Supplies<br>State Contract<br>Anixter – Washington D.C.<br>Dulles, VA 20166<br>\$35,000.00<br><i>MCCBL 2011: Provide funds to furnish and equip<br/>the Performing Arts and Humanities Building at<br/>UMBC. Item 045</i><br>12-0301-1111<br>No                    |

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM:** 6-C MOD

**Agency Contact:** James Salt  
301-445-1987  
[jsalt@usmd.edu](mailto:jsalt@usmd.edu)  
USM Rep: James Stirling

**INSTITUTION:**

University of Maryland, College Park for  
Frostburg State University

**CONTRACT ID:**

Construction Management Services at Risk  
Center for Communications and Information  
Technology (CCIT), Frostburg State University  
Contract No. F-400075-K  
Project No. 90-000-041-00

**CONTRACT APPROVED:**

Pre-Construction (USM Item 1-C, 06/09/10)  
GMP #1 (USM Item 1-C-MOD, 11/02/11)

**CONTRACTOR:**

Gilbane Building Company  
Laurel, MD 20707

**RECOMMENDATION:** That the Board of Public Works approve the: (1) demolition of Frostburg University's existing Tawes Hall and associated Tawes Annex; and (2) modification to add the GMP package no. 2 as described below.

**CONTRACT DESCRIPTION:** Construction management services for both pre-construction (design) and construction phases, including construction of the Center for Communications and Information Technology (CCIT) building at Frostburg State University. The 126,546 GSF/69,722 NASF project includes related site and utility improvements, storm water management, pedestrian circulation, landscaping, and service access. The building will be designed and constructed using sustainable building concepts with a goal of obtaining U.S. Green Building Council's LEED Gold Certification. The projected construction cost for the project is \$60 million.

**MODIFICATION DESCRIPTION:** To incorporate Guaranteed Maximum Price (GMP) #2 and associated services into the contract for the balance of the construction scope of work, including all trade contracts required to construct the building.

**ORIGINAL CONTRACT TERM:**

Pre-Construction Services: 18 months  
(06/21/2010 – 12/20/2011)  
Construction Services: 24 months  
(06/01/2012 – 05/31/2014)

**MODIFICATION TERM:**

Construction Phase: 26.5 months  
(11/03/2011 – 1/22/2014)

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

**ITEM: 6-C MOD (continued)**

<b>AMOUNT OF ORIGINAL CONTRACT:</b>	\$ 297,950 (Pre-Construction Services)
<b>AMOUNT OF THIS MODIFICATION:</b>	\$47,214,846 (GMP#2)
<b>PRIOR MODIFICATIONS:</b>	\$ 2,351,252 (Includes GMP#1)
<b>REVISED TOTAL CONTRACT AMOUNT:</b>	\$49,864,048
<b>ORIGINAL PROCUREMENT METHOD:</b>	Competitive Sealed Proposals
<b>MBE PARTICIPATION:</b>	30%
<b>MBE COMPLIANCE:</b>	31.86%
<b>PERFORMANCE SECURITY:</b>	Performance and Payment bonds at 100% of contract modification amount

**REQUESTING INSTITUTION REMARKS:** (1) Demolition: Frostburg State University plans to construct the New Center for Communications and Information Technology which is intended to replace the existing Tawes Hall and the associated Tawes Annex. With regard to the demolition of Tawes Hall and Tawes Annex, the State Clearinghouse conducted an intergovernmental review of the project and "has recommended to change the use, and demolish Tawes Hall and the associated Tawes Annex." See Clearinghouse MB20111020-0814 (February 3, 2012).

(2) Contract Modification: The Construction Manager, Gilbane Building Company, performed pre-construction services concurrent with completion of design. The CM has now submitted an acceptable Guaranteed Maximum Price proposal for the balance of the construction work. A final GMP, estimated at \$9.4 million, will be submitted to the Board at a later date, incorporating the acquisition and installation of information technology equipment via the CM, given the significant coordination with construction required for this type of building.

The 2011 MCCBL authorizes \$10.054 million to complete design and commence construction. The 2011 MCCBL also pre-authorized for construction: 2012 session (\$37.35 million) and 2013 session (\$4.4 million). The Governor's proposed FY 2013 budget increases these authorizations to \$44.45 million and \$4.7 million respectively.

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

**ITEM:** 6-C MOD (continued)

**REQUESTING INSTITUTION REMARKS:** (continued)

Facilities Management/ Department of Capital Projects at the University of Maryland, College Park will manage the Contractor's work with procurement support from the University's Department of Procurement and Supply.

**FUND SOURCE:**

MCCBL 2011: *Provide funds to complete design and construct a new Center for Communications and Information Technology provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all the funds necessary to complete the project.*  
Item 042

**RESIDENT BUSINESS:**

Yes

**MD TAX CLEARANCE:**

12-0183-0110

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**REAL PROPERTY:** Acquisition by Purchase

**ITEM:** 7-RP

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

**INSTITUTION:** Towson University

**DESCRIPTION:** Board of Public Works approval to acquire a four-story 41,200 gross square foot building located at 7400 York Road in Towson, approximately 1/4 mile from the University. The brick building constructed in 1968, is located on 1.25 acres of land and is used for office space. The site contains 103 parking spaces.

**PROPERTY:** 7400 York Road, Towson

**GRANTOR:** Garrison Forest Foods  
7400 LLC  
1777 Reisterstown Rd, Suite 135 East  
Baltimore, MD 21208

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

<b>APPRAISED VALUE:</b>	Karen H. Belinko Appraisals, LLC	\$6,500,000
	Lipman Frizzell & Mitchell, LLC	\$6,350,000

**FUND SOURCE:** Plant Funds

**APPROP. CODE:** R30B24

**PRICE:** \$6,200,000

**REQUESTING INSTITUTION REMARKS:**

1. The Towson University Foundation entered into a Master Lease Agreement and a Purchase and Sale Agreement with the seller in October 2007.
2. The Foundation, through its subsidiary tenant – 7400 York Road, LLC – currently subleases approximately 25,700 leasable square feet to Towson University for its Division of Economic and Community Outreach.
3. The Foundation will assign the Purchase Agreement to the University who will then acquire the property from the seller, Garrison Forest Foods, Inc and 7400 LLC.

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

**ITEM: 7-RP (continued)**

**REQUESTING INSTITUTION REMARKS: (continued)**

4. Upon the acquisition, the Master Lease and sublease will be terminated eliminating the University's obligation to pay rent.
5. Approximately 10,500 square feet is currently leased by non-University tenants with terms ending no later than June 2012. The Foundation will assign these leases to the University upon closing. The balance of the University's Division of Economic and Community Outreach located in other leased space will be relocated and consolidated at 7400 York Road.
6. The University System of Maryland Board of Regents approved this acquisition at its meeting on February 17, 2012.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**REAL PROPERTY:** Acquisition by Purchase

**ITEM:** 8-RP

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

**INSTITUTION:** Coppin State University

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

**PROPERTY:** 1631 Thomas Avenue, Baltimore

**GRANTOR:** Emanuel N. Paige and Linda S. Paige t/a Manlin Investment Company  
7 Red Cedar Court, Pikesville, MD 21208-6305

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

<b>APPRAISED VALUE:</b>	Cassidy Turley	\$18,000.00
	Lipman Frizzell & Mitchell	\$21,100.00

**FUND SOURCE:** MCCBL of 2009: *Provide funds to acquire a site for the  
new Science and Technology Center.* Item 058

<b>PRICE:</b>	Acquisition:	\$21,100.00
	Relocation:	\$ 000.00
	Ground Rent:	<u>\$ 1,600.00</u> **
	Total:	\$22,700.00

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

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

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**REAL PROPERTY:** Acquisition by condemnation

**ITEM:** 9-RP

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

**INSTITUTION:** Coppin State University

**DESCRIPTION:** The Board of Public Works is requested to approve the acquisition by condemnation of seventeen properties located near Coppin State University in Baltimore City in support of the new Science and Technology Center Project.

**GRANTOR:** See Page 21C

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

**APPRAISED VALUE:** See Page 21C

**FUND SOURCE:** MCCBL 2009: *Provide funds for site acquisition and preliminary design for the New Science and Technology Center.* Item 058.

**PROPERTY:** See Page 21C

**PRICE:** For those cases not settled before trial, the acquisition price for each condemned property will be determined by a jury. Otherwise the purchase will be negotiated based on the appraisals.

**REMARKS:** Coppin University has attempted to negotiate with the owner of each property. However, with respect to these 17 properties, condemnation approval is requested because: the property is abandoned; the owner will not talk to the University; negotiations have not been successful; or some impediment to settlement exists such as a title problem that only the judicial process can fix. The University will continue its efforts to reach an agreement with the owners of these properties. If an agreement is reached before the condemnation case is filed, the authority to condemn would not be exercised with respect to that property. The acquisition of each of these properties is essential to the construction of the Science and Technology Center.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**ITEM: 9-RP (cont'd)**

	<u>PROPERTY</u>	<u>APPRAISAL #1</u>	<u>APPRAISAL #2</u>	<u>OWNER</u>	<u>STATUS</u>
1	1620 Thomas Avenue	\$21,000.00	\$20,500.00	J.L. Dorman Realty Co	
2	1644 Thomas Avenue	\$20,500.00	\$21,300.00	David W. Moore	
3	1647 Thomas Avenue	\$30,500.00	\$38,600.00	Louis & Christine Cooper	
4	1713 Thomas Avenue	\$30,500.00	\$30,500.00	Janika Peay, Ryan & Robert Frazier	
5	1717 Thomas Avenue	\$27,500.00	\$25,000.00	Keith Lawson Sr.	
6	1727 Thomas Avenue	\$30,500.00	\$30,500.00	Themla Lane	
7	1731 Thomas Avenue	\$37,500.00	\$30,500.00	Andrew Shaw Jr.	
8	1811 Thomas Avenue	\$66,000.00	\$72,000.00	Spencer Parker/Mark Francis	
9	1600 Warwick Avenue	\$20,100.00	\$20,000.00	Stephen Murray	
10	1606 Warwick Avenue	\$77,000.00	\$67,000.00	Manjeet Shahipal	
11	1626 Warwick Avenue	\$31,500.00	\$31,200.00	Mann and Company Realty Broker, LLC	
12	1628 Warwick Avenue	\$20,000.00	\$18,300.00	Elizabeth Douglas	
13	1632 Warwick Avenue	\$20,000.00	\$18,100.00	Dannie Byers & Joyce Byers	
14	1702 Warwick Avenue	\$3,400.00	\$4,560.00	Myra & Dennis Green	
15	1732 Warwick Avenue	\$4,550.00	\$6,500.00	Yeshiva Dvar Yeshorim	
16	1742 Warwick Avenue	\$20,000.00	\$20,000.00	Inbrook Homes, LLC	
17	1812 Warwick Avenue	\$7,000.00	\$6,300.00	Ideal Realty Co. c/o Milton Kirchner	

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

**REAL PROPERTY**

**ITEM:** 10-RP

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

**INSTITUTION:** University of Baltimore

**Recommendation:** That the Board of Public Works approve revising the Recognition and Estoppel Agreement that is an attachment to the ground lease between the University of Baltimore and BA Bolton Yards, LLC. The revision will facilitate BA Bolton Yards' re-financing of the Fitzgerald project.

**Background:** Reference is made to USM Item 9-RP [9/12/07] in which the Board of Public Works approved a 65-year ground lease between the University of Baltimore, as landlord, and BA Bolton Yards, LLC, as tenant, for the 4.2 acre Bolton Yard surface parking lot. The parties entered into a public/private partnership to develop the Fitzgerald, a mixed-use residential and commercial space which includes a 1,250 space parking garage. The University is guaranteed 950 garage spaces at below-market rates for UB students, faculty and staff and receives 3% of the project's annual gross income. The project was financed, completed, and successfully opened in July 2010. No State funds were used to develop this project.

Reference is further made to USM Item 10-RP [10/1/08], in which the Board approved amending the Ground Lease between the University of Baltimore and BA Bolton Yards, LLC and revising the Recognition and Estoppel Agreement. The revision was made to accommodate the project lender, Bank of America.

**Proposed Revision:** BA Bolton Yards is currently refinancing the project through Wells Fargo Bank, National Association. To refinance, the new lender requests the University to further revise the Recognition and Estoppel Agreement. The proposed revision clarifies the lender's right to enter into a new lease with the University under the same terms and conditions if the tenant's original lease were to be terminated for any reason. Specifically, the lender requires that the following be added to the Recognition and Estoppel Agreement:

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

**ITEM:** 10-RP (continued)

**Proposed Revision (cont'd):**

Section 5: Landlord hereby covenants and agrees that, in the event that the Lease is terminated for any reason including, without limitation, as a result of a rejection of the Lease in a bankruptcy proceeding, Landlord shall enter into a new ground lease with Lender and such new ground lease shall be upon the same terms and conditions of the unexpired term of the Lease immediately prior to such termination. Landlord hereby confirms with respect to such new ground lease that, should Lender become the tenant under a new lease title to all improvements now owned by Tenant, situate on the Premises shall automatically vest in Lender and Landlord shall promptly assign to Lender all space leases and subleases under which tenants have attorned, with consent of Lender, to Landlord.

The Office of the Attorney General advises that though this is a material change to the existing form of the Recognition and Estoppel Agreement, it does not present a substantial change in the terms and conditions of the Ground Lease. Accordingly, the University supports this change to facilitate the refinancing.

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**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-GM**

Agency Contact:  
Charles F. Bristow (410) 865-1040  
cbristow@mdot.state.md.us  
Robert Krysiak (410) 260-7179  
robert.krysiak@Maryland.Gov

**DEPARTMENT:**

Maryland Department of Transportation  
State Highway Administration

**DESCRIPTION:** **Retroactive:** Resource sharing agreement for non-exclusive shared use of State rights-of-way to construct multiple conduits and fiber optic systems.

**AWARD:**

Maryland Broadband Cooperative, Inc.  
Salisbury, Maryland

**TERM:**

11/20/2007 – 6/30/2020 (No Renewal Option)

**AMOUNT:**

No monetary consideration

**REMARKS:** To provide broadband services in rural Maryland, State Law provides that the State Highway Administration "shall allow the use of any right-of-way for the installation of broadband communication infrastructure provided by nonprofit telecommunications services providers in rural and underserved areas of the State without the imposition of any charge for the use of the right-of-way." Transportation Article, Section 8-654, Annotated Code of Maryland.

Maryland Broadband Cooperative, Inc. (MBDC) submitted a proposal to SHA to place a fiber optic backbone infrastructure system containing a total of 144 fiber optic strands, mainly within State rights-of-way. Under the proposal, MDBC offered to the State the use of a portion of MDBC fiber consisting of 12 fiber optic strands located in the same buffer tube as the rest of the MDBC fiber. There is no monetary compensation. SHA accepted the proposal and entered into a Memorandum of Understanding with Maryland Broadband Cooperative, Inc. in 2007. Since that time, however, the Department of Transportation determined that the Memorandum of Understanding was an inappropriate vehicle for this transaction as MDBC is a private non-profit cooperative telecommunication service provider and not a State agency. The parties now seek Board of Public Works approval to replace the original MOU with the appropriate Resource Sharing Agreement and to make that approval retroactive to 11/20/2007.

As required by Section 3-405(c), State Finance & Procurement Article, Annotated Code of Maryland, this resource sharing agreement was submitted to the Legislative Policy Committee; Committee concurrence was obtained on August 30, 2011. Public notice has been posted on *eMarylandMarketplace.com*.

**RESIDENT BUSINESS:**

Yes

**MD TAX CLEARANCE:**

12-0368-1110

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**ITEM: 2-GM**

Agency Contact:  
Charles F. Bristow (410) 865-1040  
cbristow@mdot.state.md.us  
Robert Krysiak (410) 260-7179  
robert.krysiak@Maryland.Gov

**DEPARTMENT:**

Maryland Department of Transportation

**DESCRIPTION: Retroactive:** Resource sharing agreement for ingress and egress to the existing State-owned conduit areas of the Bay Bridge and the Nice Bridge to place fiber optic cables.

**AWARD:** Maryland Broadband Cooperative, Inc.  
Salisbury, Maryland

**TERM:** 9/26/2007– 9/25/2027 (with two 10-year renewal options)

**AMOUNT:** \$15,018,916 (Estimated revenue to State for initial 20-year term)

**REMARKS:** To provide broadband services in rural Maryland, State Law provides that the State Highway Administration “shall allow the use of any right-of-way for the installation of broadband communication infrastructure provided by nonprofit telecommunications services providers in rural and underserved areas of the State without the imposition of any charge for the use of the right-of-way.” Transportation Article, Section 8-654, Annotated Code of Maryland.

Maryland Broadband Cooperative (MBDC) submitted a proposal to the Maryland Transportation Authority for a non-exclusive right for ingress and egress to the existing State-owned conduit areas of the Bay Bridge and the Nice Bridge respectively to place fiber optic cables. In exchange for the use of the Bay Bridge and Nice Bridge, MBDC agreed to provide the State with a share of the revenue generated from leasing the fibers to MBDC customers. The statutory prohibition against imposing charges for the use of the right-of-way (cited in the first paragraph) applies only to the State Highway Administration when providers are serving rural and underserved areas.

MdTA accepted the proposal and issued a permit to MBDC to install the fiber across both bridges due to the immediate need by MBDC to provide connectivity to its customers. Moreover, MdTA entered into a Memorandum of Understanding with MBDC in 2007. Since that time, however, the Department of Transportation determined that the Memorandum of Understanding was an inappropriate vehicle for this transaction as MBDC is a private non-profit cooperative telecommunication service provider and not a State agency. The parties now seek Board of Public Works approval to replace the original MOU with the appropriate Resource Sharing Agreement and to make that approval retroactive to 9/26/2007.

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

**ITEM: 2-GM (cont'd)**

**REMARKS: (cont'd)**

As required by Section 3-405(c), State Finance & Procurement Article, Annotated Code of Maryland, this resource sharing agreement was submitted to the Legislative Policy Committee; Committee concurrence was obtained on August 30, 2011. Public notice has been posted on *eMarylandMarketplace.com*.

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0368-1110

---

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

Agency Contact: Julie Squire (410) 767-2924

[jsquire@dllr.stat.md.us](mailto:jsquire@dllr.stat.md.us)

Robert Krysiak (410) 260-7179

[robert.krysiak@Maryland.Gov](mailto:robert.krysiak@Maryland.Gov)

**ITEM: 3-IT**

**DEPARTMENT/PROGRAM:** Department of Labor, Licensing and Regulation  
Division of Unemployment Insurance

**CONTRACT ID:** Commercial-Off-The-Shelf Software  
Benefit Overpayment Automation Project  
DLLR-FY-2011-021  
ADPICS BPO No. P00B2400154

**CONTRACT DESCRIPTION:** *Request for contract approval in face of* protest: Commercial-Off-The-Shelf software to assist with the three primary functions of the Unemployment Insurance Benefit Payment Control (BPC) Unit: fraud prevention; data analysis/reporting capability; and case management/ overpayment recovery.

**AWARD:** CR Software, LLC, Fairfax, VA

**TERM:** March 21, 2012 – March 13, 2017

**AMOUNT:** \$3,995,004

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**PROPOSALS:**

<u>Offerors</u>	<u>Technical Rank</u>	<u>Financial Price/Rank</u>	<u>Overall Rank</u>
CR Software , LLC	1	\$3,995,004	1
On Point Technology	2	\$7,293,851*	2

\*On Point's financial proposal substantially exceeded the federal grant funding this project.

**MBE GOAL:** 10%

**MBE WAIVER:** 10% (full waiver)

**PERFORMANCE SECURITY:** \$1,000,000.00 Performance Bond

**INCUMBENT:** None

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

**ITEM: 3-IT (Cont.)**

**REQUESTING AGENCY REMARKS:**

*Award in the face of protest:* In November 2009, the United States Department of Labor awarded DLLR's Division of Unemployment Insurance a \$4,928,750 grant. The federal-grant terms require DLLR to "obligate" the money to a vendor by September 30, 2011 and to "liquidate" it by December 31, 2011. DLLR was prepared to award in September 2011 to meet the obligation deadline. However, the procurement was protested. DLLR worked closely with the US DOL to keep it appraised of the protest challenges (three in total). US DOL gave Maryland an extension of one year (December 31, 2012) for liquidation. This request for contract approval in face of protest has been submitted to prevent the loss of the federal funds allocated for this project.

*Solicitation/Contract:* A notice of availability of the Request for Proposals was posted on *emarylandmarketplace* and emailed to three vendors. A copy was sent to the Governor's Office of Minority Affairs. Two proposals were received. Both were initially determined to be reasonably susceptible of being selected for award. Technical factors received greater weight than price factors. CR had the overall #1 ranking on its Best and Final offer. CR ranked #1 on both its technical and financial offer. The CR Software demonstrated an advanced technical approach. Award is recommended to CR Software, LLC.

The contract provides a COTS software product with demonstrated ability to improve and make more efficient the UI Benefit Payment Control (BPC) functions. The COTS software will assist with the BPC Unit's three primary functions:

1. Fraud prevention: Consolidate data into single repository to more efficiently analyze data to detect organized fraud patterns.
2. Data analysis/reporting capability: Enable BPC to run queries and reports as needed.
3. Case management/overpayment recovery: Automate correspondence and notices.

The CR product presents tools and methods that will allow BPC to build upon and grow methods for its three primary functions.

*Protests:* DLLR received three protests on this procurement:

- **Protest #1** was received from On Point Technology on September 7, 2011, and challenged whether the software escrow provisions in the RFP were inconsistent with provisions typically used in State IT contracts for solicitations for COTS software. Pursuant to COMAR 21.10.02.08, Protest #1 was resolved by a negotiated settlement agreement. The settlement included the following: (1) On Point will withdraw its bid protest dated September 7, 2011, as well as its request for debriefing and request for documents under the Public Information Act; (2) DLLR will rescind its August 31, 2011 determination that On Point's proposal submitted on July 27, 2011 is "not reasonably susceptible of being selected for award"; (3) DLLR will issue a Request for Best and Final Offer (Technical BAFO Request) to eligible offerors that amends section 1.41.3 of the RFP issued on July 7, 2011; (4) The Technical BAFO will allow all eligible offerors to amend their technical proposal with regard to their responses to RFP Section 1.41.3; (5) On Point will have the opportunity to respond to the Technical BAFO Request, and On Point's financial proposal will be opened upon DLLR's acceptance of On Point's technical BAFO submission as compliant with the amendment to section 1.41.3.

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

**ITEM: 3-IT (Cont.)**

**REQUESTING AGENCY REMARKS: (cont'd)**

• **Protest #2** from On Point Technology, dated December 23, 2011, was grounded solely on the bare assertion that CR did not meet all definitive responsibility criteria of the RFP. However, On Point did not provide any explanation of what criteria they believed CR did not meet. On December 28, 2011, DLLR then formally requested that On Point document the criteria on which they believed CR failed – those criteria that were the subject of this second On Point challenge - and an explanation of the aspects of CR's proposal that purportedly did not meet those criteria. DLLR established a deadline of January 3, 2012, for On Point to respond. On Point did not respond by the deadline. DLLR denied On Point's Protest #2 on January 13, 2012. On January 18, 2012, On Point Technology filled an appeal with the Maryland State Board of Contract Appeals. At this time, On Point's appeal remains on the Board's docket.

• **Protest #3** from On Point Technology was submitted to DLLR on January 18, 2012 (the same day it appealed the denial of Protest #2 to the MSBCA). During the evaluation, DLLR concluded that neither of the two Offerors met Minimum Qualifications. However, DLLR decided to move forward with the procurement, as neither Offeror was prejudiced. This Protest #3 claimed that DLLR improperly determined that On Point's proposal did not meet Minimum Qualifications. In a February 28, 2012, Procurement Officer's decision, DLLR denied Protest #3 because, contrary to On Point's contentions, (1) On Point was not prejudiced by DLLR's decision to equally relax minimum qualifications for both Offerors; (2) DLLR properly evaluated the Offerors' responses to the RFP's functional requirements; (3) the criteria used to evaluate On Point's proposal were reasonable and were disclosed in the RFP; and (4) DLLR properly evaluated On Point's price proposal, which was nearly twice CR's proposed price.

*MBE Waiver:* The RFP established a 10% MBE subcontract goal for this contract. CR Software requested a full waiver based upon: (1) its product is highly developed, distinct and proprietary; and (2) the training process necessary to enable a subcontractor to attain a detailed proficiency and specific skill set within system configuration, development, integration, reporting, training and support services would be a year-long process. In view of this information and the fact that expiration date for using the federal funds is fast approaching, DLLR approved the waiver request. The Governor's Office of Minority Affairs received a copy of DLLR's decision on February 9, 2012.

**FUND SOURCE:** 100% Federal  
**APPROP. CODE:** P00H0102  
**RESIDENT BUSINESS:** No  
**MD TAX CLEARANCE:** 12-0194-0010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

Sandra E Clifford (410) 385-4833  
sclifford@marylandports.com

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM:** 1-C

**MARYLAND PORT ADMINISTRATION**

**CONTRACT ID:** 509915  
 Wharf Upgrades at South Locust Point Marine  
 Terminal  
 ADPICS NO. P509915

**CONTRACT DESCRIPTION:** Demolish sections of the existing concrete wharf deck and railroad tracks and replace with a new concrete deck.

**AWARD:** Cianbro Corporation  
 Pittsfield, Maine  
 (Local Business in Baltimore, MD)

**AMOUNT:** \$1,533,825

**TERM:** 90 Work Days

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Cianbro Corporation \$1,533,825  
 Pittsfield, ME

Joseph B. Fay, Co. \$1,850,737  
 Baltimore, MD

Marine Technologies, Inc. \$2,019,774  
 Baltimore, MD

Corman Marine Construction, Inc. \$2,055,546  
 Baltimore, MD

**MBE PARTICIPATION:** 5%

**PERFORMANCE SECURITY:** Performance and Payment Bond at 100% of the  
 Contract Amount

**ITEM: 1-C (Continued)****BPW – 03/21/12****REMARKS:** The Engineer's Estimate for this contract was \$2,101,355.

This Solicitation was advertised in eMaryland Marketplace. Nineteen (19) firms received bid packages; ten (10) were Maryland firms. Four (4) responsive and responsible bids were received.

The scope of work consists of: demolishing sections of the existing concrete wharf deck and railroad tracks and replace with new concrete deck; and furnishing and installing exterior carbon fiber reinforcing to existing concrete wharf beams at the South Locust Point Marine Terminal. This work is being done to upgrade the aging facility and to meet the increasing weight of cargo loads of MPA's clients.

**FUND SOURCE:** 100% Special Funds Budgeted to MPA**APPROPRIATION CODE:** J03D0002**RESIDENT BUSINESS:** Yes**MD TAX CLEARANCE:** 12-0229-1110

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

James L. Knighton (410) 767-0820  
 jknighton@mta.maryland.gov

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM:** 2-C

**MARYLAND TRANSIT ADMINISTRATION:**

**CONTRACT ID:** T-0208-0140  
 MARC Wedge Storage Yard at Union Station  
 ADPICS NO. T02080140

**CONTRACT DESCRIPTION:** This contract is for the construction of a MARC Train Layover Facility in the Washington, DC area near Ivy City. The proposed yard will be a 3 track stub-end configuration with the capacity for three additional tracks for future expansion, and will function as a mid-day layover facility for MARC electric and diesel hauled trains.

**AWARD:** American Infrastructure-MD, Inc.  
 Fallston, MD

**TERM:** 3/26/2012 – 11/26/2013

**AMOUNT:** \$21,333,000

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

American Infrastructure-MD, Inc. Fallston, MD	\$21,333,000
Corman Construction, Inc. Annapolis Junction, MD	\$21,615,447
W. M. Schlosser Company, Inc. Hyattsville, MD	\$22,933,000
Joseph B. Fay Company Baltimore, MD	\$23,743,638
Railroad Construction Co., Inc. Paterson, NJ	\$24,301,344
Facchina Construction Company La Plata, MD	\$25,290,098
Kiewit Infrastructure South Co. Peachtree City, GA	\$25,595,883
Fort Myer Construction Corp. Washington, DC	\$26,607,004

ITEM: 2-C (Continued)

BPW - 03/21/12

DBE PARTICIPATION: 18%

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

INCUMBENT: None

REMARKS: The Engineer's Estimate for this contract was \$21,575,790.

This Solicitation was advertised in eMaryland Marketplace and on MTA's Web Site. Two hundred (200) firms received bid packages; Ninety-nine (99) were Maryland firms. Ten (10) bids were received; two (2) bids were found non-responsive.

The work involves three layover tracks with service aisles along one side of each track, a full length inspection pit under one track and locomotive maintenance pit under one track, electrification of two tracks with roofed pantograph inspection platforms at the locomotive position, service aisles, and utilities to perform maintenance work and other service on locomotives and coaches. New retaining walls are required along the north end of the facility adjacent to CSXT property and the east side between Amtrak and CSXT right of way. Modifications are required to the existing retaining wall separating the new MARC facility from the existing Car Wash Building.

The signal work within the yard limits will provide a safe and reliable system including: final signal design, installation, pushbutton controlled power switch machines, cables, all power and signal bonding of rails, conduits, foundations, pull boxes, signal cases, safety tests, training and placing the equipment into service. Also, power operated switch machines (with additional provision to manually hand throw) that will be installed in the Wedge Storage Yard will be designed on a 12 volt DC system with an integrated switch machine combining the switch machine, logic controller, charging system, track occupancy detection system, manual pushbutton controls, switch targets, and all associated components to allow for safe localized operation. The Wedge Yard project has been in the planning stages for over 10 years, and will be of significant benefit to MTA by allowing the Agency to house and maintain trains in close proximity to Union Station in Washington, where they can be deployed more efficiently to meet passenger demand.

This contract includes a miscellaneous/unanticipated work allowance of \$1,600,000 (7.5% of the total contract value).

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

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0167-1100

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:  
☒ APPROVED      ☐ DISAPPROVED      ☐ DEFERRED      ☐ WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Norie Calvert (410) 545-0433  
[ncalvert@sha.state.md.us](mailto:ncalvert@sha.state.md.us)

**BPW – 03/21/12**  
**REVISED**

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 3-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** AX9675149  
 Vactor Truck Dewatering Station Upgrades at the  
 Administration's Glen Burnie & Owings Mills Shops  
 located in Anne Arundel & Baltimore Counties  
 ADPICS NO. AX9675149

**CONTRACT DESCRIPTION:** This Contract consists of vactor truck dewatering upgrades at  
 SHA's Glen Burnie & Owings Mills shops located in Anne Arundel & Baltimore Counties.

**AWARD:** The Whiting-Turner Contracting Co.  
 Baltimore, MD

**AMOUNT:** \$1,010,861 NTE

**TERM OF CONTRACT:** April 2, 2012 through October 31, 2012

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**  
 The Whiting-Turner Contracting Co. \$1,010,861  
 Baltimore, MD

DSM Properties \$1,012,198  
 Randallstown, MD

Certified Maintenance Co., Inc. \$1,052,700  
 Huntingtown, MD

Total Environmental Concepts, Inc. \$1,076,705  
 Montgomery Village, MD

**MBE PARTICIPATION:** 8%

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

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web  
 Page. Eleven (11) contractors were notified for this project on eMaryland Marketplace; Two (2) of  
 which were MDOT Certified MBE's.

**ITEM: 3-M (Continued)**

**BPW – 03/21/12**

**2<sup>nd</sup> REVISED**

This contract includes a pre-established amount of \$68,000 [6.7%] of the total contract value) for materials, equipment and other incidentals.

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

SHA uses vacuum or 'vactor' trucks to clean out storm drain inlets along our roadways. This is done to satisfy a permit condition in SHA's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) permit, and to prevent flooding to ensure safe roadways. Cleaning inlets sometimes involves spraying high pressure water into the inlet to loosen the sediment and other material clogging the inlet. This results in a soupy mixture of water and inlet debris / sediment that is sucked up by the vactor truck, and which must be dewatered (i.e. left out to dry) before it can be hauled to a landfill.

To dewater the material SHA constructed 'dewatering structures', essentially large concrete boxes with an open top and one open side with the floor sloping to the discharge end of the structure. These were built at SHA's Owings Mills and Glen Burnie facilities and currently discharge directly into storm drain systems that leads to nearby streams. SHA has decided that these must be connected to the sanitary sewer (not storm drain) to prevent any illegal discharge of wastewater to the environment.

**FUND SOURCE:** 100% Special Funds Budgeted to SHA

**APPROPRIATION CODE:** J02B0101

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 11-2961-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Norie Calvert (410) 545-0433  
 ncalvert@sha.state.md.us

BPW – 03/21/12

# DEPARTMENT OF TRANSPORTATION ACTION AGENDA

## MAINTENANCE CONTRACT

ITEM: 4-M

## STATE HIGHWAY ADMINISTRATION

**CONTRACT ID:** 479D71413  
 Application of Thermoplastic Pavement Markings at  
 Various Locations in Carroll, Frederick & Howard  
 Counties (District 7)  
 ADPICS NO. 479D71413

**CONTRACT DESCRIPTION:** This Contract consists of the application of thermoplastic  
 pavement markings at various locations in District 7.

**AWARD:** Proline Painting Company  
 Jamaica, NY

**AMOUNT:** \$505,400 NTE

**TERM OF CONTRACT:** April 2, 2012 through December 31, 2013

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Proline Painting Company Jamaica, NY	\$505,400
Denville Line Painting, Inc. Rockaway, NJ	\$677,550
Midlantic Marking, Inc. Gaithersburg, MD	\$711,500
Traffic Lines, Inc. Farmingdale, NJ	\$766,525
A-Annandale, Inc. Dumfries, VA	\$814,785
Priceless Industries, Inc. Baltimore, MD	\$1,259,965

ITEM: 4-M (Continued)

BPW – 3/21/12

MBE PARTICIPATION: 0% (single element of work)

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

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Ten (10) contractors were notified for this project; Two (2) of which were MDOT Certified MBE's.

This contract includes a pre-established amount of \$35,000 (7% of the total contract value) for Payment of Materials and other incidentals.

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

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-0061-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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Norie Calvert (410) 545-0433  
 ncalvert@sha.state.md.us

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 5-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 4791631414SB  
 Application of Thermoplastic Pavement Markings at  
 Various Locations in Prince George's County  
 ADPICS NO. 4791631414

**CONTRACT DESCRIPTION:** This Contract consists of the application of thermoplastic pavement markings at various locations in Prince George's County.

**AWARD:** Proline Painting Company  
 Jamaica, NY

**AMOUNT:** \$260,095 NTE

**TERM OF CONTRACT:** April 2, 2012 through June 30, 2014

**PROCUREMENT METHOD:** Competitive Sealed Bidding  
 (Small Business Reserve)

**BIDS:**

Proline Painting Company Jamaica, NY	\$260,095
ADP Consultants. Inc. Potomac, MD	\$299,700
Midlantic Marking, Inc. Gaithersburg, MD	\$352,150
Air City Technologies, Inc. Wharton, NJ	\$420,700
A – Annandale, Inc. Dumfries, VA	\$582,585
Priceless Industries, Inc. Baltimore, MD	\$832,425

**MBE PARTICIPATION:** 0% (single element of work)

ITEM: 5-M (Continued)

BPW – 3/21/12

**PERFORMANCE SECURITY:**

Payment &amp; Performance Bonds for 100% of the award amount exist on this contract

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Nine (9) contractors were notified for this project; Three (3) of which were MDOT Certified MBE's.

This contract includes a pre-established amount of \$35,000 (13% of the total contract value) for payment of Materials, Equipment and other incidentals.

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

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

**FUND SOURCE:**

100% Special Funds Budgeted to SHA

**APPROPRIATION CODE:**

J02B0102

**RESIDENT BUSINESS:**

No

**MD TAX CLEARANCE:**

12-0060-0001

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

115

Norie Calvert (410) 545-0433  
ncalvert@sha.state.md.us

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**RENEWAL OPTION**

**ITEM: 6-S-OPT**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** SHA-06-CHART  
 Systems Software Development  
 ADPICS NO. CO282364

**ORIGINAL CONTRACT APPROVED:** Item 5-IT, DOT Agenda 7/26/06

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**CONTRACTOR:** Computer Sciences Corporation  
 Baltimore, MD

**MODIFICATION:** Renewal Options No. 2 and No. 3 are for 1 year each and \$6,500,000 each.

**AMOUNT:** \$13,000,000

**ORIGINAL CONTRACT AMOUNT:** \$22,300,000

**REVISED CONTRACT AMOUNT:** \$44,300,000

**PERCENTAGE INCREASE:** 42%

**ORIGINAL TERM:** 7/26/06 – 6/30/11 (Original)  
 7/1/11 – 6/30/12 (Renewal Option No. 1)  
 7/1/12 – 6/30/14 (Renewal Options No. 2 and 3)

**ORIGINAL DBE PARTICIPATION:** 25% (DBE Compliance 15.59%)  
 25% (Renewal Option No. 1)  
 25% (Renewal Options No. 2 and 3)

**REMARKS:** The contractor provides secure video to Maryland and National Capital first responders; mobile video integration and implementation of on-going system engineering support. The original contract term was July 26, 2006 through June 30, 2011 with the SHA having the unilateral right to renew for five (1) additional one (1) year periods.

SHA wishes to exercise these two (2) renewal options since the contractor knows SHA's CHART system and has performed the contract satisfactorily to date.

**FUND SOURCE:** 80% Federal Funds Budgeted to SHA  
 20% Special Funds Budgeted to SHA

**APPROPRIATION CODE:** B0101

**RESIDENT BUSINESS:** Yes

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

APPROVED  
 WITH DISCUSSION

DEFERRED

WITHOUT DISCUSSION

**WITHDRAWN** ✓

## ATTACHMENT I

	Amount	Term	BPW Date	Reason
Original Contract	\$22,300,000	7/26/06 – 6/30/11	7/26/06	
Modification No. 1	\$ 2,500,000	7/1/11 – 6/30/12	12/15/10	Complete the planned FY 11 work
Renewal Option No. 1	\$ 6,500,000	7/1/11 – 6/30/12	12/15/10	Meet operational needs of CHART
Renewal Option No. 2	\$ 6,500,000	7/1/12 – 6/30/13	3/21/12	Meet operational needs of CHART
Renewal Option No. 3	\$6,500,000	7/1/13 – 6/30/14	3/21/12	Meet operational needs of CHART

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

BPW – 03/21/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

REAL PROPERTY ACQUISITION

ITEM 7-RP

MARYLAND TRANSIT ADMINISTRATION: Dunkirk Park and Ride Project  
 Calvert County, Maryland

REFERENCE: Approval is requested for the purchase in Fee Simple of 14.86 acres, more or less, for use in connection with the construction of the Dunkirk Park & Ride Project.

SPECIAL CONDITIONS: None

OWNER: Richard Leo Eisenman, Jr.

OWNERSHIP: Since December 17, 2009

PROPERTY: Approximately 14.8600 acres +/- of land in fee simple from the parcel identified as 10955 Southern Maryland Boulevard, T. M. 3, Grid 20, Parcel 395, Dunkirk, Maryland 20754.

CONSIDERATION: \$927,000

APPRAISED VALUE: \$927,000, Brendan Hantzes, fee appraiser  
 Reviewed and selected by William T. Caffrey, Jr., Chief, Appraisal Review Division, SHA

\$877,000, Thomas B. Herbert, fee appraiser  
 Reviewed by William T. Caffrey, Jr., Chief, Appraisal Review Division, SHA

(Two Appraisals, One Review Appraisal)

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

REMARKS: The subject property is required for the construction of MTA's Dunkirk Park & Ride Lot Project located in Dunkirk, Calvert County, Maryland. The owner of the property, Richard Leo Eisenman, Jr., has agreed to MTA's offer of \$927,000 and has executed the Option Contract.

BOARD OF PUBLIC WORKS ACTION – THE ABOVE REFERENCED ITEM WAS:  
 APPROVED DISSAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**REAL PROPERTY CONVEYANCE**

**ITEM:** 8-RP

MMC#09-5042

**MARYLAND TRANSIT ADMINISTRATION**

**PROPERTY LOCATION:**

Railroad Avenue  
 Town of Federalsburg, Caroline County, Maryland

**EXPLANATION:** In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of MTA. The property to be conveyed consists of +/-0.180 acres or 7,842 square feet that is being conveyed to the Town of Federalsburg.

**GRANTOR:**

Maryland Transit Administration

**GRANTEE:**

Town of Federalsburg

**SPECIAL CONDITIONS:**

None

**CONSIDERATION:**

\$1

**REMARKS:** The property being conveyed to the Town of Federalsburg is for a nominal consideration and will support the town's plans to upgrade the sewer/stormwater separation system. MTA received a report stating the value of MTA's interest in Railroad Avenue is nominal because the highest and best use of the property is for continued use as a road, if changed it would deny access to adjoining properties and land lock those properties. Railroad Avenue currently acts as a through street and does not hinder MTA's ability to access rail facilities.

Board of Public Works' approval is requested for the property conveyance.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

119

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

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**REAL PROPERTY CONVEYANCE**

**ITEM:** 9-RP MMC#09-5041

**MARYLAND TRANSIT ADMINISTRATION**

**PROPERTY LOCATION:** 2700 Eastern Boulevard  
 Essex, Baltimore County, Maryland

**EXPLANATION:** In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of MTA. The property to be conveyed consists of +/-3.692 acres and is being conveyed to the State Highway Administration by the terms in a Memorandum of Understanding (MOU) between SHA and MTA dated July 16, 2003 for the MD 43 Extension Project.

**GRANTOR:** Maryland Transit Administration

**GRANTEE:** State Highway Administration

**SPECIAL CONDITIONS:** None

**REMARKS:** There is no exchange of funds nor need for an appraisal as in accordance with Section 10-304 of the MD State Finance and Procurement, Annotated Code of Maryland.

The property being conveyed is part of a MOU between MTA and SHA for the MD 43 Extension Project from US 40 to MD 150 in Baltimore County. The MOU included as part of the MD 43 project an expanded MTA parking lot which was funded and designed by MTA.

The property containing the MTA parking lot was approved by the Maryland Board of Public Works on November 16, 2011, as Item 7-RP.

Board of Public Works' approval is requested for the real property conveyance.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

120

Wayne Pennell - (410) 859-7335  
wpennell@bwiairport.com

BPW – 03/21/12

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### LANDLORD LEASE

**ITEM:** 10-LL

**MARYLAND AVIATION ADMINISTRATION:** Baltimore/Washington International  
Thurgood Marshall Airport  
(BWI Marshall)

**NATURE OF REQUEST:** This lease grants to the Maryland Transportation Authority (the "Authority") leasehold interests in certain land and improvements at BWI Marshall as a condition precedent to the issuance of passenger facility charge revenue bonds to finance up to \$55 million in capital improvement costs, including issuance costs, and other related costs.

The leasehold includes:

- A secure passenger corridor connecting Concourses B and C and a new multi-lane passenger security checkpoint.
- Portions of Concourse C that will be widened and the related capital improvements.

**TERM:** The term of the lease will not exceed the final maturity of the bonds which is expected to be not more than 30 years from the date of authentication and delivery of the bonds, which is expected to be in April, 2012.

**LESSEE:** Maryland Transportation Authority

**REVENUE:** Assignment of passenger facility charges to the Authority by MAA.

**REMARKS:** This lease is required to comply with statutory mandates regarding the bonds to be issued to finance the costs of the BWI Marshall capital improvements, and it is consistent with the Authority's previous bond financings of BWI Marshall facility improvements in 2002 and 2003. The Board previously, on December 7, 2011, approved MDOT Agenda Item 6-EX which allowed for an expedited procurement process for this project.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

121

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

BPW – 03/21/12

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM: 11-GM**

**THE SECRETARY'S OFFICE**

**NATURE OF REQUEST:** Submission of a request by the Department of Transportation (the "Department"), made by the Secretary of Transportation, for the adoption of resolutions authorizing the issuance and sale by the Department of its Consolidated Transportation Bonds, Series 2012 in an amount not exceeding \$260,000,000, at a public sale to occur on or before June 30, 2012, as determined by the Secretary, taking into account then current market conditions, such Bonds being authorized by Subtitle 2 of Title 3 of the Transportation Article of the Annotated Code of Maryland.

On August 10, 2011 the BPW approved a request by MDOT to issue up to \$200,000,000 of Consolidated Transportation Bonds on or before January 31, 2012. MDOT did not issue these bonds due to market conditions based on a cash flow analysis.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM**            1-M

**DEPARTMENT GENERAL SERVICES**

Public Defender Office Building  
 201 St. Paul Place  
 Baltimore MD 21202

**CONTRACT NO. AND TITLE**

Project No. BB-591-111-001;  
 Generator Installation  
 ADPICS NO. 001B2400438

**DESCRIPTION**

This project provides for the furnishing and installing of a 125 kilo-watt emergency generator located in the mechanical penthouse of the seven (7) story office building. Work includes installing natural gas pipe along with a pump to fuel the generator.

**PROCUREMENT METHOD**

Competitive Sealed Bids

**BIDS OR PROPOSALS**

**AMOUNT**

Arica Consulting and Contracting, LLC Jessup, MD	\$258,995.00
Denver-Eleck Inc. Essex, MD	\$310,000.00
Urban Frances, LLC Baltimore, MD	\$310,900.00
Dvorak, LLC Baltimore, MD	\$316,700.00
District Veterans Contracting, Inc. Washington DC	\$438,074.00

**AWARD**

Arica Consulting and Contracting  
 Jessup, MD

**AMOUNT**

\$258,995.00

**TERM**

150 Days from Notice To Proceed

**MBE PARTICIPATION**

25%

**PERFORMANCE BOND**

100% of Full Contract Amount

**REMARKS**

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. Of the 25% MBE goal, 7 % was for African American and 4% was for Asian American.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM**      1-M (Cont.)

The Procurement Office has evaluated the bids and determined that the low bidder Arica Consulting and Contracting, Inc. is a responsive and responsible bidder.

Currently the Public Defender has no emergency generator. There is no electrical emergency power backup, including no emergency lighting. This project would allow for reliable means of providing emergency power.

Some of these devices served include emergency lights, elevator recalls, fire alarm panel and hot water circulating pumps.

The government estimate for this project is \$356,113.00

**FUND SOURCE**

MCCBL 2010/Item 010 (Provide funds for the State Capitol Facilities Renewal Program)

**RESIDENT BUSINESS**

Yes

**TAX COMPLIANCE NO.**

12-0370-1111

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM**            2-M

**DEPARTMENT OF GENERAL SERVICES**

John R. Hargrove District Court/Multi-  
Service Center (DCMSC)  
Baltimore, MD

**CONTRACT NO. AND TITLE**

Unarmed Uniformed Guard Services;  
ADPICS NO. 001B2400420

**CONTRACT DISCRIPTION**

Approval is requested for a contract to provide unarmed uniformed guard services for the DGS, John R. Hargrove District Court/Multi-Service located in Baltimore, MD for a period of three (3) years.

**PROCUREMENT METHOD**

Competitive Sealed Bidding  
(Small Business Reserve)

**BIDS OR PROPOSALS**

**AMOUNT**

Securemedy Inc., Waldorf, MD	\$413,582.05
Triad Security Security Services Inc. Silver Spring, MD	\$431,723.76
Twenty-Nine Sixteen Protective Guard Services, Lutherville, MD	\$452,147.11
Patriot Protective Services, Richmond, VA	\$453,228.65
Graham Security Services, Glen Burnie, MD	\$453,469.47
Phoenix Technologies LLC, Lorton, VA	\$456,291.93
Harley Security LLC, Portsmouth, VA	\$462,541.00
BTI Security, Silver Spring, MD	\$466,624.44
Stronghold Security LLC, Randallstown, MD	\$479,239.04
Proactive Special Security Services, Inc., Rockville, MD	\$489,571.50
KR Contracting, Inc., Hagerstown, MD	\$493,775.46
Dunbar Guard Services, Baltimore, MD	\$517,503.05
Klowa Public Safety, Berlin, MD	\$612,696,000.00

**AWARD**

Securemedy Inc.  
Waldorf, MD.  
(SBR # 11-3636)

**TERM**

5/1/2012-4/30/2015

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL MISCELLANEOUS****ITEM**      2-M (Cont.)**AMOUNT**      \$413,582.05 (3 Years)**MBE PARTICIPATION**      3%**HIRING AGREEMENT ELIGIBLE**      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* on 12/16/2011 Thirteen (13) acceptable bids were received of which seven (7) were Small Business Reserve (SBR) certified and four (4) firms were SBR/MBE certified.

**FUND SOURCE**      H00 33571 0823**RESIDENT BUSINESS**      Yes**TAX COMPLIANCE NO.**      12-0342-0111

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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**            3-GM

**REFERENCE**

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$350,453.50 (5 items).

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

**Department of Natural Resources**

A. Janes Island State Park  
 Crisfield, MD

**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.

**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 project estimate was \$231,825.00. This project was included on the FY-11 Critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and two vendors attended the prebid. Two vendors bid on the project with one vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid.

**CONTRACT NO. AND TITLE**

Project No. P-057-120-010;  
 Resurface Camp Loop & Cabin access Road

**PROCUREMENT METHOD**

Competitive Sealed Bids

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

## GENERAL MISCELLANEOUS

**ITEM**                      3-GM (Cont.)

## AWARD

**American Paving Corporation**  
**Salisbury, MD**

**AMOUNT**

**\$193,142.00**

**TERM**

## 60 Calendar Days

## **MBE PARTICIPATION**

15%

**FUND SOURCE**

MCCBL 2011/Item 008

**B. Point Lookout State Park**  
**St. Mary's County, MD**

## **DESCRIPTION**

<p><b><u>DESCRIPTION</u></b></p>	<p>This project provides architectural and engineering services for interior and exterior renovation of the existing bath house in order to meet ADA requirements, to add toilet stalls, and provide privacy for toilets, shower stalls and changing areas. The renovations shall upgrade energy efficiency and provide low maintenance finishes on the interior and exterior of the facility.</p>
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REMARKS

**REMARKS** Request for Pricing was issued against Indefinite Quantity Contract (IQC) DGS-10-100-IQC to obtain Architectural and Engineering services for multiple construction projects with fees less than \$200,000 for Point Lookout State Park Project No. P-065-121-010 in accordance with A/E regulations. Solicitation was issued to Morris & Ritchie Associates, Inc., as the next firm in rotation. Award is being executed out of rotation, however, due to the cancellation of prior task order. Including this project the aggregate of awards against DGS-10-100-IQC to Morris & Ritchie Associates, Inc. is \$77,599.50. The expiration date of this contract (DGS-10-100-IQC) is October 7, 2012.

**CONTRACT NO. & TITLE**

**Project No. P-065-121-010;  
Renovate Day Use Bath House**

## **PROCUREMENT METHOD**

## Maryland Architectural and Engineering Services Act

## AWARD

**Morris & Ritchie Associates, Inc.**  
**Towson, MD**

## **DEPARTMENT OF GENERAL SERVICES** **ACTION AGENDA**

## GENERAL MISCELLANEOUS

**ITEM** 3-GM (Cont.)

<b><u>AMOUNT</u></b>	<b>\$43,852.50</b>
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**FUND SOURCE** MCCBL 2011/Item 008

**C. Greenwell State Park**  
**Patuxent, MD**

<p><b><u>DESCRIPTION</u></b></p>	<p>This project requires the contractor to provide all materials, equipment, supplies, etc., to install onsite sewage disposal systems (OSDS) in various places throughout Greenwell State Park.</p>
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**REMARKS** A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*.

The project estimate was \$68,000.00. This project was included on the FY-10 Critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and three vendors attended the prebid conference. Six vendors bid on the project with zero vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid. 5% MBE participation was provided in the documentation and was approved.

<b><u>CONTRACT NO. AND TITLE</u></b>	Project No. P-044-112-010 REBID; Onsite Sewage Disposal System upgrades
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**PROCUREMENT METHOD** Competitive Sealed Bids

**AWARD** JWL Associates, Inc.  
Leonardtown MD

<b><u>AMOUNT</u></b>	<b>\$89,609.00</b>
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**TERM** 60 Calendar Days

**MBE PARTICIPATION** 5%

**FUND SOURCE** MCCBL 2010/Item 016

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM**            3-GM (Cont.)

D. Elk Neck State Park  
 Elkton, MD (Cecil County)

**DESCRIPTION**

This project is to reroute and replace septic piping in house to tank, and reroute a section of the force main line at the Diggs Operational House.

**REMARKS**

Install new pump chamber lid w/access panel. Disconnect gutter drain from septic line and trench and install new 4" SCH. 40 PVC pipe to new discharge point at creek. Disconnect existing septic/grey water setup and install new PVC piping from kitchen and bathroom drain to toilet and sink drain.

Disconnect piping from toilet and sink drain to sink and washer drain and replace piping to reroute all drainage to new discharge pipe point from outside the house to septic tank. Remove any unused piping in house. Test system for proper operation.

Reroute section of force drainage line exposed in creek, under creek by installing a new section encased in a min. of 12" of concrete around the pipe in the water bed area, w/pipe being a min. of 3' below water bed. Also included is site restoration and cleanup.

**CONTRACT NO. & TITLE**

Project No. P-026-120-010;  
 Diggs Farm Septic Repair

**PROCUREMENT METHOD**

Small Procurement

**AWARD**

Earl E. Preston, Jr., Inc.  
 Fallston, MD

**AMOUNT**

\$11,850.00

**FUND SOURCE**

MCCBL FY2011/Item 008

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM**        3-GM (Cont.)

E. Wye Island Natural Resources Management Area  
 Queenstown, MD (Queen Anne's County)

**DESCRIPTION**

This project is to replace the existing boiler and 2 circulating pumps for the Lodge. Demolition, removal and disposal of existing oil-fired water boiler and associated flue, fuel, piping, pump, expansion tank, controls and electrical connections, hot water storage tank circulating pump w/associated controls and wiring.

**REMARKS**

Also included with the above work will be to furnish & install high efficiency oil-fired water boiler with new flue pipe and connections to stack. Furnish & install new circulating pump with new controls for new boiler and tie to existing T775G Controller. Furnish & install new expansion tank w/new fittings for new boiler, and new circulating pump for existing hot water storage tank w/all necessary controls and tie to existing Controller. Also included is site restoration and cleanup.

**CONTRACT NO. & TITLE**

Project No. G-018-120-010;  
 Replace Lodge Boiler

**PROCUREMENT METHOD**

Small Procurement

**AWARD**

BMC Services, LLC  
 Baltimore, MD

**AMOUNT**

\$12,000.00

**FUND SOURCE**

MCCBL 2011 Item 008

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM**            4-GM

**REFERENCE**

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 Departments of General Services and 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 \$398,052.19, transfer of cash to the General Fund \$76,870.00 and canceled Federal Funds \$676,000.00. An itemized listing of completed projects is provided below.

Original  
Authorization

**MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2003**

**Chapter 204 of the 2003 Laws of Maryland**

**ST. MARY'S COLLEGE OF MD**

032	Duct Bank	\$ 9,660.62	\$2,500,000.00
	Total MCCBL 2003	\$ 9,660.62	

**MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2004**

**Chapter 432 of the 2004 Laws of Maryland**

**HISTORIC ST. MARY'S CITY COMMISSION**

002	Academic Building	\$ 6,704.00	\$5,700,000.00
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**DEPARTMENT OF NATURAL RESOURCES**

014	Gunpowder Falls State Park	\$ 1,869.68	\$2,500,000.00
	Total MCCBL 2004	\$ 8,573.68	

**MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2005**

**Chapter 445 of the 2005 Laws of Maryland**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

027	Archaeological Equipment Facility	\$ 13,080.00	\$ 151,000.00
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**BALTIMORE CITY COMMUNITY COLLEGE**

914	Fine Arts and Administrative Wing	\$216,816.00	\$ 216,816.00
	Total MCCBL 2005	\$229,896.00	

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM**            4-GM (Cont.)

**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 Exhibits	\$ 6,203.00	\$1,330,000.00
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**ST. MARY'S COLLEGE OF MD**

018	Student Services Building	\$ 64,322.05	\$8,600,000.00
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	Total MCCBL 2006	\$ 70,525.05	
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**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 Exhibits	\$ 51,044.12	\$ 650,000.00
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**MARYLAND SCHOOL FOR THE DEAF**

043	Elementary/Family Ed. & Student Svs. Complex	\$ 740.35	\$1,250,000.00
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044	Cafeteria/Student Center	\$ 18,309.21	\$ 447,000.00
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	Total MCCBL 2007	\$ 70,093.68	
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**MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008**

**Chapter 336 of the 2008 Laws of Maryland**

**MARYLAND SCHOOL FOR THE DEAF**

019	Main Parking Lot and Athletic Field	\$ 9,303.16	\$ 122,000.00
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	Total MCCBL 2008	\$ 9,303.16	
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<b>Total transfer of spending authority to the Construction Contingency Fund</b>	<b>\$ 398,052.19</b>
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**CAPITAL APPROPRIATION 2002**

**Chapter 102 of the 2001 Laws of Maryland**

**DEPARTMENT OF JUVENILE JUSTICE**

059	E. Shore Detention Center	\$ 13,000.00	\$2,900,000.00
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**MARYLAND PUBLIC TELEVISION**

102	Advanced Television Equipment	\$ 3,870.00	\$7,630,000.00
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	Total CA 2002	\$ 16,870.00	
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**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM**            4-GM (Cont.)

**CAPITAL APPROPRIATION 2010**

**Chapter 484 of the 2009 Laws of Maryland**

**DEPARTMENT OF VETERANS AFFAIRS**

004	Eastern Shore Veterans Cemetery-Design	\$ 35,000.00	\$35,000.00
005	Rocky Gap Cemetery-Design	\$ 25,000.00	\$25,000.00
	Total CA 2010	\$ 60,000.00	
<b>Total cash transferred to the General Fund and canceled spending authority</b>		<b>\$ 76,870.00</b>	

**CAPITAL APPROPRIATION 2010**

**Chapter 484 of the 2009 Laws of Maryland**

**DEPARTMENT OF VETERANS AFFAIRS**

006	Eastern Shore Veterans Cemetery-Construction	\$ 431,000.00	\$431,000.00
007	Rocky Gap Cemetery-Construction	\$ 245,000.00	\$245,000.00
	Total CA 2010	\$ 676,000.00	
<b>Total Federal Funds canceled</b>		<b>\$ 676,000.00</b>	

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY**

**ITEM**            5-RP

**MILITARY DEPARTMENT**

Maryland Solar, LLC  
 0.811 acres utility easement  
 Roxbury Road, Hagerstown, MD  
 (Washington County)  
 File No. 00-8479

**REFERENCE**

Approval is requested to grant a temporary utility easement to Maryland Solar, LLC consisting of 0.811 acres for the purpose of constructing, inspecting, operating and maintaining underground power cable necessary for its solar operations on adjacent State land. Reference is made item 12-LL approved by the Board of Public Works on 7/27/11, in which Maryland Solar, LLC entered into a 20 year ground lease agreement for approximately 250 acres of land around the Maryland Correctional Institute for the development and operation of a solar renewal energy facility. The requested temporary easement will run with the existing 20 year ground lease term and two potential 5 year renewal terms, not to exceed 30 years.

**OWNERSHIP**

State Military Department

**GRANTEE**

Maryland Solar, LLC

**PROPERTY**

0.811 acres temporary utility easement

**PRICE**

\$19,000.00

**APPRAISED VALUES**

\$ 5,700.00-1/14/2012 James L. Randall – Fee Appraiser  
 \$19,000.00-3/5/2012 William T. Beach – Staff Appraiser  
 \$25,600.00-12/15/2011 Richard L. Bowers – Fee Appraiser

**REMARKS**

1. The Military Department agrees with the transaction.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20111104-0834 and has recommended granting a temporary utility easement in the amount of 0.811 acres to Maryland Solar, LLC.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY****ITEM**      5-RP (Cont.)

3.      The final easement plats lists total acreage of 0.811 acres.

---

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**                      6-LL-OPT

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

Office of Capital Planning (Allegany County)

**Tenant**

**Friends Aware, Inc.**  
1601 Holland St.  
Cumberland, MD 21502

### Property Location

600 Furnace St.  
Cumberland, MD 21502

<b><u>Space Type</u></b>	Residential Dwelling	<b><u>Type</u></b>	Renewal
<b><u>Duration</u></b>	5 years	<b><u>Effective</u></b>	4/14/2012
<b><u>Annual Rent</u></b>	\$1.00		

### **Utilities Responsibility**

## Tenant

## Custodial Responsibility

## Tenant

**Previous Board Action(s)**

4/4/2007 item 5-LL, 1/23/2002 item 13-L,  
2/4/1998 item 21-L

### **Special Conditions**

1. The Tenant has occupied this facility since February 1998 as a group home for clients with developmental disabilities.
2. The Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its and occupancy of the premises.
3. 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 \$1,000,000.00 combined single limit per occurrence and shall contain broad form GCL Endorsement or its equivalent.
4. 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.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**LANDLORD LEASE**

**ITEM**      6-LL-OPT (Cont.)

5.      The Tenant is responsible for all maintenance of the property.
6.      This lease contains a termination for convenience clause.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

# LANDLORD LEASE

**ITEM**                      7-LL-OPT

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

Office of Capital Planning (Allegany County)

**Tenant**

**Friends Aware, Inc.**  
1601 Holland St.  
Cumberland, MD 21502

### Property Location

228 South 1<sup>st</sup> St.  
LaVale, MD 21502

<b><u>Space Type</u></b>	Residential Dwelling.	<b><u>Type</u></b>	Renewal
<b><u>Duration</u></b>	5 years	<b><u>Effective</u></b>	4/4/2012
<b><u>Annual Rent</u></b>	\$1.00		

## Utilities Responsibility

**Tenant**

### Custodial Responsibility

## Tenant

**Previous Board Action(s)**

4/4/2007 Item 6-LL, 4/24/2002 Item 9-L,  
3/4/1998 Item 18-L

### **Special Conditions**

1. The Tenant has occupied this facility since March 1998 as a group home for clients with developmental disabilities.
2. The Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its and occupancy of the premises.
3. 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 \$1,000,000.00 combined single limit per occurrence and shall contain broad form GCL Endorsement or its equivalent.
4. 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.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**LANDLORD LEASE**

**ITEM**      7-LL-OPT (Cont.)

5.      The Tenant is responsible for all maintenance of the property.
6.      This lease contains a termination for convenience clause.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

## DEPARTMENT OF GENERAL SERVICES ACTION AGENDA

## TENANT LEASE

ITEM 8-LT

**MARYLAND INSTITUTE FOR EMERGENCY** Hagerstown  
**MEDICAL SERVICES SYSTEMS** Washington County

**Landlord** Potomac Plaza, LLC  
550 Highland St., Suite 303  
Frederick, MD 21701

**Property Location** 44 North Potomac St., Suite 200  
Hagerstown, MD 21740

<b><u>Space Type</u></b>	Office	<b><u>Lease Type</u></b>	New	<b><u>Square Feet</u></b>	1,050
<b><u>Duration</u></b>	10 Years	<b><u>Effective</u></b>	4/1/2012		
<b><u>Annual Rent</u></b>	\$14,700.00	<b><u>Square Foot Rate</u></b>	\$14.00		
		<b><u>Effective Square Foot Rate</u></b>	\$15.25		

<b><u>Utilities Responsibility</u></b>	Landlord
<b><u>Custodial Responsibility</u></b>	Tenant
<b><u>Previous Board Action(s)</u></b>	N/A

**Fund Source** 100% Special Funds D53 23 27 00

**History/Background** Reference is made to Board of Public Works Action Agenda Item 14-LT of July 16, 2008, wherein the Board approved a lease for a five (5) year term for 1,060 net usable square feet of office space located at 201 S. Cleveland Ave., Suite 209, Hagerstown, MD 21740 for the Maryland Institute for Emergency Medical Services Systems (MIEMSS). Though the lease term was approved for five (5) years, the Agency had to vacate due to the Landlord's inability to sustain operational readiness for the Demised Premises. The Landlord is experiencing financial difficulty which precluded it from satisfying its obligations under the terms of the lease agreement. Therefore; the Board of Public Works is respectfully requested to approve this lease so that the mission of MIEMSS can continue its operation in Washington County.

### Special Conditions

1. The lease incorporates two (2) use-in-common parking spaces at a cost of \$46.00 per space per month.
2. The lease contains one (1) option renewal for five (5) years.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE**

**ITEM**        8-LT (Cont.)

**Remarks**

1.     This space will be used as a regional training office of the Emergency Medical Services (EMS) pre-hospital providers. It will also be used to store patient care equipment awaiting pick up and dissemination.
2.     The lease contains a termination for convenience clause.
3.     In accordance with the State Finance and Procurement Article, Section(s) 13-105 and 4-318, this space is exempt from publicly advertising. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

## TENANT LEASE

**ITEM**            9-LT-OPT

**MARYLAND INSTITUTE FOR EMERGENCY** Region IV Headquarters  
**MEDICAL SERVICES SYSTEMS** Easton, MD  
(Talbot County)

**Landlord** Eastern Shore Retirement Associates Limited Partnership  
702 Idlewild Ave.  
Easton, MD 21601

**Property Location** 301 Bay St., Ste. #6  
Easton, MD 21601

<b><u>Space Type</u></b>	Office	<b><u>Lease Type</u></b>	Renewal	<b><u>Square Feet</u></b>	1,100
<b><u>Duration</u></b>	5 Years	<b><u>Effective</u></b>	4/1/2012		
<b><u>Annual Rent</u></b>	\$16,720.00 (Avg.)	<b><u>Square Foot Rate</u></b>		\$15.20 (Avg.)	
		<b><u>Effective Sq. Ft. Rate</u></b>		\$17.20 (Avg.)	
		<b><u>Previous Sq. Ft. Rate</u></b>		\$15.25	
		<b><u>Previous Eff. Sq. Ft. Rate</u></b>		\$17.25	

<b><u>Utilities Responsibility</u></b>	Tenant
<b><u>Custodial Responsibility</u></b>	Landlord
<b><u>Previous Board Action(s)</u></b>	6/12/1996-22-L, 9/19/2001-14-L, 8/30/2006-19-LT
<b><u>Fund Source</u></b>	100% Special, D53 23 27 00

**Special Conditions** The lease provides for escalations on increases in real estate taxes, cleaning services and supplies, and snow/ice removal.

### Remarks

1. This agency has utilized this space since 10/1/1996. This agency interacts with public safety organizations of the state, federal and local governments linking the state emergency medical service providers throughout the State. The agency, among other activities, establishes advance life support services, provides continuing educational programs, conducts certification examinations and evaluates emergency service systems response.
2. The rental rate for lease years 1-3 is \$15.00 per net usable square foot and \$15.50 per net usable square foot for lease years 4-5.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE**

**ITEM**      9-LT-OPT (Cont.)

3. Through negotiations the Department of General Services secured a rental cost savings of \$4,400.00 over the option term by reducing the stated option renewal rate by \$.80 per square foot.
4. The lease contains a termination for convenience clause.
5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE**

**ITEM**          10-LT-MOD

**DEPARTMENT OF LABOR LICENSING  
AND REGULATION**

Maryland Occupational Safety and Health  
Easton, MD  
(Talbot County)

**Landlord**

Eastern Shore Retirement Associates Limited Partnership  
702 Idlewild Ave.  
Easton, MD 21601

**Property Location**

301 Bay St., Suite 203  
Easton, MD 21601

**Space Type**    Office  
**Duration**      1 Year  
**Annual Rent**   \$36,600.00

**Lease Type**    Extension          **Square Feet**    2,400  
**Effective**      4/1/2012  
**Square Foot Rate**    \$15.25  
**Effective Sq. Ft. Rate**      \$17.25  
**Previous Sq. Ft. Rate**      \$15.25  
**Previous Eff. Sq. Ft. Rate**    \$17.25

**Utilities Responsibility**

Tenant

**Custodial Responsibility**

Landlord

**Previous Board Action(s)**

9/19/2001 – 13-L, 8/30/2006 – 20-LT

**Fund Source**

46% Federal 54% Special PCA 4N175 4N173

**Special Condition**

The lease provides for escalations on increases in real estate taxes, cleaning services and supplies, and snow/ice removal.

**Remarks**

1. This space will be used by the Department of Labor, Licensing and Regulation's Maryland Occupational Safety & Health Compliance Unit. This unit will inspect places of employment and issue citations and penalties for violations of established occupational standards. The Compliance Unit also responds to fatalities, accidents, employee complaints about safety and health as well as responding to referrals from other State or local government agencies

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE**

**ITEM**      10-LT-MOD (Cont.)

2. The extension will provide additional time for the Tenant and the Landlord to continue negotiations for a new longer term lease which will incorporate new tenant improvements built out to modern energy efficient office standards well as an expansion of space to accommodate the agency's increasing work load.
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**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CAPITAL GRANTS AND LOANS**

**ITEM**        11-CGL

**MARYLAND HIGHER EDUCATION COMMISSION**

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

**Frederick Community College**

Science/Tech Hall Building C Renovation/Expansion – Design

Renovate 5,997 GSF of the existing Science/Tech Hall as well as construct a two story addition to provide additional lab, lecture and office space for the science disciplines.

**\$462,000.00**

Maryland Consolidated Capital Bond Loan of 2011, Item #014 - \$462,000.00

CC-06-MC11-418

**MATCHING FUND**        Frederick Community College \$344,283.00  
 Cost sharing is 56.3% State share, 43.7% local share and is in accordance with Section 11-105(j) of the Education Article.

<b><u>BACKGROUND</u></b>	<b><u>Total Amount</u></b>	<b><u>State Share</u></b>	<b><u>Local Share</u></b>
Total Project	\$806,283.00	\$462,000.00	\$344,283.00
This Action	\$806,283.00	\$462,000.00	\$344,283.00

**REMARKS**

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 6/2/1992 and approved by the Board on 6/17/1992.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Frederick Community College and signed by local authorities.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of March 21, 2012 was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sheila McDonald". The signature is written in black ink and is positioned above the printed name.

Sheila C. McDonald, Esq.  
Executive Secretary

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