

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS

April 4, 2012

**BOARD OF PUBLIC WORKS
TABLE OF CONTENTS
MARCH 21, 2012**

I. ITEMS SUBMITTED ON THE SECRETARY'S AGENDA

Department of Agriculture	
Maryland Agricultural Cost-Share Program	4-6
Board of Public Works	
Procurement Agency Activity Reports	7
Procurement Regulations.....	8
Wetlands Licenses.....	9
Bonds (Comptroller).....	10-11
Department of Housing and Community Development.....	12-14
Morgan State University.....	15
APPENDIX.....	16-26
SUPPLEMENT A - Program Open Space.....	27-38
SUPPLEMENT B - Budget & Management.....	39-57
SUPPLEMENT C - University System of Maryland.....	58-63
SUPPLEMENT D - Department of Information Technology	64-70

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

AE Contracts	71-80
Maintenance Contracts.....	81-86
Real Property	87-94
Lease	95
General/Miscellaneous	96-98

III. ITEMS SUBMITTED ON THE DEPARTMENT OF GENERAL SERVICES AGENDA:

Maintenance Contracts.....	99-100
General Miscellaneous	101-103
Real Property	104-111
Capital Grants and Loans	112-132

INDEX	134-135
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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, APRIL 4, 2012**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, April 4, 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

APRIL 4, 2012

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve funding a total of 32 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$395,600.

Agreement #	Recipient	County	Amount
AT-2012-2209	ALLEN K. BELT	Montgomery	4,100
AT-2012-2210	WAYNE A. MAST	St. Mary's	13,300
AT-2012-2211	WAYNE A. MAST	St. Mary's	2,400
AT-2012-2213	WAYNE A. MAST	St. Mary's	9,400
AT-2012-2214	WAYNE A. MAST	St. Mary's	2,000
AT-2012-2219	BERKELEY B. AKE	Queen Anne's	13,600
AT-2012-2223	PARKER POINT, LLC	Kent	2,400
AT-2012-2242	W. RUSSELL CULLINS, JR	St. Mary's	13,400
AT-2012-2277-B	MILTON L. WEST, SR	Worcester	35,000
AT-2012-2321	RALPH E. SINES	Garrett	2,600
CR-2012-2276	MABEL POTTER STEVENS	Dorchester	2,700
CR-2012-2291	DAVID SCHMIDT	Caroline	5,400
MP-2012-2196	DARRELL GUYTON	Frederick	8,400
MP-2012-2197	DARRELL GUYTON	Frederick	24,100
MP-2012-2218	HUFFER BROTHERS, LLC	Frederick	7,400
MP-2012-2234	C. RODMAN MYERS	Frederick	12,000
MP-2012-2260	CARROLL R. GLASS, JR	Frederick	8,300
MP-2012-2262	CARROLL R. GLASS, JR	Frederick	17,300
MP-2012-2298	JERRY & RICHARD LEASE PARTNERSHIP	Carroll	17,400
MP-2012-2299	JERRY & RICHARD LEASE PARTNERSHIP	Carroll	14,100
MP-2012-2300	REBECCA A. STEM	Carroll	47,300
MP-2012-2322	MARYLAND LOCUST CREST, INC	Carroll	10,000
MP-2012-2323	DAVID G. SWAIN	Carroll	28,700
MP-2012-2324	WILLIAM H. MCGREW, JR	Carroll	9,500
MP-2012-2325	WILLIAM H. MCGREW, JR	Carroll	35,000
MP-2012-2327	MARISA ST. CLAIRE	Frederick	12,000
NW-2012-2279-B	MICHAEL J. DONOVAN	Dorchester	12,000
PR-2012-2295	TAE H. KIM	Worcester	5,400
RS-2012-2255	FRED H. KLAUNBERG JR.	Baltimore	2,200
RS-2012-2293	GARY V. RUBY	Carroll	5,200
RS-2012-2294	BRUCE R. VERDERAIME	Carroll	7,300
RS-2012-2302	JOHN W. MC GINNIS	Baltimore	5,700

BOARD OF PUBLIC WORKS

APRIL 4, 2012

SECRETARY'S AGENDA

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

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

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

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

APRIL 4, 2012

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
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2. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program Additional Funding Requests

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

Total submission amount: \$3,695.99

<u>Agreement #</u>	<u>Recipient</u>	<u>County</u>	<u>Amount \$</u>
RS-2011-2348	DAVID R. FOGLE, JR	Carroll	\$3,695.99

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

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**APRIL 4, 2012****SECRETARY'S AGENDA**

Contact: Mary Jo Childs 410-260-7335
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3. **BOARD OF PUBLIC WORKS**
Procurement Agency Activity Report

Submission of the Procurement Agency Activity Reports by:

A. Maryland Environmental Service, February 2012

B. Department of Public Safety & Correctional Services, February 2012

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

APRIL 4, 2012

SECRETARY'S AGENDA

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Mary Jo Childs, 410-260-7335

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4. **BOARD OF PUBLIC WORKS**

State Procurement Regulations

COMAR 21.01.02.01 Definitions

COMAR 21.02.01.04 Delegation of Procurement and Contracting Authority.

COMAR 21.02.05.04 Commodity Procurement

Recommended Action: That the Board of Public Works propose amendments to the State Procurement Regulations. The amendments will conform the regulations to current policies, practices, and generally accepted accounting principles.

Specifically the State Treasurer recommends revising COMAR Title 21 to:

- Repeal definition of capital equipment.
- Amend definitions of commodity and supplies.
- Amend the capital equipment delegation to the Departments of General Services, Public Safety and Correctional Services, and Transportation, the Maryland Transportation Authority, and the Maryland Port Commission.
- Amend the commodities and supplies delegation to the Department of General Services.
- Repeal the mandated use of an obsolete form.

The Procurement Advisory Council reviewed the proposal at its quarterly meeting on February 27, 2012. Approval of this Item will allow submission to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

April 4, 2102

SECRETARY'S AGENDA

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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.

CALVERT COUNTY

12-0379 CRAIG SELLERS – To construct four stone groins – Chesapeake Bay, Lusby

12-0433 TOWN OF NORTH BEACH – To construct a timber breakwater and emplace stone scour protection – Chesapeake Bay

CECIL COUNTY

12-0510 CRYSTAL MANOR BOAT CLUB, INC. – To repair and resurface an existing boat ramp; maintenance dredge an entrance channel and to provide for maintenance dredging for a six-year period – Elk River, Earleville

*NOTE: In FY2012, BPW has approved 14.86 acres of living shoreline.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**APRIL 4, 2012****SECRETARY'S AGENDA**

Contact: Rehena Rentuma 410-260-7909
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6. BONDS

Recommendation: That the following General Obligation Bond authorizations be cancelled in the amount of **\$76,795.37** and, at the same time, reduce the State's spending authority as shown for the following capital projects in accordance with Section 8-128, State Finance and Procurement Article, Maryland Code. The Office of the Comptroller, the Department of Budget and Management, and the Department of General Services have reviewed this request and concur.

A. Grantee has confirmed the project is completed and funds are no longer needed:

1. *Lake Whetstone Hillside Stabilization Loan of 2010*
\$20,000
Chapter 483 Acts of 2010
2. *Wicomico County Library Loan of 2004*
\$3,675
Chapter 488 Acts of 2007 amended by Chapter 372 Acts of 2010
3. *Camp Bennett Renovations Loan of 2008*
\$1,908.50
Chapter 336 Acts of 2008
4. *Lions Camp Merrick Loan of 2005*
\$1,492.68
Chapter 445 Acts of 2005
5. *Northgate Homes Lighting Upgrade Loan of 2009*
\$471.75
Chapter 485 Acts of 2009
6. *Sotterley Plantation Loan of 2005*
\$255.15
Chapter 445 Acts of 2005 amended by Chapter 85 Acts of 2007 and Chapter 707 Acts of 2009
7. *Old Wallville School Loan of 2005*
\$199.00
Chapter 445 Acts of 2005 amended by Chapter 201 Acts of 2007

BOARD OF PUBLIC WORKS

APRIL 4, 2012

SECRETARY'S AGENDA

6. **BONDS** (cont'd)

A. (cont'd)

8. *Linthicum Walks Loan of 2006***\$146.19**

Chapter 46 Acts of 2006 amended by Chapter 219 Acts of 2008

9. *Dorchester County Historical Society Loan of 2007***\$47.60**

Chapter 488 Acts of 2007

B. Grantee has stated project has been abandoned and funds are no longer needed.

*Shady Grove Adventist Hospital Loan of 2003***\$48,599.50**

Chapter 204 Acts of 2003

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

BOARD OF PUBLIC WORKS

APRIL 4, 2012

SECRETARY'S AGENDA

Contacts: Jean Peterson (410) 514-7358
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7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing the deeds of trust on four properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program. The deeds of trust are second mortgages; the borrowers are selling their property in lieu of foreclosure to pay off the first mortgage owed to DHCD, and the borrowers have requested a release of the deed of trust securing the second mortgage on the basis of a hardship (e.g., loss of income due to unemployment or illness). Borrowers will sign a promissory note in the amount of the outstanding principal of the second mortgage.

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

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

A. Loan Recipients: **Steven and Alison Cannon**
5670 Wade Court, Apt K, Frederick, MD 21703
Frederick County
Original Loan: \$2,000
Current Balance: \$2,000
Type: Second Mortgage

B. Loan Recipient: **Leah Floyd**
256 Roberts Street, Baltimore, MD 22127
Baltimore City
Original Loan: \$10,000
Current Balance: \$10,000
Type: Second Mortgage

C. Loan Recipient: **Jason Harber**
12000 Susan Lane, Lusby, MD 20878
Calvert County
Original Loan: \$5,000
Current Balance: \$2,750
Type: Second Mortgage

BOARD OF PUBLIC WORKS**APRIL 4, 2012****SECRETARY'S AGENDA****7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)**

D. Loan Recipients: **Geoffrey and Bethany Mason**
 32 Greenway Avenue, Pocomoke, MD 21851
 Worcester County
Original Loan: \$1,500
Current Balance: \$1,500
Type: Second Mortgage

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS

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

BOARD OF PUBLIC WORKS

APRIL 4, 2012

SECRETARY'S AGENDA

Contacts: Jean Peterson (410) 514-7358
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8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BORROWER: City Homes West Business Trust

LOAN AUTHORITY: Rental Housing Production Program
Housing & Community Development Article
§§ 4-1501, *et seq.*, Maryland Code

AUTHORITY TO RELEASE LIEN: State Finance & Procurement Article
§ 10-305, Maryland Code

AMOUNT: \$34,800.00

PROPERTY: 1604 Thomas Avenue, Baltimore City

RECOMMENDATION: The Department of Housing and Community Development recommends that the Board of Public Works approve releasing part of a deed of trust that DHCD holds on single family units in Baltimore City owned by City Homes West Business Trust. Removing 1604 Thomas Avenue from that deed of trust (as well as any other DHCD liens and restrictions on 1604 Thomas Avenue) will enable City Homes West Business Trust to convey clear title to Coppin State University for the University's Science and Technology Center. City Homes West will pay DHCD the net proceeds received from the University for the property sale.

BACKGROUND: On April 13, 1987, DHCD's Community Development Administration loaned \$1,765,200 to City Homes, Inc. (predecessor in interest to City Homes West Business Trust) to finance the acquisition and rehabilitation of 101 single family units located throughout Baltimore City. The current principal balance of the loan is \$1,005,771. The loan was secured by a first lien deed of trust on the 101 parcels. Presently, 98 parcels remain encumbered by the deed of trust. On a per unit basis, the outstanding principal balance of the loan and accrued interest is approximately \$11,000.

Coppin State University seeks to buy 1604 Thomas Avenue, one of the 98 parcels remaining subject to the DHCD lien. DHCD recommends that the Board authorize DHCD to remove 1604 Thomas Avenue from all DHCD liens and restrictions in return for payment to DHCD of the net proceeds from the sale. The overall deed of trust will continue in full effect on the remaining properties securing the loan.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

APRIL 4, 2012

SECRETARY'S AGENDA

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9. **MORGAN STATE UNIVERSITY**
Center for Built Environment and Infrastructure Studies (CBEIS)
Capital Equipment

Recommendation: That the Board of Public Works approve the use of General Obligation Bond funding proceeds for the following capital equipment purchases totaling **\$169,709.42**.

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

1. **Description:** Furnish and install scientific equipment
High Pressure/Temperature Autoclave
RFB Project No.: 12/COM-0036
Procurement Method: Competitive Sealed Bid
Award: ASC Process Systems
28402 Livingston Avenue
Valencia, CA 91355
Amount: \$159,900.00
Fund Source: MCCBL 2011, Item 072 - *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University.*
MD Tax Clearance: 11-3141-0000
Resident Business: No
2. **Description:** Furnish and install scientific equipment
Under Counter Glass Washer
RFB Project No.: 11/COM-0009Rev
Procurement Method: Competitive Sealed Bid
Award: Fisher Scientific
4500 Turnberry Drive
Hanover Park, IL 60133
(Resident Agent: 6600 Rockledge Dr., Bethesda, MD)
Amount: \$9,809.42
Fund Source: MCCBL 2011, Item 072 - *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University.*
MD Tax Clearance: 12-0400-1110
Resident Business: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

APRIL 4, 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

APRIL 4, 2012

APPENDIX

SECRETARY'S AGENDA

Contact: Jane Bailey 410-767-4307
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REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF GENERAL SERVICES

CONTRACT NO. & TITLE: James Senate Building
Emergency Water Damage
Clean-Up and Repairs
Project: BA-583-120-003
ADPICS No.: 001B2400457

CONTRACT TYPE: Maintenance

DESCRIPTION: Emergency clean up due to a broken fire sprinkler pipe that allowed water to leak into the offices and hallways. Contractor provided supervision and equipment and worked around the clock to remove the damaged ceilings walls, carpeting and standing water. Reinstallation of new materials will be completed with additional contracts. The Department of General Services has filed an insurance claim with the Treasurer.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: January 17, 2012

BIDS:
South River Restoration \$161,643.97
Upper Marlboro

AWARD: South River Restoration

AMOUNT: \$161,643.97

CONTRACT AWARD DATE: January 17, 2012

TERM 10 Calendar Days

BOARD OF PUBLIC WORKS

APRIL 4, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

MBE PARTICIPATION 0%

FUND SOURCE: DGS Operating Funds

REMARKS:

Nature of Emergency: The failure of a sprinkler pipe in the cupola of the James Senate Building caused the release of thousands of gallons of water into the rooms and hallways below. With the General Assembly in session and to avoid the development of mold and other problems, a local firm was contacted and able to respond immediately. There was no bidding time available and no opportunity to obtain MBE participation on the project.

Basis for Selection: Immediate actions were required. Competitive bidding was not possible as the leak had to be stopped and the area cleaned up. This firm has performed this type of service in the past for DGS and had the available resources to respond immediately.

TAX COMPLIANCE NO.: 12-0321-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS**APRIL 4, 2012****APPENDIX****SECRETARY'S AGENDA**

Contact: Jane Bailey 410-767-4307
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REPORT OF EMERGENCY PROCUREMENT**ITEM: Appendix 2****DEPARTMENT OF GENERAL SERVICES FOR THE
MARYLAND STATE POLICE, College Park Barracks**

CONTRACT NO. & TITLE: Removal of Underground Diesel
Fuel Tank
ADPICS No.: 001B2400461
Project Number: PQ-731-121-003

CONTRACT TYPE: Maintenance

DESCRIPTION: Remove existing 6,000 gallon underground diesel fuel tank and related fuel supply/return; vent piping, connection, excavation and backfill. Install new 6,000 gallon above ground fuel oil tank. Repair area excavated by providing fill which needs to be compacted, top soil, grass seed, straw and grading as required to the satisfaction of the State. Contractor is to provide all construction, permits, conduit, electrical, inspections, labor, materials, equipment, services, supplies, insurance, testing and instrumentation necessary to comply with MDE standards and incidental to the completion of all work as specified.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: February 2, 2012

BIDS:

Commercial Fuel Systems, Inc. Mt. Airy, MD	\$ 64,327.25
Kalyani Environmental Solutions, LLC Baltimore, MD	\$ 74,995.00
Petroleum Services, Inc. Baltimore, MD	\$ 83,450.00
Total Environmental Concepts, Inc Gaithersburg, MD	\$103,925.00

AWARD: Kalyani Environmental Solutions, LLC

BOARD OF PUBLIC WORKS

APRIL 4, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

AMOUNT: \$74,995.00

CONTRACT AWARD DATE: February 16, 2012

TERM 60 Calendar Days

MBE PARTICIPATION 25% MBE

FUND SOURCE: DGS Operating Funds

REMARKS:

Nature of Emergency: The 6,000 gallon fuel oil tank that supplies the boiler for heat at the College Park Barrack has significant problems and is not in compliance with MDE and EPA regulations regarding proper construction and spill prevention.

Basis for Selection: Immediate actions were required. Competitive bids were solicited from companies that were available to complete the work. The apparent low bidder, Commercial Fuel Systems, Inc. offered 5% MBE participation. Kalyani Environmental Solutions, LLC, the second apparent low bidder offered 25% MBE participation. On the bid form, DGS indicated that the MBE would be an evaluation factor for award. With Kalyani Environmental Solutions, LLC meeting the 25% MBE goal, the procurement office made the determination that it would be in the State's best interest to award the project to Kalyani Environmental Solutions, LLC.

TAX COMPLIANCE NO.: 12-0341-0110

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS**APRIL 4, 2012****APPENDIX****SECRETARY'S AGENDA**

Contact: Kathleen L. Mattis, 410-767-8481
kmattis@opd.state.md.us

REPORT OF EMERGENCY PROCUREMENT**ITEM:** Appendix 3**OFFICE OF THE PUBLIC DEFENDER**

CONTRACT TITLE: Telephone/Data Cable Installation Services
District 8 - Towson
C80P2401804

DESCRIPTION: Install 89 voice cables, 95 data cables, 2 backbone fiber tie cables and 2 backbone copper tie cables throughout floors one, two and three at the agency's new District 8 location, 200 W. Towsontowne Boulevard, Towson.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: December 19, 2012

BIDS:
FibrePlus, Jessup, MD \$27,535
Arrow S3, Beltsville, MD \$33,450

AWARD: FibrePlus

AMOUNT: \$27,535

CONTRACT AWARD DATE: March 5, 2012

TERM: 3/7/12 to 4/1/12

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General Funds
Program Code: C80B0002

BOARD OF PUBLIC WORKS

APRIL 4, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3

REMARKS:

Nature of Emergency: During planning meetings with DGS and the landlord, the Office of the Public Defender determined that the telephone/data cabling was not covered in the contractor build-out costs and that the OPD would have to cover these costs separately. In addition, OPD determined that its old telephone system could not be moved to the new location, requiring the selection of a new system. (See Appendix 4 on today's Agenda). Final configuration and quotes on the telephone/data cabling were partially dependent on the selection of the telephone system, completed on February 24, 2012. The contractor for renovation of the new space was on standby to seal the walls so OPD had to act quickly to meet its completion timeline of April 1, 2012.

Basis for Selection: Proposals were evaluated based on site visits, cost and detailed specifications submitted. FibrePlus performed two pre-bid site visits and submitted seven pages of detailed specifications at the lower cost. Arrow S3 represents the telephone system vendor and there may be advantages to it overseeing the cabling installation but its quote was more than 20% higher than FibrePlus.

TAX COMPLIANCE NUMBER: 12-0396-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS**APRIL 4, 2012****APPENDIX****SECRETARY'S AGENDA**

Contact: Kathleen L. Mattis, 410-767-8481
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REPORT OF EMERGENCY PROCUREMENT**ITEM:** Appendix 4**OFFICE OF THE PUBLIC DEFENDER**

CONTRACT TITLE: Telephone system migration –
District 8 Towson MD
C80P2401722

DESCRIPTION: Migration to NEC Series i telephone system with SV8300/UM8000 Voice Mail for 89 users at the agency's new District 8 location, 200 W. Towsontowne Boulevard, Towson.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: January 12, 2012

BIDS:
Arrow S3, Beltsville, MD \$43,560.12

AWARD: Arrow S3

AMOUNT: \$43,560.12

CONTRACT AWARD DATE: February 24, 2012

TERM: 2/29/12 to 4/1/12

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General Funds
Program Code: C80B0002

BOARD OF PUBLIC WORKS

APRIL 4, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4

REMARKS:

Nature of Emergency: The Office of the Public Defender determined that the old telephone system could not be moved to the new location as originally planned because of the age of the system, limitations on required expansion of the user group and lack of vendor support of features and upgrades. OPD consulted with the Department of Information Technology regarding alternatives, including purchasing or leasing a new system. OPD solicited a bid from Arrow S3, contractor for Statewide telephone maintenance, for a migration from the old system. Migration from the old system is simpler, faster and more efficient with this upgrade. In addition, the warranty on the system migration saves over \$10,000 in maintenance costs over five years.

Basis for Selection: The general guideline for budgeting a new system is \$1,000 per user. This system for 88 users is less than \$500 per user. The NEC telephones alone were procured at a more than 50% discount. In addition, migration from the old system is simpler, faster and more efficient with this choice.

TAX COMPLIANCE NUMBER: 12-0395-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS**APRIL 4, 2012****APPENDIX****SECRETARY'S AGENDA**

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

REPORT OF EMERGENCY PROCUREMENT**ITEM: Appendix 5****DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**

Metropolitan Transition Center - Baltimore

CONTRACT TITLE: MTC Broken Steam Line Repair
ADPICS NO. Q00P2404588

CONTRACT TYPE: Maintenance

DESCRIPTION: Furnish all materials, equipment, and labor to repair broken steam line at the Metropolitan Transition Center located in Baltimore.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: November 30, 2011

BIDS:

Trigen - Baltimore Energy Corp., Baltimore, MD	\$ 57,000.00
Caribbean Pipe & Welding, Baltimore, MD	\$ 58,500.00
M & M Welding, Gaithersburg, MD	\$ 67,000.00

AWARD: Trigen - Baltimore Energy Corp.

AMOUNT: \$ 57,000.00

CONTRACT AWARD DATE: November 30, 2011

TERM: 11/30/11 – 12/14/11

BOARD OF PUBLIC WORKS

APRIL 4, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 5 (cont'd)

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General Funds
Appropriation Code: 35.02.03 B1140 8120

REMARKS:

Nature of Emergency: The damaged steam line generates water to the institution. If the steam leak would rupture, the Metropolitan Transition Center would lose hot water; affecting the operations. Also the ground around the steam leak could possibly cave in and cause a hazard to employees and inmates. An emergency was declared to prevent security or safety hazards.

Basis for Selection: DPSCS selected Trigen - Baltimore Energy Corp. because it submitted the lowest bid and could provide timely response.

Late Report: The original contract documents contained a signature error which had to be corrected. There was another delay when the agency discovered additional work was necessary. Most recently, the agency was working with the contractor on tax compliance issues which have been resolved.

TAX COMPLIANCE NO.: 12-0381-0001

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

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

April 4, 2012

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

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

Recommendation: Approval to commit \$25,044.51 for the following **development** project.

Talbot County Community Center Basketball Goals - \$25,044.51
Talbot County
POS #5954-20-116
MD20120221-0113

Background: Purchase four portable sets of basketball goals for the Talbot County Community Center. These goals would be used for basketball programs throughout the spring and summer. The Community Center is used as an ice rink in the winter. The portability of these units would allow for on-site storage during the winter ice season.

Fund Source: Program Open Space Local Share allocated to Talbot County:
Program 81.20.04 Item 120 \$18,044.29

MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Talbot County:
Program 89.22.49 Item 056 \$7,000.22

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**

April 4, 2012

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

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

Recommendation: Approval to commit \$10,575.00 the following **development** projects.

1. ***Byron Memorial Park ADA Pool Parking - \$7,200.00***
Town of Williamsport, Washington County
POS #5951-21-266
MD20120215-0095

Background: Develop three handicapped parking spaces and a pathway permitting access to the existing swimming pool for physically challenged park visitors. Current access to the facility is limited due to the pool being built upon a hill.

Fund Source: Program Open Space Local Share allocated to Washington County:
Program 81.20.04 Item 821 \$7,200.00

2. ***Byron Memorial Park Entrance Sign - \$3,375.00***
Town of Williamsport, Washington County
POS #5952-21-267
MD20120215-0094

Background: Install a sign at the entrance of the 27± acre park. The signage would provide a directory, map of the community, and a bulletin board for park and community activities/notices.

Fund Source: Program Open Space Local Share allocated to Washington County:
Program 81.20.04 Item 821 \$3,375.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

April 4, 2012

**ITEM 3A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$76,619.53 to the Patuxent Tidewater Land Trust for the following project from Rural Legacy Funds.

***Mattapany Rural Legacy Area
Kessler Property***

Background: The Board of Public Works authorized a \$500,000 FY 2010 grant for easement acquisitions for the Mattapany Rural Legacy Area. POS Item 10A (12/16/2009).

Project Description: Acquisition of this 74.87 acre conservation easement in St. Mary's County will protect valuable forest land and water quality in the Patuxent River watershed. The easement will be held by the Department of Natural Resources; the United States of America, Department of the Navy; and the Patuxent Tidewater Land Trust.

Value of Easement: Total easement value \$327,452.25 - \$4,373.61 per acre (The Department of the Navy is contributing \$90,000.00 pursuant to an Encroachment Protection Agreement with DNR, The Nature Conservancy, and The Conservation Fund. St. Mary's County is contributing \$180,834.74.)

Total Other Costs: \$20,002.02

Administrative:	\$9,823.57	
Incidental:	\$5,266.67	\$1,600.00 Title work/insurance
		\$2,166.67 Appraisals
		\$1,500.00 Settlement fees
Program Compliance:	\$4,911.78	

Amount Requested: \$76,619.53

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$71,707.74 (FY 2011)
Program 81.20.04 Item 025 \$4,911.79 (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**

April 4, 2012

**ITEM 4A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$228,003.77 to the Patuxent Tidewater Land Trust for the following project from Rural Legacy Funds.

***Mattapany Rural Legacy Area
Lancaster Property***

Background: The Board of Public Works authorized a \$500,000 FY 2010 grant for easement acquisitions for the Mattapany Rural Legacy Area. POS Item 10A (12/16/2009)

Project Description: Acquisition of this 73.03 acre conservation easement in St. Mary's County will protect valuable forest land. The easement will be held by the Department of Natural Resources; the United States of America, Department of the Navy; and the Patuxent Tidewater Land Trust.

Value of Easement: Total easement value \$317,930.25 - \$4,353.42 per acre (The Department of the Navy is contributing \$109,500.00 pursuant to an Encroachment Protection Agreement with DNR, The Nature Conservancy, and The Conservation Fund.)

Total Other Costs: \$ 19,573.52

Administrative:	\$9,537.91	
Incidental:	\$5,266.66	\$1,600.00 Title work/insurance
		\$2,166.66 Appraisals
		\$1,500.00 Settlement fees
Program Compliance:	\$4,768.95	

Amount Requested: \$228,003.77

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$223,264.82 (FY 2011)
Program 81.20.04 Item 025 \$4,738.95 (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**

April 4, 2012

**ITEM 5A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$197,538.29 to the Patuxent Tidewater Land Trust for the following project from Rural Legacy Funds.

***Mattapany Rural Legacy Area
Dement Property***

Background: The Board of Public Works authorized a \$500,000 FY 2010 grant for easement acquisitions for the Mattapany Rural Legacy Area. POS Item 10A (12/16/2009).

Project Description: Acquisition of this 46.32 acre conservation easement in St. Mary's County will protect valuable forest land. The easement will be held by the Department of Natural Resources; the United States of America, Department of the Navy; and the Patuxent Tidewater Land Trust.

Value of Easement: Total easement value \$239,602.50 - \$5,172.77 per acre (The Department of the Navy is contributing \$58,000.00 pursuant to an Encroachment Protection Agreement with DNR, The Nature Conservancy, and The Conservation Fund.)

Total Other Costs: \$ 15,935.79

Administrative:	\$7,188.08	
Incidental:	\$5,153.67	\$1,487.00 Title work/insurance \$2,166.67 Appraisals \$1,500.00 Settlement fees
Program Compliance:	\$3,594.04	

Amount Requested: \$197,538.29

Fund Source: MCCBL of 2010: Rural Legacy Program
 Program 89.22.49 Item 054 \$193,944.25 (FY 2011)
 Program 81.20.04 Item 025 \$3,594.04 (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**

April 4, 2012

**ITEM 6A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$255,464.84 to the Patuxent Tidewater Land Trust for the following project from Rural Legacy Funds.

***Huntersville Rural Legacy Area
Burroughs Property***

Background: The Board of Public Works authorized a \$500,000 FY 2009 grant for easement acquisitions for the Huntersville Rural Legacy Area. POS Item 10A (1/7/2009).

Project Description: Acquisition of this 81.13-acre conservation easement in St. Mary's County will protect productive agricultural and forest lands. The acquisition will protect 7,280 linear feet of two unnamed streams which flow into the Patuxent River. This easement will be held by the Department of Natural Resources and the Patuxent Tidewater Land Trust.

Value of Easement: Total easement value \$419,847.75 - \$5,175 per acre (St. Mary's County is contributing \$187,365.56 to the purchase.)

Total Other Costs: \$ 22,982.65

Administrative:	\$12,595.43	
Incidental:	\$ 4,089.50	\$ 739.50 Title work
		\$1,600.00 Title insurance
		\$1,750.00 Settlement fees
Program Compliance:	\$ 6,297.72	

Amount Requested: \$255,464.84

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$249,167.12 (FY 2011)
Program 81.20.04 Item 025 \$6,297.72 (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**

April 4, 2012

**ITEM 7A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$245,533.25 to The Nature Conservancy for the following project from Rural Legacy Funds.

***Nanticoke Rural Legacy Area
Covey Trust Property***

Background: The Board of Public Works authorized a \$500,000 FY 2011 Grant for easement acquisitions for the Nanticoke Rural Legacy Area. POS Item 11A (9/1/2010)

Project Description: Acquisition of this 178.9 acre conservation easement in Dorchester County will protect valuable forest and farm land. The easement will be held by the Department of Natural Resources and the United States of America, Department of the Navy.

Value of Easement: Total easement value \$428,242.00 - \$2,393.75 per acre (The Department of the Navy is contributing \$214,121.00 pursuant to an Encroachment Protection Agreement with DNR, The Nature Conservancy, and The Conservation Fund.)

Total Other Costs: \$ 31,412.25

Administrative:	\$12,847.26	
Incidental:	\$18,564.99	\$1,564.99 Title work/insurance
		\$8,300.00 Appraisals
		\$2,700.00 Survey
		\$4,050.00 Settlement fees
		\$1,950.00 Environmental assessment
Program Compliance:	\$ 0.00	

Amount Requested: \$245,533.25

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$245,533.25 (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**

April 4, 2012

**ITEM 8A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$634,871.40 to Worcester County for the following project from Rural Legacy Funds.

Coastal Bays Rural Legacy Area
Bayside Farms LTD A – \$293,000.00
Bayside Farms LTD B – \$275,000.00

Background: The Board of Public Works authorized a \$500,000 FY 2009 Grant (POS Item 10A, 1/7/2009), and a \$1,000,000 FY 2010 Grant (POS Item 10A, 12/16/2009) for easement acquisitions for the Coastal Bays Rural Legacy Area.

Project Description: Acquisition of two conservation easements totaling 418.8 acres (Bayside Farms A - 253.68 acres and Bayside Farms B - 165.12 acres) will protect productive agricultural and forest lands. These acquisitions will protect 1,800 linear feet of Tanhouse Creek, which is located within the Chincoteague Bay Watershed. These easements will be held by the County Commissioners of Worcester County.

Value of Easement: Total easement value \$1,136,000.00 - \$2,712.51 per acre (The U.S. Department of Agriculture is contributing \$568,000.00 pursuant to the Farm and Ranchlands Protection Program.)

Total Other Costs: \$ 66,871.40

Administrative:	\$34,080.00	
Incidental:	\$15,751.40	\$ 293.00 Title work/insurance \$9,950.00 Appraisals \$1,200.00 Survey \$4,308.40 Settlement fees
Program Compliance:	\$17,040.00	

Amount Requested: \$634,871.40

Fund Source:

MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$343,927.23 (FY 2011)

MCCBL of 2011: Rural Legacy Program
Program 89.22.51 Item 050 \$273,904.17 (FY 2012)

Program 81.20.04 Item 025 \$17,040.00 (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**

April 4, 2012

**ITEM 9A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$284,613.57 to the Lower Shore Land Trust for the following project from Rural Legacy Funds.

***Dividing Creek Rural Legacy Area
Glad Mar Land Company Property***

Background: The Board of Public Works authorized a \$500,000 FY 2010 Grant for easement acquisitions for the Dividing Creek Rural Legacy Area. POS Item 10A (12/16/2009)

Project Description: Acquisition of this 231.23-acre conservation easement in Worcester County will protect productive agricultural and forest lands. The acquisition will protect 3,600 linear feet 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 \$480,000.00 - \$2,075.85 per acre (The U.S. Department of Agriculture is contributing \$240,000.00 pursuant to the Farm and Ranchlands Protection Program.)

Total Other Costs: \$ 44,613.57

Administrative:	\$14,400.00	
Incidental:	\$23,013.57	\$ 300.00 Title work/insurance
		\$ 9,500.00 Appraisals
		\$11,278.87 Survey
		\$ 1,934.70 Settlement fees
Program Compliance:	\$ 7,200.00	

Amount Requested: \$284,613.57

Fund Source: Program 81.20.04 Item 025 \$284,613.57 (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**

April 4, 2012

**ITEM 10A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$431,112.10 to The Manor Conservancy, Inc. for the following project from Rural Legacy Funds.

***Manor Rural Legacy Area
J. Martin McDonough Property***

Background: The Board of Public Works authorized a \$1,000,000.00 FY 2011 Grant for easement acquisitions for the Manor Rural Legacy Area. POS Item 11A (9/1/2010)

Project Description: Acquisition of this 52.565-acre conservation easement in Baltimore County will protect productive farmland and woodlands. This easement will serve to buffer 3,700 linear feet of Carroll Branch and its tributaries, which flow into Gunpowder Falls before draining into Loch Raven Reservoir. This easement will be held by The Manor Conservancy, Inc. and the Department of Natural Resources.

Value of Easement: Total easement value \$410,007.00 - \$7,800.00 per acre

Total Other Costs: \$ 21,105.10

Administrative:	\$12,300.00	
Incidental:	\$ 2,655.10	\$ 250.00 Survey
		\$ 50.00 Settlement fees
		\$2,355.10 Title work
Program Compliance:	\$ 6,150.00	

Amount Requested: \$431,112.10

Fund Source: Program 81.20.04 Item 025 \$431,112.10 (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**

April 4, 2012

**ITEM 11A
RURAL LEGACY PROGRAM FUNDS**

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

Recommendation: Approval to grant \$336,265.14 to the Eastern Shore Land Conservancy, Inc. for the following project from Rural Legacy Funds.

***Agricultural Security Corridor Rural Legacy Area
Alan C. and Kele Ruff Turner Property***

Background: The Board of Public Works authorized a \$500,000.00 FY 2011 Grant for easement acquisitions for the Agricultural Security Corridor Rural Legacy Area. POS Item 11A (9/1/2010)

Project Description: Acquisition of this 98.576-acre conservation easement in Dorchester County will protect productive agricultural and forest lands around an important intersection. This easement will be held by the Department of Natural Resources and the Eastern Shore Land Conservancy, Inc.

Value of Easement: Total easement value \$314,161.71 - \$3817.00 per acre

Total Other Costs: \$ 22,103.43

Administrative:	\$9,424.85	
Incidental:	\$7,966.15	\$1,212.65 Title work/insurance
		\$ 115.00 Recording fees
		\$6,183.50 Survey
		\$ 455.00 Settlement fees

Program Compliance: \$4,712.43

Amount Requested: \$336,265.14

Fund Source: MCCBL of 2011: Rural Legacy Program
Program 89.22.51 Item 050 \$331,552.71 (FY 2012)
Program 81.20.04 Item 025 \$4,712.43 (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**

April 4, 2012

**ITEM 12A
MARYLAND ENVIRONMENTAL TRUST**

Contact: Elizabeth Buxton
ebuxton@dnr.state.md.us
(410) 514-7900

Recommendation: That the Board of Public Works ratify the following donations of perpetual conservation easements.

1. **Property:** 27.41 acres, Baltimore County, Tufton Avenue
Tax Map 41, Parcel 156
Legislative District 5B

Grantor: Elizabeth W. Fenwick, Trustee of the Elizabeth W. Fenwick
Revocable Trust U/A Dated February 24, 2004

Grantee: Maryland Environmental Trust

Estimated Value: \$849,710

2. **Property:** 69.77 acres, Baltimore County, Sunshine Avenue
Tax Map 55, Parcel 133 and a portion of Parcel 237
Legislative District 7

Grantor: Lorraine B. Healey

Grantee: Maryland Environmental Trust

Estimated Value: \$2,318,958

Note: Estimated easement value is an MET estimate only. To estimate the easement value, MET multiplies the number of acres in the proposed easement by the average per-acre value of easements MET accepted in that county or region in the previous year. (The previous year's average per-acre value is derived by totaling the appraised values for MET easements in a region and dividing by the number of acres).

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:** Larry D. Unger
410-581-4030
lunger@mpt.org

DEPARTMENT/PROGRAM: Maryland Public Television (MPT)
Development

CONTRACT ID: Inbound Call Center Services;
ADPICS No. R15B2400156

CONTRACT DESCRIPTION: Request for retroactive approval of a sole source contract to provide inbound call center services for pledge drives held on behalf of Maryland Public Television (MPT).

AWARD: Teledirect Communications Inc.
(dba Tele-Direct Call Centers)
Sacramento, CA

TERM: 1/1/2012 – 9/30/2012

AMOUNT: \$90,200 (9 Months)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

REQUESTING AGENCY REMARKS: Request for retroactive approval of a sole source contract with Teledirect Communications, Inc. (Tele-Direct) in order to continue to provide inbound call center services for pledge drives held on behalf of Maryland Public Television (MPT) while MPT conducts a new procurement for services.

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

ITEM: 1-S (Cont.)

Tele-Direct has provided call center services to take phone pledges, generated in response to live and taped programming, from viewers in support of MPT since 9/1/2007 from the award of a competitively procured contract (see 2/9/2011 DBM BPW Agenda, Item 6-S). Operators in the call center must be prompt, polite and professional to ensure immediate access to our viewers. In addition to managing inbound calls and accurately processing the requests of our viewers, Tele-Direct is responsible for generating ad hoc financial and demographic reports gathered about MPT viewership. Tele-Direct has provided these services on behalf of MPT in an exemplary manner, and MPT is satisfied with the services provided by Tele-Direct.

Since the previous contract ended on 12/31/2011 (see Item 3-S-MOD on this agenda), Tele-Direct continued to perform and invoice MPT for inbound call center services as if there was a contract. MPT still needs these services while the new procurement for inbound call center services is conducted. Therefore, it is in the best interest of the State to continue these inbound call center services with Tele-Direct through a sole source contract.

MPT had personnel changes through the loss of personnel and new hires in both the Development and Procurement Offices. During these personnel changes, the expiration date of the inbound call services contract slipped through the cracks without a plan in place to conduct the new procurement for these services. MPT is in the process of reorganizing the Procurement Office to ensure all contracts are properly executed and maintained. The new solicitation for inbound call center services was published on *eMarylandMarketplace.com* on 3/14/2012, and the new Procurement Officer is working with DBM to complete the new procurement for these services as accurately and efficiently as possible.

No MBE Participation goal was established for this contract because it was determined that the main service of the contract is answering telephone calls and that the service cannot be divided into segments so that an MBE could perform part of the work.

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

ITEM: 1-S (Cont.)

FUND SOURCE: 100% Special (Viewer Donations)

APPROP. CODE: R15P00.03

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-0383-0000

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

SERVICES CONTRACT RENEWAL OPTION

ITEM: 2-S-OPTION **Agency Contact:** Robert Howells
410-230-8789
rhowells@msla.state.md.us

DEPARTMENT/PROGRAM: Maryland State Lottery Commission
(MSLC)
Video Lottery Terminal (VLT) Program

CONTRACT ID: 2009-07;
Investigative Services for Video Lottery
Terminal Licensing
ADPICS NO. E75B2400014; E75B2400015

CONTRACT APPROVED: 5/6/2009 DBM BPW Agenda Item 1-S

CONTRACTORS: Primary Contractor
Spectrum Gaming Group, LLC (Spectrum)
Linwood, NJ

Secondary Contractor
Manuel Daniels Burke International, LLC
(MDBI)
Alexandria, VA

CONTRACT DESCRIPTION: Provide investigative services for the
purpose of conducting criminal and non-criminal background investigations for Applicants to be
licensed by the Commission under the Video Lottery Terminal ("VLT") program, conducting
any other investigations assigned, and training of Lottery staff to perform such investigations.

OPTION DESCRIPTION: Approval request to exercise the second of
three one-year renewal options as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 5/7/2009 - 5/6/2011 (w/3 one-year
renewal options)

TERM OF OPTION: 5/7/2012 – 5/6/2013

AMOUNT OF ORIGINAL CONTRACT: \$5,000,000 NTE (2 Years, 2 Contractors)

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

ITEM: 2-S-OPTION (Cont.)

AMOUNT OF OPTION:	\$1,000,000 NTE (1 Year, 2 Contractors)
PRIOR MODIFICATIONS/OPTIONS:	\$1,000,000 NTE (See Attachment)
REVISED TOTAL CONTRACT AMOUNT:	\$7,000,000 NTE (4 Years, 2 Contractors)
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals
MBE PARTICIPATION:	25%
MBE COMPLIANCE:	13.0% (Spectrum) 24.9% (MDBI)

REQUESTING AGENCY REMARKS: The Contract contains multiple awards – a Primary Contract and a Secondary Contract. In the event of conflicts of interest or workload capacity that would prevent the Primary Contractor from performing specific investigations, such investigations are assigned to the Secondary Contractor. These Fixed Unit Price-Indefinite Quantity Contracts establish firm-fixed unit prices (Labor Rates) for the background investigation services to be performed by the Contractors.

The Renewal Option Amount is based on the Commission's estimated amounts for background investigations of VLT Facility Operators, Officers and Principals, Employees, Manufacturers and Suppliers during the renewal option period. The actual amounts paid to the Contractors are unknown and may be less than the estimated Option Amount. Payments to the Contractors will be made only for the actual number of hours of services performed for the investigations assigned.

The Contractors have conducted investigations during the base Contract term for the two VLT facilities which are now operational - Hollywood Casino at Perryville and Ocean Downs Casino. During Renewal Option #1, the Contractors assisted the Commission with investigations for the Maryland Live! Casino in Anne Arundel County, which is scheduled to open in June 2012, and began the investigations for the Applicants for the two remaining Facilities - Baltimore City and Allegany County/Rocky Gap. It is anticipated that the Contractors' services will be required during Renewal Option #2 to assist with the completion of the investigations for Baltimore City and Allegany County/Rocky Gap.

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

ITEM: 2-S-OPTION (Cont.)

The Commission determined that the Contractors have provided satisfactory service during the base term and first renewal option period of the Contract and that it would be impractical to re-solicit these services in the midst of this major project; therefore, it is in the best interest of the State to exercise the second one-year renewal option.

It is standard practice in the VLT industry that background investigations are paid in advance. The cost of the background investigations conducted by the Contractors will be billed to the Applicants for VLT licenses by the Commission and paid by the Applicants. Accordingly, there will be no cost to the State.

The Applicants and all Officers, Directors and other Principals are investigated before an Operation License is awarded. Applicants are required at the time of submission of an application to also submit Application Fees as a deposit to start the background investigations. The Applicants are then billed for additional fees as the background investigations progress. The Application Fees are non-refundable, because the money is used for the background investigations before the License can be awarded. Most of the employees (the actual workers at the VLT facilities) are investigated when they are hired, which occurs later in the process after the Operation License is awarded and closer to when the facility is about to open.

One additional Renewal Option is available on this Contract. The Commission will have an ongoing need to conduct background investigations and will continue to develop and expand its in-house capabilities to conduct these investigations. Dependent upon the extent of the capabilities developed in-house and the actual volume and timing of the investigations required, the Commission will make a future determination whether or not to exercise the remaining renewal option.

FUND SOURCE: 100% Special (VLT Proceeds)

APPROP. CODE: E75D0002

RESIDENT BUSINESSES: No for Both

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-OPTION (Cont.) **ATTACHMENT**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Option #1	\$1,000,000 NTE	Exercised the first of three one-year renewal options as contained in the original contract to conduct criminal and non-criminal background investigations for the VLT program through two Contractors for the period of 5/7/2011 – 5/6/2012 (1 Year). Approved on the 4/6/2011 DBM BPW Agenda, Item 5-S-OPTION.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 3-S-MOD **Agency Contact:** Larry D. Unger
410-581-4030
lunger@mpt.org

DEPARTMENT/PROGRAM: Maryland Public Television (MPT)
Development

CONTRACT ID: Inbound Call Center Services;
ADPICS No. COE18178

CONTRACT APPROVED: 2/9/2011 DBM BPW Agenda Item 6-S

CONTRACTOR: Teledirect Communications Inc.
(dba Tele-Direct Call Centers)
Sacramento, CA

CONTRACT DESCRIPTION: This contract provides inbound call center
services for pledge drives held on behalf of Maryland Public Television (MPT).

MODIFICATIONDESCRIPTION: Request for retroactive approval of a
modification to increase the approved funding for the previous four months extension to the
contract term.

TERM OF ORIGINAL CONTRACT 9/1/2007 – 8/31/2008 (w/1 one-year renewal
option)

TERM OF MODIFICATION: 9/1/2011 – 12/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$390,069 (4 Years)

AMOUNT OF MODIFICATION: \$71,982 (4 Months)

PRIOR MODIFICATION/OPTIONS: \$0 (See Requesting Agency Remarks &
Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$462,051

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

ITEM: 3-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): +18.45%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None (See Requesting Agency Remarks)

REQUESTING AGENCY REMARKS: Request for retroactive approval of a modification to increase the approved funding for a previously approved four-month extension to the contract term. In August 2011, DBM approved MPT's request for a "no cost" extension to the contract under the assumption that less than \$50,000 of the remaining approved funding would be paid to the Contractor, Teledirect Communications Inc. (Tele-Direct), during the four month period. However, MPT paid Tele-Direct almost \$72,000 for inbound call center services from 9/1/2011 – 12/31/2011. Since modifications over \$50,000 require the approval of the Board of Public Works (BPW), MPT is now requesting retroactive approval from the BPW to increase the funding on the expired contract.

Tele-Direct has provided call center services to take phone pledges, generated in response to live and taped programming, from viewers in support of MPT throughout the term of this contract. Operators in the call center must be prompt, polite and professional to ensure immediate access to our viewers. In addition to managing inbound calls and accurately processing the requests of our viewers, Tele-Direct is responsible for generating ad hoc financial and demographic reports gathered about MPT viewership. Tele-Direct has provided these services on behalf of MPT in an exemplary manner, and MPT is satisfied with the services provided by Tele-Direct.

FUND SOURCE: 100% Special (Viewer Donations)

APPROP. CODE: R15P00.03

RESIDENT BUSINESS: No

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

PRIOR MODIFICATION/OPTIONS (Cont.):

(Modifications #1 through #3 were approved with the original retroactive contract award on the 2/9/2011 DBM BPW Agenda, Item 6-S, which also extended the contract term from 9/1/2009 through 8/31/2011.)

Mod #4

\$0

Mod to extend the term of the contract by four months in order to complete the new procurement for inbound call center services for the period of 9/1/2011 – 12/31/2011. Approved by DBM.

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT MODIFICATION

ITEM: 4-S-MOD

Agency Contact: Marcus Filson
410-230-3325
filsonm@djs.state.md.us

DEPARTMENT/PROGRAM:

Department of Juvenile Services (DJS)
Contractual Non-Residential Operations

CONTRACT ID:

011-PD-008;
Non-Residential Care & Services to Youth
ADPICS NO: COE20791

CONTRACT APPROVED:

11/17/2010 DBM BPW Agenda Item 11-S

CONTRACTOR:

Living Classrooms Foundation, Inc.
Baltimore, MD

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: One of 61 contracts for currently licensed contractors to provide residential and non-residential services for youth referred by DJS who are before the Juvenile Courts of the State of Maryland. The types of programs include: treatment foster care, group homes, therapeutic group homes, residential schools, home based therapy, supervision and independent living programs.

MODIFICATION DESCRIPTION:

MODIFICATION DESCRIPTION: Request for retroactive approval to increase the available funding amount for one of the non-residential services programs based upon increased usage by DJS in order to continue the “Fresh Start” program for an average daily population of 28 male youth aged 16 to 19 residing in Maryland. The program operates in Baltimore City and Washington, D.C.

TERM OF ORIGINAL CONTRACT:

7/1/2010 – 6/30/2011

TERM OF MODIFICATION:

1/1/2012 – 6/30/2012

AMOUNT OF ORIGINAL CONTRACT:

\$190,000 (1 Year)

AMOUNT OF MODIFICATION:

\$160,000 (5 Months)

PRIOR MODIFICATIONS/OPTIONS:

\$190,000 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT:

\$540,000

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

ITEM: 4-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): +84.2%

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

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for retroactive approval of a modification to increase the available funding for one of the non-residential services providers in order to serve additional youth in the "Fresh Start" program in Washington, D.C. Youth are referred to this location for the program from the DJS offices in Montgomery and Prince George's Counties. Initially when the contract started in 2010, the average daily population was established at 11 youth based upon usage at the Baltimore City location. The D.C. location was not utilized very extensively. However, during this first renewal option year it has become very popular with DJS referred youth and staff in the adjacent counties, increasing the average daily population between the two locations to 28 male youth aged 16 to 19.

The emphasis of the "Fresh Start" program is to work with DJS youth who have dropped out of school and are in need of education and job readiness training. The program's focus is on providing youth skills for the workplace, preparation for obtaining a GED, and encouraging healthy self-esteem within youth through leadership development, team building, and cultural enrichment activities. The program includes vocational training, pre-employment work, maturity skills development, educational opportunities, life skills instruction and work experience.

DJS staff are pleased with the services provided and the opportunities afforded to youth which address competency development goals; thus explaining the increased usage of the contract.

The approved funding amount for this contract was reached as of the end of December 2011. At this time, only the existing referred youth are still in the program; however, payments to the Provider have not been made since 1/1/2012. No new referrals have been or will be added to the program until the increased funding is available pending approval of this modification. Approval of this modification is in the best interest of the State because of the success and reputation of the Fresh Start program.

It is the intent of DJS to exercise the second and final one-year renewal option available on this contract prior to the end of FY2012 and present to the Board of Public Works for approval an amount of funding sufficient to continue services for the increased estimated number of youth being served.

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

ITEM: 4-S-MOD (Cont.)

FUND SOURCE: 100% General

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

RESIDENT BUSINESS: Yes

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Opt. #1	\$190,000	Exercised the first of two one-year renewal options as contained in the original contract to provide non-residential services for youth referred by DJS for the period of 7/1/2011 – 6/30/2012. Approved by DBM and reported on the May 2011 PAAR.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 5-S-MOD **Agency Contact:** Donald Shell
410-767-1362
DShell@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Family Health Administration (FHA)
Center for Health Promotion, Education &
Tobacco Use Prevention

CONTRACT ID: DHMH-OPASS 06-9178-6;
The Maryland Tobacco Quitline
ADPICS No. COE23009

CONTRACT APPROVED: 5/17/2006 DBM BPW Agenda Item 6-S

CONTRACTOR: Alere Wellbeing, Inc.
(formally Free and Clear, Inc.)
Seattle, WA

CONTRACT DESCRIPTION: The Maryland Tobacco Quitline provides both basic and comprehensive cessation counseling, Nicotine Replacement Therapy (NRT) support to callers, and Web Coach™ (a web based support system for callers).

MODIFICATION DESCRIPTION: Request approval of a modification to increase the available funding on the contract due to the increased call volume related to various media events and campaigns.

TERM OF ORIGINAL CONTRACT: 6/1/2006 - 6/30/2008 (w/2 two-year renewal options)

TERM OF MODIFICATION: 4/5/2012 - 6/30/2012

AMOUNT OF ORIGINAL CONTRACT: \$2,890,000 (2 Years, 1 Month)

AMOUNT OF MODIFICATION: \$375,698 (Approx. 3 Months)

PRIOR MODIFICATIONS/OPTIONS: \$4,337,743 (See Attachment)

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

ITEM: 5-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$7,603,441

PERCENT +/- (THIS MODIFICATION): +13.0%

PERCENT +/- (OVERALL): -6.0%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

MBE COMPLIANCE: 7%

REQUESTING AGENCY REMARKS: Alere Wellbeing, Inc., formally known as Free and Clear, Inc., has been the Maryland Tobacco Quitline (Quitline) Contractor since its inception on June 1, 2006. Due to increased call volume related to various national media events and campaigns, anticipated upcoming national campaigns, and state campaigns supported through federal funding to promote Quitline services, the Department wishes to increase the current contract amount by \$375,698.

Several events have had a significant impact on this contract:

- (1) Maryland was awarded American Recovery and Reinvestment Act (ARRA) stimulus funding in February 2010 for a media campaign that promoted the Quitline and warned about the dangers of secondhand smoke. Media launched on 6/6/2011 and continued through 1/28/2012 with a mix of Broadcast TV, Cable TV, and movie theater advertising.
- (2) Maryland also saw significant call volume increase in June 2011 due to national press around the Food and Drug Administration announcement of the new cigarette labels featuring the 1-800-QUIT-NOW number.
- (3) Maryland was also one of the first states to secure a federal partnership administrative match with Medicaid to be reimbursed for Quitline services. The Center for Medicare/Medicaid Services (CMS) approved Maryland's cost allocation plan in December 2011. The federal match will likely provide over \$137,000 additional dollars to the Quitline contract for FY2012, thus needing to modify the current contract to add this additional funding.

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

ITEM: 5-S-MOD (Cont.)

- (4) Maryland was also awarded two additional federal Affordable Care Act grants utilized to support additional call volume, which also requires a modification to add funds to the current contract.
- (5) A new 12 week national Centers for Disease Control and Prevention (CDC) campaign promoting 1-800-QUIT-NOW was launched on 3/19/2012. The CDC has projected a broad range of an uptick in call volume, 7 - 30%, for the campaign, which could vary by state. On the first day of the campaign, the Maryland Quitline experienced a 217% increase in calls compared to Monday the week prior. In addition, the call volume has increased 41% from February 2012 to March 2012.

The projections are an estimation of additional funds needed for the Quitline through June 2012 and based on the assumption that no additional media or outreach to promote the Quitline will occur on the State level. If additional funding is not allocated, the Quitline could potentially only offer services until early April 2012, which would not allow the State to complete this newest national campaign. This estimate is based on current trends as well as factoring in assumed funds from the CMS Medicaid reimbursement matching administrative funds.

Since the launch of the Quitline in 2006, Maryland has seen an average annual call volume of approximately 14,000. Call volume fluctuates with increased media on local, state, and national levels. The Quitline has served over 76,000 residents since inception. Marylanders who have used the Quitline obtained quit rates seven times higher than the average rates of non-assisted quits. Furthermore, 98% of callers reported being satisfied with Quitline services. A broader overview of Quitline services, as well as actual Maryland success stories from the Quitline can be found at www.SmokingStopsHere.com

Maryland has seen great success with the Quitline as the top recorded way callers report hearing about the Quitline is from "friends and family". If this contract cannot be modified, the Quitline could shut down and residents may no longer find this service as a trusted provider.

On June 29, 2011, a Novation Agreement was executed changing the Contractor's name from Free and Clear, Inc. to Alere Wellbeing, Inc.

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

ITEM: 5-S-MOD (Cont.)

FUND SOURCE: 41.3% Federal; 36.6% General
22.1% Special (Cigarette Restitution Fund)

APPROP. CODE: M00F0306

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod #1	(\$600,000)	Modification to add Nicotine Replacement Therapy (NRT) support to callers, adding Web Coach TM (a web based support system for callers), additional reports and services offered by contractor. Funds reduced by \$600,000 for the period 9/12/2007 – 6/30/2008. Approved on the 8/22/2007 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$50,000	Modification to reinstate funding to the base contract that was reduced in the prior modification to support additional call volume since the Clean Indoor Air Act was enacted. Term: 6/1/2008 – 6/30/2008. Approved by DBM and reported on the May 2008 DBM PAAR.
Opt. #1	\$2,690,000	Exercised the first of two two-year renewal options as contained in the original contract for the period of 7/1/2008 – 6/30/2010. Approved on the 6/11/2008 DBM BPW Agenda, Item 12-S-OPTION.
Mod #3	(\$368,205)	Modification to reduce the available funding by \$368,205 due to budget cuts. Approved on the 11/18/2009 DBM BPW Agenda, Item 5-S-MOD.
Mod #4	\$368,205	Modification to increase the available funding to the original level for Option #1 due to reallocation of federal tobacco funds and award of ARRA federal stimulus funds. Approved on the 3/24/2010 DBM BPW Agenda, Item 7-S-MOD.
Opt. #2	\$2,197,743	Exercised the second and final two-year renewal option as contained in the original contract at a reduced rate for the period of 7/1/2010 – 6/30/2012. Approved on the 6/9/2010 DBM BPW Agenda, Item 12-S-OPTION.
Total	<u>\$4,337,743</u>	

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 1-GM

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

Recommendation: That the Board of Public Works approve the use of general obligation bond funding proceeds for the following contracts totaling \$130,236.01.

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

A. **University of Maryland, Baltimore**
UMB School of Pharmacy

1. **Description:** Customs processing fees for Glove Box w/purifying recirculator, microscope module refrigeration unit and microscope purchase from Bell Technology, United Kingdom. The equipment purchase was approved by the Board on USM Item 4-GM, 10/19/11.
Procurement Method: Simplified Acquisition
Award: Air Schott
Washington, DC 20004
Amount: \$2,142.13
Fund Source: MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.*
Item 052
MD Tax Clearance: 12-0380-0111
Resident Business: No
2. **Description:** 2 ea, E-Gel Imager with a Blue Light Base and a UV Light Base and an Imager Starter Kit
Procurement Method: Simplified Acquisition
Award: Life Technologies, Inc.
Grand Island, NY 14072
Amount: \$15,835.60
Fund Source: MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.*
Item 052
MD Tax Clearance: 12-0379-1111
Resident Business: No

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

ITEM: 1-GM (continued)

**A. University of Maryland, Baltimore
UMB School of Pharmacy**

3. Description: 2 ea. High Performance Liquid Chromatography Systems
#e2695XE with one UV/Visible Detector and Extended
Warranty
Procurement Method: Sole Source
Award: Waters Corp
Milford, MA 01757
Amount: \$112,258.28
Fund Source: MCCBL 2009: *Provide funds to equip an addition
and renovation to the School of Pharmacy. Item
052*
MD Tax Clearance: 12-0312-1111
Resident Business: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT

ITEM: 2-C

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

INSTITUTION:

University of Maryland, College Park for
Bowie State University

CONTRACT ID:

Campus Site Improvements
Bowie State University
RFP 84190-B, Contract No. B-400190-K

CONTRACT DESCRIPTION: Furnish labor, material, equipment, supervision and other resources for improvements to the Bowie State University campus sidewalks, landscape and parking lots, along with storm water management facilities and new and upgraded pedestrian lighting. This final phase of the campus improvements ties together the existing promenades with newly-constructed buildings and updates pedestrian lighting with LED post-top fixtures. Many parking lots will be milled and resurfaced as will the main entrance and portions of the loop road. Pedestrian pathways will be realigned or repaved and a new handicap-accessible pedestrian-MARC connection will be established. Various areas will feature porous pavers and a large plaza will be created at the library in preparation for the New Student Union project. In addition the main entrance to the University will be upgraded with a vehicle directory pull-off, landscaping, and storm water management improvements. Pedestrian and vehicular disruptions will be kept to a minimum. The University's estimated cost for the project is \$2.76 million.

AWARD:

Ruppert Landscaping, Inc.
Laytonsville, MD 20882

TERM:

180 calendar days (04/04/12-10/04/12)

AMOUNT:

\$1,188,364

PROCUREMENT METHOD:

Competitive Sealed Proposals

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

ITEM: 2-C (continued)

PROPOSALS:	<u>Technical</u>	<u>Price</u>
Ruppert Landscaping, Inc. Laytonsville, MD 20882	Acceptable	\$1,188,364
Facchina Construction Company. LaPlata, MD 20646	Acceptable	\$1,245,000

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: Payment and performance bonds equal to contract amount

REQUESTING INSTITUTION REMARKS: This project was advertised on *eMarylandMarketPlace*. Five proposals were received and evaluated on the basis of technical merit. Two proposals were determined to be technically acceptable and susceptible of award. Ruppert Landscaping, Inc. is recommended for award as the lowest-priced, technically acceptable proposer. The price at award includes the base scope of work for Phase 1 plus Alternates 1, 2 & 5. Phase 2 will be submitted for separate approval at a later date, subject to funding appropriation.

Ruppert Landscaping, Inc. has committed to MBE participation of 25% on this project. MBE participation through Phase 1 will total 20%. The balance of the MBE participation necessary to meet the goal will be included in Phase 2.

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 of 2011: *Campuswide Site Improvements. Provide funds to complete design and construct Campuswide Site Improvements. Line 037*

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0351-1011

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 3-RP

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

INSTITUTION: Coppin State University

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

PROPERTY: 1722 Thomas Avenue, Baltimore

GRANTOR: Latanya Beam

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

APPRAISED VALUE:	Woodley Appraisal Group	\$27,500.00
	Michael A. Wilson	\$ 26,500.00

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

PRICE:	Acquisition:	\$ 26,500.00
	Ground Rent:	\$ 1,500.00*
	Relocation	\$ 00.00
	Total	\$ 28,000.00

* To obtain fee simple title, the underlying ground rent will be acquired.

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

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 4-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: 1817 Thomas Avenue, Baltimore

GRANTOR: Kariithi Kalemi

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

APPRAISED VALUE:	Calvin Thomas	\$78,500.00
	Gregory D. Jones	\$70,000.00

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

PRICE:	Acquisition:	\$ 121,000.00 *
	Ground Rent:	\$ 000.00
	Relocation	<u>\$ 37,609.40 **</u>
	Total	\$ 158,609.40

*The purchase price was arrived at to settle a condemnation case that had been filed by the University.

**The University will pay to relocate the tenant in accordance with State relocation law.

REQUESTING INSTITUTION REMARKS: Reference is made to USM Item 16-RP (7/27/2011) in which the Board of Public Works approved a condemnation of 1817 Thomas Avenue. Since that time the parties have successfully negotiated a simple purchase. This property is being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Services Building. This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 1-IT MOD

Agency Contact:

Lavinia Lee 410-260-7634
vlee@comp.state.md.us
Robert Krysiak 410-260-7179
Robert.Krysiak@maryland.gov

DEPARTMENT:

Comptroller of Maryland
Revenue Administration Division

CONTRACT ID:

Modernized Integrated Tax System
RFP0804
ADPICS No. E00B9200042 COE22930

CONTRACT APPROVED:

DoIT Item 2-IT (12/03/2008)

CONTRACTOR:

Accenture, LLP
Annapolis, MD

CONTRACT DESCRIPTION: Replace Maryland's current tax accounting and collection systems (SMART and CACS) with an integrated system and implement a data warehouse solution (Modernized Integrated Tax System (MITS)).

MODIFICATION DESCRIPTION: Reduce scope of work, contract amounts, and contract term as described. Contractor shall complete the data warehouse solution pursuant to the revised scope of work at no further cost.

ORIGINAL TERM:

12/04/2008 – 11/30/2013
(with 5 one-year renewal options)

MODIFIED TERM:

12/04/2008 – 10/31/2012
(with 5 one-year renewal options)

ORIGINAL CONTRACT AMOUNT:

\$72,295,189 (5 Year; Base Contract)
\$ 2,851,198 (1 Year; 1st Renewal Opt.)
\$ 2,923,416 (1 Year; 2nd Renewal Opt.)
\$ 2,999,217 (1 Year; 3rd Renewal Opt.)
\$ 3,078,780 (1 Year; 4th Renewal Opt.)
\$ 3,162,280 (1 Year; 5th Renewal Opt.)
\$87,310,080 Total (10 Years)

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 1-IT MOD (cont'd)

MODIFICATION AMOUNT:

-\$35,034,779 (5 Year; Base Contract)
-\$ 2,338,857 (1 Year; 1st Renewal Opt.)
-\$ 2,411,075 (1 Year; 2nd Renewal Opt.)
-\$ 2,486,876 (1 Year; 3rd Renewal Opt.)
-\$ 2,566,439 (1 Year; 4th Renewal Opt.)
-\$ 2,649,940 (1 Year; 5th Renewal Opt.)
-\$47,487,966 Total Decrease (9 Years)

REVISED TOTAL CONTRACT AMOUNT: \$37,260,410 (Base Period)
\$ 512,341 (1 Year; 1st Renewal Opt.)
\$ 512,341 (1 Year; 2nd Renewal Opt.)
\$ 512,341 (1 Year; 3rd Renewal Opt.)
\$ 512,341 (1 Year; 4th Renewal Opt.)
\$ 512,341 (1 Year; 5th Renewal Opt.)
\$39,822,115 Total (9 Years)

PERCENT +/- (THIS MODIFICATION): -48.5% (Base Period)

OVERALL PERCENT +/-: -48.5%

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 27%

MBE COMPLIANCE: 33%

REMARKS: Contractor was tasked with developing and implementing the Modernized Integrated Tax System, a scope of work comprising two major categories:

- *Business Intelligence/Data Warehouse:* A Business Intelligence/Data Warehouse (BI/DW) solution with decision analytics capability and implementation of six early benefits projects to quickly generate additional revenue for the State
- *Integrated Tax System (ITS):* A commercial-off-the-shelf software (COTS) solution to replace the existing tax and collection systems.

BI/DW: Contractor and agency's collaboration have resulted in the completion of the early benefits projects and other BI/DW projects. These projects produced approximately \$150,000,000 in revenue for the State to date and will continue to help collect future revenue that would not have been captured in the absence of these projects.

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 1-IT MOD (cont'd)

REMARKS: (cont'd)

ITS: Work on the Integrated Tax System began as anticipated. However, due to continuous delays in implementation, the agency and Contractor mutually agreed to stop work on ITS. The contract amount is reduced due to the cessation of the ITS component.

Modified Scope of Work: Under the contract modification, Contractor shall complete BI/DW at no further cost to the agency. The remaining ITS work is deleted from Contractor's scope of work. The COTS manufacturer has agreed to revise the software licenses that the agency obtained through Contractor. These revisions will allow the agency to place the ITS-related COTS software in a dormant state while allowing the BI/DW-related software to be used for the data warehouse solution.

FUND SOURCE: Reimbursable 100%

APPROP. CODE: E00A0402

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0446-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 2-IT

Agency Contact:
Julie Squire (410) 767-2924
jsquire@dllr.state.md.us
Robert Krysiak (410) 260-7179
robert.krysiak@Maryland.Gov

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: April 5, 2012 – April 4, 2017

AMOUNT: \$3,915,004

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	\$3,915,004	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

**SUPPLEMENT
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 2-IT (Cont.)

INCUMBENT: None

REQUESTING AGENCY REMARKS:

This contract will allow DLLR to better serve Maryland with earlier detection of unemployment insurance fraud and overpayments. Currently, DLLR manually gathers data relevant to fraud and overpayment of benefits to claimants. This 20th Century strategy is cumbersome and ineffective, harms Maryland's businesses because they must all pay for fraudulent claims through unemployment insurance taxes, and harms the unemployed who sometimes must repay substantial overpayments when they are least able to do so. This proposed technological intervention, not dissimilar to an initiative put in place by the Comptroller's Office, is a 21st Century solution to a chronic problem.

Because it supports Maryland's efforts to do a better job of using technology, the United States Department of Labor in 2009 awarded DLLR a \$4,928,750 grant to purchase fraud and overpayment detection software. This award was a welcome infusion of needed funding. For the last three years, DLLR has been in the challenging position of planning and navigating a DoIT-sponsored major IT project through procurement while managing USDOL grant requirements.

Award in the Face of Protest

The grant's terms required DLLR to obligate money to a vendor by September 30, 2011 and to liquidate it (turn the obligation into an expenditure or outlay) by December 31, 2011. DLLR was prepared to award in September 2011 to meet the obligation deadline. However, On Point Technology, Inc. (OPT), which had been notified that its proposal was not reasonably susceptible of being selected for award, filed a protest – the first of three protests it ultimately filed. DLLR had kept USDOL apprised of the progress of the procurement, and, after learning of the protest, USDOL determined that DLLR had met the obligation deadline by securing two qualified offerors and, pending the outcome of the protest, that one of these offerors would be awarded the contract. Further, USDOL granted Maryland an extension of one year (December 31, 2012) by which to liquidate the grant funds. DLLR believes that it will take roughly 270 days to complete the software implementation so that the funding for it can be spent down by the December deadline. If DLLR is going to meet the USDOL time requirements, it must award this contract now.

Five factors that justify a Board of Public Works vote in favor of this contract before the Board of Contract Appeals has heard the appeal of the protest:

- 1) Both of the offerors on this procurement were ultimately deemed "reasonably susceptible of being selected for award." After the evaluation process and bid openings, CR was rated first on both the technical merits and the price. It is in the best interests of the State to award this contract to the offeror who has presented the best solution to address the fraud and overpayment issues.

**SUPPLEMENT
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 2-IT (Cont.)

- 2) CR's price is slightly under \$4 million; OPT's price is over \$7 million. DLLR has only a \$4.9 million grant from USDOL. If the Board of Contract Appeals rules that OPT's protest is valid, which DLLR believes is unlikely, Maryland could not move forward, because the agency simply does not have \$2+ million in available funds to cover the higher bid. The procurement would be cancelled, even though abandoning the procurement would mean leaving federal money on the table and making Maryland more vulnerable to unemployment insurance fraud and overpayments.
- 3) DLLR currently has no assurance that USDOL will commit to a further extension of the liquidation deadline. That extension would be necessary if the contract award is delayed until the protest is resolved. Thus, failure to start the project by the beginning of April would put the federal money obligated to DLLR at risk.
- 4) In a March 19, 2012 letter to DLLR, USDOL states that the USDOL funds are considered obligated for this project only if a contract is executed with CR or the protestor, and that any new or subsequent solicitation would require a new obligation. However, the deadline for a new obligation of these funds has expired.
- 5) Prompt installation and implementation of fraud detection software would benefit Maryland employers and claimants, as well as the overall health of the Unemployment Insurance Trust Fund.

Because CR offers the best technical solution to address the State's needs; DLLR cannot afford OPT's price should the Board of Contract Appeals rule in its favor; there is no assurance that the USDOL funding will be available after December 31, 2012; and employers and claimants will benefit from prompt implementation of the software, DLLR concludes that it is in the best interest of the State for the Board to make this award in the face of protest.

Award If Board Determines This to be Voidable Contract

By September 2011, after two years of work, DLLR was down to two offerors, neither of whom met one element of the minimum requirements of the RFP. Because one of the offerors was protesting the procurement on grounds unrelated to the minimum qualification issue, USDOL determined that DLLR had met the grant obligation deadline discussed above. At that point, DLLR either could have sent the project out to public bid again (resulting in the loss of the USDOL funding because the agency could no longer meet the obligation deadline of the grant), or waive the element of the minimum requirements that neither offeror had met. DLLR chose the latter course and was justified in doing so because, even though neither of the parties met the requirement, neither party was prejudiced, all parties had acted in good faith, the purpose of procurement law was not undermined, and the rest of DLLR's efforts showed substantial compliance with procurement law.

**SUPPLEMENT
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 2-IT (Cont.)

DLLR did not notify either party that DLLR had waived this requirement and the RFP was not amended to reflect that waiver. However, because both parties were treated equally, and neither party was prejudiced, DLLR believes that the MSBCA ultimately will not rule in the protestor's favor. If the Board were to determine that this oversight violated Division II of State Procurement Law, DLLR requests that, pursuant to Md. Ann. Code State Fin. & Proc. § 11-204(c), the Board determine that the contract is voidable and approve the award the contract to CR because all parties acted in good faith, ratification would not undermine the purposes of Division II, and any violation was insignificant or did not prevent substantial compliance with Division II.

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 the expiration date for using the federal funds is fast approaching, DLLR approved the waiver request. The Governor's Office of Minority Affairs (GOMA) was furnished a copy of DLLR's decision, and has informed DLLR that GOMA has no objection to DLLR's decision to grant this MBE waiver.

Conclusion

DLLR requests approval to award this contract in the face of a protest because it is in the best interests of the State.

FUND SOURCE: 100% Federal

APPROP. CODE: P00H0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-0194-0010

This item was previously submitted as Item 3-IT on March 21, 2012 and withdrawn.

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 – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 1-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT NO. & TITLE: BCS 2006-18 A & C
 Environmental Engineering Compliance and
 Remediation
 ADPICS NO. CO280771 & CO280772

ORIGINAL CONTRACT APPROVED: Item 4-AE, DOT Agenda 02/27/08

ORIGINAL PROCURMENT METHOD: Maryland Architectural and Engineering Services
 Act

MODIFICATION: Modification No. 2 increases the contract value. These contracts provide support for compliance with environmental laws and regulations.

CONTRACTOR:

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

KCI Technologies (Contract C)
 Baltimore, MD

TERM: 02/27/08-02/01/12 (Original)
 02/02/12–02/01/13 (Modification No. 1)

AMOUNT: \$750,000 (Contract A)
 \$700,000 (Contract C)

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

REVISED CONTRACT AMOUNT: \$4,750,000 (Contract A)
 \$4,700,000 (Contract C)

PERCENTAGE INCREASE: 19% (Contract A)
 18% (Contract C)

DBE PARTICIPATION: 25% each (Compliance 21.69% Contract A)
 (Compliance 15.13% Contract C)

ITEM: 1-AE-MOD (Continued)

BPW – 04/04/12

REMARKS: These contracts provide support for compliance with environmental laws and regulations and are essential for SHA to meet the requirements of the Tank Compliance Consent Order and Consent Order to Remediate Trichloroethylene (TCE) Contamination with the Maryland Department of the Environment (MDE), and the Third Party Audit Agreement with the Environmental Protection Agency (EPA).

The Tank Consent Order defines a strict schedule for upgrades, repairs and replacements that must be made to SHA's fuel storage tank systems statewide in order to prevent oil releases to the environment and potentially to drinking water wells. Any issues with tank systems require immediate analysis and repair to ensure compliance.

The Consent Order to Remediate TCE Contamination from SHA's former Eastern Region Laboratory also sets a strict compliance schedule. Thermal remediation of the site will begin in January, 2012 and will require consultant support for design and construction oversight as well as reporting coordination with regulators.

The EPA Audit Agreement outlines SHA's responsibility to have an independent party perform compliance audits at specific facilities and disclose such infractions as failure to provide adequate compliance training at facilities, inadequate implementation of water pollution prevention plans, record-keeping deficiencies, and technical errors in documentation. These contracts have been used to complete 101 audits and the subsequent submittal of the disclosure reports to EPA. Notices of Determination are being received from the EPA, and SHA will use the methodology developed as a compliance tool in Phase IV for locations not required to be audited by the agreement.

These contracts also provide support for completing the annual updates to SHA's Asbestos Management Plan (AMP) and to continue periodic asbestos surveillance and lead paint inspections for over 100 facilities. The FY12 plan included initial assessments at more than 70 additional facilities state-wide.

Other tasks performed include industrial hygiene and hazardous material abatement, engineering support for the Storm Water Pollution Prevention Plan development and the Spill Prevention Control and Countermeasures Plan development, and post remediation monitoring of groundwater contamination.

These two contracts were extended for 12 months on the 12/21/11 DOT Agenda as Item 16-AE-MOD to allow for new contracts to be procured. The replacement contract, BCS 2010-15, is in the mid stages of the procurement process and has a projected Notice to Proceed date of November 2012.

FUND SOURCE: Federal and Special Transportation Funds Budgeted to SHA

APPROP CODE: J02B0101

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$4,000,000	02/27/08-02/01/12	02/27/08	
Modification No. 1	N/A	02/02/12-02/01/13	12/21/11	Time needed to complete new procurements
Modification No. 2	\$750,000	02/02/12-02/01/13	04/04/12	Additional funds needed to complete new procurements
Revised Amount	\$4,750,000			

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$4,000,000	02/27/08-02/01/12	02/27/08	
Modification No. 1	N/A	02/02/12-02/01/13	12/21/11	Time needed to complete new procurements
Modification No. 2	\$700,000	02/02/12-02/01/13	04/04/12	Additional funds needed to complete new procurements
Revised Amount	\$4,700,000			

Norie A. Calvert 410-545-0433

BPW – 04/04/12

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**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 2-AE-MOD

STATE HIGHWAY ADMINISTRATION

CONTRACT NO. & TITLE: BCS 2007-04 A, B, C, D, E & F
Survey and Engineering Services in Baltimore and
Harford Counties (District 4)
ADPICS NOS. CO282549; CO282550;
CO282551; CO282552; CO282553; CO282554

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

ORIGINAL PROCURMENT METHOD: Maryland Architectural and Engineering Services
Act

MODIFICATION: Modification No. 2 increases the contract value by \$500,000 for each contract.

CONTRACTOR:

URS Corporation (Contract A)
Hunt Valley, MD

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

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

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

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

STV Incorporated (Contract F)
Baltimore, MD

TERM: Contracts A, C, D, E & F
02/27/2008-02/01/2012 (Original)
02/01/2012–02/01/13 (Modification No. 1)

Contract B
01/30/2008-01/02/2012 (Original)
01/02/2012-01/02/2013 (Modification No.1)

ITEM: 2-AE-MOD (Continued)

BPW – 04/04/12

AMOUNT: \$500,000 each (\$3 Million Total)

ORIGINAL CONTRACT AMOUNT: \$1,500,000 each

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

PERCENTAGE INCREASE: 33.3%

DBE PARTICIPATION: 23%

(Contract A) (DBE Compliance 28.50%)

(Contract B) (DBE Compliance 21.42%)

(Contract C) (DBE Compliance 16.24%)

(Contract D) (DBE Compliance 19.65%)

(Contract E) (DBE Compliance 19.98%)

(Contract F) (DBE Compliance 30.11%)

REMARKS: The increase of the contract value is needed to complete work until the new contracts can be procured. The replacement contract, BCS 2009-12, is mid-way through the stages of the procurement process and has a projected Notice to Proceed date of November, 2012.

These six contracts were extended for 12 months on the 12/21/11 DOT Agenda as Item 16-AE-MOD to allow for new contracts to be procured. The replacement contract, BCS 2010-15, is in the mid stages of the procurement process and has a projected Notice to Proceed date of November 2012.

FUND SOURCE: Federal and Special Transportation Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

75

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/7/08-2/1/12	2/27/08	
Modification No. 1		2/1/12-2/1/13	2/21/11 16AE Mod	To provide time until new procurement
Modification No. 2	\$500,000	2/1/12-2/1/13	4/4/12	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			

CONTRACT B

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	1/30/08-1/2/12	1/30/08	
Modification No. 1		1/2/12-1/2/13	2/21/11-16AE Mod	To provide time until new procurement
Modification No. 2	\$500,000		4/4/12	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/07/08-2/1/12	5/21/08	
Modification No. 1		2/1/12-2/1/13	12/21/11- 16AE Mod	To provide time until new procurement
Modification No. 2	\$500,000		4/4/12	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			

ATTACHMENT I (Continued)

CONTRACT D

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/7/08-2/1/12	2/27/08	
Modification No. 1		2/1/12-2/1/13	2/21/11 16AE Mod	To provide time until new procurement
Modification No. 2	\$500,000	2/1/12-2/1/13	4/4/12	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			

CONTRACT E

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/07/08-2/2/12	1/30/08	
Modification No. 1		2/2/12-2/2/13	12/21/11- 16AE Mod	To provide time until new procurement
Modification No. 2	\$500,000		4/4/12	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			

CONTRACT F

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	2/07/08-2/1/12	5/21/08	
Modification No. 1		2/1/12-2/1/13	12/21/11 – 16 AE Mod	To provide time until new procurement
Modification No. 2	\$500,000		4/4/12	To provide additional dollars until new procurement
Revised Amount	\$2,000,000			

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BPW – 04/04/12

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 3-AE-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT NO. & TITLE: BCS 2008-07 A & C
 Travel Forecasting & Traffic Engineering
 ADPICS NOS. CO282544 & CO284545

ORIGINAL CONTRACT APPROVED: Item 4-AE, DOT Agenda 01/28/09

ORIGINAL PROCURMENT METHOD: Maryland Architectural and Engineering Services
 Act

MODIFICATION: Modification No. 1 increases the contract value for each contract. These contracts provide support for travel forecasting and traffic engineering.

CONTRACTOR:

Gannett Fleming Inc.
 Camp Hill, PA

(Contract A)

Rummel, Klepper & Kahl
 Baltimore, MD

(Contract C)

TERM: 01/28/09-01/02/13 (Contract A & C)

AMOUNT: \$500,000 each

ORIGINAL CONTRACT AMOUNT: \$1,500,000 each

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

PERCENTAGE INCREASE: 33% each

DBE PARTICIPATION: 23% each (Contract A, DBE Compliance 21.4%,
 Contract C, DBE Compliance 4.5%)
 (Both DBE subcontractors are working on open tasks)

REMARKS: These contracts provide support for travel forecasting and travel engineering. The Maryland Statewide Transportation Model, Congestion Management and Analysis, and Transit Oriented Development research and analysis are all examples of work that is supported with these contracts.

ITEM:

3-AE-MOD (Continued)

BPW – 04/04/12

Travel demand models are used for SHA projects that require traffic forecasts, such as planning, highway design, structures and pavement design. They are also used to model and evaluate freight and transit travel, assess “what-if” scenarios for land use and transportation network changes, and policy changes (i.e. managed lanes). Experience and expertise in travel demand modeling and software is necessary to run models and analyze the results.

The Congestion Management and Analysis Program relies on before and after studies for major and special projects using traffic simulation models such as SYNCHRO. SHA uses traffic count data and real-time/archived traffic data (speeds, travel time) from other sources such as INRIX to monitor, assess and analyze traffic congestion throughout the state. Once the statewide congestion picture is painted, SHA assesses the reasons and analyzes possible solutions and/or recommendations for improvements, and develops low-cost, low-impact improvements that maximize system efficiency.

Transit Oriented Development research and analysis is relatively new territory for many states. In addition to expertise in travel demand modeling (i.e. CUBE) and traffic simulation (i.e. SYNCHRO, VISSIM), additional expertise/familiarity in TOD analysis, including interdependence with transit and related land uses is required. This research and analysis is used by SHA and MDOT for evaluating the ever-growing number of Transit-Oriented development proposals which come in from developers, local jurisdictions, and MDOT.

The replacement contract, BCS 2011-07, is in the mid stages of the procurement process and has a projected Notice to Proceed date of November, 2012. The additional funding will ensure that these critical services are available until a new contract can be awarded.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

79

ATTACHMENT I

CONTRACT A

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,500,000	1/28/09-1/2/13	1/28/09	
Modification No. 1	\$500,000	1/28/09-1/2/13	4/4/12	To ensure services continue until the next procurement
Modification No. 2				
Revised Amount	\$2,000,000			

CONTRACT C

	<u>Amount</u>	<u>Term</u>	<u>BPW/DCAR Date</u>	<u>Reason</u>
Original Contract	\$1,5000,000	1/28/09-1/02/13	1/28/09	
Modification No. 1	\$500,000	1/28/09-1/2/13	4/4/12	To ensure services continue until the next procurement
Modification No. 2				
Revised Amount	\$2,000,000			

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BPW – 04/04/12
REVISED

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 4-M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-12-008
 Septic Tank and Ejector Pit Pumping Services
 at BW I Thurgood Marshall Airport (BWI Marshall)
 ADPICS NO. MAAMC12008

CONTRACT DESCRIPTION: The Contractor shall provide the necessary labor, supervision, materials, equipment, insurance, and expertise to routinely pump-out several sewage holding tanks and ejector pits and supply portable toilets at BWI Marshall.

AWARD: Jem Enterprises, Inc. t/a Globe Sanitation
 Woodbine, MD

TERM OF CONTRACT: 05/01/12 – 04/30/15
 Three (3) Years from NTP with one (1) two (2) year
 renewal option

AMOUNT: \$ 343,077 NTE (3 Years)
 \$ 233,293 NTE (cost of two-year option incl. 2% CPI)
 \$ 576,370 NTE (aggregate value including two-year option)

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Small Business Preference, One Responsive Bid
 Received)

MBE PARTICIPATION: 0% (specialized work)

PERFORMANCE SECURITY: Performance Bonds at 100% of Contract Amount Exists

REMARKS: The Solicitation was advertised on eMaryland Marketplace and MAA website. The Solicitation was sent to the Governor's Office of Minority Affairs and five (5) minority business associations on December 13, 2011. MAA directly solicited eleven (11) firms on December 20, 2011. A total of eight (8) firms purchased plans and specifications. One responsive bid was received and two non-responsive bids were received. No protests were filed. In accordance with COMAR 21.05.02.20, the Procurement Officer has determined that other prospective bidders had a reasonable opportunity to respond and that it is in the best interest of the State of Maryland to award this contract to Jem Enterprises, Inc. pursuant to COMAR 21.05.05.

ITEM: 4-M (Continued)**BPW – 04/04/12
REVISED**

Jem Enterprises, Inc. is the incumbent on the current contract and has demonstrated through past performance the ability to meet the contract requirements. The award amount includes an extra work and parts allowance of \$90,000 for unanticipated work.

JEM Enterprises is a Certified Small Business.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

MD TAX CLEARANCE: 12-0314-1111

RESIDENT BUSINESS: Yes

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 – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 5-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 492D71414
 New & Retracing of Existing Waterborne & Thermoplastic
 Roadway Lines at Various Locations in Carroll &
 Frederick Counties
 ADPICS NO. 492D71414

CONTRACT DESCRIPTION: This Contract consists of new & retracing of existing
 waterborne & thermoplastic roadway lines at various locations in Carroll & Frederick Counties.

AWARD: Midlantic Marking, Inc.
 Gaithersburg, MD

AMOUNT: \$2,053,750 NTE

TERM OF CONTRACT: April 16, 2012 through December 31, 2014

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Midlantic Marking, Inc. Gaithersburg, MD	\$2,053,750
Denville Line Painting, Inc. Rockaway, NJ	\$2,391,300
A – Annandale, Inc. Dumfries, VA	\$2,404,440
Alpha Space Control Co., Inc. Fayetteville, PA	\$2,544,720
Zone Striping, Inc. Glassboro, NJ	\$2,587,450

MBE PARTICIPATION: 0% (single element of work)

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

ITEM: 5-M (Continued)**BPW – 04/04/12**

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Twenty Eight (28) contractors were notified for this project on eMaryland Marketplace; Three (3) of which were MDOT Certified MBE's.

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

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0241-1111

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 – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION: (Maintenance)

ITEM: 6-M-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT NO. & TITLE: 4280051411SB
 Hand Mowing, Trimming and Litter Pick-Up At
 Various Locations Calvert, Charles and St. Mary's
 Counties
 ADPICS NO. CO282706

ORIGINAL CONTRACT APPROVED: Delegated Contract

ORIGINAL PROCURMENT METHOD: Competitive Sealed Bidding
 (Small Business Reserve)

CONTRACTOR: Colossal Contractors Inc.
 Burtonsville, MD

MODIFICATION: Request to ratify a retroactive contract modification to provide additional funding to compensate the contractor and to complete all services required within the original term of the contract.

TERM: 07/12/2010 – 12/31/2011

AMOUNT: \$15,600

ORIGINAL CONTRACT AMOUNT: \$195,000

REVISED CONTRACT AMOUNT: \$210,600

PERCENTAGE INCREASE: 8%

ORIGINAL MBE PARTICIPATION: 0%

REMARKS: This Contract consists of the hand mowing and trimming of the median and roadside at various locations in Calvert, Charles & St. Mary's Counties. The contract was awarded under SHA delegated authority in the original amount of \$195,000. Multiple maintenance shops were assigning tasks simultaneously. Absence of contract oversight occurred from poor communications within the SHA resulting in the contract value being exceeded by \$15,600. In order to prevent a similar action from taking place again, District 5 has instituted steps to improve the communication not only between the District Operations Engineer (DOE) and the shops, but between SHA and the contractor, especially on contracts shared by two or more shops, not only during the entire life of the contract, but even more so as the contract enters the last 4-6 months of its duration.

ITEM:**6-M MOD (Continued)****BPW – 04/04/12**

Colossal Contractors Inc. has performed the required tasks as specified under the terms and conditions of the contract.

FUND SOURCE:

100% Special Funds Budgeted to SHA

APPROPRIATION CODE:

J02B0102

MD TAX CLEARANCE:

12-0096-0111

RESIDENT BUSINESS:

Yes

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

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

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

BPW – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY DISPOSITION

ITEM: 7-RP MMC# 09-3004

MARYLAND AVIATION ADMINISTRATION: Located at 1692 & 1696 Dorsey Road,
Hanover MD 21076, Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to declare 2.34 acres of land as surplus, as described, which is excess to the needs of Maryland Aviation Administration (MAA).

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on November 2, 2011. The forty-five (45) day review period expired on December 19, 2011.

OWNERSHIP: State of Maryland, Maryland Aviation Administration

CONSIDERATION: None

ESTIMATED FAIR MARKET VALUE: \$351,000, based on MDOT's estimated value of \$150,000 per acre for W-1, industrial zoned land. Two appraisals will be obtained prior to the public auction.

REMARKS: MAA is requesting Board of Public Works approval to surplus the subject properties in accordance with Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland. The properties will be sold at auction as one parcel.

This property is being disposed of as required by the Federal Aviation Administration (FAA). In 1985 the MAA began acquiring properties that were deemed incompatible due to aircraft noise through BWI-Marshall's 14 Code of Federal Regulations Part 150 Program. MAA purchased this property with contributions from FAA Airport Improvement Program (AIP) grants and from the State of Maryland. MAA also signed and agreed to the FAA AIP grant assurances tied to these funds including Grant Assurance #31, which is "to assure that optimal use is made of the federal share of the proceeds from the disposal of noise land." This requires the MAA to dispose of acquired noise land when the land is no longer needed for noise compatibility reasons.

In February 2008, the FAA provided formal Program Guidance Letter (PGL) 08-02 requiring an inventory, associated maps, and a strategic reuse plan for all acquired noise land parcels.

ITEM: 7-RP (Continued)

BPW - 04/04/12

The MAA obtained FAA approval of the Reuse Plan in June 2010 and will dispose of 190 properties in four phases over the next five years. The property will be sold subject to an aviation easement, reserved to the MAA, for right of flight in the airspace above the surface of the premises and in accordance with Title 14 of the Code of Federal Regulations, Part 77, which restricts the maximum height of any improvements.

After the MAA disposes of the land for its appraised fair market value (FMV), the federal share of the FMV of the land is declared as disposal proceeds. The disposal proceeds are placed in an escrow account and are eligible for use for other airport noise compatibility projects, use by another airport for noise compatibility projects, or returned to the AIP Trust Fund. MAA plans to utilize the escrow funds to complete the sound insulation of homes previously approved in the Part 150 Noise Compatibility Program.

The Clearinghouse conducted an intergovernmental review of the project under MD20110919-0741 and has recommended to declare the property located at 1692 and 1696 Dorsey Road, consisting of +/- 2.34 acres, surplus to the State of Maryland, and to offer the property for public sale at the fair market value.

A request to dispose the +/- 2.34 acres will be sent to the Board of Public Works in the near future.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY DISPOSITION

ITEM: 8-RP MMC# 11-3006

MARYLAND AVIATION ADMINISTRATION: Located at 1775 Dorsey Road, Hanover, Maryland 21076, Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to declare 0.38 acres of land as surplus, as described, which is excess to the needs of Maryland Aviation Administration (MAA).

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on October 31, 2011. The forty-five (45) day review period expired on December 15, 2011.

OWNERSHIP: State of Maryland, Maryland Aviation Administration

CONSIDERATION: None

ESTIMATED FAIR MARKET VALUE: \$57,000 based on MDOT's estimated value of \$150,000 per acre for W-1, industrial zoned land. Two appraisals will be obtained prior to the public auction.

REMARKS: MAA is requesting Board of Public Works approval to surplus the subject properties in accordance with Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland. The property will be sold at auction.

This property is being disposed of as required by the Federal Aviation Administration (FAA). In 1985 the MAA began acquiring properties that were deemed incompatible due to aircraft noise through BWI-Marshall's 14 Code of Federal Regulations Part 150 Program. MAA purchased this property with contributions from FAA Airport Improvement Program (AIP) grants and from the State of Maryland. MAA also signed and agreed to the FAA AIP grant assurances tied to these funds including Grant Assurance #31, which is "to assure that optimal use is made of the federal share of the proceeds from the disposal of noise land." This requires the MAA to dispose of acquired noise land when the land is no longer needed for noise compatibility reasons.

In February 2008, the FAA provided formal Program Guidance Letter (PGL) 08-02 requiring an inventory, associated maps, and a strategic reuse plan for all acquired noise land parcels.

ITEM: 8-RP (Continued)**BPW – 04/04/12**

The MAA obtained FAA approval of the Reuse Plan in June 2010 and will dispose of 190 properties in four phases over the next five years. The property will be sold subject to an aviation easement, reserved to the MAA, for right of flight in the airspace above the surface of the premises and in accordance with Title 14 of the Code of Federal Regulations, Part 77, which restricts the maximum height of any improvements.

After the MAA disposes of the land for its appraised fair market value (FMV), the federal share of the FMV of the land is declared as disposal proceeds. The disposal proceeds are placed in an escrow account and are eligible for use for other airport noise compatibility projects, use by another airport for noise compatibility projects, or returned to the AIP Trust Fund. MAA plans to utilize the escrow funds to complete the sound insulation of homes previously approved in the Part 150 Noise Compatibility Program.

The Clearinghouse conducted an intergovernmental review of the project under MD20110919-0742 and has recommended to declare the property located at 1775 Dorsey Road, consisting of +/- 0.38 acres, surplus to the State of Maryland, and to offer the property for public sale at the fair market value.

A request to dispose the +/- 0.38 acres will be sent to the Board of Public Works in the near future.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA/

REAL PROPERTY DISPOSITION

ITEM: 9-RP MMC# 11-3007

MARYLAND AVIATION ADMINISTRATION: Located at 7104 Forest Ave., Hanover,
Maryland 21076, Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to declare 0.43 acres of land as surplus, as described, which is excess to the needs of Maryland Aviation Administration (MAA).

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on October 31, 2011. The forty-five (45) day review period expired on December 15, 2011.

OWNERSHIP: State of Maryland, Maryland Aviation Administration

CONSIDERATION: None

ESTIMATED FAIR MARKET VALUE: \$64,500, based on MDOT's estimated value of \$150,000 per acre for W-1, industrial zoned land. Two appraisals will be obtained prior to the public auction.

REMARKS: MAA is requesting Board of Public Works approval to surplus the subject properties in accordance with Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland. The property will be sold at auction as one parcel.

This property is being disposed of as required by the Federal Aviation Administration (FAA). In 1985 the MAA began acquiring properties that were deemed incompatible due to aircraft noise through BWI-Marshall's 14 Code of Federal Regulations Part 150 Program. MAA purchased this property with contributions from FAA Airport Improvement Program (AIP) grants and from the State of Maryland. MAA also signed and agreed to the FAA AIP grant assurances tied to these funds including Grant Assurance #31, which is "to assure that optimal use is made of the federal share of the proceeds from the disposal of noise land." This requires the MAA to dispose of acquired noise land when the land is no longer needed for noise compatibility reasons.

In February 2008, the FAA provided formal Program Guidance Letter (PGL) 08-02 requiring an inventory, associated maps, and a strategic reuse plan for all acquired noise land parcels.

ITEM: 9-RP (Continued)

BPW – 04/04/12

The MAA obtained FAA approval of the Reuse Plan in June 2010 and will dispose of 190 properties in four phases over the next five years. The property will be sold subject to an aviation easement, reserved to the MAA, for right of flight in the airspace above the surface of the premises and in accordance with Title 14 of the Code of Federal Regulations, Part 77, which restricts the maximum height of any improvements.

After the MAA disposes of the land for its appraised fair market value (FMV), the federal share of the FMV of the land is declared as disposal proceeds. The disposal proceeds are placed in an escrow account and are eligible for use for other airport noise compatibility projects, use by another airport for noise compatibility projects, or returned to the AIP Trust Fund. MAA plans to utilize the escrow funds to complete the sound insulation of homes previously approved in the Part 150 Noise Compatibility Program.

The Clearinghouse conducted an intergovernmental review of the project under MD20110914-0714 and has recommended to declare the property located at 7104 Forest Ave., consisting of +/- 0.43 acres, surplus to the State of Maryland, and to offer the property for public sale at the fair market value.

A request to dispose the +/- 0.43 acres will be sent to the Board of Public Works in the near future.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Norie A. Calvert 410-545-0402
ncalvert@sha.state.md.us

BPW - 04/04/12

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 10-RP

MMC# 11-2327

STATE HIGHWAY ADMINISTRATION:

Located at the intersection of U.S. Route 1
 (Hickory Bypass) and Bynum Road, Hickory,
 Harford County, MD

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of two parcels of land, as described, which is excess to the needs of SHA.

The properties to be conveyed consist of a total of \pm 0.37 acres and are being conveyed at the appraised value to the sole adjoining owner as part of a negotiated sale.

SPECIAL CONDITIONS:

None

GRANTOR:

State Highway Administration

GRANTEE:

Calhic Com 1 Limited Partnership,
 A MD Limited Partnership

CONSIDERATION:

\$121,200

APPRAISED VALUE:

\$121,200, Stephen Muller, Fee Appraiser
 Reviewed and approved by William Caffrey,
 Jr, Chief Appraisal Review Division

\$122,000, Bruce Dumler, Fee Appraiser
 Reviewed and approved by William Caffrey,
 Jr, Chief Appraisal Review Division

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 F (1) ii of the Transportation Article, Annotated Code of Maryland.

The grantee is the only adjoining owner. The properties are not capable of an independent use because of their size and shape.

They adjoin a 1.09 acre parcel previously conveyed to Cal Bynum, LLC (BPW Item 11-RP, April 20, 2011).

In accordance with State Finance and Procurement, Section 10-305, Legislative Notice was given on 11-29-11 and the 45-day notice period expired on 01-13-12.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Henry H. Whaley – 410-865-1273
hwhaley@mdot.state.md.us

BPW - 04/04//12

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 11-RP MMC# 08-1034

STATE HIGHWAY ADMINISTRATION: Located at 10228 Bird River Road, Middle River,
Baltimore County, Maryland

EXPLANATION: In accordance with Title 8-309(c) (9) of the Transportation Code and COMAR 14.24.05 of the Code of Maryland Regulations, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of SHA.

The property to be conveyed consists of 0.2799+ acres with a residential house and large industrial garage and is being conveyed to Grantee at the current market value. The subject property was acquired in May, 2006 for the now completed MD 43 project. SHA has agreed to convey the subject property to the Grantee at a negotiated price equal to 58.57% of the appraised value. The improvements on the property have been vandalized and the value of the property has been significantly reduced below the appraised value.

SPECIAL CONDITIONS: None

STATE CLEARINGHOUSE: This property was exempt from Notice of Request for Process to the State Clearing House. Notice to Baltimore County was sent on August 24, 2009.

LEGISLATIVE NOTICE: Notice to Senate Budget & Taxation Committee and the House Appropriations Committee was sent on January 30, 2012 in accordance with Section 10-305 of the State Finance and Procurement Article.

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Francis Standafer

CONSIDERATION: \$61,500

APPRAISED VALUE: \$105,000, by Stephen Muller D'Argenio, fee appraiser approved, and selected; \$128,000 by Lauren Hayes fee appraiser, approved. Review Appraiser, Paul Mazelis, February 10, 2011.

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (c)(9) of the Transportation Article, Annotated Code of Maryland.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE:

ITEM: 12-LL

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-LC-12-003

NATURE OF REQUEST: Approval for a new one (1) year contract with four (4) one-year renewal options with United States of America (USA), Department of the Air Force (USAF), Air Mobility Command (AMC) for the lease of space and facilities in the Terminal Building at Baltimore/ Washington International Thurgood Marshall Airport (BWI Marshall).

LESSOR: Maryland Aviation Administration

LESSEE: United States of America
Baltimore, MD

REVENUE: \$628,951 per annum

On January 1 and July 1 of each successive lease year, MAA reserves the right to adjust rents based upon the passenger terminal lease rates in effect as of that date.

DURATION: Five (5) years, May 1, 2012 through April 30, 2017

REMARKS: Through this Lease, MAA leases property to AMC and AMC uses the property to manage the Department of Defense passenger movement on AMC contracted flights to Europe and Southwest Asia. This type of revenue-producing contract at a transportation facility is exempt from the State Procurement Law. See State finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the lease must be approved by the Board of Public Works because the lease constitutes the use of State property under State Finance and Procurement Article, Section 10-305.

The original contract, entered into December 6, 1997, was approved by the Board as Item 6-GM on November 19, 1997. The existing contract is month-to-month. Under the new contract, AMC leases a total of 4,885 square feet of space in the Terminal Building. Rental rates for the space leased are the standard non-signatory passenger terminal building fees.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW - 04/04/12

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 13-GM

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-LC-08-036

NATURE OF REQUEST: Request approval of Amendment No. 1 to Contract No. MAA-LC-08-036 (Lease of Space Cargo Building No. 107 Elm Road) with Genco I, Inc. (Genco), for Maryland Aviation Administration (MAA) to reimburse Genco for costs incurred for relocation of its warehousing and distribution facility to screen, hold and store product in support of the restaurants, stores and other retail establishments to an airside facility (Facility) at the Baltimore/Washington International Thurgood Marshall Airport (Airport), which was at the request of MAA.

CONTRACTOR: Genco I, Inc.
Pittsburgh, PA

AMOUNT: \$549,383

DURATION: Payment to Genco to be released within 60 days after approval by the Board of Public Works.

REMARKS: Genco had leased space for a warehouse and distribution facility serving the Airport, which was located at 808 Q-W Barkwood Court, Anne Arundel County, Maryland (Prior Distribution Facility), which is approximately three (3) miles from the Airport and is not on Airport property. Under the new and evolving federal security screening mandates, the location of the Prior Distribution Facility was undesirable for MAA, primarily because it became cost prohibitive and difficult to maintain airside security with respect to the equipment, materials, supplies, products and goods delivered from the Prior Distribution Facility to concessionaires throughout the Airport. MAA requested Genco to move its warehouse and distribution facility to an airside location that also became its consolidated security screening area which Genco agreed to do provided MAA reimburse Genco for the costs related to the move, including, without limitation, the cost of certain capital improvements to the new Facility. All parties understood Genco made significant improvements to the Facility and incurred other extraordinary costs (such as moving costs to the Premises, and additional rent payments for the Prior Distribution Facility) for which Genco is entitled to reimbursement and for which MAA has received sufficient supporting documentation (Reimbursable Costs) from Genco. MAA reduced its security screening costs by over \$539,000 per year due to the relocation of the Genco Facility to an on-Airport airside location.

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

MD TAX CLEARANCE: 12-0219-1111

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Beverly Hill (410) 537-1086
Bhill@mdta.state.md.us

BPW – 04/04/12

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 14-GM

MARYLAND TRANSPORTATION AUTHORITY

CONTRACT ID: 20110031
 E-ZPass Transponders

CONTRACT DESCRIPTION: To provide electronic toll collection (ETC) technology and associated subsystem components and services for the MDTA and other E-ZPass Group members.

AWARD: Kapsch Traffic Com IVHS
 Annapolis, MD

TERM: April 5, 2012 – April 4, 2022
 (w/ 1 option for three (3) years)

AMOUNT: \$19,500,000

PROCUREMENT METHOD: Intergovernmental Cooperative Purchasing Agreement

MBE PARTICIPATION: 0%

PERFORMANCE SECURITY: None

REMARKS: This procurement was conducted by the E-ZPass Group, formerly known as the E-Z Pass Interagency Group (IAG). E-Z Pass is an association of 24 toll agencies in 14 states operating the extremely successful E-ZPass electronic toll collection program. The mission of the E-Z Pass Group is to enable E-Z Pass members and affiliated toll operators to provide the public with a seamless, accurate, interoperable electronic method of paying tolls and fees while preserving and enhancing the E-Z Pass program.

The MDTA expects to purchase approximately 2,000,000 transponders, antennas, transponder reader, programmers and testers. E-ZPass. These transponders work in conjunction with our Electronic Toll Collection technology. Transponders are placed on a vehicle's windshield or license plate. As it passes through a tollbooth, an overhead antenna reads the transponder and charges the E-ZPass account.

During the processing of this contract, the price of transponders was reduced from \$21.00 to \$9.00.

Members agencies, including MDTA, have more than 15 years experience in technical interoperability and financial reciprocity. E-ZPass enjoys tremendous brand recognition has achieved high levels of customer satisfaction, and is the world leader in toll interoperability.

ITEM: 14-GM (Continued)**BPW – 04/04/12****FUND SOURCE:** 100 % Toll Revenue**APPROPRIATION CODE:** 29.10.02.01**RESIDENT BUSINESS:** Yes**MD TAX CLEARANCE:** 11-3042-1111

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT MODIFICATION

ITEM 1-M-MOD

**MARYLAND DEPARTMENT OF
STATE POLICE**

Forensic Sciences Division
Pikesville, MD

CONTRACT NO. & TITLE

Project No. 001B1400640;
Comprehensive Building Management
ADPICS NO. COE16122

ORIGINAL CONTRACT APPROVED

6/1/2011 DGS/BPW Item 1-M

CONTRACTOR

LB&B Associates, Inc.
Columbia, MD

CONTRACT DESCRIPTION

Approval is requested for a contract to provide comprehensive building management at the MDSP's Forensic Science Laboratory Building located in Pikesville, MD.

MODIFICATION DESCRIPTION

Approval is requested to provide additional services at the Western Operations Center located in Hagerstown, MD under the current comprehensive building management contract for the Forensic Science Laboratory.

TERM OF ORIGINAL CONTRACT

7/1/2011-6/30/2016

TERM OF MODIFICATION

4/5/2012-6/30/2016

ORIGINAL CONTRACT AMOUNT

\$3,233,026.95 (5 Years)

AMOUNT OF MODIFICATION

\$300,415.40 (4 years, 2 Months)

PRIOR MODIFICATIONS/OPTIONS

\$0.00

REVISED TOTAL CONTRACT AMOUNT

\$3,533,442.35

PERCENT +/- (THIS MODIFICATION)

9%

OVERALL PERCENT +/-

9%

ORIGINAL PROCUREMENT METHOD

Competitive Sealed Bids

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT MODIFICATION

ITEM 1-M-MOD (Cont.)

ORIGINAL MBE PARTICIPATION 30%

MBE COMPLIANCE 31.5%

REMARKS This modification is to provide, under the terms of the contract, management, maintenance and operation of the entire Hagerstown building including subcontracting as necessary, to assure comprehensive maintenance and operations.

This facility houses the Western Regional Forensic Sciences Laboratory, the State Police Continuity of Operations, Disaster Recovery Data Center (a complete backup center of all server operations for the main data center in Pikesville), facilities for the Office of the State Fire Marshal including a storage bay for the bomb squad robot and support vehicles, Barrack O Hagerstown and a Motor Vehicle Division Repair Garage.

There will be four tenants of the new facility, with no one tenant having overall responsibility for the facility. All maintenance responsibilities remain with the Facilities Management Division in Pikesville. MDSP does not have, nor is the Department able to hire at currently approved classifications, personnel qualified to operate and maintain the Western Operations Center.

This facility has state of the art mechanical and electrical systems similar in scope to those found at the main Forensic Sciences Laboratory located at 221 Milford Mill Rd., Pikesville, MD 21208 Pikesville. Two full-time positions will be needed to maintain the facility in order to prevent degradation of the systems required for Public Safety, Law Enforcement and Life Safety Protection functions. All terms and conditions shall remain the same as the existing agreement.

FUND SOURCE W00 12 41741 0814 (MDSP Operating Fund)

RESIDENT BUSINESS Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 2-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$36,000.00 (1 item)

Maryland School for the Deaf
Frederick, MD.

DESCRIPTION

Contractor will manufacture and deliver hand forged roofing nails, for the use in the installation of the historic shingles for the Hessian Barracks in Frederick, MD.

REMARKS

This solicitation was completed through the use of vendors supplied by MD Historical Trust. These vendors were considered to be the firms that could review the specifications and produce the historic nails required. We have previously obtained the historic shingles and are currently in receipt of them. Once both products are on site, we will hire a roofing specialist to install the system.

Two additional firms were solicited with only one of the two firms responding. Its submittal did not meet the fabrication requirement and was therefore not acceptable.

There is no opportunity to obtain MBE participation on the product. This item is a forged nail that must be completed by a blacksmith in a Coal Forged Shop.

CONTRACT NO. AND TITLE

Project No. A-710-100-301;
Historic Nails/Hessian Barracks

PROCUREMENT METHOD

Historic Structures Exemption State Finance & Procurement Article 11-203-(a)(1)(xviii)

AWARD

Greenwood Ironworks,
Petersburg, VA

AMOUNT

\$36,000.00

TERM

180 Calendar Days

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 2-GM (Cont.)

MBE PARTICIPATION

0%

FUND SOURCE

MCCBL 2010/Item 010 (Provide funds for
the State capital renewal program Statewide)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 3-GM

DESCRIPTION

In accordance with provisions of the State Finance and Procurement Article, Section 12-202, Annotated Code of Maryland, Board of Public Works approval is requested for the following construction inspection expenditures related to the capital improvement project identified below:

<u>Project Description</u>	<u>Amount</u>	<u>Fund Source</u>
Project No. P-061-030-110 Inspection Services for Battlefield Museum Exhibit Design And Fabrications at South Mountain State Park Washington County, MD	\$2,850.67	Item 011MCCBL 2010 Provide Funds to Design, Construct & Equip Capital Development Projects on Department of Natural Resources Property in Accordance with 5-903 (G) of the National Resources Article.
Project No. RW-725-110-001 Inspection Services to Replace Rooftop Air Conditioning on Cottage #5 Potomac Center Washington County, MD	\$7,601.79	MCCBL 2010 Item 010 Provide funds for the State Capital Facilities Renewal Program (Statewide)
	\$10,452.46 Total	

REMARKS

This is an anticipated amount for additional construction inspection services, subject to necessary extensions, in the event the construction takes longer than expected to complete. Construction inspection services are required to ensure compliance with the requirements of the construction contract.

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 4-RP

DEPARTMENT OF AGRICULTURE

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

REFERENCE

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

SPECIAL CONDITIONS

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

- A) As to items 1 through 3, pursuant and subject to the provisions of Agriculture Article
Section 2-513, Grantor has elected to reserve the right to apply for release of a lot to convey to
himself or his children for the purpose of constructing a dwelling for personal use as follows:
one lot of one acre or less if the subject property is at least 20 acres, but less than 70 acres, two
lots of one acre or less if the subject property is at least 70 acres, but less than 120 acres, or three
lots of one acre or less if the subject property is 120 acres or more.
- B) As to items 4 through 7, pursuant and subject to the provisions of Agriculture Article
Section 2-513, Grantor has elected to reserve to himself, and his assigns, the right to apply for
release of one unrestricted lot, that may be conveyed to himself or others.
- C) As to items 8 through 11, the Grantor is waiving the right to request any additional lots.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 4-RP (Cont.)

<u>Grantor</u>	<u>Property</u>	<u>Price</u>		
<u>FAMILY LOTS</u>				
<u>Prince George's County</u>				
1. John & Joseph Rogers	106.84Ac	\$	807,068.68	
16-09-04		\$	7,553.99/acre	
	(Appraised Value)	(Agricultural Value)		(Easement Value)
a. Kelleher (staff)	\$855,000.00	\$47,931.32		\$ 807,068.68
b. Gatewood (fee)	\$525,000.00	\$47,931.32		\$ 477,068.68
c. Hooper (fee)	\$1,283,000.00	\$47,931.32		\$1,235,068.68
Review Appraiser: Kelleher				

<u>St. Mary's County</u>			
2. Malcolm Goode	55.44Ac	\$ 891,718.74	
18-08-07	Less 1 acre	\$ 16,379.84/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher (staff)	\$ 925,500.00	\$33,781.26	\$ 891,718.74
b. Cline (fee)	\$ 710,000.00	\$33,781.26	\$ 676,218.74
c. Peters (fee)	\$1,197,700.00	\$33,781.26	\$1,163,918.74
Review Appraiser: Kelleher			

3. Jerel Spence	67.01 Ac*	\$ 462,168.80	
18-11-05		\$ 6,897.01/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Kelleher(staff)	\$503,000.00	\$40,831.20	\$462,168.80
b. Cline (fee)	\$370,000.00	\$40,831.20	\$329,168.80
c. Peters (fee)	\$549,500.00	\$40,831.20	\$508,668.80
Review Appraiser: Kelleher			

UNRESTRICTED LOTS

<u>Allegany County</u>			
4. Daniel Fiscus, et al	205.78 Ac	\$ 288,441.87	
01-09-01		\$ 1,401.70/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Pugh (fee)	\$575,000.00	\$91,607.08	\$483,392.92
b. Bowers (fee)	\$720,000.00	\$91,607.08	\$628,392.92
Review Appraiser: Kelleher			

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 4-RP (Cont.)

Cecil County

5. Garren Family R.E. P.	50 Ac	\$ 300,000.00	
07-06-04		\$ 6,000.00/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Page (fee)	\$1,150,000.00	\$25,904.40	\$1,124,095.60
b. Muller (fee)	\$1,000,000.00	\$25,904.40	\$ 974,095.60

Review Appraiser: Andrews

6. Garren Family R.E. P.	50 Ac	\$ 300,000.00	
07-06-05		\$ 6,000.00/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Page (fee)	\$1,150,000.00	\$21,146.08	\$1,128,853.92
b. Muller (fee)	\$1,000,000.00	\$21,146.08	\$ 978,853.92

Review Appraiser: Andrews

St. Mary's County

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

Review Appraiser: Kelleher

LOT WAIVER

Cecil County

8. Walter Drummond	63.278 Ac	\$ 153,195.00	
07-00-08A	Less 1 acre	\$ 2,500.00/acre	
	Per dwelling		
	(2 Dwellings)		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Muller (fee)	\$613,000.00	\$53,546.06	\$559,453.94
b. Page (fee)	\$490,000.00	\$53,546.06	\$436,453.94

Review Appraiser: Andrews

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 4-RP (Cont.)

9. William & Freda Fell	56.28 Ac	\$ 510,842.44	
07-09-10		\$ 9,076.80/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Muller (fee)	\$675,000.00	\$66,220.25	\$608,779.75
b. Page (fee)	\$535,000.00	\$66,220.25	\$468,779.75

Review Appraiser: Andrews

Talbot County

10. Councell Family Trust	96.74 Ac	\$ 282,659.66	
20-09-03	Less 1 acre	\$ 2,952.37/acre	
	Per dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Andrews (staff)	\$765,000.00	\$83,253.04	\$681,746.96
b. Cadell (fee)	\$860,000.00	\$83,253.04	\$776,746.96
c. McCain (fee)	\$620,000.00	\$83,254.04	\$536,745.96

Review Appraiser: Andrews

11. Donald & Susan Anders	212.25Ac	\$ 420,500.00	
20-11-01	Less 1 acre	\$ 2,000.00/acre	
	Per dwelling		
	(2 dwellings)		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Cadell	\$1,600,000.00	\$188,155.21	\$1,411,844.79
b. McCain	\$1,360,000.00	\$188,155.21	\$1,171,844.79

Review Appraiser: Andrews

FUND SOURCES

\$2,786,255.87	615 11070
<u>\$1,938,370.22**</u>	L00 A11.11
\$4,724,626.09	Total

** Remarks L00 A11.11 includes \$1,649,928.35 as county funds.

<u>TOTAL ACRES (TA)</u>	1,021.828
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<u>TA LESS DWELLINGS</u>	1,014.828
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<u>AVERAGE PRICE PER ACRE</u>	\$4,655.59
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DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 4-RP (Cont.)

REMARKS

1. The Department of Agriculture recommends acceptance of these contracts.

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

3. As to Item No. 3 (Spence 18-11-05), the landowner will be paid upon 67.01 acres, but the easement will encumber 69.01 acres and its terms will permit a 2 acre building envelope that is unable to be subdivided from the farm.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP

DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

3085 Hernwood Rd.
 Woodstock, MD
 27.79 acres, (Baltimore County)
 File # 00-8482

REFERENCE

Approval is requested to declare surplus the above referenced property, located at 3085 Hernwood Rd. in Baltimore County, and to offer it for sale to the general public. The subject property is a former Nike Missile site and is surrounded by residential properties and open space. The Maryland State Police has run a canine operation on this site since 1985. Title and transfer documents are subject to legal review.

PROPERTY

27.79 +/- acres improved

OWNERSHIP

State of Maryland, to the use of the
 Department of Public Safety & Correctional
 Services

REMARKS

1. The Department of Public Safety and Correctional Services has determined that this property is excess to its needs.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20111228-0909 and has recommended declaring the property located at 3085 Hernwood Rd. surplus to the State, and offer the property for public sale. It is also recommended that the Maryland Departments of General Services, Public Safety and Correctional Services and the Department of Maryland State Police explore the feasibility of the Special Operations Division / Canine Unit of the Maryland State Police using one to five acres of the referenced property for a canine operations facility.
3. The Maryland Historic Trust requested that a Determination of Eligibility Form be prepared for the property to determine whether the property is eligible for listing in the National Register.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 6-RP

DEPARTMENT OF GENERAL SERVICES

State Warehouse
 Brock Bridge Road, Jessup, MD
 File # 00-8437 (Anne Arundel County)

REFERENCE

Approval is requested to grant an utility easement of +/- 1,298 square feet, along Brock Bridge Road, south of the State Surplus Warehouse to the Baltimore Gas and Electric Company (BGE). BGE plans to run electric lines from its electric substation to the Annapolis junction area. The new electric line is in support of the U.S. Department of Defense's Base Realignment and Closure Activities in the area.

The Easement Agreement has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

OWNERSHIP

State of Maryland to the use of the
 Department of General Services

PROPERTY

1,298 square feet

GRANTEE

Baltimore Gas & Electric Company

PRICE

\$2,921.00

APPRAISED VALUES

\$2,921.00 Stephen H. Muller Fee Appraiser (7/25/2011)

REMARKS

1. The Department of General Services recommends approval of this item.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20090902-1250 and has recommended to grant an utility easement of +/- 1,298 square feet, south of the State Surplus Warehouse and along Brock Bridge Rd. to the Baltimore Gas and Electric Company. The Baltimore Gas and Electric Company plans to run electric lines from its electric substation to the Annapolis Junction Area. It is also recommended that the duct used to provide the connection be positioned so that relocation of the duct will not be required with future widening of Brock Bridge Rd. It is understood that the new electric line is supportive of the U.S. Department of Defense's Base Realignment and Closure Activities in the area.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 6-RP (Cont.)

3. The final Right-of-Way Plat lists an utility easement totaling 1,298 square feet.

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 7-CGL

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

***Board of Trustees of the Citizens Care and Rehabilitation Center Foundation, Inc.
(Harford County)***

The Citizens Care & Rehabilitation Center

***“For the acquisition, planning, design, construction, repair, renovation,
reconstruction, and capital equipping of the Citizens Care and Rehabilitation Center,
located in Havre de Grace.”***

\$100,000.00

***Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010)
DGS Item G126 (SL-001-060-038)***

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Citizens Care and Rehabilitation Center Foundation, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$222,328.00 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Trustees of the Citizen Care and Rehabilitation Center Foundation, Inc. \$100,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$3,681,081.00
10-G126 (This Action)	\$ 100,000.00
09-G061 (Prior Action)	\$ 200,000.00
06-G068 (Prior Action)	\$ 100,000.00
06-G199 (FY 2007) (Prior Action)	\$ 500,000.00
Local Cost	\$2,781,081.00

(Prior Actions: 11/18/2009 Agenda, Item 13-CGL; 5/23/2007 Agenda, Item 30-CGL; and 10/18/2006 Agenda, Item 17-CGL)

REMARKS

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 7-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 8-CGL

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

Prince George's County Board of Education (Prince George's County)

Forestville Military Academy Track

"For the planning, design, construction, repair, renovation, and reconstruction of the Forestville Military Academy Track, located in Forestville."

\$180,000.00

Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010, and as amended by Chapter 188, Acts of 2011)

DGS Item G075 (SL-059-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Prince George's County Board of Education is utilizing value of property to meet the matching fund requirement for this project. The Department of General Services, Real Estate Office, has reviewed the appraisal for 7001 Beltz Dr. in Forestville, MD and has accepted a value of \$1,572,000.00.

BACKGROUND

Total Project	\$270,000.00
10-G075 (This Action)	\$180,000.00
Local Cost	\$ 90,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 9-CGL

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

*Board of Directors of the Druid Heights Community Development Corporation
(Baltimore City)*

Franklin Entrepreneurial and Apprenticeship Center

*"For the construction and renovation of the Franklin Entrepreneurial and
Apprenticeship Center, located in Baltimore City."*

\$45,000.00

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

DGS Item G031

\$75,000.00

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

DGS Item G106, (SL-057-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Board of Directors of the Druid Heights Community Development Corporation has submitted documentation that it has \$144,931.80 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$3,938,170.00
10-G031 (This Action)	\$ 45,000.00
10-G106 (This Action)	\$ 75,000.00
Local Cost	\$3,818,170.00

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 9-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 10-CGL

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

*Board of Directors of National B'nai B'rit Assisted Housing Corporation
(Montgomery County)
Homecrest House*

*"For the design, repair, renovation, and capital equipping of the Homecrest House,
located in Silver Spring."*

\$119,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G064, SL-024-110-038*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Board of Directors of National B'nai B'rit Assisted Housing Corporation has received a \$291,578.00 grant from American Recovery and Reinvestment Act of 2009 funding and it has \$40,944.68 in a financial institution for a total of \$332,522.68 to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$	335,925.00
11-G064 (This Action)	\$	119,000.00
Local Cost	\$	216,925.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 11-CGL

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

Board of Directors of the Identity, Inc.

(Montgomery County)

Identity House

"For the planning, design, and renovation of the Identity House, located in Gaithersburg."

\$30,000.00

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

DGS Item G058

\$100,000.00

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

DGS Item G133, (SL-054-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Board of Directors of the Identity, Inc. has submitted evidence of an in-kind contribution from Hess Construction and Engineering Services in the amount of \$73,000.00, it has \$112,227.09 in a financial institution, and it has evidence in the form of invoices and canceled checks that it has \$23,800.00 in eligible expenditures for a total of \$209,027.09 to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$	390,000.00
10-G058 (This Action)	\$	30,000.00
10-G133 (This Action)	\$	100,000.00
Local Cost	\$	260,000.00

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 11-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 12-CGL

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

Prince George's County Board of Education (Prince George's County)

Largo High School PTSA Track Renovation

"For the planning, design, construction, repair, renovation, and reconstruction of the Largo High School Track, located in Largo."

\$180,000.00

Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010, and as amended by Chapter 187, Acts of 2011)

DGS Item G078 (SL-058-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Prince George's County Board of Education is utilizing value of property to meet the matching fund requirement for this project. The Department of General Services, Real Estate Office, has reviewed the appraisal for 505 Largo Road in Upper Marlboro, MD and has accepted a value of \$1,800,000.00.

BACKGROUND

Total Project	\$270,000.00
10-G078 (This Action)	\$180,000.00
Local Cost	\$ 90,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL

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

Board of Directors of the Linwood Center, Inc. (Howard County)
Linwood Center

"For the planning and design of a new school building at the Linwood Center, located in Ellicott City."

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G022

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G095, (SL-031-090-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Board of Directors of the Linwood Center, Inc. has submitted documentation that it has \$693,399.37 in various financial institutions to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$6,553,429.00
11-G022 (This Action)	\$ 250,000.00
11-G095 (This Action)	\$ 250,000.00
10-G097 (Prior Action)	\$ 500,000.00
09-G062 (Prior Action)	\$ 150,000.00
Local Cost	\$5,403,429.00

(Prior Actions: 04/20/11 Agenda, Item 24-CGL; 07/07/10 Agenda, Item 16-CGL)

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL (Cont.)+

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL

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

Board of Directors of the Maryland SPCA, Inc. (Baltimore City)

Maryland SPCA Adoption Center Expansion

"For the design, construction, and renovation of the Maryland SPCA Adoption Center, located in Baltimore City."

\$50,000.00

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

DGS Item G032

\$50,000.00

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

DGS Item G109, SL-060-100-038

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Board of Directors of the Maryland SPCA, Inc. has submitted evidence in the form of invoices and canceled checks that it has \$225,020.00 in eligible expenditures to meet the matching fund requirement for this project.

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

BACKGROUND

Total Project	\$2,011,043.00
10-G032 (This Action)	\$ 50,000.00
10-G109 (This Action)	\$ 50,000.00
Local Cost	\$1,911,043.00

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-CGL

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

Board of Directors of Our House Youth Home, Inc. (Montgomery County)
Our House Youth Home

"For the construction and capital equipping of a new dormitory at Our House Youth Home, located in Olney."

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2006 (LHODI - Chapter 046, Acts of 2006; as amended by Chapter 219, Acts of 2008; Chapter 707, Acts of 2009; and Chapter 372, Acts of 2010) DGS Item G159 (SL-097-060-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the BPW to certify a matching fund. The Board of Directors of Our House Youth Home, Inc. has submitted documentation that it has \$254,663.42 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$3,500,000.00
06-G159 (This Action)	\$ 250,000.00
06-G107 (Prior Action)	\$ 175,000.00
Local Cost	\$3,075,000.00
(Prior Action: 4/2/08 Agenda, Item 11-CGL)	

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 16-CGL

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

Board of Directors of Sinai Hospital, Inc. (Baltimore City)
Sinai Hospital

"For the design, renovation, and expansion of the new Neurological Rehabilitation Center – Trauma Brain Injury Unit at Sinai Hospital."

\$1,000,000.00

Maryland Consolidated Capital Bond Loan of 2011 (MISC - Chapter 396, Acts of 2011)
DGS Item G012 (SL-025-110-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Board of Directors of Sinai Hospital, Inc. has submitted documentation that it has \$61,894,752.38 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$7,700,000.00
11-G012 (This Action)	\$1,000,000.00
Local Cost	\$6,700,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

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

Board of Directors of the Threshold Services, Inc. (Montgomery County)

Threshold Services Group Home Renovations

"For the repair, renovation, reconstruction, and capital equipping of various group homes, located in Montgomery County."

\$50,000.00

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

DGS Item G139 (SL-055-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Board of Directors of the Threshold Services, Inc. has submitted documentation that it has \$119,321.20 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$100,000.00
10-G139 (This Action)	\$ 50,000.00
Local Cost	\$ 50,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

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

Mayor and Town Council of the Town of Oakland (Garrett County)
Oakland B&O Museum

"For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Oakland B&O Museum, located in Oakland."

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)
DGS Item G050

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)
DGS Item G124, (SL-061-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2012 and the Board of Public Works to certify a matching fund. The Mayor and Town Council of Oakland have submitted documentation that they have \$535,150.92 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$400,000.00
10-G050 (This Action)	\$100,000.00
10-G124 (This Action)	\$100,000.00
Local Cost	\$200,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

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

*Board of Directors of the Maryland Veterans Memorial Museum, Inc.
(Charles County)*

Maryland Veterans Memorial Museum

"For the construction and renovation of interior improvements to create the Visitor's Reception Center at the Maryland Veterans Memorial Museum, located in LaPlata."

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G121, SL-026-110-038*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Board of Directors of the Maryland Veterans Memorial Museum, Inc. has submitted documentation that it has over \$128,000.00 in in-kind contributions to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$228,000.00
11-G121 (This Action)	\$100,000.00
Local Cost	\$128,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Prologue, Inc.
 3 Milford Mill Rd.
 Pikesville, MD 21208

PROJECT NO. AND TITLE

Project No. MHA-CB-06708-01;
 Renovation of 1666 Liberty Rd.
 Eldersburg, MD 21784

DESCRIPTION

Approval is requested for a State grant of \$370,288.00 to assist Prologue, Inc., a nonprofit organization, in the cost of renovating a 3-story masonry apartment building with approximately 7,224 gross square feet of space on a 0.50-acre lot at 1666 Liberty Road, Eldersburg, MD 21784. This building will provide one and two bedroom units for nine individuals recovering from serious mental illness, and four beds in two additional two-bedroom apartments for the Residential Rehabilitation Program (RRP).

The Trionfo Builders, Inc. construction contract was previously awarded under HUD requirements as follows:

AWARD

Trionfo Builders, Inc.
 Phoenix, MD

AMOUNT

\$929,482.00

ELIGIBLE AMOUNT

\$929,482.00

FUND SOURCES

\$246,610.00 - HUD Grant
 \$682,872.00 - \$312,584.00 (45.80%) –
 Applicant's Match
 \$220,000.00 - Weinberg Foundation
 \$ 72,584.00-MD Affordable Housing Trust
 \$ 20,000.00 - Prologue, Inc.
 \$370,288.00 - (54.20%) – State's Share
 (MCCBL 2009, Community
 Health Facilities Funds)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL (Cont.)

REMARKS

The U.S. Department of Housing and Urban Development (HUD) provided capital in the amount of \$1,194,800 for acquisition and construction. The State is participating in 54.2% of the remaining eligible renovation cost of \$682,872.00.

Created in 1982, Prologue, Inc. has been providing programs and services that promote personal recovery and supportive relationships so that individuals become more satisfied, confident and productive member of society. This building will provide one and two bedroom units to thirteen individuals recovering from serious mental illness.

In accordance with Subtitle 6 of the Health-General Article of the *Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Baltimore City.

No State funds will be disbursed until the grantee has presented suitable evidence to the Comptroller that it has expended the required matching funds for this project. After the grantee has met this requirement, all future invoices will be submitted to the Comptroller, who will disburse the State portion in amounts equal to the invoices submitted.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION

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

Harford Community College

Nursing & Allied Health Building - Design

The new Nursing & Allied Health Building will provide expanded classroom and laboratory teaching spaces to support growth of current credit and non credit nursing and allied health programs.

\$715,000.00

Maryland Consolidated Capital Bond Loan of 2011, Item #014. CC-07-MC11-421

MATCHING FUND Harford Community College – \$498,922.00
 Cost sharing is 58.9 % State share, 41.1% local share and is in accordance with Section 11-105(j) of the Education Article.

<u>BACKGROUND</u>	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$1,213,922.00	\$715,000.00	\$498,922.00
This Action	\$1,213,922.00	\$715,000.00	\$498,922.00

REMARKS

- (1) This action is in accordance with MHEC Construction and Space Allocation regulations, COMAR 13B.07.
- (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 Harford 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

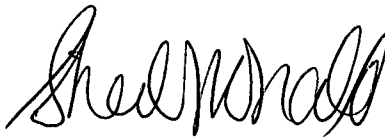
WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of April 4, 2012 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sheila McDonald', written in a cursive style.

Sheila C. McDonald, Esq.
Executive Secretary

INDEX
APRIL 4, 2012

Agriculture, Department of	
Agricultural Cost Share Program	4-6
Agricultural Land Preservation Foundation.....	104
Aviation Administration.....	81,87-92,95-96
Bonds (Comptroller).....	10
Bowie State University	60
Comptroller of the Treasury.....	64
Coppin State University	62,63
Deaf, Maryland School for the	
Frederick Campus.....	101
Environmental Trust, Maryland	38
General Services, Department of	
Capital Grants and Loans	
The Citizens Care & Rehabilitation Center (Harford)	112
Forestville Military Academy Track (Prince George's)	114
Franklin Entrepreneurial and Apprenticeship Center (Baltimore City)	115
Homecrest House (Montgomery).....	117
Identity House (Montgomery)	118
Largo High School PTSA Track Renovation (Prince George's)	120
Linwood Center (Howard).....	121
Maryland SPCA Adoption Center Expansion (Baltimore City)	123
Our House Youth Home (Montgomery)	125
Sinai Hospital (Baltimore City)	126
Threshold Services Group Home Renovation (Montgomery)	127
Oakland B&O Museum (Garrett)	128
Maryland Veterans Memorial Museum (Charles)	129
Public Buildings & Grounds, Annapolis	17
Public Buildings & Grounds, Baltimore	19,110
Harford Community College	132
Health & Mental Hygiene, Department of	
Community Health Facility Centers	130
Developmental Disabilities Administration	
Potomac Center	103
Family Health Administration	53
Higher Education Commission, Maryland	
Community Colleges	
Harford Community College	132

INDEX
APRIL 4, 2012

Highway Administration.....	71-80,83-86,93-94
Housing and Community Development.....	12-14
Juvenile Services, Department of.....	49
Labor, Licensing & Regulation, Department of.....	67
Lottery, Maryland State	42
Maryland, University System of	
Bowie State University	60
Coppin State University,	62,63
Maryland, University of	
Baltimore Campus	58
Morgan State University	15
Natural Resources, Department of.....	103
Environmental Trust, Maryland	38
Program Open Space.....	27-28
Rural Legacy Program.....	29-37
Potomac Center	103
Public Defender, Office of the	21-24
Public Safety & Correctional Services, Department of	25,109
Public Television, Maryland.....	39,46
Public Works, Board	
Procurement Advisor	8
Procurement Agency Activity Reports.....	7
Wetlands Administration	9
State Police, Department of	99
Transportation, Department of	
Aviation Administration.....	81,87-92,95-96
Highway Administration.....	71-80,83-86,93-94
Transportation Authority, Maryland.....	97