

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS

October 5, 2011

BOARD OF PUBLIC WORKS
TABLE OF CONTENTS
OCTOBER 5, 2011

I. ITEMS SUBMITTED ON THE SECRETARY'S AGENDA

Department of Agriculture	
Maryland Agricultural Cost-Share Program	4-6
Board of Public Works	
Procurement Agency Activity Report.....	7
Wetlands Licenses.....	8-9
Bonds.....	10-14
Department of Housing & Community Development.....	15-18
Military Department.....	19
Morgan State University	20-21
Department of Natural Resources	
Shore Erosion Control	22
State Public School Construction Program	23-29
APPENDIX.....	30-42
SUPPLEMENT A - Program Open Space.....	43-57
SUPPLEMENT B - Budget & Management.....	58-70
SUPPLEMENT C - University System of Maryland.....	71-77
SUPPLEMENT D - Department of Information Technology	----

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

Construction Contracts	78-81
A/E Contracts.....	82-85
Maintenance Contracts.....	86-100
General Miscellaneous	101

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

Maintenance.....	102-105
General Miscellaneous	106-108
Property	109-111
Leases.....	112-115
Capital Grants and Loans	116-119

INDEX	121-122
-------------	---------

**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, OCTOBER 5, 2011**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, October 5, 2011.

Board Members present:

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

Also present:

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

CONSTRUCTION:

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

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

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

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

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

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

Recommendation: That the Board of Public Works approve funding a total of 40 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$388,300.

Agreement #	Recipient	County	Amount
AT-2012-1504	GRB FAMILY PARTNERSHIP, LLLP	Worcester	4,100.00
AT-2012-1909	TROYER FARMS JV	Baltimore	15,300.00
AT-2012-1915	ME & JIMMY, INC	Dorchester	600.00
AT-2012-1929	JOHN L. MILLER	Allegany	18,300.00
AT-2012-1930	JOHN L. MILLER	Allegany	8,800.00
AT-2012-1931	BRADLEY K. BRADFORD	Dorchester	1,000.00
AT-2012-1939	ROBERT A. BEDINGFIELD	Garrett	13,500.00
AT-2012-1941-R	IAN T. REIKIE	Allegany	2,100.00
CH-2011-2244	W. DAVID LEAGER	Kent	4,400.00
CR-2012-1907	MARY LOU BROWN	Dorchester	7,300.00
CR-2012-1933	WALLACE MARTINETTI	Dorchester	3,300.00
CR-2012-1942	JOSIAH F. LINTHICUM	Dorchester	3,200.00
CR-2012-1943	JOSIAH F. LINTHICUM	Dorchester	3,500.00
CR-2012-1944	JOSIAH F. LINTHICUM	Dorchester	400.00
CR-2012-1945	JOSIAH F. LINTHICUM	Dorchester	1,900.00
CR-2012-1946	JOSIAH F. LINTHICUM	Dorchester	500.00
MP-2012-1862	MOTTER RIDGE FARMS	Frederick	2,400.00
MP-2012-1888	THOMAS J. DOUGHERTY	Frederick	9,600.00
MP-2012-1897	JEFFREY D. FRITZ	Carroll	17,200.00
MP-2012-1898-R	BRAD J. SCHOTT	Carroll	2,500.00
MP-2012-1899	STANLEY E. CULP	Carroll	4,900.00
MP-2012-1908	SAMUEL J. POWELL	Carroll	9,300.00
MP-2012-1911	GARVIN E. TANKERSLEY, JR	Carroll	17,100.00
MP-2012-1932	JULIA F. CARLSON	Frederick	2,400.00
MP-2012-1934	WAYNE WACHTER	Frederick	7,100.00
MP-2012-1935	WAYNE WACHTER	Frederick	16,700.00
NW-2012-1892	FREDERICK E. WINDSOR	Dorchester	700.00
NW-2012-1896	LEON S. BANKS	Dorchester	1,000.00
NW-2012-1953	DOUGLAS E. GROVE	Wicomico	13,800.00
NW-2012-1954	GARY W. MILLS	Dorchester	35,000.00
NW-2012-1955	HERSCHELL B. CLAGGETT, JR.	Dorchester	300.00
PA-2011-2456	A. BRICE RIDGELY	Howard	8,900.00
PA-2012-1875	A. BRICE RIDGELY	Howard	4,300.00
PR-2012-1940-B	KEITH R. WHITE	Wicomico	30,800.00
RS-2012-1906	LANDOVER FARMS, LLC	Baltimore	35,000.00
RS-2012-1947	LIBERTY DELIGHT FARMS	Baltimore	35,700.00
RS-2012-1948	LIBERTY DELIGHT FARMS	Baltimore	8,100.00
RS-2012-1949	PETER HORNEFFER	Baltimore	9,600.00
RS-2012-1950	PETER HORNEFFER	Baltimore	26,800.00
UP-2012-1902	MARK E. REED	Washington	900.00

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

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

Recommendation: That the Board of Public Works approve **ADDITIONAL FUNDING** of 3 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$1,876.89.

Agreement #	Recipient	County	Amount \$
MP-2007-1977	OTIS J. COOK	Frederick	387.50
MP-2010-2114	REBECCA A. STEM	Carroll	713.25
MP-2011-2035	BYRON D. STAMBAUGH	Frederick	776.14

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

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

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

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

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

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

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

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

Submission of the Procurement Agency Activity Reports by:

A. Department of Budget and Management, April, May and June 2011

B. Department of Public Safety and Correctional Services, July 2011

C. State Treasurer's Office, First and Second Quarter 2011

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791

dmoore@comp.state.md.us

4. BOARD OF PUBLIC WORKS

Wetlands Licenses

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

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

ANNE ARUNDEL COUNTY

- | | |
|---------|--|
| 11-0731 | <u>FERRY POINT MARINA</u> – To maintenance dredge a basin and provide maintenance dredging for a 6-year period – Mill Creek, Arnold |
| 11-0339 | <u>HARTGE YACHT YARD</u> – To emplace floating work platforms and metal boat ramp rails – Tenthouse Creek, Galesville |
| 11-0529 | * <u>PARKWOOD COMMUNITY ASSOC.</u> – To construct stone sills and sand containment structures, and to fill, grand and plant marsh vegetation – Back Creek, Annapolis |
| 11-0643 | <u>GUNTRAM WEISSENBERGER</u> – To replace failed gabion basket groins with stone groins – Chesapeake Bay, Gibson Island |
| 10-0906 | To maintenance dredge a spur channel and slip area and provide for a 6-year dredging period – West River |
| 10-0919 | <u>RICHARD JONES & MARCELLA SHELTON</u> |
| 10-0922 | <u>KING & LINDA JORDAN</u> |
| 10-0923 | <u>CATHERINE BOWER</u> |
| 10-0925 | <u>NANCY IREY</u> |
| | <u>DAVIS & JUDITH CRAVEN</u> |
| | <u>STANLEY & CHERYL BROWN</u> |
| | <u>JAMES & BARBARA HAUSER</u> |
| | NOTE: The main channel license (Anne Arundel County DPW, 10-0904, was approved by the Board on Sept. 7, 2011, Secretary's Agenda, Item 3.) |

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

**4. BOARD OF PUBLIC WORKS
*Wetlands Licenses***

BALTIMORE CITY

12-0135 MD PORT ADMINISTRATION – To emplace stone armor – Patapsco River, North Locust Point Marine Terminal

11-0426 *MPA HARBOR DEVELOPMENT – To dredge shore area, to fill, grade and plant marsh vegetation along shoreline, and emplace rip rap – Patapsco River, Middle Branch, Masonville

CECIL COUNTY

11-0889 JOSEPH ANTONELLI – To emplace a breakwater and revetment Bohemia River, Earleville

ST. MARY'S COUNTY

11-0749 LANDINGS AT PINEY POINT HOA – To dredge a basin and provide for dredging for a 6-year period – Piney Point Creek, Tall Timbers

*NOTE: In FY2012, BPW has approved 1.41 acres of living shoreline.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: Rehana Rentuma 410-260-7851
rrentuma@comp.state.md.us

5. BONDS

Recommendation: That the Board of Public Works submit for publication in the *Maryland Register* the terminations of State debt authorizations listed. These grantees did not complete the requirements to fulfill the two-year match certification deadline. These terminations reduce the State's authority to issue general obligation bonds in the amount of **\$2,525,000** and at the same time, reduce the State's spending authority as shown for the capital projects listed. The Office of the Comptroller, the Department of Budget and Management (Office of Capital Budgeting) and the Department of General Services have reviewed this request and concur.

Authority: Section 8-128, State Finance and Procurement Article, Maryland Annotated Code and respective Laws listed below.

A. St. Mary's Hospital Loan of 2009

\$1,800,000

Chapter 485 Acts of 2009

B. Waters Barn Rehabilitation Loan of 2008

\$250,000

Chapter 336 Acts of 2008 amended by Chapter 372 Acts of 2010

C. Bluford Drew Jamison Academy Loan of 1999

\$200,000

Chapter 555 Acts of 1999 amended by Chapter 30 Acts of 2001; Chapter 188 Acts of 2002; Chapter 550 Acts of 2006; Chapter 219 Acts of 2008; Chapter 707 Acts of 2009

D. Southwest Senior and Community Multi-Purpose Center Loan of 2009

\$125,000

Chapter 485 Acts of 2009

E. Capitol Heights Municipal Building Loan of 2009

\$100,000

Chapter 485 Acts of 2009

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

F. Shabach Adult Day Care and Senior Center Loan of 2009

Legislative Senate Initiative

\$25,000

Chapter 485 Acts of 2009

G. Iota Phi Theta Love/Action Center Loan of 2009

\$15,000

Chapter 485 Acts of 2009

H. Kappa Alpha Psi Playground Equipment Loan of 2009

\$10,000

Chapter 485 Acts of 2009 amended by Chapter 372 Acts of 2010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: Rehana Rentuma 410-260-7851
rrentuma@comp.state.md.us

6. BONDS

Recommendation: That the following General Obligation Bond authorizations be cancelled in the amount of **\$1,606,012.11** and, at the same time, reduce the State's spending authority as shown for the following capital projects. The Office of the Comptroller, the Department of Budget and Management and the Department of General Services has reviewed this request and concur.

Authority: Section 8-128, State Finance and Procurement Article, Maryland Code

A. Henson Valley Montessori School Loan of 2010

\$100,000

Chapter 483 Acts of 2010

The Board of Trustees of the Henson Valley Montessori School, Inc. is now defunct.

B. American Visionary Art Museum Loan of 2009

\$32,672.50

Chapter 485 Acts of 2009

The Board of Directors of the American Visionary Art Museum, Inc. notified the State that the balance is no longer needed.

C. Montgomery Village Foundation Loan of 2006

\$13,116.75

Chapter 46 Acts of 2006 amended by Chapter 488 Acts of 2007

The Board of Directors of the Montgomery Village Foundation, Inc. notified the State that the balance is no longer needed.

D. Family Support Center Loan of 2010

\$10,000

Chapter 483 Acts of 2010

The County Council of Talbot County notified the State that the balance is no longer needed.

BOARD OF PUBLIC WORKS**OCTOBER 5, 2011****SECRETARY'S AGENDA****6. BONDS (cont'd)***E. The John Hanson Memorial Loan of 2009***\$3,674.54**

Chapter 485 Acts of 2009 amended by Chapter 372 Acts of 2010

The Board of Directors of the John Hanson Memorial notified the State that the balance is no longer needed.

*F. Coordinating Center for Home and Community Care Building Loan of 2009***\$3,387.50**

Chapter 485 Acts of 2009

The Board of Directors of the Coordinating Center for Home and Community Care, Inc. notified the State that the balance is no longer needed.

*G. The Chelsea School Loan of 2004***\$3,241.25**

Chapter 204 Acts of 2004

The Board of Directors of The Chelsea School, Inc. notified the State that the balance is no longer needed.

*H. GREEN HOUSE at Stadium Place Loan of 2009***\$1,055,000**

Chapter 485 Acts of 2009

Termination of remaining funds, two-year deadline requirements not met.

*I. Harmony Hall Manor Loan of 2009***\$100,000**

Chapter 485 Acts of 2009

Authorization terminated, two-year deadline requirements not met.

*J. Homeport Farm Park Building Rehabilitation Project Loan of 2009***\$77,957.25**

Chapter 485 Acts of 2009

Termination of remaining funds, two-year deadline requirements not met.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

6. BONDS (cont'd)

K. Benson- Hammond House Renovation Loan of 2009

\$60,000

Chapter 485 Acts of 2009

Authorization terminated, two-year deadline requirements not met.

L. Olney Theater Center Campus Loan of 2009

\$58,000.32

Chapter 485 Acts of 2009

Termination of remaining funds, two-year deadline requirements not met.

M. Parks and People Headquarters at Auchentoroly Terrace Loan of 2009

\$50,000

Chapter 485 Acts of 2009

Authorization terminated, two-year deadline requirements not met.

N. Jaycees Field of Dreams Loan of 2009

\$30,000

Chapter 485 Acts of 2009

Authorization terminated, two-year deadline requirements not met.

O. The Citizens Care and Rehabilitation Center Loan of 2009

\$8,405.50

Chapter 485 Acts of 2009

Termination of remaining funds, two-year deadline requirements not met.

P. Northgate Homes Lighting Upgrade Loan of 2009

\$556.50

Chapter 485 Acts of 2009

Termination of remaining funds, two-year deadline requirements not met.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: George C. Eaton (410) 514-7348
eaton@mdhousing.org

7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve the release and sale of collateral in connection with a private UCC sale of existing fixtures and equipment located at premises formerly known as J. Marie's, a Hyattsville restaurant.

BORROWER: Jean Marie's, LLC

LOAN AUTHORITY: Neighborhood Business Development Program:
Housing & Community Development Article,
§§ 6-301 -- 6-311, Maryland Annotated Code;
COMAR 05.13.01

**AUTHORITY TO SELL
STATE ASSET:** State Finance and Procurement Article,
§ 10-305, Maryland Annotated Code

LOAN AMOUNT:	Original Loan	\$ 135,000
	Current Principal Balance	\$ 135,000

BACKGROUND: In April 2010, DHCD lent Jean Marie's, LLC \$135,000. This loan enabled Jean Marie's to finance leasehold improvements and furnishings, fixtures and equipment (FF&E) for a start-up cajun & creole restaurant at 2970 Belcrest Center Drive, Hyattsville. DHCD has a UCC security interest in the FF&E. The Department of Business and Economic Development also has a security interest in the FF&E securing DBED's \$50,000 loan to Jean Marie's. The building in which the restaurant was located has been sold and the new owner succeeded to the interest of the original landlord.

The lease between Jean Marie's and its landlord was terminated in July 2011 in district court, as the result of a dispute regarding rent offsets for tenant-funded leasehold improvements. At the time the lease was terminated, Jean Marie's was current as to required monthly interest only payments on the DHCD loan. Jean Marie's closed the restaurant and removed all of the FF&E items from the site, with the exception of three built-in items (walk-in refrigerator, range hood and water heater). Items that were removed were stored in a secured location. Jean Marie's plans to open a new restaurant using the stored FF&E by November 2011.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

BACKGROUND: (cont'd): The built-in items were offered for sale to the landlord at the appraised value, however, the landlord refused to purchase the items at that price and ordered the items removed. Bids from contractors to remove the items ranged from \$5,500 to \$8,150, and with the likelihood that the items would bring about \$900 at auction as described below, it was determined that the State's best course of action was to negotiate the sale of the built-in items with the landlord. Landlord has agreed to purchase the built-ins for \$3,000 in connection with the proposed private UCC sale. The net sale proceeds will be applied toward Jean Marie's outstanding debt to DHCD and DBED on a pro-rata basis.

MARKET VALUE:

An appraisal of the built-ins prepared by Miceli Appraisers & Liquidators, dated August 11, 2011, estimated the market value *installed*, to be \$12,900. The appraiser stated that in the event the built-ins were *removed* from the premises and auctioned at a later date, the cost of moving the items would total \$5,500 or more, in line with the bids referred to above, and that the items would bring approximately \$900 at auction.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**OCTOBER 5, 2011****SECRETARY'S AGENDA**

Contacts: Norman Swoboda 410-514-7355 swoboda@dhcd.state.md.us
 Jean Peterson 410-514-7358 Peterson@dhcd.state.md.us
 Patricia Rynn Sylvester 410-514-7481 sylvester@dhcd.state.md.us

8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**BORROWER:** Hilltop Associates, LP**AUTHORITY:** 4-1201 – 4-1209 of the Housing and Community Development Article, Annotated Code**Statutory Requirements:**

- The Partnership Rental Housing Program provides financing for rental housing that will be occupied by individuals with incomes of 50% or less of the Statewide median income.
- Local governments must:
 1. Have an ownership interest in the site.
 2. Donate the site plus any necessary off-site improvements.
 3. Have direct or indirect management responsibilities for the housing.
- Residents must contribute services to enhance or maintain the project or the community in which the project is located.
- Repayment of principal or interest is not required unless the project is sold or fails to serve the low-income tenants for whom it is intended.
- Developments must be financially self-sufficient so that they do not require further State assistance for long-term occupancy.

PROJECT TITLE: Hilltop Phase I**AMOUNT:** \$3,000,000**COLLATERAL:** Deed of Trust

DESCRIPTION: Hilltop Phase is the new construction of a 198-unit mixed-income rental housing development that will include a mix of one, two, and three bedroom units in Ellicott City, Howard County. Howard County Housing Commission (HCHC) will own the project which is to be developed by the Stavrou Companies. The DHCD \$3,000,000 loan will be used to partially finance the project. Project design will include a combination of manor-style houses, garden-style apartments, and townhouses for a total of 198 units for family residence in 17 separate buildings. Of the 198 units, 40 units will be assisted with these funds and will serve family households with incomes at or below 50% of the Statewide Area Median Income (AMI). An additional 51 units will be income-restricted for households with incomes at or below 60% of AMI. Therefore, there will be a total of 91 income-restricted units. Forty-five of these 91 units will also receive assistance through two

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

DESCRIPTION: (cont'd) separate project-based rental assistance contracts from the Howard County Housing Commission (25 units) and Metropolitan Baltimore Quadel (20 units). In addition to the 91 income-restricted units, the project will provide 107 market rate units with no income or rental restrictions. DHCD, through the Community Development Administration, will provide a first mortgage in the approximate amount of \$27,305,000 to finance the project. DHCD will also allocate approximately \$477,577 in 4% Low Income Housing Tax Credits valued at \$4,202,257 to the project. Howard County is contributing the land (assessed at \$5,732,000) at no cost, and will provide a subordinate loan through the federal HOME Program.

FUND SOURCE:

<u>Source</u>	<u>Amount</u>
Partnership Rental Housing Program - MCCBL 2010 and 2011	\$ 3,000,000
CDA/FHA Risk Share Mortgage	\$27,305,000
Metropolitan Baltimore Quadel	\$ 1,700,000
HOME (Howard County)	\$ 1,600,000
Tax Credit Equity	\$ 4,202,257
Developer Contribution (Deferred Development Fee)	<u>\$ 828,023</u>
Total	\$38,635,280

REMARKS: The proposed loan will be used for eligible project costs under COMAR 05.05.05.

The Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20110304-5168).

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

APPROVED

 DISAPPROVED

 DEFERRED

 WITHDRAWN

 WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: Catherine A. Kelly 410-576-6163
catherine.a.kelly.ctr@us.army.mil

9. MILITARY DEPARTMENT
Water Witch Fire Company, Incorporated.

Recommendation: The Adjutant General of Maryland recommends that the Board of Public Works authorize a loan in the amount shown from the Volunteer Company Assistance Fund.

Authority: Sections 8-203 – 8-204, Public Safety Article, Maryland Code.

Background: The Maryland State Firemen's Association has approved the request of the volunteer fire company and certifies that its recommendation complies with the requirements of the Volunteer Company Assistance Fund as set forth in the Public Safety Article. The Association and the volunteer company have entered into agreements that the loan will be used as represented and that give the State appropriate and adequate security in the equipment or facilities purchased. The Military Department supports this recommendation and verifies that the funds are available in the Volunteer Company Assistance Fund for this loan.

Requestor	Purpose	Reason	Loan Amt.	Project Cost
Water Witch Fire Co., Inc. Cecil County	Aerial Ladder Truck	Worn Out	\$586,227.00	\$886,227.00

Fund Source: Appropriation Code: D50H0106
PCA: MISV3
OBJ: 1433
FUND: 3001

Term: 15 years / monthly payments **Interest Rate:** 2%

By approving this recommendation, the Board of Public Works authorizes the Treasurer to disburse money from the Volunteer Company Assistance Trust Fund (appropriated to the Department of the Military) to the Association in the name of the volunteer company.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Churchill B. Wortherly 443-885-3074
churchill.wortherly@morgan.edu

10. MORGAN STATE UNIVERSITY

Center for Built Environment and Infrastructure Studies (CBEIS)

Recommendation: That the Board of Public Works approve the use of General Obligation Bond funding proceeds for the following capital equipment purchases totaling **\$733,107.00**.

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

Morgan State University

Center for Built Environment and Infrastructure Studies.

- | | |
|----------------------------|---|
| A. Description: | Furnish and install scientific equipment
Steris Lab 250 Steam Sterilizer
Purchase Order No. P0006999 |
| Procurement Method: | Competitive Sealed Bid |
| Award: | Tuttnauer USA Co., Ltd
25 Power Drive
Hauppauge, NY 11788 |
| Amount: | \$46,515.00 |
| Fund Source: | MCCBL of 2011, Item 072 – <i>Provide funding to equip the New Center for Built Environment and Infrastructure Studies Building at Morgan State University</i> |
| MD Tax Clearance: | 11-5154-0111 |
| Resident Business: | Yes |
| | |
| B. Description: | Furnish and install scientific equipment
Active Vibration Isolation Table
Purchase Order No. P0007067 |
| Procurement Method: | Competitive Sealed Bid |
| Award: | Technical Manufacturing Corporation
15 Centennial Drive
Peabody, MA 01960 |
| Amount: | \$20,410.00 |
| Fund Source: | MCCBL of 2011, Item 072 - <i>Provide funding to equip the New Center for Built Environment and Infrastructure Studies Building at Morgan State University</i> |
| MD Tax Clearance: | 11-1958-0000 |
| Resident Business: | No |

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

10. MORGAN STATE UNIVERSITY (cont'd)
Center for Built Environment and Infrastructure Studies (CBEIS)

- C. Description:** Furnish and install scientific equipment
3D Laser Scanning Vibrometer
Purchase Order No. P0007066
- Procurement Method:** Competitive Sealed Bid
- Award:** Polytec, Inc.
25 South Street, Suite A
Hopkinton, MA 01748
- Amount:** \$666,182.00
- 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:** 11-1959-0000
- Resident Business:** No

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

APPROVED
 DISAPPROVED
 DEFERRED
 WITHDRAWN

WITH DISCUSSION
 WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: Laurel Crawford (410) 260-8523
lcrawford@dnr.state.md.us

11. DEPARTMENT OF NATURAL RESOURCES
Shoreline Conservation and Management Service

Approval by the Board of Public Works is requested to sign a Release of Lien, in accordance with the *Policy and Procedures for Shore Erosion Control Loan Projects*, for the following projects. The contractual requirements between the Department of Natural Resources and the property owners have been satisfied.

<u>Project Number</u>	<u>Owner's Name</u>	<u>Project Description</u>	<u>County/District</u>	<u>Amount</u>
SEC 21-84	Levitt, Michael J.	Stabilization of 338 feet of eroding shoreline	Talbot 37B	\$55,343.00
SEC 02-85	Michalski, John	Stabilization of 153 feet of eroding shoreline	Anne Arundel 30	\$47,400.00
SEC 12-85	Smith, Lawrence and Corrinne	Stabilization of 300 feet of eroding shoreline	Calvert 29C	\$59,230.00
SEC 14-85	Bowes, Joseph and Helene	Stabilization of 351 feet of eroding shoreline	St. Mary's 29A	\$70,875.00
SEC 18-85	Palumbo, Richard and Wendy	Stabilization of 142 feet of eroding shoreline	Talbot 37B	\$21,389.13
SEC 25-85	Polvinale, Patricia	Stabilization of 179 feet of eroding shoreline	St. Mary's 29B	\$44,900.00
SEC 36-85	Frew, Robert and Karen	Stabilization of 503 feet of eroding shoreline	Queen Anne's 36	\$58,230.00
SEC 23-87	Letts, Michael	Stabilization of 157 feet of eroding shoreline	Kent 36	\$12,496.00
SEC 08-90	Hadley, Eileen	Stabilization of 300 feet of eroding shoreline	Calvert 29C	\$55,296.37

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610

dlever@msde.state.md.us

Sheila McDonald 410.260.7335

smcdonald@comp.state.md.us

12. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Public School Construction Projects

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

Howard County

Recommendation: Howard County recommends that the Board of Public Works approve a grant in the amount of \$4,000,000 for the following public school construction projects:

Atholton High School

Replace existing natural grass football stadium field with artificial turf including service contract and maintenance equipment. \$1,000,000

Hammond High School

Replace existing natural grass football stadium field with artificial turf including service contract and maintenance equipment. \$1,000,000

Oakland Mills High School

Replace hall lockers, security and fire alarm systems; upgrade indoor and outdoor concession stands to meet code; replace stadium press box (safety hazard); replace doors and hardware in auxiliary gym to provide security; replace wrestling mat rack lift mechanisms. \$1,000,000

Wilde Lake High School

Physical education instructional area and locker room rehabilitation including expansion of storage area and weight room; reconfiguration of team rooms to provide additional flexibility and create staff conference area. \$ 750,000

Wilde Lake Middle School

Replace casework in art room, and room, and band/chorus office; completely enclose existing partial wall separating classroom from media center. \$ 250,000

TOTAL

\$4,000,000

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

Fund Source: D06E0202

BOARD OF PUBLIC WORKS

OCTOBER 5, 2010

SECRETARY'S AGENDA

12. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM** (cont'd)
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Howard County

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

The General Assembly authorized the Board of Public Works to approve individual public school improvement projects that meet a school or community need. The General Assembly allocated each county or region a specific sum for which local matching funds are not required. The FY 2012 supplementary appropriation allocated to Howard County is \$4,000,000.

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

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

Public School Construction Program: The Public School Construction Program has reviewed Howard County's request and offers comments on four of the projects:

Atholton High Turf Field: Service contracts and maintenance equipment are not eligible for State funding in the CIP, ASP, and QZAB programs (COMAR 23.03.02.12).

Hammond High Turf Field: Service contracts and maintenance equipment are not eligible for State funding in the CIP, ASP, and QZAB programs (COMAR 23.03.02.12).

Oakland Mills High Upgrades: The scope of work included in this request was part of the FY 2012 CIP limited renovation project request by Howard County Public Schools. The project was assigned a status of "D" because it did not include sufficient educational program enhancements and selected system upgrades to be approved as a limited renovation. However, the components and systems listed are individually eligible for State funding, with the possible exception of the wrestling mat rack lift. If the mat rack lift is considered to be moveable equipment it would be ineligible for State funding in the CIP, ASP, and QZAB programs (COMAR 23.03.03.12).

BOARD OF PUBLIC WORKS

OCTOBER 5, 2010

SECRETARY'S AGENDA

- 12. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM** (cont'd)
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Howard County

Wilde Lake Middle Casework: The State provided funding in the FY 1998 CIP for renovation of the entire existing school. Work at schools that have been renovated or replaced within 15 years are not eligible for State funding (COMAR 23.03.02.12) (an exception applies to limited renovations performed within 15 years, not applicable to this project).

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

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

APPROVED ✓	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610

dlever@msde.state.md.us

Sheila McDonald 410.260.7335

smcdonald@comp.state.md.us

13. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Public School Construction Projects

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

Montgomery County

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

<u>Cabin John Middle School</u>	
Replacement (overall \$38.6 million project)	\$1,428,000
<u>Cannon Road Elementary School</u>	
Replacement (overall \$25.9 million project)	\$1,058,420
<u>Farmland Elementary School</u>	
Replacement (overall \$21.5 million project)	\$5,176,000
<u>Garrett Park Elementary School</u>	
Replacement (overall \$25 million project)	\$1,337,580
<u>TOTAL</u>	\$9,000,000

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

Fund Source: D06E0202

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

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

BOARD OF PUBLIC WORKS

OCTOBER 5, 2010

SECRETARY'S AGENDA

13. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM (cont'd)
Public School Construction Projects
Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Montgomery County

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

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

Public School Construction Program: The Public School Construction Program has reviewed Montgomery County's request states that all of the projects were assigned a status of A or B in the FY 2012 CIP, and the requested amounts are correct.

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

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

APPROVED ✓	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

14. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**

Public School Construction Projects

*Sales and Use Tax – Alcoholic Beverages – Supplementary Appropriation FY 2012
Anne Arundel County*

Recommendation: Anne Arundel County recommends that the Board of Public Works approve a grant in the amount of \$5,000,000 for the following public school construction project:

Annapolis High School

Addition: Performing and Visual Arts Magnet

\$5,000,000

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

Fund Source: D06E0202

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

The General Assembly authorized the Board of Public Works to approve individual public school improvement projects that meet a school or community need. The General Assembly allocated each county or region a specific sum for which local matching funds are not required. The FY 2012 supplementary appropriation allocated to Anne Arundel County is \$5,000,000.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

SECRETARY'S AGENDA

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

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

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

Public School Construction Program: The Public School Construction Program has reviewed Anne Arundel County's request and states that it is not clear whether AACPS is including design services and furnishings in the \$5 million project estimate. Under the rules of the traditional PSCP funding programs, design services and equipment/furnishings are not eligible for State capital funds.

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

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

APPROVED ✓

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

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

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

Contact: Robert H. Erwin 410.767.8076
rerwin@psc.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

PUBLIC SERVICE COMMISSION

CONTRACT TITLE: Consulting Services in re:
 Constellation Energy Group, Inc./Exelon Corporation Transaction
 PSC #11-01-11
 Award #1: ADPICS No. C90P2400009 – RFP Section 3.2.1
 Award #2: ADPICS No. C90P2400010 – RFP Section 3.2.2

CONTRACT TYPE: Services

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: May 25, 2011

DESCRIPTION: Assist Public Service Commission staff:

RFP Section 3.2.1 (Award #1)

- (1) Respond to issues identified in application for approval for BGE and Constellation to merge with Exelon (Commission Case No. 9271);
- (2) Provide legal assistance in reviewing transactional documents connected with the merger and flag issues;
- (3) Evaluate potential impact on services and conditions of operation, employment, community investment, charitable contributions, and the Maryland housing market;
- (4) Evaluate potential impact on rates and charges paid by BGE customers; and
- (5) Evaluate if and how proposed transaction will affect BGE's current ring-fencing protocol and if it should be revised.

RFP Section 3.2.2 (Award #2)

Analyze Market Power aspect of proposed transaction, including potential to produce sufficient wholesale generation concentration such that wholesale price levels in Maryland might increase, and review and respond to any Market Power testimony provided by Exelon.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (continued)**REMARKS:**

Nature of Emergency: On May 25, 2011, Constellation, BGE, and Exelon filed an application with the Public Service Commission seeking approval for BGE and Constellation to merge with Exelon. The application shows that the merger would provide Exelon with the power to acquire and exercise substantial influence over BGE policies and actions. The merger would also provide Exelon with more than 20% of the outstanding voting interests of Constellation (the company that owns BGE) and the right to designate more than 20% of the Constellation Board of Directors.

Such a merger requires Commission approval. Section 6-105, Public Utilities Article, Annotated Code of Maryland. The Commission has 180 days to examine the application and determine whether the merger is consistent with public interest, convenience, and necessity, including benefits and no harm to consumers. For the Commission to undertake such duties and avoid or mitigate serious damage to public health, safety or welfare, it must hire consultants to assist the Commission and its staff in analyzing all aspects of the proposed merger as well as a separate market power analysis.

Basis for Selection:

Overland Consulting (Contract #1) was selected for Section 3.2.1 for the following reasons: (1) it has extensive experience in utility company acquisitions; (2) it proposed the most extensive and complete list of issues that should be addressed in the review of the proposed acquisition of Constellation; (3) it has a team of 11 technical members, representing all relevant disciplines, including finance, operations, affiliate review, customer service and safety, legal and public interest/cost-benefit analysis; (4) its proposal reflected an excellent understanding of the issues to be reviewed in this matter; and (5) its consulting work on the Exelon/PSEG merger on behalf of the New Jersey Board of Public Utilities and its consulting work on the Allegheny-FirstEnergy and Constellation/EDF matters, provides Overland access to an extensive data base of key factors, conditions, and data requests.

Bates White Economic Consulting (Contract #2) was selected for Section 3.2.2 for the following reasons: (1) it has more direct state level utility market power experience, having participated in an analysis of the PSEG and Exelon merger; (2) its work plan covered all the required elements of the proposals; and (3) its staff of consultants was very concentrated in market power analysis.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

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

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2

DEPARTMENT OF GENERAL SERVICES for the
Maryland Higher Education Commission

CONTRACT: MSDE/MHEC Emergency Renovations
Grasmick Building 10th Floor & Gage Building 1st Floor
ADPICS No. 001B2400076
Project Number: BB-801-120-003

CONTRACT TYPE: Design/Build

DESCRIPTION: Design, construction and equipment to relocate Maryland Higher Education Commission from leased-space in Annapolis to the Nancy Grasmick Building Complex in Baltimore. Contractor will provide space design through an accredited design firm and provide space construction with sub-contractors and its own forces. Emergency contract includes cooling tower replacement that was under design and is part of Facilities Renewal Program.

PROCUREMENT METHOD: Emergency**DATE EMERGENCY DECLARED:** May 9, 2011

BIDS:
The Christman Company, Alexandria, Va \$2,429,346

AWARD: The Christman Company**AMOUNT:** \$2,429,346**CONTRACT AWARD DATE:** May 11, 2011**TERM** 167 Calendar Days

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

MBE PARTICIPATION 21%

FUND SOURCE:	MCCBL 2009 item 007: <i>Capital Facilities Renewal Funding</i>	\$ 375,376
	Agency Funding	\$2,053,970

REMARKS:

This contract is Phase II of the project, and includes all design services, construction, and equipment as necessary to relocate offices from Annapolis to Baltimore. Phase I was to remove asbestos and complete demolition.

Nature of Emergency: In an effort to maximize the ability of the Maryland Higher Education Commission and the Maryland State Department of Education to improve the welfare of the State's students from Pre-K through post-secondary education, on federal and State data collection and reporting mandates for Longitudinal Data Systems and the Race to the Top program, an emergency was declared to relocate the MHEC office from Annapolis to the tenth floor of the Grasmick Building and the first floor of the Old Gage Warehouse building adjacent to the Grasmick Building. Significant cost savings will be generated by relocating MHEC from leased space to State-owned space.

Before this emergency, DGS was in the process of replacing the cooling tower in the Grasmick Building. The design was complete and it was determined that it would be beneficial if the replacement was added to the emergency to assure that only one contractor has total control of the site, therefore, the funding for cooling tower only is coming from Facilities Renewal funding.

Basis for Selection: The Christman Company has provided construction services for DGS on previous projects. They have knowledge on this type of project delivery and the ability to respond immediately with the teams to meet the timeframe and immediate need for services. Due to the limited amount of time that was allotted for MHEC to relocated and the requirement to design and build-out the space, DGS selected this firm for its previous work on a DGS project, its ability to complete the project on time, and the firm's ability to provide the teams and sub-contractors to meet the deadlines.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont.d)

REMARKS: (cont'd)

Reason for Late Report: This project required the selected firm to provide design services for using the space to move the entire staff from the existing location to the new location. This required multiple planning sessions with both MHEC and MSDE, planning offices in the new space, as there is nothing in those areas at the present time, and the presentation of multiple plans complete with pricing for the agencies to discuss and approve. The past eight weeks have been working sessions of MHEC, MSDE, and DGS to reach an agreeable design and price. All interior infrastructure, HVAC, electrical, and plumbing must be installed, but could not be programmed and priced until the space was fully planned. The new space is a reduction of existing square footage, which required coordinating with MHEC employees to reduce the amount of furnishings that could be relocated. When everything was approved, the contractor could then provide a proper proposal.

TAX COMPLIANCE NO.: 11-1948-0110

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED*

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

* REPORT ACCEPTED WITH A 2-1 VOTE. COMPTROLLER FRANCHOT VOTED "NO"

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

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

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Roxbury Correctional Institution - Hagerstown

CONTRACT TITLE: RCI Repair/Replace Perimeter Intrusion System Equipment
ADPICS No. Q00P2401724

CONTRACT TYPE: Maintenance

DESCRIPTION: Materials, equipment, and labor to repair/replace damaged perimeter system at Roxbury Correctional Institution.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: July 3, 2011

BIDS:
Johnson Controls, Capitol Heights, MD. \$ 26,776.00
Allegheny Digital \$ 27,540.00

AWARD: Johnson Controls

AMOUNT: \$ 26,776.00
\$ 7,532.00 (Modification #1)
\$ 34,308.00 (Total Request)

CONTRACT AWARD DATE: August 5, 2011

TERM: 8/5/11-9/30/11

MBE PARTICIPATION: 0%

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3 (cont'd)

FUND SOURCE: 100% General Funds
Appropriation Code: 35.02.04.03 H3140.8091

REMARKS:

Nature of Emergency: On July 3, 2011 the Hagerstown area had severe storms and lightning activities that damaged the microwave zones and processors for the perimeter intrusion system at Roxbury Correctional Institution. An emergency was declared in order to prevent any security and safety hazards at RCI.

Basis for Selection: DPSCS selected Johnson Controls because it was the low bidder and has been used on other projects successfully.

Modification: During the repair, additional deficiencies were discovered.

TAX COMPLIANCE NO.: 11-2026-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

Contact: James Knighton 410-767-0820
jknighton@mta.maryland.gov

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4

MARYLAND TRANSIT ADMINISTRATION

CONTRACT: Emergency Stabilization of Light Rail Slope
 MTA-1362 ADPICS No.: TMTA1362

CONTRACT TYPE: Construction

DESCRIPTION: Stabilization of slope in Baltimore Highlands area of Baltimore County, to prevent catastrophic loss of track, catenary, or additional structures. Scope of work consists of:

- Continue cleaning operation for culvert and design some preventive device, such as trash rack, to prevent or reduce amount of debris reaching culverts.
- Conduct slope stability analysis and develop a design for permanent solution.
- Monitor track for stability for next few months.
- Prepare final design documents, specifications, cost estimates as well as permit application documents, and receive required permits.
- Define MTA and adjacent property demarcation and coordinate with relevant property owners on both sides of the track.
- Finalize design and complete the construction.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: August 15, 2011

BIDS:
 Brawner Builders, Inc. \$447,350.00
 Hunt Valley, MD

AWARD: Brawner Builders, Inc.

AMOUNT: \$447,350.00

CONTRACT AWARD DATE: August 15, 2011

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4 (cont'd)

TERM: 120 Calendar Days

MBE PARTICIPATION: 0%

PERFORMANCE SECURITY: Performance & Payment Bond set at 100% of Contract Amount

FUND SOURCE: 100% Special Funds (Transportation Trust Fund)
0301/J05H0105

REMARKS:

Nature of Emergency: On August 15, 2011, heavy rains created an unsafe condition for a portion of the Light Rail tracks in the Baltimore Highlands area of southern Baltimore County. Due to the blockage of the twin 66" culverts under the tracks as well as another culvert downstream, the water overtopped the twenty foot high embankment and the light rail tracks. This resulted in a substantial wash out and under-scouring of the east side embankment for a section of nearly 300 feet. Due to the unsafe conditions for running the trains, Light Rail Operations discontinued service between Patapsco Avenue and North Linthicum stations and provided buses until emergency slope stabilization repairs could be made.

MTA's Offices of Engineering, Construction and Light Rail Operations immediately mobilized RK&K, an engineering consulting firm to design the necessary repairs as well as Brawler Builders a construction firm to complete the repairs. These contractors combined construction effort for four straight days to stabilize the slope using riprap in the washed out embankment. In addition, blocked culverts were partially cleaned to improve drainage flow. The Maryland Department of Environment was contacted and gave permission for emergency repairs, to be followed up by proper filing of permit applications at a later date.

On August 21, 2011, the partially cleaned culverts were once again completely clogged up due to heavy rains. A meeting with MDE engineers and inspectors was scheduled for 8/24/11, to discuss how to implement potential preventive measures in preparation for Hurricane Irene.

BOARD OF PUBLIC WORKS

OCTOBER 5, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4 (cont'd)

Based on the unstable site conditions along this stretch of track, MTA deemed it in the best interest of the State to take action to mitigate serious risks to public safety and to proceed with the emergency repairs.

Basis for Selection:

Due to the urgent need to begin emergency repairs to the affected area of the tracks, MTA decided to seek the services of Brawner Builders, Inc. because this company is currently working on another emergency situation, related to the Light Rail system (in Lutherville).

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1675-1111

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORTED REMANDED TO DEPT./AGENCY

REMARKS:

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

October 5, 2011

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

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

Recommendation: Approval to commit \$15,000.00 for the following **development** project located in **Caroline County**.

*Cedar Lane Park - \$15,000.00
POS #5905-5-167
MD20110824-0678*

Background: Install two 10 ft. x 30 ft. metal-roofed dugout canopies and a chain link batting cage at the park. In addition, grade and construct a new senior league baseball infield.

Fund Source: MCCBL of 2010: Program Open Space, Local Capital Development and Land Acquisition Grants, Caroline County:
Program 89.22.49 Item 056 \$15,000.00

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**

October 5, 2011

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

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

Recommendation: Approval is requested to commit \$187,000.00 for the following **development** project located in **Carroll County**.

Bennett Cerf Park Revitalization II - \$187,000.00
POS #5906-6-319
MD20110804-0621

Background: Develop three new mini pavilions with built-in picnic tables and benches. In addition, revitalize the existing pedestrian and vehicular traffic bridges within the park.

Fund Source: Program Open Space Local Share allocated to Carroll County:
Program 81.20.04 Item 806 \$79.25

MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Carroll County:
Program 89.22.49 Item 055 \$52,175.36

MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Carroll County:
Program 89.22.51 Item 051 \$134,745.39

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**

October 5, 2011

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

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

Recommendation: Approval is requested to commit \$10,500.00 for the following **development** projects located in **Worcester County**.

John Walter Smith Park - Trash Receptacle Replacement - \$3,500.00

POS #5910-23-220

MD20110818-0658

Background: Replace several old trash receptacles at the park to keep the facility in good working order for the enjoyment of the park patrons.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Worcester County:
Program 89.22.51 Item 051 \$3,500.00

Northern Worcester Athletic Complex - Trash Receptacle Replacement - \$3,500.00

POS #5911-23-221

MD20110818-0656

Background: Replace several of the aged trash receptacles at the park to keep the facility in good working order for the enjoyment of the park patrons.

Fund Source: MCCBL of 2010: Program Open Space, Local Capital Development and Land Acquisition Grants, Worcester County:
Program 89.22.49 Item 055 \$3,381.64

MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Worcester County:
Program 89.22.51 Item 051 \$118.36

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

October 5, 2011

**ITEM 3A (con't)
PROGRAM OPEN SPACE LOCAL SHARE**

Showell Park - Trash Receptacle Replacement - \$3,500.00
POS #5912-23-222
MD20110818-0657

Background: Replace several of the aged trash receptacles at the park to keep the facility in good working order for the enjoyment of the park patrons.

Fund Source: Program Open Space Local Share allocated to Worcester County:
Program 81.20.04 Item 923 \$2,211.90

MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Worcester County:
Program 89.22.49 Item 055 \$1,288.10

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**

October 5, 2011

**ITEM 4A
COMMUNITY PARKS AND PLAYGROUNDS PROGRAM**

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

Recommendation: Approval to commit \$2,390,000.00 for the following Community Parks and Playground development projects.

1. ***Meadow Park Extended Improvements - \$30,000.00***
Town of Barton, Allegany County
CPP #5870-1-250
MD20110617-0440

Background: Install additional playground equipment for the Meadow Park Extended Area of Meadow Park.

2. ***Baker Memorial Park Fence Replacement - \$25,000.00***
Town of Midland, Allegany County
CPP #5871-1-251
MD20110617-0439

Background: Replace the outfield fences on the park's ballfields to ensure the safety of the children. The new fencing will be removable to allow for flexibility in field layouts.

- ✓ 3. ***Pat's Park Playground Renovation at Truxtun Park - \$58,000.00***
City of Annapolis, Anne Arundel County
CPP #5872-2-286
MD20110711-0511

Background: Upgrade the play area with the installation of a handicapped-accessible play structure, safety surfacing, and benches.

4. ***Christmas Tree Park Gazebo - \$13,000.00***
Town of Manchester, Carroll County
CPP #5875-6-316
MD20110524-0336

Background: Prepare the site and construct a 16 ft. vinyl gazebo within the Bicentennial garden.

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

October 5, 2011

ITEM 4A (cont'd)

COMMUNITY PARKS AND PLAYGROUNDS PROGRAM

5. ***Hampstead Municipal Park Equipment and Bathrooms - \$150,000.00***
Town of Hampstead, Carroll County
CPP #5876-6-317
MD20110524-0335

Background: Construct playground equipment at the park and design/engineer permanent restrooms.

6. ***South Branch Park - \$256,000.00***
Town of Sykesville, Carroll County
CPP #5877-6-318
MD20110513-0307

Background: Develop a new park including handicapped-accessible playground equipment, safety surfacing, a hiker/biker trail, access and a scenic overlook to the Patapsco River, and restore a caboose train car that will serve as a gateway symbol and concession building.

7. ***Helen Titter Park - \$34,000.00***
Town of Chesapeake City, Cecil County
CPP #5879-7-244
MD20110524-0331

Background: Replace hazardous playground equipment with handicapped-accessible play equipment that meets current national playground safety standards. In addition, install wood fiber safety surfacing and two soccer goals with nets.

8. ***Tilghman Lake Parking Area Construction - \$100,000.00***
Town of LaPlata, Charles County
CPP #5880-8-86
MD20110705-0496

Background: Construct a parking area using pervious masonry pavers.

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

October 5, 2011

**ITEM 4A (cont'd)
COMMUNITY PARKS AND PLAYGROUNDS PROGRAM**

9. ***Secretary Veteran's Memorial Park Phase 2 - \$99,000.00***
Town of Secretary, Dorchester County
CPP #5881-9-148
MD20110617-0436

Background: Construct a 36 ft. pavilion including electric, tables, and benches. In addition, construct a concrete sidewalk that would connect the new pavilion to the existing memorial park allowing for handicapped accessibility.

10. ***Open Air Structure - Church Creek Community Park - \$8,000.00***
Town of Church Creek, Dorchester County
CPP #5882-9-149
MD20110617-0438

Background: Install an open air gazebo at the park. The new pavilion would provide a site for holding outside community oriented activities.

11. ***Wetherburne Park - \$35,000.00***
City of Frederick, Frederick County
CPP #5883-10-315
MD20110608-0392

Background: Replace deteriorated wood playground equipment with handicapped-accessible equipment that meets current national playground safety standards.

12. ***Middletown Children's Garden - \$6,000.00***
Town of Middletown, Frederick County
CPP #5884-10-316
MD20110512-0302

Background: Develop a children's garden including an arbor entrance and box wood maze. The gardens will consist in sections of humming bird/butterfly bush, herb, sensory, rock, and shade.

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

October 5, 2011

ITEM 4A (cont'd)

COMMUNITY PARKS AND PLAYGROUNDS PROGRAM

13. ***Accident Town Park East Improvements - \$65,000.00***
Town of Accident, Garrett County
CPP #5886-11-190
MD20110705-0492

Background: Renovate the existing tennis and basketball courts at the community park. In addition, upgrade the existing playground area for compliance with national playground safety standards and ADA requirements.

14. ***Grantsville Community Park Pavilion and Upgrades - \$40,000.00***
Town of Grantsville, Garrett County
CPP #5887-11-191
MD20110711-0513

Background: Construct a pavilion with a sound system and a parking area.

15. ***Aberdeen Swim Club Pool Renovations - \$63,000.00***
City of Aberdeen, Harford County
CPP #5888-12-280
MD20110524-0332

Background: Upgrade the main swimming pool and baby pool including skimmers and tile replacement. In addition, replace a wooden playground structure with a handicapped-accessible play structure.

16. ***Remembrance Park - \$139,000.00***
Town of Chestertown, Kent County
CPP #5889-14-85
MD20110617-0437

Background: Construct a linear park with native plantings and porous walkways. In addition, restore wetlands along a tidal channel that feeds into the Chester River.

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

October 5, 2011

**ITEM 4A (cont'd)
COMMUNITY PARKS AND PLAYGROUNDS PROGRAM**

17. ***Stevens Park Tot Lot - \$70,000.00***
Town of Poolesville, Montgomery County
CPP #5890-15-650
MD20110804-0620

Background: Replace the existing tot lot with handicapped-accessible playground equipment and a safety surface.

18. ***Calvin Park Playground - \$156,000.00***
City of Rockville, Montgomery County
CPP #5891-15-651
MD20110802-0601

Background: Upgrade the 20 ∇ year old playground with new handicapped-accessible play equipment and install a poured-in-place rubber safety surface.

19. ***Cypress Street Playground - \$150,000.00***
City of Laurel, Prince George's County
CPP #5892-16-744
MD20110705-0493

Background: Replace the current unsafe play structure with equipment that is handicapped-accessible and meets current national playground safety standards.

20. ***Block A Playground Renovation - \$56,000.00***
City of Greenbelt, Prince George's County
CPP #5893-16-745
MD20110818-0659

Background: Replace the existing play equipment with handicapped-accessible equipment designed for children ages 2 to 5 years old.

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

October 5, 2011

**ITEM 4A (cont'd)
COMMUNITY PARKS AND PLAYGROUNDS PROGRAM**

21. *Landover Hills Veterans Memorial at Henry Rinck Park - \$50,000.00*
Town of Landover Hills, Prince George's County
CPP #5894-16-746
MD20110711-0512

Background: Renovate the park including a veterans memorial, energy efficient architectural lighting, landscaping, park benches, picnic tables, and trash receptacles.

22. *Cottage City Community Park and Playground Project - \$92,000.00*
Town of Cottage City, Prince George's County
CPP #5895-16-747
MD20110705-0495

Background: Develop a new park and playground for the Town's residents. The play equipment will be handicapped-accessible and have a poured-in-place rubber safety surface.

23. *Monroe Park Improvements - \$40,000.00*
Town of Colmar Manor, Prince George's County
CPP #5896-16-748
MD20110705-0497

Background: Install an improved drainage system at the park.

24. *Frenchman's Creek Playground Renewal - \$79,000.00*
City of New Carrollton, Prince George's County
CPP #5897-16-749
MD20110705-0494

Background: Renovate two playgrounds that serve an area of low to moderate income housing. Additional equipment is necessary to meet the needs of the existing population.

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

October 5, 2011

ITEM 4A (cont'd)

COMMUNITY PARKS AND PLAYGROUNDS PROGRAM

25. ***Brentwood/Bartlett Park Green Areas Re-Landscaping - \$45,000.00***
Town of Brentwood, Prince George's County
CPP #5898-16-750
MD20110804-0624

Background: Renovate Brentwood and Bartlett Park's green areas, two pocket parks, and Veteran's Park. Renovations include benches, landscaping, a rain garden, and the installation of a greenhouse for raising plants for the Town's parks.

26. ***7th Street Community Park - \$28,000.00***
City of Glenarden, Prince George's County
CPP #5899-16-751
MD20110804-0622

Background: Develop a new handicapped-accessible community park including benches, picnic tables, charcoal grills, landscaping, and a two-stall restroom.

27. ***Sudlersville Elementary School Playground Replacement/Upgrade - \$78,000.00***
Town of Sudlersville, Queen Anne's County
CPP #5900-17-158
MD20110617-0435

Background: Replace the existing play equipment with handicapped-accessible equipment that meets current national playground safety standards and install a poured-in-place rubber safety surface.

28. ***Trappe Veterans Memorial Park - \$20,000.00***
Town of Trappe, Talbot County
CPP #5901-20-115
MD20110617-0434

Background: Install a gazebo/bandstand to provide a venue for local gatherings and festivals at the park.

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

October 5, 2011

**ITEM 4A (cont'd)
COMMUNITY PARKS AND PLAYGROUNDS PROGRAM**

29. ***L. Beard Miller Swimming Pool Renovation - \$35,000.00***
Town of Williamsport, Washington County
CPP #5902-21-256
MD20110608-0394

Background: Recondition the 100 ft. x 50 ft. main swimming pool and adjacent baby pool located in Byron Memorial Park.

30. ***Herring Run Park at Parkside Drive - \$185,000.00***
City of Baltimore
CPP #5873-24-270
MD20110524-0333

Background: Replace dangerous playground equipment with handicapped-accessible equipment that meets current national playground safety standards. In addition, resurface the existing basketball court, repair court fences, remove an unused asphalt court, and plant the area with grass and trees.

31. ***Alexander Odum Park Neighborhood Site Renovations - \$185,000.00***
City of Baltimore
CPP #5874-24-271
MD20110524-0337

Background: Replace dangerous playground equipment with handicapped-accessible equipment that meets current national playground safety standards. In addition, install picnic tables, benches, trees, and paths for site accessibility.

FUND SOURCE: MCCBL of 2011: Community Parks and Playgrounds Program
Program 89.22.51 Item 049 \$2,390,000.00

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**

October 5, 2011

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

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

Recommendation: Approval to grant to Washington County \$40,078.02 for the following project from Program Open Space Stateside Funds.

Project: Howell 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: Howell CREP Easement. Acquisition of this 13.24-acre CREP easement located in Washington County permanently protects water quality through riparian buffers along 2,375 feet of Downey Branch, shortly before its confluence with the Potomac River. This CREP easement lies adjacent to an agricultural district, and will be co-held by Washington County and the Department of Natural Resources. The land meets the special bond requirements because it has extraordinary ecological value and will help provide clean air, clean water and wildlife habitat.

Value Of Easement: Total easement value \$35,014.76 (\$2,644.62 per acre)

Other Costs: \$ 5,063.26

<i>Administrative:</i>	\$ 1,050.44
<i>Incidental:</i>	\$ 3,487.60
<i>Compliance:</i>	\$ 525.22

Total Amount Requested: \$40,078.02

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

October 5, 2011

**ITEM 5A (con't)
PROGRAM OPEN SPACE (CREP) 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 used nine high priority, science-based, data sets and areas of special consideration developed from the past ten 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) width of the buffers; and
- (3) 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 \$ 5,063.26 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009

Program 89.22.45 Item 500 \$ 35,014.76 (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.

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**

October 5, 2011

**ITEM 6A
MARYLAND ENVIRONMENTAL TRUST**

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

Recommendation: That the Board of Public Works approve the following amendment to deed of conservation easement.

Property: 26.112 acres: Belfast Road Baltimore County
Tax Map 33: Parcels 23 (3.10 acres); 212 (20.67 acres); 10/Lot 1 (1.05 acres);
10/Lot 2 (1.31 acres).

Grantor: Walter Dodd Ramberg.

Grantees: Maryland Environmental Trust and Land Preservation Trust, Inc.

Background: Secretary's Agenda Item 16-C (December 14, 2005) – Board of Public Works ratified Walter Dodd Ramberg's donation of conservation easement to Maryland Environmental Trust on 13.969 acres.

Proposed Amendment: The amendment will: (1) add 12.143 acres to the original 2005 conservation easement; (2) add the Land Preservation Trust as a co-holder; (3) update the language of the original 2005 easement to the new model language; and (4) update the buffer language to more accurately reflect the on-the-ground reality and aid in stewardship of the property.

Estimated Value: \$411,477 – "Estimated easement value" is an MET estimate only. To estimate the easement value, MET multiplies the number of acres in the proposed easement by the average per-acre value of easements MET accepted in that county or region in the previous year. (The previous year's average per-acre value is derived by totaling the appraised values for MET easements in a region and dividing by the number of acres).

MET has recorded conservation easements on 879 acres since January 2011. This Action preserves an additional 12.143 acres.

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

SERVICES CONTRACT MODIFICATION

ITEM: 1-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
SJohnso@dhr.state.md.us

DEPARTMENT/PROGRAM: Human Resources (DHR)
Social Services Administration (SSA)
Foster Care Maintenance Payments
Program

CONTRACT ID: Residential Child Care Services
APDICS CO Nos. See Attachment

CONTRACT APPROVED: 3/23/2011DBM BPW Agenda Item 5-S

CONTRACTOR: See Attachment

CONTRACT DESCRIPTION: Approval request to provide Residential
Child Care (RCC) services for a total of 1,376 clients at various locations throughout Maryland
through 71 separate RCC contracts.

MODIFICATION DESCRIPTION: Approval request to modify three RCC
contracts to decrease the number of available residential child care beds, and at the same time,
align the contract rates to reflect FY2012 rates established by Interagency Rates Committee.

TERM OF ORIGINAL CONTRACT: 4/1/2011 - 3/31/2013

TERM OF MODIFICATION: 10/6/2011 - 3/31/2013

AMOUNT OF ORIGINAL CONTRACT: \$244,910,570 Grand Total (2 Years)

AMOUNT OF MODIFICATION: (\$1,468,555) (Approx. 1 ½ Years)
(See Attachment)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$243,442,015 Grand Total (See Attachment)

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

ITEM: 1-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): -0.60%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 1 Provider has a 4.6% MBE subcontracting goal (See Attachment)

REQUESTING AGENCY REMARKS: Request for approval to decrease the number of child care beds for three providers and, at the same time, align the contract rates for all three contracts to reflect FY2012 rates established by Interagency Rates Committee, effective 10/6/2011.

RCC programs are defined in COMAR 14.31.02.03B(13) as “a program of care provided in a residential setting by a provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law.”

The modification details are shown in the Attachment and as follows:

- Three contracts have the total number of child care beds reduced by 13.

The net total modified award amount for the three contracts is a reduction of (\$1,468,555). The modification amount also reflects the alignment of the contract rates with the FY2012 rates established by the Interagency Rates Committee. The total modified award amount assumes that each slot purchased will be occupied by a child for 17 months and 26 days from 10/5/2011 through 3/31/2013. Based on history, this is unlikely to occur. These are reimbursement contracts. The vendors are paid solely for the actual children placed with them during the year, and then only for the actual number of days each child is with the vendor.

The Governor’s Office for Children (GOC) is the single point of entry for private providers interested in supplying care under approved negotiated rates for youth of the various State agencies. These providers have rates that have been approved by the Interagency Rates Committee.

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

ITEM: 1-S-MOD (Cont.)

FUND SOURCE: 66% General; 34% Federal

APPROP. CODE: N00G0001

RESIDENT BUSINESS: Yes for all

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

FOR THE RECORD CORRECTION

CONTRACT #/CONTRACTOR/CITY/STATE CO #/MD TAX CLEARANCE	ORIGINAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT	MOD #1 AMOUNT	TOTAL REVISED CONTRACT AMOUNT	% +/- THIS MOD /	OVERALL
SSA/RCC-11-011-A1 The Board of Child Care United Methodist Church, Inc. Baltimore, MD (4.6% MBE Goal) BPO No. N00B1400352 / COD96375	150	(2)	148	\$26,243,792.00	(\$259,118.00)	\$25,984,674.00		-0.99%
SSA/RCC-11-027-A1 Franklin Group Homes, Inc. Randallstown, MD BPO No. N00B1400364 / COD95619	20	(5)	15	\$3,027,800.00	(\$563,129.00)	\$2,464,671.00		-18.60%
SSA/RCC- 11-053-A1 The Place for Children, Inc. Owings Mills, MD BPO No. N00B1400364 / COD95619	21	(6)	15	\$3,040,632.00	(\$646,308.00)	\$2,394,324.00		-21.26%
CUM. TOTAL FOR THE 3 CONTRACTS (MOD #1):	191	(13)	178	\$32,312,224.00	(\$1,468,555.00)	\$30,843,669.00		-4.54%
REVISED GRAND TOTAL FOR ALL RCC CONTRACTS:	1,376	(13)	1,363	\$244,910,570.00	(\$1,468,555.00)	\$243,442,015.00		-0.60%

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

ITEM: 2-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): -0.98%

OVERALL PERCENT +/-: -0.96%

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

MBE PARTICIPATION: 3 Providers are MDOT certified MBEs.
8 Providers are to strive for 2.6% MBE Participation (5% of Admin. Costs)

REQUESTING AGENCY REMARKS: Request for approval to: (1) increase the number of child care beds for two providers; (2) decrease the number of child care beds for nine providers; and (3) at the same time align the contract rates to reflect FY2012 rates established by Interagency Rates Committee, effective 10/6/2011 for all eleven providers.

CPA Programs are defined in COMAR 07.02.21.03B (17) as a 24-hour substitute care program, operated by a licensed child placement agency or local department of social services, for children with serious emotional, behavioral, medical, or psychological condition.

The modification details are shown in Attachment 1 and as follows:

- Two contracts have the number of child care beds increased by 20; and
- Nine contracts have the number of child care beds reduced by 74.

The net total bed change for this modification is a reduction of 54 child care beds. The net total modified award amount for all eleven contracts is a reduction of (\$1,475,817). The total modified award amount assumes that each slot purchased will be occupied by a child for eight months and 26 days from 10/6/2011 through 6/30/2012. Based on history, this is unlikely to occur. Additionally, these are reimbursement contracts. The vendors are paid solely for the actual children placed with them during the year, and then only for the actual number of days each child is with the vendor.

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

ITEM: 2-S-MOD (Cont.)

These eleven contracts are also being modified to align the contract rates to reflect FY2012 rates established by the Interagency Rate Committee for the term of the modification.

The service providers in this request were obtained through a non-competitive negotiation process. The procurement law provides for procuring certain human, social and educational services under the State Finance and Procurement article Section 13-106 and COMAR 21.14.01.03G (Non-Competitive Negotiated Procurement of Human, Social or Educational Services).

The Governor's Office For Children (GOC) is the single point of entry for private providers interested in supplying care under approved negotiated rates for youth of the various State agencies. These providers have rates that have been approved by the Interagency Rates Committee.

Procurement with these service providers has complied with the Law's requirement for Non-Competitive Negotiated Procurement of Human, Social or Educational Services. In accordance with COMAR 21.14.01.04, below are reasons for this method of procurement:

1. DHR's Procurement Officer and Secretary have determined that although there are several potential service providers, the demand for providers exceed the supply, thus making competitive sealed procurements inappropriate.
2. The services are for child placement agency foster care and the licensing standards are found in COMAR 07.02.11, 07.02.13, 07.02.21 and 07.02.23.
3. Neither DHR nor GOC, on behalf of the Sub-cabinet, has the facilities or personnel to provide this type of service for the additional 20 youth committed to DHR to be served under these contracts. Therefore, it is in the best interest of the State that DHR contracts for these services.

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

ITEM: 2-S-MOD (Cont.)

FUND SOURCE: 66% General; 34% Federal

APPROP. CODE: N00G0001

RESIDENT BUSINESSES: See Attachment 1

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

ITEM: 2-S-MOD (Cont.)

CONTRACT #/CONTRACTOR/CITY/STATE ADPICS CO #	ORIGINAL # OF CHILD CARE BEDS	+/- # OF BEDS (MODS 1 & 2)	+/- # OF BEDS (W/MOD #3)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT	MOD #1 AMOUNT	MOD #2 AMOUNT	MOD #3 AMOUNT	TOTAL REVISED CONTRACT AMOUNT	% +/- MOD #3	% +/- OVERALL
SSA/CPA-12-001-A1 * The ARC Northern Chesapeake Region, Inc. ** Aberdeen, MD ADPICS CO No.: COD96452	40	0	(4)	36	\$1,783,880.00	\$0.00	\$0.00	(\$111,618.00)	\$1,652,262.00	-7.38%	-7.38%
SSA/CPA-12-002-A1 * The ARC of Baltimore, Inc. ** Baltimore, MD ADPICS CO No.: COD96457	55	0	(15)	40	\$2,368,905.00	\$0.00	\$0.00	(\$476,700.00)	\$1,892,205.00	-20.12%	-20.12%
SSA/CPA-12-009 * The Annie E. Casey Foundation, Inc. dba Casey Family Services Baltimore, MD ADPICS CO No.: COD96488	27	0	18	45	\$1,747,467.00	\$0.00	\$0.00	\$766,486.00	\$2,513,953.00	43.86%	43.86%
SSA/CPA-12-017-A1 * CONCERN: Professional Services for Children and Youth, Inc. Fleet, PA ADPICS CO No.: COD96517	70	0	(5)	65	\$3,140,686.00	\$0.00	\$0.00	(\$74,913.00)	\$3,065,773.00	-2.39%	-2.19%
SSA/CPA-12-019-A1 * Family and Children's Services of Central Maryland (Henry Watson Children's Aid Society of Baltimore), Inc. Baltimore, MD ADPICS CO No.: COD95742	41	0	(16)	25	\$1,529,377.00	\$0.00	\$0.00	(\$621,952.00)	\$907,425.00	-40.67%	-40.67%
SSA/CPA-12-020-A1 Father Flanagan's Boy's Home, Inc. Washington, DC ADPICS CO No.: COD96478	10	0	(4)	6	\$442,080.00	\$0.00	\$0.00	(\$130,484.00)	\$311,596.00	-29.52%	-29.52%
SSA/CPA-12-021-A1 * Foundations for Home and Community, Inc. Washington, DC ADPICS CO No.: COD96034	120	0	(12)	108	\$5,263,560.00	\$0.00	\$0.00	(\$388,373.00)	\$4,875,187.00	-7.38%	-7.38%
SSA/CPA 09-027-A1 * KidsPeace National Centers of North America, Inc. Schuylkill, PA ADPICS CO No.: COD96335	52	0	(1)	51	\$2,650,520.00	\$0.00	\$0.00	(\$46,363.00)	\$2,604,157.00	-1.75%	-1.75%
SSA/CPA-12-029-A1 Maple Shade Youth and Family Services, Inc. ** Mardels Springs, MD ADPICS CO No.: COD96478	17	0	(7)	10	\$733,567.00	\$0.00	\$0.00	(\$217,067.00)	\$516,500.00	-29.59%	-29.59%
SSA/CPA-12-035-A3 * New Pathways, Inc. Baltimore, MD ADPICS CO No.: COD96050	82	(2)	2	82	\$4,031,706.00	\$22,988.00	\$12,899.00	\$101,777.00	\$4,169,370.00	2.52%	3.41%
SSA/CPA-12-048-A1 Umbrella Therapeutic Services, Inc. Lanham, MD ADPICS CO No.: COD96478	20	0	(10)	10	\$702,460.00	\$0.00	\$0.00	(\$256,610.00)	\$445,850.00	-36.51%	-36.51%
CUM. TOTAL FOR 11 CONTRACTS (MOD #3):	534	(2)	(54)	478	\$24,394,208.00	\$22,988.00	\$12,899.00	(\$1,475,817.00)	\$22,954,278.00	-6.05%	-5.90%
REVISED GRAND TOTAL FOR ALL CPA CONTRACTS:	3,146	10	(54)	3,102	\$149,974,255.00	\$92,339.00	(\$36,212.00)	(\$1,475,817.00)	\$148,524,565.00	-0.98%	-0.96%

Note: * MBE Subcontracting Goal for 5% of Administrative Costs has been established. ** Contractor is a MIDOT Certified MBE.

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$92,339	Modified three contracts (A1) to increase the number of child care beds for three providers to ensure that placement disruptions for youth would not occur and to align the contract rate to reflect Fiscal Year 2011 rate established by the Interagency Rate Committee (IRC) for the period 7/1/2011 to 7/31/2011. The IRC rates were received after original contracts were submitted to the BPW for approval. Approved by DHR on 7/1/2011.
Mod #2	(\$58,212)	Modified four contracts (A1) to increase the number of child care beds for four providers and modified two contracts (A2) to decrease the number of child care beds for two providers to ensure that placement disruptions for youth would not occur and at the same time align the contract rate to reflect Fiscal Year 2011 rate established by the Interagency Rate Committee for the period of 8/1/2011 to 6/30/2012. Approved on the 7/27/2011 DBM BPW Agenda, Item 10-S-MOD.
Total	<u>\$34,127</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 3-S-MOD **Agency Contact:** Marcus Filson
410-230-3325
filsonm@djs.state.md.us

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

CONTRACT ID: 12-PD-043A;
Non-Residential Care & Services to Youth
ADPICS CO. NO. COD79136

CONTRACT APPROVED: 6/1/2011 DBM BPW Agenda Item 4-S

CONTRACTOR: VisionQuest National, Ltd.
Tuscon, AZ
(Local Office in Woolford, MD)

CONTRACT DESCRIPTION: Contract for a currently licensed contractor
to provide non-residential services for youth referred by DJS who are before the Juvenile Courts
of the State of Maryland.

MODIFICATION DESCRIPTION: Approval request to increase the number of
youth being served by this provider for non-residential services from 57 to 175.

TERM OF ORIGINAL CONTRACT: 7/1/2011 – 6/30/2015

TERM OF MODIFICATION: 11/1/2011 – 6/30/2015

AMOUNT OF ORIGINAL CONTRACT: \$4,392,000 (4 Years)

AMOUNT OF MODIFICATION: \$2,885,088 (3 Years; 8 Months)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$7,277,088

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

ITEM: 3-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): +65.7%

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

MBE PARTICIPATION: 5%

REQUESTING AGENCY REMARKS: Request for approval of a modification to increase the number of youth to be served by this provider. The contract was awarded to serve 57 youth for non-residential services in Baltimore, Harford, Howard, Prince George's and the Eastern Shore Counties. This modification will increase the services to Prince George's and the Eastern Shore Counties and expand services to Baltimore City and Montgomery County to serve a total of 175 youth and their families.

Services in Baltimore City and Prince George's County are currently being funded through Intergovernmental Cooperative Agreements (Agreements) with the Baltimore Mental Health System and with Prince George's County government. These Agreements will be discontinued when the modification is approved in order to maximize services within budgeted resources. Flexibility in the types of services provided in different jurisdictions is a key factor in this maximizing services strategy. Per diem contracts provide this flexibility. DJS only pays when the youth is placed in the program under a per diem contract. Currently with these two local jurisdiction Agreements, a fixed price is paid to the Provider regardless of the youth population. The Agreement with Baltimore City was for 65 youth and the Agreement for Prince George's County was for 57 youth for a total of 122. With the modification, Baltimore City will continue to have 65 youth, and Prince George's County will have 45 youth. The additional eight youth will be served throughout the State.

The per diem service provided is Functional Family Therapy (FFT). This is an in-home delivered, family based prevention and intervention program for at-risk and juvenile justice involved youth. FFT is one of the nationally recognized Blueprint programs, and has been deemed as an outstanding approach by the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Center for Substance Abuse Prevention, the Center for Disease Control and Prevention (CDC) and the U.S. Surgeon General's Report on Youth Violence.

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

ITEM: 3-S-MOD (Cont.)

FUND SOURCE: 100% General

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

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICE CONTRACT OPTION

ITEM: 1-S OPT

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

Telephony Services Contract
RFP 84941E

CONTRACT APPROVED:

USM Item 2-S (10/19/05)
USM Item 2-S OPT (10/07/09)
USM Item 4-S OPT (10/06/10)

CONTRACTOR:

Verizon Maryland & Verizon Select
Services, Inc.
Hanover, Maryland

CONTRACT DESCRIPTION: Telephone services including local, long distance and additional functionality for the University's current portfolio of voice, data and video features.

OPTION DESCRIPTION: Exercise one-year renewal option: the scope of work and terms and conditions are unchanged.

TERM OF ORIGINAL CONTRACT:

11/22/2005-11/21/2009 (With 4 one-year renewal options)

TERM OF OPTION:

11/22/2011 – 11/21/2012 (this is the third one-year renewal option)

AMOUNT OF ORIGINAL CONTRACT:

\$4,933,551

AMOUNT OF OPTION:

\$1,500,000

ORIGINAL PROCUREMENT METHOD:

Competitive Sealed Proposals

MBE PARTICIPATION:

0%

PERFORMANCE BOND:

N/A

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

ITEM: 1-S OPT (continued)

REQUESTING INSTITUTION REMARKS: The renewal option pricing was competitively bid with the original contract. Verizon has been extremely responsive and excelled with addressing UMB needs in the last seven years.

FUND SOURCE: Current Unrestricted Funds

APPROP. CODE: R30B21

RESIDENT BUSINESS: Yes

MD TAX CLEARENCE: 11-2042-1101

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

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

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

CONSTRUCTION CONTRACT

ITEM: 2-C

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

INSTITUTION:

University of Maryland

CONTRACT ID:

On-Call General Contractor for the CSU
Parlett Moore Library Electrical Distribution
Upgrade Project – Task Order Bid #11-910
against On Call Contract 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)

DESCRIPTION: Replace failing medium voltage and low voltage switchgear at the Parlett Moore Library located at Coppin State University.

AWARD:

Emjay Engineering & Construction Co., Inc..
Baltimore, MD 21207-4003

TERM OF CONTRACT:

Nine Months from Construction Notice to Proceed

AMOUNT:

\$434,457

PROCUREMENT METHOD:

Task Order Bids

TASK ORDER BIDS:

Bidders

Price

Emjay Engineering & Construction Co, Inc.
Baltimore, MD

\$434,457

North Point Builders, Inc.
Baltimore, MD

\$476,535

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

ITEM: 2-C (continued)

MBE PARTICIPATION: 30%

PERFORMANCE BOND: A 100% performance bond is required.

REMARKS: The solicitation was bid amongst the seven On Call General Contractors. Two responsive bids were received and analyzed in accordance with On Call Contract GC contract established by the University. Award is recommended to Emjay Engineering & Construction Co., Inc., the lowest responsive bidder.

FUND SOURCE: MCCBL 2008, Item 046

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2115-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM: 3-GM

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

Recommendation: That the Board of Public Works approve the use of General Obligation Bond funding proceeds for the following contracts totaling \$362,993.16.

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

A. **University of Maryland, College Park:**
Bowie State University, Fine and Performing Arts Building

1. **Description:** Furnish storage racks
Purchase Order T154798
Procurement Method: Simplified Procurement
Award: SPI Systems Warehouse
9693-D Gerwig Lane
Columbia, MD 21046
Amount: \$1,246.16
Fund Source: MCCCBL 2010: *Provide funds to equip the Fine
And Performing Arts Center at Bowie State
University. Item 903*
MD Tax Clearance: 11-1760-1111
Resident Business: Yes

2. **Description:** Posing table, light boxes, & still-life shooting
table frame
Procurement Method: Simplified Procurement
Award: Preeminence
PO Box 1141
Seaford, DE 19973
Amount: \$3,443.00
Fund Source: MCCCBL 2010: *Provide funds to equip the Fine
And Performing Arts Center at Bowie State
University. Item 903*
MD Tax Clearance: 11-1876-0000
Resident Business: No

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

ITEM: 3-GM (continued)

3. Description: Concert Hall Furnishings/Equipment
Purchase Order G155994
Procurement Method: Competitive Sealed Bid
Award: Wenger Corp.
555 Park Drive
Owatonna MN 55060
Amount: \$319,059
Fund Source: MCCBL 2010: *Provide funds to equip the Fine and
Performing Arts Center at Bowie State University.*
Item 903
MD Tax Clearance: 11-2203-1100
Resident Business: No

B. University of Maryland, College Park:
University of Maryland, College Park Benjamin Building

1. Description: Furnish various Switchgear for Benjamin Building
Purchase Order Y-156011
Procurement Method: Master Order Release
Award: Shepherd Electric
7401 Pulaski Highway
Baltimore, Maryland 21237
Amount: \$39,245.00
Fund Source: MCCBL 2011: *Provide funds to equip the Benjamin
Building.* Item 036
MD tax Clearance: 11-2155-1111
Resident Business: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

REAL PROPERTY: Acquisition by Purchase

ITEM: 4-GM

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

INSTITUTION: Coppin State University

PROJECT: Purchase of property for the proposed Science and Technology Center.

DESCRIPTION: Reference is made to USM Item 4-RP (9/21/11) in which the Board of Public Works approved the acquisition of 1728 Warwick Avenue, Baltimore for a total acquisition amount of \$7,250. However, that amount was a scrivener's error. The University now requests the Board to approve a total acquisition amount of \$7,850 which is the amount the University Item should have stated.

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

Previously Approved: \$ 7,250.00
Today's Increase: \$ 600.00
Total \$7,850.00

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Angelo Perseghin (410) 385-4833
aperseghin@marylandports.com

BPW – 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 512002A
Storm Drain Cleaning & Inspection
ADPICS NO. P512002A

CONTRACT DESCRIPTION: This contract is for the inspection and cleaning of 2,160 feet of storm drain pipe located near the Dunmar Building (Building 97B) and the Truck Plaza at Dundalk Marine Terminal.

AWARD: Ace Environmental Services, LLC
Baltimore, Maryland

AMOUNT: \$131,470

TERM: 90 Work Days from NTP

PROCUREMENT METHOD: Competitive Sealed Bidding
(Single Bid Received, Small Business Reserve)

MBE PARTICIPATION: 0% (single element of work)

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

REMARKS: The Engineer’s Estimate for this contract was \$130,588.

Storm drain cleaning and inspection is necessary because the areas where work is being done retain a considerable amount of storm water after inclement weather due to clogged storm drains in the vicinity.

This contract was originally bid on April 19, 2011, as a Small Business Reserve and only one bid was received, from Ace Environmental Services, LLC. MPA called other contractors to inquire why they did not submit a bid. The reasons given were: one contractor forgot the bid date; one contractor did not visit the site and could not adequately determine the extent and difficulty of the work; and another contractor was only interested in supplying equipment as a subcontractor. In order to seek additional competition, MPA canceled the solicitation.

MPA re-advertised the contract on eMaryland Marketplace. Email notices were also sent to contractors who attended the previous prebid meeting. Eight contractors obtained bid packages; six were Maryland firms. Ace Environmental Services, LLC again submitted the only bid. MPA recommends award of the contract to the single bidder since adequate efforts were made in soliciting competition and the bid is only \$882 above the engineer’s estimate.

ITEM: 1-C (Continued)

BPW – 10/05/11

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

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03D0002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2073-0111

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 – 10/05/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 2-C

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-1149-0640
 MARC Frederick Locomotive Fueling Area Shelter
 ADPICS NO. T11490640

CONTRACT DESCRIPTION: This contract is to construct a pre-engineered building over the Locomotive Fueling area at the MARC Frederick Maintenance Yard.

AWARD: Brawner Builders, Inc.
 Hunt Valley, MD

TERM: 270 Calendar Days from NTP

AMOUNT: \$1,893,591

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Brawner Builders, Inc. Hunt Valley, MD	\$1,893,591
R. A. Hill, Inc. Chambersburg, PA	\$2,315,502
Waynesboro Construction Co., Inc. Waynesboro, PA	\$2,329,976
Callas Contractors, Inc. Hagerstown, MD	\$2,457,381
JLN Construction Services, LLC Baltimore, MD	\$2,511,040
J. F. Brinker & Sons, Inc. Ellicott City, MD	\$2,564,305
AB Construction, Inc. LaPlata, MD	\$2,878,713

ITEM: 2-C (Continued)

BPW – 10/05/11

MBE PARTICIPATION: 31%

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

REMARKS: The Engineer's Estimate for this contract was \$2,233,844.

This solicitation was advertised in eMaryland Marketplace and on MTA's Web Site. One Hundred Sixty Seven (167) firms received bid packages and one hundred fifty (150) were Maryland firms. Eight (8) bids were received. Grunley Construction was found non-responsive, because they failed to complete and submit the MBE utilization affidavit and the MBE participation schedule.

This project consists of the erection of a pre-fabricated metal building with drilled concrete piers, electric service, lighting, exhaust fans, and modification of an existing holding sump at the MARC Frederick Locomotive Fueling Area Shelter located at 7900 Reichs Ford Road, Frederick, MD. The project includes demolition and removal of existing concrete and light poles as well as construction of the new structure, which will allow MTA to store MARC train fuel and conduct fueling activities in a safer and more sheltered environment.

This project was developed after MTA was notified by the City of Frederick that its storm drain system at the Locomotive Fueling Area located in the Frederick Train Storage Yard was in violation of their Storm Water Management Program and City Code, Section 20-11. The City of Frederick recommended the following corrective action:

- terminate the current discharge from the oil/grit separator (drainage from fueling area), and
- provide design drawings for a new storm water management system and approved oil/water separator at the site.

To correct this violation, the MTA designed a cover over the fueling area to segregate storm water and the potential pollutants. The new design will also capture any leaked fluids from the site.

The MBE goal established for this contract was 26.24%; however the Contractor is exceeding the goal by 4.97%.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2079-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW -- 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 3-AE-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT NO. & TITLE: BCS 2005-06 E
NPDES Services, Statewide
ADPICS NO. SBCS0506E

ORIGINAL CONTRACT APPROVED: Item 13-AE, DOT Agenda 09/20/06

ORIGINAL PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act

CONTRACTOR: Greenhorne & O'Mara, Inc.
Laurel, MD

MODIFICATION: Modification No. 2 is for an eighteen-month extension to provide civil and environmental engineering, geographic Information System (GIS), Outfalls and Storm water Best Management Practice (BMP) inspection and remediation services and CADD services to assist in complying with the regulations pertaining to the National Pollutant Discharge Elimination System (NPDES) Program.

TERM: 09/20/2006-09/01/2011 (Original)
09/1/11 – 11/1/11 (Modification No. 1)
11/2/11 – 5/1/13 (Modification No. 2)

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$1,500,000

REVISED CONTRACT AMOUNT: \$1,500,000

PERCENTAGE INCREASE: 0%

DBE PARTICIPATION: 21%

REMARKS: SHA must comply with Federal and State Regulations concerning storm water runoff from its municipal storm water sewer system and from industrial activities. The regulations result from an amendment to the Federal Clean Water Act and were published in the Federal Register as NPDES Permit Application Regulations for Storm Water. The replacement contract is in the early stages of the procurement process and has a projected Notice to Proceed date of March, 2013. A 60-day bridge contract was executed to allow on-going tasks to continue until this time extension request could be presented to the Board of Public Works.

ITEM: 3-AE-MOD (Continued)

BPW – 10/05/11

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

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

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

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

BPW -- 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 4-AE-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT NO. & TITLE: BCS 2005-22 A & D
Aerial Photogrammetric and CADD Design
Mapping Services, Statewide
ADPICS NO. SBCS0522A & SBCS0522D

ORIGINAL CONTRACT APPROVED: Item 1-AE, DOT Agenda 10/17/07 (Contract A)
Item 4-AE, DOT Agenda 9/6/07 (Contract D)

ORIGINAL PROCURMENT METHOD: Maryland Architectural and Engineering Services
Act

CONTRACTOR:

Axix Geospatial, LLC/ (Contract A)
Johnson, Mirmiran & Thompson, Inc.
Sparks, MD

Photo Science, Inc. (Contract D)
Bowie, MD

MODIFICATION: Modification No. 2 is for an eighteen-month extension to provide aerial
photogrammetric and CADD design mapping services for various highway projects, Statewide.

TERM: 10/17/2007 - 10/1/2011 (Original – Contract A)
9/12/07 - 9/1/2011 (Original – Contract D)
10/1/11 – 11/1/11 (Mod. No. 1 – Contract A)
9/2/11 – 11/1/11 (Mod. No. 1 – Contract D)
11/2/11 – 5/1/13 (Mod. No. 2 – Contract A)
11/2/11 – 5/1/13 (Mod. No. 2 – Contract D)

AMOUNT: \$0 each

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

REVISED CONTRACT AMOUNT: \$1,000,000 each

PERCENTAGE INCREASE: 0%

DBE PARTICIPATION: 25% (Contract A)
27% (Contract D)

ITEM: 4-AE-MOD (Continued)

BPW – 10/05/11

REMARKS: Photogrammetry is a mission critical function which provides 3 dimensional aerial mapping and supplemental field surveys used to initiate preliminary design of transportation facilities. SHA is requesting to extend these contracts until new contracts are fully executed. Technical proposals on the replacement contracts were received for the replacement contract on 8/24/11. These contracts are expected to have notice to proceed in September, 2012. A 60-day bridge contract was executed to allow on-going tasks to continue until these extension requests could be presented to the Board of Public Works for approval.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 5-M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-11-016
Runway Rubber Removal Services at Baltimore
Washington International Thurgood Marshall and Martin
State Airports
ADPICS NO. MAAMC11016

CONTRACT DESCRIPTION: The Contractor shall provide the necessary labor, supervision, equipment, materials, insurance, and expertise to remove rubber buildup from designated areas on airfield concrete pavements using high pressure water and dispose of all waste products at BWI Thurgood Marshall (BWI Marshall) and Martin State Airport (MTN).

AWARD: Hi-Lite Markings, Inc.
Adams Center, NY

TERM OF CONTRACT: 11/01/11 – 10/31/14 Three (3) Years from NTP
with one (1) two (2) year renewal option

AMOUNT: \$ 157,240 NTE (3 Years)
\$ 106,923 NTE (cost of two-year option incl. 2% CPI)
\$ 264,163 NTE (aggregate value including two-year
renewal option)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Hi-Lite Markings, Inc. Adams Center, NY	\$157,240
Inland Technologies International, Ltd. Chantilly, VA	\$162,880
Rampart Hydro Services Coraopolis, PA	\$202,720

MBE PARTICIPATION: 0% (specialized work)

ITEM: 5-M (Continued)

BPW – 10/05/11

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and MAA’s website. The Solicitation was sent to the Governor’s Office of Minority Affairs and three (3) minority business associations on April 21, 2011. We sent direct solicitation to eight (8) MBE Firms on April 21, 2011. A total of nine (9) firms purchased plans and specifications. Five (5) bids were received.

The bid submitted by Nilfisk-Advance, Inc. was deemed non-responsive and was rejected. No protest was filed. The bid submitted by Letke Security Contractors, Inc. was deemed non-responsive and rejected. However, Letke Security Contractors, Inc. submitted a protest on June 8, 2011. MAA issued a Final Agency Action on June 23, 2011. Letke Security Contractors, Inc. did not file an appeal with Maryland State Board of Contract Appeals.

The Contractor shall remove at least 85% rubber buildup from the Touchdown Zones (TDZ) on Runways, 15R-33L, and 10-28 at BWI. The removal at Martin State Airport shall be performed in the controlled zones of the base or the airfield. The specialized equipment being used to accomplish this task is high-pressure water strength of 30,000 and 40,000 psi.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

MD TAX CLEARANCE: 11-1814-0001

RESIDENT BUSINESS: No

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 – 10/05/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 6-M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-12-002
 Glycol Recovery Vehicle Operations at Baltimore
 Washington International Thurgood Marshall Airport
 ADPICS NO. MAAMC12002

CONTRACT DESCRIPTION: The Contractor shall operate and maintain a Glycol Recovery Vehicle (GRV) program for the collection of aircraft deicing fluids during the winter deicing season at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall).

AWARD: Quantem Aviation Services, LLC
 Manchester, NH

AMOUNT: \$ 880,200 NTE (3 Years)
 \$ 598,536 NTE (cost of two-year option incl. 2% CPI)
 \$1,478,736 NTE (aggregate value including two-year
 renewal option)

TERM: 11/01/11 – 10/31/14 (Three (3) Years from NTP
 with one (1), two (2) year renewal option)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Quantem Aviation Services, LLC Manchester, NH	\$880,200
Inland Technologies Int'l Fairfax, VA	\$899,860
BWWS, LLC Baltimore, MD	\$975,879
Signature Flight Support Corp. Hanover, MD	\$1,021,607
East Coast Sweeping, Inc. Port Washington, NY	\$1,062,899

ITEM: 6-M (Continued)

BPW - 10/05/11

MBE PARTICIPATION: 0% (specialized work)

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and MAA's website. The Solicitation was sent to the Governor's Office of Minority Affairs on June 24, 2011. A total of five (5) firms purchased plans and specifications. Five (5) bids were received.

The contractor shall operate and perform preventative maintenance to all GRV's during the deicing season which begins November 1st and ending March 31st. The Contractor shall operate the GRVs with trained personnel to operate and maintain the equipment.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

MD TAX CLEARANCE: 11-2196-0011

RESIDENT BUSINESS: No

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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

BPW -- 10/05/11

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 7-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4292021413
Brush & Tree Cutting and Stump Removal at Various Locations
in Talbot County
ADPICS NO. 4292021413

CONTRACT DESCRIPTION: This Contract consists of the brush & tree cutting and stump
removal at various locations in Talbot County.

AWARD: Pittman's Tree & Landscaping, Inc
Front Royal, VA

AMOUNT: \$470,900 NTE

TERM OF CONTRACT: October 17, 2011 through December 31, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding
(Single Bid Received)

MBE PARTICIPATION: 0% (single element of work)

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page.
Twenty five (25) contractors were notified for this project on eMaryland Marketplace; Two (2) of which were
MDOT Certified MBE's. SHA contacted the only other plan purchaser, who stated they did not bid because they
could not meet the bonding requirements.

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

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-1930-0111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION	WITHOUT DISCUSSION		90

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

BPW -- 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 8-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 479D21413
Application of Reflective Thermoplastic Pavement Markings at Various Locations in Caroline, Cecil, Kent, Queen Anne's and Talbot Counties (District 2)
ADPICS NO. 479D21413

CONTRACT DESCRIPTION: This Contract consists of the application of reflective thermoplastic pavement markings at various locations in District 2.

AWARD: Proline Painting Co.
Jamaica, NY

AMOUNT: \$500,925 NTE

TERM OF CONTRACT: October 17, 2011 through December 31, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Proline Painting Company Jamaica, NY	\$500,925
Denville Line Painting, Inc. Rockaway, NJ	\$555,400
Priceless Industries, Inc Baltimore, MD	\$874,063
Traffic Lines, Inc. Farmingdale, NJ	\$899,438
Midlantic Marking, Inc. Gaithersburg, MD	\$1,122,250

MBE PARTICIPATION: 0% (single element of work)

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

ITEM: 8-M (Continued)

BPW – 10/05/11

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Twenty five (25) contractors were notified for this project on eMaryland Marketplace; Five (5) of which were MDOT Certified MBE's.

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

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-1684-0001

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 – 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

RENEWAL OPTION (Maintenance)

ITEM: 9-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-03-002
Escalator/Moving Walkway Repair and
Maintenance at BWI Thurgood Marshall Airport
ADPICS NO: CO276470

ORIGINAL CONTRACT APPROVED: Item 4-C, DOT Agenda 08/01/01

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: Schindler Elevator Corporation
Baltimore, MD

MODIFICATION: Request to: (1) Ratify retroactive contract period from December 1, 2006 through November 30, 2011; and (2) Exercise the Renewal for a period of five (5) years from December 1, 2011 through November 30, 2016.

AMOUNT: \$11,402,742 (Renewal Option – Phase III)

ORIGINAL CONTRACT AMOUNT: \$ 8,416,140 (Original Maintenance
Contract – Phase III)

REVISED CONTRACT AMOUNT: \$19,818,882

PERCENTAGE INCREASE: 135% (Renewal)

TERM: 12/01/06 – 11/30/11 (Original)
12/01/11 – 11/30/16 (Renewal)

ORIGINAL MBE PARTICIPATION: 0% (see remarks)

RENEWAL MBE PARTICIPATION: 0%

REMARKS: This contract provides for repair and maintenance for up to thirty-one (31) escalators, and forty-one (41) moving walkways for terminal and access circulation at BWI Marshall.

On August 1, 2001, the Board approved Item 4-C on DOT’s Agenda for a contract to provide manufacturing, delivery and maintenance for up to 31 escalators and 41 moving walkways. MAA requested approval for Phase I only at that time. The work described in the agenda item for Phase II was never required and MAA subsequently did not request Board approval for it. Phase III, the long term maintenance of the equipment manufactured and delivered in Phase I required approval by the Board in a subsequent agenda item. However, the bid amounts for Phase III were obtained in the Phase I procurement and were listed in the original board agenda item.

ITEM: 9-M-OPT (Continued)

BPW – 10/05/11

The original contract was described erroneously in MAA’s reporting documents as being approved for all phases. This error was discovered when the renewal for Phase III was being prepared for submission to the Board for approval. Thus, MAA requests pursuant to Maryland State Finance and Procurement Code, Section 11-204(c) that the Board ratify the Phase III contract and approve the five (5) year renewal option. The parties acted in good faith, there was substantial compliance with the Procurement Law and such ratification and approval do not undermine the purpose of Division II of the Procurement Law.

Schindler has performed the required tasks as specified under the terms and conditions of this contract. Additionally, Schindler provides superior customer service and is very knowledgeable in all facets of their contract with MAA.

The 0% MBE goal is due to the lack of certified MBEs in the MDOT directory to provide moving walkway services.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	J06I00002
MD TAX CLEARANCE:	11-0831-1111
RESIDENT BUSINESS:	Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$ 8,416,140	12/01/06 – 11/30/11	08/01/01, Item 4-C	
Renewal Option No. 1	\$11,402,742	12/01/11– 11/30/16		As provided for in original contract
Revised Amount	\$19,818,882			

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

BPW – 10/05/11

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONTRACT MODIFICATION

(Maintenance)

ITEM: 10-M-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MC-11-011
Ceramic Tile Repair Program at Baltimore Washington
International Thurgood
Marshall Airport
ADPICS NO. CO276467

ORIGINAL CONTRACT APPROVED: Item 5-M, DOT Agenda 05/04/11

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

CONTRACTOR: J & J 2000, Inc.
t/a J & J Construction
Littlestown, PA

MODIFICATION: Modification No. 1 provides for an increase of the original contract to correct the amount submitted to the Board for approval on 05/04/11.

AMOUNT: \$74,100 NTE

ORIGINAL CONTRACT AMOUNT: \$697,104

REVISED CONTRACT AMOUNT: \$771,204

TERM: 06/01/11 – 05/31/14

PERCENTAGE INCREASE: 11%

MBE PARTICIPATION: 0% (single element of work)

REMARKS: The original bid submitted by J & J 2000, Inc. was \$697,104. After review, MAA identified mathematical errors which resulted in a corrected bid amount of \$771,204. When the contract was submitted for approval as BPW Agenda Item 5-M, 05/04/11, the original cost of \$697,104 was reported. MAA is requesting to increase the contract cost by \$74,100 to allow for the corrected amount of the revised bid.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

RESIDENT BUSINESS: No

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$697,104	06/01/11 – 05/31/14	05/04/11, Item 5-M	
Modification No. 1	\$74,100	same		To increase contract amount
Revised Amount	\$771,204			

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

BPW – 10/05/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

RENEWAL OPTION: (Maintenance)

ITEM: 11-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-09-014
 Cleaning Services at Martin State Airport
 ADPICS NO. CO276468

ORIGINAL CONTRACT APPROVED: Item 8-M, DOT Agenda 12/03/08

ORIGINAL PROCUREMENT METHOD: Employment Works Program
 (Community Service Provider)

CONTRACTOR: National Center on Institutes and Alternatives
 Baltimore, MD

MODIFICATION: Exercise the Renewal for a period of two (2) years from January 1, 2012 through December 31, 2013.

AMOUNT: \$370,068

ORIGINAL CONTRACT AMOUNT: \$530,012

REVISED CONTRACT AMOUNT: \$900,080

PERCENTAGE INCREASE: 70%

TERM: 01/01/09 – 12/31/11 (Original)
 01/01/12 – 12/31/13 (Renewal)

ORIGINAL MBE PARTICIPATION: 100%

RENEWAL MBE PARTICIPATION: 100%

REMARKS: This contract provides all trained custodians, supervision, insurance, expertise, cleaning equipment and materials, to efficiently, effectively, and satisfactorily clean the building surfaces and fixtures in the locations specified at Martin State (MTN) Airport.

National Center on Institutes and Alternatives continues to provide an acceptable level of service in regards to production, responsiveness, quality of service, and cost effectiveness.

Unit prices and contract amount were certified as a fair market price by the Pricing and Selection Committee for the Employment Works Program on August 18, 2011.

ITEM: 11-M-OPT (Continued)

BPW – 10/05/11

This action represents the exercising of a two-year renewal option with the contractor that was provided for in the original contract with a CPI increase.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$530,012	01/01/09 - 12/31/11	12/03/08 Item 8-M	
Renewal Option No. 1	\$370,068	01/01/12- 12/31/13		As provided for in original contract
Revised Amount	\$900,080			

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

BPW – 10/05/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 12-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-10-005

NATURE OF REQUEST: Approval of Amendment No. 4 to Contract No. MAA-LC-10-005 (Use and Lease Agreement) with Delta Air Lines, Inc. (Delta) for Maryland Aviation Administration (MAA) to reimburse Delta for the relocation of its proprietarily configured telecommunications cabling and associated equipment due to MAA's requirement to relocate Delta's operations on Concourse C to Concourse D (expansion of the BWI Marshall Terminal). MAA is contractually obligated under Article XXI, "Relocation Rights," of the Contract to pay all costs to effect the relocation.

CONTRACTOR: Delta Air Lines, Inc.
Atlanta, GA

AMOUNT: \$122,389

DURATION: Amendment related work to be completed by December 13, 2011.

REMARKS: The MAA will reimburse Delta on an actual cost basis, based on a pre-approved list of various telecommunications cabling and equipment, up to but not exceeding \$122,389. Any costs above this amount will be the responsibility of Delta.

Due to the relocation of Concourse C passenger security screening checkpoint Delta must be relocated from Concourse C to Concourse D. Delta will be required to relocate its proprietarily configured telecommunications cabling and associated equipment to the new location on Concourse D to eliminate any liability or risk associated with Delta's equipment and operations.

MD TAX CLEARANCE: 11-2017-1111

RESIDENT BUSINESS: No

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 1-M

DEPARTMENT OF MARYLAND STATE
POLICE

Andrews Air Force Base
Aviation Command, Facility/Trooper 2
(Prince George's County)

CONTRACT NO. AND TITLE

Project No. PR-250-110-001;
Fuel Tank Replacement
ADPICS NO. jbmw
001B2400171

DESCRIPTION

Removal and disposal of the existing 10,000 gallon underground fuel storage tank. Removal and disposal of the existing 550 gallon used oil underground tank and associated oil/water separator. Furnish and install new above-ground 8,000 gallon Jet A fuel tank with associated pump, and 2 new 55 gallon drums in a water-proof enclosure per the contract specification.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

	<u>AMOUNT</u>
Commercial Fuel Systems, Inc., Mt. Airy, MD	\$392,373.00
Subsurface Technologies, Inc., New Windsor, MD	\$403,500.00
Total Environmental Concepts., Inc. Gaithersburg, MD	\$535,131.00
Tanks Direct, Laurel, MD	\$720,650.00

AWARD

Commercial Fuel Systems, Inc.,
Mt. Airy, MD

AMOUNT

\$392,373.00

TERM

120 Calendar Days

MBE PARTICIPATION

30%

PERFORMANCE BOND

100% of Full Contract Amount

REMARKS

Project was advertised on July 14, 2011; four (4) bids were received on August 8, 2011. This item is related to Item 3-GM, Line C.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 1-M (Cont.)

FUND SOURCE

MCCBL 2010/Item 010 (Provide funds for the State Capital facilities renewal program-Statewide)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2015-1111

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 (Cont.)

In a continuing effort to improve the occupant environment in its facilities throughout the state, DHMH has designed a number of changes to those areas serving its population, which when installed will significantly reduce places which an occupant could utilize as a ligature point in an attempt to harm themselves. The replacement of the existing sprinkler heads, toilet and shower partitions, lavatory sinks, shower controls, flushometer valves, mirrors, grab bars, and all lavatory accessories with anti ligature items throughout the facility will ensure an occupant could not utilize the new hardware to harm themselves.

The recommended contractor, Modern Construction Services Inc. has committed to providing 29.9% MBE participation in this project by utilizing a certified MBE supplier (26.5%) and a certified MBE subcontractor (3.4%).

FUND SOURCE

MCCBL 2009/Item 023 (Provide funds to construct Patient Safety Improvements at Psychiatric Hospitals and Treatment Centers)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-1838-0111

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 in the total amount of \$168,765.50 (3 items)

A. Department of General Services

Bel Air District Court and Multi Service Center
Baltimore, MD

DESCRIPTION

Approval requested for Americans with Disabilities Act (ADA) signs for the Bel Air District Court/Multi Service Center in Baltimore MD

REMARKS

This contract is for the purchase only of ADA signage for the Bel Air DC/MS in Baltimore MD. MCE existing contract is being utilized per COMAR 21.11.05. Since the project is for supply only, there are no MBE sub-contracting opportunities.

CONTRACT NO. AND TITLE

ADA Signage;
ADPICS No. 602P1400268

PROCUREMENT METHOD

Preference Purchase

AWARD

Maryland Correctional Enterprises (MCE)
Jessup, MD

AMOUNT

\$2,630.50

FUND SOURCE

MCCBL 2010, Item 008 (Provide funds to design and construct handicapped accessibility modifications at state-owned facilities-statewide)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 4-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
File # 23-08-10, Worcester County, MD

REFERENCE

Reference is made to Item 3-RP of the DGS/BPW agenda of 12/16/2009, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement over 166.235 acres of land for \$241,856.86, or \$1,454.91 per acre in which the Grantor reserved the right to release an unrestricted lot of up to 2 acres. Purchase of the easement was completed on 2/10/2010.

On 11/15/2010, MALPF released an unrestricted 1.63 acre lot from the restrictions of the easement upon the payment of \$2,371.50 to MALPF. The current owner of the released lot and the land encumbered by the easement has determined that the location and size of the unrestricted lot is insufficient to build a house because it could not accommodate the necessary sewer and septic reserve areas due to soils and topography of the land. BPW approval is requested to relocate and enlarge the lot to 2 acres by amending the Deed of Easement to place the released 1.63 acre lot back under the Deed of Easement in exchange for permitting a 2.00 acre parcel building envelope which cannot be subdivided.

The MALPF Board of Trustees has approved the transaction by determining that the exchange will have a positive effect on the agricultural operation of the farm since the building envelope will not be permitted to be sold off from the middle of the farm. The attached Exhibit shows the location of the original released lot, and the location of the proposed building envelope.

GRANTOR

Stephen and Kristie St. Pierre

GRANTEE

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

PROPERTY

2.00 acres (relocation)

CONSIDERATION

\$538.32 to be paid by the landowner for the
additional 0.37 acre permitted to be taken
out of agricultural production

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 4-RP (Cont.)

REMARKS

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item.
2. Costs associated with this exchange will be paid by the landowner.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP

MILITARY DEPARTMENT

301 Old Bay Lane, Havre de Grace
0.6138 acres, (Harford County)
File # 00-8439

REFERENCE

Approval is requested to declare surplus 0.6138 acres of land located at 301 Old Bay Lane in Harford County, and to sell it to the City of Havre de Grace. The land lies adjacent to the access road for the Havre de Grace Military Reservation and the City has requested the property to make improvements to Old Bay Lane. Title and transfer documents are subject to legal review.

PROPERTY

0.6138 acres located at 301 Old Bay Lane,
Havre de Grace, MD

OWNERSHIP

State of Maryland, to the use of the Military
Department

REMARKS

1. The Military Department has determined this property is excess to its needs.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20090520-0636 and has recommended to declare .6138 acres of land surplus to the needs of the State of Maryland, and to transfer the land to the City of Havre de Grace. The City of Havre de Grace plans to make improvements to Old Bay Lane.

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 (Cont.)

3. In accordance with the State Finance and Procurement Article, Section(s) 13-105 and 4-318, this space is exempt from publicly advertising. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 7-LT-OPT**DEPARTMENT OF LABOR, LICENSING AND REGULATION****DEPARTMENT OF ASSESSMENTS AND TAXATION**

(Allegany County)

Landlord

Mayor and City Council of Cumberland
c/o George Street Garage
10 S. George St.
Cumberland, MD 21501

Property Location

George Street Garage
10 S. George St.
Cumberland, MD 21501

Space Type Garage Parking**Duration** 5 Years**Annual Rent** \$31,020.00**Lease Type** Renewal**Effective** 11/1/2011**Rate Per Space Per Month** \$55.00**Prev. Rate Per Space Per Month** \$55.00**Number of Spaces**

DLLR 40

SDAT 7

Total 47

Utilities Responsibility

Landlord

Custodial Responsibility

Landlord

Previous Board Action(s)

10/21/09 - Item 12-LT; 10/31/07 – Item 11-LT; 4/19/06-
Item 13-LT; 1/7/04-Item 7-L; 2/19/03-Item 7-L; 10/24/01-
Item 20-L; 6/21/00-Item 16-L; 12/1/99-26-L; 9/2/98-Item
41-L.

Fund Source

DLLR 100% Fed. Program 21 PCA 8N801

SDAT 100% Gen. ANE50C00.02 PCA 25101 Obj 07 075

Remarks

1. These spaces have been used by employees of the Department of Labor, Licensing and Regulation (DLLR) located at 138 Baltimore Street and by employees of the Department of Assessments and Taxation (SDAT) located at 112 Baltimore Street.
2. Parking in downtown Cumberland where both DLLR and SDAT are located, consists of two city owned public parking garages and metered parking.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 7-LT-OPT (Cont.)

- 3. The rental rate will remain at \$55.00/space/month through the 5 year lease term.
- 4. The lease contains a termination for convenience clause.
- 5. The agencies are in compliance with the 1:2 ratio established for this area.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 8-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

*Mayor and City Council of the City of Bowie (Prince George’s County)
Allen Pond Park*

“For the design, construction, repair, and renovation of the Allen Pond Park, located in Bowie.”

\$80,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483 Acts of 2010)
DGS Item G070, (SL-045-100-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than December 1, 2012. The Mayor and City Council of the City of Bowie have submitted documentation that they have allocated \$80,000.00 in their budget to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$11,150,000.00
10-G070 (This Action)	\$ 80,000.00
Local Cost	\$11,070,000.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 9-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

National Parks Service and the Board of Directors of the Broad Creek Historic District Association (Prince George's County)

Harmony Hall Manor

"For the repair and renovation of Harmony Hall Manor, located in Oxon Hill."

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2009 (LSI - Chapter 485, Acts of 2009)
DGS Item G133 (SL-066-090-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2011. The National Parks Service has submitted documentation that it has received \$100,000.00 from the Save America's Treasures grant program to meet the matching fund requirement for this project. *Documents for certification of match were received by the Department of General Services prior to May 31, 2011.*

<u>BACKGROUND</u>	Total Project	\$200,000.00
	09-G133 (This Action)	\$100,000.00
	Local Cost	\$100,000.00

REMARKS

- (1) The grant agreement has been modified throughout to reflect the responsibilities of each of the grant recipients (National Park Service - NPS and Board of Directors of the Broad Creek Historic District Association - BCHDA).
- (2) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (3) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 9-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 10-CGL

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

*Mayor and Town Council of Chesapeake Beach (Calvert County)
Town of Chesapeake Beach Water Quality Improvement Project
"For conducting systems engineering and design related to land application of effluent from the wastewater treatment plant, design of related enhanced nutrient removal infrastructure, investigation of sites for land application, and integrated engineering and design of enhanced nutrient removal improvements and land application techniques for a water quality improvement project within the Town of Chesapeake Beach."
\$250,000.00 - encumber \$250,000.00
Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005)
DGS Item G042 (SL-092-050-038)*

MATCHING FUND 2/28/07 Agenda, Item 10-CGL

<u>BACKGROUND</u>	Total Project	\$19,890,949.00
	05-G042 (This Action)	\$ 250,000.00
	Local Cost	\$19,640,949.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of October 5, 2011 was adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sheila McDonald". The signature is written in black ink and is positioned above the printed name.

Sheila C. McDonald, Esq.
Executive Secretary

INDEX
OCTOBER 5, 2011

Agriculture, Department of	
Agricultural Cost-Share Program.....	4-6
Agricultural Land Preservation Foundation.....	109
Assessments & Taxation, Department of	114
Aviation Administration.....	86-89,93-101
Bowie State University	75
Comptroller of the Treasury	
Bond Reversions.....	10-14
Coppin State University.....	73,77
Education, Department of.....	112
General Services, Department of.....	35,106
Capital Grants and Loans	
Allen Pond Park (Prince George's).....	116
Harmony Hall Manor (Prince George's)	117
Town of Chesapeake Beach Water Quality Improvement Program (Calvert).....	119
Health & Mental Hygiene, Department of	
Hospital Centers, State	
Regional Institute for Children/Adolescents (Baltimore).....	104
Higher Education Commission, Maryland	35
Highway Administration.....	82-85,90-92
Housing & Community Development.....	15-18
Human Resources, Department of	
Social Services Administration.....	58,62
Juvenile Services, Department of.....	68
Labor, Licensing & Regulation, Department of.....	114
Maryland Transit Administration	40,80
Maryland, University System of	
Bowie State University	75
Coppin State University	73,77
Maryland, University of	
Baltimore Campus	71
College Park Campus.....	76
Military Department.....	19,111
Morgan State University	20

INDEX
OCTOBER 5, 2011

Natural Resources, Department of	
CREP Program.....	55-56
Environmental Trust.....	57
Program Open Space.....	43-54
Shore Erosion Control.....	22
Port Administration.....	78
Public Safety & Correctional Services, Department of	
Corrections, Division of	
Baltimore City Detention Center	107
Roxbury Correctional Institute	38
Public Service Commission.....	31
Public works, Board of	
Procurement Agency Activity Reports.....	7
Public School Construction, IAC	23-29
Wetlands Administration	8
Regional Institute for Children/Adolescents (Baltimore).....	104
Shore Erosion Control.....	22
Social Services Administration.....	58,62
State Police, Department of	102,107
Transportation, Department of	
Aviation Administration.....	86-89,93-101
Highway Administration.....	82-85,90-92
Maryland Transit Administration	40,80
Port Administration.....	78

STATE OF MARYLAND
BOARD OF PUBLIC WORKS
GOVERNOR'S RECEPTION ROOM
SECOND FLOOR, STATE HOUSE
ANNAPOLIS, MARYLAND

October 5, 2011

10:13 a.m.

October 5, 2011

P R E S E N T

GOVERNOR MARTIN O'MALLEY, Presiding;

HONORABLE PETER FRANCHOT, Comptroller;

HONORABLE NANCY KOPP, Treasurer;

SHEILA C. MCDONALD, Secretary, Board of
Public Works;

ALVIN C. COLLINS, Secretary, Department
of General Services;

T. ELOISE FOSTER, Secretary, Department
of Budget and Management;

BEVERLEY SWAIM-STALEY, Secretary,
Department of Transportation;

MEREDITH LATHBURY, Land Acquisition and
Planning, Department of Natural Resources;

LUWANDA JENKINS, Special Secretary,
Governor's Office of Minority Affairs;

MARY JO CHILDS, Procurement Advisor, Board of
Public Works; and,

MARION BOSCHERT, Recording Secretary, Board
of Public Works.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

C O N T E N T S

<u>Subject</u>	<u>Agenda</u>	<u>Witness</u>	<u>Page</u>
Anne Arundel Community College to Lead National STEM Consortium		Dr. Martha Smith	11
Allocation of Funds from Alcohol Tax for Public School Construction in Howard County	SEC Item 12	Sheila McDonald Dr. David Lever Wayne Crosby	21
Allocation of Funds from Alcohol Tax for Public School Construction in Montgomery County	SEC Item 13	Sheila McDonald Dr. David Lever James Song	21
Allocation of Funds from Alcohol Tax for Public School Construction in Anne Arundel County	SEC Item 14	Sheila McDonald Dr. David Lever Lisa Seaman-Crawford	21
Relocation of Maryland Higher Education Commission	SEC Item A2	Sheila McDonald Al Collins Dr. Danette Howard Michael Gaines	48
Playground Improvements Throughout State	DNR/POS Item 4A	Meredith Lathbury Jennifer Bistrack	85

<u>Subject</u>	<u>Agenda</u>	<u>Witness</u>	<u>Page</u>
Acquisition of Property for Howell Conservation Reserve Enhancement Program	DNR/POS Item 5A	Meredith Lathbury	92
DBM Agenda	DBM	T. Eloise Foster	92
Acquisition of Property for Coppin Science and Technology Center	USM Item 4-GM	Jim Stirling	94
DOT Agenda	DOT	Beverley Swaim-Staley	97
DGS Agenda	DGS	Al Collins	98

P R O C E E D I N G S

GOVERNOR O'MALLEY: Okay, good morning. This is a meeting of the Board of Public Works and today is October 5, 2011. I understand we are -- well before we get to, I understand that we have Dr. Marty Smith from Anne Arundel Community College, who is going to hopefully be talking to us shortly. She's been a tremendous leader for 18 years as the college President? Wow. That's great. And so we're going to be hearing from her shortly. Before we get there let me ask the Comptroller if he has any opening remarks, and the Treasurer?

COMPTROLLER FRANCHOT: Thank you, Governor. I don't know whether anyone noticed that Sunday both the Redskins and the Ravens won.

(Applause)

COMPTROLLER FRANCHOT: And for my dear friends out in Western Maryland that root for the Steelers, they lost.

(Laughter)

COMPTROLLER FRANCHOT: But I always find that to be a boost for the State, when both teams win. It's

maybe part mental. Just people feeling in a better mood. But I like to think that it also helps the economy also, because people are more upbeat.

And in addition to the football teams we had a huge win last week that I'd just like to compliment a local team for, and that's Anne Arundel Community College which was named the leader of a national consortium of community colleges. It's going to receive a \$20 million grant from the U.S. Department of Labor to lead a ten-college effort to provide training for high demand jobs in science, technology, engineering, and math, the STEM fields that we've all made such a top priority.

What I like about this is that Anne Arundel Community College, not like Ohio State or something, was picked number one out of 1,100 community colleges across the country to be the leader of the consortium to develop programs and certifications in the fields of cybertechnology and mechatronics. Everyone know what mechatronics is? I didn't. I had to ask. It's the combination of mechanical engineering with electrical

engineering, a new field that our businesses need trained staff for.

I think it's a testament, frankly, to the college's 50 years of educational excellence. And the Governor mentioned the extraordinary leadership team headed by President Martha Smith. And I'd like to congratulate the College's Board of Trustees, which is a distinguished group that includes my dear friend and colleague Jerry Klasmeier sitting next to me. I just think it's important, because we read about the downturn in federal grants because of the economic situation and here we have Anne Arundel in an unrelenting pursuit of a federal opportunity which is tremendously cost effective. And I think it's a perfect example of how government can assist the private sector in the job creation process.

The private sector identified the need for a highly skilled workforce for STEM businesses. The public sector made a, focused strategic investment to help produce that workforce and then government gets out of the way. I emphasize that again, we make the investment and then government gets out of the way and

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

lets the private sector create the jobs that our people need.

And in this area of cybersecurity, I know some of you may have read in the morning paper about the new hearings that are going on Capitol Hill. Cybersecurity is not just a national security issue. First and foremost it is an economic issue because countries like China are using cyberintrusion in order to steal all of our economic interests. And it's a huge threat, much more so than the military threat of cybersecurity, is the economic threat that China and other countries are doing and just brazenly, openly giving medals to their people who accomplish this theft of our design and our patents. So I'm delighted that Anne Arundel Community College with Dr. Smith is going to be defending our country with this new effort.

I also went to, on a related area, to the Dorchester Career and Technology Center last week in the Lower Shore. This project was a top school construction priority for the State and the Board. We made an investment. The Center is training students in specific skills in areas that are sorely needed and in

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

high demand locally. I can't remember the name of the company that was right next to this school, but they are the world's largest producer of conveyer belts. Who would have thought it, down there on the Lower Shore? A hundred year old company. Well turns out that they have a whole new business that they've opened up, which is, places like New York love to put these industrial belts on the outside of buildings. It's considered the chic new design thing. It makes everything look, I don't know how it looks, but they, anyway they are hiring people left and right. Where are they hiring people from to do the welding and do the machine work? Right out of Dorchester Career and Technology Center.

So that's a great example of education aligning with the local economy. They are direct investments that we make that foster job creation. A lot of people complain about government spending. I say you have to look at the specifics. There's a major difference between indiscriminate government spending and strategic public investment. And these investments that we're seeing today will reap major dividends for

our State in the future and I'm delighted that we're an international leader in the STEM industry workforce development, and obviously in the cybersecurity that the Governor has highlighted so appropriately over the last year. And Governor, I think it's good stuff. And I compliment, I should mention Congressman Ruppertsberger who is on the House Intelligence Committee who will be involved in this cybersecurity effort.

And Governor, I don't know whether it's appropriate to have Dr. Smith come up and say a few words about the success she had?

GOVERNOR O'MALLEY: Sure. Let's see, I think the Treasurer wants to chime in and sing her praises before we do that. Okay.

TREASURER KOPP: Not at great length. But I did want to recognize Dr. Smith, one of the very first women presidents of community colleges in Maryland when she started off in Baltimore County. Came to Anne Arundel County, after leading Anne Arundel County the college was named the number one community college in the United States of America and has produced

outstanding scholars and citizens. I'm sure she will be going on to bigger and even better and greater things. But the State of Maryland owes a great vote of thanks to Marty Smith for all the work she's done for all of us. And I just was so pleased to see her here, and hear about her latest triumph. I'm glad you've not allowed the Deputy Comptroller, Mr. Klasmeier, to go on because he will go on for hours about how outstanding Dr. Smith has been. But it's very, very good to have an opportunity to recognize her in public.

GOVERNOR O'MALLEY: And with that, Dr. Smith, President Smith?

DR. SMITH: Thank you very much. Do you want me to --

GOVERNOR O'MALLEY: Your Majesty? Yes?

DR. SMITH: Oh my goodness. Thank you so very much. Thank you so very much. Good morning to all of you. I will be very brief. I actually didn't plan to really do any kind of an overview of this. I will say to you we at Anne Arundel Community College are thrilled about this grant. It was exceedingly competitive. I do think in being in touch with most of

my colleagues, I think about every community college in the country applied.

My key message is really a very genuine thank you. Thank you very, very much. As the Comptroller said, and I think he did an excellent job of giving an overview of this grant, Secretary Solis chose to spend the day with us last Wednesday to make this announcement and to visit our cyber classrooms and talk with our cyber students. As I said to her, I think this grant is an absolutely perfect example of how it is supposed to work. For example, the private industry several years ago came to our Board of Trustees and said, "We know we need many, many more people trained in the STEM areas and in particularly cyber." And our Board said, "Dr. Smith, make this happen." So we at the College put together a plan and went to the County Executive. The County Executive said, "Yes indeed, this is a high priority. The workforce is growing in this area and we have a critical shortage of workers." And he said, "Give me a plan and a budget." We gave him a plan and a budget. He included it in his budget. The County Council saw that it was very important.

They too acknowledged this is something that has to happen and they approved the budget.

At the same time you all, and Governor with your leadership, said STEM is a priority for the State as is cyber. And so you, through MHEC and others, made competitive grants available to the community colleges and universities to increase the pipeline to STEM related jobs and careers.

So those came together. And I'm proud to say as a result of those efforts at Anne Arundel Community College our enrollment in STEM programs increased 46 percent from fiscal year 2007 to fiscal year 2011.

GOVERNOR O'MALLEY: That's great.

DR. SMITH: We have 7,816 students enrolled in STEM related programs. So this grant kind of builds on that success and that capacity that we have built as a College and really as a State, we're building on that to help deliver that nationally. And then in turn to get from other colleges their expertise in some of these other areas like mechatronics and environmental technology.

So in my mind it's a perfect example of how things are supposed to work in order to invest in our people and our workforce and our State. So my primary message to all of you is thank you so much for facilitating and making this possible. I'll be happy to answer any questions if you have any.

TREASURER KOPP: I have a question, Marty.

DR. SMITH: Sure.

TREASURER KOPP: I know this has not been going on a long time. But is there a way to track the people once they graduate from the program to see in fact that they did enter the --

DR. SMITH: Workforce?

TREASURER KOPP: -- the workforce in the sort of position that they had been anticipating?

DR. SMITH: Yes, that's done. There is a way. It's not a very sophisticated way, to be honest with you, and we're working at how to make that more sophisticated. MHEC does do some work through graduate follow up and does surveys of employers of our graduates.

TREASURER KOPP: Mm-hmm.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

DR. SMITH: Most of the tracking that we do is done through the programs. So the engineering program or the cyber program does its own tracking of graduates to --

TREASURER KOPP: I assume you do it for fundraising purposes, also?

DR. SMITH: We, absolutely, excellent point, yes. And we have had such active and energetic participation by the private sector. It's been wonderful. Both in helping us with the curriculum and in hiring. I mean they're waiting. They're in line waiting for our people.

TREASURER KOPP: That's --

DR. SMITH: So thank you very much.

TREASURER KOPP: That's terrific.

GOVERNOR O'MALLEY: Mr. Comptroller?

COMPTROLLER FRANCHOT: Yeah, no, thank you again for this. And I know you're with us until next August.

DR. SMITH: Yes.

COMPTROLLER FRANCHOT: And if you could just keep us informed about how this process goes? And if

you could possibly touch base with Congressman Ruppertsberger, who is the Ranking Member of the Intelligence Committee?

DR. SMITH: Yes.

COMPTROLLER FRANCHOT: I think he'd be interested in all this. And again, just following on what the Treasurer said, thank you for always putting students first. Whenever I go to anything over there, or hear of any event at your College, you are always there, front and center. And just hats off --

DR. SMITH: Well thank you.

COMPTROLLER FRANCHOT: -- because you really put the kids first and --

DR. SMITH: Thank you.

COMPTROLLER FRANCHOT: -- frankly a lot of these students are not kids anymore.

DR. SMITH: Mm-hmm, yeah.

COMPTROLLER FRANCHOT: But students first, and thank you very much.

DR. SMITH: Thank you very much.

TREASURER KOPP: Marty could, I just, because

--

DR. SMITH: Sure.

TREASURER KOPP: -- this may be the only opportunity here.

DR. SMITH: Okay.

TREASURER KOPP: And I don't want to embarrass you. But I think, I mentioned that Dr. Smith was the first, one of the first women to head a community college here. The fact of the matter was until her appointment the Boards of Trustees, which were mostly experienced gentlemen not of color, had not given thought to a minority or a woman in that sort of executive position. And I wasn't sure that Dr. Smith had given it enough thought either. And it was only because a group of women got together and realized there was no, we needed a role model. So I'm mentioning this because it extends even beyond Anne Arundel Community College. A role model for women in academia everywhere, somebody who could take on the tough job as the head executive of a campus. And she was persuaded to do that. She did it extraordinarily well and has gone on to great things. But it just

shows that everybody, you know, needs a model and everybody needs to push. I don't mean to embarrass --

DR. SMITH: I remember that encouragement.

TREASURER KOPP: Yes.

DR. SMITH: It was a group to whom you could not say no.

(Laughter)

TREASURER KOPP: That's the way we saw it.

DR. SMITH: Thank you.

GOVERNOR O'MALLEY: Do you know what you're going to be doing in August?

DR. SMITH: I don't know for sure. I'm going to, we've got lots of big things, important things, on track for this year. So I'm focused on getting all of those things in place and being open to what the next chapter will be.

GOVERNOR O'MALLEY: Well you've been a great leader in so many ways, including on the important front of STEM and also realizing Maryland's jobs potential by improving our skills for cybersecurity. Huge delta of opportunity. I mean the fact that

employers like NSA and the contractors that do the work

--

DR. SMITH: Yes.

GOVERNOR O'MALLEY: -- that supports NSA are waiting in line for our graduates --

DR. SMITH: Mm-hmm.

GOVERNOR O'MALLEY: -- is a message of hope and opportunity --

DR. SMITH: Sure.

GOVERNOR O'MALLEY: -- that I hope a lot of high school kids who, you know, who are seeing a lot of negative forecasts on the news --

DR. SMITH: Mm-hmm.

GOVERNOR O'MALLEY: -- may see that as a positive forecast. And to have such a community college in Anne Arundel County that, of such excellence, it's really the way the country is going.

DR. SMITH: Mm-hmm.

GOVERNOR O'MALLEY: I mean we can't expect to do higher education as we had in the past --

DR. SMITH: Yes.

GOVERNOR O'MALLEY: -- the ability to be flexible, to appreciate that people are, moms and dads are going to be coming back for that, what Thomas Friedman calls their own extra that allows them to get the new job or to open up the door in maybe an entirely new field or career, and the ability to take folks that were liberal arts majors, bring them back to community college, and then have them reequipped and upskilled to be able to do cybersecurity. All of that is just so very important. And you've been terrific. So thank you, and also for your friendship.

DR. SMITH: Well thank you.

GOVERNOR O'MALLEY: It's really been good doing good things with you.

DR. SMITH: I'll give that right back to you. Thank you. It's been an honor and a privilege. Thank you all very much.

GOVERNOR O'MALLEY: Thanks, Marty. Big round of applause.

(Applause)

GOVERNOR O'MALLEY: All right. So we are on Secretary's Agenda, huh?

SECRETARY MCDONALD: Good morning, Governor, members of the Board. We have 14 items on the Secretary's Agenda this morning. There are four reports of emergency procurements. We're ready for your questions.

GOVERNOR O'MALLEY: Any questions? This has the allocation of the one-year appropriations that were directed from the alcohol tax, correct?

SECRETARY MCDONALD: Correct. The General Assembly this year added an appropriation of \$47.5 million to the school construction program. This is in addition to the \$265 million that the Board funded through the regular capital improvement programs. This is \$47 million on top of the \$265 million. This is for individual public school improvement projects that meet a school or a community need and each county or region in the State was allocated some money from the alcoholic beverages tax this year. We today have Howard County at Item 12. Howard County has a recommendation for \$4 million --

GOVERNOR O'MALLEY: Come on down Howard County, Montgomery County, and Anne Arundel County.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

SECRETARY MCDONALD: -- we have Montgomery County as Item 11, as Item 13, and Montgomery County is asking for its grant of \$9 million. And Anne Arundel County is Item 14 and they are asking for their recommendation for \$5 million. Dr. David Lever can probably keep us straight on all the county school districts, thank you.

DR. LEVER: Thank you. Good morning. We have the three representatives of the three counties here. If you have any specific questions about the projects I'm sure they'd be glad to answer any questions that you have.

GOVERNOR O'MALLEY: I was curious in the number of jobs. I know that there are 15,000 jobs that are supported by our AAA bond rating and the investments that we're making, private jobs building public goods. Or maybe I should say private jobs building good things for the public. That's probably a clearer way to say it. And I'm wondering with this additional \$47 million investment in our schools and in school renovations and construction, I mean any idea

approximately how much this allocation will support by way of jobs?

DR. LEVER: We could provide that number for you. I do talk to industry sources from time to time to try to get a sense of how many jobs are created by every million dollars of construction allocation. That number changes and frankly I haven't looked into that for some time.

GOVERNOR O'MALLEY: Mm-hmm.

DR. LEVER: So I should be back to them to get an accurate number for you.

GOVERNOR O'MALLEY: And the great thing about going out at this point in time, if there's anything that can be said, the advantageous thing I should say, it's not great, but the advantage that we have is that the bids are coming in very, very competitively. In other words we're getting a very good price on this work, important work for which there's a backlog and a tremendous need. So maybe we'll hear from each of the counties individually. Howard County, do you want to tell us what you're doing? Introduce yourself, and this would be Mr. Brown?

MR. CROSBY: Mr. Wayne Crosby, I'm the Director of School Facilities. Mr. Brown is --

GOVERNOR O'MALLEY: Mr. Crosby? I had, I could go either way. You know, I had two. I took a fifty-fifty shot.

MR. CROSBY: First of all I'd like to say we, on behalf of the Howard County School System, we appreciate the consideration of the Board in giving us additional funds. We're going to direct these funds to four schools. Two of our high schools, we're going to put in turf fields. We're going to take out the natural lawn fields in the stadiums. This is really going to affect our athletic programs and the safety of the students. There are, it's really difficult to keep up with natural grass fields and as much as those stadiums get used, both community use and the system. We're also, one of our high schools, Oakland Mills High School, we've got some considerable repairs scheduled. Lockers, door replacements, security systems. So we're looking forward to it. The system is looking forward to it. And as we've worked with the administrators and

the staff they're certainly appreciative of the opportunity to provide these improvements.

GOVERNOR O'MALLEY: Any idea how many jobs it will support?

MR. CROSBY: I do not at this point, sir.

GOVERNOR O'MALLEY: Can you get back to us?

MR. CROSBY: We can certainly get back to you.

GOVERNOR O'MALLEY: Thanks.

MR. CROSBY: Mm-hmm.

GOVERNOR O'MALLEY: How about Montgomery County. Mr. Song?

MR. SONG: Thank you. Good morning.

GOVERNOR O'MALLEY: They only have one name listed for Montgomery County.

MR. SONG: It is an easy name to remember. Good morning, Governor, and Treasurer, and Comptroller. My name is again James Song, I'm the Director of the Department of Facilities Management at Montgomery County Public Schools. And on behalf of Joshua Starr, who is our new Superintendent of Schools, and along with members of the Board of Education, I'd really like

to take this opportunity to thank the Governor and the General Assembly for the dedication of the supplemental appropriation that was dedicated for school construction projects.

As noted of the \$47.5 million of the supplemental appropriation approximately \$9 million was earmarked for Montgomery County. With respect to this additional \$9 million we have four school construction projects that were recently completed that it will be contributed towards, the Cabin John Middle School modernization project, Cannon Road Elementary School modernization project, Farmland Elementary School modernization project, and Garrett Park Elementary School modernization project. So these dollars are spreading to larger projects and making more impact. Again thank you, thank you, thank you on behalf of the school.

However, we do have many more needs than the resource, as always. I'm pretty sure it's following along the similar lines with all the school districts in the State of Maryland we have student enrollment growth that is really unprecedented. And just within

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

Montgomery County Public Schools we're reaching almost 147,000 students. Just the last four years alone we had an increase of 8,600 students. Furthermore, in the next five years we're predicting 10,000 more students coming into our schools. That's almost like 2,300 students per year. That's a whole high school per year.

GOVERNOR O'MALLEY: Hm.

MR. SONG: Just the capacity needs is not just the one need but we also have older aging facilities that we need to keep up with. And these are continuing needs and all these additional funds will go into those needs and most time. And also it is the message that we've been spreading and that is now is really the time to build. As Governor, you have stated, now is really the time to build given the construction costs is really low in the past four years. We also have low bond interest rates, meaning less to borrow, meaning value of the dollars can stretch further these days. And we have the needs. We have the growing student enrollments as well as the workforce out there that could use the jobs. And maybe

this could be the avenue to revive some of the local and Statewide economy as well.

So this is really all the planets lined up. So to that end we urge you to consider increasing the school construction budget. Again, on behalf of the School Board and the Superintendent we thank you for the supplemental appropriation.

GOVERNOR O'MALLEY: Mr. Song, thank you. I look forward to meeting Josh sometime.

MR. SONG: Likewise he is as well. He is, along with the new Board members he is setting his framework and charge to lead the school system. So he is quite tied up with --

GOVERNOR O'MALLEY: Can you help me follow up with that?

MR. SONG: -- but I'm pretty sure he will be very interested.

GOVERNOR O'MALLEY: Peggy, can you help me follow up with the new Superintendent? I'd really like to meet him. You all had a really good program there -

-

MR. SONG: Mm-hmm.

GOVERNOR O'MALLEY: -- that Dr. Weast implemented on StudentStat? Or whatever the --

MR. SONG: Yes.

GOVERNOR O'MALLEY: Or I forget the name that you applied to it, but in essence it was performance measurement --

MR. SONG: That's correct.

GOVERNOR O'MALLEY: -- as applied to the entire school district. You'd bring in your highest performing, highest achieving leadership teams, principals, and the others, and they would be in a joint session discussing tactics, strategies, and the effectiveness of those things. And it was a lot of cross-pollination of good ideas and best practices and things that worked. I hope he's going to keep that up?

MR. SONG: Absolutely. I think it's a stepping stone towards better achievements. And as Dr. Weast, and I was here to the previous testimony provide and I know you had lengthy discussions with him about that issue, so it is a model that we're continually building upon.

GOVERNOR O'MALLEY: I wish the other big jurisdictions would follow suit. I mean, we very dutifully walk across the hot coals of, you know, tax issues and other things in order to provide higher and higher record years of funding. Not only in operating, which we've done every year in the four years of this recession, but every year on capital, record amounts. We're one of only 17 states that invests in school construction, believe it or not. I mean, in other states they just don't do that. I think in Pennsylvania they leave that to the, whatever it's called, the mill rate or the mill tax, and the Cranberry Townships to go raise it themselves, I believe. Anyway --

TREASURER KOPP: Over 60 percent, about 60 percent of our general obligation bond money every year goes to education.

MR. SONG: Mm-hmm. That's correct.

TREASURER KOPP: Goes to the schools, and the university --

GOVERNOR O'MALLEY: And while other states are doing less because of the recession we're doing more because of the recession --

MR. SONG: Exactly.

GOVERNOR O'MALLEY: -- because we know so many people in construction trades are out of work. So look, you know, one of the things we do poorly though is as we fill the pot and do these formulas is we have yet to come up with a good mechanism that incentivizes best practices that work. In other words, I mean, what do you have to do to encourage the other jurisdictions to do what Dr. Weast did in Montgomery County with the performance measurement system? I mean, just keep asking? Or it seems to me that we should have a discussion about using a portion of the colossal amount of money that we allocate to education to seed the expansion of best practices.

How do you all keep your computers going? Is that something you contract out? Or do you have people in house that keep your computer labs up and running in all of the schools?

MR. SONG: It's a little bit of both. We have a minimal number of staff that keeps mainly the maintenance portions of it. But the majority of the refreshment rates it's currently budgeted for every four years and we try to recycle the technology, including not only the computers but Promethean boards and other technology infrastructures --

GOVERNOR O'MALLEY: And you rightly contract for that, right?

MR. SONG: Yes.

GOVERNOR O'MALLEY: I mean, you don't try to compete and have people in house that do that?

MR. SONG: No, I think it would be too much of a --

GOVERNOR O'MALLEY: Yeah.

MR. SONG: -- resource to manage it and --

GOVERNOR O'MALLEY: Yeah, there are some school systems that haven't gotten that basic practice down. Imagine what we could do if we actually combined buying power.

MR. SONG: Exactly.

GOVERNOR O'MALLEY: I mean, there's 24 individual school districts out there. I'm not aware of any of them joining forces on contracts together for even something as basic as toner cartridges for their Xerox machines.

MR. SONG: Yeah, we often piggyback on different contracts that we think is the best value to, but I'm not certain about technology in particular, but across the procurement process where that we try to have the best practices to share the experiences and knowledge and try to find the best value for the dollar.

GOVERNOR O'MALLEY: And you've done some great stuff in terms of leasing out some of your, you probably have a larger cache, I mean, your fleet of school buildings is probably more modern than any other jurisdiction in the State. I'm not saying you don't have older buildings, but I mean overall compared to others.

MR. SONG: Right.

GOVERNOR O'MALLEY: I mean, surely you've walked through the schools of Baltimore City.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

MR. SONG: Yes, I have.

GOVERNOR O'MALLEY: For a tour through, you know, historic architecture. But you've done a great job, the solar contracts for the lease of your rooftops, don't you have those on an ongoing basis? And those contracts are working to your advantage, aren't they?

MR. SONG: Yes. We have implemented that program about seven years ago. And further I think as recent as five years ago with a tax benefit to the vendors we were able to lease out the rooftop surfaces that the roof is going to be lasting at least 20 years, we're leasing out that term where it is at no cost to us for the initial capital investment but yet we get a break on the utility rate that we're buying back at a lower cost. So we're able to further reduce the energy and utility cost budget by a significant margin for the past five years.

GOVERNOR O'MALLEY: Why do you think the other school districts can't figure out how to do that?

MR. SONG: I think that movement is spreading. I've heard a variety of different success

stories, the University of Maryland and a few others that I've visited. I think that success story is continuing. But I think it's important that it's a partnership. From a vendor standpoint they continually need support of such a tax incentive to be able to make their numbers work.

GOVERNOR O'MALLEY: Mm-hmm.

MR. SONG: And yet we have this vast amount of rooftop surfaces that are pretty much asphalt that can be utilized at virtually no cost. So I think it's a win-win situation in both cases.

GOVERNOR O'MALLEY: They are all one-story buildings so they certainly take up a lot of rooftop. Okay. Well look, thank you.

MR. SONG: Thank you.

GOVERNOR O'MALLEY: We next have from, not to be overlooked by any means, from Anne Arundel County Mr. --

MS. SEAMAN-CRAWFORD: Not a mister.

GOVERNOR O'MALLEY: No.

(Laughter)

MS. SEAMAN-CRAWFORD: Alex Szachnowicz is not here. I'm Lisa Seaman-Crawford.

GOVERNOR O'MALLEY: Hello, Lisa.

MS. SEAMAN-CRAWFORD: I'm Acting Director of Facilities.

GOVERNOR O'MALLEY: So what are you guys going to be doing with your dollars? You have \$5 million as part of this Speaker's Prerogative Amendment to the Alcohol Bill.

MS. SEAMAN-CRAWFORD: We're very excited. We would like to use the \$5 million for an addition to Annapolis High School. Beginning in the Fall of 2012 Annapolis High School will be hosting the performing and visual arts magnet program. We currently have one going on at our Bates Middle School and Brooklyn Park Middle School, so this will be an opportunity to move up to the high school level. In the addition we will be including some standard classrooms and some specialized areas for the performing and visual arts. We will include dance studio, art rooms, recording studios, control rooms, that type of learning environment. And we will be reducing the relocatables

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

there. The addition will feature high performance standards as we --

GOVERNOR O'MALLEY: Any idea how many jobs?

MS. SEAMAN-CRAWFORD: What we use as a rule of thumb for an elementary school, 200 to 300 workers. So we would imagine, you know, something of this size we'd be looking at maybe around 100.

GOVERNOR O'MALLEY: Okay. We should make sure that whenever these come back again, Kevin Large, that, there is such a disconnection in our world today between the choices we make together and their impact on the economy we share together that it would be really, really good before these items come back next time that we have a better sense of how many jobs are created. Because that's the, an addition of, given our workforce, the high level of skills that quality education provides, providing some much needed construction work at this time is also a huge public goal. So, well that's great. We're excited for you all.

MS. SEAMAN-CRAWFORD: Thank you.

TREASURER KOPP: Governor?

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

GOVERNOR O'MALLEY: I'm sorry?

TREASURER KOPP: I think it's important to also point out, and you did mention, the fact that this project is going to allow you to remove a good number of temporary buildings.

MS. SEAMAN-CRAWFORD: Yes.

TREASURER KOPP: What do you call, learning shacks?

GOVERNOR O'MALLEY: Learning shacks.

MS. SEAMAN-CRAWFORD: Cottages.

TREASURER KOPP: Learning cottages. And put students into real schools.

MS. SEAMAN-CRAWFORD: Yes.

TREASURER KOPP: And not only are the jobs that this creates important in doing this but the fact that students are going to be learning in and teachers teaching in real modern classrooms I think has a very significant impact on the students and on the workforce down the road.

GOVERNOR O'MALLEY: It sure does. Mr. Comptroller?

COMPTROLLER FRANCHOT: Yes. Thank you, Governor. Just to put the jobs issues in perspective, in our great State we need 240,000 jobs. Last year we produced on a net basis 382. So the public side is doing their contribution to capital. But the private side obviously has not joined in. And that's the issue that we need to face down the road and you know, it's a huge dilemma when you look at the scale of what needs to be done.

But I have a couple of questions for Howard and Montgomery, if I could. Anne Arundel I'm fine on. You're always terrific.

MS. SEAMAN-CRAWFORD: Thank you.

COMPTROLLER FRANCHOT: And I appreciate Dr. Cousin and his leadership of the Howard County Public School System. But let me ask about the artificial turf that you referenced in your presentation. What's the rationale for making turf fields such a high priority? Is this Montgomery -- or no, I want, Howard is the one I'm interested in. Because your, \$2 million is being requested to install and maintain artificial turf at the Atholton and Hammond High School.

MR. CROSBY: Atholton and Hammond High School. This is really where the community comes in, also. We talked, you guys mentioned in the beginning that they were school-based projects and community-based projects. What this is going to do is this is going to allow the Howard County Department of Parks and Recreation to utilize these fields also, which at this time we cannot. Because the wear on the field will not allow extensive use. So really what we're doing now is the only time we're using the stadiums is actually for games. There is no opportunity for practice on these fields or any type of community use of these fields.

So we chose these two particular schools because there are very limited sites and there are very limited areas for students to practice.

COMPTROLLER FRANCHOT: Okay.

MR. CROSBY: In some cases we actually have to send them to a neighboring school to use their practice fields because of the limited site we have at these particular high schools.

COMPTROLLER FRANCHOT: And the life span, typical life span of a turf field is what?

MR. CROSBY: I think the ones that we're looking to put down out there, we should get 20 years out of those fields.

COMPTROLLER FRANCHOT: Okay. And you receive, Howard County receives very high marks from Dr. Lever's school maintenance survey.

MR. CROSBY: Mm-hmm.

COMPTROLLER FRANCHOT: And I appreciate that. But there were some concerns in the last report that Dr. Lever had about leakage in multiple places in the school system, stained ceiling tiles, etcetera. One of the schools mentioned was Bushy Park Elementary, which is only four years old. I'm obviously comfortable with approving the request --

MR. CROSBY: Mm-hmm.

COMPTROLLER FRANCHOT: -- as you have it presented to us. But can you give me some assurance that Bushy Park Elementary and other schools are going to be, if they still have these leakage issues, and

this is a small issue, I understand that, but it's symbolic. But --

MR. CROSBY: Yeah right after --

COMPTROLLER FRANCHOT: -- you are addressing this?

MR. CROSBY: Yeah. Right after we received that report we looked into it. And it's actually, that was a problem that was created during the construction. It was a condensation problem with the HVAC system. It wasn't any roof leaks or infiltration from the outside. It was a condensation issue with HVAC.

COMPTROLLER FRANCHOT: It's a relatively --

MR. CROSBY: It was relatively easy and minor, yes, that's correct.

COMPTROLLER FRANCHOT: Thank you. That makes me feel better. And if I could just ask Montgomery, you know, that same maintenance survey report, Dr. Lever's, that was good for Howard was not very good for Montgomery, frankly. Of the 24 schools that were surveyed in Montgomery County only one was judged superior.

MR. SONG: Mm-hmm.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

COMPTROLLER FRANCHOT: Eight schools were simply ranked adequate.

MR. SONG: Mm-hmm.

COMPTROLLER FRANCHOT: Half the schools received unsatisfactory ratings as far as the roofing. And many of the schools had stained ceiling tiles and Dr. Lever's inspectors reported the presence of mold-like discoloration and damaged ceiling tiles in several surveys indicating the leaks are not yet being addressed in a sufficiently timely manner. You know, it's a great school system. You guys are exceptional. But we've authorized almost \$1 billion for you guys over the last thirty years. There are big investments that your taxpayers have made, myself included, in Montgomery County. What are we doing to make sure that the next report Dr. Lever gives us, I take it at the end of the year, is going to show progress being made on taking care of what you have?

MR. SONG: Well I think it's twofold. Just to give you kind of the magnitude of what we are dealing with is that Montgomery County Public Schools has 200 schools and over 24.5 million square feet of

building to accommodate 147,000 students, and that does not even include 350 portable buildings that we have to accommodate the most growth in our elementary schools. We have very limited number of staff in the Division of Maintenance. That budget always has been cut to reduce. So our work order system is in a backlog but we're trying to improve in terms of response time to address those things. And our focus in the last year and a half since November of 2010 is to sustain the building, sustain the life cycle of our existing buildings. If we are projecting modernizing our buildings every 40 to 50 year period we've got to invest in our systemic replacement program such as HVAC, roofs, ceiling tiles. All of these interior renovations that need to be kept up. It is no different than your own houses. You've got to change your water heaters, and furnaces, and roofs every so many years to do that.

Well that takes dollars and it's about priorities. Now we have ever growing student enrollment capacity issues that we need to address. At the same token we have modernizations that have been

long listed years to go. And yet we've got 24.5 million square feet of buildings that's, to maintain. So we are urging our local Board and the County Council and the County Executive to increase the school funding. While the economic forecast is not that great, but our support from the State as well as the County Exec and the County Council we're hoping to put the education still at the forefront of priorities in terms of maintaining our buildings.

So it's a two front. Yes, we're trying to maintain those logs to a minimum and trying to be response to that as quick as possible but at the same token we're trying to rally for more money to support our existing infrastructure program.

COMPTROLLER FRANCHOT: Okay. You might tell the County Council and others that you have to petition that when I go around the State and present Silver Hammer Awards to schools in other jurisdictions where the maintenance is much superior to Montgomery County's, and obviously they have a lot of budgetary demands, that inevitably at every school that gets the

superior rating from Dr. Lever behind you, and this is based on 37 engineering criteria.

MR. SONG: Mm-hmm. Right.

COMPTROLLER FRANCHOT: It's not a subjective, "Gee, the landscaping is nice." This is in depth, and these folks are taking care of what they have. Inevitably every single one of those Silver Hammer schools has superior academic performance.

MR. SONG: Right.

COMPTROLLER FRANCHOT: The kids do better because there's a synergy. There's a, Dr. Smith mentioned the team effort. There's a team effort between the school, the administration, the faculty, the kids, the parents, the support staff, custodial staff, that I think leads to higher academic performance. And the data shows that around the country.

MR. SONG: I certainly would agree with you.

COMPTROLLER FRANCHOT: So please reverse this trend. I don't, you know, get the job done. And because we are all proud of the shiny new schools. But

if they are not well taken care of we're losing a lot of money.

MR. SONG: Right. And I think I share that from a perspective of Montgomery County Public Schools, as well as the State, has many successes in student achievement mainly because one of the contributing factors is learning environments. We recognize that. And as I stated before, it's about priorities.

COMPTROLLER FRANCHOT: Great. Good.

MR. SONG: We have, as I stated in my testimony, we have growing needs.

COMPTROLLER FRANCHOT: Hopefully we can make progress in the next report.

MR. SONG: Thank you.

COMPTROLLER FRANCHOT: And I also just wanted to mention I stopped at my home high school, Montgomery Blair High School in Silver Spring --

MR. SONG: Mm-hmm.

COMPTROLLER FRANCHOT: -- earlier this week to, last week, to announce a financial literacy petition drive. And everyone there, Principal Johnson, and a teacher Mr. Murley, the whole Montgomery Blair

team, were great ambassadors for your system. I know this is an issue the Governor has supported and the Legislature, and we haven't quite pushed it over the goal line. But we're optimistic we'll get it through. I know the Treasurer is interested in financial literacy also, but it was a great visit.

MR. SONG: Thank you.

COMPTROLLER FRANCHOT: Thank you.

GOVERNOR O'MALLEY: Great.

COMPTROLLER FRANCHOT: Thank you, Governor.

GOVERNOR O'MALLEY: Anything else on this?

Okay. Anything else on anything else on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Appendix --

GOVERNOR O'MALLEY: Mr. Comptroller?

COMPTROLLER FRANCHOT: Please, Appendix 2.

SECRETARY MCDONALD: Right, this --

GOVERNOR O'MALLEY: Why don't we, these were items, let's vote on Items 12, 13, and 14 so these folks can get back to work, and so the Treasurer moves approval of Items 12, 13, and 14 on the Secretary's

Agenda. Seconded by the Comptroller. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it.

Congratulations to you guys. Thank you, ladies and gentlemen. I'm sorry, Mr. Comptroller?

COMPTROLLER FRANCHOT: Appendix 2.

SECRETARY MCDONALD: Appendix 2 is the relocation and emergency report, a report of an emergency procurement to relocate the Maryland Higher Education Commission. And it was reported by the Department of General Services, Secretary Collins. I believe Dr. Howard is here. Maybe Secretary Collins could introduce the item?

MR. COLLINS: Sure --

SECRETARY MCDONALD: Or Dr. Howard, have her come up, whichever.

MR. COLLINS: Okay. Mr. Comptroller, Appendix 2 is the final report from the Department of General Services relative to the relocation of the

Maryland Higher Education Commission from Annapolis to the City of Baltimore, from a private leased space to a public leased space which the State owns.

This is, we declared and notified the Board on May 11, 2011 that we intended to take this action after a prolonged discussion, some discussions with the Department during the early, during the Spring. And this is the report of the final results of that particular action.

COMPTROLLER FRANCHOT: Great. Welcome.

DR. HOWARD: Good morning. Yes, Danette Howard, Interim Secretary of the Maryland Higher Education Commission.

COMPTROLLER FRANCHOT: Okay, great. Welcome.

DR. HOWARD: Thank you.

COMPTROLLER FRANCHOT: Well I have a couple of questions, if it's okay, Governor?

GOVERNOR O'MALLEY: Sure.

COMPTROLLER FRANCHOT: The materials I got justify this emergency procurement because, "there's an immediate and urgent need to have MHEC, Higher Education Commission, and the State Board of Education,

immediate and urgent need to have them working in close proximity for the benefit and welfare of Maryland students from pre-kindergarten through post-secondary education." So my question is, these two agencies have always existed apart. Immediate and urgent are not two adjectives that come right to my head when I think of the two agencies. And I can kind of see an argument that their administrative ties should be strengthened. But what is the kind of breathless, immediate and urgent need for these two agencies to suddenly come under one roof and have the taxpayers pay a \$100,000 penalty for breaking a lease, among other things?

MR. COLLINS: Mr. Comptroller, may I just speak before Dr. Brown, if you don't mind?

COMPTROLLER FRANCHOT: Sure.

MR. COLLINS: In the process of discussing this particular item we explored those items. And in fact Assistant Secretary Gaines can talk to the members if you want to do that in terms of the fiscal impact. But the usual process that we would have used to relocate these two agencies together would have taken two years. That was way too long, beyond what the

department said to us that they needed to accomplish their outcomes. So the only way we could accomplish this was to declare the emergency, which we notified the Board, and then go in this direction.

COMPTROLLER FRANCHOT: Yeah. But if I could just ask, you've triggered a noncompetitive emergency procurement that I take it could be applicable to almost anything.

MR. COLLINS: Well based upon the --

COMPTROLLER FRANCHOT: If it takes two years to do a contract bid, which I'm not aware of the exact time, why is that, why are we employing this procedure for this situation? What's the logic?

DR. HOWARD: If I may?

COMPTROLLER FRANCHOT: What is the urgency?

DR. HOWARD: We are in the middle of working on several Statewide and national initiatives and efforts along with the Maryland State Department of Education. One for example is the development of our Statewide longitudinal data system which, Treasurer, will answer the system that you posed earlier to Dr. Smith, are we tracking our STEM graduates into the

workforce? Well the system that we are currently designing with MSDE will allow us to do just that. And that is part of our Race To The Top grant.

So we have historically worked closely with MSDE but there is really an urgent need, because of many of these efforts that are underway now, for us to work much more closely with them. The colocation would certainly facilitate those efforts as well as maximize some of the efficiencies that can be gained between the two agencies. For example, right now we are operating two completely different information technology platforms and systems. There is certainly much integration that could happen between our two agencies that would really promote the work that we are trying to do, which will ultimately really benefit all of our students. So we do see this as an urgent and pressing need.

COMPTROLLER FRANCHOT: Okay. But, you are not aware of this because you weren't here at last Board meeting, we had a big to do about the Cloud. We're going on the Cloud.

DR. HOWARD: That's right.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

COMPTROLLER FRANCHOT: Lots of money being spent.

DR. HOWARD: Mm-hmm.

COMPTROLLER FRANCHOT: What's the problem with communicating over the Cloud? You don't have to be in the same building to communicate over the Cloud?

DR. HOWARD: The Cloud is really what is going to support our longitudinal data system. But there is still information technology needs that each individual department has and that will continue to persist into the future even after we develop our longitudinal data system. Just the regular maintenance of our computers, software, the collection of data not only from all of our local education agencies but also from each of our post-secondary segments and institutions. And so that's certainly something that we can get some considerable efficiencies from by collocating our agencies.

COMPTROLLER FRANCHOT: Okay. I can kind of see that argument. But a much more compelling argument for me from a policy standpoint, rather than putting you up with MSDE, I could see it being beneficial to

put the State's two higher ed governing bodies, MHEC and the System, Maryland System, under one roof.

DR. HOWARD: Mm-hmm.

COMPTROLLER FRANCHOT: Did you ever consider the efficiencies and benefits of you being housed in the same roof as the System?

DR. HOWARD: Well that's a perspective that some people have. But the truth of the matter is that what MHEC does and is responsible for is much different than what the University System of Maryland is responsible for. So MHEC has broad coordinating responsibilities for all of the post-secondary segments in the State, which in addition to USM include our 16 community colleges, our private career schools, and our independent colleges and universities. So for example anytime an institution in the State of Maryland wants to have a new program approved it is MHEC that has that responsibility, not the University System of Maryland. And it would in fact be inappropriate in my opinion to have MHEC combined with USM for that reason. I think that sometimes people --

COMPTROLLER FRANCHOT: Well, no, no, no. I was just saying under the same roof.

DR. HOWARD: Mm-hmm.

COMPTROLLER FRANCHOT: You have the same constituency that they do.

DR. HOWARD: Part of the same constituency, but we have also a much broader constituency.

GOVERNOR O'MALLEY: I can say that, I mean just from an administration standpoint, Mr. Comptroller --

COMPTROLLER FRANCHOT: No, please.

GOVERNOR O'MALLEY: -- in advance of the last legislative session we looked at a number of opportunities for greater colocation and greater coordination that in the long term could also save us dollars. The Legislature was not keen on the notion of merging MHEC into making it a subdivision of the Department of Education. We were willing to go that route. We thought we needed to think differently and we were also firmly of the belief that there's been a sort of pendulum swing of too much specialization, not just in government but you know, throughout our

institutions public and private in the western world. And that putting things back together for a greater coordination and a more comprehensive understanding of the challenges ahead was the way to go.

The Legislature disagreed. They didn't want to approve that. And, but we do believe there's a benefit to be brought about by the collocation. We looked at the potential for combining the two, but given MHEC's role as regulator, as referee, as traffic cop, and certainly the newspaper is filled with stories of Morgan, and Towson State, and other universities having to rely on that traffic cop function, we thought it was, that putting the regulator in the same office space as the entity being, one of the big entities, biggest entity being regulated, would be like putting the Public Service Commission, if you will, inside spare space at Constellation Energy. It might create some rental savings but it wasn't good for the overall thrust of the independence of that group.

We also looked at the possibility of merging DNR with the Department of the Environment. We didn't ultimately put in a bill to do that but we looked

seriously at that. It is combined in other states. The one exercise in that review that did come to fruition in State law was the combining of all of those regulatory functions for aquaculture in one place, namely DNR.

DR. HOWARD: If I may say one more thing? We've received some national acclaim for our approach to our educational enterprise, mainly for the collaborative way that our higher education post-secondary institutions work with our Pre-K through 12 partners. And this would really just be a natural extension of our work and would further the efforts that we've already begun.

GOVERNOR O'MALLEY: And if I could add to that? While the kudos for what we do under the umbrella of alignment, that is to say making sure that when a child graduates, a student graduates from high school that they are able to succeed in that first year of either a four-year or a community college is better than most states, and the P-20 Council when we gather we still identify that as one of our areas where there is the greatest opportunity for improvement.

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

DR. HOWARD: Greatest work, yes. That's right.

GOVERNOR O'MALLEY: I mean, we're better than other states at that but it's also an area where we see a tremendous amount of disconnection, lack of coordination, and a disjointed approach to the student career endeavor.

COMPTROLLER FRANCHOT: Okay. Well I can see that. We're solidifying the concept of K-16 with this.

DR. HOWARD: That's right.

COMPTROLLER FRANCHOT: But that's, you know, I happen to disagree on the analogies but that's okay. I want to shift and ask the Secretary if I could about the State of Maryland's Facilities Master Planning Process. Because there seems to be a confusion as to whether it's better for the State to own space or rent space.

TREASURER KOPP: Comptroller, could I just say? I don't want to interrupt your line of, but I do have a couple more questions when you're through --

COMPTROLLER FRANCHOT: Oh, on that subject? Feel free.

TREASURER KOPP: About MHEC, and how the --

GOVERNOR O'MALLEY: The witness will return
to the stand.

DR. HOWARD: Yes, ma'am.

(Laughter)

TREASURER KOPP: You did touch on the diverse
roles and functions and responsibilities of the MHEC.

DR. HOWARD: Yes.

TREASURER KOPP: And I do think that
coordinating with Pre-K through 12 is very important.

DR. HOWARD: Yes.

TREASURER KOPP: But a major function of MHEC
always was to be not a governing agency but the
coordinator and the buffer.

DR. HOWARD: Absolutely.

TREASURER KOPP: And in fact it was given the
powers it was given, as I recall, about 25 years ago
because the community colleges, the independent
colleges, Morgan, St. Mary's, required it.

DR. HOWARD: Mm-hmm.

COMPTROLLER FRANCHOT: I believe the Treasurer knows that because she wrote the bill and, with all --

TREASURER KOPP: But it was a long time ago, and my memory is like a steel sieve, I've been told. But I assume that this continues to be a significant function?

DR. HOWARD: Absolutely --

TREASURER KOPP: Although maybe 25 years of relative cooperation has --

DR. HOWARD: It certainly does, yes. And we meet regularly with the leaders of each of those segments that you just mentioned.

TREASURER KOPP: So when you're housed on Baltimore Street, or was it Baltimore Street?

DR. HOWARD: Yes.

TREASURER KOPP: Some of your functions are in close coordination with K-12.

DR. HOWARD: Mm-hmm.

TREASURER KOPP: But some of them really quite distinctly --

DR. HOWARD: Absolutely, yes.

TREASURER KOPP: How are you going to maintain that clarity of difference and role? I know the number of people at MHEC has been reduced significantly.

DR. HOWARD: Yes.

TREASURER KOPP: Funding is very difficult for all of us.

DR. HOWARD: That's correct. Well a practical way that we will continue to distinguish ourselves from MSDE is that we are located in completely separate areas of the building. So we have different floors --

TREASURER KOPP: So you'll have a different -

-

DR. HOWARD: -- and are not commingled.

TREASURER KOPP: -- entrance door?

DR. HOWARD: We do. We actually have our own address so MSDE is 200 W. Baltimore Street. Our entrance is on the other side of the building, will be at 6 North Liberty Street, I believe. So that's one way that we will continue to distinguish ourselves. And then we will also meet regularly with our post-

secondary partners, continue to have our separate commission meetings. We will have some shared space with MSDE as far as meeting rooms and things like that. But we plan to continue to operate in the way that we have in our current location.

TREASURER KOPP: Do you have, are you sending out any indices of accomplishment which will show how the non-K through 12 part of your role is being accomplished? I mean for instance, you still have student financial assistance, do you?

DR. HOWARD: Absolutely, yes. Mm-hmm.

TREASURER KOPP: So the question is how quickly and how well the student financial assistance gets out, how --

DR. HOWARD: Yes, so we do some of that through our annual managing for results report that we submit to DBM every year. But you're right. I think that we could do more to really clarify the role that we play, financial aid and the disbursement of financial aid being a major one, program approval being another one, research, providing research and policy analysis to the State being another one. So in terms

of distributing that on a regular basis we don't but that's certainly something that we should probably do.

TREASURER KOPP: I mean, they used to years ago MHEC and its predecessor actually put out an annual book with its seal on it.

DR. HOWARD: Right.

TREASURER KOPP: With a lot of their important information. This was before everything was on the internet and you don't necessarily need that any longer. But it did imprint on people's minds the function --

DR. HOWARD: Right.

TREASURER KOPP: -- the function of the MHEC. And I am a little concerned that, I know you're the Acting Secretary, Director, Secretary --

DR. HOWARD: Mm-hmm.

TREASURER KOPP: -- Secretary, as I understand it?

DR. HOWARD: Yes.

TREASURER KOPP: I am a little concerned that as long as MHEC remains and its legal functions and

responsibilities remain, there has to be some way to make this clear to the public and all the players --

DR. HOWARD: Sure.

TREASURER KOPP: -- or it will become an issue only when there is a crisis. And at that point, I mean there have been some over the past few years, at that point the credibility of the institution in its other role may be more questioned.

DR. HOWARD: No, I think that you raise a very good point and that's something that we can certainly go back and look at how we can continue to get our message out there --

TREASURER KOPP: Right --

DR. HOWARD: -- that we are a stand alone entity, and that we are providing some very important services to Marylanders.

TREASURER KOPP: Thank you.

DR. HOWARD: Thank you.

COMPTROLLER FRANCHOT: Thank you --

GOVERNOR O'MALLEY: Thank you.

COMPTROLLER FRANCHOT: -- Madam Treasurer.

If I could return to the larger issue, which is what is

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

the State's philosophy on the merits of owning versus renting? Both of the State's signature transit oriented development initiatives, the State Center project and the pending move of DHCD headquarters, that's the planning agency, from Crownsville to New Carrollton, involve government agencies moving from State owned space to leased space. And in the last year we've approved significant contracts for other State agencies, \$22 million for the Attorney General to lease space, \$12 million annually for the State Center project leased space, \$63 million for the Department of the Environment and Maryland State Lottery to lease space for 12 years, \$10 million for Office of Administrative Hearings for an 11-year lease. And I guess the question I have is here the opposite is going on. We're moving from leased space to State owned space. And I just question the ad hoc nature of us approving these things in the absence of an overall consistent philosophy and plan. And that's why I ask, do we have an updated facilities master plan to deal with this issue of the merits of owning versus renting? And I guess whatever, what are your thoughts on this?

Because we seem to be doing a little bit here, a little bit there, all on a helter skelter basis.

MR. COLLINS: Well Mr. Comptroller, you've sort of commingle a couple of issues there so I won't get into that. We can talk offline on those particular issues. Some of those are lease renewals, where the agencies have been there over the term. We've renewed those leases based upon the efficiency of those locations and also making sure that we have sufficient returns and investments on those State dollars.

I will ask Assistant Secretary Gaines to come up in a second to talk about specific approaches. But we in fact are following the approach that the Governor laid out at the beginning of his administration, which was to look at every lease that we had and where we could to try to locate appropriate State agencies together in State-owned spaces. We've done that there where appropriate. There are space needs and locations where we cannot, don't have State spaces available and we have to obviously renew those leases or what have you.

So there's a combination. But we are in fact following a strategic approach and following the best

practices in each one of these deals. Mr. Gaines, would you --

MR. GAINES: Yes, good morning. Michael Gaines, Assistant Secretary, Department of General Services. The Secretary is absolutely correct. And it starts from I guess two premises. One that the Governor issues an executive order at the beginning of his first administration that mandated DGS to look at the entire leased portfolio and to have us find ways of becoming more efficient and more effective in leased space, recognizing that the entire occupied portfolio for the State represents about 11 million square feet. About 6 million of that is in owned space, which is about 99 percent occupied. The balance of that is in leased space and we've been leasing space for decades. And also with the recognition that the Legislature and the administration, given the capital budget constraints, is probably not going to build new office buildings. The State hasn't built a new office building since it built Crownsville about 20 years ago. And prior to that probably didn't build a new office building after it built State Center.

So there's a recognition that we have to occupy leased space. But if we do we're going to do it in the context of a very strategic approach to work with the agencies in a rational approach to strategic planning on a five-year basis to determine what are the best opportunities for owned and leased space occupancy? Over the last few years we've been working with C.B. Richard Ellis and Birch Advisors to accomplish some of these goals. We have in fact reduced the amount of space and occupancy costs in leased space. We have found opportunities like moving MHEC to owned space where we can. And we believe that those are all well intentioned, strategically thought out aspects of managing an 11 million square foot portfolio.

COMPTROLLER FRANCHOT: Okay. Each time these leases have come up before the Board I've raised concerns and others have about how the transactions appear to be just in a planning vacuum. You know --

MR. GAINES: Well I can assure you they're not --

COMPTROLLER FRANCHOT: -- if you have a comprehensive space master plan which you're using as a basis for decision making, if you could share it with me and anyone else on the Board who is interested because I'm not aware of it. And so all of these leases that you bring before us, and the one today which I take it is justified by the \$411,000 savings minus the \$100,000 penalty.

MR. GAINES: Well actually the savings when compared over a ten-year renewal option on a net present value basis would be about \$2.5 million.

COMPTROLLER FRANCHOT: Okay. And here's our problem. I mean, obviously there's a context for each of these proposals that come forward.

MR. GAINES: And I can assure that there is.

COMPTROLLER FRANCHOT: Yeah. The problem is we don't have it. I don't have it. I don't see any context. And, you know, I understand the savings of \$2.5 million, and but I disagree pretty strongly as far as the policy. I think this agency if anything should be put over, near the, with the System, and that's over in Adelphi. It's a great county, Prince George's.

That's where, if it's going to be moved that's where it ought to be moved to on a policy standpoint. But you've got the justification of saving money. All I'm saying is I read off all these lease arrangements where a lot of money is not being saved, apparently.

MR. GAINES: Well actually in many of those lease deals, particularly the one you quoted from MDE and --

COMPTROLLER FRANCHOT: Lottery?

MR. GAINES: -- Lottery at Montgomery Park --

COMPTROLLER FRANCHOT: Yes.

MR. GAINES: -- for the renewal term I don't remember exactly but I believe that savings represented several million dollars over the next term of those leases. So --

COMPTROLLER FRANCHOT: Okay, that's fine. But it's still \$63 million in lease payments, which you are claiming in this instance is one of the main reasons why you are justifying moving from a leased to a State owned. All I'm asking is they appear to me, not to you apparently, but to me as if it's an ad hoc, case by case, every contract and move has got its own

little impetus behind it which may or may not make sense. And I'm just asking for where is the overview so that we who are approving these contracts, you know, can look at that I guess facilities master plan and put it into a standardized approach to this issue of owning versus leasing.

MR. COLLINS: Mr. Comptroller, I think what we're saying is we have strategic approaches. And each one of these deals are looked at differently based upon those approaches. And each one of the leases that you have approved in fact state out what the savings are, what terms we come with, and the Board has approved those. But we can go back and document that for you if you need to. But we do think we have an approach, we have approaches that's benefitting the State and we're implementing best practices based upon the real estate market as we know it.

COMPTROLLER FRANCHOT: Well Mr. Gaines indicated you do have a comprehensive space master plan and if you could share that with me that would be great.

TREASURER KOPP: Could I?

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

GOVERNOR O'MALLEY: Sure, Madam Treasurer?

TREASURER KOPP: I must say that I have been persuaded for some time by Mr. Klasmeier's concern about a master plan. But I'm now beginning to rethink what a master plan means. Are you saying that you have criteria --

MR. GAINES: Yes, ma'am.

TREASURER KOPP: -- by which to judge which decision is appropriate?

MR. COLLINS: Absolutely.

MR. GAINES: Yes. I think it's a --

TREASURER KOPP: Rather than just a plan that says --

MR. COLLINS: Absolutely.

MR. GAINES: It's probably a misnomer, and if I conveyed that we have a master plan, I didn't mean to. What I, what we intend to say is that we have a strategy, that we have criteria, and that we have a mandate from the Governor to create the most efficient and effective portfolio. And so when we look at leases in the context of an agency's plan of program implementation. We then evaluate all of their space

and determine where can we find opportunities for savings, opportunities for owned space? We go through a step by step process with the assistance of our private contractor. We do financial analysis on every deal. We look at it in the context of an overall thought for that agency. So there is a strategy, there is a process, and there are criteria.

One of the things we've done as a result of the Governor's executive order, DGS looked at its standards for space. And at one time an executive, a secretary, my own boss, you know, would reside in about 250 square feet of space with four walls. Well we changed that. You know, secretaries now when they move into the new space, you know, are going to be in less space. And so we're looking at everything to identify ways of saving --

GOVERNOR O'MALLEY: No more jacuzzis?

MR. GAINES: No, sir. No more jacuzzis.

GOVERNOR O'MALLEY: No more steam bath?

MR. GAINES: No, sir. In fact everyone, and we're taking down walls, which has happened at Montgomery Park, a very sustainable built building

where you've got everyone on the floor access to light, because the walls for offices are gone. It's improved the environment, it's reduced our costs. And so there is a strategy to our plan.

TREASURER KOPP: And is this strategy, these criteria, are they written down somewhere?

MR. GAINES: Yes. They absolutely are.

MR. COLLINS: The agencies know what approaches we are using. We negotiate with them on their needs. And then we go through this master checklist on every deal that we bring here, and it's outlined, it's what we have done and what decisions we've made.

TREASURER KOPP: And do you go through periodically, I know we talked about this in the prior administration, of, go through evaluating which properties can be privatized, done away with? I don't think they found many. Everything foundered on the World Trade Center, as I recall. But, and it's not that I'm a keen advocate of that, either. Don't get me wrong. But is that part of this process?

MR. COLLINS: Absolutely. And I, the Assistant Secretary mentioned the talent that C.B. Richard Ellis has brought us in this process.

TREASURER KOPP: Right.

MR. COLLINS: Again, thanks to the Governor and his leadership. We have now, we have really professionalized and brought to real world terms our approach to managing our properties. So that is part of what we look at.

TREASURER KOPP: Scanning?

MR. COLLINS: Absolutely.

MR. GAINES: We, just to tell you, when I came, you know, with the Governor and Secretary Collins, we did not have an effective database to manage the portfolio. We were using cobbled together spreadsheets. We now have an effective online database where we manage the portfolio. We can tell you every conversation we've had with every landlord. And that ties back to a strategy with that agency about that space.

COMPTROLLER FRANCHOT: Thank you. Can I just ask a question?

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

TREASURER KOPP: Thank you.

COMPTROLLER FRANCHOT: Because I just think this is worse than I thought. Because let's just throw into the mix the 35 or so transit oriented developments which we're looking at. I think five or six have been approved by the BPW. As far as I can tell that's just out there, floating. And accelerating that transit oriented development for Prince George's County is the rationale in part for moving the Department of Housing and Community Development to New Carrollton. So what's the plan for the building they're leaving?

MR. GAINES: Good question. We have actually begun conversations with the Anne Arundel County Department of Economic Development to evaluate a return of that property to the tax base along with the Crownsville Hospital site. And the folks at Anne Arundel County actually have said, wow, that's great. If we can have this property returned to the tax base that improves the public benefit of this move. In addition to that the move fosters another one of the Governor's agendas which is smart growth, TOD, job creation. This move will create 300 jobs in

HUNT REPORTING COMPANY
Court Reporting and Litigation Support
Serving Maryland, Washington, and Virginia
410-766-HUNT (4868)
1-800-950-DEPO (3376)

construction, 80 permanent jobs long term. And it uses the power of our occupancy to stimulate economic development at the local level. So while it would be great for us to have capital dollars to build this, we don't. The alternative is to work with the private sector to afford the opportunity for an agency like the Housing Department to be closer to its customers. PG has, as you know, great problems of foreclosure --

GOVERNOR O'MALLEY: Michael, we call it Prince George's now.

TREASURER KOPP: Prince George's.

MR. GAINES: I'm sorry, did I say --

MR. COLLINS: Yes, you --

MR. GAINES: My bad. I'm sorry, Prince George's County.

COMPTROLLER FRANCHOT: Gorgeous Prince George's.

MR. GAINES: Gorgeous. I know I'm in trouble now. But the idea is that we're using the power of our occupancy to create economic stimulus in local jurisdictions.

COMPTROLLER FRANCHOT: Yeah, and I'm not trying to be too argumentative here. Because I basically support the New Carrollton project on smart growth. I applaud the Governor for picking that site in Prince George's because it makes a lot more sense than some of the other sites. But it certainly raises the issue here, when you tell me you're doing, basically to me it's you're planning after the fact, after the decision what happens to the building that we own that you're leaving. And all I'm asking for is an overview.

MR. GAINES: Sure.

COMPTROLLER FRANCHOT: And instead what I'm getting is, "Oh, well every one of these we're looking at on a case by case basis and you just don't understand, Mr. Comptroller, what we're doing." Well yeah, I don't understand it. And --

MR. GAINES: It took us a couple of years to get to a decision to even talk about a relocation of Prince George's. But we'd be happy to give you the overview.

COMPTROLLER FRANCHOT: I'm talking about planning not --

MR. GAINES: Mm-hmm, okay.

COMPTROLLER FRANCHOT: -- because you know someone else three years from now can say let's move it back. We haven't been able to sell the Crownsville, privatize it. So let's move them back. And it's that kind of just, this is kind of an idea. We have some storage space up in Baltimore in the State Department of Education where they've been storing boxes and things. Why don't we put MHEC in there?

GOVERNOR O'MALLEY: I think that's a great idea.

(Laughter)

COMPTROLLER FRANCHOT: You get what I'm talking about. For me, there's no overview. And maybe that's because of the situation you inherited, according to your testimony. I'll be happy to take a look at what you have. But, you know, I'm likely going to vote against this because of the concern about the emergency nature of the procurement, which I think is ludicrous. And the lack of an overall strategic plan.

GOVERNOR O'MALLEY: And in the meantime, Mr. Gaines and Mr. Secretary, why don't we put together --

MR. COLLINS: Sure, Governor.

GOVERNOR O'MALLEY: -- kind of an overview presentation?

MR. COLLINS: Oh, an updated? Sure.

GOVERNOR O'MALLEY: Yeah. Because I think a lot of us have forgotten about even doing that contract to bring in whoever that private --

MR. COLLINS: Sure.

GOVERNOR O'MALLEY: -- real estate, who?

MR. COLLINS: C.B. Richard Ellis.

MR. GAINES: C.B. Richard Ellis.

GOVERNOR O'MALLEY: To bring in private, professional help --

MR. COLLINS: Yes, sir.

GOVERNOR O'MALLEY: -- to look at what we own, what we don't own, and what we rent. And it isn't just as simple as bottom line. The smart growth, the colocation in this case of similar missions, and you know, the transit oriented development, and those sorts of things all play into this.

MR. COLLINS: We'd be happy to do that,
Governor.

GOVERNOR O'MALLEY: The Lottery Commission is
in one of those original ones that Governor Glendening
did in moving the Department of the Environment into
the Montgomery Ward's building --

MR. COLLINS: Yes, sir.

GOVERNOR O'MALLEY: -- inside the City, in a
smart growth pocket, in a building that was one of the
first in the State to actually have a green roof and to
have been rehabilitated you know in a --

MR. COLLINS: That's correct.

GOVERNOR O'MALLEY: -- green building sort of
way.

MR. COLLINS: Yes, sir.

GOVERNOR O'MALLEY: So if you could --

MR. COLLINS: Sure, we'd be glad to.

GOVERNOR O'MALLEY: -- do your very best at
putting together in a comprehensive fashion --

MR. COLLINS: Sure.

GOVERNOR O'MALLEY: -- what this one
administration's philosophy is. And it is true one of

the vagaries of democracy is that things can always change with every administration. All you need to do is look around at the March of Mortality around this wall to see that proof. All right. Anything --

COMPTROLLER FRANCHOT: The State House is not on anybody's plan? We're going to stay here?

GOVERNOR O'MALLEY: We're going to stay here.

COMPTROLLER FRANCHOT: Thank you.

GOVERNOR O'MALLEY: We're not going to -- although in Arizona they did that, didn't they?

MR. COLLINS: Yes, sir.

GOVERNOR O'MALLEY: Aren't they selling their State House and leasing it back?

MR. GAINES: I can't say that but we did look at all of the --

(Laughter).

GOVERNOR O'MALLEY: We haven't talked to the Board of Public Works about the color the dome should be either, have we? That could be an all morning conversation. Madam Comptroller, I mean Madam Treasurer, did you have anything --

TREASURER KOPP: No.

GOVERNOR O'MALLEY: -- to add on this? Okay.
Any other items on the Secretary's, are we still on the
Secretary's Agenda?

SECRETARY MCDONALD: That's what I was just
saying.

(Laughter)

GOVERNOR O'MALLEY: All right. So you all
are here because you have to be not because of the --

(Laughter)

GOVERNOR O'MALLEY: -- suspense surrounding
this item?

COMPTROLLER FRANCHOT: I'm taking my medicine
right now --

GOVERNOR O'MALLEY: Do you want to vote on
this one separately?

COMPTROLLER FRANCHOT: Yes, I would. Thank
you.

GOVERNOR O'MALLEY: Which item was this
again?

SECRETARY MCDONALD: This is A2, Appendix 2.

GOVERNOR O'MALLEY: Okay. We have Appendix
A2.

SECRETARY MCDONALD: And this is a matter of accepting the report or rejecting the report.

GOVERNOR O'MALLEY: Okay.

SECRETARY MCDONALD: It's a report.

GOVERNOR O'MALLEY: I'm moving to accept the report.

TREASURER KOPP: Second.

GOVERNOR O'MALLEY: Seconded by the Treasurer. All in favor signal by saying, "Aye." All opposed?

COMPTROLLER FRANCHOT: No.

GOVERNOR O'MALLEY: The Comptroller votes no. the Treasurer and Governor vote yes. We now consider the balance of the Secretary's Agenda. The Comptroller moves approval, seconded by the Treasurer. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. Unanimously. We now move on to the Department of Natural Resources.

MS. LATHBURY: Good morning, Governor, Madam Treasurer, Mr. Comptroller. Meredith Lathbury for the Department of Natural Resources. We have six items on the Agenda today. Also I'd just like to note that if you approve this Agenda we will be surpassing 1,000 Local Program Open Space projects under this administration. I'd be happy to answer any questions.

GOVERNOR O'MALLEY: Okay, any questions? Anybody here from local government on any of these?

MS. LATHBURY: We do have Jennifer Bistrack. She is here from the City of Annapolis. And this is Item 4, Community Parks and Playgrounds Program. If you go down to number three, Pat's Playground Renovation at Truxtun Park.

MS. BISTRACK: Good morning. I'm Jen Bistrack. I'm with City of Annapolis Recreation and Parks. Comptroller Franchot opened up with his opening remarks praising the Ravens and the Redskins and although I'm not a football watcher I appreciate play and athletics which often develop at an early age and are facilitated by families often on public playgrounds and greenspaces.

Annapolis seeks \$58,000 in Community Parks and Playground funding to renovate one of our most heavily utilized parks at Truxtun Park. This is a playground. Pat's Playground is within Truxtun Park, which has many pavilions, it has miles of hiking, and greenspace, and a public pool in the summertime. So we see play out there year round. We are seeking financial support to renovate to not only help us come up to ADA standards but also help replace some of the safety structures and to add some benches.

I speak on behalf of other municipalities. We rely on this funding throughout the years to help us restore and replace some of the aging infrastructure, to help get ahead of some of the safety issues, as well as some of the health and recreation issues that we are seeing. We see firsthand in all of our parks and playgrounds that we support, we support a lot of different socioeconomic levels in our community. So Pat's Park and Truxtun Park happen to be in a mixed income area and we see a lot of great connections happening out there on the playground. So that's all I have.

GOVERNOR O'MALLEY: Mr. Comptroller,
anything?

COMPTROLLER FRANCHOT: No. Thank you for --

GOVERNOR O'MALLEY: Treasurer?

TREASURER KOPP: Yeah, just a personal note,
not about this particular playground. But as some
people know I have two grandchildren who are living
with me. If you don't know it you haven't been here.
But I've taken the opportunity to go to our local parks
with them. And I would say two things. First of all,
yes, I mean they are a terrific way to get to know
neighbors and to create community and this is, with
people with whom this is your linkage and then you can
follow up. And the other is in part because of the
economy. My understanding is at least that these
playgrounds and small parks, local parks, are being
used much more heavily particularly during the summer
than they might have otherwise because people simply
cannot, are not going away. They're staying home and
taking advantage of their community. I knew this
intellectually but you have to be there to have it hit

you. And I just want to thank you all for all the work you're doing.

MS. BISTRACK: Thank you.

GOVERNOR O'MALLEY: Meredith, I know you, and Kevin, could you all, a lot of these Open Space things, especially when they involve renovations to parks, or I see in here, I love seeing this all the time now and whenever we do parking lots in our parks it always says pervious pavers, which is a new and positive development for the waters of the Bay. I'd really like to know how many jobs are created on these things. I mean, so much of what we do here is appropriating, we're the final turn in the bend to allocate dollars to the construction of good things for the public. And I'd like to somehow, I know that's a new one for the Board of Public Works. We kind of took it for granted in the past. But it's no small thing I think for people to be able to know that on any given agenda there are X number of construction jobs that are being made possible by the civic investment of every taxpaying citizen of Maryland.

MS. LATHBURY: Absolutely, Governor. We'll look into the exact numbers. I can tell you that we did calculate this within the last year and determined that approximately 300 jobs are supported through Program Open Space as a whole.

GOVERNOR O'MALLEY: Annually?

MS. LATHBURY: Annually.

GOVERNOR O'MALLEY: I mean they, I mean I know in some of these the jobs are supported for the two weeks it takes to do the parking lot and the like. But I'd, somehow I'd like to know that. Maybe you can work with DBED. I know that they track it as part of our ongoing, you know, jobs goal. So, and those numbers of net new, so far in the calendar year we have created as a State, public and private endeavors, so maybe I need to say nonprofit. All endeavors together, public, private, nonprofit, have created, we are at a net 14,700 net new jobs, more jobs created than we've lost which is always the goal.

And last year, I need to compare notes with the Comptroller, I had 11,300 net new jobs. But I know that they track these things at DBED and as part of our

goal number one in terms of the delivery unit, so anyhow. All right, the Comptroller moves approval --

COMPTROLLER FRANCHOT: I love, Governor, the impervious surfaces that are turning into pervious. And frankly I'd love to see how, in addition to the jobs, how much we're accomplishing there. Because frankly without you bringing the subject up I don't think we ever even would have paid attention to it. And it's, I think it's going to have a significant impact if it's being applied as I suspect it is.

GOVERNOR O'MALLEY: We could do, can you imagine what a great Public Works Program we could do by all of those schools, maybe we need to take a portion of school construction dollars and allocate them each year to a competitive grant fund for retrofitting giant swaths of blacktop. There are two things every principal loves as an architectural element: one is blacktop, a close second is chain link fences.

(Laughter)

GOVERNOR O'MALLEY: When they get their degrees to become principals of schools I'm convinced

there is an architectural design course on how to maximize blacktop and chain link fences. I wonder how much blacktop we could remediate with a competitive annual grant of \$10 million taken out of school construction? Okay. Well that word ought to get back.

(Laughter)

GOVERNOR O'MALLEY: Okay. The Comptroller moves approval of the Open Space Agenda, seconded by the Treasurer. All in favor signal by saying, "Aye." All opposed, "Nay."

(No response.)

GOVERNOR O'MALLEY: The ayes have it. And I love your maps. Great maps in here. We have the best maps I think of any Board of Public Works or similar Board in the United States of America. I see in Washington County the Howell purchase.

MS. LATHBURY: Mm-hmm.

GOVERNOR O'MALLEY: We're preserving and expanding that streambase as it feeds into the Potomac, a river that has greatly improved its water quality thanks mostly due to the farmers on the Maryland side

of the Potomac. We now go on to the Department of Budget and Management.

MS. FOSTER: Governor, Mr. Comptroller, Madam Treasurer, good morning. There are three items on the Department of Budget and Management's Agenda for today and I'll be happy to answer your questions.

GOVERNOR O'MALLEY: Questions, Department of Budget and Management?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR O'MALLEY: The Comptroller moves approval, seconded by the Treasurer. All in favor signal by saying, "Aye." All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. We move on now to the University System of Maryland which just missed by the hair of your chinny-chin-chin being merged today with the Maryland Higher Education Commission.

(Laughter)

MR. STIRLING: I was paying close attention to that.

GOVERNOR O'MALLEY: We noticed you on the edge of your seat.

MR. STIRLING: Right.

GOVERNOR O'MALLEY: What do you want to tell us about your Agenda items and how many jobs it's creating?

MR. STIRLING: Well these are relatively small items. There aren't any major construction contracts on here that would --

GOVERNOR O'MALLEY: Okay.

MR. STIRLING: -- involve job creation.

GOVERNOR O'MALLEY: Got you.

MR. STIRLING: We have four items on the Agenda. I'd be happy to answer any questions you might have.

GOVERNOR O'MALLEY: And at Coppin I see the purchase of property for the proposed Science and Technology Center. That's exciting.

MR. STIRLING: That's an item that was on the Board Agenda previously and there was a map there. It's a correction.

SECRETARY MCDONALD: Overall it's a good project, though.

MR. STIRLING: Oh, yeah.

SECRETARY MCDONALD: You've been bringing in lots of property acquisitions for the Science and Technology Center. This was just a catch up on that one. But we've been doing a lot of them.

GOVERNOR O'MALLEY: We need it up there. And

--

SECRETARY MCDONALD: And I do believe College Park won an incredible national award this week from the Department of Energy, the WaterShed House in Washington, D.C.

GOVERNOR O'MALLEY: Yeah, how about that?

MR. STIRLING: The solar house.

GOVERNOR O'MALLEY: The Solar Decathlon.

SECRETARY MCDONALD: First place.

MR. STIRLING: First place.

SECRETARY MCDONALD: Yes, in the United States.

GOVERNOR O'MALLEY: Word of that reached me when I was at my 30th high school reunion at Gonzaga

College High School, eight blocks north of the Capitol. Because one of my classmates who is now in California, actually he's now back here, had been in California, David Parker, before he came to the football game, followed by mass, followed by dinner, had gone down to the decathlon and came back and told me, "Maryland won! University of Maryland won!" I think he's a graduate of the University of Maryland.

MR. STIRLING: We've been very successful in that program over the years. In fact the last, just as an aside the last project that they did we actually transported that house back to the campus and put it on a permanent foundation and the local chapter of the AIA actually operates out of that building.

GOVERNOR O'MALLEY: It's great. How about our kids?

TREASURER KOPP: Very good.

GOVERNOR O'MALLEY: When we did a YouTube shout out for them when they went --

(Applause)

GOVERNOR O'MALLEY: Can you get the team down here?

MR. STIRLING: Sure, absolutely.

GOVERNOR O'MALLEY: Did Under Armour provide uniforms for them?

(Applause)

MR. STIRLING: I could ask and they may provide.

GOVERNOR O'MALLEY: Solar Decathlon uniforms by Under Armour, protect this house.

(Laughter)

GOVERNOR O'MALLEY: We'd love to hear from them. Wouldn't it be nice to have a little power point from the smart kids that are figuring out a better way for us to live in balance with the other living systems of this planet?

MR. STIRLING: I will let them know and we'll see if we can get the team down here.

GOVERNOR O'MALLEY: Good. So it is written, so it shall be.

TREASURER KOPP: Excellent.

GOVERNOR O'MALLEY: All right. The Comptroller moves approval, seconded by the Treasurer. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed, "Nay."

(No response.)

GOVERNOR O'MALLEY: The ayes have it. We move to the Department of Transportation.

MS. SWAIM-STALEY: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, Beverley Swaim-Staley representing Maryland Department of Transportation. And we have twelve items before you today.

GOVERNOR O'MALLEY: Any questions, Department of Transportation? The Comptroller moves approval. Treasurer, anything? No? Seconded by the Treasurer. All in favor signal by saying, "Aye." The ayes have it. We now -- it seems like you've been on for a while.

MR. COLLINS: Back again.

GOVERNOR O'MALLEY: Back again?

MR. COLLINS: Back again.

GOVERNOR O'MALLEY: Department of General Services.

MR. COLLINS: Again, good morning, Governor, Madam Treasurer, Mr. Comptroller. The Department of General Services has ten items on our Agenda. We are withdrawing Item 9. I would be glad to answer any questions you have on the remaining nine items, any of these items.

GOVERNOR O'MALLEY: Any questions? The Treasurer moves approval. Any questions, Comptroller? The Comptroller seconds. All in favor signal by saying, "Aye."

THE BOARD: Aye.

GOVERNOR O'MALLEY: All opposed?

(No response.)

GOVERNOR O'MALLEY: The ayes have it. That concludes our Agenda. Thank you all very, very much.

SECRETARY MCDONALD: Thank you, Governor.

GOVERNOR O'MALLEY: Thank you.

(Whereupon, at 11:46 a.m., the meeting was concluded.)

.
. .
. .