

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
November 2, 2011

BOARD OF PUBLIC WORKS

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NOVEMBER 2, 2011

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, NOVEMBER 2, 2011**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, November 2, 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

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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

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

Total submission amount: \$254,000.

<u>Agreement #</u>	<u>Recipient</u>	<u>County</u>	<u>Amount</u>
AT-2012-1740	CHARLES RICE	Charles	16,500
AT-2012-1900	ANONA ECKENRODE	Kent	8,600
AT-2012-1973	CABIN CREEK FARM, LLC	Queen Anne's	9,500
AT-2012-1974	CABIN CREEK FARM, LLC	Queen Anne's	7,300
AT-2012-1975	CABIN CREEK FARM, LLC	Queen Anne's	8,100
AT-2012-1976	CABIN CREEK FARM, LLC	Queen Anne's	6,100
AT-2012-1977	CABIN CREEK FARM, LLC	Queen Anne's	9,100
AT-2012-1978	CABIN CREEK FARM, LLC	Queen Anne's	6,400
AT-2012-1979	CABIN CREEK FARM, LLC	Queen Anne's	3,900
AT-2012-2038	CARROLL C. HANDLEY	Dorchester	1,400
CR-2012-2044-R	PAUL T. SWANN	Talbot	2,100
LS-2012-2009-R	VERONIQUE J. MALLET	Harford	15,000
MP-2012-2035	NANCY J. SMITH	Carroll	4,000
MP-2012-2039	CAROLYN ANN BARKDOLL	Washington	10,000
MP-2012-2040	VERNON & HINES, INC.	Frederick	27,200
MP-2012-2042	CHRISTOPHER T. LANGKAM	Carroll	8,100
MP-2012-2043	LEASE BROTHERS	Carroll	62,900
NW-2012-2036	DALE L. WRIGHT, JR	Caroline	42,100
RS-2012-2041	PANORA ACRES, INC.	Carroll	5,700

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

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve **ADDITIONAL FUNDING** of 2 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$3,461.63.

Agreement #	Recipient	County	Amount \$
MP-2010-2243	JEFFREY A. ENGLAND	Frederick	372.00
MP-2011-2301	TODD A. LEHTONEN	Frederick	3,089.63

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

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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

Submission of the Procurement Agency Activity Reports by:

Department of General Services, May and June 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

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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

**4. BOARD OF PUBLIC WORKS
State Procurement Regulations
*COMAR 21.11.07 Miscellaneous Purchasing Preferences***

Recommendation: That the Board of Public Works propose amendments to the State Procurement Regulations concerning procurement of public employees' uniforms and safety and protective equipment.

Background: The 2011 General Assembly enacted changes to the State Procurement Law which require public employers to procure uniforms, safety equipment, and protective accessories manufactured in the United States unless:

- The item is not manufactured or available for purchase in the United States;
- The item is not manufactured or available for purchase in the United States in reasonably available quantities;
- The price of the item manufactured in the United States exceeds the price of a similar item that is not manufactured in the United States by an unreasonable amount; or
- The quality of an item that is manufactured in the United State is substantially less than the quality of a similar item that is not manufactured in the United States.

Public employers include the State, counties, municipalities, special districts, and school districts. The Law requires the Board of Public Works to adopt implementing regulations.

The Procurement Advisory Council approved the proposal at its September meeting.

Action: Approval of this item will allow submission to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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

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

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

ANNE ARUNDEL COUNTY

11-0714	To maintenance dredge a spur channel and slip area and provide for a 6-year dredging period – Duvall Creek, Annapolis
11-0715	BRIAN TOLLEFSON
11-0716	GUY MCINTOSH
11-0717	RONALD SWEANY
11-0718	MARK WILLIS
	SAUDIA GAJADHAR
	(Anne Arundel County DPW, WL #11-0712, main channel, was approved by the Board on October 19, 2011, Secretary's Agenda, Item 8.)

CALVERT COUNTY

11-0675 (11-0001EM)	<u>TOWN OF CHESAPEAKE BEACH</u> – To maintenance dredge an area – Chesapeake Bay at the entrance of Fishing Creek
	NOTE: An Emergency License was issued on May 25, 2011, to keep the channel open for local boating traffic. (See §9-202-(c)(2), Title 16 Environmental Article.) No opposition was expressed during the public comment period.

*NOTE: In FY2012, BPW has approved 1.65 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

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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6. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new loan** up to \$15,500,000 to the City of Frederick for the **Ballenger Creek/McKinney WWTP Enhanced Nutrient Removal Upgrade** project in Frederick County. This loan will be repaid over a period not to exceed 20 years following project completion, at an interest rate of 25% of the Average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.00% interest rate. To secure this debt, the City of Frederick will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match of Federal funds.(Legislative Districts 3 and 4)

Project Description: The project involves planning, design and construction for the Enhanced Nutrient Removal facilities at the Ballenger Creek – McKinney WWTP to achieve effluent concentrations of 3 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorus and the expansion from 6.0 mgd to 15.0 mgd plant capacity. These improvements will significantly reduce nutrients discharged to the Lower Monocacy River and ultimately to the Chesapeake Bay.

Project Funding Sources:

Water Quality State Revolving Loan Fund (this action)	\$ 15,500,000
Bay Restoration Fund Grant BR-NR 01.11 (previously approved 10/21/09)	\$ 31,000,000
Water Quality Revolving Loan Fund – County loan (previously approved 10/21/09)	\$ 67,000,000
Local Funding	<u>\$ 5,360,848</u>
TOTAL ESTIMATED PROJECT COST:	\$118,860,848

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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7. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant funding** of up to \$38,109,000 to Washington Suburban Sanitary Commission (WSSC) for the **Western Branch Wastewater Treatment Plant Enhanced Nutrient Removal Upgrade** project in Prince George's County. The project involves multiple sources of funding which are being provided over several years based on project schedule. The source of the grant funds is the Bay Restoration Fund. (Legislative District 27A)

Project Description: The project involves the planning, design and construction of Enhanced Nutrient Removal facilities at the existing Western Branch Wastewater Treatment Plant at an approved design capacity of 30 million gallons per day (mgd). Upon completion of the ENR facilities, along with other plant improvements, the plant will achieve effluent quality with annual average nutrient goals of 3.0 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorous (70% reduction). These improvements will significantly reduce nutrients discharged to the Patuxent River and ultimately to the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 05.25 (this action)	\$ 38,109,000
Bay Restoration Fund Grant BR-NR 05.25 (previously approved 1/3/07)	\$ 1,000,000
Estimated Water Quality State Revolving Fund – Loan (Future Action)	\$ 40,705,500
Local Share	<u>\$ 2,855,500</u>
TOTAL ESTIMATED PROJECT COST:	\$ 82,670,000

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department. The ENR projects may be funded using special funds, revenue bonds or State GO bonds. The above budget does not include previously approved GO Bond funding (\$250,000) to WSSC for five wastewater treatment plants. [Secretary's Agenda Item 6-G (12/1/04)]

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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

8. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a new grant up to \$6,221,000 to Washington Suburban Sanitary Commission (WSSC) for the **Seneca Wastewater Treatment Plant Enhanced Nutrient Removal Upgrade and Expansion** project in Montgomery County. The project involves multiple sources of funding which are being provided over several years based on project schedule. The source of the grant funds is the Bay Restoration Fund. (Legislative District 39)

Project Description: The project involves the planning, design and construction of Enhanced Nutrient Removal facilities and expansion at the Seneca Wastewater Treatment Plant from 20 million gallons per day (mgd) to 26 mgd. This will allow the plant to achieve an effluent with Total Nitrogen goal of 3 mg/l and a Total Phosphorous goal of 0.3 mg/l. The purpose of this project is to reduce nutrients to the Great Seneca Creek and ultimately the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 02.25 (this action)	\$ 6,221,000
Estimated WSSC Funding Water Quality State Revolving Loan (Future)	<u>\$ 34,239,000</u>
TOTAL ESTIMATED PROJECT COST:	\$ 40,460,000

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department. The ENR projects may be funded using special funds, revenue bonds or State GO bonds. This approval may include planning and design costs previously incurred by the applicant. The above budget does not include previously approved GO Bond funding (\$250,000) to WSSC for five wastewater treatment plants. [Secretary's Agenda Item 6-G (12/1/04)]

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

 DISAPPROVED

 DEFERRED

 WITHDRAWN

WITH DISCUSSION

 WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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9. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve further funding up to \$11,213,000 to Anne Arundel County for the Patuxent Water Reclamation Facility (WRF) Enhanced Nutrient Removal (ENR) Upgrade project in Anne Arundel County. The project involves multiple sources of funding which are being provided over several years based on project schedule. (Legislative District 33A).

A. New Loan up to \$8,000,000 – Water Quality State Revolving Loan Fund. The loan will be repaid over a period not to exceed 20 years following project completion, at an interest rate of 50% of the Average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based upon this formula, recent loan recipients have received a 2.10% interest rate. To secure this debt, Anne Arundel County will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match of Federal funds.

B. Grant Increase up to \$3,213,000 – Bay Restoration Fund (BR-NR 08.02) The source of these grant funds is the Bay Restoration Fund. These funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department.

Project Description: The proposed project entails the planning, design and construction of Enhanced Nutrient Removal (ENR) facilities at the existing 7.5 million gallons per day (mgd) Patuxent Water Reclamation Facility (WRF). Upon completion of the ENR upgrade, the plant will achieve an effluent with Total Nitrogen goal of 3 mg/l and Total Phosphorus of 0.3 mg/l. These improvements will reduce nutrients to the Patuxent River and ultimately the Chesapeake Bay.

Project Funding Sources:

Water Quality State Revolving Loan Fund (this action)	\$ 8,000,000
Bay Restoration Fund Grant BR-NR 08.02 (this action)	\$ 3,213,000
Bay Restoration Fund Grant BR-NR 08.02 (most recent action 11/18/09)	\$ 500,000
Local	\$ 451,824
TOTAL ESTIMATED PROJECT COST:	\$12,164,824

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

 DISAPPROVED

 DEFERRED

 WITHDRAWN

WITH DISCUSSION

 WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

Contacts: Jean Peterson (410) 5147358
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 swoboda@mdhousing.org

10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing the deeds of trust on six properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program. In each case, the deed of trust is a second mortgage; the borrower is selling the property in lieu of foreclosure to pay off the first mortgage owed to DHCD, and the borrower has requested a release of the deed of trust securing the second mortgage on the basis of a hardship (e.g., loss of income due to unemployment or illness). Each borrower has/will sign a promissory note in the amount of the outstanding principal of the second mortgage.

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

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

- A. Loan Recipient:** Amy Price-Elrod
 5201 Cooper Road, Eden, MD 21822
 Wicomico County
 Original Loan: \$5,000
 Current Balance: \$2,750
 Type: Second Mortgage
- B. Loan Recipient:** Devon Gershaneck
 2605 Chesterfield Avenue, Baltimore, MD 21213
 Baltimore City
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
- C. Loan Recipient:** Wendi Hamm
 10 W. All Saints Street, #101, Frederick, MD 21701
 Frederick County
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

- D. Loan Recipient:** Queen Lett
2502 Markham Lane, #2, Hyattsville, MD 20785
Prince George's County
Original Loan: \$3,500
Current Balance: \$3,500
Type: Second Mortgage
- E. Loan Recipient:** Sheila Morgan
1309 Early Oaks lane, Capitol Heights, MD 20743
Prince George's County
Original Loan: \$5,000
Current Balance: \$5,000
Type: Second Mortgage
- F. Loan Recipient:** Bridget Wyant
5 Birch Place, Berlin, MD 21811
Worchester County
Original Loan: \$5,000
Current Balance: \$5,000
Type: Second Mortgage

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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11. MORGAN STATE UNIVERSITY

Center for Built Environment and Infrastructure Studies (CBEIS)

Capital Equipment

Recommendation: That the Board of Public Works approve the use of General Obligation Bond funding proceeds for the following capital equipment purchases totaling **\$38,510.00**.

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

Morgan State University

Center for Built Environment and Infrastructure Studies (CBEIS). The Department of Civil Engineering has reviewed the equipment specifications and approved the acquisitions.

Description:	Furnish and install scientific equipment SI-1D3 Pendulum Impact Testing Machine Purchase Order No. P0007121
Procurement Method:	Competitive Sealed Bid
Award:	Instron 825 University Avenue Norwood, MA 02602
Amount:	\$38,510.00
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:	11-1957-0000
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

NOVEMBER 2, 2011

SECRETARY'S AGENDA

Contact: Anne Raines 410-514-7634
ARaines@mdp.state.md.us

12. DEPARTMENT OF PLANNING***Maryland Historical Trust:*** African American Heritage Preservation Program

Recommendation: That the Board of Public Works approve the following African American Heritage Preservation Program grant.

Project: **Sphinx Club**
 2101-2111 Pennsylvania Avenue
 Baltimore City

Grantee: Druid Heights Community Development Corporation

Description: Site work, structural elements, exterior rehabilitation, and restoration of the storefront.

Amount: \$100,000
 [Total project costs are estimated at \$200,000.]

Fund Source: MCCBL 2011: *Maryland Historical Trust* -Appropriation #11077

Remarks: The Sphinx Club opened in this building in 1946 in an era of segregated public venues; this was one of the nation's first minority-owned membership night clubs. The Sphinx Club became the center of social life along Pennsylvania Avenue, where African-Americans could enjoy some of America's most famous musicians and entertainers. The building is currently vacant; rehabilitation and new construction on an adjacent vacant lot are planned. New uses will be the Sphinx Club (bar and performance space), B.A.L.L. House Museum (African-American sports museum), and Negro League Café (documenting Baltimore's participation in the Negro Baseball League).

This grant will partially fund the early stages of rehabilitation and construction.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

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13. STATE TREASURER

November 2011 Energy Performance Contract Lease-Purchase Financing

The State Treasurer recommends that the Board of Public Works approve the award of the November 2011 Energy Performance Contract Lease-Purchase Financing Agreement for financing the acquisition of certain energy systems and equipment by the Maryland Port Administration ("MPA"). This November 2011 Energy Lease will provide financing for \$10,796,018 in equipment purchases and related facility energy improvements as follows: \$3,500,000 in Tax-Exempt (Non-AMT [Alternative Minimum Tax]) obligations, \$3,083,691 in Taxable obligations, and \$4,212,327 in Tax-Exempt (AMT) obligations.

The Board approved the award of an Energy Performance Contract between MPA and Pepco Energy Services, Inc. on July 6, 2011 as Maryland Department of Transportation (MDOT), Item 16-EP.

TERM: November 2, 2011 through November 17, 2011

PROCUREMENT

METHOD: Competitive Sealed Bids

AWARDS: SunTrust Equipment Finance & Leasing Corp.
JP Morgan Chase Bank, N.A.

BIDS: The awards are based on the lowest fixed rates submitted by the bidders for each of the three (3) separately bid financings.

A. \$3,500,000 in Tax-Exempt (Non- AMT) obligations

<u>Bidder's Name</u>	<u>Bid Rate</u>
SunTrust Equipment Finance & Leasing Corp.	2.53%
US Bancorp Equipment Finance	3.81%

B. \$3,083,691 in Taxable obligations

<u>Bidder's Name</u>	<u>Bid Rate</u>
SunTrust Equipment Finance & Leasing Corp.	4.04%
US Bancorp Equipment Finance	4.43%

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

13. **STATE TREASURER** (cont'd)
November 2011 Energy Performance Contract Lease-Purchase Financing

C. \$4,212,327 in Tax-Exempt (AMT) obligations

<u>Bidder's Name</u>	<u>Bid Rate</u>
JP Morgan Chase Bank, N.A. (bid only on this section)	2.44%
SunTrust Equipment Finance & Leasing Corp.	2.67%
US Bancorp Equipment Finance	3.29%

MBE GOAL: The successful bidder(s) must make a good faith effort to utilize a minority bank as Escrow Agent.

FUND SOURCES: MPA operating budgets

AMOUNT:

\$ 3,500,000	Tax-Exempt (Non-AMT) Obligations,
\$ 3,083,691	Taxable Obligations, and
<u>\$ 4,212,327</u>	Tax-Exempt (AMT) Obligations
<u>\$10,796,018</u>	Total

REMARKS: The State Treasurer's Office issued an Invitation for Bids on September 16, 2011. Although all the energy performance contract improvements are taking place on MPA property, the State required three separate bids because each of the three lease obligations will generate different federal income tax treatment and, therefore, will likely result in different interest rates. The \$3,500,000 Tax-Exempt (Non-AMT) obligation will give rise to tax-exempt interest that is not subject to the federal alternative minimum tax. The \$4,212,327 Tax-Exempt (AMT) obligation will give rise to tax-exempt interest that is an item of tax preference for purposes of computing alternative minimum tax. The \$3,083,691 Taxable obligation will give rise to interest that is included in the gross income of the recipient thereof for federal income tax purposes. If all three leases were the subject of a single, weighted average bid, then the interest on the various obligations could be either understated or overstated, or the State might not obtain the lowest bid for each of the three separate obligations. Consequently, the State requested three separate bids.

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

SECRETARY'S AGENDA

13. **STATE TREASURER** (cont'd)

November 2011 Energy Performance Contract Lease-Purchase Financing

The Invitation for Bids was published it on *eMarylandMarketplace*; posted on the websites for the National Association of State Treasurers and the State Treasurer's Office; and emailed to 30 firms known to be active in financing municipal leases. The lease financing is expected to close no later than November 17, 2011. Four bids were received on or before October 24, 2011 in response to the IFB. One bid was rejected for non-responsiveness. The remaining three bids were evaluated and ranked on the fixed rate bids that were submitted on the amounts to be financed. The financing term is from 11/17/2011 to 07/01/2026.

As indicated in the MDOT agenda item #16-EP, approved on July 6, 2011 for the MPA, Pepco Energy Services, Inc. guarantees that the MPA will realize a total energy savings of \$28,689,290 over 13.5 years. This is calculated assuming savings of \$1,908,368 beginning in year one which increases annually.

The combined winning bidders' annual debt service payments for the November 2011 Energy Performance Contract Lease-Purchase Financing is \$1,007,203, which is less than the annual guaranteed savings for MPA.

BACKGROUND: Rather than utilize a long-term Master Lease, the State Treasurer's Office has determined to periodically solicit bids to finance Energy Performance Contracts when the projects are ready for financing. This method more appropriately corresponds to current market conditions.

On June 15, 2011, the Legislative Policy Committee, in accordance with Section 8-403 of the State Finance and Procurement Article of the Annotated Code of Maryland, approved the request of the Treasurer to periodically lease-finance energy performance contracts, in an aggregate amount not exceeding \$100 million, over a two year period beginning July 1, 2011 and ending June 30, 2013. Following this November 2011 Energy Performance Contract Lease-Purchase Financing, the remaining balance of the \$100 million approved by the Legislative Policy Committee for energy lease financing will be approximately \$89.2 million.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

NOVEMBER 2, 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

NOVEMBER 2, 2011

APPENDIX

SECRETARY'S AGENDA

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

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF GENERAL SERVICES

CONTRACT TITLE: Emergency Replacement of Fuel Supply & Return Lines Boiler #2
Edward F. Borgerding District, Court/Multi-Service Center
BC-751-120-003
ADPICS NO: 001B2400240

CONTRACT TYPE: Maintenance

DESCRIPTION: Labor, construction, testing, permits and equipment to replace the fuel supply and return lines to the underground storage tank that serves the boilers and hot water heater for the Borgerding Building. Work and testing must comply with MDE standards.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: September 19, 2011

BIDS:

DATANET Engineering, Inc.. Owings, Mills, MD	\$ 47,950.00
Total Environmental Concepts, Inc. Gaithersburg, MD	\$125,823.00
Petroleum Services, Inc. Baltimore, MD	\$106,950.00
Environmental Technical Services, Inc. Gaithersburg, MD	\$ 75,782.00

AWARD: DATANET Engineering, Inc.

AMOUNT: \$ 47,950.00

CONTRACT AWARD DATE: September 26, 2011

TERM 19 Calendar Days

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

MBE PARTICIPATION 0%

FUND SOURCE: H00.12.77051.01.1498

REMARKS: *Nature of Emergency:* Precision Testing performed a tank and line tightness test required by MDE. Two lines failed the test: the supply line for Boiler #2 and the return line, requiring removal and replacement to meet code. Without the replacement, the boilers are down and no heat is provided to the building. The hot water heater was temporarily fed from the emergency generator tank.

Basis for Selection: Immediate actions were required. Competitive bids were solicited from companies that were available to complete the work. The lowest responsible bidder was selected. No MBE subcontracting was available for completion of this emergency project.

TAX COMPLIANCE NO.: 11-2414-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT. /AGENCY:

REMARKS:

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

APPENDIX

SECRETARY'S AGENDA

Contact: Albert Annan: (410)-767-0114
aannan@msde.state.md.us

REPORT OF EMERGENCY PROCUREMENT**ITEM:** Appendix 2

DEPARTMENT OF EDUCATION
Office of the Superintendent

CONTRACT TITLE Search Firm for Recruitment of State
Superintendent of Schools
ADPICS NO.: R00B24000006

CONTRACT TYPE: Service

DESCRIPTION: Executive search firm to advise and assist the Maryland State Department of Education with the recruitment and selection of the State Superintendent of Schools

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: June 30, 2011

BIDS OR PROPOSALS: Competitive Sealed Bids

Hazard, Young, Attea & Associates \$59,000
Rosemont, IL

Heidrick & Struggles \$87,000
New York, NY

AWARD: Hazard, Young, Attea & Associates

AMOUNT: \$59,000

CONTRACT AWARD DATE: August 2, 2011

TERM: 8/2/2011 –6/30/2012

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

FUND SOURCE: 100% General Funds
Appropriation Code: R00A100

REQUESTING AGENCY REMARKS:

Background: Dr. Nancy S. Grasmick, Maryland State Superintendent of Schools announced her retirement, effective June 30, 2011, after nearly twenty years in office. Dr. Grasmick's extraordinary leadership raised the bar on education reform initiatives in Maryland and across the nation and molded Maryland into an education powerhouse.

In 2009, Governor Martin O'Malley set out his vision for education reform. Building on the Governor's vision, the Maryland State Board of Education released its strategic plan to build a world class public education system to prepare students for college and career success in the 21st century.

In 2010, Maryland won one of the highly competitive Federal Race to the Top grants, bringing in \$250 million to accelerate education reform.

In January 2011, *Education Week* ranked Maryland as the #1 Public School System in the nation for the third straight year. Maryland's 2011 *Quality Counts* ranking is based on State education policies and student performance that reflect decades of work on preK-12 curriculum; state accountability and standards; teacher effectiveness; and work on early childhood and school readiness, high school reform, and preparation for college and the workplace.

Nature of Emergency:

As Dr. Grasmick departs, the Maryland State Board of Education and the Maryland State Department of Education must continue to focus on the work of improving teacher and principal effectiveness, supporting performance improvements among the State's lowest performing schools, implementing the Common Core standards and assessments to re-design the Maryland State Curriculum, putting in place a well-designed data systems and technology solution to support the work of principals and teachers in schools, strategically expanding science, technology, engineering, and mathematics (STEM) programs in schools statewide, and engaging key community stakeholders in reforms aimed at public schools statewide. Therefore, MSDE was presented with an urgent need to embark on an early search to find a new superintendent who is well qualified and have the expertise and reputation to continue to steer the school system in achieving the goals set.

BOARD OF PUBLIC WORKS

NOVEMBER 2, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

Basis for Selection: Therefore, a notice of the availability of the Request for Proposals (RFP) was emailed to five offerors who are nationally known to have the experience, expertise and reputation for recruiting executive level education and corporate positions. Offerors were required to have at least seven years experience in conducting national employment searches for Superintendents of Schools in districts of over 75,000 students, State Superintendents of Education/Chief State School Officers, or chief executive officers, chief operating officers and chief administrative officers of corporations, educational institutions, and non-profit organizations with operating budgets of over \$200 million, annually. Experience in recruiting candidates for leadership at an institution of higher education was also deemed as qualifying experience.

Five proposals were received for this procurement effort; two proposals were deemed reasonably susceptible of being selected for award and three proposals were disqualified for not meeting the experience specified. Award was made to Hazard, Young, Attea & Associates (HYAA). HYAA submitted the highest ranked technical proposal and the lowest price proposal. HYAA's proposal demonstrated a thorough understanding of MSDE needs and presented innovative models and schedules for the recruitment process that include community involvement and buy-in of the search for a new superintendent.

Late Report: The report for the emergency procurement is being submitted late because the vendor is a foreign corporation resident in Rosemont, IL and therefore was not registered to do business in Maryland at the time of contract award. It took considerable time for the vendor to go through the registration process in order to be in good standing to do business in Maryland hence the late reporting of the award to the BPW.

RESIDENT BUSINESS: No
MD TAX CLEARANCE: 11-2012-0000

BOARD OF PUBLIC WORKS ACTION:**REPORT ACCEPTED:**

WITH DISCUSSION

WITHOUT DISCUSSION**REPORT REMANDED TO DEPT. /AGENCY:****REMARKS:**

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

SERVICES CONTRACT

ITEM: 1-S **Agency Contact:** Audrey Parham-Stewart
410-767-1394
Parham-StewartA@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Medical Care Program
Office of Finance

CONTRACT ID: DHMH/OPASS-11-10605;
Agreed Upon Procedures, Related Accounting and
Consulting Services for Managed Care
Organizations (MCOs)
ADPICS No. M00B2400300

CONTRACT DESCRIPTION: Consulting services and related accounting services
to assure that Managed Care Organizations (MCOs) expenditures are in compliance with State
and Federal laws and regulations:

AWARD: Myers and Stauffer, LC
Owings Mills, MD

TERM: 1/1/2012 –12/31/2014 (w/2 one-year renewal
options)

AMOUNT: \$ 898,361 (3 Years; Base Contract)
\$ 318,608 (1 Year; 1st Renewal Option)
\$ 325,835 (1 Year; 2nd Renewal Option)
\$1,542,804 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: None

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

ITEM: 1-S (Cont.)

INCUMBENT: Same

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

Four proposals were received in response to the RFP. Two proposals were deemed to be not reasonably susceptible of being selected for award. Of the two remaining proposals, award is recommended to Myers and Stauffer, LC (M & S), the incumbent, as having the more advantageous offer to the State. M & S was ranked #1 overall with the lower price and the #2 ranked technical proposal. The slight technical differences between the two proposals did not offset the 18% higher price of the #1 ranked technical Offeror.

The purpose of this contract is to:

- Act on the State's behalf to perform audits, related accounting services and consulting services to ensure that Medical Assistance reimbursement occur in compliance with State and Federal laws and regulations
- Perform an independent audit of Disproportionate Share Hospital (DSH) payments that are required under a change to Code of Federal Regulations (CFR) 42, Part 447 and 455 effective 1/19/2009.
- Perform special reviews, audits, and other accounting and auditing functions, and provide other assistance that the Department may require throughout the term of the contract.

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

ITEM: 1-S (Cont.)

FUND SOURCE: 50% General; 50% Federal

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2636-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ATTACHMENT

ITEM: 1-S (Cont.)

BIDS OR PROPOSALS/AWARDS (Cont.):

OFFERORS	TECH. RANK	FINANCIAL PRICE - BASE CONTRACT (3 Years)	FINANCIAL PRICE - 1ST OPTION (1 Year)	FINANCIAL PRICE - 2ND OPTION (1 Year)	TOTAL FINANCIAL PRICE * / RANK (5 Years)	OVERALL RANK **
Myers and Stauffer, LC Leawood, KS	2	\$898,361.31	\$318,607.68	\$325,834.52	\$1,542,803.51 / 1	1
Clifton Gunderson LLP Timonium, MD	1	\$1,051,563.07	\$375,069.45	\$386,242.91	\$1,812,875.43 / 2	2

Note: * The Financial Price was based upon a model of annual estimated quantities for Audits/Verifications and hours for Support and Special Projects to provide the Firm Fixed Unit Prices (an Hourly Rate per Classification) that will be used to calculate actual payments to the Contractor.

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

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

SERVICES CONTRACT RENEWAL OPTION

ITEM: 2-S-OPTION **Agency Contact:** Dennis J. Krysiak
410-625-5655
dkrysiak@sra.state.md.us

DEPARTMENT/PROGRAM: State Retirement Agency (SRA)

CONTRACT ID: G20B9200004;
Audits of Local Government Employers
ADPICS NO. G20B2400008

CONTRACTOR: Clifton Gunderson, LLP
Timonium, MD

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

CONTRACT DESCRIPTION: Audits of employers with members in the State Retirement & Pension System of Maryland for compliance with State laws, rules, regulations and administrative policies regarding the enrollment of members, reporting of member data, and the reporting and remittance of employer contributions.

OPTION DESCRIPTION: Approval request to exercise the sole three-year renewal option as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 1/7/2009 – 12/31/2011 (w/1 three-year renewal option)

TERM OF OPTION: 1/1/2012 – 12/31/2014

AMOUNT OF ORIGINAL CONTRACT: \$859,582 (Approx. 3 Years)

AMOUNT OF OPTION: \$800,000 NTE (3 Years)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$1,659,582

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

ITEM: 2-S-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to exercise the sole three-year renewal option as contained in the original contract. It has been determined that exercising the available renewal option is in the best interest of the State rather than conducting a new procurement at this time. Both SRA and the Audit Committee of the Board of Trustees of the Maryland State Retirement and Pension System are satisfied with the work that Clifton Gunderson has performed during the base term of the contract.

Clifton Gunderson has agreed to continue to perform the services of this contract during the three years of the renewal option at the same rates and pricing structure as under the base contract pricing structure. The contract does allow for price escalations; however, Clifton Gunderson did not request an increase, even though it bears the burden of travel costs (including fuel) to perform the audits throughout the State of Maryland. Additionally, SRA added an additional audit step for audits of boards of education and utilized computer assisted audit techniques for one audit step that enables the entire population to be tested, rather than just a sample of the population. There were no price increases associated with these changes to the audit steps.

Because this is the only renewal option available on this contract, SRA will begin a new procurement for these services prior to the end of the three-year renewal option period.

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

ITEM: 2-S-OPTION (Cont.)

FUND SOURCE: 100% Special (Pension Trust Expense Fund)

APPROP. CODE: G20J01.01

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2268-1111

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: 3-S-MOD **Agency Contact:** Ronald S. Wade
410-706-3313
rwade@som.umaryland.edu

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
State Anatomy Board

CONTRACT ID: OPASS 07-9459;
Transportation of Bodies – Area I
ADPICS #: M00B7200450; COD99517

CONTRACT APPROVED: 4/4/2007 DBM BPW Agenda Item 1-S

CONTRACTOR: Harman Funeral Service, P.A.
Glen Burnie, MD

CONTRACT DESCRIPTION: Contract for the removal and transportation of donated and unclaimed bodies from hospitals, nursing homes and residences, 24 hours a day, 7 days a week in Baltimore City, and Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard Counties to the Board's facility in Baltimore. Also included with this service are the pick up and transportation of deceased babies from Area I hospitals and the transportation of bodies and anatomical tissues from the Board's facility to the crematory.

MODIFICATION DESCRIPTION: Approval request to increase the available funding to continue services through the end of the five-year contract term.

TERM OF ORIGINAL CONTRACT: 4/6/2007 – 3/31/2012

TERM OF MODIFICATION: 12/1/2011 – 3/31/2012

AMOUNT OF ORIGINAL CONTRACT: \$560,924 NTE (4 Years; 11.2 Months)

AMOUNT OF MODIFICATION: \$78,775 (4 Months)

PRIOR MODIFICATIONS/OPTIONS: \$50,000 (See Attachment)

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

ITEM: 3-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$689,699 NTE

PERCENT +/- (THIS MODIFICATION): +14.04%

OVERALL PERCENT +/-: +22.96%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to increase the available funding through the end of the five-year term of the contract. At the time of contract award, the fund certification was executed in amount of an estimated \$560,924. Due to unforeseen circumstances the services for the removal and transportation of donated and unclaimed bodies from hospitals, nursing homes and residences, 24 hours a day, 7 days a week in Baltimore City, and Anne Arundel, Baltimore, Carroll, Cecil, Harford, and Howard Counties to the State Anatomy Board's facility in Baltimore have been utilized more than originally anticipated and additional funding is needed to continue services through the end of the contract.

In September 2011, it was determined that the available funding was insufficient to continue services through the end of the contract term. A modification for \$50,000 was executed by DHMH within its delegated authority from the Department of Budget and Management (DBM) to provide enough funding to continue services until the end of November 2011 (See Attachment) and to allow enough time for DHMH to submit this second modification to the BPW for approval of additional funds needed to provide the services through the end of the contract term in March 2012.

DHMH is in the process of finalizing the new solicitation for these services and intends to have the new contract award recommendation presented to the BPW in March 2012 for a new contract to begin on 4/1/2012.

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

ITEM: 3-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: M00F0101

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$50,000	Added funds to the contract in order to continue services for the period of 9/22/2011 – 11/30/2011. Approved by DHMH.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S-MOD **Agency Contact:** Albert Annan
410-767-0114
aannan@msde.state.md.us

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

CONTRACT ID: R00B7200063;
Maryland High School Assessments
ADPICS No. COD98608

CONTRACT APPROVED: 4/16/2007 DBM BPW Agenda Item 6-S

CONTRACTOR: Educational Testing Service (ETS)
Princeton, NJ

CONTRACT DESCRIPTION: Contract awards to two vendors for the development of the Maryland High School Assessment (MHSA) Test to include two modules. Module I is for development, administration, analysis and reporting. Module II is for scanning and hand-scoring the student responses. The MHSA tests, which include English, biology, and algebra/data analysis, are end-of-course tests of a student's knowledge of the skills outlined in each of the Core Learning Goals (CLG) associated with the respective content areas. The tests are administered statewide to students in grades 6-12. (This contract covers test administrations for 2007 through 2012.)

MODIFICATION DESCRIPTION: Approval request to extend the Maryland High School Assessment (HSA) contract for one additional test edition year (Year 6: 2012 - 2013 Test Edition) with an additional one-year renewal option (Year 7: 2013 - 2014 Test Edition) in order to assess and implement the requirements of the pending reauthorization of the Elementary and Secondary Education Act (ESEA).

TERM OF ORIGINAL CONTRACT: 4/20/2007 – 12/31/2012

TERM OF MODIFICATION: 11/3/2011 – 12/31/2013 (w/1 one test edition-year renewal option)

AMOUNT OF ORIGINAL CONTRACT: \$52,426,111 (5 Test Edition Years)

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

ITEM: 4-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$14,684,129 (1 Test Edition Year)
\$14,871,216 (1 Year; Renewal Option)
\$29,555,345 Total (2 Test Edition Years)

PRIOR MODIFICATIONS/OPTIONS: \$24,040,751 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$106,022,207

PERCENT +/- (THIS MODIFICATION): +28.01%

OVERALL PERCENT: +16.11%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 0.49%

REQUESTING AGENCY REMARKS: Request for approval to extend the HSA contract for one test edition year (2012 - 2013 Test Edition) with an option to renew for one additional test edition year (2013 - 2014 Test Edition) in order to assess the requirements of the pending reauthorization of the Elementary and Secondary School Education Act (ESEA). This modification will allow MSDE time to assess the impact and transitional issues associated with these changes.

The HSA tests are end-of-course assessments in algebra/data analysis, English and biology that are administered to students in grades 6-12 Statewide. Students are required to take and pass the assessments or obtain a combined score on all three assessments of 1208 in order receive a high school diploma. The three assessments are also used to fulfill the No Child Left Behind (NCLB) Act of 2001 and Adequate Yearly Progress (AYP) measurement reporting requirements. The AYP is a measurement defined by the federal No Child Left Behind Act that allows the U.S. Department of Education to determine how every public school and school district in the country is performing academically in reading and mathematics according to results on standardized tests.

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

ITEM: 4-S-MOD (Cont.)

Included in the HSA is the Mod-HSA assessment, which is based on modified academic achievement standards designed to assess students with disabilities who receive special education services and meet specific participation requirements. A student who is eligible for the Mod-HSA will be identified based on his/her individual evaluation information and instructional and service information on his/her Individualized Education Plan (IEP), as required by federal law for special education students. The Mod-HSA differs in format from the HSA in that it provides students access to the grade-level content standards that incorporate variations in test delivery to meet the specific learning characteristics of the student.

This modification is the last of three assessments contracts being extended to allow time to: assess the requirements of the ESEA, pending reauthorization in Congress; implement the new State common core standards; and transition to the new K-12 national assessment slated for implementation/administration in 2015 with field testing occurring in 2012, 2013 and 2014. The other two assessments previously approved are the Maryland School Assessment in Reading and Mathematics (Approved on the 6/1/2011 DBM BPW Agenda, Item 20-S-MOD) and the Maryland School Assessment in Science (Approved on the 6/1/2011 DBM BPW Agenda, Item 21-S-MOD).

This extension is in the best interest of the State because it is more cost effective to continue with the current contract and build upon the system already in place with Educational Testing Service (ETS) rather than issue a solicitation or a new contract for the possible two year duration with complex transitional issues. ETS has built the test forms, administration manuals, computer delivery interface, created test items for computer delivery, reports and item analysis programming that is being used currently. If the State were to conduct a procurement for a new contract, all of these deliverables would be developed again from "scratch" rather than being able to build upon the existing deliverables or re-using them for the next test edition year. Additionally, the costs quoted for the one-year extension and the subsequent option year extension are reasonable because the percentage increases are 0.74% and 2.02% respectively when compared with the price for the final year of the contract before the extension.

The original contract, awarded through a competitive procurement process in 2007 for the development, administration, scoring, analysis and reporting of the HSA, expires upon completion of all work associated with the 2011-12 test editions, on 12/31/2012. However, an impending reauthorization of the Elementary and Secondary Education Act (ESEA) brings with it new priorities and conditions that will impact the HSA assessments that must be met in order to receive federal funding.

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

ITEM: 4-S-MOD (Cont.)

Some of the anticipated changes include:

- The new Common Core State Standards and Assessments, a state-led national initiative to develop a set of kindergarten through grade 12 (K-12) education standards in English Language Arts and Mathematics, which were adopted by Maryland in June 2010. MSDE is currently aligning the state curriculum with the new Common Core State Standards, and the aligned curriculum was presented to the State Board for adoption in June 2011.
- The development of a national K-12 assessment system aligned to the Common Core State Standards. Through a \$170 million grant to the Partnership for the Assessment of Readiness for College and Careers (PARCC) awarded by the United States Department of Education (USDE) on 9/2/2010, a 25-State/Jurisdiction PARCC consortia is developing a computer-based national assessment geared to provide timely information that includes student progress, teacher and leader evaluations, school accountability determinations and professional development improvements. The 25-State/Jurisdiction PARCC consortia is made up of the District of Columbia and the following states: Arizona, Arkansas, Florida, Illinois, Indiana, Louisiana, Maryland, Massachusetts, New York, Rhode Island, Tennessee, Alabama, Colorado, Delaware, Georgia, Kentucky, Mississippi, New Hampshire, New Jersey, North Dakota, Ohio, Oklahoma, Pennsylvania and South Carolina. The new assessment is anticipated to be in place by 2015, with field testing occurring in 2012, 2013 and 2014.
- Beginning in FY2015 (School Year 2014 - 2015), the purchasing of the assessments will become the responsibility of the states. Since all states will be required to continue the implementation of the assessments, states plan to continue to work together through the consortia and procure a contract for the assessments jointly. Currently, Florida acts as the fiscal agent for the consortia and handles the procurements for all the states involved in the PARCC consortia. This same system is expected to continue even if another state takes over the lead role for the procurement.
- Additionally, the emphasis on Science, Technology, Engineering and Math (STEM) courses in the President's blueprint for ESEA reauthorization and the Race to the Top federal initiative may change the role of science with regard to school accountability programs.

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

ITEM: 4-S-MOD (Cont.)

The term of the tests overlap because test development for each test edition year must begin in the current year for administration in the following year. Approval of this request will allow time to develop the test items, test forms, and be ready for administration next year and beyond while yielding time to consider the implications and impact of changes being brought to bear.

FUND SOURCE: 100% General

APPROP. CODE: R00A0104

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$27,554,652	Modification of contract to: (1) develop, score and report alternative high school assessment for special education students, (2) discontinue and remove the constructed response items from the HSA and develop and replace with selective response (multiple choice) items. Approved on the 12/12/2007 DBM BPW Agenda, Item 16-S-MOD.
Mod #2	(\$1,100,411)	Modification of contract to remove from Module 1 the Secure Back up Forms from the administrations of the 2010 and 2011 test editions. Approved on the 3/24/2010 DBM BPW Agenda, Item 8-S-MOD.
Mod #3	(\$2,413,490)	Modification of contract to remove the Government assessment portion of the tests from Module I of the HSA tests and Mod-HSA due to statewide cost containment. Approved on the 7/27/2011 DBM BPW Agenda, Item 11-S-MOD.
Total	<u>\$24,040,751</u>	

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

GENERAL MISCELLANEOUS

ITEM: 5-GM **Agency Contact:** David Treasure
410-260-7049
dtreasur@dbm.state.md.us

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

AMOUNT OF REQUEST: \$2,069,359 FY 2012 Total (see Attachment)
\$ 212,372 FY 2011 Total (see Attachment)

DESCRIPTION: Request to approve various proposed reimbursable fund budget amendments for the fourth quarter of FY 2011 and first quarter of FY 2012. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that proposed reimbursable fund budget amendments be approved by the Board of Public Works unless specifically authorized by the Budget Bill or other law.

FUND SOURCE: 100% Reimbursement

APPROP. CODE: See Attachment

REQUESTING AGENCY REMARKS: Various contributing Departments and Independent Agencies have appropriated funds to pay for services to be provided by receiving Departments or Independent Agencies for the fourth quarter of FY 2011 and first quarter of FY 2012. The Attachment shows the reimbursable amendments by Department and Independent Agency and identifies the Departments and Independent Agencies receiving and contributing funding, the amounts of the funding and a brief justification for each amendment.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ATTACHMENT

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	Justification
12R-002	Q00- Department of Public Safety and Correctional Services	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention	\$7,500	***** Justification ***** Funding to provide overtime for Parole and Probation agents for enforcement efforts in conjunction with Baltimore City Police to locate and apprehend potentially violent offenders with open warrants.
12R-005	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention (GOCCP)	N00- Department of Human Resources (DHR)	\$518,701	Funding for the Rape Crisis/Sexual Assault Grant Program transferred from DHR to GOCCP pursuant to Chapter 356 of the 2011 Session.
12R-006	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention (GOCCP)	M00- Department of Health and Mental Hygiene	\$300,000	Funding to support the Rape Crisis/Sexual Assault Grant Program for community education activities focusing on sexual assault prevention and awareness to rape crisis centers or other non-government entities providing such services.

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

12R-007	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention (GOCCCP)	M00- Department of Health and Mental Hygiene	\$75,000	Funding for grants to rape crisis centers for staff support services to victims of sexual assault.
12R-008	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention (GOCCCP)	M00- Department of Health and Mental Hygiene	\$46,600	Funding that was carried-over from FY 2011 associated with the Hospital-Based Domestic Violence Program at Prince George's Hospital Center. The purpose of the program is to identify domestic violence victims at an early stage in the cycle and extend comprehensive services to prevent future injuries.
12R-011	R15- Maryland Public Broadcasting Commission	R00- Maryland State Department of Education	\$1,031,558	Funding to develop interactive digital student resources aligned to <i>Race To The Top</i> national common core standards and on-line courses for teacher professional development.
12R-014	Q00- Department of Public Safety and Correctional Services	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention (GOCCCP)	\$90,000	Funding to provide coordinated Closed Circuit TV observation by targeting high traffic areas around institutions in Baltimore City.
FY 2012 1st Qtr Proposed Reimbursable Amendments Total			\$2,069,359	

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

11R-075	C81 - Office of the Attorney General	D15 - Boards and Commissions - Governor's Office of Crime Control and Prevention	\$212,372	Funding for the Badges for baseball program that provides law enforcement agencies with the funding, training, equipment and curriculum to serve 1,000 middle school children. The program is designed to help reduce gaps in prevention services.
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FY 2011 4th Qtr Proposed Reimbursable Amendments Total \$212,372

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

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 1-C MOD

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

INSTITUTION:

University of Maryland, College Park for
Frostburg State University

CONTRACT ID:

Construction Management Services at Risk
Ctr for Communications & Information Technology
Frostburg State University
Contract No. F-400075-K
Project No. 90-000-041-00

CONTRACT APPROVED:

Pre-Construction Services
USM Item 1-C (6/9/2010)

CONTRACTOR:

Gilbane Building Company
Laurel, MD 20707

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

MODIFICATION DESCRIPTION: To incorporate Guaranteed Maximum Price (GMP) No. 1 and associated services into the contract as an early package for sitework, building demolition, abatement, and elevator work.

ORIGINAL TERM:

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

MODIFICATION TERM:

Construction Phase: 25 months
(11/03/2011 – 12/02/2013)

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

ITEM: 1-C MOD (continued)

ORIGINAL CONTRACT AMOUNT: \$ 297,950 (Pre-Construction Services)

THIS MODIFICATION AMOUNT: \$ 1,974,629

PRIOR MODIFICATIONS: \$ 17,571

REVISED TOTAL CONTRACT AMOUNT: \$ 2,290,150

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 30%

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

REQUESTING INSTITUTION REMARKS: Gilbane Building Company performed pre-construction services concurrent with design completion. Gilbane has now submitted an acceptable Guaranteed Maximum Price #1 proposal as an early package for site, demolition, abatement and elevator work; the University seeks Board approval to modify the contract to incorporate the GMP into the contract and continue with construction. The balance of the construction will be presented to the Board for consideration as future GMP proposal(s).

Gilbane has achieved 24.8% MBE participation to date, through GMP#1. The remainder will be addressed in the GMP(s) for the balance of construction.

The estimated construction cost has been adjusted to \$60 million, reflecting the University's intent to acquire and install information technology equipment (both capital and operating) via Gilbane, given the significant coordination with construction required for this building type.

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

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

ITEM: 1-C MOD (continued)

FUND SOURCE: MCCBL of 2011: *Provide funds to complete design and construct a new Center for Communications and Information Technology.* Line Item 042

APPROP CODE: N/A

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2413-0110

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: 2-GM

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

Recommendation: In accordance with provisions of the State Finance and Procurement Article Section 8-301, Annotated Code of Maryland, the Board of Public Works must approve the use of General Obligation Bond funding for the contracts noted below in the total amount of \$268,074.48.

A. University of Maryland, College Park
Campus Wide Building System and Infrastructure Improvements

1. **Description:** Furnish labor to replace existing 480 V switchboards located in room B0100 & 1224 with University supplied new switchboards at School of Public Health Building #255.

Procurement Method: Release from Master Order

Award: Electrico, Inc.
Baltimore, Maryland 21209

Amount: \$113,759.87

Fund Source: MCCBL of 2011: *Campus Wide Building System and Infrastructure Improvements*. Line 036

MD Tax Clearance: 11-2288-0111

Resident Business: Yes

B. University of Maryland, College Park:
Bowie State University, Fine and Performing Arts Center

1. **Description:** Reception Desk
Equipment List 17-10
Purchase Order G156343

Procurement Method: Simplified Procurement

Award: Glover Equipment Sales Group LLC
221 Cockeysville Road
Cockeysville MD 21030

Amount: \$9,227

Fund Source: MCCBL of 2010: *Provide funds to equip the Fine and Performing Arts Center at Bowie State University*. Line 903

MD Tax Clearance: N/A

Resident Business: Yes

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

ITEM: 2-GM (continued)

B.

2. **Description:** Furnish and install Electric Kilns and Ceramic Work Table
 Purchase Order Number N156482
- Procurement Method:** Simplified Procurement
- Award:** Kiln Doctor
 Front Royal, VA
- Amount:** \$17,927.19
- Fund Source:** MCCBL of 2010: *Provide funds to equip the Fine and Performing Arts Center at Bowie State University.* Line 903
- MD Tax Clearance:** 11-2501-1001
- Resident Business:** No

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

1. **Description:** 6 ea. Isotemp Analog Control Water Baths
 Purchase Order Number 846087
- Procurement Method:** Competitive Sealed Proposals
- Award:** Fisher Scientific, Houston, TX 77038
- Amount:** \$3,478.50
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.* Item 052
- MD Tax Clearance:** 11-2451-1110
- Resident Business:** No
-
2. **Description:** 6 ea. Thermo Sorvall ST 16 Centrifuges w/6 Microplate Rotors
 Purchase Order Number 846364
- Procurement Method:** Competitive Sealed Proposals
- Award:** Fisher Scientific, Houston, TX 77038
- Amount:** \$31,018.00
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.* Item 052
- MD Tax Clearance:** 11-2451-1110
- Resident Business:** No

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 2-GM (continued)

3. **Description:** 1 ea. Rotovapor Rii Evaporation System and Freeze Dry Vacuum Pump.
Purchase Order Number 846090
- Procurement Method:** Competitive Sealed Proposals
- Award:** Fisher Scientific, Houston, TX 77038
- Amount:** \$5,878.69
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.* Item 052
- MD Tax Clearance:** 11-2451-1110
- Resident Business:** No
-
4. **Description:** 1 ea. Biotek Eon Microplate Spectrophotometer w/Multivolume Plate
Purchase Order Number 846392
- Procurement Method:** Competitive Sealed Proposals
- Award:** Fisher Scientific, Houston, TX 77038
- Amount:** \$12,099.89
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.*
Item 052
- MD Tax Clearance:** 11-2451-1110
- Resident Business:** No
-
5. **Description:** 12 ea. Vacuum Pressure Air Pumps
24 ea. Filtering Flasks, Tubing, Filter Units and Rubber Stoppers.
Purchase Order Number 846088
- Procurement Method:** Competitive Sealed Proposals
- Award:** Fisher Scientific, Houston, TX 77038
- Amount:** \$6,256.94
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.* Item 052
- MD Tax Clearance:** 11-2451-1110
- Resident Business:** No

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

ITEM: 2-GM (continued)

6.	Description:	4 ea. Evos Digital Inverted Microscopes 1 ea. Evos Digital Inverted Fluorescence 2 ea. Zeiss Inverted Microscopes Purchase Order Number 846391
	Procurement Method:	Competitive Sealed Proposals
	Award:	Fisher Scientific, Houston, TX 77038
	Amount:	\$68,428.40
	Fund Source:	MCCBL 2009: <i>Provide funds to equip an addition and renovation to the School of Pharmacy.</i> Item 052
	MD Tax Clearance:	11-2451-1110
	Resident Business:	No

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 3-RP

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

INSTITUTION: Coppin State University

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

PROPERTY: 1744 N. Warwick Avenue, Baltimore

GRANTOR: Forest Park Church and Neighborhood Center

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

APPRAISED VALUE: Woodley Appraisal Group \$115,000.00 *
Concord Appraisal Co. \$130,000.00 *

FUND SOURCE: MCCBL 2010: *Provide funds for site acquisition and detailed design for the new Science and Technology Center. Item 050.*

PRICE: Acquisition: \$ 100,000.00
Ground Rent: \$ 00.00
Relocation \$ 108,625.00 **
Total \$ 208,625.00

* The appraised value of this property has been determined using the depreciated replacement cost approach instead of the comparable sales approach. This property is a Church and section 12-104(d) of the Real Property Article of the Annotated Code of Maryland requires the use of the depreciated replacement cost approach for Church properties.

** These funds are to relocate and reestablish the Forest Park Church and Neighborhood Center to an alternate location.

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

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

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

REAL PROPERTY: Acquisition by condemnation

ITEM: 4-RP

DEPARTMENT: Coppin State University

DESCRIPTION: The Board of Public Works is requested to approve the acquisition by condemnation of 26 properties located near Coppin State University in Baltimore City in support of the University's new Science and Technology Center Project.

OWNERS: See page 10C

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

APPRAISED VALUE: See page 10C

FUND SOURCE: MCCBL 2010: *Provide funds for site acquisition and detailed design for the new Science and Technology Center . Item 050.*

PROPERTY: See page 10C

PRICE: The acquisition price for each property if condemned is to be determined by a jury if the case is not settled. Otherwise the purchase will be negotiated based on the appraisals.

REQUESTING INSTITUTION REMARKS: Coppin has attempted to negotiate with the owner of each property. The need to condemn for many of these properties is that the owner has abandoned the property and will not talk to the University. The need to condemn for the remainder of these properties is that negotiations have not been successful. The University will continue its efforts to reach an agreement with the owners of these properties. If an agreement is reached before the filing of a condemnation case, the authority to condemn will not be exercised with respect to that property. Negotiations will continue after the filing of a case if the owner is available. The acquisition of each of these properties is essential to the construction of the Science and Technology Center.

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 4-RP (continued)

	CONDEMNATION	APPRAISAL #1	APPRAISAL #2	Owners
1	2500 Presbury	\$2,600.00	\$1,250.00	B.W Associates II,Inc
2	2502 Presbury	\$2,900.00	\$2,400.00	Cornel Lee West
3	1604 Thomas	\$29,000.00	\$34,800.00	City Homes West Business Trust
4	1609 Thomas	\$29,000.00	\$34,700.00	Dawn Simmons
5	1616 Thomas	\$20,500.00	\$20,500.00	Walter & Sarah Hughes
6	1623 Thomas	\$30,500.00	\$35,000.00	Ardrina Stokes
7	1625 Thomas	\$21,000.00	\$21,700.00	Ernest G. Tyson
8	1627 Thomas	\$30,000.00	\$37,000.00	Lonnie Woodland
9	1635 Thomas	\$21,000.00	\$21,300.00	G. Todd Alter Jr
10	1643 Thomas	\$47,100.00	\$30,000.00	Trent Desisso
11	1655 Thomas	\$21,000.00	\$22,700.00	Rosavelt Laboo
12	1702 Thomas	\$0,500.00	\$4,000.00	Delores Young
13	1712 Thomas	\$65,000.00	\$61,000.00	City Homes Patriots, V. LLC
14	1714 Thomas	\$33,000.00	\$37,000.00	Ros Day , HattieG. Cornish & James Wing
15	1720 Thomas	50,000.00	48,400.00	Phllis C McKeiver
16	1722 Thomas	\$26,500.00	\$29,000.00	Jambor Investment, LLC
17	1733 Thomas	\$31,000.00	\$45,500.00	Joann Belt
18	1801 Thomas	\$15,000.00	\$13,500.00	Clarence & Helen Brown
19	1810 Thomas	\$39,000.00	\$68,000.00	2108 Bolton St Inc.
20	1828 Thomas	\$6,650.00	\$7,100.00	American Tri Stage Realty Inc
21	1606 Warwick	\$77,000.00	\$67,000.00	Manject Shahjpal
22	1614 Warwick	\$75,600.00	\$64,500.00	Khadija Akintunde
23	1630 Warwick	\$20,000.00	\$18,400.00	James & Josephine Woodson
24	1652 Warwick	\$20,000.00	\$24,000.00	Nikkia Pompey
25	1656 Warwick	\$20,000.00	\$18,000.00	Kob, Inc.
26	1704 Warwick	\$3,500.00	\$4,385.00	Raymond Realty, Co. Inc.
27	1708 Warwick	\$97,500.00	\$95,000.00	Keith Coleman
28	1710 Warwick	\$96,000.00	\$95,000.00	Keith Coleman
29	1716 Warwick	\$45,000.00	\$44,000.00	City Homes Patriots, V. LLC
30	1726 Warwick	\$17,500.00	\$15,000.00	Bugless Collins

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

ITEM: 1-IT **Agency Contact:**
Lavinia Lee (410) 206-7635
vlee@comp.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM: Comptroller of Maryland (COM)
Information Technology Division

CONTRACT ID: RFP1102
Implementation of Check-21 and Replacement of
Existing Remittance Processing System.
ADPICS E00B2400033

CONTRACT DESCRIPTION: The requested contract will provide for implementation of Check-21 and replace the existing remittance processing system.

AWARD: Fairfax Imaging, Inc.
Rockville, MD

TERM: 11/02/11 – 11/03/16
(w/ 5 one-year renewal options)

AMOUNT: \$1,718,659.54 Base Period
\$ 238,568.34 Option Year 1
\$ 238,568.34 Option Year 2
\$ 238,568.34 Option Year 3
\$ 238,568.34 Option Year 4
\$ 238,568.34 Option Year 5
\$2,911,501.31 Total

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment 1

MBE PARTICIPATION: 12%

MBE WAIVER: 13% (See Remarks)

PERFORMANCE SECURITY: None

HIRING AGREEMENT ELIGIBLE: No

INCUMBENT: Banctec, Inc.
Irving, Texas

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

ITEM: 1-IT (Cont.)

REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on eMarylandMarketplace.com (eMM) and the Comptroller of Maryland’s web site. A copy of the RFP was also sent to the Governor’s Office of Minority Affairs. One hundred forty-four (144) vendors were solicited via eMM. Twenty-five (25) of these vendors were MBEs. Eight (8) vendors were solicited directly. A total of four proposals were received. All were deemed reasonably susceptible of being considered for award and were evaluated.

Fairfax Imaging was determined to provide the offer most advantageous to the State, as it was ranked first by the Evaluation Committee in both its technical response and financial offer (per Section 6.2 of RFP, Financial Offers were evaluated only on the pricing for the mandatory requirements for both the base and option years).

Under the terms of the contract that will implement Check 21 and replace the existing remittance processing system, the contractor will install 13 Kodak I 1320 scanners for the 13 branch offices, upgrade 3 Scan Optics scanners to SO series 240/300 OCR, and install a fourth high-speed scanner (IBML IT 5), 2 IBM database servers and 4 IBM servers for application and web servers. The contract provides for equipment installation, development, testing, implementation, software maintenance, “how-to” support, and five one-year renewal options.

The MBE goal in the RFP was 25%. Fairfax Imaging submitted documentation supporting a 12% commitment and applied for a waiver of 13%, which was granted.

Upon notification of its non-selection, ImageScan filed a protest. This protest was received by the COM procurement officer on 08/25/11. The protest was denied by the COM procurement officer on 08/31/11. ImageScan did not file an appeal of the protest denial with the Maryland Board of Contract Appeals

FUND SOURCE: General
APPROP. CODE: E00A1001
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 11-2322-0111

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

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

ITEM-IT (Cont.)

ATTACHMENT 1

	Fairfax Imaging	J&B Software	IBM	Image Scan, Inc
Base Mandatories	\$461,561.50	\$543,080.54	\$1,155,836.00	\$1,908,765.00
Base Options (1 thru 5 Years)	\$172,841.77	\$239,260.60	\$217,270.00	\$636,819.00
Sub-Total	\$634,403.27	\$782,341.14	\$1,373,106.00	\$2,545,584.00
Additional Requirements	1,257,098.64	\$1,939,028.39	\$3,117,992.00	\$2,926,688.00
Additional Requirements Option (1 thru 5 Years)	\$1,020,000.00	\$1,530,000.00	\$3,219,120.00	\$2,285,000.00
Sub Total Additional Requirements	\$2,277,098.04	\$3,469,028.39	\$6,337,112.00	\$5,221,688.00
Grand Total	\$2,911,501.31	\$4,251,369.53	\$7,710,218.00	\$7,767,272.00

RANKING

	Technical Ranking	Financial Ranking	Overall Ranking
Fairfax Imaging	1	1	1
J&B Software	2	2	2
IBM	3	3	3
Image Scan, Inc.	4	4	4

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

ITEM: 2-IT Option

Agency Contact:

Ronald Brothers (410) 585-3100
rbrothers@dpscs.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Public Safety & Correctional Services
(DPSCS)
Information Technology and
Communications Division (IT&CD)

CONTRACT ID:

DPSCS IT&CD
Maryland Automated Fingerprint
Identification System
ADPICS Q00B7200029 COE00787

CONTRACT APPROVED:

08/09/2006 DBM BPW Agenda Item 7-IT

CONTRACTOR:

Cogent, Inc.
South Pasadena, CA.

CONTRACT DESCRIPTION:

Maryland Automated Fingerprint
Identification System (MAFIS)

OPTION DESCRIPTION: Exercise the first and second renewal option of four one year renewal options.

TERM OF ORIGINAL CONTRACT:

08/14/2006-03/31/2012
(W/4 one-year renewal options)

TERM OF OPTION:

04/01/2012-03/01/2013 Option Yr. 1
04/01/2013-03/01/2014 Option Yr. 2

AMOUNT OF ORIGINAL CONTRACT:

\$ 4,171,778

AMOUNT OF OPTION:

\$171,665.99 Option Yr. 1
\$171,665.99 Option Yr. 2
\$343,331.98 Total

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

ITEM: 2-IT Option (Cont.)

PRIOR MODIFICATION/OPTIONS: \$2,725,000 (See ATTACHMENT 1)
REVISED TOTAL CONTRACT AMOUNT \$7,240,109.98
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 34%

REMARKS: MAFIS is a dedicated online computer system accessible through MAFIS workstations. The primary function of MAFIS is to search fingerprints submitted through ten-print cards in either hardcopy or electronic form against its database and identify possible matches. The fingerprint searches are done for individuals taken into custody by law enforcement and charged with an arrest able offense.

The original procurement used the Competitive Sealed Proposal Procurement Method and was approved by the BPW on 8/09/2006 as DBM item 7-IT. Cogent, Inc. was ranked number one both technically and financially on the original procurement.

The initial MBE goal was 34% for the base period. Cogent, Inc. has achieved of 38.4% for MBE participation.

Cogent, Inc. has provided excellent service and fulfilled its contractual obligations.

FUND SOURCE: Various
APPROP. CODE: Various
RESIDENT BUSINESS No
MD TAX CLEARANCES: 11-2092-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 2-IT Option (Cont.)

**ATTACHMENT 1
PRIOR/MODIFICATIONS**

\$2,000,000

June 20, 2007
DBM BPW Item 25-IT MOD
Further define card conversion to include card
preparation as well as scanning.

\$725,000

July 2, 2008
DBM BPW Item 4-IT MOD
Additional card conversion.

\$2,725,000 Total

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

ITEM: 3-IT

Agency Contact:

James Purvis (410) 537-3114

jpurvis@mde.state.md.us

Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Maryland Department of the Environment (MDE)

CONTRACT ID & TITLE:

TEMPO Maintenance and Support Contract
ADPICS NO. U00B2400003

CONTRACT DESCRIPTION: Contract for maintenance and support services from CGI Technologies and Solutions Inc. for the Department's permit system application known as Tools for Environmental Management and Protection Organizations (TEMPO™).

AWARD:

CGI Technologies and Solutions Inc.
Fairfax, VA

TERM:

12/3/2011 - 12/2/2012

AMOUNT:

\$125,000

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None

INCUMBENT:

CGI Technologies and Solutions Inc.
Fairfax, VA

REMARKS: MDE concluded a multi-year effort on December 2, 2009 to implement a departmental system application known as TEMPO™. TEMPO™ was originally acquired by MDE through a competitive procurement at a cost of \$7,351,000 dollars. This software application is used by MDE's implemented business programs to manage their permitting, compliance, and enforcement activities.

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

ITEM: 3-IT (Cont.)

MDE is seeking approval of this contract to secure maintenance and support services from CGI Technologies and Solutions Inc. for post implementation operations and maintenance of TEMPO.

If this contract is not approved, MDE would be left without support to maintain TEMPO. This would have a critical impact on the MDE business programs using TEMPO to manage their permitting, compliance, and enforcement activities. These are core departmental activities conducted in support of MDE's mission to protect the quality of Maryland's air, land, and water resources to ensure a clean environment and excellent quality of life for Marylanders.

FUND SOURCE:	Federal Indirect
APPROP. CODE:	U00A10.01
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	11-2182-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 4-IT MOD

Agency Contact:

Tanya Green (410)767.6432
TDGreen@dhhm.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Department of Health & Mental Hygiene
MD Infant Hearing Program

CONTRACT ID:

OPASS 08-9770
Infant Hearing Screening System
ADPICS CO NO. COD 96827 /B8200366

CONTRACT APPROVED:

BPW date: 1/30/08, DBM Item 4-IT

CONTRACTOR:

OZ System
Arlington, TX,

CONTRACT DESCRIPTION:

Develop and implement a commercial off the shelf (COTS) infant hearing screening data system.

MODIFICATION DESCRIPTION: Expand the on-line EHDI data management system to include the development of a birth defect module.

TERM OF ORIGINAL CONTRACT:

02/01/08 – 01/31/13 without renewal option.

TERM OF MODIFICATION:

11/07/11 – 01/31/13

AMOUNT OF ORIGINAL CONTRACT:

\$527,040

AMOUNT OF MODIFICATION:

\$281,250

PRIOR MODIFICATIONS/OPTIONS:

\$329,500

REVISED TOTAL CONTRACT AMOUNT:

\$1,137,790

PERCENT +/- (THIS MODIFICATION):

53.4%

OVERALL PERCENT +/-:

115.9%

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

ITEM: 4-IT MOD (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None

REMARKS: The original contract with OZ Systems was to provide a Commercial Off the Shelf infant hearing screening system for the Maryland Universal Newborn Hearing Screening Program. This Software was originally acquired in February 2008 by DHMH through a competitive procurement. Included in the services to be provided were customizing the system if needed, installing and testing the system, training department and hospital staff, implementing, maintaining and supporting the system and its users. Developing and providing reports and backing up the system to ensure that data is secure and accessible.

The purpose of first modification was to expand the on-line EHDI data management system to include the development of an early intervention module that will allow data sharing between DHMH and MSDE Early Intervention Program and improve reporting functions with the additional programming.

The purpose of the current modification is to expand the on-line EHDI data management system to include the development of a birth defect module that will allow data integration between the two programs, as well as additional enhancements to allow for interoperability between the different IT Systems of Maryland birth hospitals to further improve the quality of patient data and private practices to improve the quality of patient care. This management system is a proprietary online data management system owned by Oz Systems; therefore no outside contractor would be able to make the necessary programming changes.

Due to the very limited pool of vendors and subcontracting options, an MBE goal was not recommended for the data management system; therefore, no MBE participation goal was established.

FUND SOURCE: Federal 100%

APPROP. CODE: F0302

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2378-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-IT MOD (Cont.)

Amount

\$329,500

PRIOR MODIFICATIONS

DoIT BPW Agenda Item
1-IT MOD for 01/06/2010
Enhance the system by developing
an early intervention module.

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

ITEM: 5-IT

Agency Contact:
Ronald Brothers (410) 585-3100
rcbrothers@dpscs.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Public Safety & Correctional Services (DPSCS)
Information Technology & Communications
Division (IT&CD)

CONTRACT ID:

DPSCS IT&CD 2012-02
Computer Projects of Illinois Software Maintenance
ADPICS NO.Q00B2400055

CONTRACT DESCRIPTION:

CPI Software License for the Maintenance of the
Remote Mobile Terminal System (RMDTS) and
Disaster Recovery System Environment

AWARD:

Computer Projects of Illinois, Inc.

TERM:

02/15/2012 –02/14/2014

AMOUNT:

\$131,873.59

PROCUREMENT METHOD:

Sole Source

BIDS OR PROPOSALS:

N/A

MBE PARTICIPATION:

None

FUND SOURCE:

100% General Funds

APPROP. CODE:

Q00A0102

INCUMBENT:

N/A

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

ITEM: 5-IT (Cont.)

REMARKS: This contract provides for the continuation of essential maintenance and usage of the annual software maintenance and technical services in support of the Remote Mobile Data Terminal System (RMDTS) and Openfox Disaster Recovery Environment. The annual maintenance for the OpenFox Message Switch to cover the Omnixx/METERS Disaster Recovery environment includes software to access the Maryland HotFiles, Archive Retrieval system, Configurator and Operator Aid. Warranty, maintenance and support include 24x7 telephone support with software engineer back-up through system access via the currently installed and state mandated application changes. Interface and schema updates are included; interface and schema changes or replacements are not included.

Computer Projects of Illinois, Inc. is the sole owner of the proprietary software license; therefore, there is no other available source for the maintenance software.

Due to the proprietary nature of this service, there is no MBE participation for this contract.

Computer Projects of Illinois, Inc. has been performing this service for the DPSCS and has provided excellent customer service and fulfilled its contractual obligations.

RESIDENT BUSINESS: No
MD TAX CLEARANCE: 11-2129-0000

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 – 11/02/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 1-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: SHA-SJCS-2011
Janitorial/Custodial & Carpet Care Services
ADPICS NO. SJCS2011

CONTRACT DESCRIPTION: This contract provides all labor, supervision, and equipment to provide janitorial, custodial & carpet care services to the SHA Headquarters complex located at 707 N. Calvert Street and 211 E. Madison St., Baltimore, MD

AWARD: Alliance, Inc.
Baltimore, MD

TERM OF CONTRACT: 12/01/2011 – 11/30/2014

AMOUNT: \$1,316,811 NTE

PROCUREMENT METHOD: Community Service Provider

MBE PARTICIPATION: 100%

REMARKS: Prices and contract amount were certified as a fair market price by the Pricing and Selection Committee for the Employment Works Program.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101/J02B0102

MD TAX CLEARANCE: 11-2361-0110

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 -- 11/02/11

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 2-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 410D51413
Mechanical Cleaning & Sweeping Roadways and Park & Ride
Lots at Various Locations in Calvert & St. Mary's Counties
ADPICS NO. 410D51413

CONTRACT DESCRIPTION: This Contract consists of mechanical cleaning & sweeping of
roadways and park & ride lots at various locations in Calvert & St. Mary's Counties.

AWARD: East Coast Sweeping
Annapolis Junction, MD

AMOUNT: \$290,762 NTE

TERM OF CONTRACT: November 14, 2011 through December 31, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding
(One Bid Received)

MBE PARTICIPATION: 0% (single element of work)

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Thirty
(30) contractors were notified for this project on eMaryland Marketplace; Eight (8) of which were MDOT
Certified MBE's.

Only two companies purchased bid documents and SHA received only a single bid. SHA contacted the other
vendor who stated they could not commit the resources at this time for an indefinite quantity, on-call contract.
The bid price was evaluated and found to be fair and reasonable. It was also determined that other bidders had a
reasonable opportunity to bid.

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2088-1111

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 -- 11/02/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 3-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 5490671413R
 Highway Maintenance Contract Support for the
 Administration's Westminster Shop in Carroll County
 ADPICS NO. 549067143R

CONTRACT DESCRIPTION: This Contract consists of highway maintenance support for
 the Administration's Westminster Shop in Carroll County.

AWARD: K & M Professional Services, LLC
 Pikesville, MD

AMOUNT: \$540,000 NTE

TERM OF CONTRACT: November 14, 2011 through June 30, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

K & M Professional Services, LLC \$540,000
 Pikesville, MD

Just Business, LLC. \$550,000
 Baltimore, MD

Thomas Jones / Contractor \$560,000
 Fort Washington, MD

BWWS, LLC \$620,000
 Baltimore, MD

Colossal Contractors, Inc \$624,000
 Burtonsville, MD

Abacus Corporation \$624,800
 Baltimore, MD

Earn Contractors \$638,000
 Gaithersburg, MD

ITEM: 3-M (Continued)

BPW - 11/02/11

BIDS CONT'D:

Green Technology, Inc. \$640,000
Columbia, MD

Unified Solutions Services, LLC \$794,000
Columbia, MD

MBE PARTICIPATION: 0% (single element of work)

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One hundred ninety three (193) contractors were notified for this project on eMaryland Marketplace; Thirty (30) of which were MDOT Certified MBE's.

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

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2467-0000

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 – 11/02/11

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONTRACT MODIFICATION (Maintenance)

ITEM: 4-M-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MC-2005-013
Glass Cleaning Services at BWI Thurgood
Marshall Airport
ADPICS NO. CO277777

ORIGINAL CONTRACT APPROVED: Item 2-M, DOT Agenda 05/03/06

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

CONTRACTOR: B.W.W.S., Inc.
Baltimore, MD

MODIFICATION: Modification No. 2 provides for a one (1) year extension beyond the current termination date.

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$1,198,590

REVISED CONTRACT AMOUNT: \$1,198,590

TERM: 06/01/06 – 05/31/09 (Original)
06/01/09 – 05/31/11 (Renewal)
06/01/11 – 11/30/11 (Modification No. 1)
12/01/11 – 11/30/12 (Modification No. 2)

PERCENTAGE INCREASE: 0% (Overall)

MBE PARTICIPATION: 100%

REMARKS: On February 24, 2011 the MAA issued Invitation for Bid #MAA-MC-11-009 for Glass Cleaning Services BWI Thurgood Marshall Airport. On March 24, 2011, the MAA received three (3) bids and before bid opening received two (2) bid protests. The bid opening for the Solicitation was postponed and no bids were opened. While evaluating the merits of the protest and in subsequent reexamination of the specifications for MAA-MC-11-009, the MAA has determined that substantial changes to the language and the scope of work were needed and the procurement was canceled. This cancellation rendered the protest moot.

ITEM: 4-M-MOD (Continued)

BPW – 11/02/11

The current Glass Cleaning contract MAA-MC-2005-013 will terminate on November 30, 2011. In order to provide sufficient time to revise the specifications and procure a new contract, MAA is requesting an extension to the current contract for a period of one (1) year through November 30, 2012. This extension is in the best interest of MAA and the State. The remaining funds of \$377,372 are sufficient to fund the one year extension.

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	\$1,198,590	06/01/06 – 05/31/09	05/03/06, Item 2-M	
Renewal	\$0	06/01/09 – 05/31/11	02/18/09, Item 10-M- OPT	As provided for in the contract
Modification No. 1	\$0	06/01/11 – 11/30/11	DCAR	To address two protests
Modification No. 2	\$0	12/01/11 – 11/30/12		To extend contract for 1 yr and re-procure services
Revised Amount	\$1,198,590			

James Knighton 410-767-0820
JKnighton@mtamaryland.com

BPW – 11/02/11
 REVISED

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

EQUIPMENT CONTRACT

ITEM: 5-E

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T8000-0341
 Procurement of Multi-Level Commuter Rail Cars
 ADPICS NO. T80000341

CONTRACT DESCRIPTION: This contract provides for the manufacture and delivery of fifty-four (54) multi-level commuter rail cars to be used on MTA's MARC Commuter Rail service. The MTA will retire 26 rail cars that are at the end of their useful life cycle.

AWARD: Bombardier Transit Corporation
 Montreal, Quebec, Canada

TERM: 1000 days from NTP

AMOUNT: \$153,080,699

PROCUREMENT METHOD: Intergovernmental Cooperative Purchase

DBE PARTICIPATION: 10%

PERFORMANCE SECURITY: PCG in amount of 100% of the contract price.

REMARKS: The contract with Bombardier has been negotiated per COMAR 21.05.09, Intergovernmental Cooperative Purchasing. Utilizing this procurement method will allow the MTA to realize a savings in time in acquiring these rail cars. It would require the MTA nine months to one year to develop specifications, advertise and award this contract under a standard solicitation process. Participation with New Jersey Transit (NJT) will also enable the MTA to be in compliance with Federal Transit Administration (FTA) Requirements. The contract with NJT has been reviewed and has been found to contain all required Federal clauses and meets the requirements of the FTA's Best Practices Manual for piggybacking.

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

APPROPRIATION CODE: JO5 H0105

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2509-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Richard D. Johnson (410) 684-7060
rjohnson14@mdot.state.md.us

BPW – 11/02/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

MODIFICATION: (General Miscellaneous)

ITEM: 6-GM-MOD

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: MTA-1248
 MD DEL Operating Agreement

CONTRACT APPROVED: Item 21-GM, DOT Agenda 6/25/08

ORIGINAL PROCUREMENT METHOD: Sole Source

EXPLANATION: Retroactive approval is requested for Amendment No. 1 to the Locomotive Lease for the current Maryland and Delaware Railroad (MDDE) Operations and Maintenance Agreement (the Agreement) that was previously approved on June 25, 2008. The Amendment is needed to add the Locomotive Lease which was not included, but was referenced as a future need, in the Agreement. The type of locomotives to be leased to the MDDE outlined in the Agreement, originally approved by the BPW on 6/25/08, changed from the two GP-39 locomotives to three RS-3M locomotives. The modification also clarifies the responsibilities of the parties relating to maintenance and repair of the locomotives to comply with Federal Railroad Administration regulations. The total annual revenue to the State remains unchanged (\$50,000/year). The State incurs no additional costs.

CONTRACTOR: The Maryland & Delaware Railroad (MDDE)
 Federalsburg, MD

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$2,000,000 Est. (5 Year Base Contract)
 \$2,250,000 Est. (1st 5 Year Renewal Option)
\$2,250,000 Est. (2nd 5 Year Renewal Option)
 \$6,750,000 Est. Total (15 Years)

REVISED CONTRACT AMOUNT: \$2,000,000 Est. (5 Year Base Contract)

PERCENTAGE INCREASE: 0%

REMARKS: The Amendment and Locomotive Lease are required to fulfill the obligation of the original Agreement approved by the Board on June 25, 2008. The Amendment is required for the changing of the type of locomotives and provides definition of routine locomotive maintenance (as specified by the Federal Railroad Administration) with Heavy Repair maintenance. The Locomotive Lease was to be completed when the first of two (MARC) GP-39 locomotives were made available by the State to the MDDE. The GP-39's turned out to be less compatible for the slower freight needs of MDDE than their higher speed for MARC passenger service. In addition, the MARC operations

ITEM: 6-GM-MOD (Continued)

BPW – 11/02/11

preferred to continue to have the two GP-39's available for State use. The original contract amount as noted above is for routine maintenance of the railroad.

The state-owned short lines, through the agreements MDOT has made with the MDDE, support the State's economy in significant ways. Economic impact analysis provided by the Maryland Department of Business and Economic Development shows that these lines support over 2,587 direct and indirect jobs. With induced jobs factored in, the number of jobs is over 5,000. Per year, the estimated direct and indirect salaries supported by MDDE total \$79 million with \$3.7 million per year in generated State taxes. Additional economic analysis shows a net present value of businesses supported by these lines at over \$9 billion over 20 years. Companies supported by these lines include Perdue Agribusiness, Solo Cup, Southern States and many others. One commercial product produced by Solo Cup on the Eastern Shore is Starbuck's coffee cups.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0106

RESIDENT BUSINESS: Yes

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 -- 11/02/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

CONTRACT MODIFICATION (General Miscellaneous)

ITEM: 7-GM-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-8000-0294C
 Commuter Bus Service between Charles County,
 Maryland and Washington, D.C. – Line 901
 ADPICS NO. CO277274

ORIGINAL CONTRACT APPROVED: Item 17-GM, DOT Agenda 10/07/09

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding (Multi-Step)

CONTRACTOR: Dillon's Bus Service, Inc.
 Hanover, MD

MODIFICATION: This project provides commuter bus services to the MTA between Charles County, Maryland and Washington, D.C. Line 901. This Change Order No. 1 expands the existing Commuter Bus Services Line 901 to add additional northbound stops from Waldorf to Washington, D.C. and southbound stops from Washington, D.C. to Waldorf, Maryland.

AMOUNT: \$2,243,277

ORIGINAL CONTRACT AMOUNT: \$23,994,615

REVISED CONTRACT AMOUNT: \$26,237,892

PERCENTAGE INCREASE: 9.3% (Modification No. 1)
 109% (Overall)

TERM: 11/01/09 – 10/31/13 (Original)
 11/07/11 – 10/31/13 (Modification No. 1)

ORIGINAL MBE PARTICIPATION: 9.85%

REMARKS: The MTA largest commuter route, Line 901, currently provides 30 morning trips to Washington, D.C and 31 afternoon trips to Waldorf, Maryland. Most commuter routes in Southern Maryland are experiencing overcrowded buses and over-filled parking lots.

The majority of these trips fill to capacity before reaching their last boarding stops. Other southern Maryland routes such as Lines 905 and 903 frequently pass-up riders, requiring them to wait for subsequent trips. Dissatisfaction on the Line 901 is at an all time high as new passengers continue to be attracted to the route forcing existing riders to show up earlier and stand in long lines to board buses.

ITEM: 7-GM-MOD (Continued)

BPW - 11/02/11

The parking situation at the St. Charles Towne Center Mall has gotten so bad that the property management is threatening to terminate MTA's lease agreement. Daily, MTA riders park outside of the designated areas after commuter sections are filled. On several occasion, MTA has requested to lease additional parking spaces; however the stores owners are against any further expansion. During recent midweek checks, MTA has observed parking beyond the leased capacity of over one hundred cars.

With this increased service the MTA will extend twelve (12) one-way trips on Line 901. The solution for both overcrowded buses and full parking areas is to create an express-branch from the 901 line that makes only limited stops between Waldorf and Washington. Riders that are parking at the mall and US 301 lots will be encouraged to shift to the stadium lot or another State lot located in Accokeek off of MD 210. The MTA will provide a different number to help distinguish it from other line 901 branches at busy DC stops.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0106

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	\$23,994,615	11/09/09- 10/31/13	10/07/2009	
Modification #1	\$ 2,243,277	11/07/11- 10/31/13	11/02/2011	Increase Services to Address Ridership Demand
Revised Amount	\$26,237,892			

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT**ITEM** 1-C

DEPARTMENT OF NATURAL RESOURCES Sandy Point State Park
Anne Arundel County, MD

CONTRACT NO. AND TITLE Project No. P-021-103-010;
Construction of Maintenance Shop Sandy
Point State Park
ADPICS No. 001B2400241

DESCRIPTION This project consists of construction of a
2,880 SF pre-engineered building with secure storage, office, large evidence room, four vehicle
bays, and special equipment storage for the new Natural Resources Area 3 Office
Administration/Visitor's facilities.

PROCUREMENT METHOD Competitive Sealed Bids

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
Garcete Construction Co., Inc., Bladensburg, MD	\$473,907.00
Rainbow Construction Corp., Waldorf, MD	\$504,300.00
Gardner & Gardner General Contractors, Crofton, MD	\$525,414.00
Total Contracting, Inc, Beltsville, MD	\$537,809.00
Goel Services, Inc., Washington, DC	\$544,733.00
Willow Construction, LLC, Easton, MD	\$547,200.00
Castle Master Homes, Inc., Prince Frederick, MD	\$567,548.00
Biscayne Contractors, Inc., Alexandria, VA	\$593,000.00
Hayes Construction Co., MD	\$616,189.00
Nasto Construction, Inc., Washington, DC	\$625,500.00
Zane Development Company, LLC, College Park, MD	\$650,685.00
Brawner Builders, Inc., Hunt Valley, MD	\$798,855.36

AWARD Garcete Construction Co., Inc.
Bladensburg, MD

AMOUNT \$473,907.00

TERM 180 Calendar Days

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT**ITEM** 1-C (Cont.)**MBE PARTICIPATION** 45.4%**PERFORMANCE BOND** 100% of full contract amount**REMARKS**

A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com* on 6/29/2011. Twelve Bids were received on 8/2/2011. One bidder was found non-responsible and non-responsive and was rejected, leaving twelve acceptable bids. The MBE goal of 30% (no split) was met by Garcete Construction Co., Inc., and affirmed by MBE Office memo dated 8/29/2011.

The recommended awardee has exceeded the MBE set goal of 30% (\$143,477.00) by achieving 45.4% (\$217,129.59). The total goal of 45.4% consists of 38.2% woman owned and 7.2% African American owned firms.

This Multi Purpose Building will serve as a maintenance/storage shop for the DNR Police consisting of four vehicle bays including one maintenance bay for police vehicles, an office with ADA restroom facilities, a secure storage area for DNR police confiscated evidences, special equipment storage, and police radio repair shop. This building will be sited at the new DNR Police Area 3 Office Headquarters located off of College Parkway in Anne Arundel County.

The Government estimate is \$545,000.00

FUND SOURCE

\$100,000.00 MCCBL 2010/Item011
\$373,907.00 MCCBL 2011/Item 007
(Provide Funds to design, construct, and equip Capital Development projects on DNR Property in accordance with 5-903 (G) of Natural Resources Article)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2064-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M

DEPARTMENT OF HUMAN RESOURCES

Baltimore City Department of Social Services (BCDSS)

CONTRACT NO. AND TITLE

Janitorial Services at 1910 North Broadway
ADPICS NO. 001B2400156

CONTRACT DISCRIPTION

Approval is requested for a contract to provide janitorial services at the Baltimore City Department of Social Services located at 1910 North Broadway, Baltimore, MD. 21208 for a period of two (2) years, with three (3) one (1) year renewal options.

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

AMOUNT

G&LB Enterprises, Inc., Pikesville, MD	\$108,000.00
Preferred Cleaning, LLC, Perryville, MD	\$108,000.00
AFSI, Gaithersburg, MD	\$110,000.00
Acclaim USA, Upper Marlboro, MD	\$129,600.00
Ready Clean Industrial Services, Baltimore, MD	\$136,062.40
JPEX Corporation, Towson, MD	\$137,160.00
The Dorcas Group, Baltimore, MD	\$165,009.04
Cleaning to Perfection Full Facility Service, Suitland, MD	\$165,880.00
WeKleen, Inc., Fort Washington, MD	\$174,875.48
Ameri-Klean Services, Inc., Baltimore, MD	\$181,352.16
Fresh Air Duct Cleaning, LLC, Upper Marlboro, MD	\$187,115.00
Tote-Inc, Baltimore, MD	\$253,178.00
Primetar Industries, Baltimore, MD	\$257,470.80
Dominican Solutions, Washington, MD	\$435,024.24

AWARD

G&LB Enterprises, Inc.
Pikesville, MD
(MDOT certified MBE #08-660;
SBR#11-4230)

**DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM 2-M (Cont.)

TERM 12/1/2011-11/30/2013 (W/3, 1 year renewal options)

AMOUNT \$108,000.00 (2-year base-bid)
\$ 54,000.00 (1st Renewal Option)
\$ 54,000.00 (2nd Renewal Option)
\$ 54,000.00 (3rd Renewal Option)
\$270,000.00 Total 5 Years (See remarks below)

MBE PARTICIPATION 100% /5% Sub Goal)

PERFORMANCE BOND N/A

HIRING AGREEMENT ELIGIBLE Yes

REMARKS A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com* on 8/12/2011. Fourteen (14) responses were received of which six (6) were SBR certified and eight (8) firms were SBR/MBE certified. Two (2) bids were received in the amount of \$108,000.00 for the apparent low bid, in accordance with COMAR 21.05.02.14 B (1), if identical favorable bids are received from an in-State non-minority business enterprise, the award may be made to the certified minority business enterprise.

The recommended contractor, G&LB Enterprises, Inc. is a certified MBE and SBR (SB11-4230).

FUND SOURCE BCDSS 12-17 G5000 0804 72400

RESIDENT BUSINESS Yes

TAX COMPLIANCE NO. 11-2206-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

Deer's Head Hospital Center
Salisbury, Md.

CONTRACT NO. AND TITLE

Project No. H-453-110-001;
Masonry Repairs and Renovation
ADPICS NO. 001B2400244

DESCRIPTION

Approval is requested for a contract to replace the broken and deteriorating masonry and limestone porch panels; the removal and re-setting of the misaligned granite front steps; the removal and capping of the abandoned chimney at the roofline; re-pointing of the mortar on approximately 20% of the building's brickwork; re-setting of the concrete steps at the south entrance; and the repair of the spalling concrete porch decks at the Deer's Head Hospital Center in Wicomico County.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

	<u>AMOUNT</u>
Maxmore-Hill Restoration, Inc. Linthicum, MD	\$483,489.00
C & D Waterproofing Corp., Bloomsburg, PA	\$507,685.00
Contracting Specialists Inc-DC Calverton, MD	\$509,012.74
C. A. Lindman, Inc., Jessup, MD.	\$718,705.00
Lifetime Masonry & General Construction, Salisbury, MD	\$742,390.76

AWARD

Maxmore-Hill Restoration, Inc.
Linthicum, MD

TERM

240 Calendar Days from NTE

AMOUNT

\$483,489.00

MBE PARTICIPATION

15 %

PERFORMANCE BOND

100% of full contract amount

HIRING AGREEMENT ELIGIBLE

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M (Cont.)

REMARKS

A notice of availability of an Invitation for Bids (IFB) was posted on DGS'S Web Site, Bid Board and *eMaryland Marketplace.com*.

The limestone porch panels have been failing and coming apart for years with pieces falling to the areas below. Because of these conditions and the cracking and spalling of the porch slabs, the facility has not been able to use these areas. The abandoned chimney has deteriorated as well and could topple if not removed to the roofline and capped. The front and south steps have become misaligned due to water infiltration and the freeze/thaw cycle. They now create a tripping hazard to those accessing the facility. These repairs along with the masonry restoration, will improve the safety of all persons at the facility and prolong the life of the masonry façade.

Contractor Maxmore – Hill Restoration, Inc. has been found to be responsive and a responsible vendor. Maxmore – Hill Restoration, Inc. has committed to providing 15% Minority Business Enterprise Subcontractor participation in this project by utilizing a certified MBE subcontractor.

FUND SOURCE

MCCBL 2010/Item 010 (Provide funds for the State Capital Facilities Renewal Program statewide)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2118-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

DEPARTMENT OF GENERAL SERVICES

Baltimore State Office Complex
Inner Harbor State Office Complex
Jessup State Office Complex

CONTRACT NO. AND TITLE

Snow Removal Services
ADPICS NOS.
001B2400220 (Miller Tree & Landscaping)
001B2400222 (Indus Co. Ent., Inc.)

DESCRIPTION -

snow removal services for the Baltimore, Inner Harbor and Jessup State Office Complexes.

Approval requested for a contract to provide

PROCUREMENT METHOD

Competitive Sealed Bid
(Small Business Preference)

BIDS OR PROPOSALS

AMOUNT

Baltimore State Office Complex

Indus Co. Ent, Inc., Baldwin, MD

\$117,396.00

Miller Tree & Landscaping, Reisterstown, MD

\$122,295.00

Inner Harbor State Office Complex

Miller Tree & Landscaping, Reisterstown, MD

\$71,665.00

Indus Co. Ent, Inc., Baldwin, MD

\$79,047.00

Jessup State Office Complex

Indus Co. Ent, Inc., Baldwin, MD

\$52,461.00

J. Villa Construction Inc., Hyattsville, MD

\$61,704.00

AWARDS

Baltimore State Office Complex

Indus Co. Ent, Inc., Baldwin, MD
(SBR# 10-6808)

Inner Harbor State Office Complex

Miller Tree & Landscaping,
Reisterstown, MD

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

Jessup State Office Complex
Indus Co. Ent, Inc., Baldwin, MD
(SBR# 10-6808)

TERM

11/2/2011-11/1/2014 (W/2 one-year renewal options)

AMOUNTS

Baltimore State Office Complex
\$117,396.00 (3 year base contract)
\$ 39,132.00 (1st renewal option)
\$ 39,132.00 (2nd renewal option)
\$195,660.00 (5 year total)

Inner Harbor State Office Complex
\$ 71,665.00 (3 year base contract)
\$ 23,888.33 (1st renewal option)
\$ 23,888.33 (2nd renewal option)
\$119,441.66 (5 year total)

Jessup State Office Complex
\$52,461.00 (3 year base contract)
\$17,487.00 (1st renewal option)
\$17,487.00 (2nd renewal option)
\$87,435.00 (5 year total)

\$402,536.66 (Total all regions-5 years)

MBE PARTICIPATION

0%

PERFORMANCE BOND

N/A

HIRING AGREEMENT ELIGIBLE

No

REMARKS

This procurement was conducted as a competitive sealed bid, with Award(s) made to the responsible bidder submitting the lowest responsive bid on any individual Complex, or on a combination of one, two or three Complexes. A notice of the availability of invitation to bid (ITB) was posted on DGS's web site, bid board and *eMarylandMarketplace* as a Small Business Preference procurement. Six responsive and

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

responsible bids were received; two bids for each Complex. Of the bids received two vendors were certified SBR vendors and one was also certified MBE.

The contract furnish all labor, supervision, materials, snow removal/hauling/salt spreader equipment, transportation of snow removal/hauling/salt spreader equipment, insurance, fuel, maintenance of snow removal/hauling/salt spreader equipment, operators and all ice melt, salt and all other incidentals necessary to clear, remove and haul snow accumulation and ice from roadways, parking areas, roofs, sidewalks, entrances and steps in the event of a light snow or large volumes of snow from State property, public property and public right-of-ways immediately after a snow emergency event.

The recommended bidders Miller Tree & Landscaping and Indus Co. Ent., Inc. have confirmed their bid prices.

FUND SOURCES

- H00 12-14' 33351 0814
- H00 12-14' 33409 0814
- H00 12-14' 33419 0814
- H00 12-14' 33459 0814

RESIDENT BUSINESSES

Yes

TAX COMPLIANCE NO

- 11-2331-0001 (Miller Tree & Landscaping)
- 11-2333-0111 (Indus Co. Ent., Inc.)

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 5-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 \$206,689.00 (2 items)

A. Department of General Services

George M. Taylor District Court/Multi Service Center (DCMSC)
Glen Burnie, MD

DESCRIPTION

Approval for a contract for removing the existing 75 kw emergency generator and installing a new 100 kw Emergency Generator. Work to include installation of a new "HEM" Panel, and reconnecting the pumps to the new panel.

REMARKS

The estimated cost for this Project was \$157,680.13 and the project duration is 90 calendar days. This solicitation was advertised and bid on *eMaryland Marketplace*.

CONTRACT NO. AND TITLE

Project No. BC-764-110-001;
Replace/Upgrade Emergency Generator and Rewire Circulation Pumps

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Urban Francis, LLC
Baltimore, MD

AMOUNT

\$141,385.00

MBE PARTICIPATION

10%

FUND SOURCE

MCCBL 2009/Item 007 (Capital Facilities Renewal Program)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 5-GM

B. Maryland School for the Deaf

Maryland School for the Deaf
Columbia, MD

DESCRIPTION

Approval is requested for a contract to replace the existing electrical distribution panels in two occupied school buildings at the Maryland School for the Deaf Campus in Columbia, MD.

REMARKS

This solicitation was advertised and bid on *eMarylandMarketplace* on 7/22/2011 and notice of availability was also posted on the DGS Bid Board. In a continuing effort to improve the student environment in its facilities throughout the state, the Maryland School for the Deaf has requested a number of interior & exterior projects to those buildings serving its student population which when finalized will significantly improve the safety and energy efficiency of these structures. The restoration of the existing electrical distribution systems will complete the objective to improve the safe delivery of power throughout the campus.

Contractor Union Electric Co., Inc. has been found to be responsive and a responsible vendor. Union Electric Co., Inc. has committed to providing 60% Certified Minority Business Enterprise material supply vendor participation in this project.

CONTRACT NO. AND TITLE

Project No. AH-000-110-001;
Replace Breaker Panels

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Union Electric Co., Inc.,
Baltimore MD

AMOUNT

\$65,304.00

TERM

90 Calendar Days

MBE PARTICIPATION

60%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 5-GM

FUND SOURCE

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS**ITEM** 6-GM**REFERENCE**

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$81,336.00 (3 items).

The two fund sources for any particular item will be designated as either:
MCCBL 2009/Item 18 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public facilities on State-Owned property) or
MCCBL 2010/Item 016 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)

Department of Natural Resources

A. Seneca Creek State Park
Gaithersburg, MD (Montgomery County)

DESCRIPTION

Approval for a contract to upgrade the shop and cold storage building at Seneca Creek State Park.

REMARKS

This project is to remove & replace existing light fixtures in the Shop & Cold Storage Building. Provide dedicated circuit for Wildlife Office from breaker panel. Touch up ceiling paint. Dispose of debris.

CONTRACT NO. & TITLE

Project No. P-019-110-010;
Electric Upgrade Shop & Cold
Storage Building

PROCUREMENT METHOD

Small Procurement

AWARD

Intellect Corp.
Baltimore, MD

AMOUNT

\$25,605.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

FUND SOURCE

MCCBL FY2010 Item 016

B. Deal Island Oyster Hatchery
Deal Island, MD (Somerset County)

DESCRIPTION

This project is to remove existing and install new septic tanks. Pump & remove existing tank, excavate and install new 1350 gallon septic tank with OSDS reduction unit. Install and connect required electric wiring, connect and install lines as needed. Test system for proper operation. Restore site to pre-construction condition, dispose of excess material and debris.

REMARKS

CONTRACT NO. & TITLE

Project No. P-000-115-910;
Septic Tank Replacement

PROCUREMENT METHOD

Small Procurement

AWARD

Doug Vann Excavating, Inc.
Princess Anne, MD

AMOUNT

\$10,981.00

FUND SOURCE

MCCBL FY2010 Item 016

C. Fair Hill NRMA
Cecil County, MD

DESCRIPTION

The Contractor shall provide all labor, equipment, materials, supplies, supervision, insurance, etc., necessary to complete electrical connection and improvement of existing and future power users at different locations in Fair Hill NRMA.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 7-LL

DEPARTMENT OF NATURAL RESOURCES

(Land and Property Management-Charles County)

Tenant Qwest Communications Company, LLC.
 700 West Mineral Ave.
 Utah H2617
 Littleton, CO 10201

Property Location Chapel Point State Park
 Pisces Lane
 Port Tobacco, MD 20677

<u>Space Type</u>	Land	<u>Type</u>	New	<u>Square Feet</u>	12,320
<u>Duration</u>	20 years	<u>Effective</u>	11/15/11		
<u>Annual Rent</u>	\$3,711.00 (4% annual increase)				

Utilities Responsibility Tenant
Custodial Responsibility Tenant
Previous Board Action(s) N/A

Special Conditions

1. The Tenant will occupy and use the Premise only to place, install, reinstall, repair, replace, maintain, upgrade, and operate one (1) conduit for a forty eight (48) count fiber optic line that will service and benefit federal military facilities in Charles County.
2. The Tenant is responsible for all cost of the operation, maintenance and improvements.
3. The Tenant shall maintain at its expense, throughout the Term, insurance against loss or liability of not less than a minimum coverage of One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) annual aggregate, and shall contain broad form CGL Endorsement or its equivalent.
4. The Tenant shall indemnify and hold harmless the State of Maryland and Maryland Department of Natural Resources (DNR) against any and all liability or claim of liability (including reasonable attorney’s fees), arising out of tenant’s use and occupancy, conduct operation or management of the premises during the Term.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 7-LL (Cont.)

- 5. This Lease may be terminated with minimum thirty (30) days notice by DNR whenever DNR determines that such termination shall be in the best interest of the State. Qwest may terminate this Lease at any time with minimum thirty (30) days notice to DNR whenever Qwest determines such termination shall be in the best interest of Qwest.

Remarks

The Clearinghouse conducted an intergovernmental review of the project under MD200907211088 and had recommended to change the use, and license +/- 12,320 square feet of public parkland at the Chapel Point State Park to the U.S. Department of Defense. The U.S. Department of Defense plans to bury fiber-optic cable for communications use.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 8-LT

DEPARTMENT OF ASSESSMENTS AND TAXATION
(Carroll County)

Landlord Mayor and City Council, City of Westminster City Hall
P.O. Box 010
Westminster, MD 21157

Property Location Longwell Municipal Parking Lot
Westminster, MD 21157

Space Type Surface Parking Lease Type New Number of Spaces 10
Duration 2 Years Effective 11/10/2011
Annual Rent \$2,400.00 Rate Per Space Per Month \$20.00

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) 6/19/1996 - Item 42-L; 2/8/1989 - 10-L
Fund Source 100% General E50 C00.02 PCA 25101 OBJ. 07 075

- Remarks
1. These spaces have been used by employees of the Maryland Department of Assessments and Taxation under a month-to-month lease agreement since 1988. A new lease agreement has been negotiated for two (2) years with an option to renew for an additional two (2) year term.
 2. The rental rate will remain at \$20 per space per month through the 2 year lease term.
 3. The lease contains a termination for convenience clause.
 4. 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

TENANT LEASE**ITEM** 9-LT-MOD**MARYLAND DEPARTMENT OF JUVENILE SERVICES****Landlord**

Pleasant Hill Partnership, LLP.
100 Painters Mill Rd.
Owings Mills, MD 21117

Property Location

10999 Red Run Boulevard, Suite 115
Owings Mills, MD 21117

<u>Space Type</u>	Office	<u>Lease Type</u>	Extension	<u>Square Feet</u>	1,780
<u>Duration</u>	1 Year	<u>Effective</u>	12/1/2011		
<u>Annual Rent</u>	\$32,040.00	<u>Square Foot Rate</u>	\$18.00		
		<u>Prev. Sq. Ft. Rate</u>	\$18.00		
		<u>Eff. Sq. Ft. Rate</u>	\$20.00		

Utilities Responsibility

Lessee

Custodial Responsibility

Lessor

Previous Board Action(s)

11/16/2005 - 9-L, 11/3/2010 – 9-LT-MOD

Fund Source

V00H0102 40.10.01 General Funds 100%

Special Conditions

The Agency is programmed to occupy space within the Catonsville District Court complex currently scheduled to commence in approximately six (6) years. This extension will provide the Agency additional time to negotiate a five (5) year lease term until its eventual occupancy in the District Court complex.

Remarks

1. This space is an administrative and client contact office providing counseling and other services to adjudicated and pre-adjudicated youth.
2. Through negotiations the Department of General Services was able to extend the existing term at the same rate which provides the Agency the ability to proceed with negotiations for a longer term extension.
3. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 9-LT-MOD (Cont.)

- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 10-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:

Board of Directors of the HART for Animals, Inc. (Garrett County)
HART Animal Adoption Center

“For the planning, design, renovation, construction, and capital equipping of the HART Animal Adoption Center, located in McHenry.”

\$125,000.00

Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G058, (SL-008-110-038)

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, 2013. The Board of Directors of the HART for Animals, Inc. has submitted documentation that it has \$125,096.41 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$999,439.00
11-G058 (This Action)	\$125,000.00
Local Cost	\$874,439.00

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, as applicable, and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 11-CGL

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

Board of Trustees of Hood College (Frederick County)

Hood College

“To assist in the replacement of the heating plant equipment and associated infrastructure that serves spaces used for and in support of the academic program on the Hood College campus, located in Frederick County.”

\$2,000,000.00

Maryland Consolidated Capital Bond Loan of 2010 (MICUA - Chapter 483, Acts of 2010) DGS Item G009, (SL-046-100-038)

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 June 1, 2012. The Board of Trustees of Hood College has submitted evidence in the form of canceled checks and invoices that it has \$6,517,201.17 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Trustees of Hood College \$2,000,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$8,800,000.00
10-G009 (This Action)	\$2,000,000.00
Local Cost	\$6,800,000.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 11-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 12-CGL

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

*Board of Directors of Hospice of Charles County, Inc. (Charles County)
Hospice House*

“For the acquisition, planning, design, construction, and capital equipping of a residential hospice home, located in Waldorf.”

\$45,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (LSI - Chapter 483, Acts of 2010)
DGS Item G043, (SL-052-080-038)*

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, 2012. The Board of Directors of Hospice of Charles County, Inc. has submitted evidence in the form of invoices and canceled checks that it has \$179,419.88 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Directors of Hospice of Charles County, Inc. \$45,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$2,200,001.00
10-G043 (This Action)	\$ 45,000.00
10-G122 (Prior Action)	\$ 150,000.00
09-G059 (Prior Action)	\$ 105,000.00
09-G110 (Prior Action)	\$ 145,000.00
08-G060 (Prior Action)	\$ 100,000.00
Local Cost	\$1,655,001.00

(Prior Actions: 8/10/2011 Agenda, Item 23-CGL, 1/5/2011 Agenda, Item 10-CGL and 4/7/2010 Agenda, Item 11-CGL)

REMARKS

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 12-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL

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

***Board of Directors of the Jewish Community Center of Greater Washington, Inc.
(Montgomery County)***

Jewish Community Center of Greater Washington Theatre Renovation

*"For the design, construction, renovation, and capital equipping of the Jewish
Community Center of Greater Washington Theatre, located in Rockville."*

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G132*

\$115,000.00

*Maryland Consolidated Capital Bond Loan of 2011 (LSI - Chapter 396, Acts of 2011)
DGS Item G066, (SL-009-110-038)*

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, 2013. The Board of Directors of the Jewish Community Center of Greater Washington, Inc. has submitted documentation that it has \$612,301.04 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$430,000.00
11-G132 (This Action)	\$100,000.00
11-G066 (This Action)	\$115,000.00
Local Cost	\$215,000.00

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL

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

Board of Trustees of the Johns Hopkins Health System (Baltimore City)

Johns Hopkins Medicine – Cardiovascular and Critical Care Tower

“To prepare detailed plans, construct and equip the Cardiovascular and Critical Care Tower on the Johns Hopkins East Baltimore Campus.”

\$5,500,000.00

Maryland Consolidated Capital Bond Loan of 2011 (Chapter 396, Acts of 2011)

DGS Item G004, (SL-030-050-038)

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, 2013. The Board of Trustees of the Johns Hopkins Health System has submitted documentation that it has \$174,580,239.05 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$1,070,876,292.00
11-G004 (This Action)	\$ 5,500,000.00 - Match
10-G004 (Prior Action)	\$ 2,500,000.00 – Match
10-G005 (Prior Action)	\$ 5,000,000.00 – Match
09-G007 (Prior Action)	\$ 7,000,000.00 - Match
09-G008 (Prior Action)	\$ 10,000,000.00 - Match
08-G003 (Prior Action)	\$ 5,000,000.00 - Match
08-G004 (Prior Action)	\$ 10,000,000.00 - Match
07-G005 (Prior Action)	\$ 5,000,000.00 - Match
07-G004 (Prior Action)	\$ 7,500,000.00 - Match
06-G003 (Prior Action)	\$ 12,500,000.00 - Match
06-G004 (Prior Action)	\$ 15,000,000.00 - Match
06-024 (Prior Action)	\$ 5,000,000.00 - Non-Match
05-G075 (Prior Action)	\$ 5,000,000.00 - Match
05-G074 (Prior Action)	\$ 5,000,000.00 - Match
Local Cost	\$ 970,876,292.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL (Cont.)

(Prior Actions: 11/3/2010 Agenda, Item 14-CGL; 1/6/2010 Agenda, Item 11-CGL; 5/20/2009 Agenda, Item 16-CGL; 4/2/2008, Item 23-CGL; 12/12/2007 Agenda, Item 16-CGL and 10/18/2006 Agenda, Item 18-CGL)

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-CGL

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

Board of Directors of the Mercy Medical Center (Baltimore City)
Mercy Medical Center – Maternal and Children’s Health Facility
“To assist with the construction, expansion, and relocation of the Maternal and Children’s Health Facility, located in Baltimore City.”
\$2,700,000.00
Maryland Consolidated Capital Bond Loan of 2011 (Chapter 396, Acts of 2011)
DGS Item G021, (SL-010-110-038)

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, 2013. The Board of Directors of the Mercy Medical Center has submitted documentation that it has \$19,526,213.99 in a financial institution to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$16,033,920.00
	11-G021 (This Action)	\$ 2,700,000.00
	Local Cost	\$13,333,920.00

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 16-CGL (2nd Revision)

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:

Board of Directors of Parks and People - The Foundation of Baltimore Recreation and Parks, Inc. (Baltimore City)
Parks and People Headquarters at Auchentoroly Terrace
“For the construction, reconstruction, and renovation of the Parks and People Headquarters at Auchentoroly Terrace, located in Baltimore City.”
\$50,000.00
Maryland Consolidated Capital Bond Loan of 2011 (LHI - Chapter 396, Acts of 2011)
DGS Item G114, (SL-005-080-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2013 and the Board of Public Works to certify a matching fund. The Board of Directors of Parks and People - The Foundation of Baltimore Recreation and Parks, Inc. has submitted documentation that it has \$50,000 in a financial institution to meet the matching fund requirement for this project

<u>BACKGROUND</u>	Total Project	\$11,338,550.00
	11-G114 (This Action)	\$ 50,000.00
	09-G099 (Prior Action)	\$ 50,000.00
	08-G042 (Prior Action)	\$ 100,000.00
	Local Cost	<u>\$11,188,550.00</u>

(Prior Action: 12/17/2008 Agenda, Item 17-CGL; 10/7/2009 Agenda, Item 28-CGL)

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 16-CGL (Cont.) (2nd Revision)

(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.

(4) The 2009 bond bill authorization was presented for termination on the October 5, 2011 Secretary's Agenda, Item 6.M. as per the two (2) year requirement that funds be spent or encumbered.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Housing Opportunities Commission of
Montgomery County, Maryland
10400 Detrick Ave.
Kensington, MD 20895

PROJECT NO. AND TITLE

DDA-CB-26702-02;
Acquisition of: 2408 Falling Creek Rd.
Sliver Spring, MD 20904

DESCRIPTION

Approval is requested for a State grant of \$300,675.00 to assist Housing Opportunities Commission of Montgomery County (HOC), a nonprofit organization, in the cost of acquiring a three-bedroom home with 1,700 square feet of space at 2408 Falling Creek Rd., Sliver Spring, MD 20904. The contract price is \$400,000.00, and the home will provide housing for three individuals with developmental disabilities. Two appraisals were obtained for the property; both have been reviewed by the Department of General Services. The appraisals are as follows:

Frank Petroff	\$450,000.00
Laura G. Lamb	\$445,000.00
Bill Beach	\$400,000.00

Based on these appraisals, the Department of General Services approved the fair market value of the real estate at \$400,000.00. Housing Opportunities Commission of Montgomery County has a contract of sale to purchase this property for \$400,000.00.

Eligible project costs are \$400,900.00. This includes \$400,000.00 for acquisition and \$900.00 for appraisals. These costs will be funded as follows:

AMOUNT

\$400,900.00*

FUND SOURCES

\$100,225.00 (25%) Applicant's Share
(Montgomery County Appropriation)
\$300,675.00 (75%) State's Share (MCCBL
2009, Community Health Facilities Fund)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL (Cont.)

REMARKS

*The State is participating in the acquisition cost of \$400,000.00, as well as the cost of the appraisals (\$900.00). State participation is limited to the lesser of the value approved by the Department of General Services, based upon the appraisals or the actual acquisition cost.

The Housing Opportunities Commission of Montgomery County owns, manages, and administers approximately 13,206 housing units in the county. The Housing Opportunities Commission is partnering with Jubilee Association of Maryland, Inc. which is an experienced community residential service provider for individuals with developmental disabilities, to provide residential services to three individuals.

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION

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

Anne Arundel Community College

Administration Building Renovation/Addition– Design Allocation

Design for the renovation of the existing 15,616 GSF Administration Building and a 3,529 GSF addition. The project will replace HVAC, electrical, plumbing and life safety systems and will address deficiencies in office space, support spaces, meeting rooms, food service and storage capacity.

\$226,000.00

Maryland Consolidated Capital Bond Loan of 2004, Item025 - \$ 12.61

Maryland Consolidated Capital Bond Loan of 2006, Item020 - \$225,987.39

CC-11-MC04/06-419

MATCHING FUND Anne Arundel Community College – Cost sharing is 47.6% State share, 52.4% local share and is in accordance with Section 11-105(j) of the Education Article.

<u>BACKGROUND</u>	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$474,624.00	\$226,000.00	\$248,624.00
This Action	\$474,624.00	\$226,000.00	\$248,624.00

REMARKS

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 6/2/1992 and approved by BPW 6/17/1992.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Anne Arundel Community College and signed by local authorities.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of November 2, 2011 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheila C. McDonald". The signature is written in a cursive, flowing style with a large initial "S" and "M".

Sheila C. McDonald, Esq.
Executive Secretary

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

November 2, 2011

10:00 a.m.

November 2, 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;

DARRELL MOBLEY, Deputy Secretary,
Department of Transportation;

EMILY WILSON, Deputy Director, 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.

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C O N T E N T S

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November 2, 2011

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P R O C E E D I N G S

GOVERNOR O'MALLEY: All right, good morning everybody. Welcome to the Board of Public Works. Today is November 2nd, All Souls Day, 2011. It's good to see all you souls here. We'd like to ask the Comptroller and the Treasurer if they have any opening thoughts, comments?

COMPTROLLER FRANCHOT: Just thank you, Governor. I just wanted to note for the record that 90 years ago today was the birth date of Governor William Donald Schaefer.

SECRETARY MCDONALD: All Souls Day.

COMPTROLLER FRANCHOT: And Maryland has not been the same since. Obviously the Governor left a tremendous legacy of public service, both as a elected official and as an advocate encouraging others to get involved and to give back to the community. And I salute Governor Schaefer all over the State. And the fact that today is the 90th, would have been his 90th birthday, I think it's appropriate that that legacy of his is being honored today in Baltimore. It's the Inaugural Day of Service in Baltimore. And I hope that

this annual event will continue to grow throughout the City and the State in years to come.

I'm going to be joining my senior management team at the Maryland Food Bank later on today. And I know many Comptroller employees will be participating in numerous Service Day events as well. I just want to encourage everyone to think of other ways that you can connect and help build a stronger community.

Obviously Maryland State employees work hard every day to provide good quality services to their neighbors, but as Governor Schaefer would always say in his inimitable style, there's always more that we can do. And his lifetime of service and dedication to helping people is how I always will remember him. And I think that's the memory that most Marylanders have of him. And it's why he touched so many lives.

I hope everyone will take some time in the coming days and throughout this holiday season to volunteer for a cause that they believe in. There are plenty of events going on today throughout Baltimore but if you can't do something please find a little bit of time in the coming weeks. It's a perfect way to pay

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tribute to Governor Schaefer's belief that each of us in our own way can help make our State a better place to live. Thank you, Governor.

GOVERNOR O'MALLEY: Thank you, Mr. Comptroller.

TREASURER KOPP: Well spoken.

GOVERNOR O'MALLEY: Madam Treasurer?

TREASURER KOPP: He's keeping an eye --

COMPTROLLER FRANCHOT: Yes, I've noticed that. It's very friendly.

GOVERNOR O'MALLEY: All right. Let's go call the Secretary's Agenda?

SECRETARY MCDONALD: Yes. Good morning, Governor, Madam Treasurer, Mr. Comptroller. There are thirteen items on the Secretary's Agenda. Two reports of emergency procurements. We're prepared for your questions. We do have a matter, Item 12 is about the Maryland Historical Trust African American Heritage Preservation Program Grant to the Sphinx Club Project being performed by Druid Heights Community Development Corporation. Is Ms. Raines here, and the guest? Mr. Johnson?

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GOVERNOR O'MALLEY: Mr. Johnson?

SECRETARY MCDONALD: Yes.

MR. JOHNSON: Yes, good morning.

GOVERNOR O'MALLEY: Good morning. This is exciting. Tell us about it.

MR. JOHNSON: Good morning, yes --

SECRETARY MCDONALD: Could you both introduce yourselves for the record, and then talk about the project a little bit?

MR. JOHNSON: Sure. My name is Roscoe Johnson, III. I'm the Director of Real Estate Development for Druid Heights Community Development Corporation located in West Baltimore, the 44th Legislative District. I'm pleased to be here this morning to say thank you for the support that the State is lending to a project that's very important to the community and the residents of Druid Heights.

Druid Heights is a nonprofit community development corporation. We represent the residents of the Druid Heights community. And over, some time ago the community came together and put together a plan on both what they would want to see in terms of

residential development as well as commercial development in the area. Druid Heights recently took over sponsorship for the Main Street Program on Pennsylvania Avenue and this is part and parcel of what we're trying to do to recreate, to create some jobs and to do revitalization of the community.

Just to be brief, the project is an \$8.4 million project. We have the support of private financing from State Farm Insurance Company. I noted in the remarks that you have before you, the restaurant and the building, the Sphinx Club will be converted into a family restaurant. We'll also have a venue for entertainment that is planned to be used as a way of engaging the young people in the community, providing them an outlet for both cultural and social activities.

Also included in the project is, for new construction, is a building that would house BALL, Black Athletes and Lost Legends, as well as provide space to house some incubator businesses.

This particular 2100 Block of Pennsylvania Avenue is part of a broad plan that we're trying to do to work to create jobs and to provide an environment

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which most people experience in their local neighborhoods. So it will be a place for people to come to enjoy, bring their families, and also as an educational and social venue. Okay?

And as you can see we sort of have a rendering of what it's going to look like once we get finished and also the existing conditions.

GOVERNOR O'MALLEY: So Mr. Johnson, how big is that corner building? I mean that's a, that's, that can fit?

MR. JOHNSON: Yes. Yes. It looks large there but it's going to be three stories.

GOVERNOR O'MALLEY: Mm-hmm.

MR. JOHNSON: Basically the total footage for the project, we're taking 12,000 square feet and creating about 14,000 square feet of usable space. So with the addition, there was a three-story building there. We're not creating anything different in terms of sites and so forth --

GOVERNOR O'MALLEY: Has that been cleared?

MR. JOHNSON: Yes --

GOVERNOR O'MALLEY: Is it a vacant lot now?

MR. JOHNSON: Yeah, the building fell down.

GOVERNOR O'MALLEY: Good.

MR. JOHNSON: So we've, that's all been cleared out of the way. Any other questions about the project?

GOVERNOR O'MALLEY: Sometimes they'll do that for you. Usually we had to do it ourselves. Now which, remind me, which building was actually the Sphinx Club? Wasn't it the one on the left? Yeah. Right.

MR. JOHNSON: Right. Exactly.

GOVERNOR O'MALLEY: Or correct, rather. That was the Sphinx Club.

MR. JOHNSON: Yes.

GOVERNOR O'MALLEY: Do you have any old pictures?

MR. JOHNSON: Yes, we do. We have, as well as, we've been over at Druid High School working on this for a while.

GOVERNOR O'MALLEY: Around the dinner table, there?

MR. JOHNSON: We have a video tape of the previous owner and things like that that we'll be able to use within the complex --

GOVERNOR O'MALLEY: And all the famous entertainers and sports figures that came through there?

MR. JOHNSON: And we have the history documented for the use of the building. For those who don't know, during the time when Maryland, segregation was the law of the land, this was a place where African Americans came. A lot of our noted leaders and politicians used to come and socialize at this particular place and to strategize on how they were going to help bring change to Maryland.

TREASURER KOPP: So what is, what is the BALL House Museum part --

MR. JOHNSON: BALL is an organization of, it's called, it's Black Athletes and Lost Legends.

TREASURER KOPP: Right.

MR. JOHNSON: And right now BALL is an organization that is primarily focused on Negro baseball, the Negro League. And they have a mobile

exhibit that goes around to schools, stadiums, and I think obviously they've been here in Annapolis. Now we're finding a home and they're going to expand it to target other sports legends in terms of African Americans, whether it's football, boxing, and things of that nature.

TREASURER KOPP: But we were talking at one point of having a Negro League Museum. What was, is that --

MR. JOHNSON: That is, I understand that is in the works in Baltimore County.

TREASURER KOPP: Oh, okay.

MR. JOHNSON: That is something that is happening.

TREASURER KOPP: Okay, this is --

MR. JOHNSON: So this is a little broader than just one particular sports subject.

TREASURER KOPP: Okay.

MR. JOHNSON: Okay?

TREASURER KOPP: I look forward to both.

MR. JOHNSON: Okay. Any questions? Well, thank you once again. Thank you for your support. And I hate to say, we will be back.

(Laughter)

MR. JOHNSON: Have a good day.

GOVERNOR O'MALLEY: Thank you, Mr. Johnson. That's a good one.

TREASURER KOPP: Yeah.

GOVERNOR O'MALLEY: And what are we putting towards that today? What is the --

TREASURER KOPP: Hundred thousand.

GOVERNOR O'MALLEY: Hundred thousand.

MR. JOHNSON: Hundred thousand.

GOVERNOR O'MALLEY: For the planning, and, okay. Great. Anything else on 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: And the ayes have it.

And we now move on to --

TREASURER KOPP: Before she leaves --

GOVERNOR O'MALLEY: I'm sorry?

TREASURER KOPP: -- Governor, could I just point out? Sneaking out the door is the Director of Debt Management for the State of Maryland who just completed another really good deal on behalf of the people of the State. The Energy Lease deal. And I just want to thank her publicly for being here, and for her hard work. You mentioned the hardworking State employees. Patti Konrad is an outstanding example of Maryland's talented, hardworking, and dedicated employees. And I --

GOVERNOR O'MALLEY: To the people who help us defend that AAA bond rating.

TREASURER KOPP: That is --

GOVERNOR O'MALLEY: One of only eight in the nation, thanks to our fiscally responsible choices.

TREASURER KOPP: Patti's the one.

COMPTROLLER FRANCHOT: Congratulations.

TREASURER KOPP: Thank you.

GOVERNOR O'MALLEY: Thank you, Patti.

MS. KONRAD: It has really been quite a great partnership that we have with DGS and the energy contracting people in DGS. And in this particular financing we'll save compared to the utility savings and the debt service on them, this lease is about \$13 million over 13 years.

GOVERNOR O'MALLEY: These are part of the ESCOs?

MS. KONRAD: -- really significant effort.

TREASURER KOPP: Mm-hmm.

GOVERNOR O'MALLEY: That's great.

MS. KONRAD: All right. Thank you very much.

TREASURER KOPP: Thank you.

GOVERNOR O'MALLEY: So far since benchmark 2006?

MR. COLLINS: Yes, sir.

GOVERNOR O'MALLEY: We have reduced energy consumption in State buildings by roughly 7 percent.

MR. COLLINS: Seven percent, yes sir.

GOVERNOR O'MALLEY: On our way to achieving a 15 percent reduction --

MR. COLLINS: That's correct, sir.

GOVERNOR O'MALLEY: -- by 2015. All right.

Well now we move on to --

TREASURER KOPP: As we say, halfway home and a long way to go.

MR. COLLINS: That's true.

GOVERNOR O'MALLEY: Yeah. In some other areas we're not making as much progress. But we now move on to the Department of Budget and Management.

MS. FOSTER: Governor, Madam Treasurer, Mr. Comptroller, good morning. There are five items on the Department of Budget and Management's Agenda for today. And I'll be happy to answer any questions you may have.

GOVERNOR O'MALLEY: Questions? 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. We move on now to the --

SECRETARY MCDONALD: University System.

GOVERNOR O'MALLEY: -- University System of Maryland. No Open Space, or any of that? No?

SECRETARY MCDONALD: No, not today. No Open Space Agenda.

GOVERNOR O'MALLEY: No Open Space?

SECRETARY MCDONALD: They will have it coming back next time. There's a transition period, remember Ms. Lathbury left? Ms. Emily Wilson is sitting in but there are no items.

GOVERNOR O'MALLEY: Hello Emily.

MS. WILSON: Hi.

SECRETARY MCDONALD: They will come back at the next meeting with a full Agenda.

MS. WILSON: Indeed.

MR. STIRLING: Good morning, Governor, Mr. Comptroller, Madam Treasurer. I'm Jim Stirling for the University System. We have four items on today's Agenda and I'll be happy to address any questions you have.

GOVERNOR O'MALLEY: Mr. Comptroller?

COMPTROLLER FRANCHOT: No, I just on Item, is it one? Frostburg State University I, speaking of

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recognizing great State employees, Mr. Klasmeier reminded me that years ago when Blair Lee was the Acting Governor there was emergency federal funding to help Frostburg stay afloat out there because it's built on all these old coal mines.

MR. STIRLING: Right.

COMPTROLLER FRANCHOT: And he asked the System to make sure that the construction company was looking at that and everything --

MR. STIRLING: We are.

COMPTROLLER FRANCHOT: -- came back saying that of course, there isn't a square inch out there that isn't, doesn't have a coal mine underneath it but that everybody was taking precautions. So --

MR. STIRLING: Yes, sir. I understand there are a couple of mine shafts underneath this particular site at 80 feet and another one at a couple of hundred feet. But geotechnical engineers evaluated that and if there's any remediation required we'll take care of it.

COMPTROLLER FRANCHOT: I can't remember what I did yesterday, so Mr. Klasmeier remembering something that happened, what, before --

MR. KLASMEIER: 1977.

COMPTROLLER FRANCHOT: 1977, it's just always good for the Board to have continuity and thank you for that.

TREASURER KOPP: Mr. Klasmeier will remember, I think, perhaps that I was chairing a subcommittee at that time. And indeed things did start to go in, and indeed they did have to rush in and shore up some of those old mines. And indeed at that time the plats were not always correct. But they've since gone back and --

MR. STIRLING: It's all been surveyed.

TREASURER KOPP: I'd hate to see the kids sliding down into --

(Laughter)

COMPTROLLER FRANCHOT: Thank you, Madam Treasurer. Someone else has a good memory.

TREASURER KOPP: It was really something. It's the sort of thing if you were there then you remember it.

COMPTROLLER FRANCHOT: Well, thank you. Thanks for getting back to us on that.

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MR. STIRLING: Yes, sir.

COMPTROLLER FRANCHOT: And I move approval on this.

GOVERNOR O'MALLEY: Okay. Madam Treasurer, is there anything more on this?

TREASURER KOPP: No.

GOVERNOR O'MALLEY: All righty. 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. We move on now to the Department of Transportation.

SECRETARY MCDONALD: Information Technology?

GOVERNOR O'MALLEY: I'm sorry. Oh, how could I forget. I apologize.

SECRETARY MCDONALD: Secretary Schlanger.

GOVERNOR O'MALLEY: I was seeing DoIT, but I was reading MDOT.

MR. SCHLANGER: Good morning, Governor --

GOVERNOR O'MALLEY: Mr. Schlanger, good to see you.

MR. SCHLANGER: -- Madam Treasurer, Mr. Comptroller. Elliot Schlanger, Department of Information Technology. This morning we have five items on the Agenda. I'd be happy to answer any questions at this time.

GOVERNOR O'MALLEY: 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.

MR. SCHLANGER: Thank you.

GOVERNOR O'MALLEY: Now we move on to the Department of Transportation.

MR. MOBLEY: Good morning, Governor, Madam Treasurer, Mr. Comptroller, for the record Deputy Secretary Darrell Mobley representing MDOT. Today is Transit Day. Ralign Wells, the Administrator for MTA, is here to speak about two good news items. MDOT is

representing seven items today. Item 5-E has been revised.

MR. WELLS: Good morning, good morning. For the record, my name is Ralign Wells. I am the Administrator for the Maryland Transit Administration. And I appreciate the opportunity to talk to you today about a couple of items that we have on the Agenda.

GOVERNOR O'MALLEY: It's great to see you absent a snow emergency --

MR. WELLS: Yes and --

GOVERNOR O'MALLEY: -- a hurricane, or other things.

MR. WELLS: -- other things, yes. Exactly. So this is a great day. So I'm really happy to be here.

(Laughter)

MR. WELLS: At least right now.

(Laughter)

MR. WELLS: All right. I'm here to talk about two things today. The MARC rail car procurement that we are planning and the new commuter bus service that we are planning, we're calling the 906. And that

commuter bus service provides express trips from the Waldorf area to the Downtown D.C. area. And it helps alleviate the overcrowding conditions we have on the 901 lines. Here with us in support of that is Candice Kelly. She's the President of the Charles County Board of Commissioners and she's here to basically support that service.

The other thing that I wanted to talk about is the Metro, the MARC rail car procurement. Now the MARC, as you know, has been growing exponentially. Back in 1990 we were operating with about 13 patrons per day using the service. Today we're at about 33,000 patrons per day. And so we struggle to keep pace with the growth and the demand for that service. That is a good problem for transit, as you can imagine, because we have to figure out how to address those demands. And one of the things that will help us is if we can procure these 54 rail cars.

This purchase will help us with both our reliability for the cars, but as well it will increase capacity. This is a rendering of the way the cars will look. And as you can see these cars, I don't know if

you notice the difference, but these cars will have four doors to also help the patrons be able to get off the train and get on the train more quickly. And it has some other upgrades to the train. So I was going to say this nice sleek new car, but it's, you might not notice the difference. But it is some differences there that adds to improvement --

GOVERNOR O'MALLEY: So these are not the engines? These are the cars themselves?

MR. WELLS: These are the cars that just free roll, basically, yes. And basically what that's going to do is also add capacity to our system. Because once we begin to receive those cars in 2013 we will retire about 38 of them. So we will actually net a 16 car increase to our fleet, or 3,000 seats per trip which goes towards our goal of being able to accommodate our patrons and demands.

TREASURER KOPP: How many are you retiring?
I'm sorry.

MR. WELLS: We're going to retire about 38, 38 of them. And so that's going to help us, that will net an increase of 16 for about 3,000 seats. Because

each car has about a capacity of up to 142 seats. They are bilevel cars. The old single levels had about 110 seats on them. So this gives us an increase.

We were actually fortunate that we were able to piggyback off of New Jersey Transit's options. They weren't able to use, or didn't need to use, their options that they had. So we are actually piggybacking off of that procurement. And we're doing that with Bombardier.

GOVERNOR O'MALLEY: Because New Jersey couldn't follow through on --

MR. WELLS: They couldn't use them. Yeah, for whatever reason they didn't need them. So they had options --

GOVERNOR O'MALLEY: Well they probably needed them.

MR. WELLS: Well, yeah, they'll need them sooner or later. Because as a matter of fact if they continue to grow the way that we are growing we're going to need to add about four cars, we should be adding four cars per year to get to --

GOVERNOR O'MALLEY: Great. So they ordered them and they couldn't pay for them, and then we --

MR. WELLS: Well they assigned so many options with the expectation that they would need those options and they said they don't. We have a good relationship with all the other transit agencies in the industry. We were able to take advantage of this opportunity because it helps us --

GOVERNOR O'MALLEY: MARC riders will be so relieved --

MR. WELLS: Oh, they will be thrilled, yeah.

GOVERNOR O'MALLEY: I mean, it's such a heavily used service.

MR. WELLS: It is, it is.

GOVERNOR O'MALLEY: And a real lifeline for smart growth.

MR. WELLS: Absolutely.

GOVERNOR O'MALLEY: And for allowing people who work in the Washington area to be able to live in Baltimore at half the expense --

MR. WELLS: Absolutely. It's a great service, so we want to accommodate our riders. So that's what that's for.

GOVERNOR O'MALLEY: Great. The Mayor will be happy.

MR. WELLS: She will, very much so.

GOVERNOR O'MALLEY: Make sure the City of Baltimore knows.

MR. WELLS: Absolutely.

TREASURER KOPP: So what, I'm sorry, you did say this and I didn't write it down, the net increase in seats?

MR. WELLS: Would be about 3,000 seats per trip. So that's just, that's 3,000 seats capacity. And then of course those cars cycle back and forth. So it's more than just 3,000.

TREASURER KOPP: Yeah.

MR. WELLS: It's just, it's multiplied times the trips. So that's all I wanted to talk about.

COMPTROLLER FRANCHOT: I don't know whether Commissioner Kelly signed up to speak, but I'd love to hear --

MR. WELLS: Yeah, would you like to say anything in support?

COMPTROLLER FRANCHOT: Come on up.

MR. WELLS: If it's in support.

(Laughter)

MR. WELLS: No, come on up.

MS. KELLY: I would just like to say that we're just so thrilled with this opportunity. This will give us 800 additional spaces for our commuters. And I have to say, we've had some complaints from many of our constituents in Charles County about not having enough service. So pleased with the responsiveness. This will be 800 new spaces that will be made available at our Regency Stadium. So it's really a win-win. And we hope that you will look favorably upon this. 62 percent of our citizens leave our county everyday to work somewhere else. And so their ability to get into the District and back in a reasonable period of time so impacts their quality of life. I mean, you can imagine what that must be like for mothers who leave so early, get home late, and still have all that to do. So we'd appreciate your support of this. And thank you again.

MR. WELLS: Thank you. That was in support?

MS. KELLY: Was that okay?

(Laughter)

GOVERNOR O'MALLEY: The MARC service in Charles County runs from where to where?

MR. WELLS: Usually, this will be in the Waldorf area.

GOVERNOR O'MALLEY: Mm-hmm.

MR. WELLS: So you're talking about the Blue Crab Stadium, that area, into downtown.

GOVERNOR O'MALLEY: Mm-hmm.

MR. WELLS: So out through Route 5. A lot of, we're seeing a lot of growth in that area.

GOVERNOR O'MALLEY: Sure.

MR. WELLS: I guess it's the housing, it's a lot less expensive than it used to be.

GOVERNOR O'MALLEY: Uh-huh.

MR. WELLS: And there's a lot of people --

TREASURER KOPP: Where does it go in the District? Where does it terminate?

MR. WELLS: It goes through downtown, all through downtown. It actually makes stops throughout

the downtown area. All the way up K Street, New York Avenue, and then back, it deadheads back in once it drops people off. It just does, it doesn't do reverse commutes. So it's one way trips in in the morning, and then one way trips out throughout downtown out to that area.

TREASURER KOPP: Great.

MR. WELLS: All right.

TREASURER KOPP: So if I look on your website will I be able to see where it stops in the District?

MR. WELLS: You would probably, yes, you should be able to see, pick up every stop. When you click on the commuter bus schedules --

TREASURER KOPP: Yeah.

MR. WELLS: -- you'll see the schedules. Okay. Thank you, yeah. It looks like this. It will look like this on the website. But it has 7th Street in Maryland, Pennsylvania Avenue, Pennsylvania Avenue and 12th Street, and it reverses the same way.

TREASURER KOPP: Great. Excellent, yeah. Good. Thanks.

MR. WELLS: Thank you.

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GOVERNOR O'MALLEY: Thank you. Any other questions, Department of Transportation Agenda? Mr. Comptroller?

COMPTROLLER FRANCHOT: I had just a comment on Item 6. I'd frankly just like to commend Secretary Swaim-Staley, Mr. Mobley, and your colleagues for this item. I'm very much in support of it. It, as you know, supports the Maryland and Delaware Railroad, which is a vital economic engine on the Eastern Shore. It provides rail connections for so many industries but it's particularly important to the Eastern Shore poultry industry.

I think the railroad company working with Worcester County Commissioners have been seeking about \$12 million in federal and State money through a TIGER III grant. And those are going to provide monies for necessary upgrades on the 26-mile freight line that goes from Frankford, Delaware to Snow Hill, Maryland. It's known, at least in my world, as the Snow Hill Line. It's going to accommodate bigger rail cars that can carry more feed in for poultry and it's apparently essential to the profitability of Tyson Food which is,

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I think employs about 2,500 people on the Shore at one plant alone.

So I'm really pleased to see all of you rally and put some skin in the game, I guess, by putting the million dollars in. In your world it's probably not that big an amount, large an amount of money, but it's a crucial ingredient. And I, you know, really appreciate that value that you give to, you know, this sector over there. And it provides, obviously, the poultry industry provides good paying jobs and the business community really depends on it. And we all have our own opinions of what is good investment, but this is a good investment.

And please keep us informed if you would about what, how this proceeds. Because I know the federal request is crucial. And please tell the Secretary that I applaud her judgment and I think that the money will come back to the State a thousand times over.

MR. MOBLEY: I certainly will. Thank you very much, Mr. Comptroller. Thank you.

COMPTROLLER FRANCHOT: It's good work.

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MR. MOBLEY: Thank you.

COMPTROLLER FRANCHOT: Thank you.

GOVERNOR O'MALLEY: Thank you. All right, the Treasurer moves approval of the --

COMPTROLLER FRANCHOT: Yeah, no, I had --

GOVERNOR O'MALLEY: I'm sorry, we've got one more issue.

COMPTROLLER FRANCHOT: No, it's a sidebar issue, really. But it's, I'd like to get updated, Mr. Mobley, if I could, by you folks on an issue that concerns the Queen Anne's County and that I've read about quite a bit. It's the intersection of US Route 301 and Route 304. And it's become apparently somewhat of a toxic mix where if I'm not mistaken there have been five fatalities over the last foreseeable past, and one that recently really shook the community. And it's I guess that unfortunate intersection, a big truck highway with school buses and the commuting public.

I know you're well aware of the acute need for solutions at the intersection and I know you've taken some steps for a, not to get technical but a J turn --

MR. MOBLEY: Yes.

COMPTROLLER FRANCHOT: -- as an interim measure.

MR. MOBLEY: Mm-hmm.

COMPTROLLER FRANCHOT: But could you help me understand how this fits into your context of other improvements that would protect the public safety of folks who are using these, using this intersection?

MR. MOBLEY: Absolutely. Yesterday the Secretary of Transportation attended a meeting with the community and the elected officials in Queen Anne's County for our Consolidated Transportation Tour. And she is committed to attending a follow up meeting with the community as well.

The J turn, the interim improvement, the contractor has added additional crews to try and complete the interim improvement, the J turn improvement, by at least December of this year, trying to eliminate the crossover portion there. The entire project should be completed by early Summer 2012.

COMPTROLLER FRANCHOT: In addition to that J turn improvement, which I applaud, are there any other

steps that can be taken? Are traffic lights appropriate on a truck route like that? Or what else can be done?

MR. MOBLEY: Well for the J turn what we've noticed on US 301, we've installed this at MD 313, MD 544, MD 300, MD 456, and MD 18. And our analysis shows that we've had an 80 decrease in crashes when installing a J turn. It eliminates --

COMPTROLLER FRANCHOT: Mm-hmm.

MR. MOBLEY: -- the conflict where you have vehicles trying to cross 301 over to the other side of 304. So the J turn is a safer movement which allows vehicles to cross safely by performing a U-turn and then entering onto the road that it's trying to cross at that --

COMPTROLLER FRANCHOT: Great. If you could get back to us with some of that data?

MR. MOBLEY: We certainly will.

COMPTROLLER FRANCHOT: Because some of the members of the community really want to have an overpass, which obviously is an expensive item. It may

be called for in this kind of public safety urgent situation that exists there.

MR. MOBLEY: Yes.

COMPTROLLER FRANCHOT: But that's a longer term solution. And I'd, if you have any data on the J turn from national stuff that would be great. And if there's any extra traffic lighting warning, even blinking, I know there are some blinking lights down there, but something that can be done in addition to what you're looking at right now. And if you can inform that Board, that would be great. And also if you could put in the cost for an overpass, which is a solution that a lot of the community is asking for.

MR. MOBLEY: Yes, sir, we will.

COMPTROLLER FRANCHOT: Thank you.

MR. MOBLEY: I will get that back to you.

COMPTROLLER FRANCHOT: Thank you.

MR. MOBLEY: Thank you.

COMPTROLLER FRANCHOT: Governor?

GOVERNOR O'MALLEY: Thank you, Mr.

Comptroller. Anyone else have anything on Department of Transportation Agenda items? The Treasurer moves

approval, 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.

Department of General Services, Al Collins?

MR. COLLINS: Yes, sir. Good morning, Governor, Madam Treasurer, Mr. Comptroller. The Department of General Services has 18 items on our Agenda. We are withdrawing Item 1. Item 16 has been revised. And we'll be glad to answer any questions on any of the items today.

TREASURER KOPP: I don't have a question, but I'm very glad to see 17, housing for developmentally disabled. I think it --

MR. COLLINS: Yes, ma'am.

TREASURER KOPP: -- it's part of a long term program in the county, in Montgomery County --

MR. COLLINS: Yes.

TREASURER KOPP: -- HOC and the nonprofit sector. And I think actually Ms. Rogan pointed out

earlier that they've done almost every time over the years with the cooperation of the neighborhood because of transparency and caring folk. And I just want to say how pleased I am to see this.

MR. COLLINS: Thank you. We're always very happy to carry these items for the Department of Health and Mental Hygiene.

TREASURER KOPP: Yeah.

MR. COLLINS: They do a great job --

TREASURER KOPP: Terrific.

MR. COLLINS: -- of making sure that they fit within the neighborhoods as they do.

GOVERNOR O'MALLEY: Okay. Any other questions? All right. We, the Comptroller moves approval of the DGS Agenda items, 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. And that concludes our Agenda for today. Thank you very much.

SECRETARY MCDONALD: Thank you, Governor.

GOVERNOR O'MALLEY: Thank you all.

(Whereupon, at 10:30 p.m., the meeting
was concluded.)

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