

MINUTES  
OF THE  
MEETING OF THE  
BOARD OF PUBLIC WORKS

June 20, 2012

**BOARD OF PUBLIC WORKS**

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**JUNE 20, 2012**

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**MINUTES OF THE MEETING OF  
THE BOARD OF PUBLIC WORKS, JUNE 20, 2012**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, June 20, 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  
Eloise Foster, Secretary, Department of Budget & Management

**CONSTRUCTION:**

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

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

Contact: Andrew Ross, 410-767-2116  
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**2. DEPARTMENT OF AGING**

The Secretary of Aging recommends the following grant:

**Recipient:** Somerset County

**Project:** Somerset County Senior Activity Center

**Amount:** \$600,000

**Purpose:** Conversion

**Authority:** MCCBL 2012 (\$600,000)

**Funding Sources:**

Department of Aging (this item)	\$ 600,000
CDBG (Somerset County)	\$ 600,000
Somerset County	<u>\$ 100,000</u>
	\$1,300,000

**Description:** Somerset County plans to renovate the 6,000 gross square foot former Westover Elementary School in Westover to serve as the county's primary location for senior services. The Crisfield Senior Center closed in 2010 due to its poor condition and lack of funding, leaving the 1,320 square foot Princess Anne Senior Center as the only senior center now open. All senior program administrative services will operate out of this new facility, and a majority of the senior programs will also occur there. Seniors will be bused to the new center for programs and services, including meals. The school's existing kitchen will be used to reheat meals prepared in Salisbury. The Princess Anne location, which will be closed when the new center opens, currently serves 444 seniors. The new center is expected to serve 600 seniors.

The Department of Aging has determined that the cost includes sufficient amounts for the project to conform to building, fire, handicapped access and all other code requirements, and that the project may be reasonably completed with the funds being requested.

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

<b>APPROVED</b> ✓	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b> ✓		<b>WITHOUT DISCUSSION</b>	

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

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

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

Total submission amount: \$253,000

Agreement #	Recipient	County	Amount
AT-2012-2457	NEIL BRAYTON	Kent	600
AT-2012-2484	GREGORY ADAMS	St. Mary's	10,600
AT-2012-2507	JUSTIN S. CLOUGH	Queen Anne's	9,000
CH-2012-2508	BLUESTEM FARMS, LLC	Queen Anne's	1,300
LS-2012-2503	MARY A. PERDUE	Harford	5,800
LS-2012-2504	MARY A. PERDUE	Harford	3,500
LS-2012-2505	TWIN PINE FARMS, INC.	Harford	2,900
MP-2012-2451	LEASE BROTHERS	Carroll	8,800
MP-2012-2455	FRANKLIN E. THOMPSON	Frederick	96,200
MP-2012-2461	HARRY B. GAMBLE	Frederick	4,100
MP-2012-2494	TREBEIN FARM INC	Carroll	9,300
MP-2012-2495	TREBEIN FARM INC	Carroll	13,700
MP-2012-2496	TREBEIN FARM INC	Carroll	8,300
MP-2012-2497	TREBEIN FARM INC	Carroll	8,700
MP-2012-2500	GEORGE L MAKOUTZ	Carroll	2,400
MP-2012-2501	GEORGE L MAKOUTZ	Carroll	2,900
MP-2012-2502	GEORGE L MAKOUTZ	Carroll	11,100
PR-2012-2393-B	TIMOTHY L. PRUITT	Worcester	35,000
RS-2012-2425	EDWARD ENSOR	Baltimore	18,800

**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

JUNE 20, 2012

## SECRETARY'S AGENDA

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

4. DEPARTMENT OF AGRICULTURE*Maryland Agricultural Cost-Share Program Reversion Requests*

**Recommendation:** That the Board of Public Works approve the **REVERSION** of the remaining balances of 49 projects cancelled or completed in accordance with the guidelines of the Maryland Agricultural Cost-Share Program.

A. Total submission amount: \$262,981.60

Agreement #	Recipient	County	Amount \$	Status
AT-2010-1548	TODD A. BALDWIN	Harford	6,800.00	Cancelled
AT-2010-2168	MARTIN BROTHERS PARTNERSHIP	Harford	30,400.00	Cancelled
AT-2010-2171	RAYMOND M. BORLAND	Cecil	1,500.00	Completed
AT-2010-2232	KRISTEN A. TROMBERO	Harford	1,206.41	Completed
AT-2010-2240	SUSAN L. PEVERLEY	Harford	3,038.40	Completed
AT-2011-1504-G	QUEEN ANNE'S CO COMMISSIONERS	Queen Anne's	526.25	Completed
AT-2011-1749	KRISTEN A. TROMBERO	Harford	3,624.31	Completed
AT-2011-1814-R	ESTATE OF ROBERT L. DAVIS, SR	Kent	6,700.00	Cancelled
AT-2011-1815	LAWRENCE T. HOYLE, JR	Queen Anne's	506.00	Completed
AT-2011-1837	DORIS H. WEBER	Dorchester	631.04	Completed
AT-2011-1951	KRISTINA L. MORRIS	Harford	2,083.92	Completed
AT-2011-2012	GEORGE B. BEAVAN	St. Mary's	1,768.58	Completed
AT-2011-2039	KRISTEN A. TROMBERO	Harford	2,825.64	Completed
AT-2011-2062-B	DONALD L. SHOCKLEY	Wicomico	3,158.75	Completed
AT-2011-2063-B	DONALD L. SHOCKLEY	Wicomico	350.00	Completed
AT-2011-2131	CATHERINE N. MATTINGLY	St. Mary's	2,190.25	Completed
AT-2011-2178	GARDNER FAMILY LLC	Queen Anne's	100.87	Completed
AT-2011-2179	GARDNER FAMILY LLC	Queen Anne's	62.50	Completed
AT-2011-2204	JUDY A. CAMPBELL	Charles	326.62	Completed
CH-2011-2243	FAIR HILL FARMS, INC.	Kent	8,552.86	Completed
CR-2010-2091	FRANCES J. CAMPBELL	Queen Anne's	1,579.69	Completed
CR-2011-2118-B	FRANKLIN W. ROBINSON	Caroline	2,258.75	Completed
LS-2011-2057	SERENITY HILL FARM, LLC	Harford	1,858.01	Completed
LS-2011-2127	ELIZABETH B. BENDER	Harford	31,500.00	Cancelled
MP-2010-1572	HENRY BARBERIS	Frederick	4,900.00	Cancelled
MP-2010-2074	EARLE F. GEISBERT, JR	Frederick	22,045.11	Completed
MP-2011-1785	M. DENNIS SHAFER	Frederick	1,737.13	Completed
MP-2011-1796	GALEN V. BLUBAUGH, SR	Carroll	1,089.50	Completed
MP-2011-1803	ROBERT A. DOODY, SR	Frederick	46,861.35	Completed
MP-2011-2034	DAVID A. YINGLING	Carroll	2,900.00	Cancelled
NW-2010-2116	REBECCA A. CALLOWAY	Wicomico	2,543.75	Completed
NW-2011-1934	ALBERT R. GRIFFITH	Dorchester	1,900.00	Cancelled
NW-2011-1969	LAZY DAY FARMS, LLC	Dorchester	715.42	Completed

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

4. **DEPARTMENT OF AGRICULTURE**  
***Maryland Agricultural Cost-Share Program Reversion Requests***

Agreement #	Recipient	County	Amount \$	Status
NW-2011-2061-B	BEAVER RUN FARMS	Wicomico	2,800.00	Completed
NW-2011-2275	HILMAR T. HELGASON	Dorchester	1,697.70	Completed
PR-2011-2060-B	BEAVER RUN FARMS	Wicomico	625.00	Completed
PR-2011-2141-B	ANDREW J. HAGGERTY	Wicomico	1,617.50	Completed
RS-2010-1827	CLARE RAE SCHMIDT	Baltimore	8,300.00	Cancelled
RS-2010-2085	JILL CALLAHAN	Baltimore	8,200.00	Cancelled
RS-2010-2273	MARY E. PRICE	Baltimore	691.75	Completed
RS-2011-1502	CLARE RAE SCHMIDT	Baltimore	5,600.00	Cancelled
RS-2011-1532	CLARE RAE SCHMIDT	Baltimore	3,900.00	Cancelled
RS-2011-1761	T. DAVID ZEPP	Carroll	1,628.37	Completed
RS-2011-2198	S. SCOTT ALBAN	Carroll	910.25	Completed
RS-2012-1950	PETER HORNEFFER	Baltimore	26,800.00	Cancelled
SA-2010-2205-R	MD DNR, TUCKAHOE STATE PARK	Kent	911.99	Completed
SA-2010-2206-R	MD DNR, TUCKAHOE STATE PARK	Kent	282.95	Completed
UP-2011-2119	WINDERS DAIRY FARM	Washington	566.50	Completed
UP-2011-2203	WAYNE M. BOWMAN	Washington	208.48	Completed

**Fund Source:** MCCBL of 2009/Item 09083: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

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

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

Submission of the Procurement Agency Activity Reports by:

A. Department of Budget and Management, March 2012

B. Department of Transportation, April 2012

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

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

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

**6. BOARD OF PUBLIC WORKS**

***State Procurement – Veterans Small Business Enterprise Program  
COMAR 21.11.13***

***Recommendation:*** That the Board of Public Works take final action to

- Adopt regulations and amendments to implement the Veterans Small Business Enterprise procurement program, clarify small procurement regulations, and update the definition of primary procurement unit; and
- Issue an advisory setting forth agency procedures to implement the Veterans Small Business Enterprise procurement program.

***Authority:*** The Veterans Small Business Enterprise procurement program, which takes effect on July 1, 2012, establishes a 0.5% participation goal for veteran-owned small businesses that are certified by the United States Department of Veterans Affairs. *Sections 14-601— 14-605, State Finance and Procurement Article, Annotated Code of Maryland.*

***Background:*** Reference is made to Sec. Item 4 (March 21, 2012), in which the Board of Public Works approved this regulatory proposal. The proposal was submitted to the AELR Committee and subsequently published in the *Maryland Register* (May 4, 2012). No public comments were received. The proposed BPW Advisory provides forms and suggested solicitation language for State agency use when establishing VSBE goals.

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
	<b>WITH DISCUSSION ✓</b>	<b>WITHOUT DISCUSSION</b>	

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

### SECRETARY'S AGENDA

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 Doldon Moore, 410-260-7335  
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7. **BOARD OF PUBLIC WORKS**  
***State Tidal Wetlands Licensing Procedures***  
***COMAR 23.02.04.15 Compensation***

***Recommendation:*** That the Board of Public Works amend its Tidal Wetlands compensation regulation to conform to 2012 General Assembly legislation. The regulatory proposal would mandate an increased compensation rate for cables, pipelines, or similar structures laid on, in, or under a State wetland and would also clarify a minor regulatory ambiguity in assessing compensation for licensed fill or other encroachment. Approval of this Item will allow submission to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

***Authority:*** Section 16-205, Environment Article, Annotated Code of Maryland as amended by Chapter 722 (2012 Laws of Maryland) (amendment effective July 1, 2012).

***Background:*** By current regulation, the Board may require \$1 per-foot, per-year compensation be paid to the State for cables and pipelines that are located on State wetlands property; however, some installations are excepted. COMAR 23.02.04.15. This long-standing regulation derives from general authority found in section 16-205 of the Tidal Wetlands Law that provides: "The Board may require as a condition to issuance of a wetland license that compensation be made to the State, of a kind and in an amount deemed appropriate by the Board."

Legislation from the 2012 Session amended that general authority to mandate that the Board "establish a compensation rate for cables, pipelines, or similar structures." The new law specifies that the minimum rate is \$2.50 per-foot, per-year and that the rate applies to all new and existing authorizations beginning July 2, 2012. The new law also authorizes the Board to set a higher rate and to adjust the rate to reflect the Consumer Price Index or other appropriate benchmark.

The new law directs that the compensation collected must be deposited into the Maryland Department of the Environment's Wetlands and Waterways Program Fund. Currently, the Board regulation specifies that compensation is credited to the MDE "Wetlands Compensation Fund for acquisition of wetlands and conservation purposes."

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

**7. BOARD OF PUBLIC WORKS (cont'd)  
*State Tidal Wetlands Licensing Procedures  
COMAR 23.02.04.15 Compensation***

***Proposed Amendments to 23.02.04.15:***

- Require that all cables, pipelines, or similar structures located on State wetlands be assessed compensation by repealing exemptions to the requirement.
- Increase annual compensation rate for cables, pipelines or similar structures located on State wetlands from \$1.00 to \$2.50 per linear square foot.
- Require that the compensation monies be deposited into the Wetlands and Waterways Program Fund.
- Clarify that the Wetlands Administrator is to obtain two appraisals for licensed fill or encroachment regardless of the property size when assessing compensation for licensed fill or other encroachments.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

Contact: Amber Teitt (410-260-7920)  
[ateitt@treasurer.state.md.us](mailto:ateitt@treasurer.state.md.us)

**8. BONDS**

The Treasurer recommends that the Board of Public Works adopt resolutions concerning the sale of State of Maryland General Obligation Bonds in book entry form for the purpose of funding the State's capital program and refunding certain Bonds; making certain determinations regarding the consolidation of loans, the methods of sale, and the structure of the Bonds; authorizing the publication of the required Summary Notices of Bond Sale; and obligating the State of Maryland to provide continuing disclosure as required under applicable securities regulations and to comply with applicable provisions of the Internal Revenue Code. The total that will be offered for sale is up to \$790,320,000\* of both new money bonds for the capital program and refunding bonds.

AMOUNT: up to \$790,320,000\*

DENOMINATION: \$5,000 per bond, or integral multiples thereof

MATURITIES: To be determined by the Treasurer, not to exceed 15 years.

TITLE: State and Local Facilities Loan of 2012, Second Series, consisting of:  
 Second Series A - \$75,000,000\* Tax-Exempt Bonds (Negotiated)  
 Second Series B - \$430,000,000\* Tax-Exempt Bonds (Competitive)  
 Second Series C - \$20,000,000\* Taxable Bonds (Competitive)  
 Second Series D - \$15,320,000\* Taxable Qualified Zone Academy  
 Bonds ("QZABs") (Competitive)  
 Second Series E - up to \$250,000,000\* Tax-Exempt Refunding Bonds  
 (Competitive)

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\* Preliminary, subject to change

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

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

FORM: As determined by the Treasurer, to include:

Second Series A and Second Series B – Tax-Exempt Bonds for the  
Capital Program.

Second Series C – Taxable Bonds for the Capital Program.

Second Series D – Taxable QZABs for Public School Construction  
Program, issued under authority of Chapter 3 of the 2012 First  
Special Session Laws of Maryland, and the American Recovery  
and Reinvestment Act of 2009, with direct subsidies from the U.S.  
Treasury under Hiring Incentives to Restore Employment (HIRE)  
Act of 2010 in an amount equal to the lesser of 100% of the  
interest at the Tax Credit Rate established at pricing or 100% of the  
amount of interest payable on the bond.

Second Series E – Tax-Exempt Refunding Bonds.

METHODS AND  
TIMES OF SALE:

Second Series A – \$75,000,000\* - Negotiated Sale

Negotiated sale of bonds pursuant to State Finance and Procurement  
Article, §8-124, in maturities and amounts to be determined by the  
Treasurer, to the Retail Market during a Negotiated Sale Period to be  
determined by the Treasurer preceding the Competitive Sale, and subject  
to the approval of the Board on August 1, 2012.

Second Series B – \$430,000,000\* - Competitive Sale

Public, Competitive Sale of \$430,000,000\* plus the balance of Series A  
Bonds not sold, if any, during the Negotiated Sale Period, in maturities  
and amounts to be determined by the Treasurer, on Wednesday, August  
1, 2012, at 10:30 a.m., by electronic bid.

\* Preliminary, subject to change

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

8. BONDS (cont'd)Second Series C – \$20,000,000\* - Taxable - Competitive Sale

Public, Competitive Sale of \$20,000,000\* in maturities and amounts to be determined by the Treasurer on Wednesday, August 1, 2012, at 10:45 a.m., by electronic bid.

Second Series D – \$15,320,000\* - QZABS - Competitive Sale

Public, Competitive Sale of \$15,320,000\* in maturities and amounts to be determined by the Treasurer on Wednesday, August 1, 2012, at 11:00 a.m., by electronic bid.

Second Series E – up to \$250,000,000\* - Competitive

Pursuant to State Finance and Procurement Article, Section 8-131, Public, Competitive sale of Refunding Bonds, in maturities and amounts to be determined by the Treasurer, on Wednesday, August 1, 2012, at 11:15 a.m. by electronic bid. However, depending upon market conditions, and at the discretion of the Treasurer, the Refunding Bonds may instead be offered for sale at a date and time to be determined by the Treasurer on a negotiated basis to the retail and institutional markets, subject to ratification by the Board.

## SETTLEMENT:

On or about August 14, 2012

## USE OF PROCEEDS:

Various State loans and installments, combined and consolidated, and purchase of securities for deposit to a Refunding Escrow Account.

PUBLICATIONS OF  
SUMMARY NOTICES  
OF BOND SALE:

## Second Series A Bonds (Negotiated Sale):

In such broadcast, electronic and print media as determined appropriate by the Treasurer.

## Second Series B, C, D, E, Bonds (Competitive Sales):

In the *Bond Buyer* on a date to be determined by the Treasurer not later than Thursday, July 12, 2012, and in such other electronic and print media as determined appropriate by the Treasurer.

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\* Preliminary, subject to change

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

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

REMARKS: Because of continuing changes in demand from retail and institutional investors, the Treasurer shall adjust the size and maturities of the Second Series A (Retail) and Second Series B (Competitive) Bonds to respond to prevailing market conditions at the time of sale.

In addition, the method of sale, the size and maturities of the Second Series E Bonds (Refunding Bonds) may be adjusted to respond to prevailing market conditions and to comply with benchmarks for debt service savings in the State's Debt Policy. Following receipt of bids, the size of the Second Series E Bonds may be further adjusted by the Treasurer by up to 15% to account for premium bid, if any, and savings realized from the purchase of open market securities for deposit to the Refunding Escrow Account.

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\* Preliminary, subject to change

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
	<b>WITH DISCUSSION ✓</b>	<b>WITHOUT DISCUSSION</b>	



BOARD OF PUBLIC WORKS

JUNE 20, 2012

SECRETARY'S AGENDA

Contact: Richard A. Richardson (410) 260-6407  
richard.richardson@maryland.gov

9. **COMMISSIONER OF LAND PATENTS**  
**Land Office, Maryland State Archives**  
**Warrant No. 100 – 19.014 acres in Harford County**  
**Baltimore Area Council, Boy Scouts of America**

*Commissioner's Opinion and Findings:* The Commissioner of Land Patents has determined that the Baltimore Area Council, Boy Scouts of America has made a valid claim to 19.014 acres of land located in the Fifth Election District of Harford County near Peach Orchard Road and recommends that the Board of Public Works approve granting a land patent to the claimant. Specifically, the Commissioner "ORDERED, that upon approval of the Board of Public Works, a patent signed by the Governor and embossed with the Great Seal of Maryland, be issued to the Baltimore Area Council, Boy Scouts of America for the land encompassed in Warrant No. 100."

*Authority:* Section 13-502, Real Property Article, Annotated Code of Maryland

*Process:* Ownership of land in the State of Maryland must be traced back to original grants referred to as land patents. These land patents are the starting point for all land titles in Maryland, followed by deeds, mortgages, and other title conveyances. If any piece of property cannot be traced back to an original land patent, the possibility exists that Lord Baltimore or the State did not previously grant the land, and the State may now grant it to a claimant for a price related to its fair market value. Under the statutory scheme, the State Commissioner of Land Patents, upon receiving an application for a land patent, determines if the claimant has discovered land in Maryland that has never been legally granted to anyone. Land that has never been granted is considered vacant and the discoverer may purchase it from the State or the State in certain circumstances may reserve it for public purposes. The legislative intent is to ensure that vacant land, when discovered, be added to the tax rolls expeditiously or be designated among the land records as reserved for public purposes. When an application is received, the Commissioner of Land Patents issues a warrant to survey, holds a public hearing, determines if vacant land exists, and if it exists, its metes and boundaries. The county supervisor of assessments determines the fair market value.

*Proceedings:* The Baltimore Area Council, Boy Scouts of America discovered what it believed to be 19 acres of vacant land in Harford County. The Council applied for a land patent on these acres which are contiguous to three parcels of land, one owned by Roy Smith and the other two owned by the Council. The Commissioner issued Warrant to Survey No. 100. The Council's claim and title search, the survey, and the Commissioner's independent title search were all consistent. After public hearing, the Commissioner issued his Opinion and Findings which found that a vacancy exists in the location. The Department of Natural Resources notified the Commissioner that the vacant land is not needed for public purposes. The Commissioner concluded that the "land embraced by the application is vacant land . . . and that a patent may properly issue. The purchase price is \$36,811.09" all in accordance with Title 13 of the Real Property Article, Annotated Code of Maryland. The claimant has remitted the purchase price.

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

<b>APPROVED</b> ✓	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b> ✓		<b>WITHOUT DISCUSSION</b>	

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155  
[twilson@mde.state.md.us](mailto:twilson@mde.state.md.us) / [creilly@mde.state.md.us](mailto:creilly@mde.state.md.us)

**10. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Recommendation:** That the Board of Public Works approve additional grant funding of \$2,000,000 to the Town of New Windsor in Carroll County. This grant will be used to pay a portion of the principal on an existing loan with the Maryland Department of the Environment's Water Quality Financing Administration for the upgrade of the **New Windsor Wastewater Treatment Plant** (Legislative District 4B)

**Background:** The upgrade to the existing wastewater treatment plant was substantially completed in July 2011. The current loan principal outstanding balance is \$3,808,474. The upgrade put a significant burden on sewer-system users as the Town increased rates by \$100 per quarter.

To provide financial relief to the users, the General Assembly included in the 2012 MCCBL - Chesapeake Bay Water Quality Project Funds Supplemental Assistance Program:

*"Notwithstanding §§ 9-345 through 9-351 of the Environment Article and any regulation adopted in accordance with those sections, \$2,000,000 of these funds shall be used to provide a grant to the Town of New Windsor to pay a portion of the loan issued by the Maryland Department of the Environment, Water Quality Financing Administration used for the recently completed wastewater treatment plant."*

This grant potentially provides up to \$50 per quarter sewer rate reduction.

**Project Funding Sources**

Supplemental Assistance Grant, SWQH 11.07 (MCCBL 2012-12074) (This Action)	\$2,000,000
Supplemental Assistance Grant, SWQH 11.07 (Previous action 5/4/2011)	\$ 550,000
Water Quality State Revolving Loan (adjusted for above partial payoff)	<u>\$1,858,474</u>
Est. Total Project Cost	\$4,408,474

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155  
[twilson@mde.state.md.us](mailto:twilson@mde.state.md.us) / [creilly@mde.state.md.us](mailto:creilly@mde.state.md.us)

**11. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

Submission of a request by the Maryland Department of the Environment for approval of capital construction grants totaling \$20,466,687 for the following projects, which will be funded from proceeds of various general obligation bonds:

**1. Back River Wastewater Treatment Plant ENR Upgrade**

Further Funding -\$13,000,000

Recipient: City of Baltimore

Legislative District: 6

Project Number NR 09.03

MCCBL 2011 (11063) - \$13,000,000 - CBWQ Project Funds, BNR Program

**2. Emmitsburg Wastewater Treatment Plant BNR/ENR Upgrade**

Further Funding -\$3,750,000

Recipient: Town of Emmitsburg, Frederick County

Legislative District: 4A

MCCBL 2011 (11063) (NR 06.11) - \$3,000,000 - CBWQ Project Funds, BNR Program

MCCBL 2011 (11064) (SWQH 18.11) - \$750,000 - CBWQ Project Funds, Supplemental Assistance Program

**3. Patapsco Wastewater Treatment Plant BNR/ENR Upgrade and Expansion**

Further Funding -\$3,716,687

Recipient: City of Baltimore

Legislative District: 46

MCCBL 2011 (11063) (NR 08.03) - \$3,716,687 - CBWQ Project Funds, BNR Program

**Remarks:** MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity. MDE has determined that these projects are consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. These projects are consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

Contact Person: Terri Wilson (410) 537-4155  
 twilson@mde.state.md.us / creilly@mde.state.md.us

**12. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Recommendation:** That the Board of Public Works approve up to \$14,850,000 in grant funding for the Applicants listed below, to upgrade On-Site Disposal Systems (OSDS) with best available technology (BAT) for nitrogen removal, using the Bay Restoration Fund – Septic funds during FY 2013.

Applicant/County	Grant Award	Applicant/County	Grant Award
Allegany County	\$ 100,000	Canaan Valley Inst. (Howard)	\$ 208,000
Anne Arundel County	\$2,970,000	Kent County	\$ 638,000
Baltimore County	\$ 218,000	Canaan Valley Inst (Montgomery)	\$ 262,000
Calvert County	\$1,235,000	Prince George's County	\$ 164,000
Caroline County	\$ 521,000	Queen Anne's County	\$ 978,000
Carroll County	\$ 116,000	Somerset County	\$ 295,000
Cecil County	\$ 826,000	St. Mary's County	\$1,716,000
Charles County	\$ 485,000	Talbot County	\$ 870,000
Dorchester County	\$1,020,000	Canaan Valley Inst. (Washington)	\$ 340,000
Canaan Valley Inst. (Frederick)	\$ 340,000	Wicomico County	\$ 755,000
Garrett County	\$ 100,000	Worcester County	\$ 427,000
Harford County	\$ 266,000		

**Program Description:** The above grant recipients will implement the OSDS-BAT program locally, consistent with MDE program guidance. Individual applications for funding will be prioritized as follows:

1. Failing OSDS or holding tanks in the Critical Areas  
**Note:** Owners of failing OSDS in Critical Areas are eligible for 100% grant for the BAT cost through December 31, 2012.
2. Failing OSDS or holding tanks not in the Critical Areas
3. Non-failing OSDS in the Critical Areas – which may include new construction
4. Non-failing OSDS outside the Critical Areas

OSDS homeowners are eligible for a minimum of 25% and a maximum of 100% grant for the BAT cost, based on income. Businesses, non-residential or rental property owners with OSDS are eligible for 25% of the BAT cost as grant.

**Authority:** Sections 9-1601 through 9-1622 of the Environment Article, Annotated Code of Maryland (Maryland Water Quality Financing Administration Act).

The project is consistent with State Clearinghouse comments and recommendations.

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

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

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

Contacts: Jean Peterson (410) 514-7358  
Peterson@mdhousing.org  
Kevin Baynes 410-209-5823  
baynes@mdhousing.org

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

**GRANTEE:** Town of Forest Heights

**AUTHORITY:** COMAR 05.17.01.02

**PROGRAM REQUIREMENTS:** The Community Legacy Program assists urban neighborhoods, suburban communities, and small towns that are experiencing decline and disinvestment, but have the potential, with modest public and private investment, to be vibrant places to live and work. Participating communities must have a comprehensive revitalization plan that is an ambitious but reasonable response to local needs.

**AMOUNT:** \$32,162.86

**PURPOSE:** ADA Sidewalk Upgrades - Upgrade Town's sidewalk infrastructure to ensure compliance with the American Disabilities Act.

<b>FUND SOURCE:</b>	
Town of Forest Heights	\$189,907
Community Legacy Program	\$97,000*
Total	\$286,907

\*DHCD requests to re-purpose \$32,162.86 in 2005 MCCBL funds that were originally allocated to a different Community Legacy project for the Town of Forest Heights.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

Churchill B. Wortherly 443-885-3074  
[churchill.wortherly@morgan.edu](mailto:churchill.wortherly@morgan.edu)

14. 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 **\$252,985.00**.

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

1. **Description:** Furnish and install scientific equipment  
 S&R Vibration Exciter System  
 RFB Project No.: 11/COM-0046  
**Procurement Method:** Competitive Sealed Bid  
**Award:** MB Dynamics, 25866 Richmond Road, Cleveland, Ohio  
**Amount:** \$119,305.00  
**Fund Source:** MCCBL of 2011, Item 072 – *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University*  
**MD Tax Clearance:** 12-1086-1111  
**Resident Business:** No
  
2. **Description:** Furnish and install scientific equipment  
 Hydraulic Universal Testing Machine  
 RFB Project No.: 11/COM-0033  
**Procurement Method:** Competitive Sealed Bid  
**Award:** Instron, 825 University Avenue, Norwood, PA  
**Amount:** \$133,680.00  
 (Resident: 351 W. Camden Street, Baltimore, MD)  
**Fund Source:** MCCBL of 2011, Item 072 - *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University*  
**MD Tax Clearance:** 12-1087-1111  
**Resident Business:** Yes

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

Contact: David Lever 410-767-0610  
[dlever@msde.state.md.us](mailto:dlever@msde.state.md.us)

**15. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**

***Amendment to the Public School Construction Capital Improvement Program - FY12***

**Recommendation:** The Interagency Committee on School Construction recommends that the Board of Public Works approve amendments to the Fiscal Year 2012 Capital Improvement Program. The Board approved the FY 2012 CIP as Secretary's Item 18 (5/4/11).

**Specific Requests:** The following school system reverted to the contingency fund certain funds that could not be used as originally allocated; the system has requested to have those funds applied to an eligible project in the fiscal year 2012 CIP:

Charles County Public Schools

St. Charles High: New                      \$278,884

**Authority:** The Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Maryland Laws page 6), as amended by House Bill 71 of 2011, specifies that if school construction funds provided to a county in a fiscal year Capital Improvement Program cannot be allocated to, or used for, eligible projects within two years of the initial authorization, the county may opt to have the funds: (1) applied to another eligible project in the prior fiscal year CIP or (2) reverted to and maintained in the contingency fund for eligible projects in the county in the current fiscal year CIP. *See also* COMAR 23.03.02.03E.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS

JUNE 20, 2012

SECRETARY'S AGENDA

Contact: Michael J. Frenz (410) 333-1560  
mfrenz@mdstad.com

16. MARYLAND STADIUM AUTHORITY  
*Baltimore Convention Center and Ocean City Convention Center*  
*Operating and Maintenance Budgeted Amount*

**Recommendation:** That the Board of Public Works approve the fiscal year 2013 Operating and Maintenance Budgeted Amount (OMBA) for the Baltimore Convention Center and for the Ocean City Convention Center as follows:

Baltimore Convention Center: approximately \$17.59 million  
Ocean City Convention Center: approximately \$ 4.71 million

**Background:** Pursuant to Section 3.02 and 3.03 of the bond subleases for the convention centers, the Board of Public Works "shall approve an OMBA for the next succeeding fiscal year."

A certificate of the proposed OMBA for both convention centers was delivered to the Board of Public Works on December 1, 2011, in accordance with the sublease agreements.

**Remarks:** The Maryland Stadium Authority approved the OMBA for each convention center at its meeting on November 1, 2011.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

Contact: Michael J. Frenz 410.333.1560  
mfrenz@mdstad.com

17. **MARYLAND STADIUM AUTHORITY**  
***Hippodrome Performing Arts Center***  
***Series 2012 Taxable Lease Revenue Bonds***

***Recommendation:*** That the Board of Public Works approve the Maryland Stadium Authority issuing new debt (to be known as Series 2012 Taxable Lease Revenue Bonds), the proceeds of which will be used to redeem Hippodrome Performing Arts Center Taxable Lease Revenue Bonds, Series 2002 (existing debt) for an estimated savings of \$1.68 million.

***Authority:*** Subject to the approval of the Board of Public Works, the Stadium Authority may borrow money from any source for any corporate purpose and, more specifically, for construction at the Hippodrome Performing Arts Center facility. Sections 10-628(c)(111); 10-641(d)-(e), Economic Development Article, Annotated Code of Maryland.

***Background:*** Reference is made to Secretary's Agenda Item 9 (6/19/2002) in which the Board of Public Works approved the Stadium Authority issuing \$20.25 million in Hippodrome Performing Arts Center Taxable Lease Revenue Bonds, Series 2002. Proceeds from this bond issue were used for renovating the Hippodrome Performing Arts Center and for capitalized interest and closing costs. Interest rates ranged from 5.00% to 6.25%.

Current market conditions make it advisable for the Stadium Authority to call these outstanding 2002 bonds and to reissue new debt. The new bond proceeds will be \$14.05 million with \$13.66 million used to redeem the existing debt and the balance for transaction costs. This estimated savings to the State is approximately \$1.68 million, the present value savings is estimated at over 10%.

***General Assembly Fiscal Committees Review:*** The Stadium Authority must provide the General Assembly fiscal committees 90 days to review the financing plan before seeking Board of Public Works approval for each bond issue or other financing. Section 10-641(c), Economic Development Article, Annotated Code of Maryland. The Stadium Authority submitted the plan to the Committees on March 21, 2012.

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

**17. MARYLAND STADIUM AUTHORITY (cont'd)**

**Resolution:** The Stadium Authority recommends, with respect to its Series 2012 Taxable Lease Revenue Bonds, that the Board of Public Works:

1. Authorize the Stadium Authority to:
  - (a) Issue, sell and deliver up to \$14,050,000 in tax supported Lease Revenue Bonds with \$13,660,000 of the proceeds to be used to refund the outstanding balance of the Series 2002 Hippodrome Performing Arts Center Taxable Lease Revenue Bonds, Series 2002 and the balance of the proceeds to be used for closing costs. The estimated savings of this refunding are approximately \$1.68 million; and
  - (b) Repay this obligation with interest to the bondholders over a period of ten years.
  
2. Approve documents related to issuing the Stadium Authority's Series 2012 Taxable Lease Revenue Bonds:
  - (a) First Supplemental Master Lease Agreement supplementing the Master Lease Agreement previously approved by the Board as Secretary's Agenda Item 9 (6/19/2002);
  - (b) First Supplemental Sublease Agreement supplementing the Sublease Agreement previously approved by the Board as Secretary's Agenda Item 9 (6/19/2002); and
  - (c) Amended Comprehensive Plan of Financing, which was approved by the Stadium Authority on March 20, 2012 and submitted on March 21, 2012 to the General Assembly fiscal committees.
  
3. Issue a Board of Public Works Resolution on these matters.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS

JUNE 20, 2012

SECRETARY'S AGENDA

MEDCO: Robert C. Brennan 410-625-0051  
b\_brennan@medco-corp.com  
DNR: Kristin Saunders 410-260-8106  
ksaunders@dnr.state.md.us  
Location Commission: Chairman Donald C. Fry  
410-727-2820/donaldf@gbc.org

18. **DEPARTMENT OF NATURAL RESOURCES**  
***Maryland Economic Development Corporation (MEDCO)***  
***Rocky Gap Golf Course and Hotel/Meeting Center***

***Recommendation:*** Evitts Resort, LLC (**Evitts**) seeks to purchase the Rocky Gap Golf Course and Hotel/Meeting Center (**Resort**) from the Maryland Economic Development Corporation (**MEDCO**) as part of its proposal for a video lottery terminal (**VLT**) facility adjacent to the Resort, which was approved by the Video Lottery Facility Location Commission (**Location Commission**) on April 26, 2012. To that end, the Department of Natural Resources recommends that the Board of Public Works approve the following:

- (1) MEDCO assigning to Evitts the ground lease through which DNR leases 260 acres in Rocky Gap State Park to MEDCO.
- (2) DNR amending and restating the assigned ground lease to include terms DNR and Evitts negotiated (as more fully described under ***Amended and Restated Ground Lease*** below).
- (3) DNR forgiving the outstanding debts and liabilities owed and owing it (including all accrued and accruing interest, late fees, charges and penalties and all other accrued and accruing obligations) and releasing claims to any amounts owed or owing it, in connection with the Resort.
- (4) Purchase Agreement between MEDCO as seller and Evitts as buyer of the Resort.

(5) The State Highway Administration releasing 17 acres of the DNR property from a provision in SHA's August 22, 1966 conveyance to DNR that required the acreage to revert to SHA if DNR ceased to use the acreage solely for public purposes.

***Authority:*** Maryland Constitution, Article XIX, Section 1; Annotated Code of Maryland, State Government Article, Section 9-1A-05 and State Finance & Procurement Article, Section 10-305.

**BOARD OF PUBLIC WORKS**

**JUNE 20, 2012**

**SECRETARY'S AGENDA**

**18. DEPARTMENT OF NATURAL RESOURCES (cont'd)  
*Maryland Economic Development Corporation (MEDCO)  
Rocky Gap Golf Course and Hotel/Meeting Center***

***Prior History:*** Reference is made to Secretary's Agenda Item 31 (May 1, 1996) in which the Board of Public Works, with respect to the Resort at Rocky Gap State Park, approved:

- (A) A ground lease of 260 acres of State property by DNR to MEDCO.
- (B) Financing in the amount of \$54 million, comprising:
  - MEDCO revenue bonds in the amount of \$31.3 million (\$26.3 tax-exempt [Series 1996A Bonds] and \$5 million taxable [Series 1996B Bonds]);
  - State general-obligation-bond-proceeds grant (\$10.9 million);
  - MICRF grants and loans (\$4 million);
  - State design and engineering appropriations of \$1,470,000;
  - Investments earnings of \$1,800,000 (approximate) on bond funds; and
  - Bonds issued by Allegany County (\$4.5 million).

MEDCO used the financing to construct the Rocky Gap Hotel and Resort and engaged an operator. After project completion, the Department of Business and Economic Development provided further funding of \$6.5 million for construction overruns, working capital, and capital improvements.

Reference is further made to Secretary's Agenda Item 11 (Nov. 19, 2008) in which the Board approved, among other amendments:

- (A) Extending the ground lease term to 2065 (the previous expiration, with all renewals, was 2046).
- (B) Permitting DNR to subordinate to senior debt the past-due surcharge-revenue fees owed to DNR.
- (C) Identifying an 18-acre area within the leased area to accommodate development of a VLT facility.

These changes allowed MEDCO to restructure the Resort's outstanding bond debt. Restructuring included refunding the Series 1996A Bonds (\$26.3 million principal) and the Series 1996B Bonds (\$3,470,000 principal), which were held by DBED. The restructuring replaced Series 1996 Bonds with Series 2008 Bonds.

## BOARD OF PUBLIC WORKS

JUNE 20, 2012

## SECRETARY'S AGENDA

18. **DEPARTMENT OF NATURAL RESOURCES** (cont'd)  
***Maryland Economic Development Corporation (MEDCO)***  
***Rocky Gap Golf Course and Hotel/Meeting Center***

***Location Commission and the VLT License:*** A VLT facility with up to 1,000 VLTs is authorized at Rocky Gap State Park in Allegany County. The Location Commission is responsible for soliciting and evaluating proposals to operate VLTs and awarding a license in the best interests of the State.

In response to the Commission's July 2011 Request for Proposals for the Allegany County license, Evitts proposed to invest \$54.6 million to purchase the Resort and construct a 50,000 square foot VLT facility adjacent to the Resort. After evaluating the proposal, the Location Commission awarded Evitts a license in April 2012 contingent on Board of Public Works approval of a ground lease with DNR and the Resort purchase agreement. The transaction must be settled within 45 days of Board of Public Works approval (or by a later date set by the Location Commission). Closing is currently scheduled to be on or before August 3, 2012.

Evitts' facility, anticipated to open in mid-2013, will operate 850 VLTs initially with expansion to 1,000 VLTs expected in the second year. The facility is projected to have 400 employees during construction and 520 employees when fully operational. Location Commission staff estimates that the Evitts facility will generate approximately \$40 million in gross VLT revenues in the first year of operations (of which \$16.9 million will accrue to the Education Trust Fund).

***Evitts Resort Acquisition from MEDCO:*** The following payments are required for Evitts to acquire the Resort (including all fixtures and improvements associated with it) and become MEDCO's assignee of the existing ground lease with DNR:

Payment by Evitts	\$6,775,000
Payment by MEDCO	\$1,500,000
Payment by MEDCO	<u>\$1,500,000*</u>

\*This portion of MEDCO's contribution will be repaid to MEDCO over time with interest from payments made by Evitts to MEDCO under the Amended and Restated Ground Lease between DNR and Evitts as described below.

<b>Total Payments</b>	<b><u>\$9,775,000</u></b>
-----------------------	---------------------------

From the total payments amount:

- MEDCO will receive \$1,379,692 to reimburse for advances MEDCO made to the Resort (**Issuer Advances**);
- MEDCO will receive an amount equal to current liabilities of the Resort (other than Issuer Advances) less current assets of the Resort which actual amount is to be determined at settlement; and
- The remainder to be paid to MEDCO's bondholders – specifically, the non-governmental investors who hold the Resort Series 2008 B and C Bonds – in complete satisfaction thereof.

BOARD OF PUBLIC WORKS

JUNE 20, 2012

SECRETARY'S AGENDA

18. DEPARTMENT OF NATURAL RESOURCES (cont'd)  
*Maryland Economic Development Corporation (MEDCO)*  
*Rocky Gap Golf Course and Hotel/Meeting Center*

*Amended and Restated Ground Lease:* The amended and restated ground lease between Evitts and DNR for the 260 acres at Rocky Gap State Park includes:

- Incorporating the Location Commission's RFP #2011-0102 pertaining solely to tenant's use and occupancy of the premises.
- Option for DNR and Evitts to add up to 7 acres to the lease without returning to the Board of Public Works.
- 40-year initial term with one 20-year renewal term.
- During the initial two years of the lease or, until VLT operations open for public play whichever occurs first (**Initial Period**), Evitts shall pay to DNR:
  - \$150,000 annually; and
  - Surcharge Revenue of \$1 per round of golf and \$3 per room per night (**Surcharge Revenue**) exceeding \$150,000 annually.
- When the Initial Period expires and continuing through year 9 of the lease term, Evitts shall pay:
  - To MEDCO, seven annual payments (six payments of \$275,000 and a final payment of \$237,936.74)
  - To DNR, seven annual payments (six payments of \$150,000 and a final payment of \$187,063.26);
  - To DNR, 0.9% of gross operator share of annual gaming revenue in excess of \$275,000; and
  - To DNR, Surcharge Revenue exceeding \$150,000 annually.
- During the remaining lease term, Evitts shall pay to DNR:
  - Greater of annual Surcharge Revenue or \$150,000; and
  - Greater of 0.9% of gross operator share of annual gaming revenue or \$275,000.
- All improvements (including all buildings) and fixtures on leased premises revert to DNR when lease expires.

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

APPROVED     
  DISAPPROVED     
  DEFERRED     
  WITHDRAWN  
 WITH DISCUSSION     
  WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS**

**JUNE 20, 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

JUNE 20, 2012

## APPENDIX

## SECRETARY'S AGENDA

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

## REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF GENERAL SERVICES FOR  
MARYLAND DEPARTMENT OF THE ENVIRONMENT

CONTRACT NO. & TITLE: Hillside Stabilization  
ADPICS No.: TBD  
Project: F-001-121-004

CONTRACT TYPE: Maintenance

DESCRIPTION: Divert water and remove trees and dirt to stabilize the hillside around the McDonald & Chapman Mines to avoid continued movement of hillside.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: April 12, 2012

BIDS:	Hourly Rate	Est. Total
Kiddy's Contracting, Lonaconing, MD	\$ 88.80	\$52,800.00
Frank Arnold Contracting, Oakland, MD	\$ 90.34	\$53,697.60
Excavating Associates, Ellerslie, MD	\$ 92.89	\$55,228.80
Byco Enterprises, Grantsville, MD	\$ 93.46	\$55,545.69
Pine Mountain Coal, Frostburg, MD	\$130.14	\$77,352.00

AWARD: Kiddy's Contracting

AMOUNT: \$52,800.00 Est.

CONTRACT AWARD DATE: April 18, 2012



BOARD OF PUBLIC WORKS

JUNE 20, 2012

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

TERM 30 Calendar Days

MBE PARTICIPATION 0%

FUND SOURCE: U00.A06.FY12.PCA68893.05.0899.6181  
Using Agency Funds See Certification

REMARKS: *Nature of Emergency:* A landslide developed on the Schramm hillside that was caused by water from two abandoned mines. An occupied house at the base of the hillside was at risk. MDE had to take immediate action to install barriers and a drain system to divert the water and to remove the trees and loose soils. Future actions will be taken to resolve the water problem in the abandoned mines.

*Basis for Selection:* MDE contacted several local firms to submit bids. The low bidder was selected using a weighted hourly rate. The project is ongoing so the total contract value is estimated.

TAX COMPLIANCE NO.: 12-0936-1111

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**

**June 20, 2012**

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

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

**Recommendation:** Approval to commit \$48,788.00 for the following **development** projects.

1. *Nevison Avenue Ballfield Fence - \$4,000.00*  
*Town of Luke, Allegany County*  
*POS #5796-1-244*  
*MD20100114-0027*

**Background:** Install fencing at the ballfield to provide protection for the adjacent residents and to promote safety of those participating in activities held at the field.

**Fund Source:** Program Open Space Local Share allocated to Allegany County:  
Program 81.20.04 Item 801 \$4,000.00

2. *Flintstone Community Park Development #2 - \$4,000.00*  
*Allegany County*  
*POS #5800-1-246*  
*MD20100226-0115*

**Background:** Install two pre-fabricated baseball dugouts at the 14± acre community park.

**Fund Source:** Program Open Space Local Share allocated to Allegany County:  
Program 81.20.04 Item 801 \$4,000.00

SUPPLEMENT A  
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY  
ACTION AGENDA

June 20, 2012

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

- 3. **Frostburg Community Park Upgrades - \$28,800.00**  
 City of Frostburg, Allegany County  
 POS #5962-1-253  
 MD20120416-0248

**Background:** Upgrade the community park with the construction of an equipment storage building, improvements to the existing electrical system, and ADA accessible improvements to the swimming pool to bring the pool into compliance with Federal regulations. In addition, the existing tennis courts will be renovated and converted into two basketball courts.

**Fund Source:** MCCBL of 2010: Program Open Space, Local Capital Development and Land Acquisition Grants, Allegany County:  
Program 89.22.49 Item 056 \$15,901.14

Program Open Space Local Share allocated to Allegany County:  
Program 81.20.04 Item 801 \$12,898.86

- 4. **Mount Savage Community Park Development #4 - \$11,988.00**  
 Allegany County  
 POS #5963-1-254  
 MD20120419-0260

**Background:** Install a retaining wall, fencing, electrical outlets, and a drainage field at the 3± acre community park.

**Fund Source:** MCCBL of 2010: Program Open Space, Local Capital Development and Land Acquisition Grants, Allegany County:  
Program 89.22.49 Item 055 \$3,651.45

MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Allegany County:  
Program 89.22.51 Item 052 \$8,336.55

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

SUPPLEMENT A  
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY  
ACTION AGENDA

June 20, 2012

ITEM 2A  
COMMUNITY PARKS AND PLAYGROUNDS PROGRAM

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

**Recommendation:** Approval to commit \$82,000.00 for the following **development** projects.

- 1. **Davis Park Renovation - \$26,000.00**  
*City of Annapolis, Anne Arundel County*  
 CPP #5672-2-272  
 MD20120419-0262

**Background:** Renovate the street end park located at 4<sup>th</sup> Street and Back Creek in Annapolis. The current site is almost entirely covered with impervious surfaces. Renovation includes removing much of the existing compacted surface and adding a decorative walk, sod, and additional planting areas to serve as runoff collection and filtration sites. Native plants and shrubs will be added to the planting areas. In addition, the existing park benches will be replaced with ones made of recycled plastic.

**Fund Source:** MCCBL of 2009: Program Open Space, Local Capital Development and Land Acquisition Grants, Anne Arundel County:  
Program 89.22.45 Item 064 \$26,000.00

- 2. **Turner Street Playground Renovation - \$56,000.00**  
*City of Annapolis, Anne Arundel County*  
 CPP #5674-2-274  
 MD20120419-0263

**Background:** Update the community park with handicapped-accessible play equipment, benches, a drinking fountain, and native plants.

**Fund Source:** MCCBL of 2009: Program Open Space, Local Capital Development and Land Acquisition Grants, Anne Arundel County:  
Program 89.22.45 Item 064 \$56,000.00

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

Approved     
  Disapproved     
  Deferred     
  Withdrawn  
 With Discussion     
 Without Discussion

SUPPLEMENT A  
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY  
ACTION AGENDA

June 20, 2012

ITEM 3A  
PROGRAM OPEN SPACE LOCAL SHARE

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

**Recommendation:** Approval to commit \$1,032,860.67 for the following **acquisition** project.

*West Side Regional Park (Hargett Farm) - \$1,032,860.67*  
*City of Frederick, Frederick County*  
*POS #5965-10-325*  
*MD20120419-0261*

**Background:** Initial request of Program Open Space (POS) funds for the acquisition of 35 acres on the west side of the City of Frederick for a new regional park. The total amount of eligible POS funding for this acquisition is \$1,704,995.00. Future requests for funds will be made over several fiscal years as monies become available. This site will be used for development of multi-purpose sports fields and an aquatic center.

**Appraised Value:** McPherson & Associates \$1,750,000.00  
Hutzell Appraisal \$1,700,000.00

**Property Cost:** \$1,700,000.00

**Incidental Costs:** \$ 4,995.00

**Fund Source:** MCCBL of 2010: Program Open Space, Local Capital Development and Land Acquisition Grants, Frederick County:  
Program 89.22.49 Item 056 \$610,043.06

MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Frederick County:  
Program 89.22.51 Item 051 \$95,333.50

MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Frederick County:  
Program 89.22.51 Item 052 \$327,484.11

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

June 20, 2012

ITEM 4A  
PROGRAM OPEN SPACE LOCAL SHARE

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

**Recommendation:** Approval to commit \$13,500.00 for the following **development** project.

*Henry Park Walking Path Phase I - \$13,500.00*  
*Town of Berlin, Worcester County*  
*POS #5973-23-223*  
*MD20120419-0259*

**Background:** Develop a walking path at the 4± acre recreational, neighborhood park. This first phase of development will allow for design, engineering, bid preparation, and cost estimates for constructing the path.

**Fund Source:** MCCBL of 2010: Program Open Space, Local Capital Development  
and Land Acquisition Grants, Worcester County:  
Program 89.22.49 Item 055 \$642.47

MCCBL of 2010: Program Open Space, Local Capital Development  
and Land Acquisition Grants, Worcester County:  
Program 89.22.49 Item 056 \$12,857.53

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

**June 20, 2012**

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

**ITEM 5A  
PROGRAM OPEN SPACE  
CONSERVATION RESERVE ENHANCEMENT PROGRAM FUNDS**

**Recommendation:** Approval to grant to the Washington County Commissioners \$122,373.53 for the following project from Program Open Space Stateside Funds.

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

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

**Project Description:** Claggett CREP Easement. Acquisition of this 33.2-acre CREP easement permanently protects water quality through forested and grass riparian buffers along 1,600 feet of Beaver Creek. Beaver Creek is a High Quality III-P Trout Stream located within the Potomac River Watershed, an important tributary of the Chesapeake Bay. This CREP easement will be co-held by Washington County and the Department of Natural Resources.

**Value of Easement:** Total easement value \$111,747.22- \$3,365.88 per acre

**Other Costs:** \$10,626.31

Administrative:	\$ 3,352.42
Incidental:	\$ 5,597.68
Compliance:	\$ 1,676.21

**Total Amount Requested:** \$122,373.53

SUPPLEMENT A  
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY  
ACTION AGENDA

June 20, 2012

ITEM 5A (con't)  
PROGRAM OPEN SPACE  
CONSERVATION RESERVE ENHANCEMENT PROGRAM FUNDS

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

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

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

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

**Fund Source:** Program 81.20.03 Item 447 \$10,626.31 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009  
Program 89.22.45 Item 500 \$ 111,747.22 (FY 2010)

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

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Board of Public Works Action: the above referenced item was

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion



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

**June 20, 2012**

**ITEM 6A  
MARYLAND ENVIRONMENTAL TRUST**

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

**Recommendation:** That the Board of Public Works ratify the following acquisition of a perpetual conservation easement.

**Property:** 270.018 acres, Queen Anne's County, Church Hill Road  
Tax Map 29, Parcel 29, Legislative District 36

**Grantor:** William James Milliken, Jr. and Scarlett Marie Dill Milliken

**Grantee:** Maryland Environmental Trust and the Eastern Shore Land Conservancy, Inc.

**Purchase Price:** \$320,000

**Appraised Easement Value:** \$400,000

**Fund Source:** 100% Federal funds – Section 1702, *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* flowing through State Highway Administration.

In consideration for granting the perpetual conservation easement, the grantor has agreed to accept payment of 80% of the appraised value and will treat the 20% discount as a donation to satisfy matching requirements.

MET, SHA, the Eastern Shore Land Conservancy, and the Boards of Commissioners of Cecil, Kent, and Queen Anne's counties entered into a memorandum of understanding for Chesapeake Country National Scenic Byway Protection in November 2007. One purpose of the MOU is to acquire conservation easements along the Chesapeake Country National Scenic Byway using the federal SAFETEA-LU funds. In this transaction, Queen Anne's County will advance funds to the grantor and then be reimbursed by SHA from the SAFETEA-LU funds.

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion



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

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

**INCUMBENT:** Same

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Copies of the solicitation notice were sent to 25 prospective vendors registered on eMM and an additional four prospective vendors were mailed or emailed packages from Deep Creek Lake State Park. Of all 29 prospective vendors, 24 are Maryland firms. A copy of the solicitation was also provided to the Governor's Office of Minority Affairs.

Only one bid was received in response to the IFB. The recommended contractor, Wisp Resort, the incumbent, is deemed to be a responsible bidder, and its bid prices have been determined to be responsive, fair and reasonable. Moreover, it was determined that other potential bidders had reasonable opportunity to respond to the IFB. Therefore, Wisp Resort is recommended for contract award.

Historically, IFBs for concession contracts in the western region of Maryland attract very few bidders and no MBE vendors.

The term of this contract is for one summer season from 6/21/2012 through 10/31/2012 with a second summer season renewal option from 5/1/2013 through 10/31/2013 that may be exercised with prior written approval of the Department of Natural Resources in order to provide full operation of the Concession Program at Deep Creek Lake State Park. Generally, the season opens each year in May (Memorial Day) and closes in October. However, due to unforeseen circumstances, this contract was not ready for approval for a May 1<sup>st</sup> start date.

This contract is an important source of revenue for the Department of Natural Resources (DNR) and also provides a service to the public who visit Deep Creek Lake State Park. The concession services provide visitors with a beach store (beach toys, t-shirts, hats, picnic supplies), food and beverages, as well as Pontoon Boat Tours and Kayak Rental. The contract is revenue generating. The Contractor receives the proceeds from these purchases and DNR receives a 20% commission of all gross revenues.

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

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

There was no MBE participation goal established for this IFB based upon the following reasons:

1. The scope of work has very few opportunities for subcontracting;
2. The general size/scope of the work of the contract is relatively small;
3. The proximity of certified MBEs to the work location is limited; and
4. There are few or no MBEs in the database matching the areas of the scope of work that might be subcontracted.

**FUND SOURCE:** 100% Revenue Generating

**APPROP. CODE:** K00A0401

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0320-1111

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT**

**ITEM:** 2-S **Agency Contact:** John G. Cullen  
301-777-2260  
jcullen@dhmh.state.md.us

**DEPARTMENT/PROGRAM** Health and Mental Hygiene (DHMH)  
Thomas B. Finan Center

**CONTRACT ID:** DHMH/OPASS 12-10934  
Thomas B. Finan Center  
Laboratory & Phlebotomy Services  
ADPICS # M00B300037

**CONTRACT DESCRIPTION:** Provide all Laboratory & Phlebotomy Services for  
the patients at the Thomas B. Finan Center.

**AWARD:** Western Maryland Health System  
Cumberland, MD

**TERM:** 7/1/2012 - 6/30/2017

**AMOUNT:** \$199,917 (5 Years)

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS OR PROPOSALS:** Only One Bid Received

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

**PERFORMANCE SECURITY** None

**INCUMBENT:** Same

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and the DHMH web site. A copy was also sent to the Governor's Office of Minority Affairs

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

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

Only one bid was received in response to the IFB. Western Maryland Health System, the incumbent, is responsible, and its bid meets the technical requirements set forth in the IFB. Moreover, the price has been deemed fair and reasonable, and it was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation. In addition, the price is approximately \$135,000 less than the current contract that ends on June 15, 2012.

This contract is for the provision of clinical laboratory testing and phlebotomy services for the patients at Thomas B. Finan Center (Center). The contract is an indefinite quantity contract with firm fixed unit prices. The total contract price is based upon historical quantities. The actual amount to be paid to the Contractor shall be calculated using the firm fixed unit prices specified on the bid page (price per test) and the actual number and type of tests performed by the Contractor.

Western Maryland Health System has provided these services for the Center for the past eight years. The services provided by Western Maryland Health System during the previous contracts have been performed to the specifications of the contract in an acceptable manner: all requested tests were performed; all routine test results were reported within the specified timeframe; critical laboratory values/issues were communicated to receive immediate review and medical attention by a physician; all STAT tests were completed in the required time frame; all reference materials were provided; all laboratory supplies were provided; all invoices were timely and accurate; and all reports were complete and accurate.

No MBE participation goal was established for this contract based upon the limited the number of MBEs available in Allegany County where the Center is located and the limited subcontracting opportunities due to the nature of the tests to be performed and the timeliness of performing the tests.

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

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

**FUND SOURCE:** 100% General

**APPROP. CODE:** M00L0401

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-1005-0111

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT**

**ITEM:** 3-S **Agency Contact:** Leona Spencer  
410-767-5178  
spencerl@dhmh.state.md.us

**DEPARTMENT/PROGRAM:** Health and Mental Hygiene (DHMH)  
Office of Systems, Operations & Pharmacy

**CONTRACT ID:** DHMH/OPASS #; 13-11018  
Scanning Services for Claims Processing and  
Recoveries  
ADPICS No. M00B3400062

**CONTRACT DESCRIPTION:** Contract to scan documents for storage and retrieval  
with information being sent to the Maryland Medicaid Information System (MMIS) and/or a  
retrievable compact disk (CD)/Server.

**AWARD:** iScan, A Division of Humanim, Inc.  
Columbia, MD

**TERM:** 7/1/2012 – 6/30/2013 (1 Year)

**AMOUNT:** \$620,836

**PROCUREMENT METHOD:** Preferred Provider

**BIDS OR PROPOSALS:** N/A

**MBE PARTICIPATION:** 100% (Contractor is a Maryland Certified MBE)  
(No Subcontracting Goal)

**PERFORMANCE SECURITY:** None

**INCUMBENT:** Same



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

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

**REQUESTING AGENCY REMARKS:** The Office of Systems, Operations and Pharmacy (OSOP) must have their documents scanned for retrieval and storage purposes. iScan, a Division of Humanim, Inc., will scan, save and provide the Department access to records that must be kept for specific periods of time, without keeping the paper documents on site.

By having the vendor handle this contract it relieves the Department of the responsibility of machine maintenance and supplies, plus the Department has not been able to hire enough staff to do this type of work on its own.

This one-year contract is in the best interest of the State. The Department has procured this type of service before, and this Preferred Provider has made the scanning and retrieval of documents faster and more efficient with greater access to information. The contractor will scan: (1) current claims/attachments to a compact disk (CD) with multiple documents under one index number for storage and retrieval; and (2) closed recoveries files for retrievable documents for storage and easy access to client data.

In accordance with COMAR 21.11.05.04, on February 16, 2012 the Pricing and Selection Committee for the Employment Works Program certified the prices for this contract as fair market at a not-to-exceed value of \$620,836.31 for providing optical scanning services.

**FUND SOURCE:** 75% Federal; 25% General

**APPROP. CODE:** M00Q0103

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0407-0111

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT**

**ITEM:** 4-S **Agency Contact:** Sandy Johnson  
410-767-7408  
sjohnso5@dhr.state.md.us

**DEPARTMENT/PROGRAM:** Department of Human Resources (DHR)  
Frederick County Department of Social Services  
(FCDSS)

**CONTRACT ID:** FCDSS/FIA/12-005;  
ADPICS No. N00B2400580

**CONTRACT DESCRIPTION:** Provide employment services for the Welfare-to-Work Program, the Food Supplement Employment and Training Program (FSP E&T), and the Non-Custodial Parent Employment Program (NPEP) for Frederick County.

**AWARD:** Marvatemp Inc. /  
DBA Manpower Temporary Services  
Frederick, MD

**TERM:** 7/1/2012 - 6/30/2013 (w/3 one-year renewal options)

**AMOUNT:** \$189,501 (1 Year; Base Contract)  
\$189,501 (1 Year; 1<sup>st</sup> Renewal Option)  
\$189,501 (1 Year; 2<sup>nd</sup> Renewal Option)  
\$189,500 (1 Year; 3<sup>rd</sup> Renewal Option)  
\$758,003 Total (4 Years)

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**BIDS OR PROPOSALS:** See Attachment

**MBE PARTICIPATION:** 25%

**INCUMBENT:** Same

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

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

**REQUESTING AGENCY REMARKS:** A Notice of the Availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and the DHR website. Copies of the solicitation notice were sent directly to four potential Offerors, all of which are Maryland firms and none are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Six proposals were received in response to the RFP; all of which were deemed to be reasonably susceptible of being selected for award. Marvatemp Inc. DBA Manpower Temporary Services (Marvatemp) was determined to have the most advantageous offer to the State with the highest ranked technical offer and the second lowest price, and is therefore recommended for award. The technical superiority of Marvatemp's proposal outweighed the slight (\$5,331) difference in price of the lowest priced Offeror that was ranked #6 technically. Its proposal indicated the capacity to perform the contractual requirements; a comprehensive technological solution to meet the Department's needs, and a competent, experienced project team to oversee the contract requirements.

Marvatemp, as the incumbent, has over 15 years of experience working with Temporary Assistance for Needy Families (TANF) program customers in Frederick County and has an extensive working relationship with employers and other non-profit agencies in Frederick County.

This contract will provide a variety of services that meet the requirements of Maryland's Family Investment Program, Maryland Reaching Independence and Stability through Employment (MD RISE) Program, and the Federal Temporary Assistance to Needy Families (TANF) Program, the federal equivalent to Maryland's Temporary Cash Assistance (TCA). These services involve working collaboratively with the Frederick County Department of Social Services (FCDSS) to provide a continuum of services that aggressively leverage resources in order to map employment skills and seek work experience opportunities with private employers and other human service and non-profit agencies, which in turn will lead to unsubsidized employment for an array of Family Investment Administration (FIA) and Child Support Enforcement Administration (CSEA) customers, and youth transitioning from Foster Care (FC).

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

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

**FUND SOURCE:** 100% Federal (TANF)

**APPROP. CODES:** N00G0002; N00G0010

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0887-1111

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**ATTACHMENT**

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

**BIDS OR PROPOSALS (Cont):**

<b>Offerors</b>	<b>Technical Ranking</b>	<b>Financial Price Base Term (1 Year)</b>	<b>Financial Price 1<sup>st</sup> Renewal Option (1 Year)</b>	<b>Financial Price 2<sup>nd</sup> Renewal Option (1 Year)</b>	<b>Financial Price 3<sup>rd</sup> Renewal Option (1 Year)</b>	<b>Total Financial Price (Rank) (4 Years)</b>	<b>Overall Ranking*</b>
Marvatemp Inc. DBA Manpower Temporary Services Frederick, MD	1	\$189,501	\$189,501	\$189,501	\$189,500	\$758,003 (2)	1
Frederick Community College Frederick, MD	2	\$769,983	\$757,733	\$757,733	\$757,731	\$3,043,180 (4)	2
Harding Consulting, LLC Baltimore, MD	4	\$311,249	\$317,254	\$323,258	\$329,763	\$1,281,524 (3)	3
Sage Services Group, LLC Bowie, MD	6	\$171,971	\$182,136	\$194,461	\$204,201	\$752,769 (1)	4
America Works of Maryland, Inc. Baltimore, MD	3	\$805,910	\$822,028	\$838,424	\$855,098	\$3,321,460 (5)	5
Business Interface of Maryland, LLC Gaithersville, MD	5	\$1,135,445	\$1,169,663	\$1,212,895	\$1,272,720	\$4,790,723 (6)	6

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

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

**SERVICE CONTRACT**

**ITEM:** 5-S **Agency Contact:** Marcus Filson  
410-230-3325  
filsonm@djs.state.md.us

**DEPARTMENT/PROGRAM:** Juvenile Services (DJS)  
Somatic Health Services

**CONTRACT ID:** 12-JS-003;  
Physician Services at Identified DJS Facilities  
ADPICS BPO No. V00B3400005

**CONTRACT DESCRIPTION:** Provide Physician services for an average daily population of 64 male youth, aged 12 to 20, at the Charles H. Hickey, Jr. School located in Baltimore County.

**AWARD:** Richard W. Bittrick, M.D. (Sole Proprietor)  
Towson, MD

**TERM:** 7/15/2012 - 7/14/2015 (w/2 one-year renewal options)

**AMOUNT:** \$541,847 (3 Years; Base Contract)  
\$197,073 (1 Year; 1<sup>st</sup> Renewal Option)  
\$204,956 (1 Year; 2<sup>nd</sup> Renewal Option)  
\$943,876 Total (5 Years)

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS OR PROPOSALS:** Only One Acceptable Bid Received

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

**PERFORMANCE SECURITY:** None

**INCUMBENT:** Same

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

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

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were sent directly to 52 prospective vendors, 46 of which are Maryland firms, and included three MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Two bids were received in response to the IFB; however, only one bid was determined to be responsive to the specifications and requirements of the IFB. Richard W. Bittrick, M.D., the incumbent, is a responsible bidder. It was determined that the price is fair and reasonable. It was also determined that other prospective bidders had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to Richard W. Bittrick, M.D.

The contract provides for up to a 4% increase, if any, based upon the Consumer Price Index (CPI) for the District of Columbia/ Maryland/ Virginia/ West Virginia Region for the renewal options, if exercised.

No MBE participation goal was established for this contract based upon the insufficient number of MDOT certified MBE physicians available to provide services.

**FUND SOURCE:** 100% General  
**APPROP. CODE:** V00H0103  
**RESIDENT BUSINESS:** Yes  
**MARYLAND TAX CLEARANCE:** 12-1127-0000

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**SERVICES CONTRACT RENEWAL OPTION**

**ITEM:** 6-S-OPTION **Agency Contact:** Carol Kaiser  
443-769-1021  
ckaiser@collegesavingsmd.org

**DEPARTMENT/PROGRAM:** College Savings Plans of Maryland

**CONTRACT ID:** 11-01;  
Financial Advisory Services  
ADPICS CO NO. R60B2400005

**CONTRACT APPROVED:** 7/6/2011 DBM BPW Agenda Item 4-S

**CONTRACTOR:** Wilshire Associates, Inc.  
Santa Monica, CA

**CONTRACT DESCRIPTION:** Provide Investment Consulting Services to  
the College Savings Plans of Maryland (CSPM) Board.

**OPTION DESCRIPTION:** Approval request to exercise the first of two  
two-year renewal options as contained in the original contract.

**TERM OF ORIGINAL CONTRACT:** 7/6/2011 - 7/5/2012 (w/2 two-year renewal  
options)

**TERM OF OPTION:** 7/6/2012 - 7/5/2014

**AMOUNT OF ORIGINAL CONTRACT:** \$280,000 (1 Year)

**AMOUNT OF OPTION:** \$380,000 (2 Years)

**PRIOR MODIFICATIONS/OPTIONS:** None

**REVISED TOTAL CONTRACT AMOUNT:** \$660,000

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals



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

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

**MBE PARTICIPATION:** 0%

**REQUESTING AGENCY REMARKS:** Request for approval to exercise the first of two two-year renewal options as contained in the original contract.

The Contractor will provide a/an:

- Periodic Asset Allocation Review and Report for the Prepaid College Trust,
- Investment Policy Review for the Prepaid College Trust,
- Investment Policy Review for the College Investment Plan,
- Quarterly Investment Performance Review for the Prepaid College Trust,
- Quarterly Investment Performance for the College Investment Plan,
- Fund Manager Searches for the Prepaid College Trust, and
- Investment Manager Reviews for the College Investment Plan.

The CSPM Board has been very pleased with Wilshire Associates, Inc.'s industry expertise and responsiveness to the CSPM Board requests. It has worked very closely with the CSPM Board during the past year to implement a review program for the Maryland College Investment Plans and provide its consulting services and performance reporting for the Maryland Prepaid College Trust Plan, which the Board desires to continue during the two-year renewal option period.

**FUND SOURCE:** 100% Non Budgeted (Fund 07)

**APPROP. CODE:** R60H0041

**RESIDENT BUSINESS:** No

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 7-S-MOD **Agency Contact:** Jamie Tomaszewski  
410-260-7386  
jtomasze@dbm.state.md.us

**DEPARTMENT/PROGRAM:** Budget and Management (DBM)

**CONTRACT ID:** 050B7800015;  
Statewide Language Interpretation Services  
ADPICS NOs. COE34678; COE34686

**CONTRACT APPROVED:** 6/20/2007 DBM BPW Agenda Item 2-S

**CONTRACTORS:** CTS Language Link  
Vancouver, WA  
  
Lionbridge Global Solutions II, Inc.  
Washington, DC

**CONTRACT DESCRIPTION:** Contracts for foreign language interpretation and translation services that include toll-free telephonic interpretation (Service Category I), on-site interpretation (Service Category II) and written document translation services (Service Category III).

**MODIFICATION DESCRIPTION:** Approval request to extend the contracts by three months to allow time to complete the procurement and transition to new contracts for foreign language interpretation and translation services.

**TERM OF ORIGINAL CONTRACTS:** 7/1/2007 - 6/30/2012

**TERM OF MODIFICATIONS:** 7/1/2012 – 9/30/2012

**AMOUNTS OF ORIGINAL CONTRACT:** \$6,000,000 Est. (5 Years)

**AMOUNT OF MODIFICATIONS:** \$0 (3 Months)

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

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

**PRIOR MODIFICATIONS/OPTIONS:** \$3,900,000 Est. (See Attachment)

**REVISED TOTAL CONTRACT AMOUNT:** \$9,900,000 Est.

**PERCENT +/- (THIS MODIFICATION):** +0%

**OVERALL PERCENT +/-:** +65%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 15%

**MBE COMPLIANCE:** 18%

**REQUESTING AGENCY REMARKS:** Request for approval to extend the contracts by three months to allow time to complete the procurement and transition to the new contracts for foreign language interpretation and translation services.

The proposals were received on May 7, 2012 and are currently under evaluation. However, additional time is needed to finalize the evaluations, make a recommendation for awards, present the award recommendations to the BPW for approval, and transition to the new contracts. Whether or not the new contracts are awarded to an incumbent, a transition period is needed to establish the new protocols created for the new contracts. The Department needs time to meet with all new Contractors and to set-up the new web page for all State Agencies and local governments to have access to these vital services that assist the State of Maryland communicate with our multi-cultural community.

Even though, no additional funding is needed for the three month extension period, Service Category I and Service Category II are anticipated to utilize \$75,000 and \$213,000, respectively, during the three month extension period. Therefore, since the estimated payments to these two Contractors are over the \$50,000 delegated approval authority from the BPW, the Department is requesting approval of the modifications for these two Contractors. The estimated payments to be made to the Contractor for Service Category III are only \$39,000; therefore, the Department has approved this modification under its delegated authority from the BPW.

All three Contractors have performed exceptionally in providing these services.

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

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

**FUND SOURCE:** Various

**APPROP. CODE:** Various

**RESIDENT BUSINESSES:** No

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

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

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

Mod. #1	\$0.00	Administrative change to multiple RFP sections to clarify and/or correct RFP language that references the Contractors' responsibilities for things like the hand-off procedure from the Primary to the Secondary Contractor; clarify the section for liquidated damages; and add specific language for personnel substitution. All changes are not material in nature and do not cause an increase in pricing to the State; (Effective for all service categories). Approved by DBM 5/21/2008.
Mod. #2	\$0.00	Revised MBE Participation Plan (Schreiber Translations, Inc. – Written Document Language Translation). Approved by DBM 2/13/2009.
Mod. #3	\$3,900,000	Mod to increase funding to the contract based upon current and future projections of usage to allow for the continuation of on-site (Service Category II) and written documentation translation services (Service Category III) for the period of 10/22/2009 – 6/30/2012. Approved on the 10/21/2009 DBM BPW Agenda, Item 4-S-MOD.
Total	<u>\$3,900,000</u>	

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

**ITEM:** 8-S-MOD **Agency Contact:** Sandy Johnson  
410-767-7408  
SJohnso5@dhr.state.md.us

**DEPARTMENT/PROGRAM:** Human Resources (DHR)  
Office of the Secretary (OS)  
Maryland Legal Services Program (MLSP)

**CONTRACT IDS:** Contract #s: See Attachment 1  
Legal Representation for Indigent Adults  
Involved in Adult Protective Services (APS)  
Guardianship Hearings and Adult Public  
Guardianship Review Board (APGRB)  
Hearings  
ADPICS #: See Attachment 1

**CONTRACTS APPROVED:** 1/2/2008 DBM BPW Agenda Item 2-S  
2/27/2008 DBM BPW Agenda Item 2-S

**CONTRACTORS:** See Attachment 1

**CONTRACT DESCRIPTION:** Multiple award (15) contracts to five  
contractors to provide legal services for Indigent Adults involved in Adult Protective Services  
(APS) Guardianship Hearings and Adult Public Guardianship Review Board (APGRB) Hearings  
statewide.

**MODIFICATION DESCRIPTION:** Approval request to extend four of the 15  
contracts by six months in order to complete the procurement and award new contracts.

**TERM OF ORIGINAL CONTRACTS:** 1/3/2008 – 6/30/2011 (w/1 one-year  
renewal option)

**TERM OF MODIFICATIONS:** 7/1/2012 – 12/31/2012

**AMOUNT OF ORIGINAL CONTRACTS:** \$1,521,410 (3 Years; 6 Months)  
(See Attachment 1)

**AMOUNT OF MODIFICATIONS:** \$296,000 (6 Months) (See Attachment 1)

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

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

**PRIOR OPTIONS/MODIFICATIONS:** \$628,675 (See Attachments 1 & 2)

**REVISED TOTAL CONTRACT AMOUNTS:** \$2,551,285

**PERCENT +/- (THIS MODIFICATION):** +19.5%

**OVERALL PERCENT +/-:** +32.3%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 3%

**MBE COMPLIANCE:** See Attachment

**REQUESTING AGENCY REMARKS:** Request for approval to modify the contracts for the legal representation of Indigent Adults involved in Adult Protective Services (APS) Guardianship Hearings and Adult Public Guardianship Review Board Hearings (APGRB) statewide.

DHR is requesting BPW approval to extend four of the 15 contracts for six months to allow time to complete the procurement and make new APS/APGRB contract award recommendations. Of the 15 contracts, only four require BPW approval to extend based upon the dollar amount of the modifications. One of the four contracts is an extension for time only. However, it is anticipated that approximately \$51,600 will be paid to Skolnick & Leishman, P.C. for Prince George's County during the six-month period. This amount is over the \$50,000 of delegated approval authority by the BPW; therefore, this contract modification is being requested for approval by the BPW in addition to the three contracts that require additional funding during the extension period (see Attachment 1). This increase in funding directly coincides with an upward trend in APS/APGRB cases Statewide, as documented by MLSP via the Contractors and invoice trend data.

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

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

As a result of competing procurements within DHR's Maryland Legal Services Program (MLSP), and protests filed and received under the former Children in Need of Assistance/Termination of Parental Rights (CINA/TPR) solicitation, which was ultimately canceled by the Agency, the successful re-procurement of the anticipated 2013 APS/APGRB contracts had to be postponed. The new solicitation, which is in the final stages of review by DBM, has extensive updates to the current Program requirements and pricing, in an effort to contain costs for legal representation services under the new contracts.

DHR is statutorily mandated to ensure the provision of quality legal representation to indigent adults involved in APS/APGRB proceedings statewide, and must compensate Contractor Attorneys for the representation of the alleged disabled individuals when the services are the responsibility of the Local Department of Social Services or Department of Aging. (See §13-705, and §13-709 Estates and Trusts Article, and §14-404, Family Law Article, Annotated Code of Maryland).

MLSP is satisfied that the APS/APGRB Contractors continue to provide quality legal representation to Maryland's indigent adult population. Moreover, Contractors continue to remain in compliance with the terms of the APS/APGRB contracts. For these reasons, it is believed to be in the State's best interest to approve these legal services contract modifications.

**FUND SOURCE:** 100% General

**APPROP. CODE:** N00A0104

**RESIDENT BUSINESSES:** Yes for all

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**



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

**ATTACHMENT 1**

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

<b>CONTRACTORS</b>	<b>JURISDICTION</b>	<b>ORIGINAL CONTRACT AMOUNT</b>	<b>PRIOR MODS/ OPTIONS (A-1)</b>	<b>AMOUNT THIS MOD (A-2)</b>	<b>REVISED TOTAL CONTRACT AMOUNT</b>	<b>% +/- THIS MOD</b>	<b>% +/- OVERALL</b>
CSA\MLSP-08-107 Maryland Volunteer Lawyers Service Baltimore, MD ADPICS CO #: COE32404 MBE Goal: 3%; Compliance: 9.9%	Baltimore City	\$473,715	\$131,990 / \$144,540	\$160,000	\$910,245	+33.8%	+61.6%
CSA\MLSP-08-109 (MBE) Law Offices of Terri D. Mason, P.C. Baltimore, MD ADPICS CO #: COE32796 MBE Goal: 3%; Compliance: 0.13%	Baltimore County	\$451,820	\$48,160 / \$200,260	\$66,000	\$766,240	+14.6%	+25.3%
CSA\MLSP-08-127 Ria P. Rochvarg, P.A. West Friendship, MD ADPICS CO #: COE32844 MBE Goal: 3%; Compliance 6.3%	Montgomery County	\$230,775	\$14,700 / \$79,025	\$70,000	\$394,500	+30.3%	+36.7%
CSA\MLSP-08-131 Skolnick & Leishman, P.C. Bowie, MD ADPICS CO #: COE322296 MBE Goal: 3%; Compliance: 1.2%	Prince George's County	\$365,100	\$0.00 / \$115,200	\$0.00	\$480,300	0.0%	0.0%
<b>GRAND TOTAL</b>		<b>\$1,521,410</b>	<b>\$194,850/ \$539,025</b>	<b>\$296,000</b>	<b>\$2,551,285</b>	<b>+19.5%</b>	<b>+32.3%</b>

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

**ITEM:** 8-S-MOD (Cont.) **ATTACHMENT 2**

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

Mod #1	\$322,450	Modified six contracts to add additional funding to allow payment for services rendered in jurisdictions that exceeded the original contract award amount during the base contract period from 4/15/2010 - 6/30/2011. Approved on the 6/15/2011 DBM BPW Agenda, Item 14-S-MOD.
Option #1	\$940,153	Exercised the single one-year renewal option as contained in the original 15 contracts to provide legal representation at the same performance terms and conditions to indigent adults with additional funding in anticipation that caseloads will continue to increase for the period of 7/1/2011 – 6/30/2012. Approved on the 6/15/2011 DBM BPW Agenda, Item 14-S-MOD.
Total	<u>\$1,262,603</u>	

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

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 9-S-MOD **Agency Contact:** Beverly Hill  
410-537-1086  
bhill@mdta.state.md.us

**DEPARTMENT/PROGRAM:** Maryland Transportation Authority (MdTA)

**CONTRACT ID:** 10832169;  
Review & Compilation, Internal Audit  
Consultation & Internal Audit Services  
ADPICS CO NO. COE31668

**CONTRACT APPROVED:** 9/10/2008 DBM BPW Agenda Item 4-S

**CONTRACTORS:** SC & H Group, LLC  
Sparks, MD

**CONTRACT DESCRIPTION:** Multiple award contracts to provide  
expertise in critical areas by giving guidance and/or by augmenting existing staff in conducting  
audits.

**MODIFICATION DESCRIPTION:** Approval request to increase the available  
funding in order to continue services through the end of the contract. Although originally  
awarded to two firms, this modification only applies to the Contractor listed above, who is  
providing financial management and consulting services.

**TERM OF ORIGINAL CONTRACT:** 10/1/2008 – 9/30/2013

**TERM OF MODIFICATION:** 7/1/2012 – 9/30/2013

**AMOUNT OF ORIGINAL CONTRACT:** \$2,500,000 (5 Years)

**AMOUNT OF MODIFICATION:** \$500,000 (1 Year; 3 Months)

**PRIOR MODIFICATIONS/OPTIONS:** \$300,000 (See Attachment)

**REVISED TOTAL CONTRACT AMOUNT:** \$3,300,000

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

**ITEM:** 9-S-MOD (Cont.)

**PERCENT +/- (THIS MODIFICATION):** +20.0%

**OVERALL PERCENT +/-:** +32.0%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 25%

**MBE COMPLIANCE:** 26%

**REQUESTING AGENCY REMARKS:** Request for approval to increase the available funding for the financial management and consulting services due to a greater need for the contract services than originally anticipated. The services are performed on a task order basis; and as of 3/31/2012, a total of \$2,613,534 has been paid to the Contractors for services provided, leaving only \$236,467 which would cover services through June, 2012. The additional \$500,000 would allow MdTA to continue these vital financial management and consulting services.

Initially, when this contract was awarded in 2008, the scope of work included internal audit services for the MdTA Office of Audits along with the financial management and consulting services for the MdTA Division of Finance. Two awards were made; one Contractor for each office. It was later determined that an increasing level of financial scrutiny and a more aggressive auditing program was outpacing the contract's capacity. Therefore, in 2011 a new solicitation was completed for Internal Audit Services (Item 4-S on the 12/21/2011 DBM BPW Agenda), and the contract with SB & Company, LLC was terminated.

At this time, the MdTA Division of Finance continues to utilize SC & H Group, LLC to perform a wide array of financial management and consulting services. Some of the services provided have included reorganizing financial databases within the accounting system, evaluating operating procedures (e.g., identifying weaknesses and inefficiencies), drafting new standard operating procedures, building acceptable capital asset records to conform with "Governmental Accounting Standards Board (GASB)-34" and establishing procedures and reconciliations for ongoing capital projects. While this list is by no means exhaustive, in each task assigned to SC & H Group, MdTA has been satisfied with the work performed and the final deliverables produced.

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

**ITEM:** 9-S-MOD (Cont.)

The SC & H Group team operates in a professional manner, is timely with the submission of work assignments, and keeps MdTA Finance management abreast of any issues or concerns. The SC & H Group team is always readily available to provide their assistance when needed to accomplish the task at hand, including working late and weekends. The firm has provided a consistent team of experienced professionals to assist MdTA in accomplishing its goals.

MdTA is in the middle of the procurement for a new Financial Consulting and Management Services contract that will replace this contract with SC & H Group. In the meantime, these vital services are still needed, and the modification for additional funding will allow MdTA to continue utilizing SC & H Group until the new contract is awarded.

**FUND SOURCE:** 100% Special (Toll Revenue)

**APPROP. CODE:** N/A

**RESIDENT BUSINESSES:** Yes

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**ITEM:**            9-S-MOD (Cont.)            **ATTACHMENT**

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

Mod. #1	\$300,000 Est.	Mod to increase the available funding in order to continue services through the end of the contract for the period of 1/1/2012 – 9/30/2013. Approved on the 12/21/2011 DBM BPW Agenda, Item 9-S-MOD.
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**SUPPLEMENT B  
DEPARTMENT OF BUDGET AND MANAGEMENT  
ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM:** 10-GM **Agency Contact:** David Treasure  
410-260-7049  
dtreasur@dbm.state.md.us

**DEPARTMENT/PROGRAM:** Budget and Management (DBM)  
Office of Budget Analysis (OBA)

**AMOUNT OF REQUEST:** \$6,206,320 FY 2012 Total (see Attachment)

**DESCRIPTION:** Request to approve various proposed reimbursable fund budget amendments for the fourth quarter of FY 2012. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that proposed reimbursable fund budget amendments be approved by the Board of Public Works unless specifically authorized by the Budget Bill or other law.

**FUND SOURCE:** 100% Reimbursement

**APPROP. CODE:** See Attachment

**REQUESTING AGENCY REMARKS:** Various contributing Departments and Independent Agencies have appropriated funds to pay for services to be provided by receiving Departments or Independent Agencies for the fourth quarter of FY 2012. The Attachment shows the reimbursable amendments by Department and Independent Agency and identifies the Departments and Independent Agencies receiving and contributing funding, the amounts of the funding and a brief justification for each amendment.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 10-GM (Cont.)		ATTACHMENT	
Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount
12R-062	F50- Department of Information Technology (DoIT)	D50- Military Department-Maryland Emergency Management Agency (MEMA)	\$110,000
			***** Justification *****
			Funding to reimburse for salaries of MEMA employees transferred to DoIT in March 2012.
12R-063	T00- Department of Business and Economic Development (DBED)	J00- Maryland Department of Transportation	\$1,078,208
			Funding related to Scenic Byways including marketing related to War of 1812 Bicentennial and Harriet Tubman. Funding is provided through federal Scenic Byways grants passed through State Highway Administration to DBED.
12R-068	D13- Maryland Energy Administration	S00- Department of Housing and Community Development	\$140,000
			Funding for energy efficiency infrastructure in schools and farms.
12R-069	R00- Maryland State Department of Education (MSDE)	V00- Department of Juvenile Services (DJS)	\$327,532
			Funding to reimburse MSDE for providing educational services to students at DJS committed facilities.





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

**GENERAL MISCELLANEOUS**

**ITEM:** 11-GM **Agency Contact:** Clarence Snuggs  
410-514-7009  
Snuggs@dhcd.state.md.us

**DEPARTMENT:** Housing and Community Development (DHCD)

**PROGRAM:** Division of Development Finance (CDA)

**FUND SOURCE:** 100% Special Funds from Maryland's electric utility companies as ordered by the Maryland Public Service Commission

**APPROP. CODES:** S00A2502

**AMOUNT OF REQUEST:** N/A

**DESCRIPTION:** Request to establish eighteen (18) special funded positions pursuant to §7-236, State Finance and Procurement Article, and Section 38 of House Bill 70 (Budget Bill for FY 2012). This latter provision enables the Board of Public Works to authorize the creation of non-State funded positions outside of the 100 new position limitation ("Rule of 100"), in non-emergency situations, with the condition that the positions must be abolished when the specific funding is no longer available. The requested positions will be supported entirely with special funds received from Maryland's electric utility companies as ordered by the Maryland Public Service Commission under the EmPOWER Maryland Energy Efficiency Act of 2008.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries &amp; Wages</u>
1	Program Manager Senior I	23/9	\$ 83,824
1	Administrator VI	21/9	\$ 73,674
1	Administrator IV	19/9	\$ 64,642
3	Administrator III	18/9	\$ 181,689
1	Administrator I	16/9	\$ 53,189
1	HCD Community Program Administrator III	18/9	\$ 60,563
3	HCD Community Program Administrator II	17/9	\$ 170,250
1	Loan Insurance Underwriter II MF	17/9	\$ 56,750
1	Accountant Advanced	16/9	\$ 53,189
4	Development Officer II Housing Development	15/9	\$ 199,436
<u>1</u>	<u>Administrative Officer III</u>	<u>15/9</u>	<u>\$ 49,859</u>
<b>18</b>	<b>Total</b>		<b>\$1,047,065</b>

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

**ITEM:** 11-GM (Cont.)

**REQUESTING AGENCY REMARKS:** The eighteen positions will staff the Department's Housing and Building Energy Division:

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Program Manager Senior I	23/9	\$83,824

This position is responsible for the management and oversight of the Department's Housing and Building Energy Division. As the Director of Energy, this position will establish the strategic direction and programmatic priorities for the Division to ensure that it achieves its mission and goals while overseeing a staff of 20.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator VI	21/9	\$73,674

The Deputy Director is responsible for assisting the Energy Director with management of the Housing and Building Energy Division. This position provides oversight to the lending programs and the Division's personnel and budgetary functions. The individual acts in the Director's stead in his/her absence, and ensures proper handling of legislative inquiries, monitoring by various oversight agencies and other items as assigned by the Director.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator IV	19/9	\$64,642

This position provides day-to-day management responsibility for the administration, operational and program management of the Department's Housing and Building Energy Division. The position is also responsible for developing and monitoring program business performance measures to ensure best practices are being utilized with monthly, quarterly and bi-annual reporting updates for all programs administered by the Department.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator III	18/9	\$60,563

This position will assist the Program Manager with the administrative, management and operational aspect of the Division through interpretation of the requirements and the development of policies and procedures to ensure the effectiveness of the Division. This position will also oversee a staff of 10.

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

**ITEM: 11-GM (Cont.)**

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
2	Administrator III	18/9	\$121,126

These positions are responsible for the oversight of construction projects. This includes the review and approval of the contractors and architects scope of work, plans and specifications, construction estimates, environmental investigations and other related analysis to ensure projects are delivered on time and within budget.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator I	16/9	\$53,189

This position will coordinate the management information functions of the program, including the analysis of subgrantee(s) reports, collection and reporting of historical and current energy data, to ensure the accuracy of the information reported.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	HCD Community Program Admin. III	18/9	\$60,563

This position provides the overall day-to-day administration and management of the single family financing component of the program. This individual is also responsible for developing policies and procedures for program operations.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	HCD Community Program Admin. II	17/9	\$56,750

This position serves as Data Manager for the program and provides programmatic guidance to staff and agencies in addition to assistance with the planning, organizing and managing of activities related to the day-to-day program operations. This position will also assist in the implementation of a computer software system to track performance and report on the administration of the program. Reporting for EmPOWER includes a myriad of information including money spent per measure, per client, per utility by jurisdiction on a monthly basis.

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

**ITEM:** 11-GM (Cont.)

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	HCD Community Program Admin. II	17/9	\$56,750

This position will serve as the Client Production Officer and is responsible for constant monitoring of production by the various local agencies, which are responsible for administering the program. By federal law and subsequent adoption for our EmPOWER efforts DHCD works through a number of non-profit and for-profit agencies throughout the State. Under EmPOWER, there are very high production standards that must be met. Based on the difficulties experienced under ARRA, a person focused solely on production to ensure compliance with our requirements is necessary.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	HCD Community Program Admin. II	17/9	\$56,750

This position provides technical program support: The inspector conducts initial reviews of proposed projects, both residential and commercial, to assess the energy efficiency requirements. The position also collects, records, analyzes and reports program data. Responsibilities also include working with Local Weatherization Assistance agencies and qualified contractors to provide guidance and oversight in carrying out the requirements of the programs.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Loan Insurance Underwriter II MF	17/9	\$ 56,750

This position is responsible for evaluating requests for energy efficiency financing for multifamily rental housing projects. This includes processing and underwriting applications; issuing reservation letters, commitments and other correspondence; closing loans; determining compliance with regulations and guidelines, and assisting in the preparation of monthly and annual reports.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Accountant Advanced	16/9	\$ 53,189

This position is responsible for the financial and managerial accounting functions related to EmPOWER funds in the Division of Finance and Administration. This includes managing the billings to the various utilities, properly accounting for the administration cost, reconciliation, analysis and reporting.

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

**ITEM:** 11-GM (Cont.)

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
4	Development Officer II, HD	15/9	\$ 199,436

These positions provide technical support to the program and assistance to the network of local agencies. Through their routine monitoring and inspections the Officers will be able to provide the necessary training and technical assistance to local agencies to improve operations and facilitate reporting.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrative Officer III	15/9	\$ 49,859

This position is a Client Intake position, which is responsible for assessing, verifying and reporting back to clients their eligibility.

**DBM REMARKS:** The Secretaries of DBM and DHCD have certified that funds are available for the new positions for which approval is requested outside the Rule of 100. If the Board approves this request, 25 positions will have been approved outside the Rule of 100 for FY2012.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION



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

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

**AMOUNT OF MODIFICATION:** \$ 67,492 (3 Months; Retroactive)  
\$328,320 (1 Year Extension)  
\$395,812 Total (1 Year, 3 Months)

**PRIOR MODIFICATIONS/OPTIONS:** None

**REVISED TOTAL CONTRACT AMOUNT:** \$1,489,372

**OVERALL PERCENT +/- (THIS MOD):** +36.2%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** None

**REQUESTING AGENCY REMARKS:** Request for retroactive approval to add funding for the last three months of the contract; and to request approval of a one year extension to allow time to complete the procurement and to align all of the contracts in the State for these services.

The requirements of the Forensic Evaluation process as defined in Title 3 of the Criminal Procedure Article and Title 3-A of the Court and Judicial Proceedings Article state that these evaluations must be conducted by staff with specified credentials, experience and expertise in court-ordered forensic evaluations. There are a limited number of vendors that can perform these services.

This contract provides forensic evaluation services to developmentally disabled individuals in Maryland who require program services pursuant to the Titles mentioned above. Services include the assessment of individuals with developmental disabilities and mental disorders, testifying, writing reports, travel time, consulting and coordinating with the two Regional Offices and various individuals involved in court proceedings.



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

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

**FUND SOURCE:** 65.5% General; 34.5% Federal (Medicaid Reimbursable)

**APPROP. CODE:** M00M0102

**RESIDENT BUSINESS:** Yes

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

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT RENEWAL OPTION**

**ITEM:** 13-S-OPTION **Agency Contact:** Terri Winston  
410-767-1196  
twinston@dat.state.md.us

**DEPARTMENT/PROGRAM:** Assessments & Taxation (SDAT)  
Information Technology

**CONTRACT ID:** DAT 0074;  
Reproduction and Sale of DAT data  
ADPICS CO NO. COE28697

**CONTRACT APPROVED:** 7/1/2009 DBM BPW Agenda Item 1-S

**CONTRACTOR:** SpecPrint, Inc.  
Timonium, MD

**CONTRACT DESCRIPTION:** Approval request of a revenue-generating  
contract for the reproduction and sale of the Department's master file data sets.

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

**TERM OF ORIGINAL CONTRACT:** 7/2/2009 – 7/1/2012 (w/2 one-year renewal  
options)

**TERM OF OPTION:** 7/2/2012 – 7/1/2013

**AMOUNT OF ORIGINAL CONTRACT:** \$360,000 (3 Years)

**AMOUNT OF OPTION:** \$120,000 (1 Year)

**PRIOR MODIFICATIONS/OPTIONS:** None

**REVISED TOTAL CONTRACT AMOUNT:** \$480,000

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

**ITEM:** 13-S-OPTION (Cont.)

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 25%

**MBE COMPLIANCE:** 0% (See Requesting Agency Remarks)

**REQUESTING AGENCY REMARKS:** Request for approval to exercise the first of two one-year renewal options as contained in the contract to continue this revenue-generating contract for the reproduction and sale of the Department's master file data sets to the general public. SpecPrint, Inc. collects fees from the customer, deducts their fees to prepare the data as requested, and forwards the remaining revenue to SDAT on a monthly basis along with a report of all transactions for the month, which generates revenue for the State of Maryland.

For over ten years, SpecPrint, Inc. has been SDAT's partner in providing these services. Customers request data in different formats and/or layouts. SDAT does not have the staff to handle the volume of requests for data that SpecPrint, Inc. is able to process. SpecPrint, Inc. is familiar with the SDAT's data and the needs of the customers. SDAT is pleased with the services provided by SpecPrint, Inc. and has received no complaints from any customers regarding services received from SpecPrint, Inc. There have been no known issues with the data prepared by SpecPrint, Inc.

SDAT believes it is in the best interest of the State to exercise the first one-year renewal option at this time rather than to embark on a new procurement. This contract continues to be a good revenue generator for the State of Maryland. Since the beginning of this contract, it has brought in close to \$288,000 in revenue.

A 25% MBE participation goal was established for this contract, and the Contractor made a good faith effort to try to obtain MBE participation before submitting its proposal to the State. However, shortly after contract award, the Contractor realized that the intended MBE arrangement was not a viable one for either the Contractor or the MBE. SDAT was not as attentive as it should have been to tracking and monitoring MBE activity during the base term of the contract. As a result, it was not until the renewal option was being prepared for approval by the BPW that SDAT realized the 25% MBE participation goal was not appropriate, i.e., not reasonable or attainable, given the nature and scope of the work to be performed. At this time,

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

**ITEM:** 13-S-OPTION (Cont.)

SDAT believes it is in the best interest of the State to exercise the renewal option for this revenue-generating contract and will make sure to establish proper MBE goal setting for its contracts in the future.

**FUND SOURCE:** N/A (Revenue Generating)  
**APPROP. CODE:** E50C0004  
**RESIDENT BUSINESS:** Yes

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM:** 1-C MOD

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

**INSTITUTION:**

University of Maryland, Baltimore for  
University of Baltimore

**CONTRACT ID:**

Construction Management at Risk Services for the  
University of Baltimore Law School  
RFP #07-987 BS

**CONTRACT APPROVED:**

USM Item 1-C (3/18/09)  
USM Item 8-C Mod (6/23/10)  
USM Item 3-C Mod (9/22/10)  
USM Item 2-C Mod (11/3/10)  
USM Item 3-C Mod (05/04/11)  
USM Item 3-C Mod (06/15/11)

**CONTRACTOR:**

Whiting-Turner Contracting Company  
Towson, MD 21286

**CONTRACT DESCRIPTION:** Professional management and construction services during pre-construction and construction of the University of Baltimore Law School. The project is to create a new 189,700 gross square foot facility in the Mount Royal district to replace the existing law school. The facility will house classrooms, labs, research areas, offices, study rooms, library, law clinics, lounges, meeting room and support facilities based upon space needs and projected enrollment growth.

**MODIFICATION DESCRIPTION:** GMP 6 is for audio/visual equipment and general conditions.

**ORIGINAL CONTRACT TERM:** 43 months from issuance of the Notice to Proceed

**MODIFICATION TERM:** 46 months from issuance of the Notice to Proceed

**ORIGINAL CONTRACT AMOUNT:** \$ 982,714

**MODIFICATION AMOUNT:** \$ 2,141,743

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

**ITEM:** 1-C MOD (Continued)

**PRIOR MODIFICATIONS AMOUNT:** \$ 90,220,747  
**REVISED TOTAL CONTRACT AMOUNT:** \$ 93,345,204  
**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals  
**MBE PARTICIPATION:** 25%  
**MBE COMPLIANCE:** 32.7%  
**PERFORMANCE BOND** 100% performance bond is required

**REQUESTING INSTITUTION REMARKS:** GMP # 6 is for audio/visual equipment and bonds and insurance. This is the final GMP for the UB Law School project. Award of this package is based on low bid and MBE participation and complete scope of work.

Whiting-Turner has achieved 25.2% MBE participation on this GMP and 32.7% to date.

**FUND SOURCE:** MCCBL 2012: *Provide funds to equip a new Law School Building.* (\$1,942,432.56)

Private Donations: (\$199,310.44)

**RESIDENT BUSINESS:** Yes

**TAX COMPLIANCE NO:** 11-1214-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION**

**ITEM:** 2-C

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

**INSTITUTION:**

University of Maryland

**CONTRACT ID:**

On-Call General Contractor for School  
of Law/School of Social Work/Law Library  
Building Envelope Façade Upgrades  
Task Order Bid #12-092 JK against  
On Call GC Contract # C-00634

**CONTRACT APPROVED:**

USM Item 2-C (6/17/09)  
USM Item 10-C-OPT (6/23/10)  
USM Item 4-C-OPT (6/15/11)

**CONTRACT DESCRIPTION:** Masonry façade remediation at and around failed masonry  
window openings throughout the School of Law and School of Social Work complex.  
Components include removing and replacing existing sealants, brick and failed flashing.

**AWARD:**

Hayes Construction Company  
14307 Jarrettsville Pike  
Phoenix, MD 21131

**CONTRACT TERM:**

Four months from construction notice to proceed

**AMOUNT:**

\$682,530

**PROCUREMENT METHOD:**

On Call GC Task Order Bids

**TASK ORDER BIDS:**

Bids

Hayes Construction Company  
Phoenix, MD

Price

\$682,530

John W. Brawner Contracting Co., Inc.  
Baltimore, MD

\$688,610

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

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

**TASK ORDER BIDS:** (continued)

Emjay Engineering & Construction Co., Inc.      \$718,930  
Baltimore, MD

North Point Builders, Inc.      \$959,340  
Baltimore, MD

**MBE PARTICIPATION:**      25%

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

**REQUESTING INSTITUTION REMARKS:** The solicitation was bid among the seven On Call General Contractors. Four bids were received. Award is recommended to Hayes Construction Company, the lowest responsive bidder.

**FUND SOURCE:**      Plant Funds

**RESIDENT BUSINESS:**      Yes

**MD TAX CLEARANCE:**      12-1012-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



SUPPLEMENT C  
UNIVERSITY SYSTEM OF MARYLAND  
ACTION AGENDA

**SERVICE CONTRACT MODIFICATION**

**ITEM:** 3-S MOD

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

**INSTITUTION:** University of Maryland, Baltimore

**CONTRACT ID:** Support Staff Services for Institute of Human Virology  
IFB85570VP

**CONTRACT APPROVED:** USM Item 2-S, 3/12/08 (Original)  
USM Item 1-S OPT 2/8/12 (4<sup>th</sup> Option)

**CONTRACTOR:** Metrica, Inc.  
San Antonio, TX 78216-4741

**DESCRIPTION:** Staffing services and logistical support services to the Institute of Human Virology throughout Africa and the Caribbean.

**MODIFICATION DESCRIPTION:** This modification to the fourth renewal option is required to provide additional funding for the Haiti operation because the contract with Metrica, Inc was not phased out as expected.

**ORIGINAL CONTRACT TERM:** 3/13/2008 – 3/12/2009  
(One year with 4 one-year renewal options)

**CURRENT OPTION TERM:** 3/13/2012 – 3/12/2013

**MODIFICATION TERM:** 3/13/2012 – 3/12/2013

**ORIGINAL CONTRACT AMOUNT:** \$6,849,635

**OPTION AMOUNT:** \$1,750,000 estimate

**MODIFICATION AMOUNT:** \$644,939

**REVISED FOURTH OPTION AMOUNT:** \$2,394,939

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

**ITEM:** 3-S MOD

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Bid

**MBE PARTICIPATION:** 0%

**PERFORMANCE BOND:** N/A

**REQUESTING INSTITUTION REMARKS:** The University's Institute of Human Virology (IHV) is a subcontractor to Catholic Relief Services which was awarded a federal grant through the Presidential Emergency Plan for AIDS. Under its subcontract, IHV provides technical support to prevent and treat HIV throughout Africa and the Caribbean; current locations include Haiti, Guyana, Nigeria, Zambia, Uganda, Rwanda and Tanzania. On an as-required basis, IHV requires a vendor to provide support-staff services which includes personnel administration (hiring, salary, benefits, travel, transportation and logistical support).

**FUND SOURCE:** Federal Grant  
Rapid Expansion for HIV Person

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 11-3088-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT OPTION**

**ITEM:** 4-C OPT

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

**INSTITUTION:** University of Maryland, Baltimore

**CONTRACT ID:** On-Call General Contracting Services  
RFP #85963MM

**CONTRACT APPROVED:** USM Item 2-C (6/17/09)  
USM Item 10-C OPT (6/23/10)  
USM Item 4-C OPT (6/15/11)

**CONTRACTORS:** Emjay Engineering & Construction Co., Inc.  
Baltimore, MD 21207

Jeffrey Brown Contracting, LLC  
Towson, MD 21286

John W. Brawner Contracting Company, Inc.  
Hunt Valley, MD 21030

Hayes Construction Company  
Phoenix, MD 21131

Plano-Coudon, LLC  
Baltimore, MD 21230

North Point Builders, Inc.  
Baltimore, MD 21222

Waverly Construction & Management Company, Inc.  
Baltimore, MD 21227

**CONTRACT DESCRIPTION:** On Call General Contracting services for construction projects for the University System of Maryland institutions in the Baltimore region on an as needed basis.

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

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

**ORIGINAL CONTRACT TERM:** 7/1/2009 – 6/30/2010 (with 4 one-year renewal options)

**OPTION TERM:** 7/1/2012 – 6/30/2013 (3<sup>rd</sup> of 4 one-year renewal options)

**ORIGINAL CONTRACT AMOUNT:** \$7,000,000 estimated annually  
No single project will exceed \$1,000,000

**OPTION AMOUNT:** \$7,000,000 estimated annually

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 25%

**MBE COMPLIANCE:** 28.5%

**PERFORMANCE SECURITY:** 100% performance bonds required for those projects \$100,000 or greater.

**REQUESTING INSTITUTION REMARKS:** This renewal is the third renewal option for on call general contracting services. Approval of this option is requested because this contract has been effective in meeting short lead-time projects requiring a quick response. The on call contractors have successful performance track records, including MBE compliance. As projects arise, the University may choose to rotate projects less than \$25,000 and will compete each project greater than \$25,000 among the seven awarded on-call general contracting firms. These firms will be required to utilize the fixed hourly rates as well as material mark-up, sub-contractor mark-up, and equipment rental mark-up they quoted as part of this procurement for the term of the contract. Hourly rates may increase in the renewal option terms based upon federal minimum wage increases and/or increases in the Consumer Price Index (CPI). The percentage mark-up for material, subcontractors, and equipment rental will remain the same in the renewal option terms.

**FUND SOURCE:** Various Institutional Funds

**RESIDENT BUSINESSES:** Yes

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

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

**MD TAX CLEARANCE:**

- 12-1000-1111 Emjay Engineering & Construction
- 12-1001-1111 Jeffrey Brown Contracting
- 12-0998-1111 John W. Brawner Contracting
- 12-1002-1111 Hayes Construction
- 12-0997-1111 Plano-Coudon
- 12-0999-1111 North Point Builders
- 12-1003-1111 Waverly Construction & Management

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM:** 5-C MOD

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

**INSTITUTION:**

University of Maryland, Baltimore for  
University of Maryland Baltimore County

**CONTRACT ID:**

Construction Management at Risk Services  
for the New Performing Arts & Humanities  
Facility at UMBC RFP 06-960 BS

**CONTRACT APPROVED:**

USM Item 8-C (02/28/2007)  
USM Item 5-C MOD (05/05/2010)  
USM Item 5-C MOD (06/23/2010)  
USM Item 5-C MOD (09/22/2010)  
USM Item 3-C MOD (10/06/2010)  
USM Item 1-C MOD (04/18/2012)

**CONTRACTOR:**

Whiting-Turner Contracting Company  
Baltimore, MD

**CONTRACT DESCRIPTION:** Professional management and construction services during pre-construction and construction of the New Performing Arts & Humanities Facility at UMBC. The project includes the design and construction of a new 167,641 GSF multi-use performing arts and humanities facility and the expansion of the existing UMBC Central Utility Plant. This project will be constructed in two phases.

**MODIFICATION DESCRIPTION:** Award GMP #2 for Phase II of construction for concrete, masonry, structural & miscellaneous steel, waterproofing, drywall/rough carpentry/ceilings, elevators, sprinkler/fire protection, mechanical/HVAC/plumbing, 3<sup>rd</sup> party commissioning, photo documentation, electrical, CM allowances, UM allowances, general conditions, CM contingency and CM fee.

**ORIGINAL CONTRACT TERM:** Twenty-four months from phase I construction notice to proceed.

**MODIFICATION TERM:** Twenty-four months from phase II construction notice to proceed.

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

**ITEM:** 5-C MOD (continued)

**ORIGINAL CONTRACT AMOUNT:** \$ 596,341  
**MODIFICATION AMOUNT:** \$ 40,901,213  
**PRIOR MODIFICATIONS AMOUNT:** \$ 65,033,786  
**REVISED TOTAL CONTRACT AMOUNT:** \$ 106,531,340  
**MBE PARTICIPATION:** 25%  
**MBE COMPLIANCE:** 27.5%  
**PERFORMANCE BOND** A 100% performance bond is required.  
**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**REQUESTING INSTITUTION REMARKS:** The Performing Arts & Humanities building is being constructed in two phases. GMP #2 is for Phase II of construction, which includes concrete, masonry, structural & miscellaneous steel, waterproofing, drywall/rough carpentry/ceilings, elevators, sprinkler/fire protection, mechanical/HVAC/plumbing, 3<sup>rd</sup> party commissioning, photo documentation, electrical, CM allowances, UM allowances, general conditions, CM contingency and CM fee. The estimated construction cost for Phase II has been revised by the Department of Budget Management to \$60,700,000 from \$52,800,000 based on escalation. This trade contract award is based on low bid and MBE participation.

Whiting-Turner has achieved 23% MBE participation for GMP#2 for Phase II. The total MBE achieved for the contract thus far is 27.5%.

**FUND SOURCE:** *MCCBL 2011: Provide funds to design and construct Phase II of the New Performing Arts and Humanities Facility. Item 045. \$11,665,926.00*  
*MCCBL 2012: Provide funds to design and construct Phase II of the New Performing Arts and Humanities Facility. Item 048. \$29,235,287.00*

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0496-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM:** 6-C MOD

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

**INSTITUTION:**

University of Maryland, Baltimore for  
University of Maryland Baltimore County

**CONTRACT ID:**

Construction Management at Risk Services for  
the Terrace & Hillside Apartment Renovations  
and Community Center, RFP 10-128 AF

**CONTRACT APPROVED:**

USM Item 1-C (6/01/11)  
USM Item 1-C MOD (11/16/11)  
USM Item 1-C MOD (12/21/11)  
USM Item 3-C MOD (02/22/2012)

**CONTRACTOR:**

Plano-Coudon, LLC  
Baltimore, MD

**DESCRIPTION:** Professional management and construction services during pre-construction and construction for renovations to the Terrace & Hillside Apartments and construction of a new community center at the University of Maryland Baltimore County. The Terrace & Hillside Apartments' renovation comprises of sixteen buildings with 170 apartment units totaling 32,000 square feet. Modifications to the apartments will include mechanical and electrical upgrades, life safety upgrades, site improvements, and upgrades for ADA access. The new 10,000 square foot community center will house offices for Residential Life staff, conference room space, living room space, storage space, shop space, and a laundry room.

**MODIFICATION DESCRIPTION:** Award GMP#4 for construction which includes pre-cast concrete, masonry, steel, rough carpentry/framing, roofing, waterproofing, siding, doors/frames/hardware, drywall/ceiling, flooring, louvers, casework/window trim, mechanical, fire protection, electrical, UM allowances and CM allowances for the second phase of the project. GMP #4 also includes waterline utilities and electrical ductbank for the new community center.



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

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

**ORIGINAL CONTRACT TERM:** Fourteen months from issuance of pre-construction notice to proceed; Twenty-one months from construction notice to proceed.

**ORIGINAL CONTRACT AMOUNT:** \$ 65,000 (pre-construction fees only)

**THIS MODIFICATION AMOUNT:** \$ 3,263,670

**PRIOR MODIFICATION AMOUNT:** \$10,587,172

**REVISED TOTAL CONTRACT AMOUNT:** \$13,915,842

**MBE PARTICIPATION:** 25%

**MBE COMPLIANCE:** 24.5%

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

**ORIGINAL PROCUREMENT METHOD:** Competitive sealed proposals

**REQUESTING INSTITUTION REMARKS:** GMP#4 for construction includes pre-cast concrete, masonry, steel, rough carpentry/framing, roofing, waterproofing, siding, doors/frames/hardware, drywall/ceiling, flooring, louvers, casework/window trim, mechanical, fire protection, electrical, UM allowances and CM allowances for the second phase of the project. There will be additional GMPs for the balance of the trade work. The estimated construction cost for this project is \$19,000,000. MBE participation for this modification is 31%.

**FUND SOURCE:** USM Academic/Auxiliary Facility Revenue Bonds

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 11-1245-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM:** 7-C MOD

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

**INSTITUTION:** University of Maryland, College Park for  
Bowie State University

**CONTRACT ID:** Campus Site Improvements  
Bowie State University  
Contract No. B-400190-K  
RFP No. 84190-B

**CONTRACT APPROVAL:** USM Item 2-C (04/04/12)

**CONTRACTOR:** Ruppert Landscaping  
Laytonsville, MD 20882

**CONTRACT DESCRIPTION:** Labor, material, equipment, supervision and other resources as required 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 site improvements ties together the existing promenades with newly constructed buildings and updates pedestrian lighting with LED post-top fixtures. Many of the parking lots will be milled and resurfaced as well as the campus 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.

**MODIFICATION DESCRIPTION:** Incorporate second of two phases of construction, including alternates 3, 4, & 5. This phase will provide improvements to the Library Plaza, Residence Hall quad, East and West Promenade, and road and parking areas.

**ORIGINAL CONTRACT TERM:** Phase I 180 calendar days (04/04/12-10/04/12)

**MODIFICATION TERM:** Phase II 180 calendar days (06/20/12 – 12/17/12)

**ORIGINAL CONTRACT AMOUNT:** \$1,188,364 (Phase I)

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

**ITEM:** 7-C MOD (continued)

**MODIFICATIONS TO DATE:** None  
**MODIFICATION AMOUNT:** \$1,568,040 (Phase II)  
**REVISED CONTRACT AMOUNT:** \$2,756,404  
**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals  
**MBE PARTICIPATION:** 25%  
**MBE COMPLIANCE:** 35.3%

**PERFORMANCE SECURITY:** Payment and Performance at 100% of contract amount

**REQUESTING INSTITUTION REMARKS:** The University seeks Board approval to incorporate Phase II into the contract and proceed with construction.

Ruppert Landscaping, Inc. has achieved 35.3% MBE participation on Phase I and has committed to 33.8% for Phase II, yielding an aggregate of 34.5 % for the entire project, exceeding the 25% goal.

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 2012: *Campuswide Site Improvements. Provide funds to design and construct Campuswide Site Improvements.*

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-1055-1011

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT**

**ITEM:** 8-S

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

**INSTITUTION:** University of Maryland, College Park

**CONTRACT ID:** Marketing Services for the Office of Extended Studies  
RFP No. 82588-S

**DESCRIPTION:** Marketing, web, email and print advertising, website  
redesign and other marketing-related services.

**AWARD:** Lempugh, Inc.  
DBA Laurel Marketing and Design (LMD)  
Laurel, Maryland 20708

**CONTRACT TERM:** July 1, 2012 – June 30, 2015 (w/ 1 three-year option)

**AMOUNT:** \$2,205,286 (estimated for initial and renewal terms combined)

**PROCUREMENT METHOD:** Competitive Sealed Proposals (Small Business Reserve)  
Single Proposal Received

**MBE PARTICIPATION:** 100%

**PERFORMANCE BOND:** N/A

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

**ITEM:** 8-S (continued)

**REQUESTING INSTITUTION REMARKS:** Nine known small businesses were directly solicited and notice of the RFP was posted on *eMarylandMarketplace*. Two proposals were received. The proposal submitted by LMD was the lone proposal considered technically acceptable and susceptible of award. The other proposal was not reasonably susceptible for award because it failed to meet mandatory technical requirements.

The estimated expenditures of \$1,081,023 for the initial three year term include the costs of advertisement, printing, mailing and postage, which will be reimbursed at cost, plus website design and other creative services. For the first two years, all services will be charged at a blended hourly rate of \$150, with an increase to \$156 for the third year. Hourly rates may be adjusted annually thereafter on the basis of the CPI, with a maximum allowable annual increase of 4%.

This project will be managed by the Office of Extended Studies.

**FUND SOURCE:** Current Unrestricted Funds

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-1058-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**SERVICES CONTRACT**

**ITEM:** 9-S

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

**INSTITUTION:** University of Maryland, College Park

**CONTRACT ID:** Consulting Services for Implementation of  
the Kualu Financial System (KFS)  
RFP 83514-D

**CONTRACT DESCRIPTION:** The University of Maryland, College Park intends to replace its mainframe-based Financial Records System (FRS) with a collaboratively-developed financial system offered via the Kualu Foundation. The project planning phase has begun; evaluation of current systems and processes is underway. Implementation of the Kualu Financial System (KFS) Version 5.x is expected for July 1, 2013.

The University requires the assistance of a consultant who is a Kualu Commercial Affiliate to provide resources and expertise related to implementing KFS within the University's existing systems requirements. The consultant will work with the University's Division of Information Technology, Office of the Comptroller, and Department of Procurement & Supply to:

1. Implement an accounting, procurement and inventory control system that is more agile and adaptive to changes in business practices, business rules and organizational hierarchies.
2. Migrate from the existing mainframe-based accounting system.
3. Identify University financial-reporting needs and provide tools to improve reporting.
4. Develop data elements that function properly in the data warehouse.
5. Develop management reports that adequately meet diverse needs.
6. Minimize impact on current operations as much as possible.

**AWARD:** Navigator Management Partners LLC  
921 East Fort Avenue, Suite 325  
Baltimore, MD 21230

**TERM:** 06/20/2012 – 06/19/2014 (w/ three 1-year renewal options)

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

**ITEM: 9-S (continued)**

<b>AMOUNT:</b>	Base Year 1- estimated	\$ 2,500,000
	Base Year 2- estimated	<u>\$ 1,000,000</u>
	Total Base Term estimated	\$ 3,500,000
	Option Year 3- estimated	\$ 500,000
	Option Year 4- estimated	\$ 500,000
	Option Year 5- estimated	<u>\$ 500,000</u>
Potential 5-Year not to exceed		\$ 5,000,000

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** None

**PERFORMANCE SECURITY:** None

<b>PROPOSALS:</b>	<u>Technical</u>	<u>Financial</u>	<u>Overall</u>	<u>Evaluated Price</u>
Navigator Management Partners	Exceptional	3	1	\$2,074,000
rSmart	Acceptable	2	2	\$1,982,500
HTC Global Services	Acceptable	1	3	\$1,877,500

**REQUESTING INSTITUTION REMARKS:** The contract will be indefinite delivery indefinite quantity contract with a combination fixed-price (hourly labor rates) plus indefinite quantity (travel expenses). The University will define and issue specific tasks with requirements and expected deliverables before initiating work with task orders. The initial year will cover extensive services to meet the deadline of July 1, 2013; it is estimated that the total spend in year one will be approximately \$2,500,000. The estimated total spend in year two will be approximately \$1,000,000 and in the option years, \$500,000 annually. Task orders and renewal options exceeding \$1 million will be presented to the Board for separate approval.

The RFP was advertised on *emarylandmarketplace.com*. Nine vendors were known to have received copies of the RFP. Five proposals were received but two were rejected as unacceptable on the basis of technical evaluation. The three remaining offerors were considered technically acceptable and susceptible of award after evaluation of technical and price proposals. The RFP terms stated that technical merit would have a greater weight than price in determining the final ranking for each of the proposals. Navigator Management Partners technical proposal was rated exceptional and its approach and available dedicated staff resources were far superior to the other two proposals, clearly demonstrating its capability to provide the University with the consulting resources and expertise to facilitate a successful implementation by July 1, 2013.

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

ITEM: 9-S (continued)

**REQUESTING INSTITUTION REMARKS:** (continued)

With only twelve months to implement an enterprise-wide financial system, the University must have the best possible commercial partner to ensure a successful transition. Navigator Management Partners proposal demonstrated its experience successfully implementing the University of Arizona migration from FRS to KFS. Navigator Management Partners experience demonstrates its ability to implement all of the KFS modules the University expects to implement including Chart of Accounts, General Ledger, Financial Processing, Purchasing/Accounts Payable, and Capital Assets Module. Unique elements provided include SCRUM management techniques, Business Information reporting solutions, useful modification programs created by Navigator, and a vast pool of expert resources that include a high quality of staffing capabilities. Navigator received excellent references from all of the current and former customers contacted. Navigator was the only offeror to receive a rating of exceptional for the RFP's economic benefits factor. Based on this, the University has determined that Navigator Management Partners proposal best satisfies the overall requirements of the RFP and therefore represents the best value.

The evaluated price includes estimated labor costs for seven labor categories for a total of 13,000 labor hours of consulting services anticipated during KFS implementation. The price is based on fixed hourly labor rates proposed by the contractor for each required labor category. Navigator Management Partners was the only in-State vendor to submit a proposal and its travel expenses are expected to be significantly lower than the other offerors.

**REQUESTING INSTITUTION REMARKS:** (continued) There are no known certified MBE firms holding the Quali Certified Affiliate designation. Navigator Management Partners is a registered Small Business in the State.

This project will be managed by the Assistant Vice President for Administrative Affairs, with procurement assistance from the University's Department of Procurement and Supply.

**FUND SOURCE:** Current Unrestricted Funds

**APPROP CODE:** R30B22

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-1090-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



SUPPLEMENT C  
UNIVERSITY SYSTEM OF MARYLAND  
ACTION AGENDA

GENERAL MISCELLANEOUS:

ITEM: 10-GM

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

**Recommendation:** That the Board of Public Work approve the use of General Obligation Bond fund proceeds for the following contracts totaling \$ 4,680,528.00.

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

A. University of Maryland, College Park  
Architecture Building

1. **Description:** Main Electrical Service Upgrade  
**Procurement Method:** Master Contract W004557  
**Award:** Electrico, Inc.  
Baltimore, Maryland 21209  
**Amount:** \$135,417  
**Fund Source:** MCCBL of 2012: *Campus Wide Building System and Infrastructure Improvements*. Item 036  
**Tax Compliance No.** 12-0945-0111  
**Resident Business:** Yes

B. University of Maryland, College Park  
Benjamin Building

1. **Description:** Benjamin Building Service Upgrades  
**Procurement Method:** Master Contract W004552  
**Award:** MGM Electrical Systems, Inc.  
Severna Park, MD 21146  
**Amount:** \$169,500  
**Fund Source:** MCCBL of 2012: *Campus Wide Building System and Infrastructure Improvements*. Item 036.  
**Tax Compliance No.** 12-0819-0111  
**Resident Business:** Yes

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

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

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

- 1. Description:** Hammond Organ and related accessories  
Purchase Order G159443
- Procurement Method:** Simplified Procurement
- Award:** Prospectus Enterprises, Inc. (State Certified Small and Minority Business)  
12203 Mt. Pleasant Drive  
Laurel, MD 20708
- Amount:** \$32,570
- Fund Source:** MCCBL of 2010: *Provide funds to equip the Fine and Performing Arts Center at Bowie State University.* Item 093
- MD Tax Clearance:** 12-1014-1111
- Resident Business:** Yes

**D. University of Baltimore**  
Law School Building

- 1. Description:** Furniture for UB Law School Building to include desks, chairs, cabinets, bookshelves and other office furniture.
- Procurement Method:** Preference Purchase
- Award:** Maryland Correctional Enterprises
- Amount:** \$4,343,041.00
- Fund Source:** MCCBL 2012: *Provide funds to equip the UB Law School Building.* Item 047 (\$2,094,567.44)  
Private donation funds (\$2,248,473.56)
- MD Tax Clearance:** 12-1105-1110
- Resident Business:** Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

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

**SERVICE CONTRACT**

**ITEM:** 11-S

**INSTITUTION:** University of Maryland University College

**CONTRACT TITLE:** Portal Solution Development Services, RFP 91001

**DESCRIPTION:** Software development services for a custom, comprehensive, end-to-end, integrated portal solution. The portal is UMUC's internet landing/home page, the central gateway for student, faculty, staff, alumni, and prospective students to access UMUC's content, tools, and systems.

**AWARD:** EastBanc Technologies, LLC  
3312 M Street NW  
Washington, DC 20007

**CONTRACT TERM:** June 21, 2012 through June 30, 2015. The University has the right to exercise renewal options for up to three additional years. Renewals will be brought back to the BPW for approval.

**AMOUNT:** \$3,500,000

**PROCUREMENT METHOD:** Competitive Sealed Proposal  
Single Proposal Received

**PROPOSAL:**

EastBanc Technologies LLC	\$1,907,620	NTE Initial Development Work
Washington, DC	\$1,592,380	Additional work beyond initial development

SUPPLEMENT C  
UNIVERSITY SYSTEM OF MARYLAND  
ACTION AGENDA

ITEM: 11-S (continued)

MBE PARTICIPATION: 10%

PERFORMANCE OR PAYMENT SECURITY: N/A

**REQUESTING INSTITUTION REMARKS:** The solicitation was advertised in *eMaryland Market Place* and on UMUC's internet *Electronic Bid Board*. Four firms were directly solicited. Two firms responded to the solicitation and were evaluated by an Evaluation and Selection Committee. Upon completion of the technical evaluation that included an interview/discussion session with both proposers, one of the proposers was found not to be susceptible of the award. The University found the remaining proposer highly qualified to do the work and therefore asked this proposer to submit a price proposal. Following discussions, a best and final price proposal was requested and received by the University. The University analyzed the costs to similar contracts and finds the quoted cost to be competitive.

The portal solution will be developed leveraging open source software components wherever possible and using iterative and agile development processes that allow for subsequent enhancements and development work to the portal. Initially, the portal solution will be developed for current faculty and students to access UMUC's online learning management system and other academic related functionalities such as financial aid, student accounts, enrollment management, and academic advising services. Additional development work may include portal functionalities for prospective students, alumni, and UMUC staff.

The contractor will first develop the portal solution for basic functionalities for current students and faculty. This work will be done for the firm fixed price of \$1,907,620 that includes professional development services, software licenses, maintenance, and support, hardware, and hosting services. Beyond that, UMUC may engage the contractor for additional development work subject to the hourly rates guaranteed in the contract. The total of all work will not exceed \$3,500,000.

FUND SOURCE: Current Unrestricted Funds

APPROP. CODES: R30B30

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-1047-0010

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**REAL PROPERTY:** Acquisition by Purchase

**ITEM:** 12-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:** 1628 Warwick Avenue, Baltimore

**GRANTOR:** Pamela Griffin, PR for Estate of Preston Griffin Jr.

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

<b>APPRAISED VALUE:</b>	Grubb & Ellis Landauer	\$20,000.00
	Lipman Frizzell & Mitchell	\$18,300.00

**FUND SOURCE:** Plant Funds

**APPROP. CODE:** R30B36

<b>PRICE:</b>	Acquisition:	\$20,000.00
	Relocation:	\$ 0.00
	Ground Rent:	<u>\$ 1,600.00 *</u>
	Total:	\$21,600.00

\* Ground rent redemption.

**REQUESTING INSTITUTION REMARKS:** This is property being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. 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 ACTION: THE ABOVE REFERENCED ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**REAL PROPERTY:** Acquisition by Purchase

**ITEM:** 13-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:** 1742 N. Warwick Avenue, Baltimore

**GRANTOR:** Inbrook Homes, Inc.

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

<b>APPRAISED VALUE:</b>	Calvin Thomas	\$20,000.00
	Gregory D. Jones	\$20,000.00

**FUND SOURCE:** Plant Funds

**APPROP. CODE:** R30B36

<b>PRICE:</b>	Acquisition:	\$ 25,000.00*
	Ground Rent:	\$ 000.00
	Relocation:	\$ 000.00
	Total:	\$ 25,000.00

\* The proposed acquisition cost is higher than the appraisals due to litigation risk.

**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.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**ITEM:** 14-GM

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

**INSTITUTION:** University of Maryland, Baltimore

**Recommendation:** That the Board of Public Works approve the demolition of six structures (approximately 19,200 total gross square footage) located in Baltimore City at:

- 616 W. Lexington Street (1 structure: one-story brick building)
- 223 and 225 Pearl Street (1 structure: two-story brick building)
- 212, 214, 216, 218, 220 North Greene Street (4 structures: three-story brick row houses)

The University plans to consolidate the properties and use the properties for open space and surface parking.

**Need to Demolish:** The August 2011 earthquake damaged the four North Greene Street row houses structures and the West Lexington Street building. The Pearl Street structure is in poor condition and cannot be used by the University. RMF Engineering, Inc surveyed the properties' condition and recommended demolition. The building at 212 N. Greene Street is very unstable; the University is currently blocking access to the sidewalk in front of the building and ten parking spaces in the adjacent lot. The other buildings also exhibit structural cracks and shifting.

**History:** When the University acquired the properties, they were all in fair to poor condition. The University's intention when acquiring them was to land-bank them for future development; the University has not used the structures.

Reference is made to the Board of Public Works approvals of the acquisitions:

212, 214, 216 N. Greene Street/616 W. Lexington Street:	USM Item 5-RP (11/20/2002)
218, 220 N. Greene Street:	USM Item 22-RP (1/8/1997)
223 – 225 Pearl Street:	USM Item 8-RP (12/17/2008)

SUPPLEMENT C  
UNIVERSITY SYSTEM OF MARYLAND  
ACTION AGENDA

ITEM: 14-GM

INSTITUTION: University of Maryland, Baltimore (cont'd)

*No Effect On Resources:* The demolition of these properties will not have an adverse impact on University, USM, or State resources.

*State Clearinghouse:* The Clearinghouse conducted an intergovernmental review and recommends demolition. The Clearinghouse also recommended that the University and the Maryland Historical Trust complete a historic preservation review of the undertaking, resolve historic preservation issues through collaborative consultation, and enter into a memorandum of agreement, which is described below. MD20111229-0916 and MD20120404-0207

*Maryland Historical Trust:* The Maryland Historical Trust and the University have entered into a memorandum of agreement concerning the demolition of the structures. The University has agreed to fund the design, construction, and installation of a public-interpretation measure that conveys, through text and images, the historic significance and resources of the Market Center Historic District. The interpretative panel will be installed by December 2012. The Maryland Historical Trust does not require any further action from the University.

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BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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

**ITEM:** 1-IT  
**Agency Contact:**  
Lavinia Lee (410) 260-7634  
[llee@comp.state.md.us](mailto:llee@comp.state.md.us)  
Donna Ziegenhein (410) 260-7627  
[Donna.Ziegenhein@maryland.gov](mailto:Donna.Ziegenhein@maryland.gov)

**DEPARTMENT/PROGRAM:** Comptroller of Maryland

**CONTRACT ID:** SAS Software License and Maintenance  
SS-13-02  
ADPICS No.: E00B3400004

**CONTRACT DESCRIPTION:** SAS software license & maintenance support for Annapolis Data Center's Mainframe (SAS Base, SAS/GRAPH and SAS/ETS)

**AWARD:** SAS Institute Inc.  
Cary, North Carolina

**TERM:** 07/01/12 - 06/30/13 Base Year  
Four one-year renewal options

**AMOUNT:**

Base	\$133,900
Option year 1	\$147,290
Option year 2	\$162,019
Option year 3	\$178,220
Option year 4	<u>\$196,043</u>
Total	\$817,472

**PROCUREMENT METHOD:** Sole Source

**MBE PARTICIPATION:** None

**INCUMBENT:** Same

**REMARKS:** The Comptroller's Information Technology Division's (ITD) Annapolis Data Center (ADC) functions as a data processing service bureau for various State departments and agencies. ITD obtains and manages licenses and maintenance services for numerous mainframe software products that support ADC operations and customer agency application systems.

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

**ITEM:** 1-IT (cont.)

This contract provides ADC with the use of and maintenance of three mainframe software products that are analytical tools (SAS Base, SAS/GRAPH and SAS/ETS) used primarily by ADC's customer agencies.

SAS Institute Inc., as the developer of the software retaining proprietary and copyright privileges, is the only known vendor that can license and maintain the software.

**FUND SOURCE:** 100% Reimbursable

**APPROP. CODE:** E00A1001

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 12-0992-1111

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**ITEM:** 2-IT

**Agency Contact:**

Anthony Fugett (410) 767-1679

[AFugett@dbm.state.md.us](mailto:AFugett@dbm.state.md.us)

Donna Ziegenhein (410) 260-7627

[Donna.Ziegenhein@maryland.gov](mailto:Donna.Ziegenhein@maryland.gov)

**DEPARTMENT/PROGRAM:**

Budget & Management

Central Collection Unit

**CONTRACT ID:**

Software License Support Services

eMaryland Solicitation No. F10B1400011

ADPICS No.: F10B2400025

**CONTRACT DESCRIPTION:** Provide DBM's Central Collection Unit (CCU) with software maintenance and support services for its proprietary collections software system.

**AWARD:**

Columbia Ultimate Business Systems, Inc.  
Vancouver, WA

**TERM:**

7/1/2012 - 6/30/2013

**AMOUNT:**

\$204,137

**PROCUREMENT METHOD:**

Sole Source

**BIDS OR PROPOSALS:**

N/A

**MBE PARTICIPATION:**

None

**INCUMBENT:**

Same

**REMARKS:** DBM's CCU is responsible for the collection of all delinquent debts, claims and accounts due to the State (other than the majority of taxes owed the State, child support, and certain other debts listed by statute). Typical debts are: college tuition and fees; a small number of student loans; public assistance and food stamp overpayments; Parole and Probation restitution accounts; reimbursement for vehicular damage to State property; bounced checks; reimbursement for care at a State hospital; unpaid workers' compensation insurance premiums; Home Improvement Commission awards; environmental fines; and other miscellaneous debts.

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

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

In 1987, DBM issued a competitive RFP to procure an automated collections software application for CCU. The contract was awarded to Columbia Ultimate Business Systems, Inc. (CUBS). The collections software system is a proprietary product that was custom designed for CCU's business practices.

CUBS has provided the software maintenance and support services for the proprietary software application that it created. Through this contract, CUBS will continue this support for one more year.

Due to the nature of the services to be provided there are no subcontracting opportunities, therefore, there is no MBE participation goal.

**FUND SOURCE:** 100% Special (Debt Collection Fees)  
**APPROP. CODE:** F10A0103  
**RESIDENT BUSINESS:** No  
**MD TAX CLEARANCE:** 12-0609-0000

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**ITEM:** 3-GM

**Agency Contact:**

Charles F. Bristow (410) 865-1040  
[cbristow@mdot.state.md.us](mailto:cbristow@mdot.state.md.us)  
Donna Ziegenhein (410) 260-7627  
[Donna.Ziegenhein@maryland.gov](mailto:Donna.Ziegenhein@maryland.gov)

**DEPARTMENT/PROGRAM:**

Transportation  
State Highway Administration

**CONTRACTOR:**

Maryland Broadband Cooperative, Inc.  
Salisbury, Maryland

**ORIGINAL APPROVAL:**

DoIT Item 1-GM (3/21/2012)

**Recommendation:** That the Board delegate to the Department of Transportation the approval of segments to be added in the future to the Resource Sharing Agreement (RSA) with Maryland Broadband Cooperative, Inc.

**Background:** The Board-approved RSA provides for Maryland Broadband to place a fiber optic backbone infrastructure system containing a total of 144 fiber optic strands, mainly within State rights-of-way. DOT seeks to have the Board's approval of DoIT Item 1-GM (3/21/12) include prospective approval of DOT adding segments to the RSA project in collaboration with Maryland Broadband. To that end, the RSA submitted for Board signature states:

The Board of Public Works of Maryland, by its approval of this RSA, hereby consents to having the Parties execute future amendments to this RSA without the need for additional approval by the Board of Public Works, provided the future amendments are for the purpose of adding additional segments to this RSA, at no cost to the State.

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

**ITEM:** 4-IT OPT

**Agency Contact:**  
Susan Niehoff (410) 462-8440  
[SNiehoff@bccc.edu](mailto:SNiehoff@bccc.edu)  
Donna Ziegenhein (410) 260-7627  
[Donna.Ziegenhein@maryland.gov](mailto:Donna.Ziegenhein@maryland.gov)

**DEPARTMENT/PROGRAM:** Baltimore City Community College  
Information Technology

**CONTRACT ID:** ADPICS No.: R95B3400002

**CONTRACT APPROVED:** DoIT Item 3-IT (4/21/2010)

**CONTRACTOR:** Blackboard Inc.  
Washington, DC

**CONTRACT DESCRIPTION:** To provide BCCC software licenses, updates and technical support for the Blackboard Learning Management System (LMS).

**OPTION DESCRIPTION:** Exercise option year two

**ORIGINAL CONTRACT TERM:** 5/1/2010 - 6/30/2011

**OPTION TERM:** 7/1/2012 - 6/30/2013

**ORIGINAL CONTRACT AMOUNT:** \$238,856

**OPTION AMOUNT:** \$246,800

**PRIOR OPTIONS:** 7/1/ 2011-6/30/2012 (option year one)  
DoIT Item 1-IT OPT (6/15/2011) \$225,000

**REVISED TOTAL CONTRACT AMOUNT:** \$710,656

**ORIGINAL PROCUREMENT METHOD:** Intergovernmental Cooperative  
UMCP N127416

**MBE PARTICIPATION:** None

**REQUESTING AGENCY REMARKS:** BCCC is using a University of Maryland, College Park contract which allows other State agencies to piggy back off of the UMCP contract to receive discount pricing.

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

**ITEM: 4-IT OPT (cont.)**

Blackboard's course management system is a web-based academic shell where teachers can extend their expertise and guidance to students on or off campus. Students can reach teachers; interact with classmates, and access learning materials anytime, anywhere. Blackboard tools allow BCCC to use the Web to enhance enrich traditional coursework and provide distance learning courses. Blackboard enables instructors to provide students with course materials, discussion boards, virtual chat, online activities and assessments, and a discipline specific academic resource center on the Web. The system provides other communication tools including a digital drop box for students to submit assignments electronically, a group function for collaborative team projects and an on-line grade book for students to monitor their progress. This service is all provided through a standard web browser.

Baltimore City Community College seeks to exercise the second and final renewal option with Blackboard Inc. under the current contractual agreement. The services provided by the vendor have met the expectations of the college. Furthermore, it is cost advantageous for BCCC to renew the current contract instead of issuing a new procurement. BCCC will perform a complete analysis to determine whether to continue using Blackboard services in the future. A decision will be made before January 2013, whether to begin negotiating a new contract with Blackboard or whether to pursue a new solicitation.

**FUND SOURCE:** General Funds (Unrestricted)  
**APPROP. CODE:** R95C00  
**RESIDENT BUSINESS:** NO

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

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

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

**ITEM:** 5-IT

**Agency Contact:**  
Lavenia Lee (410) 260-7634  
[llee@comp.state.md.us](mailto:llee@comp.state.md.us)  
Donna Ziegenhein (410)-260-7627  
[Donna.Ziegenhein@maryland.gov](mailto:Donna.Ziegenhein@maryland.gov)

**DEPARTMENT/PROGRAM:** Comptroller of Maryland (COM)

**CONTRACT ID:** Mainframe Software Maintenance  
SS-13-03  
ADPICS No.: E00B3400005

**CONTRACT DESCRIPTION:** SAS IT Resource Management Software License Agreement and Maintenance

**AWARD:** Executive Information Systems, LLC  
Bethesda, Maryland

**TERM:** 07/15/12 - 07/14/13 Base  
Four 1-year renewal options

**AMOUNT:**

Base	\$ 61,840
Option year 1	\$ 65,550
Option year 2	\$ 69,483
Option year 3	\$ 73,652
Option year 4	\$ 78,072
Total	\$348,597

**PROCUREMENT METHOD:** Sole Source

**MBE PARTICIPATION:** None

**INCUMBENT:** Same

**REMARKS:** The Comptroller's Information Technology Division's (ITD) Annapolis Data Center (ADC) functions as a data processing service bureau for various State departments and agencies.



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

**ITEM: 5-IT (cont.)**

This contract will provide the State with maintenance and support for SAS IT Resource Management License Agreement for Mainframes. This software, licensed by the State in 2001 under the name of IT Service Vision, is installed on the ADC mainframe where it collects information on CPU utilization, DASD utilization, and other performance factors of the mainframe. Analysis of the collected data forms the basis for the ADC's performance reports and capacity requirement forecasts.

The software maintenance being requested is available only from the original software manufacturer, SAS, or from its sole authorized reseller, Executive Information Systems (EIS). EIS has a federal GSA contract, GS-35-01-0170K, that allows the State to receive cost-effective GSA rates. (SAS itself does not have a similar GSA contract.) Significant savings will accrue to the State by contracting with EIS for the annual maintenance.

<b>FUND SOURCE:</b>	100% Reimbursable
<b>APPROP. CODE:</b>	E00A1001
<b>RESIDENT BUSINESS:</b>	Yes
<b>MD TAX CLEARANCE:</b>	12-0991-1000

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	



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

**ITEM: 6-IT (cont.)**

**APPROP. CODE:** E00A1001

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0993-1111

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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 – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND AVIATION ADMINISTRATION

**CONTRACT ID:** MAA-CO-12-005 A, B, C & D  
 Comprehensive Interior/Exterior Modification 2012  
 at BWI Thurgood Marshall and Martin State  
 Airports  
 ADPICS NO: MAACO12005

**CONTRACT DESCRIPTION:** This multiple award contract provides for on-call interior/exterior modifications to buildings and other facilities at BWI Thurgood Marshall and Martin State Airports. Work under this contract includes, but is not limited to carpentry, masonry, plumbing, electrical, asbestos removal, painting, roofing, finishes, floor covering, and power equipment operation.

**AWARDS:**

Mid-Atlantic General Contractors, Inc. Beltsville, MD	Contract A
Baltimore Contractors, Inc. Baltimore, MD	Contract B
Southern Improvement Co. Seabrook, MD	Contract C
J & J 2000, Inc. Littlestown, PA	Contract D

**AMOUNT:** \$15,000,000 NTE

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:** Representative Bids

Mid-Atlantic General Contractors, Inc. Beltsville, MD	\$87,600
Baltimore Contractors, Inc. Baltimore, MD	\$121,001
Southern Improvements Co., Inc Seabrook, MD	\$178,121

ITEM: 1-C (Continued)

BPW – 06/20/12

<b>BIDS (Cont'd):</b>	<u>Representative Bids</u>
J & J 2000, Inc. Littlestown, PA	\$188,141
Allen & Shariff Corp. Columbia, MD	\$195,555
Total Contracting, Inc. Beltsville, MD	\$226,211
Total Site Contracting, Inc. Baltimore, MD	\$303,100
Rich Moe Enterprises, LLC Upper Marlboro, MD	\$333,627
M. Stancliff Construction Co. Seabrook, MD	\$348,129
JLN Construction Services, LLC Baltimore, MD	\$379,886
<b>TERM:</b>	3 Years from Notice to Proceed
<b>MBE PARTICIPATION:</b>	25%
<b>PERFORMANCE SECURITY:</b>	Performance/Payment Bonds in the amount of \$7,500,000 exists for each contract.

**REMARKS:** The Engineer's Estimate is \$229,768. The cost difference is attributed to the four low bidders currently working at BWI Airport and are familiar with airport operations and security regulations. The contractors were contacted and have confirmed their bid and are fully aware of the scope and ready to perform the task as specified in the contract.

This Solicitation was advertised on eMM and on the MAA Website. The solicitation was sent to the Governor's Office of Minority Affairs and five (5) minority business associations on January 26, 2011. There were eighteen (18) directly solicited firms. Twenty-Eight (28) sets of specifications were sold and eleven (11) firms submitted bids. The award is being recommended to the four (4) responsible bidders with the lowest responsive bids based on the aggregate total of two (2) tasks consistent with the contract basis of award language. One (1) bidder was deemed non responsive due to an insufficient bid bond.

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

ITEM: 1-C (Continued)

BPW – 06/20/12

The MBE goal established for this contract was 25%; however the Contract A & B will be exceeding the goal by 1% and Contract D will be exceeding the goal by 20.24%. Contract A, B, and D are Certified Small Business.

The contract amount is based on the final budget amount. None of the contractors has a guaranteed minimum or maximum amount, except for the overall budget limitation. The total awards issued under this contract will not exceed \$15 million.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

MD TAX CLEARANCES:	Mid-Atlantic General Contractors, Inc.	12-0785-0011
	Baltimore Contractors, Inc.	12-0987-1111
	Southern Improvements	12-0989-0111
	J & J 2000, Inc.	12-0988-0111

RESIDENT BUSINESSES: Yes – Contract A-C  
 No – Contract D

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

Sandra E Clifford (410) 385-4833  
[sc Clifford@marylandports.com](mailto:sc Clifford@marylandports.com)

BPW – 06/20/12

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM:** 2-C

**MARYLAND PORT ADMINISTRATION**

**CONTRACT ID:** 512913  
Agency Wide Water & Sanitary Rehabilitation  
ADPICS NO.: P512913

**CONTRACT DESCRIPTION:** This is a task order based contract to repair and rehabilitate existing underground water and sanitary sewer services agency wide on an as needed basis.

**AWARD:** Civil Construction, LLC  
Cheverly, Maryland

**AMOUNT:** \$3,500,000 NTE

**TERM:** 60 Months from Notice to Proceed

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Civil Construction, LLC \$6,296,050  
Cheverly, MD

P. Flanigan & Sons, Inc. \$6,784,300  
Baltimore, MD

**MBE PARTICIPATION:** 16%

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

**REMARKS:** The Engineer’s Estimate for this contract was \$3,500,000. The Maryland Port Administration (MPA) will be awarding the contract in the amount of the engineer’s estimate as this is the amount of funding available for the contract.

This Solicitation was advertised in eMaryland Marketplace. Contractors received bid packages by eMaryland Marketplace. Two (2) responsive and responsible bids were received.

ITEM: 2-C (Continued)

BPW – 06/20/12

Contract work includes repairs and rehabilitation of existing underground water and sanitary sewer services, including the installation of piping, valves, hydrants, lift stations, manholes and vaults. Also included are maintenance of traffic, earthwork, pavement and site restoration, water system leak detection and all other associated activities at the MPA terminals.

The MBE goal established for this contract was 13%, the Contractor is exceeding this goal by 3%.

The contract amount is based on the final budget amount. None of the contractors has a guaranteed minimum or maximum amount, except for the overall budget limitation. The total awards issued under this contract will not exceed \$3.5 million.

<b>FUND SOURCE:</b>	100% Special Funds Budgeted to MPA
<b>APPROPRIATION CODE:</b>	J03D0002
<b>RESIDENT BUSINESS:</b>	Yes
<b>MD TAX CLEARANCE:</b>	12-0955-1111

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	



Sandra E Clifford (410) 385-4833  
[sc Clifford@marylandports.com](mailto:sc Clifford@marylandports.com)

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 3-C

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 513014  
 Fumigation Facility Renovation at  
 Dundalk Marine Terminal  
 ADPICS NO. P513014

CONTRACT DESCRIPTION: This contract is for the removal and replacement of the existing exterior fabric from the frame of the Fumigation Facility building.

AWARD: J.A. Argetakis Contracting Co., Inc.  
 Baltimore, MD

AMOUNT: \$494,500

TERM: 90 Work Days from NTP

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

J A Argetakis Contracting Co., Inc. \$494,500  
 Baltimore, MD

Warwick Supply & Equipment Co., Inc. \$610,800  
 Sparks, MD

Tech Contracting Co., Inc. \$651,400  
 Baltimore, MD

MBE PARTICIPATION: 0% (specialized work)

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

REMARKS: The Engineer's Estimate for this contract was \$528,008.

This Solicitation was advertised on eMaryland Marketplace. Three (3) responsive and responsible bids were received.

ITEM: 3-C (Continued)

BPW – 06/20/12

The scope of work is: removing the existing exterior fabric from the frame of the Fumigation Facility, a tension fabric membrane building; removing metal doors and panels; installation of new tension fabric membrane; installation of metal doors and panels; the removal of corrosion from portions of the roof frame and paint application; and all related work.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03D0002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-1157-0111

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	

James L. Knighton (410) 767-0820  
[jknighton@mta.maryland.gov](mailto:jknighton@mta.maryland.gov)

BPW – 06/20/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM:** 4-C

**MARYLAND TRANSIT ADMINISTRATION:**

**CONTRACT ID:** T-1089-0240  
 Parking Expansion– West Baltimore MARC Station  
 ADPICS NO. T10890240

**CONTRACT DESCRIPTION:** This Contract is for work east of the West Baltimore MARC Station and primarily involves the construction of two new parking areas east of Pulaski Street, the relocation of the eastbound US 40 ramp and the reconnection of Payson Street. The project area is located between Franklin and Mulberry Streets and encompasses the area extending from the West Baltimore MARC Station to the Fulton Avenue Bridge.

**AWARD:** P. Flanigan & Sons, Inc.  
 Baltimore, MD

**TERM:** 06/20/2012 – 2/10/2014

**AMOUNT:** \$6,656,007

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

P. Flanigan & Sons, Inc. Baltimore, MD	\$6,656,007
Concrete General, Inc. Gaithersburg, MD	\$6,679,698
American Infrastructure-MD, Inc. Fallston, MD	\$6,995,555
MT Laney Company, Inc. Eldersburg, MD	\$7,268,234
Pessoa Construction Co. Fairmont Heights, MD	\$7,285,033
Machado Construction Co., Inc. Baltimore, MD	\$7,890,192
Potts & Callahan, Inc. Baltimore, MD	\$8,477,685

ITEM: 4-C (Continued)

BPW – 06/20/12

**BIDS (Cont'd):**

Daisy Concrete Inc. of Maryland \$8,496,611  
Newport, DE

**DBE PARTICIPATION:** 25.66%

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

**REMARKS:** The Engineer's Estimate for this contract was \$6,575,890.

This Solicitation was advertised in eMaryland Marketplace and on MTA's Web Site. One Hundred forty-seven (147) firms received bid packages; One Hundred sixteen (116) were Maryland firms. Eight (8) bids were received.

The West Baltimore MARC Station Parking Expansion Project will be constructed in phases on two blocks of Baltimore City-owned property along a portion of the old Interstate 170 right-of-way. The unused mainline, ramps, abutments, retaining walls and bridge deck have been demolished under a separate contract. The construction will also involve the raising of the westbound US 40 ramp between the Monroe Street Bridge and reconnected Payson Street. A new roadway access will be required on the east side of existing parking lot B and pavement markings on Lot "A" will be reconfigured to increase the number of ADA accessible spaces.

The reconfiguration and expansion of the West Baltimore MARC parking lot will benefit both MARC customers and the local community by providing a solution to relieve commuter parking on nearby streets in residential areas. It will also improve the way highway exits and entrances flow into the community and better integrate pedestrian, vehicular, transit, and bicycle traffic in and around the station.

This contract includes a miscellaneous work allowance of \$560,000 (8.5% of the total contract value). This allowance is for additional work not contemplated within the scope of the contract that may be necessary to complete the project due to hidden or unforeseen site conditions that will not become apparent until construction has begun.

The MBE goal established for this contract was 25%, however the contractor is exceeding the goal by .66%.

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

**APPROPRIATION CODE:** J05H0105

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-0966-1111

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

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

James L. Knighton – 410-767-0820  
[Jknighton@mta.maryland.gov](mailto:Jknighton@mta.maryland.gov)

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 5-M

MARYLAND TRANSIT ADMINISTRATION

**CONTRACT ID:** T8000-0359  
 Light Rail Snow & Ice Removal for Northern Region  
 ADPICS NO. T80000359

**CONTRACT DESCRIPTION:** This contract provides Light Rail Maintenance Facilities with a Snow & Ice Removal contractor for the Northern Region.

**AWARDS:** EMG Service, LLC  
 Silver Spring, Maryland

**TERM:** September 17, 2012 – September 16, 2017

**AMOUNT:** \$1,526,700

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

**BIDS:**

EMG Service, LLC Silver Spring, Maryland	\$1,526,700
Lorenz, Inc. Pikesville, Maryland	\$1,551,900
Johnsons Total Service, Inc. Baltimore, Maryland	\$1,650,600
Keene Cut Lawn Service, Inc. Glen Burnie, Maryland	\$1,837,500
JLN Construction Services, Inc. Baltimore, Maryland	\$2,294,250
H. F. Huber and Son, Inc. Baltimore, Maryland	\$3,160,500
Tote-It Inc. Baltimore, Maryland	\$3,450,300

ITEM: 5-M (Continued)

BPW – 06/20/12

MBE PARTICIPATION: 30%

PERFORMANCE SECURITY: N/A

REMARKS: This Solicitation was advertised on eMaryland Marketplace, on the MTA’s website and distributed to the Governor’s Office of Minority Affairs. In response, seven bids were received in response to our Invitation for Bids and all bids received were from certified small business vendors.

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

This service is in support of the Light Rail System to ensure that snow and ice will be removed from the platforms, all sidewalks and yard access walkways at the nine (9) light rail stops in the northern region of the system. The northern region includes the following stops: Hunt Valley, Pepper Road, McCormick Road, Gilroy Road, Warren Road, Texas Station, Timonium, Timonium Business Park, and Lutherville. This contract has two related contracts (MTA Contract T-8000-0360 and T-8000-0361) to provide snow and ice removal services along other parts of the Light Rail System corridor.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0104

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0677-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

James L. Knighton – 410-767-0820  
Jknighton@mta.maryland.gov

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

EQUIPMENT CONTRACT

ITEM: 6-M

MARYLAND TRANSIT ADMINISTRATION

**CONTRACT ID:** T8000-0360  
 Light Rail Snow & Ice Removal for Central Region  
 ADPICS NO. T80000360

**CONTRACT DESCRIPTION:** This contract provides Light Rail Maintenance Facilities with a Snow & Ice Removal contractor for the Central Region.

**AWARDS:** EMG Service, LLC  
 Silver Spring, Maryland

**TERM:** September 17, 2012 – September 16, 2017

**AMOUNT:** \$1,526,700

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

**BIDS:**

EMG Service, LLC Silver Spring, Maryland	\$1,526,700
Lorenz, Inc. Pikesville, Maryland	\$1,551,900
Keene Cut Lawn Service, Inc. Glen Burnie, Maryland	\$1,592,500
Johnsons Total Service, Inc. Baltimore, Maryland	\$1,650,600
JLN Construction Services, Inc. Baltimore, Maryland	\$1,995,000
Tote-It Inc. Baltimore, Maryland	\$2,170,000
H. F. Huber and Son, Inc. Baltimore, Maryland	\$3,160,500

ITEM: 6-M (Continued)

BPW – 06/20/12

MBE PARTICIPATION: 30%

PERFORMANCE SECURITY: N/A

REMARKS: This Solicitation was advertised on eMaryland Marketplace, on the MTA’s website and distributed to the Governor’s Office of Minority Affairs. In response, seven bids were received in response to our Invitation for Bids and bids received were from certified small business vendors.

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

This service is in support of the Light Rail System to ensure that snow and ice will be removed from the platforms, all sidewalks and yard access walkways at the fourteen (14) facilities in the central region of the system. The central region encompasses the following stops, as well as Light Rail’s Main Shop, yard access walkways, and operator’s relief point on North Avenue in Baltimore City: Falls Road, Mount Washington, Coldspring Lane, Woodberry, North Avenue, Mount Royal, Cultural Center, Centre Street, Lexington Market, Baltimore Street, Pratt Street, Camden Yards, and Hamburg Street. This contract has two related contracts (MTA Contract T-8000-0359 and T-8000-0361) to provide snow and ice removal services along other parts of the Light Rail System corridor.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0104

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0677-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION



James L. Knighton – 410-767-0820  
Jknighton@mta.maryland.gov

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 7-M

MARYLAND TRANSIT ADMINISTRATION

**CONTRACT ID:** T8000-0361  
 Light Rail Snow & Ice Removal for Southern Region  
 ADPICS NO. T80000361

**CONTRACT DESCRIPTION:** This contract provides Light Rail Maintenance Facilities with a Snow & Ice Removal contractor for the Southern Region.

**AWARDS:** Keene Cut Lawn Service, Inc.  
 Glen Burnie, Maryland

**TERM:** September 17, 2012 – September 16, 2017

**AMOUNT:** \$1,347,500

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

**BIDS:**

Keene Cut Lawn Service, Inc. Glen Burnie, Maryland	\$1,347,500
EMG Service, LLC Silver Spring, Maryland	\$1,402,000
Lorenz, Inc. Pikesville, Maryland	\$1,551,900
Johnsons Total Service, Inc. Baltimore, Maryland	\$1,650,600
Tote-It Inc. Baltimore, Maryland	\$1,761,900
JLN Construction Services, Inc. Baltimore, Maryland	\$2,194,500

**MBE PARTICIPATION:** 100% (See Remarks)

ITEM: 7-M (Continued)

BPW – 06/20/12

PERFORMANCE SECURITY: N/A

REMARKS: This Solicitation was advertised on eMaryland Marketplace, on the MTA’s website and distributed to the Governor’s Office of Minority Affairs. In response, seven bids were received in response to our Invitation for Bids and all bids received were from certified small business vendors.

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

This service is in support of the Light Rail System to ensure that snow and ice will be removed from the platforms, all sidewalks and yard access walkways at the eleven (11) light rail facilities in the southern region. The southern region encompasses the following stops, as well as Light Rail’s Cromwell Maintenance Shop: Westport, Cherry Hill, Patapsco, Baltimore Highlands, Nursery Road, North Linthicum, Linthicum, Ferndale, Cromwell, and BWI Business Park. This contract has two related contracts (MTA Contract T-8000-0360 and T-8000-0359) to provide snow and ice removal services along other parts of the Light Rail System corridor.

The MBE goal on this contract is 30%; however, the prime contractor is a certified MBE, therefore the MBE participation is 100%.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0104

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 12-0778-0111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN ✓
	WITH DISCUSSION	WITHOUT DISCUSSION	

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

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 8-M

STATE HIGHWAY ADMINISTRATION

**CONTRACT ID:** ARAN1-2012  
 Accident Repair & Enhancement Agreement  
 ADPICS NO. ARAN1-2012

**CONTRACT DESCRIPTION:** This contract consists of accident repair and enhancement work to SHA's Automated Roadway Analyzer #1 (ARAN) Vehicle.

**AWARD:** Fugro Roadware, Inc.  
 Mississauga, Ontario, Canada

**TERM:** June 21, 2012 – September 21, 2012

**AMOUNT:** \$170,310 NTE

**PROCUREMENT METHOD:** Sole Source

**MBE PARTICIPATION:** 0% (Proprietary)

**PERFORMANCE SECURITY:** N/A

**REMARKS:** Fugro Roadware, Inc. is the only company that can provide the necessary repair work needed to make this unit operational and to modify the vehicle for enhanced features. The ARAN vehicles are a significant component in SHA pavement assessment and management program. The critical element in the equipment design is reliably integrating the multiple data streams (right-of-way video, pavement view video, pavement longitudinal and transverse profiles, vehicle location and orientation) at data collection speeds of up to 60mph. The data from each source must be able to stand alone, yet be combined into a comprehensive data set that ties all the various outputs together in time and location. This involves networking multiple specialized computers in a high vibration, high temperature, and mobile environment.

In November 2011 the ARAN #1 vehicle was involved in an accident. The chassis body damage was repaired under the State's contract agreement with PHH Arval Inc, which only covers regular vehicle repair work. There was an additional \$57,810 damage to the specialize equipment that is contained on/in the vehicle that only this vendor can repair and or replace. SHA has an accident open claim for reimbursement with the State Treasurer Office for this work.

In addition, SHA planned a high definition imagery enhancement by modification of the vehicle for data collection of highway assets for the system preservation and asset management systems at SHA. It is in the State's best interest to complete the enhancement proposal, consisting of a total of \$112,500 simultaneously while the vehicle is located at the vendor's plant.

ITEM: 8-M (Continued)

BPW – 06/20/12

FUND SOURCE: 100% Special Funds Budgeted to SHA  
APPROPRIATION CODE: J02B0101  
RESIDENT BUSINESS: No  
MD TAX CLEARANCE: 12-0964-0001

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

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

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

BPW – 06/20/12

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM:** 9-M

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** AX9725229  
 Replacement of Equipment Lifts at the Administration's Churchville, Golden Ring and Hereford Facilities located in Baltimore & Harford Counties  
 ADPICS NO. AX9725229

**CONTRACT DESCRIPTION:** This Contract consists of the replacement of equipment lifts at the Administration's Churchville, Golden Ring & Hereford Facilities located in Baltimore & Harford counties.

**AWARD:** Tech Contracting Co., Inc.  
 Baltimore, MD

**AMOUNT:** \$791,000 NTE

**TERM OF CONTRACT:** July 2, 2012 through February 28, 2013

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Tech Contracting Co., Inc. Baltimore, MD	\$791,000
Rich Moe Enterprises, LLC Upper Marlboro, MD	\$823,651
Orfanos Contractors, Inc Baltimore, MD	\$837,110

**MBE PARTICIPATION:** 2%

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

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Thirty-five (35) contractors were notified for this project; Ten (10) of which were MDOT Certified MBE's.

ITEM: 9-M (Continued)

BPW - 06/20/12

FUND SOURCE: 100% Special Funds Budgeted to SHA  
APPROPRIATION CODE: J02B0102  
RESIDENT BUSINESS: Yes  
MD TAX CLEARANCE: 12-0862-0111

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	

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

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

**CONTRACT MODIFICATION:** (Maintenance)

**ITEM:** 10-M-MOD

**STATE HIGHWAY ADMINISTRATION:**

**CONTRACT NO. & TITLE:** 5272300413  
 Operation of the Pocomoke River Drawbridge  
 (Bridge #23004) in Worcester County  
 ADPICS NO. CO284813

**ORIGINAL CONTRACT APPROVED:** Item 10-M, DOT Agenda 10/19/2011

**ORIGINAL PROCURMENT METHOD:** Competitive Sealed Bidding

**CONTRACTOR:** Chesapeake Pilot Training, Inc.  
 Chestertown, MD

**MODIFICATION:** Modification No. 1 provides correction to the contract term which was originally reported in error.

**AMOUNT:** (\$94,960) CREDIT

**ORIGINAL CONTRACT AMOUNT:** \$213,660 NTE

**REVISED CONTRACT AMOUNT:** \$118,700 NTE

**PERCENTAGE DECREASE:** -44.4%

**TERM:** 11/01/2011 – 06/30/2014 (Original)  
 11/01/2011 – 06/30/2013 (MOD No. 1)

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

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

**REMARKS:** This contract provides operation services of the Pocomoke River Drawbridge located on Business 13 crossing the Pocomoke River, Bridge No. 23004, in Worcester County.

The Contractor contacted SHA seeking clarification to the contract term which they perceived to end on June 30, 2013. After reviewing the solicitation schedule of prices and the completion date provision, SHA has determined the IFB contained an ambiguity regarding to the length of the contract. SHA agrees to the Contractor interpretation and determine that the correct completion date for this contract is June 30, 2013.

ITEM: 10-M MOD (Continued)

BPW – 06/20/12

Chesapeake Pilot Training Inc. is a Certified Small Business Enterprise.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

MD TAX CLEARANCE: 11-2083-0111

RESIDENT BUSINESS: Yes

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	



James L. Knighton – 410-767-0820  
[Jknighton@mta.maryland.gov](mailto:Jknighton@mta.maryland.gov)

BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA

EQUIPMENT CONTRACT

ITEM: 11-E

MARYLAND TRANSIT ADMINISTRATION

**CONTRACT ID:** T8000-0352  
 Procurement of Fifty Three 40' Hybrid Diesel Electric Buses  
 ADPICS NO. T80000352

**CONTRACT DESCRIPTION:** This contract provides for the manufacture and delivery of fifty-three (53) 40-foot Hybrid Diesel Electric Buses.

**AWARD:** New Flyer of America, Inc.  
 Winnipeg, Manitoba, Canada

**TERM:** One (1) year from Notice to Proceed

**AMOUNT:** \$35,314,862

**PROCUREMENT METHOD:** Intergovernmental Cooperative Purchase

**DBE PARTICIPATION:** 5.2%

**REMARKS:** MTA will purchase 53 Hybrid Diesel Electric Buses manufactured by New Flyer of America by piggybacking on a contract between Minnesota Department of Transportation (MN/DOT) and New Flyer. The 53 buses will replace older buses that require extra maintenance time and cost. Replacing the older buses will enable the MTA to meet the needs of riders by providing reliable transportation.

The contract between the Minnesota Department of Transportation (MN/DOT) and New Flyer of America became effective in 2012. The MN/DOT contract was awarded in compliance with all Federal Transit Administration (FTA) mandated clauses. The 5.2% DBE goal established by MN/DOT for this contract were approved by FTA on December 21, 2011.

In accordance with COMAR 21.05.09, the Intergovernmental Cooperative Purchasing method was used for this procurement. Utilizing this procurement method will allow the MTA to realize savings in time and money in acquiring the buses. The unit cost of the buses has been reduced to \$666,319 from \$716,468, a savings of \$50,150 per bus or \$2,657,942 for all 53 buses.

Developing a new solicitation could take the MTA up to two years to prepare specifications, advertise, and award. The buses meet all Federal Transit Administration requirements. In addition the contract with MN/DOT contains all required Federal clauses and meets the requirements of the FTA's Best Practices Manual for piggyback contracts. This contract has a five (5%) percent performance bond requirement based on the contract value.

ITEM: 11-E (Continued)

BPW – 06/20/12

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

APPROPRIATION CODE: J05 H0105

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 12-1008-0011

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

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

BPW – 06/20/12  
**REVISED**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**CONTRACT MODIFICATION:** (Equipment)

**ITEM:** 12-E-MOD

**MARYLAND TRANSIT ADMINISTRATION**

**CONTRACT ID:** T-0884-0140  
Automated Fare Collection System  
ADPICS NO. CO283700

**ORIGINAL CONTRACT APPROVED:** Item 14-E, DOT Agenda 12/12/01

**ORIGINAL PROCUREMENT METHOD:** Sole Source

**CONTRACTOR:** Cubic Transportation Systems, Inc.  
San Diego, CA

**MODIFICATION:** Modification No. 10 is being issued to extend the contract term for one year to ensure on-going services to furnish, install, and test the fare collection equipment for the MTA's Metro, Light Rail and Local Bus systems. MTA is also requesting retroactive approval of previous extensions to the contract term that occurred from 2007 to 2009. These extensions were not reported to the Board. MTA seeks ratification of these prior extensions under State Finance and Procurement Article Section 11-204(c) because both parties acted in good faith, and ratification of the extensions to the contract term will not undermine the purposes of Division II of the State Finance & Procurement Article. For all these reasons, ratification of additional contract authority is in the best interest of the State.

**AMOUNT:** \$0

**ORIGINAL CONTRACT AMOUNT:** \$40,904,650

**REVISED CONTRACT AMOUNT:** \$46,003,142

**PERCENTAGE INCREASE:** 0%

**TERM:** 12/12/01 – 08/08/04 (Original)  
8/9/04 – 9/30/06 (Unreported Modification No. 1)  
09/30/06 – 05/13/07 (Unreported Modification No. 2)  
5/13/07 – 12/07/07 (Unreported Modification No. 3)  
12/07/07 – 6/30/08 (Unreported Modification No. 4)  
6/30/08 – 8/1/09 (Unreported Modification No. 5)  
8/1/09 – 2/12/10 (Unreported Modification No. 6)  
10/21/09 – 12/31/10 (Modification No. 7)  
01/01/11 – 06/30/11 (Modification No. 8)  
07/01/11 – 06/30/12 (Modification No. 9)  
07/01/12 – 06/30/13 (Modification No. 10)

ITEM: 12-E-MOD (Continued)

BPW – 06/20/12  
REVISED

ORIGINAL MBE PARTICIPATION: 0%

**REMARKS:** This Contract provides for the installation of a new fare collection system for MTA operated service including Local Bus, Light Rail, and Metro Subway. The fare collection system was installed and fully operational as of August 2007. The Contract also includes the installation and support of smart card technology as a fare payment option and interoperability with WMATA's Washington DC based transit service.

The original goals of the fare collection project have largely been met; however, several components of the smart card technology purchased through this contract have not been fully implemented or accepted at this time. The work associated with the outstanding milestone payments is largely dependent on the regional system supported by WMATA. MTA expected these features to be operational by early 2012 but WMATA has delayed the full implementation and testing of all features and additional technical issues have surfaced which precluded MTA from completing the project as planned.

The ability to set up recurring threshold autoloads has not been deployed, a portion of sales and use transaction data is not transmitting accurately, and the use of directed autoloads for refunds has not been implemented. In addition, the MTA student smart card design has not been accepted, and MTA and Cubic are negotiating a resolution to a scope dispute pertaining to functionality detailed in the design documents but not provided in the operational system.

There are three outstanding milestone payments totaling \$1,100,000 associated with the aforementioned features, and MTA cannot authorize payment until all of the outstanding issues are fully resolved and the functionality is deployed, tested, and fully operational. The MTA is seeking approval to add one year of time to the contract to allow for successful implementation and testing of all features, processing of associated milestone payments, and close-out of the contract. Once the work under this contract is accepted and final payments have been made, MTA will close out the contract and the installation and implementation phase of the fare collection system will be completed. Ongoing maintenance and service for the system will be provided under a separate, five-year maintenance contract with Cubic that MTA procured in 2009.

Between August 2004 and October 2009, the term of this contract was extended by a series of change orders that unfortunately were not reported to the Board. In each case, the extensions were for time only, to allow completion of work. MTA is seeking retroactive approval of six such extensions,

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: No

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

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

## ATTACHMENT I

	<b>Amount</b>	<b>Term</b>	<b>BPW/DCAR Date</b>	<b>Reason</b>
<b>Original Contract</b>	\$40,904,650	12/12/01-08/08/04	12/12/2001	
<b>Modification No. 1</b>	\$ 0	08/09/04-09/30/06	Retroactive 6/20/12	Extension for time only
<b>Modification No. 2</b>	\$0	9/30/06-5/13/07	Retroactive 6/20/12	Extension for time only
<b>Modification No. 3</b>	\$0	5/13/07-12/7/07	Retroactive 6/20/12	Extension for time only
<b>Modification No. 4</b>	\$0	12/07/07-6/30/08	Retroactive 6/20/12	Extension for time only
<b>Modification No. 5</b>	\$0	6/30/08-8/1/09	Retroactive 6/20/12	Extension for time only
<b>Modification No. 6</b>	\$0	8/1/09-2/12/10	Retroactive 6/20/12	Extension for time only
<b>Modification No. 7</b>	\$ 1,500,492	10/21/09- 2/31/10	10/21/2009	MOU Settlement
<b>Modification No. 8</b>	\$0	01/01/11- 6/30/11	DCAR	Extension for time only
<b>Modification No. 9</b>	\$ 3,598,000	07/01/11-06/30/12	05/18/2011	Increase contract value and extend time
<b>Modification No. 10</b>	\$0	07/01/12-06/30/13	6/20/12	Extension for time only
<b>Revised Amount</b>	<b>\$46,003,142</b>			

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA

**CONTRACT MODIFICATION/OPTION:** (Equipment)

**ITEM:** 13-E-OPT

**THE SECRETARY'S OFFICE:** On behalf of the Maryland State Police Maryland Helicopter Replacement Program

**ORIGINAL CONTRACT NO. & TITLE:** MDOT-MSPAC-0509  
Maryland State Police Helicopter Fleet Replacement  
ADPICS NO. CO285070

**ORIGINAL CONTRACT APPROVED:** Item 10-E, DOT Agenda 10/20/10

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposal

**CONTRACTOR:** AgustaWestland Philadelphia Corporation  
Philadelphia, PA  
  
(Formerly known as Agusta Aerospace Corporation)

**MODIFICATION:** Modification No. 1 is to change the Base Configuration of all helicopters ordered under the Contract to reflect certain changes to the searchlight and medical interior initially proposed in original contract at an additional cost of \$76,556 per helicopter (original contract price each for first 6 helicopters of \$11,741,545 + \$76,556 = \$11,818,101 each). This modification also includes other changes and updates to the Contract, including delivery schedules, updated exhibits, updated pilot training requirements, updated payment terms, re-setting certain dates in the contract and fixing the exterior color, paint and design schemes.

**OPTION:** Authorization to order helicopters 7 – 9 during FY 2012 (Funds distributed during FY 2013) and to order helicopter 10 during FY 2013 (Funds distributed during FY 2014).

**AMOUNT OF MOD/OPTION:** \$459,336  
(\$76,556 increase per helicopter x Original 6 helicopter units already ordered.)  
  
\$49,003,595 (Helicopter Units 7 – 9 @ CPI-adjusted price of \$12,144,633 each and Helicopter 10 @ \$12,569,696 (based on an assumed CPI Index increase capped at 3% by the end of the 2<sup>nd</sup> quarter of 2013)

**ORIGINAL CONTRACT AMOUNT:** \$72,274,752 (Base Contract):  
6 Helicopters @ \$11,741,545 ea. = \$70,449,270 +  
Cabin Training Device @ \$1,341,587 +  
Special Tools and Equipment @ \$373,466 +  
Safety/Survival Equipment @ \$110,429

ITEM: 13-E-OPT (Continued)

BPW – 06/20/12  
REVISED

Option: Purchase up to six (6) additional helicopters at the original contract price plus an adjustment based on the increase in the CPI-U Index, not to exceed 3% in any twelve (12) month period.

**REVISED CONTRACT INCLUDING OPTION AMOUNT:**

\$121,737,683 (Base Contract):  
6 Helicopters @ \$11,818,101 ea. = \$70,908,606 +  
3 Helicopters @ \$12,144,633 ea = \$36,433,899 +  
1 Helicopter @ \$12,569,696 +  
Cabin Training Device @ \$1,341,587 +  
Special Tools and Equipment @ \$373,466 +  
Safety/Survival Equipment @ \$110,429

Remaining Options: Purchase up to two (2) additional helicopters prior to July 1, 2015 at the Revised Based Configuration price of \$12,144,633, plus an adjustment based on the increase in the CPI-U Index from March 2012 to the date the purchase order is placed, not to exceed 3% in any twelve (12) month period. MSPAC and MIEMSS intend to operate with a fleet of 10 helicopters for now to see if there is a demonstrated need for additional helicopter(s).

**PERCENTAGE INCREASE:**

.0064% (per helicopter)

**ORIGINAL TERM:**

30 years from Notice to Proceed

**MBE PARTICIPATION:**

0%

**REMARKS:** Notwithstanding the detailed procurement process and due diligence the State engaged in, prior to placing the 1<sup>st</sup> order of helicopters, it was not possible for the State to examine and test the exact copy of an AW139 helicopter that was produced and fitted out to meet the unique and rigorous requirements imposed by the mandated multi-mission roles for which the State helicopters are expected to meet. Therefore, as the first helicopter unit made its way through the early stages of production and the fit-out cycle, the State looked for opportunities to customize certain limited medical interior and exterior features and capabilities offered by the AW139 to better meet these multi-mission roles, enhance safety, and optimize operational efficiencies. All such customization required FAA certification. The customizations requested by the MSPAC and MIEMMS included changes to provide a medical interior that was more optimally configured and equipped to meet the specific needs of the State, provide more medical seating and provide a more powerful under-mount searchlight that would allow the pilot to better clear safe landing zones in areas and situations that were outside of existing established landing zones (e.g., night time landings in fields, clearings and on highways verses landings at established landing zones at hospitals and airfields).

The Contractor has agreed to hold the price for helicopters 7, 8 and 9 through July 31, 2012. Orders must be placed on or before July 31, 2012 to receive the discounted price of \$12,144,633 per helicopter.

One group of MSPAC pilots has completed the initial training course at Rotorsim; others are currently in training and all others are scheduled to follow. Sixty pilots in all are to receive training. After the first group of pilots completed the training course, the FAA re-interpreted existing FAA pilot licensing requirements as they apply to single-pilot VFR operation of this aircraft (the Procurement Office learned of this on May 3, 2012 during a meeting with the Contractor). While the FAA has certified the aircraft for 2-pilot IFR and pilot (single-pilot) VFR operation, the FAA now believes that its pilot licensing regulations do not currently

ITEM: 13-E-OPT (Continued)

BPW - 06/20/12  
REVISED

provide a procedure for the FAA to license pilots to operate the aircraft as 1-pilot VFR (the current training coursework and FAA "check ride" provisions are all based on 2-pilot operation). Consequently, MSPAC pilots recently completing training and those pilots following have or will have a restriction on their licenses that prevents them from operating the helicopters as 1-pilot VFR. MSPAC pilots and other pilots not associated with the State who completed the training prior to the date of the FAA's re-interpretation do not have such a restriction on their licenses.

The Contractor is optimistic and believes this anomaly will be resolved and has begun working with the FAA to that end. Since the resolution of this matter rests with the FAA, the Contractor cannot offer a definite date as to when this matter will be resolved (although they have said they are hopeful this matter will be resolved by the end of this calendar year). At the same time, the MSPAC is looking into other options with the FAA that may lead to having the restriction removed. It is possible that some of the helicopters will be ready for delivery before this issue is resolved. To the extent this issue remains open, MSPAC would have to operate the helicopters with 2 pilots. While MSPAC follows its parallel track to see if there is a current process within the FAA that would permit them to certify MSPAC pilots for 1-pilot VFR operation, the MSPAC has indicated its intention to operate in accordance with FAA rules and directives.

FUND SOURCE:

G.O. bonds

APPROPRIATION CODE:

\$52,500,000	-	MCCBL 2009
\$19,774,749	-	MCCBL 2011
\$38,674,000	-	MCCBL 2012
<input type="checkbox"/> \$24,250,000	-	MCCBL Preauthorization Act of 2013 (FY2014)
<input type="checkbox"/> \$ 8,000,000	-	MCCBL Preauthorization Act of 2014 (FY2015)

RESIDENT BUSINESS:

No

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

APPROVED     
  DISAPPROVED     
  DEFERRED     
  WITHDRAWN  
 WITH DISCUSSION ✓     
  WITHOUT DISCUSSION



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BPW – 06/20/12

DEPARTMENT OF TRANSPORTATION

ACTION AGENDA

**CONTRACT MODIFICATION:** (General Miscellaneous)

**ITEM:** 14-GM-MOD

**MARYLAND TRANSIT ADMINISTRATION:**

**CONTRACT ID:** MTA-1205  
Insurance Broker Services for Owner  
Controlled Insurance Program  
ADPICS NO. CO284737

**ORIGINAL CONTRACT APPROVED:** Item 13-GM, DOT Agenda 05/09/07

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MODIFICATION:** Modification No. 2 is to increase the total contract value and extend the term of the contract by ten (10) additional months. This modification will ensure continuation of Insurance Broker Services in support of MTA's Owner Controlled Insurance Program (OCIP).

**CONTRACTOR:** AON Risk Services, Inc. of Maryland  
Baltimore, MD

**AMOUNT:** \$155,000

**ORIGINAL CONTRACT AMOUNT:** \$465,000

**REVISED CONTRACT AMOUNT:** \$1,005,000

**PERCENTAGE INCREASE:** 15.42% (Modification No. 2)  
116.13% (Overall)

**TERM:** 05/15/07 – 05/14/10 (Original)  
05/15/10 – 05/14/11 (Renewal Option No. 1)  
05/15/11 – 05/14/12 (Renewal Option No. 2)  
05/14/12 – 07/16/12 (Modification No. 1)  
07/16/12 – 05/15/13 (Modification No. 2)

**MBE PARTICIPATION:** 28% (MBE Compliance 24.47%)

**ITEM: 14-GM-MOD (Continued)**

**BPW – 06/20/12**

**REMARKS:** This contract is for the provision of insurance broker services in support of MTA’s Owner Controlled Insurance Program (OCIP) including: risk control services; claims management services; administrative assistance (for the OCIP); loss control; safety services; and risk management information system services. The OCIP program will provide General Liability, Workers' Compensation, and Excess Liability coverage for contractors and subcontractors while performing work on a project site. The Owner will purchase for the benefit of all Approved Contractors, Subcontractors and Vendors, all-risk Builder's Risk insurance in the amounts sufficient to cover replacement cost of the work in progress and the property located at a Project Site. Such insurance will specifically protect the interest of the Contractor in the work, but it will not cover the Contractor's equipment, which will not become a permanent part of the work to be accepted by the Owner.

The MTA is requesting approval to extend the contract term to avoid an interruption of services and to increase the funding levels of the contract. It is anticipated that the proposed funding increase is sufficient to cover the extension period beginning July 16, 2012 through May 15, 2013.

These services are required to meet State needs for providing insurance coverage for all State-funded construction projects. All other terms and conditions of the original contract agreement remain unchanged. The MTA feels that the cost to execute this extension does not exceed the current value of the annual billing for these services. The MTA recently advertised (April 23, 2012) and began the procurement process, in anticipation of awarding a new contract. This modification, therefore, would allow MTA to continue to use insurance brokerage services for its OCIP program while the procurement process for the new solicitation moves towards its conclusion.

The incumbent contractor, AON Risk Services Inc., is providing outstanding services assisting the MTA with various initiatives to control workplace safety, as well as, ensuring excellent advisory support related to the insurance market. AON is a highly capable and professional company and is able to fulfill MTA needs within budget and on schedule.

<b>FUND SOURCE:</b>	100% Special Funds Budgeted to the MTA
<b>APPROPRIATION CODE:</b>	J05H0105
<b>RESIDENT BUSINESSES:</b>	Yes
<b>TAX CLEARANCE NO.:</b>	12-0959-1001

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

## ATTACHMENT I

	<b>Amount</b>	<b>Term</b>	<b>BPW/DCAR Date</b>	<b>Reason</b>
<b>Original Contract</b>	\$465,000.00	05/15/07 – 05/14/10	05/09/2007	
<b>Renewal Option No. 1</b>	\$230,000.00	05/15/10 – 05/14/11	05/05/2010	Renewal Option 1
<b>Renewal Option No. 2</b>	\$155,000.00	05/15/11 – 05/14/12	04/06/2011	Renewal Option 2
<b>Modification No. 1</b>	\$000,000.00	05/15/12 – 07/16/12	05/09/2012	Contract Extension
<b>Modification No. 2</b>	\$155,000.00	07/16/12 – 05/15/13	06/06/12	Contract Extension
<b>Revised Amount</b>	\$1,005,000.00			

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM**            1-C

**DEPARTMENT OF HEALTH AND**  
**MENTAL HYGIENE**

Deer's Head Hospital Center  
Salisbury, MD (Wicomico County)

**CONTRACT NO. AND TITLE**

Project No. REBID H-453-100-001;  
New Kidney Dialysis Addition and  
Renovate Unit 1 North

**CONTRACT DESCRIPTION**

Contract approval for the construction of a new 7,870 gsf, attached, one-story Kidney Dialysis Unit addition. This addition will have 27 dialysis stations, the contract also includes the renovation of 6,710 gsf of existing Unit 1 North space for administrative and support use. The project is located at Deer's Head Hospital Center, 351 Deer's Head Hospital Rd., Salisbury, MD.

**PROCUREMENT METHOD**

Competitive Sealed Bids

**BIDS OR PROPOSALS**

Willow Construction, LLC, Easton, MD  
Whiting-Turner Contracting Company  
Cambridge, MD  
GGI Builders, Inc. T/A Gillis Gilkerson  
Salisbury, MD  
Manekin Construction LLC, Columbia, MD

**AMOUNT**

\$5,027,500.00  
\$5,259,921.00  
\$5,267,709.00  
\$5,315,500.00

**AWARD**

Willow Construction, LLC  
Easton, MD

**AMOUNT**

\$5,027,500.00

**TERM**

550 Calendar days

**MBE PARTICIPATION**

28.36%

**PERFORMANCE BOND**

100% of full contract amount

**HIRING AGREEMENT ELIGIBLE**

Yes

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM**            1-C (Cont.)

**REMARKS**

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. Four bids were received for the above solicitation. The government's estimate is \$5,647,000.00.

The recommended contractor Willow Construction, LLC, has been found responsive and responsible and has confirmed its bid.

**FUND SOURCE**

MCCBL 2011/Item 011  
"Provide Funds to complete design and construction of a new Kidney Dialysis Unit and renovate existing"

**RESIDENT BUSINESS**

Yes

**TAX COMPLIANCE NO.**

12-0825-1111

---

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

APPROVED

DISAPPROVED

DEFERRED

**WITHDRAWN** ✓

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT****ITEM**        2-M**DEPARTMENT OF NATURAL RESOURCES** Patapsco Valley State Park**CONTRACT NO. AND TITLE**Project No. P-020-121-010;  
Resurface Hollofield Campground  
ADPICS No: 001B2400577**DESCRIPTION**

This project requires the contractor to provide all materials, equipment, supplies, etc., to resurface the campground entrance road, loops and parking lot at the Hollofield area of Patapsco Valley State Park.

**PROCUREMENT METHOD**

Competitive Sealed Bids

**BIDS OR PROPOSALS**

	<b><u>AMOUNT</u></b>
Image Asphalt Maintenance Inc., Pasadena, MD	\$209,460.00
Asphalt General, Beltsville, MD	\$245,895.00
Espina Paving Inc., Woodbridge, VA	\$249,083.00
DSM Properties, LLC., Randallstown, MD	\$249,130.00
The American Asphalt Paving Co., LLC Baltimore, MD	\$256,590.00
Puente Technology LLC., Ellicott, City MD	\$354,982.00

**AWARD**Image Asphalt Maintenance Inc.  
Pasadena, MD**AMOUNT**

\$209,460.00

**TERM**

120 Calendar Days

**MBE PARTICIPATION**

25%

**PERFORMANCE BOND**

100% of Full Contract Amount

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

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM**        2-M (Cont.)

The project estimate was \$192,882.00. This project was included on the FY-12 Critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and two vendors attended the prebid. Six vendors bid on the project with zero vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid. 25% MBE participation was provided in the documentation and was approved.

**FUND SOURCE**

MCCBL 2011 Item 008 (Provide funds to construct capital improvements such as planned maintenance and repairs projects at public facilities on State-owned property)

**RESIDENT BUSINESS**

Yes

**TAX COMPLIANCE NO.**

12-0791-0111

---

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM**            3-GM

**REFERENCE**

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$141,671.00 (1 item).

The two fund sources for any particular item will be designated as either: MCCBL 2009/Item 18 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public facilities on State-Owned property) or MCCBL 2010/Item 016 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)

**Department of Natural Resources**

A.     Assateaque State Park

**DESCRIPTION**

Approval for a contract to provide all materials, equipment, supplies, etc., to install 12 Sewage Disposal System Upgrades throughout Assateaque State Park.

**REMARKS**

The award is for the base bid. This solicitation was advertised and bid on *eMaryland Marketplace.com (eMM)*. Notice of Availability was also posted on the DGS Bid Board.

The project estimate was \$180,000.00. This project was included on the FY-10 Critical maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and three vendors attended the prebid. Five vendors bid on the project with three vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid. 10% MBE participation was provided in the documentation and was approved.

**CONTRACT NO. AND TITLE**

Project No. P-000-118-910;  
Install 12 Sewage Disposal System  
Upgrades



**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM**            3-GM (Cont.)

**PROCUREMENT METHOD**

Competitive Sealed Bids

**AWARD**

R. A. Parks Construction, LLC  
Henderson, MD

**AMOUNT**

\$141,671.00

**TERM**

30 Calendar Days

**MBE PARTICIPATION**

10%

**FUND SOURCE**

MCCBL 2010 Item 016

---

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM**        4-GM

**REFERENCE**

In accordance with provisions of the State Finance Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval of the use of General Obligation Bond funding for the contract noted below, is hereby requested.

Department of Natural Resources – Ocean City Beach Maintenance

**DESCRIPTION**

Approval is requested to revise previously approved BPW 3/24/10 agenda Item 4-M to reflect a different capital fund source.

**REMARKS**

Item 4-M on the above mentioned BPW agenda covered cost for Environmental Quality Resources, LLC to provide materials, equipment, supplies, etc. for Dune vegetation maintenance and fence repair. The reassignment of funds will allow the use of older Ocean City Beach Maintenance funds applicable for this project.

Board of Public Works approval is now requested to revise the fund source as follows:

FROM:        \$415,455.15 –POS 07 Item 402  
                 \$415,455.15 –K00 10 PCA #I0553

TO:            \$269,460.20 –POS 07 Item 402  
                 \$145,994.95 –MCCBL 1990, Item 000 06.87.77.13.000  
                 \$415,455.15 –K00 10 PCA #I0553

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY**

**ITEM**        5-RP

**DEPARTMENT OF AGRICULTURE**

Maryland Agricultural Land Preservation  
Foundation (MALPF)  
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 2, 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 3 through 6, 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 7 through 11, the Grantor is waiving the right to request any additional lots.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY**

**ITEM**            5-RP (Cont.)  
**Grantor**

**Property****Price****FAMILY LOTS****St. Mary's County**

1. 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

2. 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****Allegheny County**

3. 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

**Cecil County**

4. 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

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY****ITEM**      5-RP (Cont.)

5. 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**

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

Review Appraiser: Kelleher

**LOT WAIVER****Cecil County**

7. 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

8. 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

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY**

**ITEM**      5-RP (Cont.)

**Dorchester County**

9. E & L Eberspacher	50 Ac	\$ 173,591.50	
09-11-03		\$ 3,471.83/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Cadell (fee)	\$235,000.00	\$61,408.50	\$173,591.50
b. Cline (fee)	\$220,000.00	\$61,408.50	\$158,591.50
Review Appraiser: Andrews			

**Talbot County**

10. Councill 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**

*see HR  
dtd 10/10/12*

\$ 35,207.91	615 10075	
<del>\$ 2,434,650.85</del>	<del>615 11070</del>	<del>2,428,153.35</del>
\$ 5,747.40	615 09501	
\$ 1,615,542.75	L00A11.11**	
<del>\$ 4,091,148.91</del>	Total	4,084,651.88

\*\* L00A11.A11 includes \$1,327,100.88 county funds.

<b><u>TOTAL ACRES (TA)</u></b>	964.988
<b><u>TA LESS DWELLINGS</u></b>	957.988

Ms. Sheila McDonald, Esq.

Page 3

BPW June 20, 2012

Item 5-RP

Pages 8-12

Maryland Agricultural Land

Foundation (MALPF)

Agricultural Land Preservation

Easements

(Various Properties)

FROM:\$ 35,207.91 – 615 10075  
2,434,650.85 – 615 11070  
5,747.40 – 615 09501  
1,615,542.75 – L00A11.11\*\*  
\$4,091,148.91 – Total

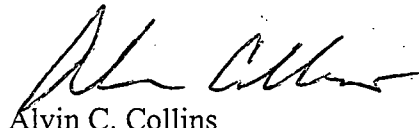
TO:\$ 35,207.91 – 615 10075  
2,428,153.35 – 615 11070  
5,747.40 – 615 09501  
1,615,542.75 – L00A11.11\*\*  
\$4,084,651.41 - Total

REMARKS: L00 A11.11 includes \$1,327,100.88 county funds

Reason: Change in acreage on Drummond property resulting from survey done prior to settlement.

Thank you for your attention to this matter. If you need further information, please call me at (410) 767-4960 or have a member of your staff contact Rio Woodard, Administrator, Capital Projects Accounting, at (410) 767-4236.

Sincerely yours,



Alvin C. Collins

Secretary

cc: The Honorable Martin O'Malley  
The Honorable Peter Franchot  
The Honorable Nancy K. Kopp

Martin O'Malley  
Governor

Anthony G. Brown  
Governor



OK *[Signature]*

Alvin C. Collins  
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES  
OFFICE OF THE SECRETARY

October 10, 2012

Sheila McDonald, Esq.  
Secretary to the Board of Public Works  
Louis L. Goldstein Treasury Building, Room 213  
Annapolis, Maryland 21401-1991

BOARD OF PUBLIC WORKS

2012 OCT 11 PM 2:55

RECEIVED

SUBJECT: Changes to the September 16, 2009, September 21, 2011, October 19, 2011, February 8, 2012, June 20, 2012 Board of Public Works Action Agendas

Dear Ms. McDonald:

This is to advise you of the following changes to the Board of Public Works Action Agenda Items previously approved by the Board of Public Works.

BPW September 16, 2009  
Item 7-RP  
Pages 13-24  
Maryland Agricultural Land  
Preservation Foundation  
Foundation  
Agricultural Land Preservation  
Foundation

FROM: \$13,547,917.01 - L00 A11.11 State SF09  
4,041,114.20 - L00 A11.11 County SF09  
2,933,544.14 - L00 A11.11 Fed. SF005  
751,626.46 - Possible funds from federal or  
county sources  
21,274,201.81 - TOTAL

TO: \$ 11,403,051.96 - L00 A11.11 State SF09  
3,484,182.04 - L00 A11.11 County SF09  
2,737,721.10 - L00 A11.11 Fed. SF005  
751,626.46 - Possible funds from federal or  
county sources  
18,376,581.56 - TOTAL

Reason: Change in acreage on Major, Vitez, Fitzwater and Beavan properties resulting from survey done prior to settlement. Also Foundation's offers to Crossland, Leppo, Miller, Holdridge and Simpson were withdrawn due to non-resolution of critical issues.





Ms. Sheila McDonald, Esq.  
Page 2

<u>BPW September 21, 2011</u>	FROM:\$ 2,103,866.50 – 615 09501
Item 9 RP	1,272,261.30 – 615 10075
Pages 19-22	1,076,057.96 – L00 A11.11
Maryland Agricultural Land Preservation Easements	TO:\$ 2,098,119.10 - 615 09501
Maryland Agricultural Land Preservation Foundation	1,272,261.30 – 615 10075 1,072,226.36 – L00 A11.11**

REMARKS: L00 A11.11 includes \$849,644.39 county funds

Reason: Change in acreage on Holland property resulting from survey done prior to settlement.

<u>BPW October 19, 2011</u>	FROM:\$ 2,337,429.75 – 615 09501
Item 7-RP	2,076,043.55 – 615 10075
Pages 14-20	3,905,713.74 – L00 A11.11
Agricultural Land Preservation Easements	REMARKS: L00 A11.11 includes \$2,605,011.57 county funds
Maryland Agricultural Land Preservation Foundation	TO:\$ 2,337,429.75 – 615 09501 2,031,582.19 – 015 10075 3,729,174.77 – L00 A11.11

REMARKS: L00 A11.11 includes \$2,512,417.65 county funds

Reason: Change in acreage on Wright, Ripley and Donohue properties resulting from survey done prior to settlement.

<u>BPW February 8, 2012</u>	FROM:\$ 1,052,614.98 – 615 10075
Item 6-RP	1,538,120.64 – 615 11070
Pages 12-16	<u>1,939,817.08</u> - L00 A11.11**
Maryland Agricultural Land Preservation Foundation	\$4,530,552.70 - Total
Agricultural Land Preservation Easements (Various Properties)	**L00 A11.11 includes \$1,939,817.08 county funds TO\$ 1,052,614.98 – 615 10075 1,091,126.19 – 615 11070 <u>1,641,820.78</u> - L00 A11.11** \$3,785,561.95 - Total

\*\* L00.A11.11 includes \$1,641,820.78 county funds

Reason: The Foundation's offer on the Rowland property was withdrawn.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY****ITEM**      5-RP (Cont.)**AVERAGE PRICE PER ACRE**                      \$4,270.66**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.2 (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.

NOTE: This item was previously on Agendas 4/4/12 as item 4-RP and 5/2/12 as item 8-RP. The item was withdrawn in both instances.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE****ITEM**           6-LT**MILITARY DEPARTMENT**

La Plata Armory La Plata, MD (Charles County)

**Landlord**County Commissioners of Charles County, Maryland  
P.O. Box 2150  
200 Baltimore Street  
La Plata, Maryland 20646**Property Location**La Plata Armory  
14 W. Hawthorne Drive  
La Plata, Maryland 20646**Space Type**   Armory/Land**Lease Type**   New**Square Feet/Acres****Duration**    30 Months**Effective**    7/1/2012

3.41± Land

**Rent**           None

23,230 Square Feet

**Utilities Responsibility**

Tenant

**Custodial Responsibility**

Tenant

**Previous Board Actions**

6/6/2012 – Item 4-RP

**HISTORY**

On 6/6/2012, as Item 4-RP, the Board of Public Works approved a land exchange agreement between the Military Department and the County Commissioners of Charles County for the relocation of the Maryland National Guard from the La Plata Armory to an unimproved County owned property at Rose Hill Road, a site a few miles west of the current Armory site. A portion of the value of the land exchange contract provides for the Military Department to lease back the current armory from the County at no actual monetary cost other than operating costs. Upon completion of the exchange of properties the Military Department will occupy the current La Plata Armory for a period of 30 months. The 30 months will provide time for the construction of the new armory. The BPW is now requested to approve the lease back agreement.

**SPECIAL CONDITIONS**

1. This lease will become effective upon the recordation of the deed but in any event no later than July 1, 2012.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE****ITEM        6-LT (Cont.)**

2.     The Military Department will continue operations in the La Plata Armory under this lease with Charles County at no cost for a period of 30 months during the design and construction of the new Armory. This lease is valued at of \$375,000 based on current age, condition and market value.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE****ITEM** 7-LT-OPT**MARYLAND STATE DEPARTMENT OF EDUCATION**

Division of Rehabilitation Services  
(Baltimore County)

**Landlord** Baltimore County Revenue Authority  
115 Towsontown Boulevard  
Towson, MD 21286

**Property Location** 113 Towsontown Boulevard  
Towson, MD 21286

<b><u>Space Type</u></b>	Office	<b><u>Lease Type</u></b>	Renewal	<b><u>Square Feet</u></b>	3,500
<b><u>Duration</u></b>	5 Years	<b><u>Effective</u></b>	7/1/2012		
<b><u>Annual Rent</u></b>	\$54,250.00 (Avg.)	<b><u>Square Foot Rate</u></b>	\$15.50 (Avg.)		
		<b><u>Previous Sq. Ft. Rate</u></b>	\$15.00		

**Utilities Responsibility** Landlord  
**Custodial Responsibility** Landlord

**Previous Board Action(s)** 6/20/2007 Item 16-LT; 6/13/2002 Item 20-L; 9/18/1996  
Item 12-L

**Fund Source** 100% Federal PCA U5252

**Special Conditions**

1. This lease contains escalations/de-escalations for utilities, custodial services.
2. The lease incorporates five (5) reserved parking spaces.
3. The rental rate will be \$15.25 per net usable square foot for years year 1-2; \$15.50 for year 3; \$15.75 for year 4-5 resulting in an average rate of \$15.50 over the term.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE**

**ITEM**      7-LT-OPT (Cont.)

**Remarks**

1.      The Division of Rehabilitative Services has leased this space since December 1, 1996. This office space is utilized by 15-20 individuals with disabilities, staff, and community based program personnel daily. Services provided include interviewing, testing, counseling, and coordination activities to allow those with disabilities to obtain gainful employment or stay independent.
  
2.      The Office of Real Estate was able to secure a lease savings of \$5,250 over the lease term through negotiations which reduced the net usable square foot rate from an average of \$15.80 to an average of \$15.50 per net usable square foot.
  
3.      The lease contains a termination for convenience clause.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE****ITEM** 8-LT-MOD**DEPARTMENT OF HEALTH & MENTAL HYGIENE**

Women, Infant &amp; Children Division

**Landlord**Arundel Village Plaza, LLC  
222 Courthouse Court, Suite 300  
Towson, MD 21204**Property Location**5503 Governor Ritchie Highway, Suite A  
Brooklyn Park, MD 21225

<b><u>Space Type</u></b>	Office	<b><u>Lease Type</u></b>	Extension/Mod	<b><u>Square Feet</u></b>	5,400
<b><u>Duration</u></b>	9 Years 7 Months	<b><u>Effective</u></b>	7/1/2012		
<b><u>Annual Rent</u></b>	\$92,934.00 (Avg.)	<b><u>Square Foot Rate</u></b>	\$17.21 (Avg.)		
		<b><u>Effective Sq. Ft. Rate</u></b>	\$20.46 (Avg.)		

**Utilities Responsibility**

Lessee

**Custodial Responsibility**

Lessee

**Previous Board Action(s)**

7/7/2011 16-LT

**Fund Source**

M00 F0302 06 03 02 0270 100% Federal

**Background**

On the 7/7/2011 DGS/BPW Action Agenda, the BPW approved as Item 16-LT, a five (5) year lease agreement to develop a federally mandated training facility for the use of the Department of Health and Mental Hygiene located at 5503 Governor Ritchie Highway.

The Board later approved on the 6/6/2012, DGS/BPW Action Agenda as Item 8- LT, a lease agreement located at 5507 Governor Ritchie Highway.

To align the terms of these two (2) lease agreements, the Landlord has offered an inducement to modify the 5503 Governor Ritchie Highway lease by extending the current lease term, reducing the current rental rate and reducing the stated option renewal rate.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**TENANT LEASE**

**ITEM**        8-LT-MOD (Cont.)

**Special Conditions**

1.        The lease provides 60 use-in common parking spaces free of charge.
2.        The lease contains pass-through provisions for real estate taxes and custodial services.
3.        Tenant has the right to renew this lease one (1) time for a five (5) year term subject to Board of Public Works approval.

**Remarks**

1.        The inducement as proposed by the Landlord provides the State of Maryland with the following savings:

<u>Period</u>	<u>Original Rental Rate</u>	<u>Proposed Rental Rate</u>	<u>Savings to the State</u>
Years 1-2	\$16.48	\$16.25	\$ 1,967.00
Years 3-5	\$17.25	\$17.00	\$ 4,050.00
Years 6-10	\$19.25	\$18.25	\$27,000.00
			Total \$33,017.00

2.        This lease contains a termination for convenience clause.
3.        In accordance with the State Finance and Procurement Article, Annotated Code of Maryland the above space request was advertised in the Daily Record, *e-Maryland Marketplace.com* and the DGS website. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

173



**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CAPITAL GRANTS AND LOANS**

**ITEM**            9-CGL (Revised)

**MARYLAND HIGHER EDUCATION COMMISSION**

**RECOMMENDATION**

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

***Cecil College***

*New Engineering and Math Building – Construction Phase I Allocation*

*Construct a new 28,000 GSF Engineering and Math Building to support educational and training needs of high tech industries and their employees located in Cecil County.*

**\$2,145,000.00**

*Maryland Consolidated Capital Bond Loan of 2011, Item 014.*

*CC-13-MC09/11-408*

**MATCHING FUND**

Cecil College – \$1,265,175

Cost sharing is 62.9% State share, 37.1% local share and is in accordance with Section 11-105(j) of the Education Article.

**BACKGROUND**

	<b><u>Total Amount</u></b>	<b><u>State Share</u></b>	<b><u>Local Share</u></b>
Total Project	\$5,133,545.00	\$3,229,000.00	\$1,904,545.00
This Action	\$3,410,175.00	\$2,145,000.00	\$1,265,175.00
Previous Action, 18-CGL, 1/06/10	\$1,723,370.00	\$1,084,000.00	\$ 639,370.00

**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 the Cecil College and signed by local authorities.

**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

**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

The Department of Health and Mental Hygiene recommends approval of a Waiver of Priority of Declaration and Subordination Agreement on behalf of Goodwill Industries of Monocacy Valley, Inc. (GIMV)

On June 2, 1999, the Board of Public Works (“BPW”) approved a capital grant in the amount of \$29,250.00 (DGS Agenda Item 27-CGL) from the Maryland Consolidated Capital Bond Loan 1997, Community Mental Health Project Funds for design of improvements to the facility at 400 East Church Street in Frederick, Maryland (“the Project”). Subsequently, at its meeting of November 15, 2000 (DGS Agenda Item 36-CGL), the Board approved an additional grant of \$450,000 from the Maryland Consolidated Capital Bond Loan 1999, Community Mental Health Project Funds for the Project.

A notice of the State’s Right of Recovery, as required under Health General Article 24-606, was recorded on July 20, 1999 among the Land records of Frederick County Maryland.

Goodwill Monocacy Valley is engaged in expanding its retail operations at 200 Baltimore Boulevard, Westminster, Maryland (Carroll County). Goodwill intends to complete a \$1.9 million, 33,500 gross-square-foot renovation project at the Westminster property in August 2012. The funds for the renovations are being provided through a mortgage by the Woodsboro Bank. However, the loan is conditioned upon the State agreeing to subordinate its right of recovery to the Woodsboro Bank first Deed of Trust in the amount of \$1,900,000. The Board is now requested to approve a Waiver of Priority Declaration and Subordination Agreement that will permit GIMV to close on the loan.

An Assistant Attorney General of the Department of Health and Mental Hygiene has reviewed and approved the Agreement for legal sufficiency.

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CAPITAL GRANTS AND LOANS**

**ITEM**      10-CGL (Cont.)

**REMARKS**

GIMV desires to use the equity in the 400 East Church Street, Frederick facility as collateral for loan to complete renovations to the 200 Baltimore Boulevard, Westminster facility. The Woodsboro Bank loan is conditioned on the State agreeing to subordinate its right of recovery on the 400 East Church Street property to the first Deed of Trust. Health General Article 24-606(f)(2) provides that a lien based on the State's right of recovery is superior to a lien or other interest of a mortgage "except as the State may by written subordination agreement provide otherwise". The Waiver of Priority Declaration and Subordination Agreement reflects the financial arrangement as so stated above.

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA****MAINTENANCE CONTRACT****ITEM** 11-M**DEPARTMENT OF HUMAN RESOURCES**Baltimore City Department of Social  
Services (BCDSS)**CONTRACT NO. AND TITLE**Armed and Unarmed Uniformed Guard  
Services at Sixteen (16) BCDSS locations  
ADPICS NO. 001B2400400**CONTRACT DISCRIPTION**Approval is requested for a contract to  
provide armed and unarmed uniform guard services at sixteen (16) Baltimore City Department of  
Social Services facilities located throughout Baltimore City for a period of five (5) years.**PROCUREMENT METHOD**

Competitive Sealed Bids

**BIDS OR PROPOSALS**

<b><u>BIDS OR PROPOSALS</u></b>	<b><u>AMOUNT</u></b>
Red Coats Inc, dba Admiral Security, Baltimore, MD	\$14,404,289.45
Watkins Security Agency, Inc, Baltimore, MD	\$14,919,504.93
Elite People Protective Services Inc, Baltimore, MD	\$15,093,317.18
Allied Barton Security Services, Baltimore, MD	\$15,155,477.68
All County Security Agency, Inc, Ellicott City, MD	\$15,371,051.50
Legal Services Associates, Inc, Baltimore, MD	\$15,870,817.00
Securitas Security Services USA, Inc., Baltimore, MD	\$16,567,587.10

**AWARD**Red Coats Inc., dba Admiral Security  
Baltimore, MD**TERM**

6/21/2012-6/20/2017

**AMOUNT**

\$14,404,289.45 (5 Years)

**MBE PARTICIPATION**

15%

**PERFORMANCE BOND**

100% of annual contract amount

**HIRING AGREEMENT ELIGIBLE**

Yes

DEPARTMENT OF GENERAL SERVICES  
ACTION AGENDAMAINTENANCE CONTRACTITEM 11-M (Cont.)REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. Approximately two hundred thirty-two (232) vendors received notification of this solicitation, directly from *eMaryland Marketplace.com*.

Seven (7) bids were received. One (1) bidder was Small Business Reserve (SBR) certified and two (2) bidders were SBR and MBE certified.

A bid protest was filed January 30, 2012 by Proactive Special Security Services. A procurement officer's decision was issued denying that protest on February 3, 2012 and no appeal was taken from the decision. This item was then printed on the 3/7/12 agenda, but was withdrawn following the filing of a bid protest by Watkins Security Agency, Inc. on March 1, 2012. A procurement officer's decision was issued on March 2, 2012 denying the protest, and an appeal was taken from that decision to the Maryland State Board of Contract Appeals on March 5, 2012. The Maryland State Board of Contract Appeals dismissed the appeal at a hearing on June 1, 2012.

The contractor shall provide the necessary uniformed armed and unarmed security guards along with training, equipment, insurance, and expertise to cover the security guard assignments as required by the Baltimore City Department of Social Services ("BCDSS").

Guard service from this contract will be performed at the following BCDSS locations:

- Harbor View Center – 18 Reedbird Ave.
- Adult Services – 300 Metro Plaza – Mondawmin Mall
- Extended Hours – 313 North Gay St.
- Hilton Heights, 500 North Hilton St.
- Mt. Clare Junction, 1223 West Pratt St.
- BCDSS Office Building – 1510 Guilford Ave.
- Child Protective Services – 1900 North Howard St.
- Branch Building – 1910 North Broadway
- Garden Center – 1920 North Broadway
- Northeast District Building – 2000 North Broadway
- Penn North, 2500 Pennsylvania Ave.
- Biddle Street Complex, 2919 East Biddle St.
- Biddle Street Complex, 2923 East Biddle St.
- Biddle Street Complex, 3007 East Biddle St.
- Biddle Street Complex, 3031 East Biddle St.
- Northwest District – 5818 Reisterstown Rd.

DEPARTMENT OF GENERAL SERVICES  
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 11-M (Cont.)

FUND SOURCE Using Agency Funds

RESIDENT BUSINESS Yes

TAX COMPLIANCE NO. 12-1183-1111

Note: This item previously appeared on the DGS/BPW Agenda on 3-7-2012 as Item 2-M and was withdrawn.

---

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 June 20, 2012 was adjourned.

Respectfully submitted,

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

Sheila C. McDonald, Esq.  
Executive Secretary



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