

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
December 7, 2011

BOARD OF PUBLIC WORKS

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DECEMBER 7, 2011

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, DECEMBER 7, 2011**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, December 7, 2011.

Board Members present:

The Honorable Anthony G. Brown, Lieutenant 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.

STATE OF MARYLAND
OFFICE OF THE GOVERNOR



MARTIN O'MALLEY
GOVERNOR

STATE HOUSE
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TTY USERS CALL VIA MD RELAY

December 5, 2011

The Honorable Anthony G. Brown
Lieutenant Governor of Maryland
State House
Annapolis, Maryland 21401

Dear Lt. Governor Brown:

I will not be in attendance for the December 7th meeting of the Board of Public Works (BPW), and hereby delegate to you, pursuant to Article II, Section 1A, of the Constitution of Maryland, the duty of attending that meeting in my stead. I specifically authorize you to preside over the December 7, 2011 meeting in my absence and to vote on all matters then presented to the BPW for its consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin O'Malley".

Governor

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
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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 29 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$376,400.

Agreement #	Recipient	County	Amount
AT-2012-2001	NEAL BROWN	Montgomery	4,200
AT-2012-2002	NEAL BROWN	Montgomery	2,000
AT-2012-2003	NEAL BROWN	Montgomery	5,700
AT-2012-2004	AMERIPACA, INC.	Anne Arundel	21,700
AT-2012-2008	DAVID B. EASON SR.	Kent	3,000
AT-2012-2081	CABIN CREEK FARM, LLC	Queen Anne's	16,400
AT-2012-2082	CABIN CREEK FARM, LLC	Queen Anne's	8,100
AT-2012-2090	PHILIP DRAPER	Washington	13,300
AT-2012-2095	BRAD PETERSON	Washington	11,600
AT-2012-2096	BRAD PETERSON	Washington	26,300
AT-2012-2097	NANCY C. CLUGSTON	Cecil	6,800
AT-2012-2098	NANCY C. CLUGSTON	Cecil	15,700
CH-2012-1993	MOORE BROTHERS, INC.	Kent	900
CH-2012-1994	MOORE BROTHERS, INC.	Kent	500
CH-2012-1995-R	FRANCIS O. DAY COMPANY, INC.	Kent	4,600
CH-2012-1996-R	FRANCIS O. DAY COMPANY, INC.	Kent	4,800
CH-2012-2005	JONATHAN C. QUINN	Kent	700
MP-2012-2080	GLENN F. STUNKEL, JR	Frederick	3,600
MP-2012-2084	JOEL T. ANDERSON	Frederick	13,600
MP-2012-2092	JUAN J. MORALES	Carroll	1,600
MP-2012-2093	JUAN J. MORALES	Carroll	800
MP-2012-2094	JUAN J. MORALES	Carroll	500
MP-2012-2103	FLICKINGER FARM, LLC	Frederick	4,300
NW-2012-2045	BELLVIEW FARMS, INC.	Dorchester	100,000
NW-2012-2048-B	BELLVIEW FARMS, INC.	Dorchester	35,000
PA-2011-2396	WILLIAM R. MYERS, SR.	Calvert	16,500
PA-2012-2074	WILSON DOWELL FARMS LLC	Calvert	17,700
PR-2012-2086	MARGO KROSS	Wicomico	28,400
SA-2012-2060	JOHN B. RADEBAUGH	Kent	8,100

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.*

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

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

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

DECEMBER, 2011

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
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2. **DEPARTMENT OF AGRICULTURE**
Maryland Agricultural Cost-Share Program Additional Funding Requests

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

Total submission amount: \$14,519.73.

Agreement #	Recipient	County	Amount \$
MP-2011-2196	RALPH E. BASSLER	Carroll	10,292.35
MP-2011-2197	RALPH E. BASSLER	Carroll	1,252.55
MP-2011-2339	ERIC F. BURALL	Carroll	2,974.83

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

DECEMBER 7, 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:

- A. Department of Transportation, September 2011
- B. Department of Budget & Management, August and September 2011 .
- C. Department of General Services, July 2011
- D. Department of Public Safety & Correctional Services, October 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

DECEMBER 7, 2011

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
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**4. BOARD OF PUBLIC WORKS
*Wetlands Licenses***

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

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

ANNE ARUNDEL COUNTY

- 12-0119 **DEPT. OF NATURAL RESOURCES** - To repair an existing boat ramp and add sand fill for scour protection - Chesapeake Bay, Sandy Point State Park
- 12-0217 **LON ROSENBERG** - To maintenance dredge a spur channel and slip area and provide for a 6-year dredging period - Duvall Creek, near Annapolis (Note: The main channel license (Anne Arundel County DPW, 10-0904, was approved by the Board on September 7, 2011, Secretary's Item 3.)
- 12-0037 **ED ZEBOVITZ** - To remove bulkhead, emplace stone revetment, construct timber pier and jet ski lifts - Chesapeake Bay, Annapolis
- 12-0177 **FRANKLIN MANOR CITIZENS ASSOC.** - To emplace stone revetment - Chesapeake Bay, Deale
- 12-0251 **AELIA SYED-SCHARKOPF** - To maintenance dredge a spur channel and slip area and provide for a 6-year dredging period - Duvall Creek near Annapolis (Note: The main channel license (Anne Arundel County DPW, 10-0904, was approved by the Board on September 7, 2011, Secretary's Item 3.)

BALTIMORE CITY

- 12-0184 **MARYLAND PORT ADMINISTRATION** - To maintenance dredge a main channel and provide for a 6-year dredging period - Patapsco River, Northwest Harbor

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

Contact: Patti Konrad (410)260-7920
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5. STATE TREASURER

December 2011 Tax-Exempt Equipment Lease-Purchase Financing

The State Treasurer recommends that the Board of Public Works approve the award of the December 2011 Tax-Exempt Equipment Lease-Purchase Agreement for financing, on a consolidated basis under a lease-purchase financing arrangement, the acquisition of capital equipment by certain State agencies. This December 2011 Tax-Exempt Equipment Lease-Purchase Financing will provide financing for \$1,759,171.59 in capital equipment.

TERM: December 7, 2011 through December 16, 2011.

PROCUREMENT

METHOD: Competitive Sealed Bids

AWARD: JPMorgan Chase Bank, N. A.

BIDS: The award was based on the lowest weighted average rate submitted by the bidders.

<u>Bidder's Name</u>	<u>Weighted Average Rate</u>
JPMorgan Chase Bank, N.A.	1.363%
TD Equipment Finance, Inc.	1.447%
PNC Equipment Finance, LLC	1.560%
Banc of America Public Capital Corp	1.673%
SunTrust Equipment Finance & Leasing Corp.	1.716%
Capital One Public Funding, LLC	2.019%

MBE GOAL: There are no subcontracting opportunities with this financing; however MBE's were encouraged to respond.

FUND SOURCES: Agency operating budgets

AMOUNT: \$1,759,171.59

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

5. STATE TREASURER (cont'd)
December 2011 Tax-Exempt Equipment Lease-Purchase Financing

REMARKS: The State Treasurer's Office issued an Invitation for Bids for financing on a consolidated basis \$1,759,171.59 in capital equipment, that was published 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. This Lease-Purchase financing is expected to close no later than December 16, 2011. The bids were evaluated and were weighted based on the actual amounts to be financed and the rates for the respective lease terms of 3 years and 5 years. See the attached Summary of Equipment Schedules.

Rather than utilize a long-term Master Lease, the State Treasurer's Office has determined to periodically consolidate the financing requests for equipment from State agencies and to solicit new equipment lease-purchase financing bids from lessors. 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 equipment acquisitions, in an aggregate amount not exceeding \$40 million, over a two year period beginning July 1, 2011 and ending June 30, 2013. Following the December 2011 Tax-Exempt Equipment Lease-Purchase financing, the remaining balance of the \$40 million approved by the Legislative Policy Committee for equipment lease-purchase financing will be approximately \$38.2 million.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

Contact: Rehena Rentuma 410-260-7851
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6. BONDS

Recommendation: That the Board of Public Works – with respect to *the Green House at Stadium Place Loan of 2009* – abrogate its approval of the cancellation of a general obligation bond authorization and reduction of State spending authority for the project. Reference is made to Secretary's Agenda Item 6.H (Oct. 5, 2011) in which the Board approved the Comptroller's request in the amount of \$1,055,000. Approval of this Item will re-establish the bond authorization and, concomitantly, increase the State's spending authority.

Explanation: The 2009 MCCBL (Chapter 485, 2009 Laws of Maryland) requires that the proceeds of this loan must be expended or encumbered by the Board of Public Works no later than June 1, 2011. If any funds authorized by the 2009 Act remain unexpended or unencumbered after June 1, 2011, that amount is to be canceled and of no further effect. However, as to the Green House at Stadium Place funding, a relevant portion of the 2009 MCCBL provides until June 1, 2016 for the Board of Public Works to expend or encumber it. Consequently, this project should not have been presented to the Board for cancellation.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve further funding up to \$30,000 to Baltimore County for the **Essex Sky Park Shoreline Enhancement Project**. The source of funds is the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund. (Legislative District 6)

Project Description: The Essex Sky Park Shoreline Enhancement project consists of restoring three stream reaches along the Back River shoreline that have been identified by Baltimore County as being severely eroded. Restoration practices will consist of a combination of segmented sills, minor regrading/filling, stone breakwaters, phragmites removal, and planting tidal wetland vegetation.

Project Funding Sources:

Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund (TF 02.04) (This Action)	\$ 30,000
Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund (TF 02.04) (Previous Action 6/1/11)	\$650,234
Other (Chesapeake Bay Trust Grant)	\$195,349
Local Funds	\$480,553
TOTAL ESTIMATED COST:	\$1,356,136

Authority: Section 9-1605.3 of the Environment Article, Maryland Code, known as the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund.

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

DECEMBER 7, 2011

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve a **new grant** up to \$112,500 to Montgomery County for the **Aspen Hill Library Low Impact Development Retrofit Project**. This grant may involve multiple sources of funding including general obligation bond proceeds, as the required 20% State match of federal funds. (Legislative District 19).

Project Description: The project will provide full water quality treatment for approximately 0.76 acres or 69% of the total imperviousness on the site. It will capture and treat stormwater runoff from 100% of the parking and road surfaces on the property. The low impact development practices that will be installed are a rain barrel, a bioretention facility and a vegetated curb extension biofilter.

Project Funding Sources:

Water Quality State Revolving Loan Fund – Green Grant (this action)	\$112,500
Local Funding	<u>\$112,500</u>
TOTAL ESTIMATED PROJECT COST:	\$225,000

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

DECEMBER 7, 2011

SECRETARY'S AGENDA

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

10. MARYLAND DEPARTMENT OF THE ENVIRONMENT

A. Submission of a request by the Maryland Department of the Environment for approval of capital construction grants totaling \$16,123,888.35 for the following projects, which will be funded from proceeds of various general obligation bonds:

1. **Blue Plains Wastewater Treatment Plant ENR Upgrade – Further Funding - \$17,000,000**
 Recipient: Washington Suburban Sanitary Commission
 Legislative District: 55
 Project Number: NR 04.25

MCCBL 2007 (07083) - \$260,000 - Chesapeake Bay Water Quality Project Funds,
 Biological Nutrient Removal Cost-Share Program

MCCBL 2008 (08054) - \$93,738 - Chesapeake Bay Water Quality Project Funds, Biological
 Nutrient Removal Cost-Share Program

MCCBL 2009 (09072) - \$407,709 - Chesapeake Bay Water Quality Project Funds,
 Biological Nutrient Removal Cost-Share Program

MCCBL 2010 (10066) - \$10,816,687 - Chesapeake Bay Water Quality Project Funds,
 Biological Nutrient Removal Cost-Share Program

MCCBL 2011 (11063) - \$5,421,866 - Chesapeake Bay Water Quality Project Funds,
 Biological Nutrient Removal Cost-Share Program

2. **Booze Creek Stream Restoration (Phase I) Project – Further Funding - \$130,000**
 Recipient: Montgomery County
 Legislative District: 16
 Project Number: SCE 16.17

MCCBL 2008 (08056) - \$13,034 - Chesapeake Bay Water Quality Project Funds, Small
 Creeks and Estuaries Restoration Program

MCCBL 2009 (09074) - \$116,966 - Chesapeake Bay Water Quality Project Funds, Small
 Creeks and Estuaries Restoration Program

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

9. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act and Sections 9-348, Construction Grants or Loans; Water Quality Improvement.

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

DECEMBER 7, 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 a **new loan and grant up to \$900,000** to the City of Frostburg for the **Paul Street/East Mechanic Street Combined Sewer Overflow (CSO) Elimination Phase VII-A** project in Allegany County. This project involves multiple sources of funding which are being provided over several years based on the project schedule. (Legislative District 1B)

A. New Loan up to \$300,000 – Water Quality State Revolving Loan Fund. The City will repay this loan over a period not to exceed 20 years after 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 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 general obligation bond proceeds as the required 20% State match of federal funds.

B. New Grant up to \$600,000 – Chesapeake Bay Water Quality Project Funds – Supplemental Assistance Program (SWQH 35.01). MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

Project Description: The project entails improvements to the existing Frostburg combined sewer infrastructure. It involves the separation of the combined sewer system and related ancillary improvements to the City's wastewater collection system. Specifically, the Phase VII-A project consists of the planning, design and construction of gravity sewer and stormwater lines including the replacement and rehabilitation of the system to prevent combined sewer overflow in the Paul Street/Mechanic Street area.

Project Funding Sources:

Water Quality State Revolving Loan Fund (this action)	\$ 300,000
SWQH 35.01 MCCBL 2009 09073 (this action)	\$ 6,232
SWQH 35.01 MCCBL 2011 11064 (this action)	\$ 593,768
CDBG	\$ 500,000
Local Funding	<u>\$ 489,471</u>
TOTAL ESTIMATED PROJECT COST:	\$ 1,889,471

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

10. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)

B. Recommendation that the Board of Public Works CANCEL the State's authority to issue general obligation bonds in the amount of \$32.00 and at the same time reduce the State's spending authority as shown for the following capital project. This project has been completed and closed out.

Project #	Program*	Project Name	Recipient/County	MCCBL	Appropriation	Amount
SW 48.16	Stormwater	Beaverdam Creek Site 104	Prince George's County/ Prince George's County	2004	04081	\$32.00

C. Request to REVERT unneeded funds in the amount of \$1,006,079.65 within the Maryland Department of the Environment. These projects have been administratively closed out. The reverted funds will be used for future projects, subject to Board approval.

Project #	Program*	Project Name	Recipient/County	MCCBL	Appropriation	Amount
NR 08.13	BNR	Havre de Grace WWTP BNR/ENR Upgrade	City of Havre de Grace/ Harford County	2009	09072	\$407,709.00
NR 03.08	BNR	Perryville WWTP BNR/ENR Upgrade	Cecil County/ Cecil County	2008	08054	\$ 93,738.00
NR 02.06	BNR	Federalsburg WWTP BNR/ENR Upgrade	Town of Federalsburg/ Caroline County	2007	07083	\$260,000.65
SCE 07.14	SCERP	Brampton Hills Stream Restoration	Howard County / Howard County	2009	09074	\$238,400.00
SWQH 16.06 Supl		Federalsburg Maple Ave Water/Sewer Project	Town of Federalsburg / Caroline County	2009	09073	\$ 6,232.00

*BNR – Biological Nutrient Removal Cost-Share Program
SCERP – Small Creek and Estuary Restoration Program

MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

MDE has determined that these projects are consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. These projects are consistent with State Clearinghouse comments and recommendations.

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

APPROVED
 DISAPPROVED
 DEFERRED
 WITHDRAWN
 WITH DISCUSSION
 WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 21, 2011

SECRETARY'S AGENDA

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12. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing the deeds of trust on three 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 Recipients: **Alexander Barbato and Amanda Keaton**
 3802 Winchester Lane, Bowie, MD 20715
 Prince George's County
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage

B. Loan Recipient: **Anita Hettinger**
 10910 Wolfsville Road, Meyersville, MD 21773
 Frederick County
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage

C. Loan Recipient: **Maria Posada**
 228 Heritage Court, Walkersville, MD 21793
 Frederick County
 Original Loan: \$10,000
 Current Balance: \$10,000
 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

DECEMBER 7, 2011

SECRETARY'S AGENDA

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13. 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 proceeds for the following capital equipment purchases totaling **\$2,465,576.56**.

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.

- | | |
|----------------------------|--|
| A. Description: | Spectrometer (900 PinAAcle)
RFB Project No. 11/COM-0055 |
| Procurement Method: | Competitive Sealed Bid |
| Award: | Perkins Elmer Health Sciences, Inc.
710 Bridgeport Ave
Shelton CT |
| Amount: | \$168,958.56 |
| 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> |
| Tax Clearance: | 11-2707-1111 |
| Resident Business: | No |
| | |
| B. Description: | Wind Tunnel
RFB Project No. 11/COM-0027 |
| Procurement Method: | Competitive Sealed Bid |
| Award: | Aerolab, LLC
9580 Washington Blvd, N
Laurel, MD |
| Amount: | \$174,245.00 |
| 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> |
| Tax Clearance: | 11-1954-0110 |
| Resident Business: | Yes |

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

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

11. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$115,000 to Montgomery County for the **Kensington Park Library Low Impact Development Retrofit Project**. This grant may involve multiple sources of funding including general obligation bond proceeds, as the required 20% State match of Federal funds. (Legislative District 18)

Project Description: The project will provide water quality treatment for 0.85 acres or 50% of the total imperviousness on the site. It will also capture and treat stormwater from approximately 90% of the parking and road surfaces on the property. The low impact development practices that will be installed are a bioretention facility, two rain gardens, a bioretention swale, and an infiltration trench.

Project Funding Sources:

Water Quality State Revolving Loan Fund – Green Grant (this action)	\$115,000
Local Funding	<u>\$115,000</u>
TOTAL ESTIMATED PROJECT COST:	\$230,000

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

DECEMBER 7, 2011

SECRETARY'S AGENDA

13. **MORGAN STATE UNIVERSITY** (cont'd)

*Center for Built Environment and Infrastructure Studies (CBEIS)
Capital Equipment*

- C. **Description:** Office and Lab Furniture
Procurement Method: State of Maryland Preferred Provider
Award: Maryland Correctional Enterprises
 Jessup, MD
Amount: \$2,094,885.00
Fund Source: MCCBL of 2011, Item 072 – *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University.*
Tax Clearance: N/A
Resident Business: Yes
- D. **Description:** Power Hacksaw
 RFB Project No. 11/COM-0032
Procurement Method: Competitive Sealed Bid
Award: Chromate Industrial Corp.
 25 South Street, Suite A
 Hopkinton, MA
Amount: \$27,488.00
Fund Source: MCCBL of 2011, Item 072 – *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University.*
Tax Clearance: 11-2175-1001
Resident Business: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us

**14. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
Amendment to the Public School Construction Capital Improvement Program –
Fiscal Year 2012**

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve amendments to the Fiscal Year 2012 Capital Improvement Program.

Specific Requests: The following school systems reverted to the contingency fund certain funds that could not be used as originally allocated; the school systems now request to have those funds applied to the following eligible projects in the fiscal year 2012 CIP:

Anne Arundel County Public Schools

Northeast High School: Renovation/Addition \$199,535

Carroll County Public Schools

Westminster Elementary School: Open Space Conversion \$15,768

Authority: The Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Maryland Laws page 6), as amended by House Bill 71 of 2011, specifies that if school construction funds provided to a county in the fiscal year 2012 Capital Improvement Program cannot be allocated to, or used for, eligible projects within two years of the initial authorization, the county may opt to have the funds: (1) applied to another eligible project in the FY 2012 CIP or (2) reverted to and maintained in the contingency fund for eligible projects in the county in the FY 2013 CIP. *See also* COMAR 23.03.02.03E.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us

15. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer by the Dorchester County Board of Education to the Dorchester County Government of the:

Former Hurlock Primary School
 1.11 Acres
 Hurlock, Maryland 21643

As a condition of approval, the Dorchester County Government shall obtain approval by the Board of Public Works before transferring any right, title or interest to any portion of the facility.

Background: The Dorchester County Board of Education requests permission to transfer the former Hurlock Primary School property, comprising 1.11 acres and building, to the Board of County Commissioners of Dorchester County. This property will be permanently closed and will not be used for educational purposes.

Authority: COMAR 23.03.02.23B. The Interagency Committee on School Construction must review a request to transfer school property to the local government and make a recommendation to the Board of Public Works. The Board may approve, disapprove, or conditionally approve, the request to transfer school property. The Interagency Committee reviewed and approved the transfer on September 22, 2011.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**DECEMBER 7, 2011****SECRETARY'S AGENDA**

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

16. MARYLAND STADIUM AUTHORITY
Camden Yards Sports Complex
Series 2011A and Series 2011B

Recommendation: That the Board of Public Works:

1. Authorize the Authority to issue up to \$105.2 million lease revenue refunding bonds with the proceeds to be used to:
 - terminate the Interest Rate Swap Agreements with AIG-FP;
 - pay the termination fees associated with terminating the agreements;
 - refund the existing Series 1998A taxable bonds;
 - refund the existing Series 1999 tax exempt bonds; and
 - Pay costs related to the issuance of the bonds.
2. Approve the Amended Comprehensive Plan of Financing submitted on September 9, 2011 to the General Assembly fiscal committees. By correspondence dated November 18, 2011, the fiscal committees approved the Plan of Financing.
3. Approve a form of the Thirteenth Supplemental Master Lease and Fourteenth Supplemental Sublease Lease.
4. Execute and deliver on behalf of the State of Maryland the Thirteenth Supplemental Master Lease and Fourteenth Supplemental Sublease Lease.
5. Approve the Board of Public Works Resolution on these matters.
6. Require the Authority to update the Board of Public Works of the results of the bond sale authorized herein or, alternatively, any Authority decision to materially defer the sale.

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

16. MARYLAND STADIUM AUTHORITY (cont'd)
Camden Yards Sports Complex
Series 2011A and Series 2011B

Background: The Maryland Stadium Authority issued two series of variable rate debt in accordance with forward starting Interest Rate Swap Agreements with AIG-FP in October 1993. In 1995, AIG-FP paid the Stadium Authority a total of \$16,393,662 under the Interest Rate Swap Agreements.

The *Series 1998A Bonds* were originally issued as taxable variable-rate demand bonds for the purpose of partially refinancing the costs of acquiring certain properties located at the Camden Yards Sports Complex (Camden Yards) in Baltimore City by refunding the outstanding principal amount of the Authority's Taxable Sports Facilities Lease Revenue Notes, Series 1989C on the earliest date on which the notes could be redeemed. The amortization of the swap is contemporaneous with the amortization of the 1998A Bonds to create a synthetic fixed rate obligation.

The *Series 1999 Bonds* were originally issued as variable-rate demand bonds subject to the alternative minimum tax for the purpose of partially refinancing the costs of constructing the baseball stadium at Camden Yards by refunding the outstanding principal amount of the Authority's Tax-Exempt Sports Facilities Lease Revenue Notes, Series 1989D on the earliest date on which the notes could be redeemed. The amortization of the swap is contemporaneous with the amortization of the 1999A Bonds to create a synthetic fixed rate obligation.

The proceeds received from the forward starting interest rate swaps were vital to the construction of the football stadium at the Camden Yards Complex. Yet it is apparent that variable rate transactions and swaps contain several risks outside the Authority's control. Potential risks are:

1. **Basis Risk.** This is when the payment from the swap counterparty does not equal the variable rate payment due the bond holder. A remarketing agent sets the variable rate the Authority pays each week using market and other conditions. The swap counterparty pays the Authority a weekly rate of LIBOR or SIFMA + 15 basis points. If there is a difference between what the Authority pays bondholders and what the swap counterparty pays the Authority, the Authority bears that cost.

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

16. MARYLAND STADIUM AUTHORITY (cont'd)
Camden Yards Sports Complex
Series 2011A and Series 2011B

2. Remarketing Risk. When bonds are remarketed under certain market conditions, there is a risk that no investors would purchase the bonds at the market rate determined by the remarketing agent; this is called "failed remarketing." These bonds are then "put" back to the liquidity provider, at a higher interest rate under the contract.

3. Credit and Counterparty Risk. This is the risk that the LOC/swap provider will fail to make timely payments on the swap or liquidity facility.

4. Renewal Risk. A liquidity facility is typically a one- to three-year agreement and does not coincide with the bond issue's final maturity. This leaves issuers exposed to the risk that the credit enhancement facility provider would not renew its commitment or that there would no such facility available while bonds were still outstanding.

During the past several months, the financial conditions of the swap-counterparty, AIG-FP, and the liquidity provider, Dexia Credit Local, have created an opportunity to refund these two bond series and return to a fixed-interest rate debt. Based on current market conditions, a termination fee estimated at approximately \$24.8 million will be due to AIG-FP, but the current low interest rates and the potential for a discount on the termination fee should result in the annual debt service for the new bonds being approximately the same as the existing variable rate debt and fees. The Authority will limit its net present value total cost of the transaction to 7.5% of the existing bonds' annual debt service and fees.

Completing the refunding will stabilize the Authority' overall portfolio and eliminate the risks outlined above.

Legal Authority: Subject to the approval of the Board of Public Works, the Stadium Authority may borrow money from any source for any corporate purpose and, more specifically, for refunding outstanding bonds issued to finance and refinance the acquisition and construction of Oriole Park at Camden Yards and related expenses. Sections 10-628(b) and 10-636(a) of the Economic Development Article of the Annotated Code of Maryland.

This item was previously submitted as Item 13 on November 16 and withdrawn.

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

<input checked="" type="radio"/> APPROVED	<input type="radio"/> DISAPPROVED	<input type="radio"/> DEFERRED	<input type="radio"/> WITHDRAWN
	<input type="radio"/> WITH DISCUSSION	<input checked="" type="radio"/> WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

Contact: Gary McGuigan (410) 333-1560
(gam@mdstad.com)

17. MARYLAND STADIUM AUTHORITY
Oriole Park at Camden Yards – Picnic Area Renovations

CONTRACT: Construction Management – Construction Services

DESCRIPTION: Renovations to the centerfield picnic area will create park-like destination and allow area to be open on non-game days. Centerfield concession building will be expanded to create a new first-floor concession stand and second-floor viewing area that will overlook baseball field.

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:		Technical	Total
<u>Offeror</u>	<u>Price</u>	<u>Score</u>	<u>Score</u>
Benaka, Inc.	\$1,847,600	48	93
J. Vinton Schafer & Sons, Inc.	\$2,375,000	50	85
Lewis Contractors	\$2,568,432	50	82
Shawmut Design & Construction	\$2,638,812	46	78
Total Contracting, Inc.	\$2,306,040	48	84
Waverly Construction & Management Company	\$2,549,450	48	81

AWARD: Benaka, Inc.
Ellicott City, Maryland

AMOUNT: \$1,847,600

FUND SOURCES: Supplemental Improvements Fund & MSA Operations Funds

APPROP CODE: N/A

MBE GOAL: 25%

REMARKS: The Stadium Authority solicited proposals from construction managers and general contractors, advertising the project on *eMaryland Marketplace*, the Stadium's Web site, the Governor's Office of Minority Affairs, along with several direct solicitations. Seven firms submitted technical and financial proposals, of which one proposal was deemed non-responsive. Based on a complete review of the technical submission, financial submission, and scope of work, the selection committee recommended Benaka, Inc. the firm deemed the most advantageous that also submitted the lowest financial proposal for the project. The selection committee consisted of two Orioles representatives and three MSA representatives.

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

SECRETARY'S AGENDA

17. **MARYLAND STADIUM AUTHORITY** (cont'd)
Oriole Park at Camden Yards – Picnic Area Renovations

TAX COMPLIANCE NO.: 11-2800-0110

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 7, 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**DECEMBER 7, 2011****APPENDIX****SECRETARY'S AGENDA**

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

REPORT OF EMERGENCY PROCUREMENT**ITEM: Appendix 1****MARYLAND DEPARTMENT OF HUMAN RESOURCES**

CONTRACT TITLE: Mold Remediation and Document Restoration Services
 ADPICS Nos. N00P1402732 / N00P1402733 / N00P1402887 /
 N00P1403133

CONTRACT TYPE: Maintenance

DESCRIPTION: Mold remediation and document restoration services at Prince George's County Department of Social Services due to flooding.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: September 23, 2010

BIDS: PBI Environmental Restoration, LLC
 Timonium, MD 21093
 \$45,662.84

PBI Electronics & Document Restoration, LLC
 Timonium, MD 21093
 \$30,972.49

AWARD: PBI Environmental Restoration, LLC
 PBI Electronics & Document Restoration, LLC

AMOUNT: \$76,635.33 Total

AWARD DATE: November 3, 2010

TERM: 10/29/2010 – 2/28/2011

BOARD OF PUBLIC WORKS**DECEMBER 7, 2011****APPENDIX****SECRETARY'S AGENDA****REPORT OF EMERGENCY PROCUREMENT****ITEM:** Appendix 1 (cont'd)**MBE PARTICIPATION:** 0%**FUND SOURCE:** 100% General
Appropriation Code: N00E0102**REMARKS:**

Nature of Emergency: On September 23, 2010, a sprinkler head burst on the second floor of 6505 Belcrest Road, Hyattsville, the building that houses the Prince George's County Department of Social Services; this caused water to travel down to the basement which is where the PGDSS office is located. Ceiling tiles, carpet, sheetrock, the telephone system, computer equipment, client records, other documentation, and furniture all sustained water damage. The flooding also resulted in the displacement of 54 staff persons to four different PGDSS facilities.

The Landlord (Cassidy /Turley) contracted with a restoration company (ROLYLN) for emergency mitigation services that included structural dehumidification, drying, cleanup, demolition, repairs and related work. Work began on 9/23/10 and was completed on 9/29/10. ROLYN placed wet files in boxes that were lined with plastic; as a result, one month later, the files were still wet. DGS submitted a request to the landlord that it have the documents dried; the landlord refused and stated that the lease did not require such services. DHR & DGS were not satisfied with the landlord's cleanup and had serious concern of mold contamination in the affected areas, in particular, the files that were stored in plastic/boxes.

Because of the severity of the threat and the uncooperative landlord, DHR reached out to PBI Electronics and Documentation Restoration, who has provided satisfactory & professional services at DHR on a number of previous occasions with treating wet files and furniture. DHR met with PBI Restoration Resources on 10/29/10 to discuss a cleaning plan. PBI walked the space and took readings with a moisture meter. The readings indicated that mold was present in the affected areas; DHR immediately contacted PBI's sister company, PBI Environmental Remediation, LLC to provide the mold remediation services. DHR intends to relocate staff back to 6505 Belcrest Road in a different leased space while renovations are currently ongoing. As of today, the displaced staff are still at the four alternative locations.

BOARD OF PUBLIC WORKS

DECEMBER 7, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

Basis for Selection: PBI had previously performed satisfactorily for DHR on similar services and was available to begin work immediately.

Late Report: The work was started on October 29, 2010, and was completed February 28, 2011. The report for the emergency procurement is being submitted late because DHR was unsure of the amount of needed repairs and replacements and also did not know the total cost to DHR especially since DHR was seeking reimbursement via an insurance claim filed with the State Treasurer.

TAX COMPLIANCE NO.:	PBI Electronics & Document Restoration:	11-2510-0001
	PBI Environmental Restoration:	11-2593-0000

RESIDENT BUSINESS: Yes for both

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION ✓

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

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

December 7, 2011

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

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

Recommendation: Approval to commit \$30,000.00 for the following **development** project.

***Conowingo Park Development Phase II - \$30,000.00
Cecil County
POS #4564-7-194
MD20040714-0765***

Background: Continue work on the northern section of the park including relocation of utility poles and the construction of a stone parking lot, athletic fields and tennis courts. In addition, the park entrance will be brought into compliance with SHA requirements. Stormwater management will be addressed via water quality grass swales. Funds totaling \$217,674.67 were previously approved by the Board of Public Works. [9/22/04, Item 1A, \$38,340.50; 3/4/09, Item 3A, \$136,526.57; and 8/26/09, Item 5A(3), \$42,807.60.]

Fund Source: MCCBL of 2010: Program Open Space, Local Capital Development and Land Acquisition Grants, Cecil County:
Program 89.22.49 Item 055 \$8,658.14

MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Cecil County:
Program 89.22.51 Item 052 \$21,341.86

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

December 7, 2011

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

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

Recommendation: Approval to commit \$93,244.00 for the following **development** projects.

1. ***Woodsboro Regional Park Fitness Trail - \$1,688.00***
Corporation of Woodsboro, Frederick County
POS #5930-10-319
MD20111013-0792

Background: Install 300 feet of additional park trail to connect existing pathways to the exercise trail.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Frederick County:
Program 89.22.51 Item 051 \$1,688.00

2. ***Mt. Airy East West Ballfield Fence - \$14,606.00***
Town of Mount Airy, Frederick County
POS #5931-10-320
MD20111013-0791

Background: Remove and replace the existing fencing, dugout, and backstop with new vinyl-coated fencing designed to be serviceable for more than 20 years.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Frederick County:
Program 89.22.51 Item 051 \$14,606.00

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

December 7, 2011

**ITEM 2A (cont'd)
PROGRAM OPEN SPACE LOCAL SHARE**

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

3. ***Emmitsburg Splash Park - \$45,000.00***
Town of Emmitsburg, Frederick County
POS #5932-10-321
MD20111013-0795

Background: Develop a splash park adjacent to the pool within the 1.5 acre community park.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Frederick County:
Program 89.22.51 Item 051 \$8,176.40

MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Frederick County:
Program 89.22.51 Item 052 \$36,823.60

4. ***Thurmont Community Park Repair - \$31,950.00***
Town of Thurmont, Frederick County
POS #5933-10-322
MD20111013-0788

Background: Install a surface overlay on the deteriorated loop road that provides access to the recreation facilities within the community park.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Frederick County:
Program 89.22.51 Item 052 \$31,950.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA

December 7, 2011

ITEM 3A
PROGRAM OPEN SPACE LOCAL SHARE

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

Recommendation: Approval to commit \$324,706.46 for the following acquisition project.

Jarrettsville Acquisition (Preston Property) - \$324,706.46
Harford County
POS #5628-12-273
MD20090318-0270

Background: Acquire two parcels totaling 27.99 acres with frontage on MD 23 adjacent to the Rural Village of Jarrettsville, Maryland. Over several fiscal years, the total amount of eligible Program Open Space assistance requested for this project will be \$1,324,000.00. This site will be used for development of an indoor recreation facility with passive parkland. The land is well suited for development of this facility as it lies less than 1/4 mile from the Jarrettsville Recreation Complex and Jarrettsville Elementary School. The existing structures may be used as offices, storage, and maintenance buildings. The 2.5 acre farm pond will provide for passive recreation opportunities. Funds totaling \$210,750.62 were previously approved by the Board of Public Works. [5/6/09, Item 5A(1), \$64,000.00; 9/16/09, Item 6A(1), \$124,000.00; and 9/22/10, Item 5A, \$22,750.62.]

Fund Source: Program Open Space Local Share allocated to Harford County:
Program 81.20.04 Item 112 \$26,938.70

MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Harford County:
Program 89.22.49 Item 055 \$6,284.34

MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Harford County:
Program 89.22.51 Item 051 \$286,000.00

MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Harford County:
Program 89.22.51 Item 052 \$5,483.42
(Prior Fund Replacement)

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

December 7, 2011

**ITEM 4A
PROGRAM OPEN SPACE LOCAL SHARE
PROGRAM OPEN SPACE STATE SHARE**

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

Recommendation: Approval to commit \$4,447,000.00 for the following **development** projects.

1. ***FY'12 Ripken Baseball - \$400,000.00***
Baltimore City
POS #5922-24-272
MD20110920-0750

Background: Develop an athletic complex in partnership with the Cal Ripken, Sr. Foundation at CC Jackson Park. Development includes the construction of two athletic fields (football and baseball) with synthetic playing surfaces, bleachers, ornamental fencing, and sport lighting. The proposed outdoor recreational lighting system is designed to perform its intended function, be energy efficient, and minimize light pollution.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Baltimore City:
Program 89.22.51 Item 047 \$400,000.00

2. ***FY'11 Park and Playground Renovations (12 sites) - \$985,000.00***
Baltimore City
POS #5925-24-273
MD20111013-0789

Background: Renovate twelve neighborhood park playgrounds based on recommendations by the Mayor's Playground Task Force. Unsafe playground equipment will be removed and replaced with new modular play equipment and safety surfacing that meets CPSC, ASTM, and ADA guidelines for safety and accessibility.

Fund Source: MCCBL of 2011: Program Open Space, Local Capital Development and Land Acquisition Grants, Baltimore City:
Program 89.22.51 Item 052 \$791,000.00

MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Baltimore City:
Program 89.22.51 Item 051 \$194,000.00

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

December 7, 2011

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

ITEM 4A (cont'd)

3. ***FY'12 Neighborhood Swimming Pool Renovation/Harford Lanvale - \$100,000.00***
Baltimore City
POS #5928-24-274
MD20111013-0790

Background: Renovate the pool deck area to meet ADA entrance standards. In addition, install umbrellas, picnic tables, benches, trash cans, and security lighting at the pool facility.

Fund Source: MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Baltimore City:
Program 89.22.49 Item 055 \$86,256.98

MCCBL of 2011: Program Open Space, Local Capital Development
and Land Acquisition Grants, Baltimore City:
Program 89.22.51 Item 051 \$13,743.02

4. ***FY'12 CC Jackson Recreation Center - \$462,000.00***
Baltimore City
POS #5929-24-275
MD20111013-0794

Background: Renovate the recreation center with "green" building components such as geothermal heating/cooling and a green roof component. The renovated facility will be ADA accessible. The facility will be secured through card reader access and security cameras.

Fund Source: Program Open Space State Share allocated to Baltimore City:
Program 81.20.03 Item 448 \$47,236.18

MCCBL of 2010: Program Open Space, Local Capital Development
and Land Acquisition Grants, Baltimore City:
Program 89.22.49 Item 015 \$414,763.82

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

December 7, 2011

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

ITEM 4A (cont'd)

5. ***FY'11 Park Rehabilitation (2 sites) - \$1,250,000.00***
Baltimore City
POS #5926-26-180
MD20111013-0796

Background: Renovate 100 year old park features at Druid Hill Park and Carroll Park. Improvements will be made to park and athletic lighting, roads, walks, pavilions, entrances, signs, playing fields, and fencing. In addition, each project will include ADA upgrades for walks and structures.

Fund Source: Program Open Space State Share allocated to Baltimore City:
Program 81.20.03 Item 438 \$300,000.00

Program Open Space State Share allocated to Baltimore City:
Program 81.20.03 Item 446 \$500,000.00

Program Open Space State Share allocated to Baltimore City:
Program 81.20.03 Item 448 \$450,000.00

6. ***FY'12 Baltimore Park System - \$1,250,000.00***
Baltimore City
POS #5927-26-181
MD20111013-0793

Background: Provide maintenance and general operations of the Baltimore City Park System which consists of over 5,700 acres in 400 properties. Projects in the budget year include playgrounds, athletic field and park lighting maintenance, community partnership development, staff grants, and general park maintenance.

Fund Source: Program Open Space State Share allocated to Baltimore City:
Program 81.20.03 Item 448 \$1,002,763.82

Baltimore City Direct Grant:
Fund 30.01.05 Item 010 \$247,236.18

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

40

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

December 7, 2011

**ITEM 5A
RURAL LEGACY PROGRAM FUNDS:**

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

Recommendation: Approval to grant \$92,122.50 to The Manor Conservancy, Inc. for the following project from Rural Legacy Funds.

***Manor Rural Legacy Area - \$92,122.50
John Harry Filbert, III and Dorian K. Filbert Property***

Background: The Board of Public Works authorized a \$750,000 FY 2008 Grant for easement acquisitions in Baltimore County for the Manor Rural Legacy Area on the April 2, 2008 Program Open Space Agenda Item 9A.

Project Description: Acquisition of this 17.593-acre conservation easement will protect productive pastureland and woodlands. The property lies in close proximity to a tributary of Parker Branch, which empties into Big Gunpowder Falls, an important tributary to the Chesapeake Bay. This easement will be held by the Maryland Department of Natural Resources and The Manor Conservancy, Inc.

Value of Easement: Total easement value \$87,964.12 - \$4,999.95 per acre

Total Other Costs: \$ 4,158.38

Administrative: \$2,638.92
Incidental: \$ 200.00 (survey)
Program Compliance: \$1,319.46

Amount Requested: \$92,122.50

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$90,803.04 (FY 2011)
Program 81.20.04 Item 025 \$ 1,319.46

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

December 7, 2011

**ITEM 6A
RURAL LEGACY PROGRAM FUNDS:**

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

Recommendation: Approval to grant \$602,315.21 to The Manor Conservancy, Inc. for the following project from Rural Legacy Funds.

***Manor Rural Legacy Area - \$602,315.21
Henry C. McDonough and Katherine F. McDonough Farm***

Background: The Board of Public Works authorized a \$750,000 FY 2008 Grant for easement acquisitions in Baltimore County for the Manor Rural Legacy Area on the April 2, 2008 Program Open Space Agenda Item 9A, and a \$1,000,000 FY 2011 Grant on the September 1, 2010 Program Open Space Agenda Item 11A.

Project Description: Acquisition of this 72.252-acre conservation easement will protect productive pastureland and woodlands. The property provides permanent forested buffer to 1,475 linear feet of Carroll Branch, which empties into Big Gunpowder Falls, an important tributary to the Chesapeake Bay. This easement will be held by the Maryland Department of Natural Resources and The Manor Conservancy, Inc.

Value of Easement: Total easement value \$563,565.60 - \$7,800.00 per acre

Total Other Costs: \$ 38,749.61

Administrative \$16,906.96
Incidental: \$10,180.00 (survey)
\$ 3,209.17 (title work)
Program Compliance: \$ 8,453.48

Amount Requested: \$602,315.21

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$593,861.73 (FY 2011)
Program 81.20.04 Item 025 \$ 8,453.48

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

Approved Disapproved Deferred Withdrawn
With Discussion Without Discussion

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

December 7, 2011

**ITEM 7A
RURAL LEGACY PROGRAM FUNDS:**

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

Recommendation: Approval to grant \$847,875.50 to The Nature Conservancy for the following project from Rural Legacy Funds.

*Nanticoke Rural Legacy Area - \$847,875.50
The Robert H. Creighton and Cynthia Gerber Farm*

Background: The Board of Public Works authorized a \$1,500,000 FY 2010 Grant on the December 16, 2009 Program Open Space Agenda Item 10A and a \$500,000 FY 2011 Grant on the September 1, 2010 Program Open Space Agenda Item 11A for easement acquisitions in Dorchester County for the Nanticoke Rural Legacy Area

Project Description: Acquisition of this 371.00 acre conservation easement in Dorchester County will protect valuable forest and farm land and establish a 13,800 foot riparian buffer to protect the water quality of the Nanticoke River, a tributary of the Chesapeake Bay. The easement will be held by the Maryland Department of Natural Resources and the United States of America, Department of the Navy.

Value of Easement: Total easement value \$1,550,000.00 - \$4,177.90 per acre (The Department of the Navy is contributing \$775,000.00 pursuant to an Encroachment Protection Agreement with DNR, The Nature Conservancy, and The Conservation Fund.)

Total Other Costs: \$ 72,875.50

Administrative	\$46,500.00
Incidental:	\$ 4,220.00 (legal)
	\$ 4,405.50 (title work)
	\$11,050.00 (appraisals)
	\$ 4,800.00 (survey)
	\$ 1,900.00 (environmental assessment)
Program Compliance:	\$ 0.00

Amount Requested: \$847,875.50

Fund Source: MCCBL of 2010: Rural Legacy Program
Program 89.22.49 Item 054 \$847,875.50 (FY 2011)

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

Approved	Disapproved	Deferred	Withdrawn
	With Discussion	Without Discussion	

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

December 7, 2011

**ITEM 8A
FOREST CONSERVATION ACT EASEMENT**

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

The Department of Natural Resources requests Board of Public Works approval to accept a permanent forest conservation easement from the State Highway Administration of the Maryland Department of Transportation. The effect of the easement will be to establish a Forest Conservation Act bank of 19.7 acres to mitigate Inter County Connector (ICC) projects located in Montgomery County. The Maryland-National Capital Park and Planning Commission (M-NCPPC) is joining in the easement for the purpose of granting DNR access through adjoining M-NCPPC land to enable DNR to monitor and inspect the easement property. MDOT's easement donation is in accord with its ICC wetland mitigation and is consistent with DNR forest conservation practices.

Grantor: State of Maryland to the use of the Maryland Department of Transportation

Access

Grantor: Maryland-National Capital Park and Planning Commission

Grantee: State of Maryland to the use of the Department of Natural Resources

Property: 19.7 acres on State Highway Administration's Peach Orchard Heights property

Price: \$ -0-

Plan: Forest Conservation Plan, #C11-27 PB-A (PB-1)

Authority: Forest Conservation Act, Sections 5-1601- -5-1613 of the Natural Resources Article, Maryland Code

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

December 7, 2011

**ITEM 9A
MARYLAND ENVIRONMENTAL TRUST**

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

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

1. Property: 157.07 acres in Carroll County, Belfast Road; Tax Map 22, Parcel 19, Legislative District 05A

Grantors: W. Robert Shortall and Sandra J. Shortall
Grantees: Maryland Environmental Trust and Carroll County Land Trust, Inc.
Estimated Value: \$620,740

2. Property: 75.4 acres in Baltimore County, Sunshine Avenue; Tax Map 55, Parcel 133 and a portion of Parcel 237, Legislative District 07

Grantor: Lorraine B. Healey
Grantee: Maryland Environmental Trust
Estimated Value: \$2,506,084

3. Property: 59.285 acres in Frederick County, Big Woods Road; Tax Map 97, Parcel 29, Legislative District 03B

Grantors: Gary P. Carver & Darlene T. Carver
Grantees: Maryland Environmental Trust and Catoctin Land Trust, Inc.
Estimated Value: \$296,400

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

MET has recorded conservation easements on 919 acres since January 2011. This Action preserves 291 acres.

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

December 7, 2011

**ITEM 10A
MARYLAND ENVIRONMENTAL TRUST**

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

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

Property: 128.93 acres in Washington County, McFarland Road. Tax Map 15, Parcels 2 & 46, Legislative District 01C

Grantors: Stanley C. Bowser & Sally Jo Bowser

Grantee: Maryland Environmental Trust and Mid-Maryland Land Trust, Inc.

Background: Reference is made to Secretary's Agenda Item 11 (Oct. 18, 2006) in which the Board of Public Works ratified the donation of a conservation easement to the Maryland Environmental Trust by **Stanley C. Bowser & Sally Jo Bowser** on 118.25 acres.

Proposed Action:

The amendment will:

- (1) Add 10.68 acres to the conservation easement for an easement total of 128.93 acres;
- (2) Require a forest stewardship plan
- (3) Permit non-residential structures to the accessory residence that exist at the time of this amendment
- (4) Require common ownership of and prohibit subdivision of the parcels composing the easement property
- (5) Delete Mid-Maryland Land Trust Association as a grantee

Estimated Value: \$42,207. "Estimated easement value" is an MET estimate only. To estimate the easement value, MET multiplies the number of acres in the proposed easement by the average per-acre value of easements MET accepted in that county or region in the previous year. (The previous year's average per-acre value is derived by totaling the appraised values for MET easements in a region and dividing by the number of acres).

MET has recorded conservation easements on 919 acres since January 2011. This Action preserves 10.68 acres.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

December 7, 2011

**ITEM 11A
PROGRAM OPEN SPACE STATE SHARE**

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

***V.A.Y., LLC - \$95,000.00
Frederick County
POS #4213***

Recommendation: That the Board of Public Works approve the Department of Natural Resources, on behalf of Program Open Space, entering into an agreement to purchase a .7857 acre parcel located in Frederick County. The acquisition is situated on the access road to Washington Monument State park offering the visitor excellent scenic quality. Acquiring this parcel will eliminate conflict created by potential residential development. Additionally, the parcel borders the Appalachian Trail in an area where the corridor is narrow. Acquisition would improve the scenic quality of the trail. This parcel would be managed in conjunction with the acreage that makes up South Mountain State Park and is contiguous to the acquisition from Patsy L. Stanley. Its acquisition would further the goals DNR shares with the National Park Service, the Appalachian Trail Conservancy, and the Potomac Appalachian Trail Club. The property is located within the Target Ecological Area (TEA) and has received an ecological ranking of 77 under the Program Open Space Targeting System.

Grantor: V.A.Y., LLC
Grantee: The State of Maryland to the use of the Department of Natural Resources
Property: .7857 acre unimproved
Price: \$95,000.00*
**Discounted Sale: The sales price represents a 5% discount from the recommended value of \$100,000.00*

Appraisals:
\$110,000.00 (5/9/11) – James L. Randall, Fee Appraiser (Reviewer: William T. Beach)
\$100,000.00 (5/12/11) –Richard L. Bowers, Fee Appraiser (Reviewer: William T. Beach)

Fund Source: POS Acquisition Opportunity Loan 2009
Program 89.22.45 Item 500 \$95,000.00 (FY2010)

This project meets the criteria set forth for funding in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of its extraordinary location and environmental value.

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

December 7, 2011

**ITEM 12A
PROGRAM OPEN SPACE STATE SHARE**

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

*Patsy L. Stanley - \$295,000.00
Washington and Frederick Counties
POS #4214*

Reference: That the Board of Public Works approve the Department of Natural Resources, on behalf of Program Open Space, entering into an agreement to purchase a 3.46 acre parcel located in Washington and Frederick Counties. The acquisition is situated on the access road to Washington Monument State park offering the visitor excellent scenic quality. Acquiring this parcel will provide an opportunity to restore this property to match the wooded surroundings, eliminating conflict created through the current residential use. Additionally, the parcel borders the Appalachian Trail in an area where the corridor is narrow. Acquisition would improve the scenic quality of the trail. This parcel would be managed in conjunction with the acreage that makes up South Mountain State Park and is contiguous to the acquisition from V.A.Y., LLC (See Item 11A on today's DNR Real Property Agenda). The acquisition would further the goals SNR shares with the National Park Service, the Appalachian Trail Conservancy, and the Potomac Appalachian Trail Club. The property is located within the Target Ecological Area (TEA) and has received an ecological ranking of 78 under the Program Open Space Targeting System.

Grantor: Patsy L. Stanley
Grantee: The State of Maryland to the use of the Department of Natural Resources
Property: 3.46 acres improved
Price: \$295,000.00 (property)
\$29,500.00 (to raze all structures)

Appraisals:

\$295,000.00 (2/25/11) – Patrick B. Bowers, Fee Appraiser (Reviewer: William T. Beach)

\$295,000.00 (3/7/11) – Melville E. Peters, Fee Appraiser (Reviewer: William T. Beach)

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

December 7, 2011

**ITEM 12A (cont'd)
PROGRAM OPEN SPACE STATE SHARE**

Fund Source: POS Acquisition Opportunity Loan 2009*
 Program 89.22.45 Item 500 \$295,000.00 (FY2010)
 POS Acquisition Opportunity Loan 2009**
 Program 81.20.03 Item 445 \$29,500.00 (FY2010)

*This project meets the criteria set forth for funding in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of its extraordinary location and environmental value.

**Pursuant to Section 5-903(f) of the Natural Resources Article, Annotated Code of Maryland; Board approval is also requested for the use of up to \$29,500.00 in POS funds, to raze all structures.

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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

SERVICES CONTRACT

ITEM: 1-S **Agency Contact:** Anne Timmons
410-767-4710
atimmons@dbm.state.md.us

DEPARTMENT/PROGRAM: Budget and Management (DBM)
Employee Benefits Division (EBD)
Maryland State Employees' and Retirees'
Benefits Program

CONTRACT ID: F10B1400014;
Group Long Term Care Insurance
ADPICS NO: F10B1400014

CONTRACT DESCRIPTION: Provide voluntary, group long-term care insurance benefits to Maryland State Employees, Retirees and eligible family members. The recommended Contractor will provide a tax-qualified group plan that has been approved/certified by the State of Maryland Insurance Administration.

AWARD: The Prudential Insurance Company of America
Livingston, NJ

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

AMOUNT: \$9,000,000 Est. Value (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only One Acceptable Offer Received

MBE PARTICIPATION: 2% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

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

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and the DBM website. Copies of the solicitation notice were emailed directly to 18 prospective vendors, 9 of which are Maryland firms and 11 are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Two proposals were received in response to the RFP. One of the Offerors was disqualified for failing to demonstrate that it was licensed by the Maryland Insurance Administration (MIA) to sell Group Long Term Care insurance in the State of Maryland and was so notified. Its financial proposal was returned unopened.

The remaining Offeror's proposal was determined to be reasonably susceptible of being selected for award. In addition, the Offeror was determined to be responsible and its financial offer was considered fair and reasonable. It was also determined that other potential Offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to The Prudential Insurance Company of America (Prudential), the incumbent.

The group long-term care insurance benefits include: coverage for nursing home care, home health care services, adult day care, homemaker services, home health aide services, respite care for family care givers, hospice care, assisted living facilities, and Alzheimer's facilities. Premiums will be based upon age (18 - 85) at time of issue, daily rate reimbursement levels (\$85, \$100, \$150 and \$200), options for inflation protection, and a cash value (non-forfeiture) option.

Existing State Prudential participants have the option of continuing with their existing rates or upgrading to the new plan and rates proposed by Prudential as optional pricing. All new State Prudential participants will be offered plans based upon the new pricing structure. Premiums will be paid solely by employees and retirees; there is no State subsidy provided. The Contractor will conduct a statewide education program to educate employees about the benefits of obtaining group long-term care insurance coverage and will also reach out to each existing enrollees to review program options and assist the enrollees in plan selection.

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

ITEM: 1-S (Cont.)

There will be no cost to the State for this contract since this coverage for participants is voluntary and premiums are 100% participant paid. The insurance plan summary for the benefits booklet, all materials to be used at over 100 benefit fairs that will be held around the State during the open enrollment period, and any other advertising materials related to the plan must be approved by DBM's Employee Benefits personnel prior to publishing or implementation. Consequently, the selected vendor must start its contract implementation/outreach efforts immediately upon contract award in order to meet the open enrollment time frames.

The actual premium amount received by the Contractor will be a function of the number of participant employees/retirees and eligible family members who enroll in this coverage, their ages, as well as the benefit levels that are chosen. It is estimated that the value of this contract to the Contractor will be approximately \$9,000,000 over its five year operational term based upon a model of 1,221 existing insured participants with the optional pricing plans.

An MBE subcontracting goal of 2% of all central payroll deducted premiums is included in this contract.

FUND SOURCE: 100% Reimbursable
APPROP. CODE: F10A02.02
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 11-2897-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Kelli Francis
410-724-3104
Francisk@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Clifton T. Perkins Hospital Center (CTPHC)

CONTRACT ID: DHMH/OPASS 12-10737;
Clinical Laboratory Services
ADPICS NO M00B2400330

CONTRACT DESCRIPTION: Provide all required clinical laboratory testing and services for the patients at Clifton T. Perkins Hospital Center that are not performed by the Department of Health and Mental Hygiene (DHMH) Laboratory Administration.

AWARD: Quest Diagnostics, Inc.
Baltimore, MD

TERM: 1/1/2012 – 12/31/2014

AMOUNT: \$345,146 (3 Years)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: Only One Responsive Bid Received

MBE PARTICIPATION: None (See Requesting Agency remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and the DHMH website. Copies of the solicitation notice were mailed directly to 47 prospective vendors, 13 of which are Maryland firms and two are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

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

ITEM: 2-S (Cont.)

Two bids were received in response to the IFB. One bid was determined to be non-responsive due to the Bidder taking exceptions to the State's terms & conditions. The remaining bid was deemed responsive from a responsible bidder. Moreover, the price has been deemed fair and reasonable, and it was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to Quest Diagnostic, Inc., the incumbent.

This is the second solicitation published for these services. Two bids were received for the first IFB from the same two bidders. Both bids were deemed non-responsive due to exceptions taken to the State's terms and conditions and each bid was rejected pursuant to COMAR 21.06.02.02C on 9/14/2011.

The purpose of this Contract is for one Contractor to perform all requested clinical laboratory testing and services for the patients at Clifton T. Perkins Hospital Center (the Center), located in Jessup, Howard County, Maryland, that are not performed by the DHMH Laboratory Administration. The medical and professional staffs at the Center use laboratory services to assist with evaluating and providing treatment services to patients.

The Center is an integral part of the health services system of the State of Maryland and provides treatment for patients who require placement in a maximum-security hospital. The Center serves the residents who require in-hospital treatment programs for their illness(es) and has an average daily inpatient population of 210 patients. The Center:

- Conducts pretrial evaluations of defendants referred by the Courts in criminal matters;
- Provides the State with forensic and other specialized services for the benefit of persons with mental disorder or disability, the Criminal Justice System, and other Mental Health Treatment Centers; and
- Provides for the safety and security of the Community.

No MBE participation goal was established for this solicitation based upon the determination that the scope of services are for a single element of work and no subcontracting opportunities are available.

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

ITEM: 2-S (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: M00L1001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2630-1101

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Albert Annan
410-767-0114
aannan@msde.state.md.us

DEPARTMENT/PROGRAM: Education (MSDE)
Office of the State Superintendent

CONTRACT ID: R00R2400624;
Maryland Teacher of the Year Gala
ADPICS NO. R00B2400025

DESCRIPTION: Request for retroactive approval of a contract to provide a ballroom setting for the Maryland Teacher of the Year Award Gala held on Friday, October 14, 2011, for an estimated 1,100 attendees to include a reception hour and a sit-down dinner.

AWARD: Martins, Inc. (Martins West)
Baltimore, MD

TERM: 10/14/2011

AMOUNT: \$78,030

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: Only One Bid Received

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

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were emailed directly to 20 prospective vendors, of which all are Maryland firms and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

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

ITEM: 3-S (Cont)

Only one bid was received in response to this solicitation. The recommended awardee, Martins, Inc. (Martins West), the incumbent, is responsible, and its bid meets the technical requirements set forth in the IFB. Moreover, the price has been deemed fair and reasonable, and it was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation.

Inquiries from nonparticipating bidders disclosed that either the scheduled event date was unavailable or the vendor does not have the capacity to host an event for an estimated 1,100 people. The actual number of attendees was 984.

Maryland Teacher of the Year Gala (Gala) recognizes and honors exemplary school teachers who are excellent practitioners and education leaders in their schools and communities. Annually, each local school system selects and submits its top candidate for the award to the Maryland State Department of Education (MSDE) which, as the organizer of the program, appoints a Blue Ribbon Judging Panel of education and community leaders to review and select the finalist. The State Teacher of the Year winner is also entered in the competition for the National Teacher of the Year. The Gala, operated by the MSDE for the past 11 years at no cost to the State, is financially self sustaining and funded through contributions from public/private partnerships and an attendance fee of \$65 per person. It is attended by educators, legislators, and luminaries. In addition to providing the reception area to accommodate 800 people, a sit-down dinner for over 1,100 attendees, and audio visual staging, Martins West also has ample free parking for all attendees.

To ensure optimum attendance, the Gala must be scheduled in October to take advantage of the beginning of the Fall School Year when all teachers are in school and can attend. Furthermore, the Gala must be on a Friday night that does not conflict with any holidays that generally fall within September/October (Yom Kippur – 10/7/2011) or the Maryland State Education Association Teachers Convention (10/22/2011) or the Maryland Association of Boards of Education Conference (10/4 - 10/7/2011) or the National School Boards Association Fall Conference (local board members go to that conference and also attend the Gala). This year, the aforementioned competing events posed scheduling challenges that caused the procurement process to be started later than normal due to the timing of the final scheduled date identification and selection for the Gala.

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

ITEM: 3-S (Cont)

However, despite the late start, the procurement was completed on time (if multiple bids were received), noting that only one bid over \$50,000 was received, which requires approval of the award by the Board of Public Works (BPW). MSDE did not anticipate the receipt of only a single bid for the event this year based upon past history of multiple bids and did not plan for the additional time needed in the procurement process to submit an agenda item to the BPW for approval. The contract award was finalized the week prior to the Gala. Therefore, this unexpected outcome has created the situation of this agenda item for the contract award to be submitted for retroactive approval by the BPW.

No MBE participation goal was established for this procurement based upon the determination that there are no subcontracting opportunities since the services required are for a single catering facility.

FUND SOURCE: 100% Special (Sponsor Donations & Attendee Fee)
APPROP. CODE: R00A0101
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 11-2379-1011

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICES CONTRACT RENEWAL OPTION

ITEM: 4-S-OPTION **Agency Contact:** Clarence J. Snuggs
410-514-7006
Snuggs@mdhousing.org

DEPARTMENT/PROGRAM: Department of Housing and Community
Development (DHCD)
Community Development Administration
Multifamily Low Income Housing Tax
Credit Program

CONTRACT ID: S00R8200008;
Tax Credit Compliance Monitoring
ADPICS BPO No. S00B2400004

CONTRACT APPROVED: 12/12/2007 DBM BPW Agenda Item 8-S

CONTRACTOR: Spectrum Enterprises, Inc.
Cape Elizabeth, ME
(Local Office in Columbia, MD)

CONTRACT DESCRIPTION: Contract to perform required tax credit
compliance monitoring involving periodic physical inspections and on-site file reviews of
properties owned by participants in the federal Low Income Housing Tax Credit (LIHTC)
Program in Maryland.

OPTION DESCRIPTION: Approval request to continue existing
services by exercising the second and final one-year renewal option as contained in the original
contract at the same decreased per unit price initiated for the first renewal option period.

TERM OF ORIGINAL CONTRACT: 1/10/2008 – 1/9/2011 (w/2 one-year
renewal options)

TERM OF OPTION: 1/10/2012 – 1/9/2013

AMOUNT OF ORIGINAL CONTRACT: \$1,400,000 (3 Years)

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

ITEM: 4-S-OPTION (Cont.)

AMOUNT OF OPTION: \$485,000 (1 Year)
PRIOR MODIFICATIONS/OPTIONS: \$535,000 (See Attachment)
REVISED TOTAL CONTRACT AMOUNT: \$2,420,000
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to exercise the second and final one-year renewal option as contained in the original contract in order to continue the existing Low Income Housing Tax Credit (LIHTC) compliance monitoring services at the same decreased per unit price initiated for the first renewal option period. The per unit price during the base contract term was \$200, and the current per unit price is \$194.

Spectrum Enterprises, Inc. (Spectrum) consistently meets the tight deadlines required under the contract and proficiently handles complex LIHTC program compliance issues, ensuring few major non-compliance issues. As a nationally recognized company in the low income housing industry, Spectrum draws on its experience and resources to share best practices and client proven approaches in providing DHCD with expert assistance in support of the LIHTC program.

Funding for this contract is covered by fees collected by DHCD from LIHTC participating property owners, who pay a \$25 per unit per year monitoring fee to DHCD. DHCD in turn pays the Contractor from these revenues.

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

ITEM: 4-S-OPTION (Cont.)

FUND SOURCE: 100% Special (General Bond Reserve Fund)

APPROP. CODE: S00A2505

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-OPTION (Cont.) ATTACHMENT

PRIOR MODIFICATIONS/OPTIONS (Cont.):

MOD #1	\$50,000	Increased funding for the initial term to cover an increase in the number of inspections anticipated through the end of the contract from 1/14/2010 to 1/9/2011. Approved by DBM and reported on the January 2010 PAAR.
Option #1	\$485,000	Exercised the first of two one-year renewal options as contained in the original contract and modified the contract to decrease the per unit price (a unit is a single-lease Rental dwelling) and add a contract deliverable. Approved on the 12/15/2010 DBM BPW Agenda, Item 4-S-MOD.
Total	<u>\$535,000</u>	

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

SERVICES CONTRACT RENEWAL OPTION / MODIFICATION

ITEM: 5-S-MOD **Agency Contact:** Diane Herr
410-767-4248
HerrD@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Health Services (OHS)

CONTRACT ID: DHMH-OPASS 08-9750; 08-9751;
08-9752; 08-9753;
Rare and Expensive Case Management
(REM) Program
ADPICS Nos.: COE03523; M00B2400340

CONTRACT APPROVED: 12/12/2007 DBM BPW Agenda Item 6-S

CONTRACTORS: See Attachment #1

CONTRACT DESCRIPTION: Contract approval for case management services in the Rare and Expensive (REM) Case Management program which is part of Maryland's HealthChoice program, a comprehensive Medicaid managed care program operated by DHMH.

OPTION/MODIFICATION DESCRIPTION: Approval request to (1) increase funding for the remaining three weeks of the first renewal option due to a greater increase in Medicaid enrollment throughout the State with an associated increased enrollment in the REM program; and (2) exercise the second and final one-year renewal option as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 1/1/2008 – 12/31/2010 (w/2 one-year renewal options)

TERM OF OPTION/MODIFICATION: 12/12/2011 – 12/31/2011 (MOD);
1/1/2012 – 12/31/2012 (Renewal Option)

AMOUNT OF ORIGINAL CONTRACT: \$21,900,000 (3 Years)

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

ITEM: 5-S-MOD (Cont.)

AMOUNT OF OPTION/MODIFICATION: \$ 230,000 (3 Weeks; MOD)
\$8,300,000 (1 Year; Renewal Option)
\$8,530,000 Total (1 Year; 3 Weeks)

PRIOR MODIFICATIONS/OPTIONS: \$9,894,928 (See Attachment #2)

REVISED TOTAL CONTRACT AMOUNT: \$40,324,928

PROCUREMENT METHOD: Competitive Sealed Proposals

PERCENT +/- (THIS MODIFICATION) +1.05%

OVERALL PERCENT +/-: +4.25%

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to (1) increase funding for the remaining three weeks of the first renewal option due to a greater increase in Medicaid enrollment throughout the State with an associated increased enrollment in the REM program; and (2) exercise the second and final one-year renewal option as contained in the original contract at the same decreased reimbursement rates as established during first renewal option with an increase in funds based upon the increase in Medicaid throughout the State with an associated increase enrollment in the REM program.

The DHMH Office of Health Services (OHS) is charged with the task of contracting for medical case management services provided to medically fragile children and adults in the Rare and Expensive (REM) Case Management Program. The REM Program is part of Maryland's "HealthChoice" program, a comprehensive Medicaid managed care program operated by DHMH under the authority of Maryland Medicaid Section 1115 Health Care Reform Demonstration (No. 11-W-00099/3). REM case management services are provided to over 3,700 Medicaid recipients with specific medical diagnoses.

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

ITEM: 5-S-MOD (Cont.)

Due to an increase in Medicaid enrollment throughout the State, there has also been an increase in enrollment in the REM Program. Therefore, additional funds are needed to continue these vital services for the State. DHMH reduced the Contractors' reimbursement rates by 5% during the first renewal option, effective 1/1/2011. This reduction is being continued for the second and final renewal option.

It is in the best interest of the State to continue these services with the current Contractors by exercising the renewal option and modifying the contract because the Contractors consistently exceed all contractual requirements and expectations in the delivery of REM case management services. The Contractors have proven to be exceptional partners with DHMH by supporting the goals of DHMH and demonstrating cooperation and flexibility as needed to adjust or respond to unexpected issues. DHMH has been extremely satisfied with the medical case management services provided by the REM case management Contractors. By approving this action, the REM case management services will continue to be provided to some of the most medically fragile Medicaid children and adults in the State.

Since this is the final renewal option available on this contract, the DHMH intends to conduct a new procurement for these services during the Summer of 2012 with a new contract award to be approved prior to the end of the contract renewal option period.

FUND SOURCE: 50% General; 50% Federal

APPROP. CODE: M00Q0103

RESIDENT BUSINESSES: Yes for all

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 5-S-MOD (Cont.) ATTACHMENT #1

CONTRACTORS (Cont):

The Coordinating Center for Home & Community Care, Inc.
Millersville, MD

Integrated Healthcare Auditing and Services, Inc. (IHAS)
Laurel, MD

Integra Health Management
(Formerly known as SeniorConnections)
Owings Mills, MD

Medical Management and Rehabilitation Services, Inc.
Baltimore, MD

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

ITEM: 5-S-MOD (Cont.) ATTACHMENT #2

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$1,894,928	Mod to increase funds due to an increase in Medicaid enrollment throughout the State with an associated increase in the REM program for the period of 10/1/2010 – 12/31/2010. Approved on the 9/22/2010 DBM BPW Agenda, Item 8-S-MOD.
Opt. #1	\$8,000,000	Exercised the first of two one-year renewal options as contained in the original contract; and modified the contract to (1) add funds to the renewal option due to an increase in Medicaid enrollment throughout the State with an associated increased enrollment in the REM program (+\$1.1M); and (2) decrease the payment rates for the renewal option (-\$400K). Approved on the 12/1/2010 DBM BPW Agenda, Item 6-S-MOD.
Total	<u>\$9,894,928</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Joselyn Hopkins
410-339-5013
jmhopkins@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of Inmate Health Services
Inmate Health Care Program

CONTRACT ID: Q0005057A – Mod;
Inmate Health Care Services –
Medical Care Services
ADPICS No COE04464

CONTRACT APPROVED: 6/1/2005 DBM BPW Agenda Items 14-S

CONTRACTOR: Correctional Medical Services, Inc.
St. Louis, MO
(Local Office in Hagerstown, MD)

CONTRACT DESCRIPTION: Contract to implement Statewide primary
and infirmary care medical services for inmates in the custody of the Department of Public
Safety and Correctional Services.

MODIFICATION DESCRIPTION: Approval request to (1) extend the contract
by six months in order to complete a new procurement for inmate medical health care services,
and allow for a 60 - 90 day transition period between contractors, if necessary; and (2) increase
the level of staffing to accommodate federal inmates housed at the Maryland Correctional
Adjustment Center (MCAC).

TERM OF ORIGINAL CONTRACT: 6/2/2005 – 6/30/2007 (w/3 one-year
renewal options)

TERM OF MODIFICATION: 1/1/2012 – 6/30/2012

AMOUNT OF ORIGINAL CONTRACT: \$125,638,937 (2 Years)

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

ITEM: 6-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$35,580,186 NTE (Part #1)
\$ 303,037 NTE (Part #2)
\$35,883,223 Total NTE (6 Months)

PRIOR MODIFICATIONS/OPTIONS: \$284,920,582 (See Attachment)

REVISED CONTRACT AMOUNT: \$446,442,742 NTE

PERCENT +/- (THIS MODIFICATION): +29.0%

OVERALL PERCENT +/-: +99.0%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 13%

REQUESTING AGENCY REMARKS: Request for approval to extend the contract by six months in order to complete a new procurement for inmate medical health care services.

DBM and DPSCS have worked very closely throughout the procurement answer the over 300 questions received from the potential vendors following the Pre-Proposal Conference. In the process of answering these questions, several amendments have been made to the RFP. At this time, DPSCS and DBM believe an additional six months will be needed to complete the procurement and award a new contract, and allow for a 60 - 90 day transition period between contractors, if necessary.

Additionally, DPSCS entered into an agreement to house federal inmates and federal detainees at the Maryland Correctional Adjustment Center (MCAC). The contract amount is being increased to accommodate the additional staff needed to provide medical services to the federal inmates. Funding for the additional staffing will be provided by the federal government.

It is important to note these contracts were designed to improve the level of care over the prior contracts in response to the U.S. Department of Justice standards and decrees to reach generally accepted community standards and to provide for continuity and consistency of care in all DPSCS facilities. The level of care has consistently progressed to community standards and is meeting the requirements of the contract.

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

ITEM: 6-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: Various

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: 6-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	N/A	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 - 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period of 7/1/2006 - 6/30/2007. Approved by DPSCS.
Mod #3	(\$13,079,482)	Mod to clarify portions of the Statement of Work & to reduce the original amount of the not to exceed limits for the period of 5/12/2007 - 6/30/2007. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Option #1	\$62,956,839	Exercised the first Renewal Option as contained in the original contract for one year for the period of 7/1/2007 - 6/30/2008. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2007 - 6/30/2008. Approved by DPSCS.
Mod #5	(\$2,200,000)	Mod to clarify portions of the Statement of Work in a non-material change & to decrease the not to exceed amount for the period 6/1/2008 - 6/30/2008. Approved on the 7/16/2008 DBM BPW Agenda, Item 9-S-MOD.

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

ITEM: 6-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Option #2	\$65,530,886	Exercised the 2nd Renewal Option as contained in the original contract for one year for the period of 7/1/2008 - 6/30/2009. Approved on the 6/11/2008 DBM BPW Agenda, Item 14-S-OPTION.
Mod #6	(\$1,363,025)	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 6/17/2009 - 6/30/2009. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Option #3	\$68,163,848	Exercised the 3rd Renewal Option as contained in the original contract for one year for the period of 7/1/2009 - 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Mod #7	\$35,701,237	Mod to extend the current contract by six months for the period of 7/1/2010 to 12/31/2010. Approved on the 6/23/2010 DBM BPW Agenda, Item 24-S-MOD.
Mod #8	\$340,000	Mod to increase the not-to-exceed amounts of the contract in order to continue the existing services through the end of the contract term for the period of 12/1/2010 – 12/31/2010. Approved on the 12/1/2010 DBM BPW Agenda, Item 11-S-MOD.
Mod #9	\$35,580,186	Mod to extend the contract by six months with three one-month renewal options in order to complete a new procurement for inmate medical health care services for the period of 1/1/2011 - 6/30/2011. Approved on the 12/15/2010 DBM BPW Agenda, Item 7-S-MOD.

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

ITEM: 6-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod # 10	\$33,290,093	Exercised the three one-month renewal options and modified the contract to extend the term for an additional three months for a total of six months in order to complete a new procurement for inmate medical health care services for the period of 7/1/2011 – 12/31/2011. Approved on the 6/1/2011 DBM BPW Agenda, Item 11-S-MOD.
Total	<u>\$284,920,582</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Joselyn Hopkins
410-339-5013
jmhopkins@dpsc.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of Inmate Health Services
Inmate Health Care Program

CONTRACT ID: Q0005057B – Mod;
Inmate Health Care Services –
Mental Health Services
ADPICS No. COE04403

CONTRACT APPROVED: 6/1/2005 DBM BPW Agenda Items 15-S

CONTRACTOR: MHM Correctional Services of MD, Inc.
Vienna, VA

CONTRACT DESCRIPTION: Contract to implement statewide primary
psychiatric care and mental health infirmary care services to inmates in the custody of the
Department of Public Safety and Correctional Services.

MODIFICATION DESCRIPTION: Approval request to (1) extend the contract
by six months in order to complete a new procurement for inmate mental health care services,
and allow for a 60 - 90 day transition period between contractors, if necessary; and (2) increase
the level of staffing to accommodate federal inmates housed at the Maryland Correctional
Adjustment Center (MCAC).

TERM OF ORIGINAL CONTRACT: 6/2/2005 – 6/30/2007 (w/3 one-year
renewal options)

TERM OF MODIFICATION: 1/1/2012 – 6/30/2012

AMOUNT OF ORIGINAL CONTRACT: \$22,495,152 (2 Years)

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

ITEM: 7-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$6,709,896 NTE (Part #1)
\$ 71,375 NTE (Part #2)
\$6,781,271 Total NTE (6 Months)

PRIOR MODIFICATIONS/OPTIONS: \$52,558,355 (See Attachment)

REVISED CONTRACT AMOUNT: \$81,834,778 NTE

PERCENT +/- (THIS MODIFICATION): +30.15%

OVERALL PERCENT +/-: +108.63%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

REQUESTING AGENCY REMARKS: Request for approval to extend the contract by six months in order to complete a new procurement for inmate mental health care services.

The inmate mental health care services RFP has not been published pending the amendments being made to the inmate medical health care services RFP that will need to be incorporated into the inmate mental health services solicitation. Now that the inmate medical services RFP has been finalized, the inmate mental health services RFP can be completed and published.

At this time, DPSCS and DBM believe an additional six months will be needed to complete the procurement and award a new contract, and allow for a 60 - 90 day transition period between contractors, if necessary.

Additionally, DPSCS entered into an agreement to house federal inmates and federal detainees at the Maryland Correctional Adjustment Center (MCAC). The contract amount is being increased to accommodate the additional staff needed to provide medical services to the federal inmates. Funding for the additional staffing will be provided by the federal government. DPSCS will also be required to achieve accreditation by the National Commission on Correctional Healthcare (NCCHC).

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

ITEM: 7-S-MOD (Cont.)

It is important to note these contracts were designed to improve the level of care over the prior contracts in response to the U.S. Department of Justice standards and decrees to reach generally accepted community standards and to provide for continuity and consistency of care in all DPSCS facilities. The level of care has consistently progressed to community standards and is meeting the requirements of the contract.

FUND SOURCE: 100% General

APPROP. CODE: Various

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: 7-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	\$0	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 - 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period of 7/1/2006 - 6/30/2007. Approved by DPSCS.
Mod #3	(\$3,289,895)	Mod to clarify portions of the Statement of Work & to reduce the original amount of the not to exceed limits for the period of 5/12/2007 - 6/30/2007. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Option #1	\$10,959,034	Exercised the first Renewal Option as contained in the original contract for one year for the period of 7/1/2007 - 6/30/2008. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2007 - 6/30/2008. Approved by DPSCS.
Mod #5	\$100,000	Mod to clarify portions of the Statement of Work in a non-material change & to increase the not to exceed amount for the period 6/1/2008 - 6/30/2008. Approved on the 7/16/2008 DBM BPW Agenda, Item 9-S-MOD.

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

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

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Option #2	\$11,737,365	Exercised the 2nd Renewal Option as contained in the original contract for one year for the period of 7/1/2008 - 6/30/2009. Approved on the 6/11/2008 DBM BPW Agenda, Item 14-S-OPTION.
Mod #6	(\$136,263)	Mod to clarify portions of the Statement of Work in a non-material change and reduce the not to exceed amount for the period 6/17/2009 - 6/30/2009. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Option #3	\$12,205,834	Exercised the 3rd Renewal Option as contained in the original contract for one year for the period of 7/1/2009 - 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Mod #7	\$6,574,562	Mod to extend the current contract by six months for the period of 7/1/2010 to 12/31/2010. Approved on the 6/23/2010 DBM BPW Agenda, Item 24-S-MOD.
Mod #8	\$0	Mod to add an additional MBE subcontractor for the period of 10/22/2010 – 12/31/2010. Approved by DPSCS.
Mod #9	\$0	Mod for administrative correction. Approved by DPSCS.
Mod #10	\$596,243	Mod to increase the not-to-exceed amounts of the contract in order to continue the existing services through the end of the contract term for the period of 12/1/2010 – 12/31/2010. Approved on the 12/1/2010 DBM BPW Agenda, Item 11-S-MOD.

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

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

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #11	\$6,697,896	Mod to extend the contract by six months with three one-month renewal options in order to complete a new procurement for inmate mental health care services for the period of 1/1/2011 - 6/30/2011. Approved on the 12/15/2010 DBM BPW Agenda, Item 8-S-MOD.
Mod #12	\$7,113,579	Exercised the three one-month renewal options and modified the contract to extend the term for an additional three months for a total of six months in order to complete a new procurement for inmate mental health care services for the period of 7/1/2011 – 12/31/2011. Plus modified the contract to add funding for the month of June 2011. Approved on the 6/1/2011 DBM BPW Agenda, Item 12-S-MOD.
Total	<u>\$52,558,355</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 8-S-MOD **Agency Contact:** Joselyn Hopkins
410-339-5013
jmhopkins@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of Inmate Health Services
Pharmacy Program

CONTRACT ID: Q0005057E –Mod;
Inmate Health Care Services –
Utilization Management Services
ADPICS No. COE04273

CONTRACTS APPROVED: 6/1/2005 DBM BPW Agenda Items 18-S

CONTRACTOR: Wexford Health Sources, Inc.
Pittsburgh, PA

CONTRACT DESCRIPTION: Contract to implement statewide utilization management services for inpatient hospital care (secondary care), infirmary care, and outpatient specialty care (also secondary care) provided to inmates in the custody of the Department of Public Safety and Correctional Services.

MODIFICATION DESCRIPTION: Approval request to extend the contract by six months in order to complete a new procurement for inmate health care and utilization management services, and allow for a 60 - 90 day transition period between contractors, if necessary.

TERM OF ORIGINAL CONTRACT: 6/2/2005 – 6/30/2007 (w/3 one-year renewal options)

TERM OF MODIFICATION: 1/1/2012 – 6/30/2012

AMOUNT OF ORIGINAL CONTRACT: \$21,967,007 (2 Years)

AMOUNT OF MODIFICATION: \$19,474,836 (6 Months)

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

ITEM: 8-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$199,377,826 (See Attachment)

REVISED CONTRACT AMOUNT: \$240,819,669 NTE

PERCENT +/- (THIS MODIFICATION): +88.65%

OVERALL PERCENT +/-: +533.38%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5%

REQUESTING AGENCY REMARKS: Request for approval to extend the contract by six months in order to complete a new procurement for inmate medical utilization management services.

The inmate medical utilization management services are part of the inmate medical care services RFP. At this time, DPSCS and DBM believe an additional six months will be needed to complete the procurement and award a new contract, and allow for a 60 - 90 day transition period between contractors, if necessary.

It is important to note these contracts were designed to improve the level of care over the prior contracts in response to the U.S. Department of Justice standards and decrees to reach generally accepted community standards and to provide for continuity and consistency of care in all DPSCS facilities. The level of care has consistently progressed to community standards and is meeting the requirements of the contract.

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

ITEM: 8-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: Various

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: 8-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	N/A	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 - 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period of 7/1/2006 - 6/30/2007. Approved by DPSCS.
Mod #3	\$31,552,919	Mod to clarify portions of the Statement of Work & to increase the original amount of the not to exceed limits for the period of 5/12/2007 - 6/30/2007. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Option #1	\$32,082,440	Exercised the first Renewal Option as contained in the original contract for one year for the period of 7/1/2007 - 6/30/2008. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2007 - 6/30/2008. Approved by DPSCS.
Mod #5	\$1,550,000	Mod to clarify portions of the Statement of Work in a non-material change & to increase the not to exceed amount for the period 6/1/2008 - 6/30/2008. Approved on the 7/16/2008 DBM BPW Agenda, Item 9-S-MOD.

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

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

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Option #2	\$34,562,156	Exercised the 2nd Renewal Option as contained in the original contract for one year for the period of 7/1/2008 - 6/30/2009. Approved on the 6/11/2008 DBM BPW Agenda, Item 14-S-OPTION.
Mod #6	\$196,790	Mod to clarify portions of the Statement of Work in a non-material change and increase the not to exceed amount for the period 6/17/2009 - 6/30/2009. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Option #3	\$35,039,489	Exercised the 3rd Renewal Option as contained in the original contract for one year for the period of 7/1/2009 - 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Mod #7	\$15,531,901	Mod to extend the current contract by six months for the period of 7/1/2010 to 12/31/2010. Approved on the 6/23/2010 DBM BPW Agenda, Item 24-S-MOD.
Mod #8	\$10,912,459	Mod to increase the not-to-exceed amounts of the contract in order to continue the existing services through the end of the contract term for the period of 12/1/2010 – 12/31/2010. Approved on the 12/1/2010 DBM BPW Agenda, Item 11-S-MOD.
Mod #9	\$19,474,836	Mod to extend the contract by six months with three one-month renewal options in order to complete a new procurement for inmate medical health care services for the period of 1/1/2011 - 6/30/2011. Approved on the 12/15/2010 DBM BPW Agenda, Item 10-S-MOD.

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

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

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #10	\$18,474,836	Exercised the three one-month renewal options and modified the contract to extend the term for an additional three months for a total of six months in order to complete a new procurement for inmate health care and utilization management services for the period of 7/1/2011 – 12/31/2011. Approved on the 6/1/2011 DBM BPW Agenda, Item 13-S-MOD.
Total	<u>\$199,377,826</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 9-S-MOD **Agency Contact:** Yamillette Waite
410-865-1123
ycollett@mdot.state.md.us

DEPARTMENT/PROGRAM: Department of Transportation (MDOT)
Office of Procurement

CONTRACT ID: MDOT-OP-09-001; J01R9200013;
Availability and Utilization Disparity
Studies for the State of Maryland
ADPICS CO # COE04347

CONTRACT APPROVED: 12/2/2009 DBM BPW Agenda Item 5-S

CONTRACTOR: National Economic Research Associates,
Inc. (NERA)
Austin, TX

CONTRACT DESCRIPTION: Consulting services to undertake the
preparation of comprehensive and legally supportable availability and utilization disparity
studies for minority and woman owned businesses in the State.

MODIFICATION DESCRIPTION: Approval request to modify the contract to
(1) add two additional tasks (one for retroactive approval and one for prospective approval); (2)
change the approach to one previously approved task; and (3) increase the Not-To-Exceed (NTE)
amount of the time and material portion of the Contract.

TERM OF ORIGINAL CONTRACT: 12/4/2009 – 12/31/2012 (w/2 two-year
renewal options)

TERMS OF MODIFICATIONS: 9/1/2011 – 12/31/2012 (Part #1 - Retro.);
12/9/2011 – 12/31/2012 (Parts #1, 2, 3)

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

ITEM: 9-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT: \$2,000,000 (\$1,331,688 (Fixed Fee) and
\$668,312 (NTE))
(Approx. 3 Years; 1 Month)

AMOUNT OF MODIFICATION: \$ 50,000 (Part #1 - Retroactive)
\$ 70,000 (Part #1 - Prospective)
\$130,000 (Part #2)
\$215,175 NTE (Part #3)
\$465,175 Total NTE
(Approx. 1 Year; 1 Month)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$2,465,175 (\$1,331,688 (Fixed Fee) and
\$1,133,487 (NTE))

OVERALL PERCENT +/- (THIS MOD): +23.26%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 30.1%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract to (1) add two additional tasks (one for retroactive approval and one for prospective approval); (2) change the approach to one previously approved task; and (3) increase the Not-To-Exceed (NTE) amount of the time and material portion of the Contract.

On December 2, 2009, the Board of Public Works (BPW) approved a Contract with National Economic Research Associates (NERA) to evaluate the continuing need (or lack thereof) for a Minority Business Enterprise (MBE) program (DBM BPW Agenda, Item 5-S). If the Contractor's study recommends a continuation of the State's MBE program and that recommendation is enacted, and if a continued or modified program is challenged, the Contractor must be available to assist, through expert testimony, in the State's defense of the program.

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

ITEM: 9-S-MOD (Cont.)

The Contract includes tasks regarding three distinct programs: the Minority Business Enterprise Program (MBE), the Disadvantaged Business Enterprise Program (DBE) and the Airport Concessions Disadvantaged Enterprise Program (ACDBE). The largest and most encompassing of the tasks was the undertaking and completion of an availability and utilization disparity study of the MBE program (the "2011 Disparity Study") to evaluate the program's continued compliance with the constitutional requirements for such programs set forth in *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469 (1989), as well as subsequently recognized Federal and Constitutional requirements. The 2011 Disparity Study was completed and delivered to the Maryland General Assembly during the 2011 Legislative Session.

During the 2009 Legislative Session, the Maryland General Assembly required MDOT to conduct an evaluation of the annual Maryland MBE Program Personal Net Worth (PNW) level and adjustment method. This evaluation required the services of an economic consultant to assist in the collection and evaluation of financial business data relevant to the PNW cap for the State's MBE Program. In December 2010, the Legislative Policy Committee granted MDOT an extension to the submission date for the required evaluation to allow MDOT time to finalize the Disparity Study with NERA and formally engage them in the performance of the mandated evaluation. Since this evaluation would utilize the same extensive background analysis of Maryland's MBE Program that NERA had already conducted in conjunction with the 2011 Disparity Study, it was able to conduct the evaluation of the MBE Program's PNW cap in the most efficient and cost effective manner for the State. However, in order to meet the Legislation's required submission deadline of 12/1/2011 for this evaluation report, MDOT held discussions with NERA about how to meet the requirements for the evaluation and directed them to move forward with completion of the evaluation. Even though, this task was valued at approximately \$50,000, which is within MDOT's delegated authority from DBM to approve, MDOT did not get a signed Contract Amendment prior to NERA beginning work on this task; therefore, MDOT is requesting retroactive approval of this part of the modification, Contract Amendment No. 1, to the Contract.

Subsequent to the receipt of the 2011 Disparity Study and the digestion of information contained within, in regards to program recommendations, a determination was made that it is in the State's best interest to engage NERA in further evaluation, development and implementation of the recommendations if such recommendations are considered for implementation in the State's MBE Program. Therefore, a second task is being incorporated into the Contract as it is related to the State's MBE Program. Approval of this task, valued at approximately \$70,000, is being requested prospectively.

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

ITEM: 9-S-MOD (Cont.)

The Sub-recipient data collection and analysis for the DBE Program is being modified in order for this work to be done separately from the data collection and analysis for the MBE Program. Originally the Contractor's work plan had both data collections and analyses conducted concurrently. Due to the delayed start of the Contract, to produce the 2011 Disparity Study and ensure delivery to the Maryland General Assembly during the 2011 Legislative Session, it was necessary to develop an alternative approach so as to collect the MBE data in a timely manner. As developed, the Contractor will now undertake a separate data collection effort for the DBE data requiring the services of staff to augment the core team. This is a similar approach that was taken in relation to the MBE Program data collection effort that yielded very successful results. The change in approach for this task is valued at approximately \$130,000.

Finally, an increase in the NTE amount for the time and materials portion of the Contract is being requested with this modification to provide any consultation, expert testimony, and litigation support required of programs adopted based on the results of the 2011 Disparity Study. The 2011 Disparity Study recommended the continuation of the State's program and that recommendation was enacted. Due to the actual costs of data collection and support provided to date, it is estimated that the NTE amount for time and materials previously approved by the BPW will be reached prior to exercising the first two-year renewal option. The NTE amount was an estimation of funds required to cover all possible contract years that included a number of unknown variables at time of award, which could not easily be broken out for award purposes and have impacted the level of expenditures during the base term of the Contract. This part of the modification is valued at approximately \$215,175.

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

ITEM: 9-S-MOD (Cont.)

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J00A0101

RESIDENT BUSINESS: No

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICES CONTRACT MODIFICATION

ITEM: 10-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
SJohnso5@dhr.state.md.us

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

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

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

CONTRACTORS: See Attachment #1

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

MODIFICATION DESCRIPTION: Approval request to modify two RCC
contracts: (1) to align the rate for one provider's program, effective 12/8/2011, to reflect
amended FY2012 rates established by the Interagency Rates Committee (IRC); and (2) to
decrease the number of available child care beds for a second provider, effective 1/1/2012.

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

TERMS OF MODIFICATIONS: 12/8/2011 - 3/31/2013 (#1 MOD);
1/1/2012 - 3/31/2013 (#2 MOD)

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

AMOUNT OF MODIFICATION: \$1,757,065 (Approx. 1 Year, 3 Months)
(See Attachment #1)

PRIOR MODIFICATIONS/OPTIONS: (\$1,468,555) (See Attachments #1 & #2)

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

ITEM: 10-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$245,199,080 Grand Total
(See Attachments #1 & #2)

PERCENT +/- (THIS MODIFICATION): +0.72%

OVERALL PERCENT +/- +0.12%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 1 Provider has a 5% MBE subcontracting goal (See Attachment #1)

REQUESTING AGENCY REMARKS: Request for approval to modify two RCC contracts: (1) to align the rates for one provider's program (Associated Catholic Charities – Villa Maria, St. Vincent's), effective 12/8/2011, to reflect amended FY2012 rates established by the Interagency Rates Committee (IRC); and (2) to decrease the total number of available child care beds for a second provider (San Mar Children's Home) from 20 to 19, effective 1/1/2012.

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

The total modified award amount is an overall increase of \$1,757,065 based upon the rate change for Associated Catholic Charities and the bed reduction for San Mar Children's Home. The total modified contract amount assumes that each slot purchased will be occupied by a child for every day of the term of the contract through 3/31/2013. Based on history, this is unlikely to occur. These are reimbursement contracts. The vendors are paid solely for the actual children placed with them during the year, and then only for the actual number of days each child is with the vendor.

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

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

ITEM: 10-S-MOD (Cont.)

FUND SOURCE: 66% General; 34% Federal

APPROP. CODE: N00G0001

RESIDENT BUSINESSES: Yes for both

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ATTACHMENT # 1

ITEM: 10-S-MOD (Cont.)

CONTRACT IDS; CONTRACTORS; ADPICS CO #	ORIGINAL # OF CHILD CARE BEDS	+/- OF BEDS (W/MOD # 2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT	MOD # 2 * AMOUNT	TOTAL REVISED CONTRACT AMOUNT	% +/- MOD # 2	% +/- OVERALL
Associated Catholic Charities - Villa Maria, St. Vincent's ** Timonium, MD CO # COE01794	31	0	31	\$6,934,132	\$1,809,898	\$8,744,030	+26.10%	+26.10%
San Mar Children's Home Boonsboro, MD CO # COE03104	20	(1)	19	\$3,154,728	(\$52,833)	\$3,101,895	-1.67%	-1.67%
Cum. Total (MOD #2)	51	(1)	50	\$10,088,860	\$1,757,065	\$11,845,925	+17.42%	+17.42%
REVISED GRAND TOTAL FOR ALL RCC CONTRACTS:	1,376	(14)	1,362	\$244,910,570	\$288,510	\$245,199,080	+0.72%	+0.12%

Note: * MOD #1 was for three different RCC providers and did not affect the two RCC contracts being modified in MOD #2.
MOD #1 had a reduction of 13 child care beds and a total reduction in price of \$1,468,555 (See Attachment #2) that has been added into the Revised Grand Totals.

** This contract has a 5% MBE subcontracting goal.

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

ITEM: 10-S-MOD (Cont.) ATTACHMENT # 2

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	(\$1,468,555)	Modified three RCC contracts to decrease the number of available residential child care beds by 13, and at the same time, align the contract rates to reflect the FY2012 rates established the Interagency Rate Committee. Approved on the 10/5/2011 DBM BPW Agenda, Item 1-S-MOD.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 11-GM

Agency Contact: Thomas Faulk
410-576-6483
tfaulk@oag.state.md.us

DEPARTMENT:

University of Maryland University College
(UMUC)
University System of Maryland (USM)

AMOUNT OF REQUEST:

\$430,000

DESCRIPTION:

Request for approval, pursuant to Maryland Annotated Code, State Government Article §12-404 and §12-405, to enter into a settlement agreement to resolve all issues and claims in *Dr. Motee Persaud vs. the University of Maryland University College, et al.*, United States District Court for the District of Maryland, Case No. 10-cv-00216 (PJM), a race/national origin discrimination, unlawful retaliation, and First Amendment case involving a former University of Maryland University College (UMUC) collegiate professor whose contract was not renewed.

FUND SOURCE:

UMUC Operating Fund

APPROP. CODE:

R30B30

REQUESTING AGENCY REMARKS:

The University System of Maryland (USM), UMUC and the Office of the Attorney General recommend approval of the requested settlement because it would dispose of complex and costly litigation with an economically reasonable payment to the plaintiff after mediation of the litigation before the Honorable Charles B. Day in which the parties reached a settlement agreeable to all parties.

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

ITEM: 11-GM (Cont.)

If this settlement is approved, a check should be made payable to "Dr. Motee Persaud and his attorney, David L. Scher, Esquire, The Employment Law Group, P.C." and mailed to Thomas Faulk, Assistant Attorney General, 200 St. Paul Place, 17th Floor, Baltimore, Maryland 21202-2021 for distribution.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT OPTION

ITEM: 1-C OPT

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On Call Construction Management at Risk
Services for the University of Maryland,
Baltimore, RFP #85592 RA

CONTRACT APPROVED:

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

CONTRACTORS:

Henry H. Lewis Contractors
Owings Mills, MD 21117

J. Vinton Schafer
Abingdon, MD 21009

Plano – Coudon, LLC
Baltimore, MD 21230

The Whiting – Turner Contracting Co.
Baltimore, MD 21286

CONTRACT DESCRIPTION: Construction Management at Risk Services during preconstruction and construction phase on an On-Call basis for the University of Maryland Baltimore Service Center.

OPTION DESCRIPTION: Scope of work and contract terms and conditions are unchanged for renewal period.

ORIGINAL TERM:

12/18/2007-12/17/2008 (With 4 one-year renewal options)

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

ITEM: 1-C OPT (Continued)

OPTION TERM: 12/18/2011 – 12/17/2012 (4th of four renewal options)

ORIGINAL CONTRACT AMOUNT: \$15,000,000 estimated annually/no single project is anticipated to exceed \$5,000,000.

OPTION AMOUNT: \$15,000,000 estimated annually/no single project is anticipated to exceed \$5,000,000.

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

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

REQUESTING INSTITUTION REMARKS: This is the fourth of four renewal options for the On Call CM contract. This On Call CM contract is used for renovation projects (dormitory renovations, lab renovations, and tenant fit-out projects) at UMB and the various campuses UMB serves as the Regional Service Center. Renewal is recommended for the four firms based on satisfactory contractor performance and MBE compliance. MBE participation of 25% has been exceeded for all awarded projects currently under construction. The awarded projects currently in the design phase will obtain the required MBE participation during the construction phase. Task orders are competitively bid among all construction managers under the On Call Contract. Task orders exceeding \$500,000 will be presented to the Board for individual approval.

FUND SOURCE: Various Institutional Funds

RESIDENT BUSINESS: Yes

TAX COMPLIANCE NO: 11-2761-1011 (Henry H. Lewis Contractors, LLC)
11-2762-1111 (J. Vinton Schafer)
11-2768-1111 (Plano-Coudon)
11-2760-1111 (The Whiting-Turner Contracting Co.)

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

ITEM: 2-GM

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

INSTITUTION: University of Maryland, Baltimore

RECOMMENDATION: That the Board of Public Works approve the demolition of structure located on premises of 611 W. Lexington Street, Baltimore City.

PROPERTY: 611 W. Lexington Street, Baltimore

EXPLANATION: The University acquired the property in 2007 together with two adjacent properties for future use. The property is located in the West Side Redevelopment area of Baltimore City. The building located at 611 W. Lexington Street was constructed sometime after 1950 and is a one-story masonry structure of approximately 620 square feet. Because of its very poor condition and small size, the structure is of no value, academic or otherwise, to the University. Once cleared, the property will be landscaped and used as open space. The cost to raze this structure will be no greater than \$10,000 to be paid from institution current unrestricted funds.

Maryland Historical Trust: By letter dated January 28, 2008, the Maryland Historical Trust determined that the demolition would not have an adverse effect on any historic properties.

Clearinghouse Review: The State Clearinghouse has conducted an intergovernmental review of the proposed demolition and endorses it subject to mitigating any environmental issues before demolition. [MD20110623-0460: issued Sept. 16, 2011.] The University will comply with Maryland Department of the Environment comments regarding proper removal and disposal of any environmentally hazardous materials.

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 3-C MOD

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

INSTITUTION:

University of Maryland, College Park

CONTRACT ID:

Construction Management at Risk Services
Severn Building Renovation – Phase 1A
University of Maryland, College Park
Contract No. B-000979-K /Task Order No. Y-400106
Project No. 10-444-863-00

CONTRACT APPROVED:

On Call CM Services (USM Item 2-C, 01/02/2008)
CM Pre-Construction Services (USM Item 6-C, 10/06/10)
CM GMP (USM Item 3-C MOD, 03/23/11)
CM GMP (USM Item 6-C MOD, 06/15/11)

CONTRACTOR:

J. Vinton Schafer & Sons, Inc.

CONTRACT DESCRIPTION:

Construction management services for both pre-construction/design and construction phases, inclusive of the actual construction of the project, for the renovation of the Severn Building (former Washington Post Building) to accommodate the relocation of functions from the East Campus Redevelopment site. The project consists of renovating the first floor for Mail and Motor Transportation Services for the Department of Business Services and for Logistics Services for Facilities Management/Office of Facilities Administration. The existing spaces will be renovated and provided with new lighting, HVAC, and fume exhaust hoods. The estimated construction cost for this project is \$3.6 million.

MODIFICATION DESCRIPTION:

The Board previously approved expansion of the scope of this project, with a revised construction cost estimate of \$4.8 million (Ref: USM Item 6-C MOD, 6/15/11). That estimate was based on open warehouse space with limited mechanical and electrical systems. The estimated cost escalated as the open space was divided into multi-use spaces and office spaces with finishes, computer/data support, special systems such as dust collection systems and more complicated mechanical systems to support year round conditioning of emergency spaces. The revised estimated construction cost is \$6.1 million. The CM has submitted an acceptable GMP proposal for the remaining work (known as Phase 1A), for which the University seeks Board approval.

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

ITEM: 3-C MOD (continued)

TERM: Pre-construction phase (10/6/10 - 2/27/11)
Construction phase (3/23/11 – 12/23/11)

TERM OF MODIFICATION: 107 calendar days (12/08/11 – 03/24/12)

AMOUNT OF ORIGINAL CONTRACT:\$ 34,000 (Pre-Construction Only)

AMOUNT OF THIS MODIFICATION: \$2,356,198 (Phase 1A GMP)

PRIOR MODIFICATIONS: \$3,726,319.18 (Includes Phase 1GMP)

REVISED TOTAL CONTRACT AMOUNT: \$6,116,517.18

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
(Task Order under On-Call CM program)

MBE PARTICIPATION: 30%

PERFORMANCE SECURITY: Payment and performance bonds at 100% of the contract amount

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

FUND SOURCE: Plant Funds

APPROP CODE: R30B22

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-2291-1111

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICE CONTRACT

ITEM: 4-S

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

INSTITUTION: University of Maryland University College

CONTRACT: Professional Staffing Services RFP 90968

DESCRIPTION: Provide professional staffing services for staff augmentation and temp-to-hire on an as-needed basis. The contracts will also be used to recruit permanent employees that begin as temporaries. To ensure sufficient contractor resources for all participating departments at UMUC, multiple awards are requested.

AWARD:

AdNet/AccountNet, Inc. MDOT MBE # 97-336
9192 Red Branch Road, Suite 140 MD SB # 11-4337
Columbia, MD 21045

Clovis Group, LLC
10411 Motor City Drive, Suite 450
Bethesda, MD 20817

Corporate Employment Resources, Inc.
dba Corestaff Services
6411 Ivy Lane, Suite 120
Greenbelt, MD 20770

Experis Manpower Group
9737 Washingtonian Boulevard
Gaithersburg, MD 20878

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

ITEM: 4-S (continued)

AWARD: (continued)

Insight Global, Inc.
7550 Teague Road, Suite 402
Hanover, MD 21076

LanceSoft, Inc.
13454 Sunrise Valley Drive, Suite 120
Herndon, VA 20171

Mindseeker, Inc. MD SB # 11-3644
2111 Wilson Boulevard, Suite 700
Arlington, VA 22201

Premier Staffing Source, Inc.
4640 Forbes Boulevard, Suite 200A
Lanham, MD 20706

RCM Technologies (USA), Inc.
7361 Calhoun Place, Suite 540
Rockville, MD 20855

The Remy Corporation
1660 17th Street, Suite 400
Denver, CO 80202

Robert Half International, Inc.
2613 Camino Ramon
San Ramon, CA 94583

Software Consortium, Inc.
100 West Road, Suite 408
Baltimore, MD 21204

CONTRACT TERM: Initial term is date of award through June 30, 2016. UMUC may at its sole option renew the contract for a period not to exceed five years (could be as few as one year) at the sole discretion of the University.

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 4-S (continued)

AMOUNT: \$4,500,000 (estimated initial five-year term) (\$900,000 per year)

PROCUREMENT METHOD: Competitive Sealed Proposal

BIDS OR PROPOSALS:

AdNet/AccountNet, Inc. Technically Acceptable
Columbia, MD

Clovis Group, LLC Technically Acceptable
Bethesda, MD

Corporate Employment Resources, Inc. dba Corestaff Services Technically Acceptable
Greenbelt, MD

Experis Manpower Group Technically Acceptable
Gaithersburg, MD

Insight Global, Inc. Technically Acceptable
Hanover, MD

Lancesoft, Inc. Technically Acceptable
Herndon, VA

Mindseeker, Inc. Technically Acceptable
Arlington, VA

Premier Staffing Source, Inc. Technically Acceptable
Lanham, MD

RCM Technologies (USA), Inc. Technically Acceptable
Rockville, MD

The Remy Corporation Technically Acceptable
Denver, CO

Robert Half International, Inc. Technically Acceptable
San Ramon, CA

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

ITEM: 4-S (continued)

BIDS OR PROPOSALS: (continued)

Software Consortium, Inc.
Baltimore, MD

Technically Acceptable

MBE PARTICIPATION: 0% subcontract goal. One proposed contractor is a certified Minority Business Enterprise.

PERFORMANCE OR PAYMENT SECURITY: N/A

REQUESTING INSTITUTION REMARKS: The solicitation was advertised in *eMaryland Market Place* and on UMUC's Procurement Office *Electronic Bid Board*. Twenty-five firms responded to the solicitation and were evaluated by an Evaluation and Selection Committee. Twelve offers were found to be technically acceptable. Price proposals were received separately and simultaneously. Price proposals were opened and reviewed for the twelve firms deemed technically acceptable. To clarify the original pricing received, a best and final price proposal was requested. Upon review of all technical and pricing factors by the Evaluation and Selection Committee, all twelve firms are being recommended for award.

Multiple vendors would be solicited as UMUC identifies specific projects or needs requiring staff augmentation, temp-to-hire, or employee recruitment services. The vendors solicited would be determined by the requesting UMUC department's staffing requirements and needs. A professional staffing request would be sent to these vendors. The vendor would respond by providing resumes including a price quotation. There is no obligation that UMUC enter into a purchase order for any of the services provided by the recommended vendors nor does UMUC guarantee a minimum fee or number of requests of any kind under the contracts. Projects or staffing needs will be managed by each department with procurement support from the University's Procurement Department.

Award is being recommended to twelve companies: one is an MBE and two are certified Small Business Enterprises.

Generally, these companies fall into two categories. The first includes firms that specialize in IT staffing and placements. The second includes firms that can meet IT needs and other business needs, including UMUC's offices that serve the military.

FUND SOURCE: Current Unrestricted Funds

APPROP. CODES: R30B30

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

ITEM: 4-S (continued)

RESIDENT BUSINESS:

AdNet/AccountNet, Inc.	Yes
Clovis Group, LLC	Yes
Corporate Employment Resources, Inc. dba Corestaff Services	Yes
Experis Manpower Group	Yes
Insight Global, Inc.	Yes
LanceSoft, Inc.	No
Mindseeker, Inc.	No
Premier Staffing Source, Inc.	Yes
RCM Technologies (USA), Inc.	Yes
The Remy Corporation	No
Robert Half International, Inc.	Yes
Software Consortium, Inc.	Yes

MD TAX CLEARANCE:

AdNet/AccountNet, Inc.	Control Number: 11-2529-0111
Clovis Group, LLC	Control Number: 11-2530-1111
Corporate Employment Resources, Inc. dba Corestaff Services	Control Number: 11-2549-0111
Experis Manpower Group	Control Number: 11-2531-1111
Insight Global, Inc.	Control Number: 11-2532-0111
LanceSoft, Inc.	Control Number: 11-2609-1111
Mindseeker, Inc.	Control Number: 11-2533-0110
Premier Staffing Source, Inc.	Control Number: 11-2534-0110
RCM Technologies (USA), Inc.	Control Number: 11-2535-1111
The Remy Corporation	Control Number: 11-2716-0000
Robert Half International, Inc.	Control Number: 11-2536-1111
Software Consortium, Inc.	Control Number: 11-2537-1111

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 5-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: 1626 Thomas Avenue, Baltimore

GRANTOR: Georgianna Clinton

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

APPRAISED VALUE:	Lipman, Frizzel & Mitchell	\$62,300.00
	Grubb & Ellis Landauer	\$58,000.00

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

PRICE:	Acquisition:	\$ 58,000.00
	Ground Rent:	\$ 00.00
	Relocation	<u>\$ 62,800.00 *</u>
	Total	\$ 120,800.00

* The owner will receive relocation assistance.

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

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 6-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: 1630 Thomas Avenue, Baltimore

GRANTOR: Brenda Webb

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

APPRAISED VALUE:	Grubb & Ellis Landauer	\$27,000.00
	Lipman, Frizzell & Mitchell	\$28,600.00

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

PRICE:	Acquisition:	\$ 28,600.00
	Ground Rent:	\$ 1,400.00 *
	Relocation	\$ 00.00
	Total	\$ 30,000.00

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

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

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 7-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: 1712 Thomas Avenue

GRANTOR: City Homes Patriots V, LLC.

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

APPRAISED VALUE: Lipman, Frizzel & Mitchell \$61,000.00
Colliers Pinkard \$65,000.00

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

PRICE: Acquisition: \$ 61,000.00
Ground Rent: \$ 933.33 *
Relocation: \$ 6,600.00 **
Total: \$ 68,533.33

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

** The tenant will receive relocation assistance.

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

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 8-RP

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

INSTITUTION: Coppin State University

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

PROPERTY: 1716 Warwick Avenue

GRANTOR: City Homes Patriots V, LLC.

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

APPRAISED VALUE: Lipman, Frizzel & Mitchell \$45,000.00
Colliers Pinkard \$44,000.00

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

PRICE: Acquisition: \$ 44,000.00
Ground Rent: \$ 1,000.00 *
Relocation: \$ 00.00
Total: \$ 45,000.00

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

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

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 9-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: 1720 Thomas Avenue, Baltimore

GRANTOR: Phyllis C. McKeiver

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 48,400.00
Concord Appraisal Co. \$50,000.00

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

PRICE:

Acquisition:	\$ 60,000.00 *
Ground Rent:	\$ 1,600.00 **
Relocation	\$ 27,000.00 ***
Total	\$ 88,600.00

- * Litigation Risk Assessment from Assistant Attorney General K. Lawrence
- ** In addition, to obtain fee simple title, the underlying ground rent will be redeemed.
- *** The tenant will receive relocation assistance.

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

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

GENERAL/MISCELLANEOUS

ITEM: 10-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 \$1,940,641.68.

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

1. **Description:** Furnish 500, 2000, 2500 & 3000KVA switchboards at Hornbake Library
Procurement Method: Master Order Release
Award: Shepherd Electric
Beltsville, Maryland 20705
Amount: \$164,000
Fund Source: MCCBL of 2011: *Campus Wide Building System and Infrastructure Improvements. Item 036*
Resident Business: Yes

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

1. **Description:** Furnish and install Gas Kilns
Purchase Order N157011
Procurement Method: Simplified Procurement
Award: Kiln Doctor
Front Royal, VA
Amount: \$54,851
Fund Source: MCCBL of 2010: *Provide funds to equip the Fine and Performing Arts Center at Bowie State University. Item 903.*
MD Tax Clearance: 11-2795-1001
Resident Business: No

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

ITEM: 10-GM (continued)

C. University of Maryland, Baltimore
UMB School of Pharmacy

1. **Description:** 1 ea. Spraytec Lab System & Accessories
Purchase Order 846396
Procurement Method: Sole Source
Award: Malvern Instruments, Inc.
Westborough, MA 01581
Amount: \$129,337.00
Fund Source: MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.* Item 052
MD Tax Clearance: 11-2690-1111
Resident Business: No

D. University of Maryland, Baltimore County
Furniture, Fixtures and Equipment for the UMBC Performing Arts & Humanities Building

1. **Description:** IT Supplies – Juniper VPN Concentrator
Procurement Method: Preferred Provider – MEEC Contract
Award: Data Networks
Hunt Valley, MD 21030
Amount: \$23,621.90
Fund Source: MCCBL 2011: *Provide funds to furnish and equip the Performing Arts and Humanities Building at UMBC.* Item 045
MD Tax Clearance: 11-2779-1111
Resident Business: Yes

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

ITEM: 10-GM (continued)

2. **Description:** IT Supplies – Data Center Networks
 Procurement Method: Preferred Provider – MEEC Contract
 Award: DISYS Solutions, Inc.
 Chantilly, VA 20151
 Amount: \$1,534,912.72
 Fund Source: *MCCBL 2011: Provide funds to furnish and equip the
 Performing Arts and Humanities Building at UMBC.
 Item 045*
 MD Tax Clearance: 11-2780-1111
 Resident Business: No
3. **Description:** IT Supplies – Fiber Optic Panels
 Procurement Method: Simplified Procurement
 Award: Anixter – Washington D.C.
 Dulles, VA 20166
 Amount: \$4,142.55
 Fund Source: *MCCBL 2011: Provide funds to furnish and equip the
 Performing Arts and Humanities Building at UMBC.
 Item 045*
 Resident Business: No
4. **Description:** Furniture
 Procurement Method: Preferred Provider
 Award: Maryland Correctional Enterprises (MCE)
 Jessup MD 20794
 Amount: \$ 364.50
 Fund Source: *MCCBL 2011: Provide funds to furnish and equip the
 Performing Arts and Humanities Building at UMBC.
 Item 045*
 Resident Business: Yes

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

ITEM: 10-GM (continued)

5. **Description:** Costume Shop
 Procurement Method: Simplified Procurement
 Award: Sew What Inc.
 Rancho Domingues, CA 90220

 Amount: \$4,315.00
 Fund Source: MCCBL 2011: *Provide funds to furnish and equip the*
 Performing Arts and Humanities Building at UMBC.
 Item 045

 Resident Business: No
6. **Description:** Costume Shop
 Procurement Method: Simplified Procurement
 Award: All Brands.com
 Baton Rouge, LA 70817

 Amount: \$3,748.01
 Fund Source: MCCBL 2011: *Provide funds to furnish and equip the*
 Performing Arts and Humanities Building at UMBC.
 Item 045

 Resident Business: No
7. **Description:** Costume Shop
 Procurement Method: Simplified Procurement
 Award: Just Sew Sew
 Westminster, MD 21157

 Amount: \$8,985.00
 Fund Source: MCCBL 2011: *Provide funds to furnish and equip the*
 Performing Arts and Humanities Building at UMBC.
 Item 045

 Resident Business: Yes

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

ITEM: 10-GM (continued)

8. **Description:** Theatre Equipment
 Procurement Method: Simplified Procurement
 Award: Wenger Corporation
 Owatonna, MN 55060

 Amount: \$6,564.00
 Fund Source: MCCBL 2011: *Provide funds to furnish and equip the
 Performing Arts and Humanities Building at UMBC.*
 Item 045

 Resident Business: No
9. **Description:** Heavy Tools
 Procurement Method: Simplified Procurement
 Award: Kalamazoo Machine Tool
 Portage, MI 49002

 Amount: \$5,800.00
 Fund Source: MCCBL 2011: *Provide funds to furnish and equip the
 Performing Arts and Humanities Building at UMBC.*
 Item 045

 Resident Business: No

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: 1-IT MOD

Agency Contact:

Elliot Schlanger (410) 260-2994
ESchlanger@doit.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DARTMENT/PROGRAM:

Department of Information Technology
(DoIT)

CONTRACT ID:

Hardware and Associated Equipment and
Services
ADPICS NO. COE02085

CONTRACT APPROVED:

9/12/07 DBM BPW Item 10-IT

CONTRACT DESCRIPTION: Multiple awards, indefinite quantity, Purchase Order Request for Proposals (PORFP) based Master Contract to provide hardware and associated equipment and services to include training, installation and maintenance.

MODIFICATION DESCRIPTION: Modification request to add additional funds.

CONTRACTORS:

See Attachment 1

TERM OF ORIGINAL CONTRACT:

10/1/2007 - 9/30/2012

TERM OF MODIFICATION:

12/09/2011-9/30/2012

AMOUNT OF ORIGINAL CONTRACT:

\$100,000,000 (5 Years)

AMOUNT OF MODIFICATION:

\$40,000,000

PRIOR MODIFICATIONS/OPTIONS:

\$40,000,000 (DoIT Agenda Item 4-IT MOD
on 2/23/2011)

REVISED TOTAL CONTRACT AMOUNT:

\$180,000,000

PERCENT +/- (THIS MODIFICATION):

+ 40%

OVERALL PERCENT +/-:

+80%

ITEM: 1-IT MOD (Cont.)

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

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25% for Functional Area IV

REQUESTING AGENCY REMARKS: DoIT has been reviewing all Master Contracts to ensure that the controls in ADPICS are set to help avoid Purchase Orders against those contracts from exceeding the contract's allowable ceiling amount. A review of the Hardware contract showed that agencies have spent over \$138 Million Dollars against a ceiling of \$140 Million on this contract. An additional \$40 Million Dollars is needed to provide enough of a ceiling for additional spending planned for the remainder of FY12 and FY13.

Agency appropriated funds are used for purchases off this master contract and are included in annual Agency budgets in various programs.

A total of 83 contractors received awards on this Master Contract. Of the 83 contractors, 54 are Maryland resident businesses, 16 are SBRs and are 24 MBEs (see Attachment 1).

This Master Contract encompasses the following five functional areas:

Functional Area I – Microcomputers, Personal Computers, Servers and Associated Peripherals

Functional Area II - Printers and Associated Peripherals

Functional Area III - Network Communications Equipment

Functional Area IV - Installation and Training Services

Functional Area V - Manufacturer's Extended Warranty

This Master Contract is structured to be adaptable to rapidly changing technology by allowing Master Contractors the option to add additional manufacturer's product lines as they become authorized to sell throughout the term of the Master Contract.

There is a second level of competition through a Purchase Order Request for Proposal (PORFP) process for all hardware and services offered under this contract. A PORFP is sent to all Master Contractors who are authorized to provide the hardware and/or services within the appropriate functional area.

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

ITEM: 1-IT MOD (Cont.)

There is a provision for SBR designated PORFPs. Each SBR Master Contractor is able to compete within their approved functional area(s) for SBR identified opportunities.

An MBE subcontracting goal of 25% is applied to each individual PORFP for Functional Area IV.

Master Contractors affirmed that their prices for the PORFPs will not exceed the manufacturer's suggested retail price for the hardware being purchased for the term of the Master Contract, and it is expected that the competitive PORFP process will produce lower than proposed pricing.

This procurement vehicle was designed to provide State agencies with a wide selection of Master Contractors who offer an extensive variety of hardware. As a result of the awards from on this contract, State agencies obtain hardware, installation, training and maintenance services quickly and efficiently by issuing PORFPs specific to agencies' needs. This contracting vehicle is also available to local and County Maryland government jurisdictions.

FUND SOURCE: Various
APPROP. CODE: Various
RESIDENT BUSINESSES: See Attachment 1

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: 1-IT MOD (Cont.)

ATTACHMENT 1

	Contractors	City	State	Maryland Resident Business		MBE	SBR
				Yes	No		
1	AAC, Inc.	Vienna	VA				
2	A&T Systems, Inc.	Silver Spring	MD	X			
3	Acela, Inc.	Frederick	MD	X		X	
4	ACG Systems, Inc.	Annapolis	MD	X			
5	ADM and Associates, Inc.	Sykesville	MD	X			X
6	Alliance Technology Group, LLC	Hanover	MD	X		X	X
7	Anexinet Corporation	King of Prussia	PA			X	X
8	Applied Technology Services	Baltimore	MD	X		X	X
9	APPTIS (MD), Inc.	Chantilly	VA				
10	Arete Government Solutions, LLC	Rockville	MD	X			X
11	ARINC, Inc.	Annapolis	MD	X			
12	ATEN Technology, Inc.	Irvine	CA				
13	ATG, LLC dba Atlantic Technology Group	Gaithersburg	MD	X			X
14	Automated Office Products	Lanham	MD	X			
15	Bay State Computers, Inc.	Bowie	MD	X		X	
16	Bay Tek Consulting, Inc.	Baltimore	MD	X		X	X
17	Bithgroup Technologies, Inc.	Baltimore	MD	X		X	
18	The Canton Group	Baltimore	MD	X		X	X
19	CAS Severn, Inc.	Laurel	MD	X			
20	CDWG, Inc.	Herndon	VA				
21	Cool Fire Technologies	Aberdeen	MD	X			X
22	Corporate Express Imaging & Computer Graphics	Deerfield Beach	FL				
23	Computer Sciences Corporation (CSC)	Hanover	MD	X			
24	Daly Computers	Clarksburg	MD	X		X	
25	Data Networks of America, Inc. dba Data Networks	Hunt Valley	MD	X			

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

26	Dell Marketing LP	Round Rock	TX			
27	Delta Telephone and Cabling, Inc.	Crofton	MD	X		
28	Digicon Corporation	Rockville	MD	X	X	
29	Digital Intelligence Systems Corporation (DISYS)	Chantilly	VA		X	
30	DLT Solutions, Incorporated	Herndon	VA		X	
31	DSR, Inc.	Elkridge	MD	X		
32	Early Morning Software, Inc.	Baltimore	MD	X	X	
33	Electronic Systems, Inc.	Virginia Beach	VA			
34	EPLUS Technology	Elkridge	MD	X		
35	Force 3, Inc.	Crofton	MD	X	X	
36	Gantech, Inc.	Baltimore	MD	X	X	X
37	Gateway Companies, Inc.	North Sioux City	SD			
38	Graymar Business Solutions, Inc.	Timonium	MD	X		X
39	GTSI Corporation	Chantilly	VA			
40	Halifax Corporation	Alexandria	VA			
41	Hartford Computer Group	Columbia	MD	X		
42	Howard Technology Solutions	Laurel	MS			
43	immixTechnology, Inc.	McLean	VA			
44	Integrated Technology Solutions, Inc.	Columbia	MD	X	X	X
45	Ismart, LLC	Elkridge	MD	X		
46	Knot Technology Solutions, LLC	Churchton	MD	X		X
47	Lenovo, Inc.	Morrisville	NC			
48	Mainline Information Systems, Inc.	Tallahassee	FL			
49	Mid-Atlantic Data Systems, Inc.	Gaithersburg	MD	X	X	
50	MS Technologies Corporation	Montgomery Village	MD	X	X	
51	MVS	Washington	DC		X	X
52	Nec Unified Solutions, Inc.	Columbia	MD	X		
53	Neo Technologies	Baltimore	MD	X	X	X
54	NCS Technologies, Inc.	Manassas	VA			
55	NetStar-1	Rockville	MD	X		
56	New World Apps, Inc.	Ashburn	VA			
57	Norseman, Inc.	Elkridge	MD	X	X	

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

58	Nicholas P. Pipino Associates, Inc.	Columbia	MD	X		
59	Anzi Tech Distribution Inc. dba Omega PC Technology	Glen Burnie	MD	X	X	X
60	Optivor Technologies, LLC	Ellicott City	MD	X		
61	Panamerica Computers, Inc.	Fairfax	VA		X	
62	Pelican Mobile Computers, Inc.	Glen Burnie	MD	X		
63	The Phillips Group of Maryland LLC	Hunt Valley	MD	X		
64	Pomeroy IT Solutions	Washington	DC			
65	Presidio	Greenbelt	MD	X		
66	Protech Computer Service, Inc.	Baltimore	MD	X		
67	Ricoh Americas Corporation	West Caldwell	NJ			
68	Software House International, Inc. (SHI)	Somerset	NJ			
69	Skyline Network Engineering	Eldersburg	MD	X		X
70	Software Productivity Strategists, Inc.	Rockville	MD	X	X	
71	Sun Microsystems, Inc.	Cary	NC			
72	Systems Alliance	Sparks	MD	X		
73	Logical Ventures Inc. trading as System Source	Hunt Valley	MD	X		
74	Technical Specialties, Inc. (TSPEC)	Lanham	MD	X		
75	Universal Adaptive Consulting Service	Richmond	VA			
76	USC Canterbury	Stevensville	MD	X	X	X
77	Verizon Network Integration Corporation	Linthicum Heights	MD	X		
78	Victory Global Solutions, Inc.	Columbia	MD	X	X	
79	View Sonic Corp.	Walnut	CA			
80	ViOn	Washington	DC			
81	The 400 LLC dba Whitlock Infrastructure Solutions	Annapolis	MD	X		
82	World Wide Technology, Inc.	St. Louis	MO			
83	Xerox	Columbia	MD	X		
TOTALS				54	26	18

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

ITEM: 2-IT MOD

Agency Contact:

Sandy Johnson (410) 767-7408
Sjohnson5@dhr.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Human Resources (DHR)
Office of Technology for Human Services
(OTHS)

CONTRACT ID:

OTHS/OTHS-08-002-A1
Outsourcing of Hosting Services
ADPICS NO. COE03907

CONTRACT APPROVED:

10/15/2008 DBM BPW Agenda Item 1-IT

CONTRACTOR:

ACS State and Local Solutions, Inc. (ACS)
Washington, DC
(Local Office in Baltimore)

CONTRACT DESCRIPTION: Provide data center support, backup, recovery and disaster recovery services for DHR's critical data processing (mainframe) and web hosting (server) applications.

MODIFICATION DESCRIPTION: Modification approval request to add production and non-production Disaster Recovery Hosting Environments for the Enterprise Content Management System (ECMS).

TERM OF ORIGINAL CONTRACT:

11/1/2008 - 6/30/2014(w/1 five year
renewal option)

TERM OF MODIFICATION:

12/13/2011- 6/30/2014

AMOUNT OF ORIGINAL CONTRACT:

\$65,695,425.00 NTE (5 years, 4 months
Base Contract)
\$64,249,068.00 NTE (1 five year Renewal
\$129,944,494.00 NTE Total (10.4 Years)

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

ITEM: 2-IT MOD (Cont.)

AMOUNT OF MODIFICATION:	\$2,651,095.00 (Base Period) <u>\$4,371,154.00</u> (Option Period) \$7,022,249.00 Total
PRIOR MODIFICATIONS/OPTIONS:	None
REVISED TOTAL CONTRACT AMOUNT:	\$68,346,521.00 (Base Period) <u>\$68,620,222.00</u> (Option Period) \$136,966,743.00 Total
PERCENT +/- (THIS MODIFICATION):	5.4%
OVERALL PERCENT +/-:	5.4%
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals
MBE PARTICIPATION:	10%

REQUESTING AGENCY REMARKS: Modification approval request to add production and non-production Disaster Recovery Hosting Environments for the Enterprise Content Management System (ECMS). This modification is to provide hosting of ECMS which is one of DHR's critical computer systems that provide storage and retrieval of documents used to assess benefits for DHR's clients. In addition, this modification seeks to add the ECMS hosting cost for the one five- year option period should the State exercise the option. The original procurement for this contract was approved by the Board on 10/15/2008, Item 1-IT. This was a competitive sealed proposal procurement and the Contractor was ranked number one overall and ranked number one both technically and financially.

The ECMS was not part of the original hosting contract. DHR's main hosting Contractor, ACS, currently hosts all of DHR's major IT systems. It is, therefore, beneficial and cost effective for the State to maintain all its critical systems in one hosting environment as opposed to separate hosting environments. This modification is critical to the ECMS implementation schedule which has a pilot start date of December 27, 2011. In addition, the ECMS needs to be tested in the hosting environment prior to implementation.

ACS has an MBE participate rate of 11.3% which exceeds the established goal of 10%.

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

ITEM: 2-IT MOD (Cont.)

FUND SOURCE: 100% Federal (TANF)
APPROP. CODE: N00F0002
RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 3-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 2012-01
L1 (Identix) Livescan Maintenance
ADPICS NO.Q00B2400041

CONTRACT DESCRIPTION: Contract for the Maintenance of the Software for
the Integrated Livescan Systems.

AWARD: Identix, Inc
Bloomington, MN.

TERM: 12/16/2011 – 12/15/2012

AMOUNT: \$106,068.00

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

INCUMBENT: Same

REMARKS: This contract provides for the continuation of essential maintenance and usage of proprietary software currently installed on nineteen (19) integrated Livescan systems. Identix, Inc. is the sole owner of the proprietary software. This software maintenance is for livescan machines. The livescan machines provide rapid positive identification of criminal and non-criminal subjects through electronic fingerprint processing. There are approximately 500,000 fingerprints processed per year.

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

ITEM: 3-IT (Cont.)

The DPSCS Procurement Review Group (PRG) has determined that due to the proprietary nature of this service, there is no MBE participation goal for this contract.

Identix, Inc. has been performing this service for the Department of Public Safety and Correctional Services for over thirty years and has provided excellent customer service. contractual obligations.

FUND SOURCE:	100% General Funds
APPROP. CODE:	Q00A0102
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	942842496

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

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 and Correctional Services (DPSCS)
Information Technology and Communications
Division (ITCD)

CONTRACT ID:

Q00SO289835
Maintenance and Repair Services for
Critical Hardware Equipment
ADPICS Q00B2400076

CONTRACT DESCRIPTION: Contract to provide on-site maintenance and repair services for critical hardware equipment.

AWARD:

LogixService Inc.
DBA Amtek Computer Services
San Clemente, Ca.

TERM:

01/01/ 2012 -12/31/2016

AMOUNT:

\$213,000

PROCUREMENT METHOD:

Competitive Sealed Bidding

BIDS OR PROPOSALS:

See Attachment 1

MBE PARTICIPATION:

None

INCUMBENTS:

SSCS
Houston, Texas

REMARKS: A notice of the availability of the Request for Bid was advertised on eMarylandMarketplace.com. A copy of the Request for Proposals was forwarded to Governor's Office of Minority Affairs. Six hundred and thirty-one (631) prospective firms were solicited

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

ITEM: 4-IT (Cont.)

that included one hundred and seventy-seven (177) MBE vendors. A total of five (5) bids were received for this contract. All bids were found reasonable susceptible for award.

Amtek Computer Services was determined to have the most advantageous bid to the State and were selected for award. Amtek Computer Services was ranked number one for their financial offer.

The Contractor will provide a 24x7x365 on-site maintenance and repair services for the Department's critical Dell and IBM server equipment. These services include the maintenance/repair of internal server hardware. The servers are critical to the functioning of the DPSCS network of computers.

The DPSCS Procurement Review Group (PRG) has determined that there were no MBE Vendor's that could provide this service for the critical Dell and IBM server equipment. As a result, no MBE goal was established.

FUND SOURCE:	100% General Funds
APPROPRIATION CODE:	Q00A0102
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	11-23460110

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 (Cont.)

ATTACHMENT 1

LIST OF BIDDERS

FINANCIAL RANK

LogixService Inc. DBA Amtek San Clemente, Ca.	\$213,000.00 (1)
Ardent Support Technologies Dover, NH	\$359,988.40 (2)
The Jasper Group Highland Beach, Florida	\$368,017.20 (3)
SSCS Houston, Texas	\$379,910.00 (4)
Dynamix Corporation Greenbelt, Maryland	\$496,266.00 (5)

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

ITEM: 5-IT-OPTION

Agency Contact:

Anne Timmons (410) 767-4710
atimmons@dbm.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Budget & Management (DBM)
Employee Benefits Division (EBD)

CONTRACT ID:

F10B0400008;
Interactive Voice Response and Benefits
Administration System Maintenance
ADPICS #: F10B2400007

CONTRACT APPROVED:

3/10/2010 DoIT BPW Agenda, Item 2-IT

CONTRACTOR:

M. S. Technologies Corporation
Rockville, MD
(MDOT Certified MBE)

CONTRACT DESCRIPTION:

Provide software, hardware and system enhancements, maintenance, and support for both DBM's Benefits Administration System (BAS) and Interactive Voice Response (IVR) System (known collectively as "BAS/IVR").

OPTION DESCRIPTION:

Approval request to exercise the single one-year renewal option as contained in the original contract.

TERM OF ORIGINAL CONTRACT:

4/1/2010 – 3/31/2012 (w/1 one-year renewal option)

TERM OF OPTION:

4/1/2012 – 3/31/2013

AMOUNT OF ORIGINAL CONTRACT:

\$968,689 NTE (2 Years)

AMOUNT OF OPTION:

\$452,085 NTE (1 Year)

PRIOR MODIFICATIONS/OPTIONS:

\$315,580 NTE (See Attachment)

REVISED TOTAL CONTRACT AMOUNT:

\$1,736,354 NTE

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

ITEM: 5-IT-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 100% (Contractor is a MD Certified MBE)

REQUESTING AGENCY REMARKS: Request for approval to exercise the single one-year renewal option as contained in the original contract for the Benefit Administration System (BAS) and Interactive Voice Response (IVR) system utilized and maintained by DBM's Employee Benefits Division (EBD). This system is also utilized by other Departments and Agencies of State government, such as, the State Retirement Agency, Central Payroll, and for interaction between EBD and the Centers for Medicaid and Medicare (CMS) and health providers.

The operation of BAS/IVR is a mission critical function that must operate 24 hours a day 7 days a week without any critical breakdowns. No disruption in services is permissible. The BAS/IVR system is integral to successful enrollment and notification administration of the State Employee and Retiree Health and Welfare Benefits Program (the "Program").

M.S. Technologies Corporation (MST) is completely familiar with BAS/IVR's operations and systems architecture. Continuing with MST's maintenance services will guarantee a continued smooth operation of the BAS/IVR to service 250,000 individuals enrolled in the Program. In addition, MST is a Maryland minority-owned business.

Given the past track record of successful, timely and close cooperation between EBD, the Department's Application Systems Management (ASM), and MST in the development, implementation and maintenance of the BAS/IVR systems and its enhancements, EBD and ASM believe that it is in the best interest of the State to continue the current contract by exercising the available one-year renewal option.

FUND SOURCE: 100% Reimbursable

APPROP. CODE: F10A0202

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW - 12/07/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

SERVICE CONTRACT

ITEM: 2-S

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-SV-12-004 A/B
 Comprehensive Air Service Development
 and Analysis Services at BWI Thurgood
 Marshall Airport
 ADPICS NO. MAASV12004

DESCRIPTION: This is the second of two task order contracts for consultant services to provide analytical insights promoting the Administration's development of a comprehensive strategy to ensure BWI Marshall reaches its fullest potential as an international and domestic gateway airport. The first contract was presented to the Board of Public Works on October 19, 2011.

AWARD: Campbell Hill Aviation Group, LLC (Contract A)
 Fairfax, VA

AMOUNT: \$1,950,000 NTE

TERM OF CONTRACT: Three (3) years after NTP, with one (1) two (2) year renewal option

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:	<u>Technical Ranking</u>	<u>Financial Offer Ranking</u>	<u>Overall Ranking</u>
Campbell-Hill Aviation Group, LLC Alexandria, VA	1	\$578,000 (2)	1 (Contract A)
Simat, Hellisen & Eichner, Inc. Cambridge, MA	2	\$454,000 (1)	2 (Contract B) BPW 10/19/11

MBE PARTICIPATION: 8.5%

REMARKS: The Solicitation was advertised on eMarylandMarketplace and on the MAA website. The Solicitation was sent to five (5) MBE Organizations on May 6, 2011. Three (3) proposals were received. One firm was deemed not susceptible for award.

The scope of services includes developing traffic forecasts for service deficient markets. The consultants will also evaluate and monitor factors pertaining to air carrier operating costs and traffic

ITEM: 2-S (Continued)

BPW – 12/07/11

generation, both actual and potential, at BWI Marshall and other airports, including but not limited to, Philadelphia International Airport, Ronald Reagan Washington National Airport and Washington Dulles International Airport.

After completion of the evaluation process the Panel determined that both firms offer value to the State and recommended that both firms be awarded contracts. The Selection Panel (Panel) ranked Campbell- Hill the highest of the offerors, considering the combination of technical expertise of the proposed key staff and the overall experience of the firm. Campbell-Hill has a strong relationship with Southwest Airlines and has been successful in assisting clients with attracting new international air service from major international air carriers. The Panel felt that given Campbell-Hill's extensive experience and contacts with BWI Marshall's largest air carriers, a contract award to Campbell-Hill provides the State with the most qualified staff to perform the tasks required by the contract.

SH&E has extensive knowledge of the market dynamics in the Washington-Baltimore market and the project team has experience in working for BWI Marshall. The firm has numerous air service contacts at airlines and other airports. They have been successful in assisting clients with attracting new air service. The firm has significant experience and strengths that combined with those of Campbell-Hill will be of value to the State.

The contract amount is based on the final budget amount. None of the contractors have a guaranteed minimum or maximum amount, except for the overall budget limitation.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	J06I0003
MD TAX CLEARANCE:	11-2624-0000
RESIDENT BUSINESS:	No

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

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

137

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

BPW - 12/07/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

SERVICE CONTRACT

ITEM: 3-S

MARYLAND TRANSPORTATION AUTHORITY

CONTRACT ID: 200110017
 Investment Accounting Services

CONTRACT DESCRIPTION: This contract provides investment accounting services to MDTA. SunGard is a proprietary accounting system that fully tracks all transactions associated with Fixed, Equity, and Variable Rate instruments including, but not limited to, corporate and municipal bonds, callable securities, cash accounts, common stocks, money markets, and GASB 31 and 40 reporting. The Custodian Reconciliation portion provides for reconciliation with custodian holdings and the Market Database provides pricing information on investment positions. The system is vital to managing MDTA's \$1.2 billion investment portfolio.

AWARD: SUNGARD AVANTGARD, LLC
 Calabasas, CA

TERM: Three (3) years from NTP

AMOUNT: \$300,000 NTE

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0% (proprietary system)

REMARKS: No other product is suitable or acceptable to fit the need as MDTA has already invested a significant amount of time and resources with this system. MDTA first implemented the SunGard system in FY 2011. MDTA awarded a 12-month contract to SunGard in FY 2011, with a not to exceed value of \$50,000. MDTA used the same terms and conditions that State Treasurer's Office (STO) used for its contract with SunGard. Staff has spent considerable time and effort to load over 50,000 transactions and has conducted months of testing to validate data integrity. If SunGard is not obtained, MDTA would lose the efficiencies it gained from implementing the system as well as the critical data the system provides. A lapse in services would negatively impact MDTA's ability to manage its investment portfolio. MDTA have no knowledge of any other system that is comparable and this is also used by State Treasurer's Office. The current price is comparable to the previous price with a reasonable annual increase. The monthly subscription fee remains the same and the annual increases are 2%, but not to exceed 4%. The Procurement Officer has deemed the prices fair and reasonable.

ITEM: 1-C (Continued)

BPW – 12/07/11

A total of sixty-nine (69) firms downloaded the bid documents from eMM. Due to revisions made to the original specifications, a total of three (3) addenda were issued for this project.

The MBE/DBE goal established for this contract was 25%; however the Contractor is exceeding the goal and has committed to MBE/DBE participation of 25.43%.

Sealed bids for this project were publically opened on May 17, 2011. A total of three (3) firms submitted bids. The apparent low bidder was deemed non-responsive due to problems with their MBE submission. The MBE named was not properly certified in the areas of work required for the project.

The work under this contract consists primarily of installation of concrete grade crossings at three locations on the MTA’s Light Rail line in Baltimore County. The grade crossings will consist of rails, concrete slabs, and ballast, and will be embedded at the intersection of three roadways and the tracks to allow trains and automobiles to cross safely on a stable, relatively flat surface. This project will also include appropriate grading and installation of improved under track drainage systems, to address potential safety issues arising from slope erosion due to storm water runoff.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2586-0010

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 – 12/07/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-1048-0740
 LR Grade Crossing Replacements at McCormick
 Road, Shilling Circle, and Pepper Road
 ADPICS NO. T10480740

CONTRACT DESCRIPTION: This contract is for the construction of a concrete embedded track grade crossing to replace existing precast concrete crossings at the intersection of the Light Rail tracks at McCormick Road, Shilling Circle, and Pepper Road in Baltimore County.

AWARD: Atlas Railroad Construction, LLC
 Eighty-Four, Pennsylvania

TERM: 168 Calendar Days from Notice to Proceed

AMOUNT: \$2,537,000

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Atlas Railroad Construction, LLC \$2,537,000
 Eighty-Four, PA

Brawner Builders, Inc. \$2,841,431
 Hunt Valley, Maryland

MBE PARTICIPATION: 25%

MBE WAIVER: N/A

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

REMARKS: The Engineer's Estimate for this contract was \$2,515,874.71

A Solicitation for bids was advertised in eMaryland Marketplace (eMM). In addition, potential firms were directly solicited via the Governor's Office of Minority Affairs (GOMA) and the MTA Office of Fair Practice (OFP). On March 30, 2011, a pre-bid meeting was held at the Maryland Transit Administration located at 6 St. Paul Street in Baltimore, Maryland. A total of six (6) contractor(s) attended the meeting followed by a tour of the identified work site.

ITEM: 3-S (Continued)

BPW – 12/07/11

FUND SOURCE: 100% Toll Revenue

APPROPRIATION CODE: 29.10.02.01

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-2773-1110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

LANDLORD LEASE

ITEM: 4-LL

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-LC-11-032

NATURE OF REQUEST: Request for approval of Lease of Land for operation of an 8" petroleum pipeline including related delivery facilities and appurtenances at Baltimore/Washington Thurgood Marshall Airport (BWI Marshall).

LESSOR: Maryland Aviation Administration

LESSEE: Colonial Pipeline Company (Colonial)

REVENUE: Colonial shall pay at the rate of \$0.629 per square foot per annum for 18,701 square feet of land and \$0.043 per square foot per annum for 26,500 square feet of land. Rental rates shall be adjusted every five years as of May 1, 2016, by the cumulative increase or decrease in the "Consumer Price Index for All Urban Consumers" for the Washington-Baltimore DC-MD-VA-WV area.

DURATION: May 1, 2011 - April 30, 2056
(Coterminous with SAA-LC-81-044, Colonial's License Agreement for operation of a 12" petroleum pipeline)

REMARKS: MAA has leased property to Colonial since 1981 when a 30-year lease was approved by the Board. On April 6, 2011 in Board Item 10-LL-MOD, the Board approved MAA's modification of the original lease to extend its term by one year to April 30, 2012. This new lease's term begins in May 2011 to allow MAA to receive increased rental rates for the period of the previously approved lease extension. Through this Lease Agreement, MAA leases property to Colonial and Colonial uses State property for the right and privilege to operate, maintain, repair and renovate on the leased premises a petroleum pipeline for fuel, which is sold and provided to the Airport and Airport tenants. This type of revenue-producing contract at a transportation facility is exempt from State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use of State property under the State Finance and Procurement Article, Section 10-305.

MD TAX CLEARANCE: 11-2498-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 12/07/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 5-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID MAA-LC-12- 015

NATURE OF REQUEST: A Lease Contract for lease of land and facilities to operate and maintain a public compressed natural gas (CNG) fuel station at BWI Marshall.

CONTRACTOR: Clean Energy Corp. a/k/a Clean Energy
 Seal Beach, CA

REVENUE: Contractor shall pay a ground rental of \$1,494.68 per month (\$17,936.16 per year), which consists of a ground rental fee of Sixty-Six Cents (\$0.66) per square foot per annum for 27,176 square feet of leased premises. The rental rate shall be adjusted annually at the same rate as any percentage increase or decrease in the Consumer Price Index.

DURATION: Ten (10) years commencing January 1, 2012 and ending December 31, 2021. The Contract may be extended by MAA for an additional period of five (5) years. The five (5) year extension of the Contract is subject to the approval of the Secretary of Transportation and the Board of Public Works.

DBE PARTICIPATION: None

REMARKS: This lease contract provides for the lease of land and facilities to operate and maintain a public compressed natural gas (CNG) fuel station at BWI Marshall. This type of revenue-producing contract at a transportation facility is exempt from the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use of State property under State Finance and Procurement Article, Section 10-305.

MAA currently has a Maintenance Contract No. MAA-MC-2006-008 with Clean Energy Corp. (Contractor) for the inspection, repair and maintenance of the CNG Fuel Facility which allows for the provision of CNG fuel to MAA vehicles, other State-owned vehicles and the twenty-five (25) MAA-owned consolidated shuttle bus vehicles that service the BWI Marshall Consolidated Rental Car Facility. MAA owns the CNG fuel station that is the subject of this Lease Contract. Under the current Maintenance Contract, MAA pays the Contractor \$168,658.00 (NTE) for the current six (6) month extension period terminating on December 31, 2011 to operate and maintain the CNG fuel station. MAA has elected to depart from the Maintenance Contract arrangement, which is an expenditure for MAA, to that of a Lease Contract wherein the MAA shall receive rent for the leased premises. Under the Maintenance Contract, MAA currently pays a monthly fee to

ITEM: 5-GM (Continued)

BPW – 12/07/11

the Contractor of \$28,109.67. Under the proposed Lease Contract, MAA will receive a monthly rental fee of \$1,494.68; that is, a total financial advantage to the State of \$29,604.35 monthly.

MD TAX CLEARANCE: 11-2462-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 12/07/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

EXPEDITED PROCUREMENT REQUEST: (COMAR 21.02.01.05A(3)(b))

ITEM: 6-EX

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-CO-12-006, B/C Connector and Security Checkpoint and MAA-CO-12-007, Concourse C Widening at BWI Thurgood Marshall Airport ADPICS NO: MAACO12006 & MAACO12007

DESCRIPTION: These contracts provide for the phased construction of terminal widening, security checkpoints and passenger corridor at BWI Marshall Airport. To enable the most critical portions to be implemented sooner, the program will be constructed in two phased construction projects. Phase I of construction provides for a new nine (9) lane passenger security checkpoint and secure passenger corridor connecting Concourses B and C. Phase II provides for the widening of the older portion of Concourse C. The work includes construction of approximately 60,000 sf of new space on two levels and the renovation of approximately 120,000 sf within the existing terminal. The project will involve all building trades and specialty work associated with airport terminal facilities.

REASON FOR REQUEST: The Maryland Aviation Administration is currently completing final design of the proposed improvements under an aggressive schedule. The recent consolidation of the Airports two largest carriers, Southwest Airlines and AirTran Airways, into existing Terminal A/B has resulted in a constraint on the existing passenger screening capacity. A temporary security checkpoint has been constructed on the arrivals level of the Terminal to provide supplemental capacity until the permanent solution can be constructed. These improvements are necessary to meet the combined demand of the two airlines and provide capacity for growth with the initial phase and needs to be completed by the beginning of the peak holiday travel season in the fall/winter of 2012.

In addition, the older portion of Concourse C does not provide sufficient area for passenger holdrooms and life safety egress corridor widths in accordance with current building codes. Construction of the new B/C passenger security checkpoint and connecting corridor will eliminate the egress constraint at the entrance of the existing Concourse C. These improvements are needed to provide the capacity for growth and need to be completed by the beginning of the airlines' increased summer schedule in June 2013.

Phase I and Phase II construction will address the passenger screening capacity constraint within Terminal A/B and will allow for continued growth in airline operations at BWI Marshall. It will also allow for replacement of the existing Concourse C checkpoint which currently constrains egress from the existing Concourse and does not allow installation of the current standard passenger screening equipment utilized by the Transportation Security Administration. The Concourse C widening project will address the egress corridor width for the remainder of Concourse C. It will also allow for reconfiguration and expansion of the passenger holdrooms to

ITEM: 6-EX (Continued)

BPW -12/07/11

meet the current standards for holdroom sizing as determined by the State Fire Marshal for the size of aircraft projected to utilize the facility.

AMOUNT: \$40,000,000 (Estimated Cost Phase I)
\$25,000,000 (Estimated Cost Phase II)

PROCUREMENT METHOD: Competitive Sealed Proposal
(Direct Solicitation)

REMARKS: Proceeding with this contract as an expedited procurement best serves the public interest because it will ensure that MAA meets its obligations to the tenants and traveling public to provide quick and efficient security screening at BWI Marshall prior to the peak travel seasons. Expediting these contracts will mitigate anticipated delays at security screening checkpoints caused by the consolidation of the two largest airlines at BWI Marshall. Wait times of at least 90 minutes at screening check points is anticipated to be the norm instead of the current wait times of 10 minutes. The urgent need of MAA to meet the security screening demands caused by the airline consolidation far outweighs any benefit there may be of making this procurement by competitive sealed bidding or competitive sealed proposals.

The most critical element of the program, the new security checkpoint and passenger connector, will be fully designed by the end of January 2012. At that time MAA will solicit qualified firms to participate in the Phase I procurement anticipating a Notice to Proceed by April 2, 2012. Once the Concourse C Widening Phase II project is fully designed by the end of May 2012, the MAA will proceed with the competitive procurement of the construction contract anticipating a Notice to Proceed by August 1, 2012.

As a result of the above, MAA recommends approval to proceed with an Expedited Procurement in accordance with COMAR 21.05.06.03.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06100003

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD

DEPARTMENT OF NATURAL RESOURCES Shad Landing
Pocomoke State Park
Worcester County, MD

ORIGINAL CONTRACT NO. AND TITLE Project No.: P-018-050-010;
Septic System Upgrade
ADPICS NO. COE04894

ORIGINAL CONTRACT APPROVED 4/7/2010 DGS/BPW Item 1-C

ORIGINAL PROCUREMENT METHOD Competitive Sealed Bids

CONTRACTOR JJID, Inc.
Bear, DE

CONTRACT DESCRIPTION Contract approval requested for the upgrading of the existing onsite sewage disposal system. The project involves, demolition, installation of pipes, manholes, grinder pump stations, air valves, main pump station (with aeration, odor control, controls), installation of 17,000 ft of 4" force main and manholes under State Highway Administration Right of Way; backfill and site grading, and construction of stormwater management facilities.

MODIFICATION DESCRIPTION Approval for a modification to backwash water from the swimming pool is to be piped to the new pressure system and pumped to Snow Hill for treatment. Work includes installation of a new 10,000 gallon holding tank, two (2) duplex pumping units, 400 feet of 2" HDPE pipe, de-chlorination system and monitoring system.

TERM OF ORIGINAL CONTRACT 456 Calendar Days

TERM OF MODIFICATION 167 Calendar Days

AMOUNT OF ORIGINAL CONTRACT \$3,242,530.00

AMOUNT OF MODIFICATION \$140,000.00

PRIOR MODIFICATIONS/OPTIONS \$44,623.24

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT \$3,427,153.24

PERCENT +/- (THIS MODIFICATION) 4.31%

OVERALL PERCENT 5.69%

ORIGINAL MBE PARTICIPATION 25%

REMARKS

The contract time will be extended by one hundred and sixty-seven (167) non-compensable calendar days. The previous completion date of November 30, 2011 will be revised to May 15, 2012.

The original intent of the design program was to pump all of the wastewater from the Shad Landing area of Pocomoke State Park to the Town of Snow Hill. The 32,000 gallons per day design load included the backwash from the pool.

During negotiations with Snow Hill over the conditions of the agreement to accept the sewage from Shad Landing, Snow Hill declined to take the backwash from the pool due to concerns with capacity and chlorination levels. However, during the intervening years required for the design and construction of the system, some criteria changed which affected their decision. Some planned development in the Town fell through, and Shad Landing acquired funding to add a de-chlorinization system to the pool backwash.

EBA Engineering was previously issued a modification to their design contract to add an additional 10,000 gallon storage tank and two sets of duplex pumps to pump this discharge to the newly installed pressure sewer.

FUND SOURCE

MCCBL 2010 Item 011 (Provide funds to design construct and equip capital development projects of DNR property in accordance with 5-903(G) of the Natural Resources Article)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD (Cont.)

RESIDENT BUSINESS No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICES CONTRACT

ITEM 2-AE

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Statewide

CONTRACT NO. AND TITLE

Project No. MDE-11-6.0-AMA;
Professional Services Agreement to
Provide Air Quality and Radiation
Management Services for Multiple Projects
with Fees \$200,000.00 or Less
ADPICS NO. See below

DESCRIPTION

Approval is requested for 3 Indefinite Quantity Contracts (IQC) to provide air quality and radiation management services to the Maryland Department of the Environment on an as-needed basis. The proposed agreement will be effective for two (2) years with one (1) two-year renewal option. Individual projects awarded under this agreement may not exceed \$200,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00.

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

BIDS OR PROPOSALS

<u>BIDS OR PROPOSALS</u>	<u>Qualification and Tech. Scores</u>	<u>Project Limit</u>	<u>Contract Limit</u>
Science Applications International Corp. (SAIC) Germantown, MD	128.5/92%	\$200,000.00	\$500,000.00
Weston Solutions, Inc. West Chester, PA	121.1/87%	\$200,000.00	\$500,000.00
Eastern Research Group, Inc. Austin, TX	118.6/85%	\$200,000.00	\$500,000.00
TranSystems Corp. Springfield, VA	115.7/83%	N/A	N/A
Arcadis US, Inc. Arlington, VA	107.7/77%	N/A	N/A
MACTEC Engineering and Consultant, Inc. Alpharetta, GA	103.7/74%	N/A	N/A

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICES CONTRACT

ITEM 2-AE (Cont.)

AWARDS

Science Applications International Corporation (SAIC)
 Germantown, MD
 Weston Solutions, Inc.
 West Chester, PA
 Eastern Research Group, Inc.
 Austin, TX

TERM

12/8/2011-12/7/2013 (W/1 two-year renewal option)

AMOUNT

\$ 500,000.00 Est. (2 year base contract per firm)
\$ 500,000.00 Est. (2-year renewal option per firm)
\$1,000,000.00 Est. Total Per Firm (4 Years per firm)
 \$3,000,000.00 Est. Total 3 firms (4 Years)

MBE PARTICIPATION

See Remarks below*

REMARKS

At the 10/4/2011 public meeting of the General Professional Services Selection Board (GPSSB), the Chairman of the Qualification Committee reported that three (3) of the six (6) firms which submitted technical proposals achieved the minimum qualifying score of 85% and were potentially eligible to provide the required services. The Committee asked the General Board to authorize the request of price proposals from the three (3) qualified firms.

*Each firm has structured its team to meet the State's established MBE goal which will be set for each project based upon the proposed fee and services required for the project.

The price proposal submitted by each firm reflected billing rates for each discipline required for this contract. The billing rates were inclusive of direct salaries, fringe benefits, overhead, profit, materials and all other costs, direct and indirect. The fee for each project awarded under the proposed agreement shall be negotiated and the task order will be approved and executed by the State individually. Projects will normally be awarded on a rotating basis beginning with the number one ranked firm.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICES CONTRACT

ITEM 2-AE (Cont.)

Once the project award process has been initiated with a firm in the normal rotation, the next opportunity for project award will go to the next firm in the rotation unless the unit issuing the assignment finds that: the firm is unable to perform the assignment; the hours or fee proposed by the firm for services needed cannot successfully be negotiated to an amount the State considers fair and reasonable; another firm has special experience or qualifications, including geographic proximity to the site for which services are needed, thus making it in the best interest of the State to give the assignment to another firm; or assignment to another firm would tend to balance to a greater extent, the fees paid or payable for work assignments previously issued to firms approved under this award.

At the 11/1/2011 public meeting of the GPSSB, the Chairman of the Negotiation Committee certified to the General Board that the negotiations were conducted in accordance with the regulations governing the Negotiation Committee and that the price proposals were determined to be fair, competitive, and reasonable.

The price proposals and the scope of services represented by the price proposals were reviewed by the General Professional Services Selection Board. The price proposals were accepted by the General Board as fair, competitive, and reasonable as required by Title 13-308 of the State Finance and Procurement Article, Annotated Code of Maryland.

The Negotiation Committee's recommendation was approved by the General Professional Services Selection Board on November 1, 2011 and is recommended to the Board of Public Works for approval.

FUND SOURCES

Using Agency funds

RESIDENT BUSINESSES

Yes (1)* and No (2)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICES CONTRACT

ITEM 2-AE (Cont.)

TAX COMPLIANCE AND ADPICS NOS.

<u>Contractor</u>	<u>Tax Compliance No.</u>	<u>ADPICS No</u>
Science Applications International Corp.*	11-2727-1111	001B2400299
Weston Solutions, Inc.	11-2721-1111	001B2400300
Eastern Research Group, Inc.	11-2725-1111	001B2400301

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 3-AE-OPT

DEPARTMENT OF GENERAL SERVICES

ORIGINAL CONTRACT NO. AND TITLE

Project No. DOIT-09-1.0-PSCS;
Professional Services Agreement
to Provide Civil Engineering Services for
Multiple Site Development Projects with
Fees Less than \$200,000.00
ADPICS NO. See below

ORIGINAL CONTRACT APPROVED

10/21/2009 DGS/BPW Item 2-AE

ORIGINAL PROCUREMENT METHOD

Maryland Architectural and Engineering
Services Act

CONTRACTORS

EBA Engineering, Inc. Baltimore, MD
Johnson, Mirmiran & Thompson
Sparks, MD
Dhillon Engineering, Inc. Owings Mills, MD
Century Engineering, Inc. Hunt Valley, MD
KCI Technologies, Inc. Sparks, MD

CONTRACT DESCRIPTION

Approval is requested for an Indefinite Quantity Contract (IQC) to provide engineering services for building systems commissioning to the Maryland Department of General Services on an as needed basis. The proposed agreement will be effective for 2 years with 1 two-year renewal option. Individual projects awarded under this agreement may not exceed \$200,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00.

OPTION DESCRIPTION

Approval requested to exercise the single two-year renewal option for five (5) indefinite quantity contracts (IQC) to provide building commissioning services for the Maryland Department of General Services, on an as needed basis, for a period of two (2) years.

Individual projects awarded under this contract may not exceed \$200,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 3-AE-OPT (Cont.)

TERM OF ORIGINAL CONTRACT

11/1/2009 – 10/31/2011 (W/1 two-year renewal option)

TERM OF OPTION

12/31/2011–12/30/2013

AMOUNT OF ORIGINAL CONTRACT

\$ 500,000.00 Est. (2 year base contract per firm)

\$ 500,000.00 Est. (2-year renewal option per firm)

\$1,000,000.00 Est. Total Per Firm (4 Years per firm)

\$5,000,000.00 Est. Total 5 firms (4 Years)

AMOUNT OF OPTION

\$ 500,000.00 Est. Limit Per Firm

\$2,500,000.00 Est. Total 5 firms (2 Years)

PRIOR MODIFICATIONS/OPTIONS

\$0.00 (10/11/11) DPRB CO# 41-E-006. Not subject to Board approval)

ORIGINAL MBE PARTICIPATION

25% on each task order \$50,000.00 or greater

REMARKS

This agreement is necessary for the State to fulfill its ongoing civil engineering services responsibility in a cost effective and timely manner.

All five (5) incumbent firms have agreed to provide the required services for the two-year renewal period at the current billing rates. Based on the initial two-year term, awards of \$326,456.00, foregoing the 2.3% escalation amount would result in an estimated savings of \$7,508.00. Resoliciting these Indefinite Quantity Contracts (IQC) may not be economically beneficial to the State nor would it lead to receiving a better product. It is in the best interest of the State to renew this option.

FUND SOURCES

Various Accounts

RESIDENT BUSINESS

Yes for all.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 3-AE-OPT (Cont.)

TAX COMPLIANCE AND ADPICS NOS.

<u>Contractor</u>	<u>Tax Compliance No.</u>	<u>ADPICS No</u>
EBA Engineering, Inc.	11-2546-1111	001B2400302
Johnson, Mirmiran & Thompson	11-2562-1111	001B2400303
Dhillon Engineering, Inc.	11-2544-0111	001B2400304
Century Engineering, Inc.	11-2545-1111	001B2400305
KCI Technologies, Inc.	11-2543-1110	001B2400306

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 HUMAN RESOURCES

Baltimore City Department of Social Services (BCDSS)

CONTRACT NO. AND TITLE

Janitorial Services at 2000 North Broadway
ADPICS NO. 001B2400238

CONTRACT DISCRPTION

Approval is requested for a contract to provide janitorial services at the Baltimore City Department of Social Services located at 2000 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

Preferred Cleaning, LLC. Perryville, MD	\$168,000.00
Ready Clean Industrial Services, Baltimore, MD	\$178,920.00
Just Business LLC. Owings Mills, MD	\$191,999.76
Acclaim USA Inc. Upper Marlboro, MD	\$192,000.00
Sanitech, Inc. Ellicott City, MD	\$192,000.00
Personal Touch Cleaning Service, Baltimore, MD	\$195,600.00
The Dorcas Group, Baltimore, MD	\$231,576.00
1 st Lady, Fairfax, VA	\$262,224.00
Abacus Corporation, Baltimore, MD	\$268,032.00
Cleaning to Perfection Full Facility Service, Suitland, MD	\$270,000.00
G&LB Enterprises, Inc. Pikesville, MD	\$273,600.00
Beck & Call Professional Services, LLC. Silverspring, MD	\$326,300.40
Ameri-Klean Services, Inc. Baltimore, MD	\$333,303.60
Tote-Inc. Baltimore, MD	\$349,092.00
Fresh Air Duct Cleaning LLC. Upper Marlboro, MD	\$374,232.00
KB Cleaning & Painting, Mount Wolf, PA	\$426,120.00
Primetar Industries, Baltimore, MD	\$575,783.76
Dominican Solutions, Washington, MD	\$609,033.84
City Wide Maintenance of Central Maryland, Lutherville, MD	\$664,657.92

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE**

Potomac Center
Hagerstown, MD

CONTRACT NO. AND TITLE

Project No. RW-725-110-001;
Replace Rooftop A/C –Cottages 2 and 5
ADPICS NO. 001B2400298

CONTRACT DISCRPTION

Approval requested for a contract for the construction of the systemic upgrade to the HVAC systems in Cottages #2 and #5 at the Potomac Center located at 1380 Marshal St. Hagerstown, MD 21740.

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

James P. Kruger & Associates, Inc.
Ellicott City, MD
W.Harley Miller Contractors, Inc.
Martinsburg, WV

AMOUNT

\$803,416.00

\$864,000.00

AWARD

James P. Kruger & Associates, Inc.
Ellicott City, MD

TERM

120 days from NTP

AMOUNT

\$803,416.00

MBE PARTICIPATION

25%

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*. Two bids were received

The existing rooftop air conditioning units are the original equipment installed thirty-four years ago in 1977. There has been a past history of increasing failure of the units, with an ever-increasing cost.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

Parts needed for repairs are becoming obsolete and unavailable. The failure of any of these units jeopardizes patient health, safety, comfort and well-being. The facility has spent \$65,000.00 in the past five years to correct system failure.

The government estimate was \$807,963.00.

FUND SOURCE

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

RESIDENT BUSINESS

Yes

MD TAX CLEARANCE

11-2466-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 6-M

**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Eastern Correctional Institution
Westover, MD

CONTRACT NO. AND TITLE

Project No. KO-000-111-001;
Replacement of Heat Exchangers
ADPICS NO. 001B2400293

DESCRIPTION

Approval requested for a contract to replace the existing heat exchangers serving the heating system and the existing heating exchanger serving the domestic hot water. Each exchanger would be replaced with two new exchangers, totaling twenty (20) new exchangers for redundancy at Eastern Correctional Institution 30420 Revells Neck Rd, Westover, MD 21890.

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

Joseph M. Zimmer, Inc. Salisbury, MD
Wilfre Company, Inc. Hebron, MD

AMOUNT

\$ 553,000.00
\$1,345,000.00

AWARD

Joseph M. Zimmer, Inc.
Salisbury, MD

AMOUNT

\$553,000.00

TERM

120 Days from NTP

MBE PARTICIPATION

25%

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*. 2 acceptable bids were received. The government estimate for this project is \$777,315.00.

FUND SOURCE

MCCBL 2010 Item 010 (Provide funds for the State Capital Facilities Renewal Program-Statewide)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 6-M (Cont.)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2560-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 7-M

DEPARTMENT OF NATURAL RESOURCES Cunningham Falls State Park
 Frederick County

CONTRACT NO. AND TITLE Project No: P-016-082-010;
 Resurface Roads and Parking Lot
 ADPICS NO. 001B2400288

DESCRIPTION Approval for a contract to provide all labor,
 equipment, materials, supplies, supervision, and insurance necessary to resurface roads and
 parking lots at Cunningham Falls State Park.

PROCUREMENT METHOD Competitive Sealed Bids

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
Craig Paving, Inc. Hagerstown MD	\$415,178.95
Raymond R. Cahow, Inc. Beltsville MD	\$432,702.00
Poole & Sons Excavating Inc. Middletown MD	\$436,898.00
L.W. Wolfe Enterprises, Inc. Myersville, MD	\$447,254.75

AWARD Craig Paving, Inc.
 Hagerstown MD

AMOUNT \$415,178.95

TERM 180 Calendar Days

MBE PARTICIPATION 25%

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*.

The project estimate was \$424,426.00. This project was included on the maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and seven bidders attended the prebid. Four (4) bids were received for this project. The recommended bidder was evaluated and determined to be a responsive and responsible bidder.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 7-M (Cont.)

FUND SOURCE

MCCBL 2011/Item 008 (Provide funds to construct Capital Improvements such as planned maintenance and repair projects at public use facilities on State-owned property)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2289-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 8-M**DEPARTMENT OF HEALTH AND
MENTAL HYIGENE**Metro Executive Building
4201 Patterson Ave.
Baltimore, MD**CONTRACT NO. AND TITLE**Unarmed Uniformed Guard Services;
ADPICS NO. 001B2400286**CONTRACT DISCRPTION**

Approval is requested for a contract to provide unarmed uniform guard services at the Metro Executive Building located at 4201 Patterson Ave, Baltimore, MD 21215, for a period of three (3) years.

PROCUREMENT METHOD

Competitive Sealed Proposals

BIDS OR PROPOSALS

<u>Offerors</u>	<u>Tech. Rank</u>	<u>Financial Price (Rank)</u>	<u>Overall Rank*</u>
Watkins Security Agency, Inc. Baltimore, MD	1	\$756,585.00 (1)	1
AlliedBarton, Baltimore, MD	2	\$864,480.60 (6)	2
BTI, Silver Spring, MD	3	\$781,585.20 (3)	3
Admiral Security Services Baltimore, MD	4	\$832,901.40 (5)	4
Abacus Corporation, Baltimore, MD	5	\$818,866.20 (4)	5
Dunbar Guard Services Baltimore, MD	6	\$759,655.20 (2)	6
Legal Services Associates, Inc., Baltimore, MD	7	\$885,972.00 (7)	7

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

AWARDWatkins Security Agency, Inc.
Baltimore, MD**TERM**

1/1/2012-12/31/2014

AMOUNT

\$756,585.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 8-M (Cont.)

MBE PARTICIPATION

0% (See remarks below)

PERFORMANCE BOND

\$252,195.00 (100% of Annual Contract Amount)

REMARKS

A notice of the Request For Proposals (RFP) was posted on DGS's Web Site, Bid Board and at *eMarylandMarketplace.com*. The RFP was sent to approximately two hundred twenty-six (226) prospective vendors. Twelve (12) proposals were received which included proposals from 2 SBRs and 3 SBR/MBE vendors.

The Procurement Review Group (PRG) determined that the scope of work consists of a single element of work and therefore resulted in the zero MBE goal.

The State requested proposals for unarmed guard services at the best value. Offerors proposed a management plan to ensure a safe environment which included but limited to furnishing all labor, management, supervision, supplies, and necessary equipment. Contract award was based on the responsible offeror whose proposal is determined to be the most advantageous to the State, considering price and the evaluation factors set forth and made part of the Request for Proposals. The recommended contractor, Watkins Security Agency, Inc., has been found responsible and has confirmed their offer.

This facility houses the Maryland Department of Health and Mental Hygiene Licensing Boards, Drug Control, and Vital Statistics, the Maryland Transit Administration Mobility Unit, and the Department of Human Resources Citizens Review Board Commission.

FUND SOURCE

M00 A264G 0877 (DHMH Operating Funds)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

11-2589-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 9-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 \$225,617.00 (3 items)

A. Maryland School for the Deaf

Columbia Campus
Columbia, MD

DESCRIPTION

Approval is requested for a contract to replace the existing windows in the Bjorlee school building at the Maryland School for the Deaf Campus in Frederick, MD.

REMARKS

This solicitation was advertised and bid on *eMarylandMarketplace.com* on 9/13/2011 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 exterior windows at the Bjorlee Building will complete the objective to improve the energy efficiency of this structure.

HomeRite of Baltimore, LLC. has committed to providing 5% Certified Minority Business Enterprise participation in this project.

CONTRACT NO. AND TITLE

Project No. A-700-110-001;
Window Replacement

PROCUREMENT METHOD

Competitive Sealed Bids (SBR only)

AWARD

Homerite of Baltimore LLC.
Baltimore MD
(MBE and SBR vendor)

AMOUNT

\$20,900.00

TERM

90 Calendar Days

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 9-GM (Cont.)

MBE PARTICIPATION

5%

FUND SOURCE

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

B. Department of General Services

Charlotte Hall Veterans Home
Charlotte Hall, MD

DESCRIPTION

The project consists of the replacement of 41 heat pumps in resident wings A and B at the Charlotte Hall Veterans Home. The new units will be console water source heat pumps, new thermostats will also be included in the work. All work to be completed at Charlotte Hall Veterans Home, Charlotte Hall, MD.

REMARKS

The contract duration is 120 calendar days. Sufficient funds are available. Five (5) bids were received. There is a 25% MBE sub-goal, no split for this contract. The recommended contractor, Potter Heating and Electric, Inc., has exceeded the 25% MBE sub-goal and will have a 61% MBE participation on this project. Potter Heating and Electric, Inc. has been found responsive and responsible and has confirmed their bid.

CONTRACT NO. AND TITLE

Project No. VH-000-111-001;
Replacement of 41 Heat Pumps

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

Potter Heating and Electric, Inc.
Waldorf, MD

AMOUNT

\$132,400.00

MBE PARTICIPATION

61%

FUND SOURCE

MCCBL 2009/Item 007 (Provide funds for Statewide facilities Renewal Program)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 9-GM (Cont.)

C. Department of the Military

LTC Melvin H. Cade Armory
2620 Winchester St.
Baltimore, MD 21216

DESCRIPTION Contractor shall furnish all labor, materials, equipment and services necessary to modify the existing facility, as shown on the construction documents, in order to comply with the ADAAG and Maryland Access requirements.

REMARKS The recommended contractor was the lowest bidder and the Procurement Officer recommended awarding this project to the company. The Government estimate for this project was \$80,000.00.

CONTRACT NO. AND TITLE Project No. M-582-100-001 (SBR)
ADA Accessibility Upgrades

PROCUREMENT METHOD Competitive Sealed Bids (SBR only)

AWARD A. L. Ingram Construction, Inc.
Baltimore, MD

AMOUNT \$72,317.00

TERM 90 Calendar Days

MBE PARTICIPATION 15%

FUND SOURCE MCCBL 2010/ Item-008 (Provide funds to design and construct handicapped accessibility modifications at State-owned facilities)

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 10-GM

REFERENCE

Department of Natural Resources
Project No: P-008-070-010;
Deep Creek Lake State Park
Resurface Shop Parking Lot

DESCRIPTION

Reference is made to the Department of General Services Board of Public Works (BPW) Agenda of July 27, 2011 Item 8-GM (G), wherein the Board approved the use of capital bond funds to award a contract to I-Con International Corporation in the amount of \$160,186.00.

BPW approval is now requested to revise the fund source as follows:

FROM: \$160,186.00 – MCCBL 2010/Item 016

TO: \$160,186.00 – MCCBL 2009/Item 018

Reason: To utilize available older bond 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

LANDLORD LEASE**ITEM** 11-LL

DEPARTMENT OF PUBLIC SAFETY AND Westover, MD
CORRECTIONAL SERVICES (Somerset County)

<u>Tenant</u>	ECOCORP, Inc. 1211 S. Eads Street, Ste. 803 Arlington, VA 22202.		
<u>Property Location</u>	30420 Revells Neck Rd. Westover, MD 21890		
<u>Space Type</u>	Land	<u>Type</u>	New
<u>Duration</u>	30 Years	<u>Effective</u>	12/15/2011
<u>Annual Rent</u>	\$100.00	<u>Acre(s)</u>	4.2 +/-
<u>Utilities Responsibility</u>	Tenant		
<u>Custodial Responsibility</u>	Tenant		
<u>Previous Board Action(s)</u>	N/A		

Reference

The Department of Public Safety and Correctional Services is the owner of the land and currently operates and maintains a state correctional facility on the Property known as the Eastern Correctional Institution (ECI).

The Maryland Environmental Service (MES) solicited through a competitive solicitation process to procure renewable energy as a voluntary initiative to promote clean energy development to meet long term energy needs and to provide an alternative means to manage the nutrients contained in animal manure and food waste in an environmentally sound manner.

ECOCORP Inc., the successful respondent to MES, is seeking to enter into a ground lease agreement for land around ECI for the purposes of constructing and operating an Anaerobic Digester Facility which will supply a portion of the electrical power needs of ECI.

ECOCORP Inc. has entered into a Power Purchase Agreement (“PPA”) which details how MES will purchase power from the tenant. The Board of Public Works is now requested to approve the land lease with ECOCORP Inc.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 11-LL (Cont.)

SPECIAL CONDITIONS

1. The lease provides for a renewal term of thirty (30) years subject to BPW approval.
2. The Power Purchase Agreement (PPA) is incorporated and made part of the lease agreement. This lease is contingent upon the Tenant meeting all contingencies contained in the PPA including all local, state and federal permits and project financing.
3. The Lease contains a termination for convenience provision.
4. The Tenant shall have the right to pledge or encumber its leasehold interest in the Demised Premises or to execute a collateral assignment of its interest in the Lease as security for any financing to be obtained by Tenant in connection with the construction or operation of the project.
5. The Tenant shall maintain at its expense, throughout the Term insurance identical to the types and amounts set forth in the PPA during the term of this Lease.
6. The Lessee shall pay promptly when due, all taxes assessed in connection with the Tenant's use and occupancy of the Demised Premises, including but not limited to, federal and state income taxes, retail sales, employment, energy production taxes, fees, or other impositions, and Real Property taxes assessed against the Demised Premises.
7. The Tenant shall be responsible for, and shall indemnify and hold harmless the Landlord from any and all claims, action, causes of actions, suite, rights, judgments, damages, costs and expenses arising out of personal injuries or property damage relation to conditions on the property or off the property in connection with the Tenant's use of the property as an Anaerobic Digester Facility. Tenant further indemnify and hold harmless the State of Maryland, and the Department of Public Safety and Correctional Services and its members, officers, and employees against and from, any and all liability or claim of liability (including reasonable attorneys' fees) directly arising out of the Lessee's use, occupancy, conduct, operation or management of the Demised Premises during the Term.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 12-LL-MOD

BALTIMORE CITY COMMUNITY COLLEGE Baltimore City

Tenant National Center for Health Behavioral Change
2600 Liberty Heights Avenue, Suites 118, 119 & 120
Baltimore, MD 21215

Property Location 2600 Liberty Heights Avenue, Suites 118, 119 & 120
Baltimore, MD 21215

<u>Space Type</u> Office	<u>Lease Type</u> Revision	<u>Square Feet</u> 345
<u>Duration</u> 3 Years	<u>Effective</u> 10/1/2011	
<u>Annual Rent</u> \$6,241.76 (Avg.)	<u>Square Foot Rate</u> \$18.09 (Avg.)	

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Action(s)</u>	N/A

Reference Reference is made to Board of Public Works Action Agenda Item 14-LL of September 21, 2011, wherein the Board approved a revenue lease for a three (3) year term for 682 net usable square feet of office space located at 2600 Liberty Heights Avenue, Suites 118, 119 & 120, Baltimore, MD 21215 for the Baltimore City Community College.

During an administrative review, an error in the agenda item was identified. The September 21, 2011 Action Agenda Item "Annual Rent" and "Square Foot" stated "\$12,338.79 (Avg.)" and "682" respectively. In fact, "Annual Rent" and "Square Foot" should have been stated as "\$6,241.76 (Avg.)" and "345".

The Board of Public Works is requested to approve the revision.

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** 13-LT**STATE DEPARTMENT OF ASSESSMENT AND TAXATION**

Department of Assessments and Taxation (DAT)
Property Tax Assessment Appeals Board (PTAAB)
Hagerstown, MD (Washington County)

Landlord 3 Public, LLC.
7906 Georgia Ave.
Suite 111
Silver Spring, MD 20910

Property Location 3 Public Square
Hagerstown, MD 21740

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	
<u>Duration</u>	10 Years	<u>Effective</u>	12/15/2011	SDAT	5,832
<u>Annual Rent</u>		<u>Square Foot Rate</u>	\$16.50	PTAAB	867
DAT	\$96,228.00	<u>Previous Sq. Ft. Rate</u>	\$17.63 blended		
PTAAB	\$14,305.50	<u>Effective Sq. Ft. Rate</u>	\$18.50		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$22.42 blended		

Utilities Responsibility Tenant
Custodial Responsibility Landlord

Previous Board Action(s) DAT - 6/7/2006 11-L; 3/22/2000 18-L
PTAAB - 6/20/2001 6-L Revised

Fund Source 10% SDAT: General; 90% Special e50303.
100% PTAAB General e80e00

Special Conditions

1. This lease contains escalations/de-escalations for real estate taxes and custodial services.
2. The base year amounts for janitorial and real estate taxes reset in Year 6 of the lease.
3. The blended rate represents the current rental rate of both agencies.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT (Cont.)

Remarks

1. This lease consolidates PTAAB and DAT into one building. Each agency will have a separate building entrance for access to their demised premises as well as separate bathroom facilities.
2. DAT has occupied this space since 2000. Due to Staffing reductions, the space was not fully utilized. PTAAB was housed at 6 W. Washington St. in 971 net usable square feet. This collocation will fully utilize the space.
3. This lease contains a termination for convenience clause.
4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 14-LT-OPT**MARYLAND STATE DEPARTMENT OF EDUCATION**

Office of Child Care

Landover, MD (Prince Georges County)

LandlordGuardian Fund II – CentrepoinTE, LLC.
6000 Executive Boulevard, Suite 400
North Bethesda, MD 20852**Property Location**807 Brightseat Rd.
Landover, MD 20785

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	4,093
<u>Duration</u>	11 Years	<u>Effective</u>	1/1/2012		
<u>Annual Rent</u>	\$60,330.82 (Avg.)	<u>Square Foot Rate</u>	\$14.74 (Avg.)		
		<u>Previous Sq. Ft. Rate</u>	\$15.75		
		<u>Effective Sq. Ft. Rate</u>	\$17.24		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$19.89		

Utilities Responsibility

Lessee

Custodial Responsibility

Lessor

Previous Board Action(s)

12/4/2002 Item 10-L; 9/14/1994 Item 33-L

Fund Source

R00A0110 Federal 100%

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes and custodial services.
2. The lease provides for one (1) renewal option for a five (5) year term.
3. The Lessee is responsible for utilities in order to take advantage of the State discount rate. Until the exact utility rate can be verified a \$2.50 per square foot value has been applied.
4. The lease was negotiated for eleven (11) years to effectuate energy savings sooner, rather than to postpone those benefits.
5. Through negotiations the Department of General Services secured a blended renewal rate of \$13.41 for year 1, \$13.29 for years 2-4, \$14.91 for years 5-7, and \$16.03 for years 8 – 11 for an average over the term of \$14.74 per net usable square foot. In addition, the Landlord is making an investment in a lighting retro-fit throughout the demised premise.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT-OPT (Cont.)

Remarks

1. This space has been used since 6/5/1995 as a Child Care office which provides services to child care providers and parents.
2. Through negotiations the Department of General Services secured a rental cost avoidance of \$45,473 over the term of the lease by reducing the Landlord's stated existing rental rate by \$1.01 per nusef.
3. The lease contains a termination for convenience clause.
4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 15-LT-OPT**DEPARTMENT OF HUMAN RESOURCES**Department of Social Services
Landover, MD (Prince Georges County)**Landlord**Guardian Fund II – CentrepoinTE, LLC.
6000 Executive Boulevard, Suite 400
North Bethesda, MD 20852**Property Location**925 Brightseat Rd.
Landover, MD 20785

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	54,446
<u>Duration</u>	11 Years	<u>Effective</u>	1/1/2012		
<u>Annual Rent</u>	\$802,534.02 (Avg.)	<u>Square Foot Rate</u>	\$14.74 (Avg.)		
		<u>Previous Sq. Ft. Rate</u>	\$15.75		
		<u>Effective Sq. Ft. Rate</u>	\$17.24		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$19.89		

Utilities Responsibility

Lessee

Custodial Responsibility

Lessor

Previous Board Action(s)

12/4/2002 Item 10-L; 9/14/1994 Item 33-L

Fund Source

N00G00.02

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes and custodial services.
2. The lease provides for one (1) renewal option for a five (5) year term.
3. The Lessee is responsible for utilities in order to take advantage of the State discount rate. Until the exact utility rate can be verified a \$2.50 per square foot value has been applied.
4. The lease was negotiated for eleven (11) years to effectuate energy savings sooner, rather than to postpone those benefits.
5. Through negotiations the Department of General Services secured a blended renewal rate of \$13.41 for year 1, \$13.29 for years 2-4, \$14.91 for years 5-7, and \$16.03 for years 8 – 11 for an average over the term of \$14.74 per net usable square foot. In addition, the Landlord is making an investment in lighting retro-fit throughout the demised premise.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT-OPT (Cont.)

Remarks

1. This space has been used since June 5, 1995 as administrative and client contact office for the Prince Georges County Social Services Administration.
2. Through negotiations the Department of General Services secured a rental cost avoidance of \$604,895.00 over the term of the lease by reducing the Landlord's stated existing rental rate by \$1.01 per nusf.
3. The lease contains a termination for convenience clause.
4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 16-LT-OPT**MARYLAND DEPARTMENT OF TRANSPORTATION**

State Highway Administration (SHA)

Headquarters- Baltimore City

LandlordMayor and City Council of Baltimore
200 N. Holliday St., Room 304
Baltimore, MD 21202**Property Location**Right-of-Way under Interstate 83
Bounded by Guilford Ave., Madison St. and the Fallsway
Baltimore, MD 21202**Space Type** Surface Parking**Duration** 2 Years**Annual Rent** \$266,253.75**Lease Type** Renewal **Number of Spaces** 477**Effective** 1/1/2012**Rate Per Space Per Month** \$46.52**Prev. Rt. Per Space Per Month** \$46.52**Utilities Responsibility**

Landlord

Custodial Responsibility

Landlord

Previous Board Action(s)1/20/10 Item 11-LT; 12/12/07 Item 11-LT; 12/14/05 Item
16-LT; 12/17/03 Item 13-L; 7/11/01 Item 28-L**Fund Source**

100% Special J02B0101 B0102 OBJ 13 1301

Remarks

1. These spaces have been used by employees of the State Highway Administration Headquarters located at 707 N. Calvert St. and 211 E. Madison St.
2. There are no options for renewal left in the lease agreement.
3. The lease contains a termination for convenience clause.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 17-LT-OPT

DEPARTMENT OF HUMAN RESOURCES Baltimore County Department of Social
Services
Towson, MD (Baltimore County)

Sublease Landlord Anneslie Center, LLC.
P.O. Box 196
Stevenson, MD 21153

Property Location 6317 York Road (Rear)
Baltimore, MD 21212

<u>Space Type</u>	Storage	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	18,000
<u>Duration</u>	10 Years	<u>Effective</u>	4/1/2012		
<u>Annual Rent</u>	\$155,700.00	<u>Square Foot Rate</u>		\$8.65	
		<u>Previous Square Foot Rate</u>		\$8.65	
		<u>Effective Square Foot Rate</u>		\$9.50	
		<u>Previous Eff. Square Foot Rate</u>		\$9.50	

Utilities Responsibility Tenant
Custodial Responsibility Landlord

Previous Board Action(s) 3/27/2002 – 9-L
Fund Source: \$85,635.00 General 33.07.00.05, \$70,065.00 Federal

Special Conditions

1. The lease contains escalation/de-escalation for real estate taxes and custodial service.

Remarks

1. This space has been used since 4/1/2002 by the Baltimore County Department of Social Services (BCDSS) for storage, a mobile filing system and eight (8) offices for the eleven (11) employees stationed at this location. This facility is jointly used by the BCDSS, to serve the needs of five (5) BCDSS offices including the adjacent headquarters office located at 6401 York Rd., Baltimore, MD 21212.
2. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 17-LT-OPT (Cont.)

3. 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 18-CGL

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

Board of Trustees of the Baltimore Museum of Art (Baltimore City)

Baltimore Museum of Art

“For the design, renovation, and reconfiguration of facilities at Baltimore Museum of Art, located in Baltimore City.”

\$2,500,000.00

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

DGS Item G001, SL-066-050-038

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2012 and the BPW to certify a matching fund. The Board of Trustees of the Baltimore Museum of Art has submitted documentation that it has \$8,000,000.00 in revenue bond proceeds for the matching fund requirements.

BACKGROUND

Total Project	\$ 20,500,000.00
10-G001 (This Action)	\$ 2,500,000.00
08-G017 (Prior Action)	\$ 337,000.00
05-G018 (Prior Action)	\$ 100,000.00
Local Cost	\$ 17,563,000.00

(Prior Actions: 6/7/06 Agenda, Items 19-CGL and 20-CGL)

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

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

Board of Directors of CASA de Maryland, Inc. (Prince George's County)

CASA Multi-Cultural Service Center

"For the capital equipping of the CASA Multi-Cultural Service Center, located in Langley Park."

\$200,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010)
DGS Item G140, (SL-083-050-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2012 and the Board of Public Works to certify a matching fund. The Board of Directors of CASA de Maryland, Inc. has submitted documentation that it has received a \$2,000,000.00 grant from the Harry and Jeanette Weinberg Foundation, Inc. to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$9,396,150.00
10-G140 (This Action)	\$ 200,000.00 (Match)
08-001 (Prior Action)	\$1,000,000.00 (No Match)
06-G167 (Prior Action)	\$ 300,000.00 (Match)
05-G041 (Prior Action)	\$ 100,000.00 (Match)
Local Cost	\$7,796,150.00

(Prior Actions: 11/4/09 Agenda, Item 8-CGL; 5/21/08 Agenda, Item 20-CGL;
5/9/07, Item 14-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 19-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 20-CGL

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

*Board of Directors of the Miracle League of Montgomery County Maryland, Inc.
(Montgomery County)*

Miracle League Baseball Field

*“For the acquisition, planning, design, construction, and capital equipping of the
Miracle League Baseball Field, located in Montgomery County.”*

\$125,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010)
DGS Item G135*

\$125,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (LSI - Chapter 483, Acts of 2010)
DGS Item G063, (SL-048-100-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2012 and the Board of Public Works to certify a matching fund. The Board of Directors of the Miracle League of Montgomery County Maryland, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$626,554.33 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Directors of the Miracle League of Montgomery County, Inc. \$250,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$2,074,644.00
10-G135 (This Action)	\$ 125,000.00
10-G063 (This Action)	\$ 125,000.00
Local Cost	\$1,824,644.00

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 20-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 21-CGL

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

Board of Trustees of Sojourner-Douglass College (Baltimore City)

Sojourner-Douglass College – Science and Allied Health Facility

“To assist in the design and construction of the expansion and renovation of a newly acquired building, located at 249 N. Aisquith Street in Baltimore.”

\$3,250,000.00

Maryland Consolidated Capital Bond Loan of 2008 (MICUA-Chapter 336, Acts of 2008, amended by Chapter 707, Acts of 2009 and Chapter 372, Acts of 2010)

DGS Item G010, (SL-092-080-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than 6/1/2012 and the Board of Public Works to certify a matching fund. The Board of Trustees of Sojourner-Douglass College has submitted documentation that it has received a \$3,250,000.00 loan commitment from White Rock Investment Group, LLC. to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$7,600,528.00
	08-G010 (This Action)	\$3,250,000.00
	Local Cost	\$4,350,528.00

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 22-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Community Housing Associates, Inc.
2918-B Glenmore Ave.
Baltimore, MD 21214

PROJECT NO. AND TITLE

Project No. MHA-CB-03511-02;
2301 North Charles St.
Baltimore, MD 21218

DESCRIPTION

Approval is requested for: (1) A State grant of \$323,844.00 to assist Community Housing Associates, Inc. (CHA), a nonprofit organization, in the cost of renovating a vacant three-story brick row house with basement at 2301 N. Charles St., Baltimore, MD 21218. This building, with approximately 4,708 gsf, will be used to provide 7 studio apartment units for men and women with mental illness. Brinton Building Services, Inc. (BBS) was selected as the Construction Supervisor for this renovation project on the basis of the company's past performance and proven reliability. BBS has been used as the Construction Supervisor on several previous projects, including Safe Haven, Glenmore, HOPE Center and 18 West Read St. BBS has solicited bids from the various trades that will perform the renovation work on 2301 N. Charles Street.

At the 6/23/2010 BPW meeting (DGS Agenda Item 16-CGL), the Board approved a State grant of \$247,987.00 to assist the applicant in the cost of acquiring this building. Approval of this \$323,844.00 award for renovation, in combination with the \$247,987.00 previously approved by the Board for acquisition of this property makes a total of \$571,831.00 approved for this project.

(2) Subordination and Intercreditor Agreement. CHA has been granted a first priority mortgage loan from the Maryland Department of Housing and Community Development (DHCD) in the amount of \$525,000.00 secured by a first priority Deed of Trust, and a City of Baltimore HOME loan in the principal amount of \$210,000.00 secured by a second-priority Deed of Trust for the purpose of acquiring and renovating 2301 N. Charles Street, based on the condition that DHMH subordinate its right of recovery to both the DHCD and City of Baltimore HOME loans.

The agreement has been reviewed and approved for legal sufficiency by an Assistant Attorney General for DHMH.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 22-CGL (Cont.)

PROCUREMENT METHOD

Negotiated

AWARD

Brinton Building Services, Inc.
Baltimore, MD

AMOUNT

\$740,624.00

Eligible project costs are \$740,624.00. This includes \$599,625.00 for construction, \$82,804.00 for contingency costs, \$50,095.00 for A/E fee, \$3,200.00 for surveys and \$4,900.00 for permit fees.

FUND SOURCE

\$416,780.00 (56.3%) - Applicant's Share
\$206,780.00- Department of Housing and
Community Development Partnership
Rental Loan
\$210,000.00- City of Baltimore HOME
Loan
\$323,844.00 (43.7%) State's Share MCCBL
2009 Community Health Facilities Funds

REMARKS

Community Housing Associates, Inc. (CHA) has provided residential services to individuals with mental illness since 1989 and currently provides housing for 233 individuals. CHA has acquired this building and is renovating it in order to provide housing for non-elderly disabled individuals under the Bailey Consent Decree. As part of the Bailey Consent Decree, CHA is eligible to receive up to 300-350 Section 8 project-based vouchers for rental assistance. The priority populations for this housing are individuals with serious and persistent mental illness who are chronically homeless or those at risk of homelessness upon discharge from a State hospital.

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

No State funds will be disbursed until the grantee has presented suitable evidence to the Comptroller that it has expended the required matching funds for this project.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 22-CGL (Cont.)

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 23-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Way Station, Inc.
230 West Patrick St.
Frederick, MD 21705-3826

PROJECT NO. AND TITLE

Acquisition of 25 East North Ave.
Hagerstown, MD 21740
Project number: MHA-CB-09104-01

DESCRIPTION

Approval is requested for a State grant of \$600,000.00 to assist Way Station, Inc., a nonprofit organization, in the cost of acquiring a three story plus basement 13,000 gsf office building. The contract price is \$800,000.00, and the building will provide transitional housing for 27 homeless veterans (male and female) with serious mental issues and addictions. Two appraisals were obtained for the property; both have been reviewed by the Department of General Services. The appraisals are as follows:

\$800,000.00 - William G. Bowen, Inc. Hagerstown, MD

\$800,000.00 - Pugh Real Estate Group, LLC. Frederick, MD

Based on these appraisals, the DGS approved the fair market value of the real estate at \$800,000.00. Way Station, Inc. has a contract of sale to purchase this property for \$800,000.00.

Eligible project costs are \$805,000.00. This includes \$800,000.00 for acquisition and \$5,000.00 for appraisals. These costs will be funded as follows:

AMOUNT

\$805,000.00*

FUND SOURCES

\$205,000.00 (25.5%) - Applicant's Share
\$600,000.00 (74.5%) - State's Share
MCCBL 2009, Community Health Facilities
Fund

REMARKS

*The State is participating in the acquisition cost of \$800,000.00, as well as the cost of the appraisals (\$5,000.00). 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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL (Cont.)

Established in 1978 Way Station, Inc. provides a comprehensive continuum of care including: crisis intervention, outpatient treatment, mobile treatment, psychiatric rehabilitation, housing, and supported employment services to low-income individuals including veterans, with serious mental illness. Way Station, Inc. serves over 7,000 individuals in six Maryland counties.

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 Frederick 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 24-CGL

DEPARTMENT OF JUVENILE SERVICES

NAME OF GRANTEE/BORROWER

Hearts and Homes for Youth, Inc., formerly
Boys' and Girls' Homes of Maryland, Inc.
and Boys' & Girls' Homes and Community
Services, Inc. (Montgomery County)

DESCRIPTION

Submission of a request by Hearts and
Homes for Youth, Inc., (formerly Boys' and Girls' Homes of Maryland, Inc. and Boys' & Girls'
Homes and Community Services, Inc.) hereafter referred to as "Hearts and Homes" that the
Board of Public Works approve the following:

1. Hearts and Homes selling commercial real property located at 17051 Oakmont Avenue,
Gaithersburg, Maryland 20877 ("the Oakmont property") to Afshin Abedi and Leila
Abedi;
2. The State waiving its right of recovery, for good cause shown, pursuant to Maryland
Annotated Code, Human Services Article, § 9-406(d);
3. Hearts and Homes retaining sale proceeds to pay the Maryland Health and Higher
Educational Facilities Authority Pooled Loan Program/Bank of America
("MHHEFA/BA") for existing debt on the real property, including costs associated with
the sale, and utilize any remainder toward funding existing Hearts and Homes residential
child care programs that contract with the Maryland Department of Human Resources
("DHR") and/or the Maryland Department of Juvenile Services ("DJS"), conditioned on
the Purchase Agreement for Commercial Real Property, dated 8/2/2011, between Hearts
and Homes, Afshin Abedi and Leila Abedi proceeding to settlement and being finalized.

PREVIOUS BOARD ACTION(S)

4/10/1996 DGS Agenda Item 40-CGL
9/4/1996 DGS Agenda Item 35-CGL

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**CAPITAL GRANTS AND LOANS****ITEM** 24-CGL (Cont.)**BACKGROUND**

The State granted Hearts and Homes (Grantee), a non-profit provider of residential child care services since 1965, \$600,000.00 (see fund source below) in general obligation bond proceeds for the design and construction of a multi-service center that would provide for the consolidation of existing resources, including education, social services and administration and would support the various programs operated by Hearts and Homes serving adolescent girls and boys in the care of DJS or DHR.

FUND SOURCES

\$ 83,465.00 (A) MCCBL 1994/Item 074
\$516,535.00 (B) MCCBL 1993/Item 039

GRANT TERMS AND CONDITIONS

Grants A and B require Grantee to remain a provider of juvenile and mental health services for a period of thirty (30) years. Failure to do so would constitute a default entitling the State to recover from Grantee an amount calculated according to the statutory formula set out in Maryland Annotated Code, Human Services Article, § 9-406(d).

Hearts and Homes ceased operations of the Oakmont property as a juvenile program as a result of financial hardship and placed it on the market for sale in or about June, 2011. The property was appraised in September 2011 as having an "as is" value of \$2,300,000.00. Hearts and Homes efforts to market the real property have resulted in a firm offer in the amount of \$2,100,000.00 from Afshin Abedi and Leila Abedi, who, upon information and belief, intend to convert the property to use as an elder day care center. Hearts and Homes has an existing indebtedness, secured by several of its properties, including the Oakmont property to MHHEFA/BA totaling \$1,495,245.62.

RECOMMENDATION

The Departments of General Services and DJS recommend granting a conditional waiver of the State's right of recovery, for good cause shown, conditioned on the current contract of sale between Hearts and Homes, Afshin Abedi and Leila Abedi being finalized and the property being transferred to the Abedis. This recommendation is based on the following:

1. The bonds that funded the grants are no longer outstanding;
2. Hearts and Homes has provided over 40 years of service to Maryland youth with nearly 15 years service on its 30 year obligation under the terms of the Capital Grant;

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL

3. The bond issued on the MHHEFA/BA indebtedness remains outstanding and is in good standing;
4. Alternatives to granting the conditional waiver would be costly and not in the public interest.
 - a. Pursuing a claim against Hearts and Homes for default, and locating a buyer willing to purchase a property appraised at \$2,300,000.00 for more than the current firm offer of \$2,100,000.00, and yielding enough to pay the existing MHHEFA/BA loan obligation and the amount due under the right of recovery would result in high costs to the State and the possible default of the MHHEFA/BA obligation;;
 - b. Both DJS and DHR have current contracts with Hearts and Homes to use the various residential child care, treatment foster care and independent living programs operated by Hearts and Homes. These programs are needed to serve the State's most vulnerable youth and their loss would result in the disruption of placement, independent living and treatment services provided to youth now being served by Hearts and Homes.
 - c. Disruption of the existing contract could subject Hearts and Homes to litigation, loss of the purchasers and default on its obligation to MHHEFA/BA. The only alternative at that point, would be for the State to finalize its lien on the Oakmont property and proceed to foreclosure. Such action would likely not yield a buyer willing and able to pay more than the \$2,100,000.00 offered by Afshin and Leila Abedi, who plan to use the property for a purpose that would benefit elderly residents of Montgomery County. This would lead to a loss of tax revenue and would create blight on the community as a result of the property remaining empty and unused.
 - d. Hearts and Homes, requires the amount remaining after the sale to Afshin and Leila Abedi to continue its existing programs. This includes making needed repairs to several other Hearts and Homes properties currently serving Maryland children.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Cont.)

Grantee now seeks Board of Public Works approval of its transfer of grant-funded property to Afshin and Leila Abedi. Grantee also seeks Board approval to retain the sale proceeds and use the proceeds to pay MHHEFA/BA for existing debt on the grant-funded property, including all closing costs associated with the sale. Finally, Hearts and Homes seeks Board approval to retain any sale proceeds remaining after payment of monies due or associated with the debt owed MHHEFA/BA and closing costs to re-invest in its existing programs.

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 December 7, 2011 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sheila McDonald". The signature is written in a cursive, flowing style.

Sheila C. McDonald, Esq.

Executive Secretary

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

December 7, 2011

10:04 a.m.

December 7, 2011

P R E S E N T

LIEUTENANT GOVERNOR ANTHONY BROWN, Presiding;

HONORABLE PETER FRANCHOT, Comptroller;

HONORABLE NANCY KOPP, Treasurer;

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

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

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

BEVERLEY SWAIM-STALEY, Secretary,
Department of Transportation;

LISA WARD, 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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December 7, 2011

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P R O C E E D I N G S

LIEUTENANT GOVERNOR BROWN: Welcome to the December 7th meeting of the Board of Public Works. I appreciate everybody's attendance today. Let me start by wishing everyone a happy holiday season. I hope you started it off well with a joyful Thanksgiving. It's a time, of course, to spend with family and loved ones. It's also a time, as we, Maryland Stronger Together, that's our initiative, our campaign this year. The idea, the belief that neighbors can help neighbors by reaching out, lending a hand. This is the end of year time for you to consider your charitable giving and now is the time to do it. Nonprofits certainly are in greater need this year than perhaps, you know, any year in the last several years. So as Marylanders we are very generous people both with our time and our checkbooks, so think about that in the year end. But I also, as I said, I do wish that you and your family have a wonderful end of year holiday season and a productive, prosperous, and healthy New Year.

With that I'm just going to turn it over to the Treasurer and then we'll launch into the Agenda for

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today, starting with the Maryland Department of Transportation. And just a reminder, I am Lieutenant Governor Anthony Brown and not Martin O'Malley, and it's a pleasure to preside over today's meeting of the Board of Public Works. Madam Treasurer?

TREASURER KOPP: Thank you, Governor. First of all, it's good to have you here. It's great to have the trees and the lights up. I was looking at the tree downstairs, the Secretary and I were. It really is terrific. And to see the things made by the children and the citizens from around, throughout the State, it's really, now that one but also the big one downstairs. It's really, really quite beautiful.

However, I did hear, you might be interested as a citizen of the National Capital Area, that they're saying that perhaps the first snow in our area will be this evening or tomorrow morning. So we'll see what happens.

LIEUTENANT GOVERNOR BROWN: Well admittedly, I'll jump in, you know the Governor was in India. And it's emergencies that give State leadership an

opportunity to show their leadership. I was hoping for the big snowstorm last week.

(Laughter)

LIEUTENANT GOVERNOR BROWN: It wouldn't have been of my making, so, but it's coming now just in time for the Governor's return?

TREASURER KOPP: Maybe. Maybe. Maybe, just in time for his return yes. I see the Deputy Comptroller is here.

MR. KLASMEIER: Please, don't --

(Laughter)

MR. KLASMEIER: He's on his way in.

TREASURER KOPP: Great.

LIEUTENANT GOVERNOR BROWN: So last week, or a week ago or so, something like that, I had an opportunity to celebrate my mid-century birthday. I'm feeling pretty good about it.

TREASURER KOPP: Happy birthday.

(Applause)

LIEUTENANT GOVERNOR BROWN: Thank you. And I share that with you only to say that I'm willing to

share with you my age, but I wouldn't ask our Treasurer to do the same.

TREASURER KOPP: No problem.

(Laughter)

LIEUTENANT GOVERNOR BROWN: But I would ask all of you to join me in acknowledging the Treasurer's birthday today. Happy birthday.

(Applause)

TREASURER KOPP: Thank you very much. I have one of those birthdays that people can remember, a day of infamy for a number of different reasons. Of course for Pearl Harbor, but also I'm 68 years old this morning and proud to be.

(Applause)

LIEUTENANT GOVERNOR BROWN: Yeah.

TREASURER KOPP: Thank you.

LIEUTENANT GOVERNOR BROWN: Okay. Let's see, what have we got here? Okay. Let's go into the Department of Transportation's Agenda. Good morning.

MS. SWAIM-STALEY: Good morning, Governor and Treasurer. Yes, we might have our snow this weekend

but I'm glad we didn't have one last week, Governor.

But --

LIEUTENANT GOVERNOR BROWN: We just launched, didn't we, MDOT? We tapdanced, sang Happy Birthday as long as we could. It's the Treasurer's birthday today. And did you want to start with any opening remarks before we --

COMPTROLLER FRANCHOT: -- we can go ahead with --

LIEUTENANT GOVERNOR BROWN: Okay.

TREASURER KOPP: You know, the Comptroller and I share anniversaries, wedding anniversaries, but not birthdays. You can't do everything in tandem.

COMPTROLLER FRANCHOT: Great --

MS. SWAIM-STALEY: Okay. Good morning. For the record --

COMPTROLLER FRANCHOT: I'd like to make a statement, thank you.

MS. SWAIM-STALEY: I'm sorry.

COMPTROLLER FRANCHOT: First of all, Happy Birthday.

TREASURER KOPP: Thank you.

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COMPTROLLER FRANCHOT: I hope, as the State's tax collector I should say in advance thank you for all of your Christmas shopping and your holiday shopping. And for those of you that choose to shop over the internet I'd like to just suggest that I have some blank forms --

(Laughter)

COMPTROLLER FRANCHOT: -- if you'd like to help with the sales tax. I know that I've mentioned over the last couple of weeks the college football season and how proud I am of teams like the Towson Tigers and the Salisbury Seagulls who have tremendous success, don't get very much visibility. They unfortunately, both of those great teams, did not go very far in the playoffs. But I know that they brought a lot of enjoyment and visibility and were good ambassadors for the State of Maryland. And I want to congratulate them. Even though I was in the Army many years ago I want to wish Navy good luck in their big game.

LIEUTENANT GOVERNOR BROWN: What?

(Laughter)

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COMPTROLLER FRANCHOT: I shop local, baby.

(Laughter)

COMPTROLLER FRANCHOT: But the other team that I love to pat on the back at this time of the year is our team of Maryland retailers. They have gotten off to a great start. The Black Friday and Post-Thanksgiving weekend showed increased activity. It's a very encouraging sign. These Maryland stores frankly have been hammered by the recession and they desperately need this shopping season between now and the end of December in order frankly to survive, for many of them.

And I've begun a campaign called Shop Maryland for the Holidays. I'm traveling to towns across the State urging Marylanders to do something a little counter-trendy, I guess. Most people apparently enjoy shopping now over the internet. I don't particularly like it that much because you are sitting there by yourself in front of a computer at 10:00 at night, looking at a screen with something you can't touch or handle the product. So I'm encouraging people to, you know, I say be patriotic. Get out there and

support these local Maryland businesses. And it's a great experience. You have a warm, supportive, friendly, helpful, wonderful customer service, staff people in these stores. You get a diversity of products. And you help the economy because when you spend a dollar at a local Maryland store 70 cents of that stays in the community. And gosh knows these businesses need it. They employ half a million of our neighbors and friends. And so I'm out there challenging all of my Marylanders, get off this cyber kick and get on to Main Street and you'll have a great shopping experience, in my opinion better than over the internet.

And I often say has anybody here in the State ever seen a Little League baseball team sponsored by Amazon.com? They don't care about Maryland. But I'll tell you every Little League team is sponsored by, generally by a Maryland retailer. And they have the, you know, Beachley Hardware on the back. So the philanthropy that these companies contribute to our State, that it's not just Little League, it's Boys and Girls Club, soup kitchens, and every other philanthropy

in addition to employment, I just can't emphasize to you how great the customer service is in these Maryland businesses. And it's so much more satisfying than the cold keyboard of internet sales.

So it's a win-win for consumers and I encourage all of you to spread the holiday cheer, not just to your family and friends but to everyone who benefits from the Maryland retail sector. And if we do that we'll make this holiday season a winning season for all of us.

And Governor, it's great to see you. We saw each other last night. And sorry, once again, that I had to interrupt the flow of events. But thank you very much.

LIEUTENANT GOVERNOR BROWN: No problem.
Thank you, Mr. Comptroller. Madam Secretary?

MS. SWAIM-STALEY: Good morning. For the record, Beverley Swaim-Staley, Secretary, Maryland Department of Transportation. Thank you for taking our Agenda items this morning so I can go to another event in Washington. We do have some items on the other

Agendas, and Darrell Mobley, Deputy Secretary, will be stepping in when I leave. So thank you very much.

On our MDOT Agenda today we have six items. Item 4 has been revised. And we're happy to try to answer your questions.

LIEUTENANT GOVERNOR BROWN: Can you just tell us a little bit about Item 6, please?

MS. SWAIM-STALEY: Yes. Item 6 goes along with the announcement that was made by the Governor regarding expansion of BWI Airport. And I think we have Paul here who can come up and talk about this. Of course, it's related, it's the expansion that we have to do of what's called Areas B and C at the Airport. This of course is in, because of the merger with AirTran and Southwest. And I think it's no secret that the Airport is going through its second record year and we're very excited about the merger and Paul can tell us a little bit about the specifics.

LIEUTENANT GOVERNOR BROWN: Good morning.

MR. WIEDEFELD: Good morning. Paul Wiedefeld, Executive Director, BWI Marshall. I thought I'd just give you a little bit of background on why the

need for the project and the need to do it quickly. Basically it consists of three elements. One is on our Concourse C. It's very, it's our oldest part of the terminal. Just to give you a sense of some of the issues we're up against there, the latest technology from the TSA cannot even be used in that part of the terminal. The security checkpoint doesn't fit within the ceilings. The other issue that we have on the C Concourse, if you ever go down there it's actually very narrow and then gets wide. Well you can imagine if there was ever an event down there when we had to, basically everyone had to egress at one time it gets, you know, right to a choke point right at the C. So that's one issue that we're trying to deal with there. In addition, the hold rooms are very tight in that area so it limits our growth on Concourse C.

The second is as the Secretary mentioned with the Southwest and AirTran merger, on November 15th AirTran moved off of the D Concourse over to the A-B Terminal. And basically has put quite a bit of stress on that facility, everything from the roadway, to the passenger screening, to the passenger ticketing, to the

baggage screening, to the point where literally we had to add four screening checkpoints on the arrivals level. So it's sort of almost counterintuitive that you would enter the terminal from the area that you pick up your bags. But that's how tight we are in that part of the terminal.

And then finally is the need to grow. Basically that existing terminal is designed for roughly 235 flights a day. This summer we were very lucky to have 246 flights a day there. So you can imagine some of the stress we'll have at that time.

So what we have proposed is a project that deals with all three of those issues, the widening of C Concourse, and the elimination of the security checkpoint at that point. Creating a new checkpoint right between the Concourse at C and D where the existing Delta counter sits today. Delta will be moving Monday night into Tuesday over to the D Concourse where AirTran used to be. And then the connector, which is basically a secure side connection between the B Concourse and the C Concourse, which will open up 14 additional gates to Southwest and their 26

gates on A-B. It will have moving sidewalks, concession space, and restrooms, and things of that sort.

The bottom line is, you know, we are concerned about maintaining our easy come, easy go brand. And that basically that's threatened if we don't make it a good experience for the customers. The second is that Southwest is moving to a larger aircraft starting this March, with the 737-800, which basically handles roughly 40 more people per plane. So we need to deal with that issue. We want to get, we want to hit this construction season. And to be frank, the quicker we can get this connector built the quicker Southwest can expand at BWI Airport.

So with that, I'll be glad to take any questions. We would recommend that you all approve.

LIEUTENANT GOVERNOR BROWN: I appreciate the sentiment. Sounds like the Airport continues to thrive and do exceptionally well.

MS. SWAIM-STALEY: Thank you.

LIEUTENANT GOVERNOR BROWN: That's fantastic.

Good work over there --

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TREASURER KOPP: I do have a question, since you've brought it up. I mean, some of the difficulty is in handling our great success. Phase 1 provides for nine new passenger link security checkpoints. And I think, actually, BWI Thurgood Marshall does extremely well in terms of moving people. But our, doesn't the security agency call the shots and how many of those lanes are actually manned?

MR. WIEDEFELD: Mm-hmm.

TREASURER KOPP: And that's right? So they are not fully manned when you go now, or staffed. So we're building nine new ones. So are we in fact going to get through faster?

MR. WIEDEFELD: You will. Because the way that they do it actually is they, they will not support, they pay for those and they will not support that unless they can man them. So they man them at different times. So if you are there at 4:35 in the morning they are all manned. And that's our peak period. So at different times you will see it. But their goal is to keep the passenger through put under 10 minutes. So that's how they manage their workflow.

TREASURER KOPP: Okay, so is that, that's the general goal? So we can tell six months from now, nine months from now, how we're doing by that indicator?

MR. WIEDEFELD: Mm-hmm. Yep.

TREASURER KOPP: Okay. That's the first one. The other one I just want to touch on, the construction of the new B-C passenger security checkpoint connecting terminal will eliminate the egress constraints which is not in accordance with current building codes.

MR. WIEDEFELD: Meaning --

TREASURER KOPP: In English?

MR. WIEDEFELD: -- that we can't expand. We can't expand. We cannot grow. We cannot put more air service on Concourse C given current fire --

TREASURER KOPP: But we meet code now?

MR. WIEDEFELD: We meet it today, but we can't expand it.

TREASURER KOPP: That was my, thank you.

MR. WIEDEFELD: Sorry.

MS. SWAIM-STALEY: We want to make sure we meet code.

TREASURER KOPP: Continue to meet it, thank you very much.

MR. WIEDEFELD: Mm-hmm.

TREASURER KOPP: That caused a little concern.

LIEUTENANT GOVERNOR BROWN: Do you have anything, Mr. Comptroller, on this?

COMPTROLLER FRANCHOT: No.

LIEUTENANT GOVERNOR BROWN: Any other questions, comments, on the MDOT Agenda? This item or any other items? Okay. Hearing none, the Treasurer moves approval, seconded by the Comptroller. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, thank you very much.

MR. WIEDEFELD: Thank you.

LIEUTENANT GOVERNOR BROWN: MDOT's Agenda is approved and please represent us well at the, where did you say you are going?

MS. SWAIM-STALEY: Board of Trade.

LIEUTENANT GOVERNOR BROWN: Board of Trade,
excellent.

MS. SWAIM-STALEY: Thank you.

LIEUTENANT GOVERNOR BROWN: Thank you very
much. Let's go now to the Secretary's Agenda.

SECRETARY MCDONALD: Good morning, Governor -

-

LIEUTENANT GOVERNOR BROWN: Good morning.

SECRETARY MCDONALD: -- Madam Treasurer, Mr.
Comptroller. We have 17 items on the Secretary's
Agenda, one report of an emergency procurement. We're
ready for your questions.

LIEUTENANT GOVERNOR BROWN: Why don't you
tell us a little bit about the emergency procurement?
That's Item 1?

SECRETARY MCDONALD: No, actually it's Item 1
in the Appendix.

LIEUTENANT GOVERNOR BROWN: Oh, in the
Appendix?

SECRETARY MCDONALD: Yes.

LIEUTENANT GOVERNOR BROWN: Okay.

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SECRETARY MCDONALD: And that is, was a flooding situation at the Department of Human Resources Social Services Department in Prince George's County. Is Ms. Johnson here from DHR? Who is here from DHR?

MR. HARVEY: Rainier Harvey.

SECRETARY MCDONALD: Do you want to come up to the podium and be able to answer questions? This was a flood that happened on September 23, 2010 and they need mold remediation and document restoration so they immediately had to get a contractor on board. Could you introduce yourself again for the record and then answer the questions, please?

MR. HARVEY: Yes. Good morning. My name is Rainier Harvey, Chief of Administrative Operations for the Department of Human Resources. This emergency procurement was caused by a flood which occurred on September 23, 2010 at 7:00 p.m. It affected 85 percent of our leased space. We worked with the landlord to bring a company in that was not sufficient to do mold remediation and document rescue. The reason we had to do document rescue, one of the things we didn't want to lose was those documents because we would have had to

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have families come in and resupply us with thousands of documents for services as well as it would have affected our auditing process. We have to keep those documents on site for federal and State audits.

So we worked with the Department of General Services to bring in a vendor that specialized in mold remediation and document restoration and rescue.

SECRETARY MCDONALD: Governor, I think when the Board of Public Works Procurement Advisor looked at this emergency I don't think she felt like there was any problem with an emergency being declared and how the contractor was procured. I think there is a problem with the late report to the Board because the emergency was September, 2010. But I do believe the Procurement Advisor has worked with the Department of Human Resources and has reminded them of getting their reports to the Board of Public Works as, within the 60 days instead of 14 months.

LIEUTENANT GOVERNOR BROWN: So what are the one, two, three things that they will do differently?

MS. CHILDS: What had happened is the Department erroneously believed that they had to have

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all the costs in before they reported it to the Board. I did inform them that once the contractor's name is on a dotted line they needed to report it to the Board immediately. If they had to modify it down the road they could come back to the Board at that time, but they didn't need to have all their costs determined at, until they came to the Board of Public Works. So they did understand that restriction, their mistake, the mistake in their belief that that restriction and they promised in the future to bring them in a timely manner.

LIEUTENANT GOVERNOR BROWN: All right, anything else? Thank you very much. I appreciate that. Anything from any members of the Board on either Item 1 on the Appendix or any other items on the Secretary's Agenda?

MR. HARVEY: Thank you.

LIEUTENANT GOVERNOR BROWN: Hearing none, seeing none, the Treasurer moves approval, I'll second that. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

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(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, the Secretary's Agenda is approved. Thank you very much. And we'll move down to the next one which is Department of Natural Resources.

SECRETARY MCDONALD: Ms. Lisa Ward is here.

MS. WARD: Yes, ma'am. Good morning, Lieutenant Governor --

LIEUTENANT GOVERNOR BROWN: Good morning.

MS. WARD: -- Mr. Comptroller, and the happiest of birthdays to the Treasurer. Lisa Ward for the record. Today we have 12 items on our Agenda and are here to answer any questions that you have.

LIEUTENANT GOVERNOR BROWN: Okay, hearing none, seeing none, the Treasurer moves approval. I'll second it.

MS. WARD: Thank you, sir.

LIEUTENANT GOVERNOR BROWN: All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

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LIEUTENANT GOVERNOR BROWN: Hearing none, the Department of Natural Resources Agenda is approved. Thank you. And let's go to the Department of Budget and Management.

MS. FOSTER: Governor, Madam Treasurer, Mr. Comptroller, good morning. There are 11 items on the Department of Budget and Management's Agenda for today. I'll be happy to answer any questions you may have.

TREASURER KOPP: All of these health contracts?

MS. FOSTER: Yes?

TREASURER KOPP: I mean, the bottom line is we're going to see some final contracts going out?

MS. FOSTER: We have three items which extend contracts. They are Items 6, 7, and 8. They are extending contracts for six months and that's basically to allow the procurements to be completed. Item 6 is the contract that continues the inmate medical services contract. Item 8 is applicable to the mental healthcare contract and -- 7, I'm sorry, is applicable to the mental health contract. And 8 is applicable to the utilization review. So yes, they are being

extended. Actually for the medical services and the utilization contracts, both of those have been merged into a new procurement. The responses to the new RFP are due back to the Department of Budget and Management next week, on December the 13th. So we expect to bring those items to the Board in April. And we're allowing for a 60- to 90-day transition period. The anticipated start of the new contract will be July 1, 2012. The other item is the mental health RFP. That RFP will go out by the end of the week. The responses will be due back in early February, and again, that's a contract that we'll be bringing back to the Board in April with an anticipated start date of July 1.

LIEUTENANT GOVERNOR BROWN: Yes?

COMPTROLLER FRANCHOT: Yes, thank you. Let's see now, I think I voted for one extension for these contracts. Then I was asked to vote for a second extension, which I believe I did. Then I was asked to vote for a third extension. And here we are being asked for a fourth extension. And I guess my concern, Madam Secretary, and I know we're going through some transitions, but we're talking almost a quarter of a

billion dollars in these extensions when you add them together. \$62 million today, and \$240.5 million for the four extensions. And I know these are complex contracts. I know they are specialized services, and are sensitive, and understand that you have had to step in, frankly, and assume control from the agency of the procurements. And but, and I support that because I think the earlier procurements you correctly noted were botched by the agency.

So we have this situation but I have to admit I'm concerned that we're exceeding the cost of the original contract by a significant amount to extend these contracts. In other words, the original contracts were for \$170 million. This now is \$240 million in extensions. Why is that a bad thing? Obviously it's a bad thing because the taxpayers are spending somewhat in the dark here in the absence of any bid competition that could afford us the opportunity to get the services at a better price. And my concern, I guess, is I understand you're saying that we'll have the new vendors in place by July 1st of next

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year. But what basis should we have confidence in that
--

MS. FOSTER: Well I would --

COMPTROLLER FRANCHOT: -- statement on?

MS. FOSTER: Well certainly, as you said, these are very complex procurements. They have hundreds of specifications. They have numerous technical requirements. The Department of Budget and Management did take them over from Public Safety. I would say that there has been a learning curve involved in this process.

I would also indicate that even once the procurements were out on the street there has been an inordinate amount of time spent responding to questions from vendors. My staff has had to respond to over 300 questions and provide additional follow up. All of that is basically additional information that has to be provided to vendors. That kind of extends the process.

At the same time I would point out that we have been involved in other complex procurements, including such things as the drug testing contract, including the employee and the retiree pharmacy

benefits contract, you know, an item then that has gone to the, had to go before the Board of Contract Appeals. All of that has impacted our ability to go forward and get these out.

But having said that, you know, I would agree with you. These have taken longer than what I would have liked to have seen as well. But at the same time my overall goal has been to make sure that we get these right and that we do what's in the best interest of the taxpayers of the State of Maryland. And, you know, I'm confident that we're going to be back in April and that we're going to have the best deal.

COMPTROLLER FRANCHOT: Well I have a lot of confidence in your abilities. But I guess what I'm concerned about is what you just mentioned in passing. And obviously Mr. Leberknight and others are talented and have expertise in these areas. But with the extraordinary involvement of your agency now in these complicated procurements, you mentioned the pharmaceutical benefits, you do as a matter of course the healthcare contracts, we're really, you are involved in State procurement to a new and

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extraordinary level, your particular agency. And my concern is do you have enough staff? Do you have enough expertise? You mentioned the questions that needed to be answered. You know, I've always operated under the thought that any kind of question should be answered within weeks, not months. But my understanding is that because of the workload you're in a very difficult situation. I guess my question here is, as you assume all these new responsibilities I think one PIN has been transferred from Corrections to accommodate the additional procurement workload. But shouldn't we be staffing up considerably more in your agency if you are going to shoulder this workload?

MS. FOSTER: Well certainly I guess when the initial decision was made in regard to transferring this workload from Public Safety to the Department of Budget and Management there was the transfer of one PIN. Obviously in development of this year's budget I'm assessing what my overall needs are going to be and I'll make requests, you know, as are appropriate.

In regard to responding to questions, I would say for the most part we do respond and we respond in a

timely manner. Obviously there was one incidence I think where we dropped the ball. But my agency has been very responsive to the questions that we get from vendors.

COMPTROLLER FRANCHOT: Okay. But I'm also talking about complaints after the fact. I believe, you know, it's when a company protests, we're talking now in some instances six or seven months.

MS. FOSTER: That's the one incidence that I'm referring to, in regard to the protest.

COMPTROLLER FRANCHOT: Yeah, but that's --

MS. FOSTER: And obviously that is a protest that has been continuing. That is not in today's Agenda and if you want to have an offline conversation about that particular contract, Mr. Comptroller, I'll be happy to do that.

COMPTROLLER FRANCHOT: Okay. All I'm referencing here, I'm on your side, is that you may need extra resources in order to handle these additional responsibilities. And I think the public would benefit, obviously, from it because we would avoid the situation that we have today where we're

approving not the first, second, or third, but the fourth extension of a contract totaling in the extensions 40 percent more than the base of the original contract. I mean, so if you --

MS. FOSTER: I would just --

COMPTROLLER FRANCHOT: -- that there is a, okay, I'm happy to have a further conversation. I don't want to drag it out. I'm just saying that I would certainly understand if you said, "We need, because of our involvement now, we need more help." And --

MS. FOSTER: And as we develop the Governor's fiscal year 2013 budget that's an item that's under consideration for discussions.

TREASURER KOPP: Governor, if I could just throw something in? I happen to fully agree with the concerns of the Comptroller and thought he was going to bring this up, and am pleased that he brought it up. More generically, this Board has cut several billion dollars from the budget in the last few years, and the Legislature, and the Governor have cut billions more on an annual basis from the budget. And of course we

don't know what the federal government is going to be doing and how much more we may have to end up cutting in order to stay in balance. And when we do this it does concern me, and you Madam Secretary have heard this concern before but I want to state it again for the record. It does concern me that we often tend to cut more, indeed to ream out, the infrastructure parts of the government. The Budget Department, the Department of General Services, the IT Department, the things that the people don't see in order to protect the services that go directly to the people. But in doing that I am concerned that it has two impacts.

First of all just in terms of procurement process getting the procurements done, and then overseeing the contracted out services becomes much more difficult and less timely. And when the Governor is concerned about red tape it may be that some, it's not really red tape, it's simply insufficient people to do the work. And the other is that we will then tend to try to contract out things that we had done before actually less expensively with public employees. But it does get something off the immediate budget. But as

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in almost every agency of government, and I must admit Juvenile Services also always jumps to the fore of my mind, we don't always do sufficient oversight of the contracts and the carrying out of public responsibilities. And so I just think that sometimes we have to just make the extra effort to explain to the people that, yes, we have, they may think government isn't good. But government can be very good if it's well resourced and can do its work efficiently. And you can't do work efficiently when you have three people doing the work of 17.

LIEUTENANT GOVERNOR BROWN: Let me just jump in here.

TREASURER KOPP: And that's just my concern.

MS. FOSTER: Yeah --

LIEUTENANT GOVERNOR BROWN: You know, I mean, we're right now in the middle of budget discussions with the Governor. And everyday we are presenting to him a balanced approach to the cuts. And as you know, Madam Treasurer and Mr. Comptroller, both from your work on the Board of Public Works and prior to that on Appropriations, we look for areas to cut that

unfortunately have to go to both the infrastructure and capacity of government functions and also to the services and programs that we deliver. I do want to sort of highlight that in the grand scheme of things the larger cuts are in the programs and services that are delivered. I mean, you know, Medicaid reductions and what we asked the hospitals and other providers to --

TREASURER KOPP: Well the larger sum of money is in those programs.

LIEUTENANT GOVERNOR BROWN: Absolutely. So, you know, so those, I mean, the, you know, the Maryland public certainly is seeing fewer services from government over the last few years because of these cuts. And but it is a balanced approach. And every department has been asked to look for, you know, efficiencies in eliminating PINs. Sometimes, you know, we are perfect and we get it right. Sometimes, you know, maybe in retrospect we should have held onto that PIN. But it's an ongoing effort. And we're in the middle of a budget cycle now. And as Secretary Foster mentioned we'll be looking at that.

My question is, how much have these extensions actually cost, had there not been extensions versus where we are today?

MS. FOSTER: The extensions of the contract basically are to provide monies to continue to provide the services. Basically, we would have been spending approximately the same amounts if contracts had been in place.

LIEUTENANT GOVERNOR BROWN: Okay, so --

MS. FOSTER: So the services would have been

--

LIEUTENANT GOVERNOR BROWN: -- I mean, that's a point to be made. I mean, look, so the process isn't pretty, I guess.

MS. FOSTER: Yes..

LIEUTENANT GOVERNOR BROWN: So the question is, what does that cost the taxpayers and what does it cost the recipient to the services? It sounds like it's no additional to the taxpayers. It sounds like the services continue to be provided.

MS. FOSTER: Right.

LIEUTENANT GOVERNOR BROWN: But there's probably a lot of stress going on in your department --

MS. FOSTER: Correct.

LIEUTENANT GOVERNOR BROWN: -- with, you know, the learning curve, etcetera. So you are in the middle of developing your budget. You are going to look at whether or not you need more staffing in this area --

MS. FOSTER: Right.

LIEUTENANT GOVERNOR BROWN: -- so that we can improve the process, make it more efficient going forward. But the point to emphasize is this has not cost the taxpayers additional money by the extension?

MS. FOSTER: Correct.

LIEUTENANT GOVERNOR BROWN: Okay.

MS. FOSTER: And I just, you know --

TREASURER KOPP: Well we don't know that --

MS. FOSTER: -- I understand both the Comptroller's and the Treasurer's concern. But, you know, I just want to reiterate that, you know, this administration basically has been faced with putting

the budget together during a period where we've had the greatest recession since the Great Depression.

TREASURER KOPP: Absolutely. Absolutely.

MS. FOSTER: And, you know, with the Board's actions and what we've done in the General Assembly we've cut over \$7 billion. In terms of positions, we've eliminated 5,300 positions. And last year the General Assembly told us to come in with cutting another 450 positions before January. So we have done all of this in a very difficult time, and we've tried to do it in a balanced way as the Lieutenant Governor indicated.

TREASURER KOPP: I could not agree more with everything that you've said, except with an addendum that the people have to understand, the taxpayers have to understand, that there is a real cost to all of this cutting as well as the need to balance, meeting the need to balance the budget. And I don't think that they see that as often. I remember in the 1991 recession my neighbors and I finally saw it when they cut the library hours because finally it hit us. And I am concerned that while we're cutting the

infrastructure of government and people don't see it as much they are not as aware of what's really happening. That's my only, my fingerprints are all over these cuts too, I understand that.

COMPTROLLER FRANCHOT: Yeah, and let me just comment for the record also, we don't really know what we are avoiding or not avoiding as far as cuts. Because with these extensions that are before us we're not getting the benefit of a competitive bid process. That's my point. We don't, and maybe the bid process would result in higher bids and you end up with savings. But the problem is we're in the dark. And once, maybe. Twice, I don't know. Three times, shame on me. Four times? For almost a quarter of a billion dollars. You know, I hope for the taxpayers that we're getting a really good deal. But we just don't know. And that's why we have a procurement process like this. Otherwise we'd just roll everything over in extensions all the time. We don't. We get out and bid.

MS. FOSTER: And so in April we will be bringing the new contracts back and that's when we can assess.

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COMPTROLLER FRANCHOT: Excellent. I look forward to it then.

LIEUTENANT GOVERNOR BROWN: Okay. Any other discussion on that item, or any other item on the DBM Agenda?

COMPTROLLER FRANCHOT: Oh yes, I have a question on Item 11.

MS. FOSTER: Item 11 is a request for approval of a settlement with Dr. Persaud vs. the University of Maryland University College. And we have the representatives from the University of Maryland here.

MR. FAULK: Good morning. Thomas Faulk, Assistant Attorney General on behalf of University of Maryland University College.

MR. SHOENBERGER: And I'm George Shoenberger, Chief Operating Officer.

COMPTROLLER FRANCHOT: Chief Operating Office of UMUC?

MR. SHOENBERGER: Yes, sir.

COMPTROLLER FRANCHOT: Okay. So what are doing here?

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MR. FAULK: We are, and briefly this is a request for a settlement. It was a complex and retracted civil litigation matter that involved national origin, retaliation, race discrimination, and a claim that the University violated the free speech rights of a former employee. And we are requesting the settlement in the amount of \$430,000. We reached that settlement after the University pursued the matter to the motion for summary judgment. Unfortunately the University wasn't successful on the motion for summary judgment. We then entered into a mediation before the U.S. District Court. And based on the comments of Judge Messitte, who was overseeing the case, as well as Charles Day, the Magistrate, we reached a settlement in the case.

COMPTROLLER FRANCHOT: Okay. And so we're going to give \$430,000 to is it Dr. Persaud?

MR. FAULK: Well Your Honor, if I could explain? The \$430,000 is actually --

COMPTROLLER FRANCHOT: I love the, believe me, you don't want to make me into a judge.

(Laughter)

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COMPTROLLER FRANCHOT: I'm sorry. So the \$430,000 comes from UMUC, I take it?

MR. SHOENBERGER: Yes, sir.

COMPTROLLER FRANCHOT: And goes to whom?

MR. FAULK: The \$430,000 is actually split. There will be an amount that will go to Dr. Persaud in the amount of roughly \$130,000. The remaining amount will go to his attorneys, which were his attorneys fees in the case.

COMPTROLLER FRANCHOT: Okay. So I see Dr. Persaud's case and I obviously, any comments that are discriminatory in nature I abhor. The question I have is are, were you aware that this suit which we're voting I guess today to give \$430,000 for is almost a mirror image of a similar suit that Dr. Persaud filed against Earl Richardson, the President of Morgan State University, and the Dean of the Business School there when he was denied tenure?

MR. FAULK: Actually Mr. Comptroller, it's actually not, although some of the allegations are similar, it's not a mirror image of the case. Dr. Persaud worked for Morgan State University in the

nineties and at that time he was denied tenure. He did file a discrimination suit against the University at that time.

COMPTROLLER FRANCHOT: What was that based on?

MR. FAULK: It was based on his failure to receive tenure.

COMPTROLLER FRANCHOT: And what did he claim he was denied tenure for?

MR. FAULK: He claimed that the Dean of the Business School at that time had made several racist remarks and that that actually contributed to his failure to receive tenure at that time. The court's decision however --

COMPTROLLER FRANCHOT: Isn't, can I just interrupt for a minute?

MR. FAULK: Sure.

COMPTROLLER FRANCHOT: Isn't that exactly what is being alleged here?

MR. FAULK: Well in this particular case, Your Honor, Mr. Comptroller, the allegations are that Mr. Persaud, Dr. Persaud, that when we renewed his

contract that the, there were two decisions here. There was one decision to renew his contract for a shorter period of time. There was then a second decision to end his employment. He claims that both of those decisions were due to discrimination and that possibly that second decision was also retaliatory in nature because he had filed an internal discrimination complaint with the University.

COMPTROLLER FRANCHOT: Okay. I think you're in a difficult position and I'm probably going to follow your legal advice. But I just have to comment for the record that I think, you know, this is an unfortunate situation. And you know, for an individual to have sued Morgan State University for racial discrimination for not being granted tenure, sued the State of Maryland, Earl Richardson, a great leader for our State, gone into the Federal District Court in Maryland. Lost overwhelmingly. Apparently we were, your predecessors defended Morgan State because there was no merit. Then he appealed to the Fourth Circuit. Also denied. It wasn't, so here we're being asked on a case that is almost the same charges, we're being asked

to vote for \$430,000 based on your recommendation that we face higher risk if we go to trial. And I can see that given this situation. But it certainly, you know, I almost wish, I guess Joe Curran defended the last case where there was no merit determined. Part of me would like to see, you know, justice come out and the truth come out here in a trial.

Based on this prior action, which was, I mean, do you see what I'm talking about here?

MR. FAULK: Yes, Mr. Comptroller.

COMPTROLLER FRANCHOT: We're apparently going to more forward in this but it's, maybe in the great scheme of things at the Board of Public Works it's not a lot of money but I see it as a lot of money. And so anyway, I've probably got myself in enough trouble there. But it just frustrates me that, you know, you guys can defend the State in a great way and we don't, we end up paying nothing because there wasn't any merit to it. I'm not saying that's the case here. But I wish in these instances we wouldn't settle. I wish we litigated so that the truth would come out. And if we have to pay more, so be it if the State made, in fact

is guilty of what these allegations are. But we're not going to know.

LIEUTENANT GOVERNOR BROWN: Are you Mr. Faulk?

MR. FAULK: Yes.

LIEUTENANT GOVERNOR BROWN: Okay how long, and you are the lead counsel on this?

MR. FAULK: Yes, sir, I am.

LIEUTENANT GOVERNOR BROWN: And how long have you been litigating?

MR. FAULK: I've actually been with the Attorney General's Office since 1993 in the Educational Affairs Division. I worked previously at the Department of Health and Mental Hygiene doing litigation in that unit.

LIEUTENANT GOVERNOR BROWN: Right. And so I remember back in my days when we litigated there was sort of a rubric of risk analysis that you did on litigation to make sort of value based and sort of experienced based decisions on whether it's financially wise to continue with litigation versus settling. I mean, can you just, if you can, I mean just sort of

generically talk about your approach to the decision to settle versus going to litigation and a trial?

MR. FAULK: Sure. In this particular case what we were looking at was essentially whether or not the plaintiff in this case would be successful with respect to not necessarily all of the claims but even some of the claims. And unfortunately the State has been in a particularly difficult position with respect to defending retaliation claims. Because as you well know when you are defending a retaliation claim the retaliation doesn't have to happen as a result of the person's race or national origin. If in fact an individual files an internal complaint of discrimination and then that individual, there is adverse employment action taken against that individual following that complaint, there could be a finding by a trier of fact that in fact the employer discriminated.

And unfortunately in this case what we had with respect to the facts is that we had an individual who received a decision from the employer. He then filed an internal discrimination complaint. When the University investigated that complaint the

investigation took place over a period of months. Unfortunately the University however in working through those issues with this particular employee wasn't able to fully document the ways in which that was worked out. And so then the plaintiff then claimed that all of the sort of remedial or corrective actions that the University attempted to take with respect to his performance, that these were in fact retaliatory.

The additional problems that we had was that unfortunately the manager in this case who worked for the University, there were allegations with respect to discriminatory comments that were made both before this discrimination complaint was filed and after the discrimination complaint was filed. So our risk analysis with respect to the retaliation claim was problematic. Because unfortunately a trier of fact could find that this particular manager took this action as a result of the discrimination complaint that was filed. And so we had to assess, we had to look at the attorneys fees that were accumulated to date. We had to look at the possible damages that would have flowed from a determination of liability. And we had

to assess whether or not settling the case at this time for this amount was a more reasonable decision rather than exposing the State to liability with damages possibly ranging in the neighborhood of a million to a million and half.

LIEUTENANT GOVERNOR BROWN: You said 1993, you started?

MR. FAULK: Yes.

LIEUTENANT GOVERNOR BROWN: So, I mean, so, I mean it is in your professional judgment that this settlement and what you are recommending is more likely than not going to save the State money in this case?

MR. FAULK: Yes, Mr. Lieutenant Governor. I, it is my assessment based on the facts of this case, and actually based on the findings of the court in this case as well as the comments of both the judge and the magistrate judge who handled the protracted mediation that a settlement in this case is in the best interests of the State and it's reasonable.

LIEUTENANT GOVERNOR BROWN: Thank you. Any other questions or comments on this?

COMPTROLLER FRANCHOT: No. Like I say, I'm going to vote for this because I recognize, as the Lieutenant Governor mentions, you are between a rock and a hard place. But based on the earlier litigation of identical claims, I agree I don't know who the employee was that was responsible for these comments. They are outrageous if they were made and, you know, I abhor that. But --

MR. FAULK: Mr. Comptroller, that individual no longer works for the University.

COMPTROLLER FRANCHOT: Well that's good. But --

LIEUTENANT GOVERNOR BROWN: Does -- oh, I'm sorry.

COMPTROLLER FRANCHOT: No, no.

LIEUTENANT GOVERNOR BROWN: So, and I'm sorry, sir, I missed your name. But you are the Chief --

MR. SHOENBERGER: Chief Operating Office, George Shoenberger.

LIEUTENANT GOVERNOR BROWN: So are you the one that's responsible for ensuring that the lessons

learned from this matter, and one of them was raised by Mr. Faulk which is, you know, timely accurate documentation of performance and the basis for personnel decisions, are you all going through and sort of ensuring that, you know, managers and supervisors and others are, you know, adhering to best practices when it comes to personnel decisions?

MR. SHOENBERGER: Absolutely we are. We are appalled by what this employee did, who as Tom mentioned is no longer with us. We've done extensive training within that particular unit, as well as across the University. We don't like this one bit. We're appalled at what happened. And we don't take this decision lightly either, as I know none of you do. This is a lot of money. And it's money we could spend on something much more worthwhile. But as Tom said, we looked at this and we just feel that this is a risk mitigation and that the advice from the Attorney General's Office is solid. It's what we need to do. None of us like this. And I can assure you that we have taken this very seriously in terms of making sure that this kind of thing as best as we are able to does

not happen again. But it does show you how a single employee can make any employer very vulnerable by actions and words that they use that we abhor and that we're not aware of when these things occur.

LIEUTENANT GOVERNOR BROWN: Anything else on this item? Okay, well thank you very much. Anything else on any other items on, we're still on Budget and Management? We're still on yours?

MS. FOSTER: Yes.

LIEUTENANT GOVERNOR BROWN: Okay. Any others? Seeing none, hearing none, the Comptroller moves approval, seconded by the Treasurer. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, the DBM calendar is approved for today.

SECRETARY MCDONALD: Governor?

LIEUTENANT GOVERNOR BROWN: Yes?

SECRETARY MCDONALD: Would the Comptroller like to be noted as voting yes on the DNR Agenda and the Secretary's Agenda?

LIEUTENANT GOVERNOR BROWN: I apologize.

COMPTROLLER FRANCHOT: No, no, no. It's a housekeeping matter.

SECRETARY MCDONALD: Right.

COMPTROLLER FRANCHOT: Apparently I was recorded as the November 6th meeting as voting no on USM Item 3-GM. And the no that I voted was on Item 3-GM, sub-item C-4, the purchase of the 32 Steinway pianos for Bowie State and not the other items.

SECRETARY MCDONALD: Okay. And then again --

COMPTROLLER FRANCHOT: So I'd like to have the record corrected.

SECRETARY MCDONALD: We will correct the record on that one. And again, though on this Agenda though. The DNR Agenda and the Secretary's Agenda you had had to step up and I just wanted to make sure you had an affirmative vote on those Agendas?

COMPTROLLER FRANCHOT: I'm fine. Vote approval.

SECRETARY MCDONALD: Thank you. Thank you, Governor.

LIEUTENANT GOVERNOR BROWN: Thank you, Madam Secretary, for straightening this out, straightening me out there. Okay. University System of Maryland. Are you, yeah, good morning.

MR. STIRLING: Good morning. Jim Stirling for the University System. We have ten items on today's Agenda and I'll be happy to address any questions.

LIEUTENANT GOVERNOR BROWN: Okay, hearing nothing the Treasurer moves approval, seconded by the Comptroller. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: Hearing none, congratulations.

MR. STIRLING: Thank you.

LIEUTENANT GOVERNOR BROWN: Approved. And we'll go on to the Department of Information Technology.

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SECRETARY MCDONALD: Secretary Schlanger is here.

MR. SCHLANGER: Good morning, Governor, Madam Treasurer, Mr. Comptroller. Elliot Schlanger, Department of Information Technology. This morning we bring you five items on our Agenda. And I'll be happy to answer any questions at this time.

LIEUTENANT GOVERNOR BROWN: Okay. Hearing nothing, the Comptroller moves approval, seconded by the Treasurer. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: None.

Congratulations.

MR. SCHLANGER: Thank you.

LIEUTENANT GOVERNOR BROWN: Okay. And the final Agenda for today is the Department of General Services.

MR. COLLINS: Good morning, Mr. Lieutenant Governor. Al Collins, Secretary of the Department of General Services. Good morning, Mr. Lieutenant

Governor, Madam Treasurer, Mr. Comptroller. The Department of General Services has 24 items on our Agenda, including one supplemental. We are withdrawing Item 11-LL. I'll be glad to answer any questions you have at this time.

Mr. Lieutenant Governor, I would like to point out, and unfortunately the Governor is not here this morning, but we've heard his message about surface parking. And I'm just pleased to present, and thank Mr. Jordan Loran from the Department of Natural Resources. We have an item in front of you that talks about Cunningham State Park. We've actually reduced the surface parking by 33 percent. It's the first time we've done that in a very long time. So I just want to show you that we and DNR are certainly supporting the cleaning up of the Bay.

COMPTROLLER FRANCHOT: I just want to state for the record that I have something incredibly positive to say about the O'Malley-Brown administration on Item 11-LL but it was withdrawn.

(Laughter)

LIEUTENANT GOVERNOR BROWN: It will be back.

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MR. COLLINS: It will be back.

LIEUTENANT GOVERNOR BROWN: Any other comments on any other items --

TREASURER KOPP: I'm sure it's not incredibly positive.

LIEUTENANT GOVERNOR BROWN: Hearing none, the Treasurer moves approval, seconded by the Comptroller. All those in favor say, "Aye."

THE BOARD: Aye.

LIEUTENANT GOVERNOR BROWN: Any opposed?

(No response.)

LIEUTENANT GOVERNOR BROWN: None. You had something?

COMPTROLLER FRANCHOT: Yeah I just wanted, if we're through that --

LIEUTENANT GOVERNOR BROWN: Well let's close this out. Okay, well that is approved then. Okay.

COMPTROLLER FRANCHOT: Excellent. I just wanted to make a general comment that I understand the next Board meeting on December 21st has a large number of significant items. And I would, I mentioned this to you last night, Lieutenant Governor, that I think to

the extent we can balance some of the Agenda and move it into January it would allow for the proper level of review. And I'm looking at video lottery terminals, wetland licenses for nuclear power plants, the pharmacy contract, easement purchases in Point Pleasant, which, the extensions of 63 SHA contracts from the audit. And I guess now the anaerobic digests --

MR. COLLINS: Yes, sir.

COMPTROLLER FRANCHOT: To the extent someone can kind of help manage that so that we don't have an imbalance I would be grateful.

SECRETARY MCDONALD: I appreciate your instructions, Mr. Comptroller. We will take that into account. We are preparing the record for your meeting this week so we will take that into account, definitely.

LIEUTENANT GOVERNOR BROWN: Okay. We have a, do we have to move to adjourn, or --

SECRETARY MCDONALD: No, you can just adjourn.

LIEUTENANT GOVERNOR BROWN: So there's none. Okay, Happy Holidays, everyone.

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