

# BOARD OF PUBLIC WORKS

OCTOBER 2, 2013

## MEETING STARTS AT 11:30 A.M.

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**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*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 31 individual grants under the Maryland Agricultural Cost-Share Program. Total submission amount: \$478,555

<b>Agreement #</b>	<b>Recipient</b>	<b>County</b>	<b>Amount</b>
AT-2014-2299	JOSEPH E. LUMPKINS	St. Mary's	5,200
AT-2014-2315	JANET A. WESTERMAN	Kent	5,400
AT-2014-2316	JANET A. WESTERMAN	Kent	20,000
AT-2014-2317	JANET A. WESTERMAN	Kent	3,100
AT-2014-2323	THE PHILIP H. DORSEY ESTATE	St. Mary's	10,900
CH-2014-2314	ROBERT N. BAXTER	Kent	1,900
CR-2014-2313	HERRING RUN FARM, LLC	Caroline	800
CR-2014-2343	PAUL HUTCHISON	Talbot	22,400
CR-2014-2344-B	PAUL HUTCHISON	Talbot	18,900
MP-2013-2845	CLAY C. KINNA	Frederick	8,100
MP-2014-2294	HILLCREST FARM, LLC	Frederick	16,000
MP-2014-2295	HILLCREST FARM, LLC	Frederick	3,800
MP-2014-2300	CHARLES P. BASSLER	Carroll	2,000
MP-2014-2302	SUNNYSIDE POULTRY FARMS ST	Carroll	5,500
MP-2014-2303	JOHN PARKER SMITH	Carroll	26,454
MP-2014-2304	HARRY W. T. FOUCHE, III	Frederick	4,100
MP-2014-2318	PIPE CREEK RUN FARM LLC	Carroll	8,473
MP-2014-2319	STANLEY E. CULP	Carroll	129,728
MP-2014-2320	NORMAN E. BRUNNER	Carroll	10,000
MP-2014-2321	WILLIAM H. MCGREW, JR	Carroll	15,200
MP-2014-2346	DAVID M. CRUM	Frederick	25,900
MP-2014-2357	JERRY L. WATT	Carroll	8,200
MP-2014-2358	ROGER H. WRIGHT	Carroll	5,500
MP-2014-2360	BETTY JO CHRISTIAN	Frederick	11,600
MP-2014-2370	JERRY L. WATT	Carroll	7,700
NW-2014-2355-B	ROBERT A. HOWARD	Dorchester	35,000
PR-2013-2832	SUSAN E. SIGRIST TRUST	Somerset	4,300
RS-2014-2352	R. A. BELL & SONS FARM, LLC.	Carroll	35,400
RS-2014-2356	PANORA ACRES, INC.	Carroll	7,100
UP-2014-2297	LEWIS ORCHARD AND FARMS, LLC.	Washington	3,400
WM-2014-2301	JEREMY F. BUTZ	Montgomery	16,500

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

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

***Fund Source:*** MCCBL of 2013/Item 13106: *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.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

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 10 individual grants under the Maryland Agricultural Cost-Share Program. Total submission amount: \$11,856.67

Agreement #	Recipient	County	Amount \$
AT-2013-1944	GERRET S. VAN COPELAND	Kent	897.96
AT-2013-1945	GERRET S. VAN COPELAND	Kent	3,885.34
AT-2013-2219	LANDS END FARM, LLC	Kent	1,795.34
CH-2013-2043	ALLEN BOYLES	Kent	126.33
CH-2013-2044	ALLEN BOYLES	Kent	696.71
CR-2013-2736	RONALD D. SPIERING	Caroline	600.00
LS-2011-2192	PATRICIA J. TROYER	Harford	503.08
LS-2013-1783	DELL CREEK FARM LLC.	Baltimore	1,061.75
LS-2013-2012	JAMES H. ARCHER, JR	Harford	669.80
SA-2013-1973	SARAH LOUISE WESTCOTT	Kent	1,620.36

**Fund Source:** MCCBL of 2011/Item 11071: *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**

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**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contact: Gregory Bedward 410-260-7335  
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**3. BOARD OF PUBLIC WORKS**

***Issuance of 90-day notice: Investment Activities in Iran***

***Recommendation:*** That the Board of Public Works notify China Communications Construction Company Ltd. (China) and Shanghai Zhenhua Heavy Industry Company, Ltd. (China) that it intends to include them on a list of companies engaged in investment activities in Iran. Inclusion on the IAI List makes businesses ineligible to bid on, submit a proposal for, or enter into or renew a contract with a public body in Maryland for goods or services.

***Authority:*** §17-701, State Finance and Procurement Article, Annotated Code of Maryland

***Background:*** The law requires the Board to use credible public information to create a list of persons who are engaged in investment activities in Iran. The Board is required by law to update this list at least every 180 days. Engaging in investment activities in Iran is defined as:

- Providing goods or services of at least \$20 million in the energy sector of Iran; or
- For financial institutions, extending credit of at least \$20 million to another person for at least 45 days if the person is on the Board of Public Works list and will use the credit to provide goods or services in the energy of Iran.

Before the Board includes a person on the list the Board must provide the person with 90 days' written notice that the Board intends to include the person on the list; and inclusion on the list would make the person ineligible to bid on, submit a proposal for, or renew a contract with a public body for goods or services.

"Person" includes:

- (1) a natural person, corporation, company, limited liability company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;
- (2) a governmental entity or instrumentality of a government, including a multilateral development institution, as defined by the federal International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or
- (3) any parent, successor, subunit, direct or indirect subsidiary of, or any entity under common ownership or control with, an entity described in item (1) or (2) above.

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

**3. BOARD OF PUBLIC WORKS (cont'd)**  
*Issuance of 90-day notice: Investment Activities in Iran*

*Additions to IAI List:* China Communications Construction Company, Ltd. and Shanghai Zhenhua Heavy Industry Company, Ltd. should be added to the IAI List because each firm is actively engaged in commercial activity in Iran's energy sector. *Maryland State Retirement and Pension System, 2008 Divestiture from Iran and Sudan Act Report (April 1, 2013).*

**Action:** Upon approval of this Item, Board staff will send 90-day notices to the named companies requesting them to show cause why they should not be added to the IAI List. After the 90-day notices, staff will return to the Board with an Item to include or not include the companies on the IAI List.

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**BOARD OF PUBLIC WORKS**

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**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

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

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

Submission of the Procurement Agency Activity Reports by:

Department of General Services	June 2013
Department Public Safety and Correctional Services	August 2013
Department of Transportation	August 2013

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

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

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**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contact: Mary Jo Childs, 410-260-7335  
maryjo.childs@maryland.gov*

**5. BOARD OF PUBLIC WORKS  
State Procurement Regulations**

**Recommendation:** That the Board of Public Works propose new regulations and amendments to COMAR Title 21, State Procurement Regulations, to implement 2013 Legislation.

**Proposal:** Changes to the State Procurement Law were enacted in the 2013 General Assembly session and require regulatory action. Additional amendments are proposed to delete obsolete language and to clarify definitions and procurement delegations. The Procurement Advisory Council concurred with this recommendation at its August 27, 2013 meeting.

- (1) *Chapter 372, Laws of 2012* establishes environmental standards for State purchases of electronic products.

**COMAR Amendment:** 21.11.07.01 Definitions  
**COMAR Amendment:** 21.11.07.13 Purchasing Electronic Products  
**New COMAR Regulation:** 21.11.07.14 Recycle Services - Electronic Products

- (2) *Chapters 559/560, Laws of 2012* establish procurement preferences for services provided in the United States. *Chapters 437/438, Laws of 2013* establish procurement preferences for American-manufactured goods.

**New COMAR Chapter:** 21.11.14 American-Manufactured Goods and Services - Preference

- (3) *Chapters 504/505, Laws of 2013* prohibit a prime contractor on a State contract from creating more stringent bonding requirements for subcontractors than those imposed by the State.

**COMAR Amendment:** 21.06.07.01 General

- (4) *Chapter 138, Laws of 2013* changes the definition of architectural services and engineering services and requires separate MBE reporting for each service.

**COMAR Amendment** 21.01.02.01 Definitions  
**COMAR Amendment** 21.11.03.17 Reporting



**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

**5. BOARD OF PUBLIC WORKS (cont'd)  
State Procurement Regulations**

- (5) *Chapters 343/605, Laws of 2013* impose requirements for agency reporting on contracts with preferred providers. Preferred providers include Maryland Correctional Enterprises, Blind Industries and Services of Maryland, community service providers, and individual-with-disability owned businesses. The Law generally obligates State agencies and public colleges and universities to require the use of janitorial products from Blind Industries and Services of Maryland in maintenance contracts.

<b>COMAR Amendment:</b>	21.11.05.01 Definitions
<b>COMAR Amendment:</b>	21.11.05.07 Responsibilities of Procurement Agencies
<b>New COMAR Regulation:</b>	21.13.01.16 Preferred Provider Reports
<b>COMAR Amendment:</b>	21.01.03.01-1 Public Universities and Colleges

- (6) The following COMAR amendments are proposed to clarify requirements and correct existing language:

<b>COMAR Amendment:</b>	21.11.05.04 Duties of Pricing Authorities
<b>COMAR Amendment:</b>	21.01.02.01 Definitions
<b>COMAR Amendment:</b>	21.02.01.04 Delegation of Procurement and Contracting Authority
<b>COMAR Amendment:</b>	21.05.07.06 Standards
<b>COMAR Amendment:</b>	21.03.01.02 Contracts Void for Noncompliance
<b>COMAR Amendment:</b>	21.03.01.03 Contracts Voidable for Noncompliance
<b>COMAR Amendment:</b>	21.13.01.10 Procurement Policies and Procedures

**Action:** Approval of this Item authorizes submission of the regulatory proposal to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contact: Doldon Moore  
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**6. 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 proposed in the Department of the Environment's Report and Recommendation.

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

**ANNE ARUNDEL COUNTY**

12-1463      *PHILIP SPEVAK* – Construct a pier, a boatlift, four mooring piles and a  
revetment

*Annapolis, Chesapeake Bay*

**QUEEN ANNE'S COUNTY**

13-0153      *TOWN OF QUEENSTOWN* – To transport/distribute reclaimed wastewater by  
installing, by directional bore method, a force main pipe

*Queenstown, Little Queenstown Creek*

**TALBOT COUNTY**

13-0268      *\*JEFFREY HUVELLE* – To fill, grade, and plant marsh vegetation along an  
eroding shoreline and emplace a sand containment sill

*Royal Oak, Edge Creek*

\*NOTE: In FY2014, BPW has approved .64 acres of living shoreline.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

*Contact: Doldon Moore 410-260-7791  
doldon.moore@maryland.gov*

**7. BOARD OF PUBLIC WORKS**  
***Wetlands License 13-0473***

Approval is requested of the following application for a wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case is classified as an extraordinary case because of the recommendation that compensation be assessed. 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.

**SOMERSET COUNTY**

13-0473 *DELMARVA POWER AND LIGHT COMPANY* – To upgrade electric power by replacing overhead lines with electrical conduits installed by directional bore method

### *Deal Island, Dames Quarter Creek*

- Application received May 8, 2013
- Public comment period ended July 15, 2013
- MDE Report and Recommendation to approve received September 13, 2013

*Compensation:* \$1,000.00 non-recurring fee and an annual fee of \$2.50 per linear foot of cable, totaling \$13,650. The annual fee will be adjusted every five years based on the Consumer Price Index.

***Indemnification:*** As a condition of this wetlands license, the licensee agrees to indemnify, defend and save harmless the State of Maryland, its officers and employees from and against any and all liability, suits, claims and actions of whatever kind, caused by or arising from the placement of the electric cable under Dames Quarter Creek on Deal Island.

## BOARD OF PUBLIC WORKS

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

## DEFERRED

**WITHDRAWN**

## WITH DISCUSSION

## WITHOUT DISCUSSION

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*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 a **new grant** up to \$650,000 to the Commissioners of Charles County for the **Bryans Road Drinking Water Wells Project**, which will be funded from proceeds of general obligation bond MCCBL 2010 (10069) - Water Supply Financial Assistance Program. (Legislative District 28)

**Project Description:** The proposed project entails the planning, design and construction of new water wells, with all appurtenances, for the Bryans Road water system in Charles County. The new wells will be drilled into the Patuxent Aquifer in the Bryans Road vicinity. This project is intended to add reliability to the Bryans Road water system which currently has two wells, one of which has operational problems.

**Project Funding Sources:**

<b>Water Supply Financial Assistance, WSG 04.09 (This action)</b>	<b>\$ 650,000</b>
Water Supply Grant Funds, WSG 04.09 (Future action)	\$ 350,000
Local Share	<u>\$ 1,635,600</u>
Estimated Total Project Cost	<u>\$ 2,635,600</u>

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 its recommendation is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33 and State Clearinghouse comments and recommendations.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contact Person: Terri Wilson (410) 537-4155  
terria.wilson@maryland.gov/cheryl.reilly@maryland.gov*

**9. MARYLAND DEPARTMENT OF THE ENVIRONMENT:**

**Recommendation:** That the Board of Public Works approve a **new loan** up to \$325,000 to the Town of Federalsburg for the **Nuttle's Pump Station Upgrade** project in Caroline County. This loan will be repaid over a period not to exceed 20 years following project completion, at an interest rate of 25% of the Average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.00% interest rate. To secure this debt, the Town of Federalsburg will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match to federal funds. (Legislative District 37B)

**Project Description:** The project will rehabilitate an aging pumping station located near the bank of Marshyhope Creek in Federalsburg. The work will replace an inefficient, antiquated vacuum ejector system with a modern pumping system to reduce the likelihood of sewage discharges and other operational difficulties. Also included are various ancillary modifications to the facility, such as the construction of a new wet well.

**Project Funding Sources:**

<b>Water Quality State Revolving Loan Fund (this action)</b>	<b><u>\$325,000</u></b>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$325,000</b>

**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 that its recommendation is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33, and State Clearinghouse comments and recommendations.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contacts: Jean Peterson (410) 514-7358 [peterson@mdhousing.org](mailto:peterson@mdhousing.org)  
George Eaton (410) 514-7348 [eaton@mdhousing.org](mailto:eaton@mdhousing.org)*

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

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

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

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

- |    |                         |  |
|----|-------------------------|--|
| A. | <b>Loan Recipient:</b>  | Latia Bing<br>7343 Cross Street, District Heights, MD 20747<br>Prince George's County              |
|    | Original Loan:          | \$10,000   |
|    | Current Balance:        | \$10,000   |
| B. | <b>Loan Recipients:</b> | Eileen Butler and James Katuna<br>6126 Newport Terrace, Frederick, MD 21701<br>Frederick County    |
|    | Original Loan:          | \$5,000  |
|    | Current Balance:        | \$5,000  |
| C. | <b>Loan Recipient:</b>  | Timothy Clemmons<br>4408 Woodlea Avenue, Baltimore, MD 21206<br>Baltimore City                     |
|    | Original Loan:          | \$10,000   |
|    | Current Balance:        | \$10,000   |
| D. | <b>Loan Recipients:</b> | Miguel Deynes-Acevedo and Johanna Cortes<br>353 James Avenue, Aberdeen, MD 21001<br>Harford County |
|    | Original Loan:          | \$5,000  |
|    | Current Balance:        | \$5,000  |

<b>E.</b>	<b>Loan Recipients:</b>	Peter and Emily Render 1835 Mt. Hermon Road, Salisbury, MD 21804 Wicomico County
	Original Loan:	\$5,000
	Current Balance:	\$2,500
<b>F.</b>	<b>Loan Recipient:</b>	Brook Weaver 410 Clover Court, Taneytown, MD 22787 Carroll County
	Original Loan:	\$10,000
	Current Balance:	\$ 7,500
<b>G.</b>	<b>Loan Recipient:</b>	Debbie Whitley-Pratt 2905 Kingsley Street, Baltimore, MD 21223 Baltimore City
	Original Loan:	\$2,500
	Current Balance:	\$ 250
<b>H.</b>	<b>Loan Recipient:</b>	Nicole Williams 7057 Palamar Turn, Lanham, MD 20706 Prince George's County
	Original Loan:	\$10,000
	Current Balance:	\$10,000

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contact Persons: Carol Gilbert (410) 514-7229 gilbert@mdhousing.org  
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Jean Peterson (410) 514-7358 peterson@mdhousing.org*

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

**LOAN AUTHORITY:** §§ 6-301 through 6-311 Housing and Community Development Article

Annotated Code of Maryland  
COMAR 05.13.01

**BORROWER:** Bolton Hill Nursery, Inc.  
1316 Park Avenue, Baltimore, MD 21217  
Baltimore City

**LOAN AMOUNT:** \$250,000

**FUND SOURCE:** MCCBL of 2012: Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designed by local governments. Item SA24(B).

**COLLATERAL:** Third Deed of Trust  
204 W. Lanvale Street, Baltimore

**RECOMMENDATION:** That the Board of Public Works approve the Department of Housing and Community Development's request to loan the borrower funds for the project described below.

**PROJECT RATIONALE:** Bolton Hill Nursery (BHN) got its start in the late 1950's when a group of Brown Memorial Church families took part in a mothers' group that grew into a cooperative nursery school. Today, BHN is racially and culturally diverse, and consistently links its curriculum to the arts, music and the best components of city living for children and their families. BHN serves an especially critical role, as there are few options for licensed nursery schools within and near downtown Baltimore.

Five years ago, in the face of mounting waiting lists, BHN began looking for expansion opportunities. In February, 2013, BHN acquired the historic Rolando-Thom house at 204 West Lanvale Street which is just around the corner from their current rented location. BHN's renovation will restore the interior space, taking the house from its current state, as a building that housed offices, to one that will accommodate up to 76 children and 20 staff members in large classrooms based on the original floor plan.



**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

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

The school has obtained financing from the SECU in the amount of \$500,000 and from the Maryland Historical Trust (MHT) in the amount of \$151,000 for the purchase and renovation of the property. The total proposed project cost is \$1.325 million; and the school has been unable to secure all the financing, leaving a shortfall of \$250,000.

This chart illustrates the mix of financing necessary to make the project feasible:

Use of Proceeds	NBW	Owner's Contribution	SECU/MHT	Total Project
<b>Land and Building</b>		\$185,000	\$385,000	\$570,000
<b>Construction</b>	\$234,000	200,000	266,000	700,000
<b>Equipment</b>		10,000		10,000
<b>Pre-Development Cost</b>	16,000	29,000		45,000
<b>Total</b>	<b>\$250,000</b>	<b>\$424,000</b>	<b>\$651,000</b>	<b>\$1,325,000</b>
Percent of total, per funding source	<b>18.9%</b>	<b>32.0%</b>	<b>49.1%</b>	<b>100.0%</b>

An additional sign of strong commitment of the Borrower is the significant equity being invested, which is from the assets of the school and their fund raising efforts. This significant level of borrower equity is necessary because private financing is not available and public funding is constrained given the project's collateral.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

*Contact: Gary McGuigan  
410.333-1560  
GAM@mdstad.com*

**12. MARYLAND STADIUM AUTHORITY  
Ocean City Convention Center Performing Arts Center**

**CONTRACT ID:** Ocean City Convention Center (Phase II)  
Performing Arts Center

**CONTRACT APPROVED:** Secretary's Item 21 (August 22, 2012)

**CONTRACTOR:** The Whiting-Turner Contracting Company

**CONTRACT DESCRIPTION:** Convert first floor exhibit hall space and second floor ballroom space into a two-story performing arts theater.

**MODIFICATION DESCRIPTION:** Award Guaranteed Maximum Price for demolition, mechanical, electrical, plumbing, concrete, masonry, roofing, fire suppression, doors and hardware, finishes, theater equipment, and furnishings trades work.

**CONTRACT TERM:** October 2013 -- December 2014

**ORIGINAL AMOUNT CONTRACT:** \$3,000 (pre-construction fees only)

**MODIFICATION AMOUNT:** \$12,500,690

**REVISED CONTRACT AMOUNT:** \$12,503,690

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 25%

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

**REMARKS:** This is a modification to The Whiting-Turner Contracting Company's contract to award a Guaranteed Maximum Price (GMP) package for demolition, concrete, masonry, metals, fire suppression, mechanical, electrical, plumbing, masonry, roofing, doors and hardware, finishes, theater equipment, and furnishings trade packages. The initial award was for preconstruction services only. Project bids were advertised on *eMaryland Marketplace*, The Town of Ocean City website, The Construction Journal, The Afro American Newspaper, and Maryland Washington Minority Companies Association website, as well as via direct solicitation. Whiting-Turner sponsored an outreach fair at its Towson offices in June in which it introduced the project to interested subcontractors and suppliers.

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

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

**FUND SOURCE(S):** MCCBL FY2012-DA03  
MCCBL FY2013-DA03  
Town of Ocean City

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 12-1408-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

**REVISED**

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

**13. STATE TREASURER**

*October 2013 Tax-Exempt Equipment Lease-Purchase Financing*

The State Treasurer recommends that the Board of Public Works approve the award of the October 2013 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 October 2013 Tax-Exempt Equipment Lease-Purchase Financing will provide financing for \$644,515.80 in capital equipment.

**TERM:** Financing Period: October 2, 2013 through October 11, 2013.  
Lease Periods: Three years and five years after the Closing Date.

**PROCUREMENT METHOD:** Competitive Sealed Bids

**AWARD:** Banc of America Public Capital Corp

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

<i>Bidder's Name</i>	<i>Weighted Average Rate</i>
Banc of America Public Capital Corp	1.211%
U.S. Bancorp Government Leasing and Finance, Inc.	1.360%
TD Equipment Finance, Inc.	1.408%
SunTrust Equipment Finance & Leasing Corp.	1.446%
Grant Capital Management, Inc.	1.711%

**MBE GOAL:** 0% **FUND SOURCES:** Agency operating budgets

**AMOUNT:** \$644,515.80

**REMARKS:** The State Treasurer's Office issued an Invitation for Bids for financing on a consolidated basis \$644,515.80 in capital equipment, that was published on *eMarylandMarketplace*, posted on the websites for the National Association of State Treasurer's 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 October 11, 2013. Six bids were received. One bid was non-responsive. The remaining five 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.

**Board Of Public Works  
SECRETARY'S AGENDA  
October 2, 2013**

**REVISED**

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

*October 2013 Tax-Exempt Equipment Lease-Purchase Financing*

Rather than use 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.

The Treasurer provided notice to the Legislative Policy Committee, in accordance with Section 8-403 of the State Finance and Procurement Article of the Annotated Code of Maryland, of her request to periodically lease-finance equipment acquisitions, in an aggregate amount not exceeding \$35 million, over a two-year period beginning July 1, 2013 and ending June 30, 2016.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Board of Public Works  
Secretary's Agenda  
Appendix  
October 2, 2013**

Contact: Rosetta Rose, 410-339-5026  
rrose@dpscs.state.md.us

**REPORT OF EMERGENCY PROCUREMENT****ITEM:**           Appendix 1**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**

**CONTRACT ID:**                               Veterinary Services for K-9 Unit  
ADPICS NO.: Q00P4401823

**CONTRACT TYPE:**                           Services

**DESCRIPTION:**                   Veterinarian services for K-9 Unit canines, including checkups, preventive screenings, vaccinations, evaluations, supplies, and consultations.

**PROCUREMENT METHOD:**               Emergency

**DATE EMERGENCY DECLARED:**       June 14, 2013

**AWARD:**                                   Mid-Atlantic Veterinary Hospital, Hagerstown

**AMOUNT**                                   \$45,000

**AWARD DATE:**                           August 19, 2013

**TERM:**                                    August 19, 2013 – August 18, 2014

**MBE PARTICIPATION:**               0%

**FUND SOURCE:**                           100% General Funds  
Appropriation Code: D4210 8990

**REMARKS:**

*Nature of Emergency:* DPSCS issued an Invitation for Bid for veterinary services to replace the current contract ending June 30, 2013. The IFB was sent to 33 vendors; however, no bids were received. The incumbent provided a no-bid letter stating that the State's requirements were excessive with directives and layers of documentation. No other vendor responded about the reasons for not bidding. Because the canines' annual examinations are performed in August, there was inadequate time to re-issue a formal competitive solicitation. An emergency was declared to prevent services from being interrupted.

**Board of Public Works  
Secretary's Agenda  
Appendix  
October 2, 2013**

**REPORT OF EMERGENCY PROCUREMENT**

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

*Basis for Selection:* DPSCS eased the experience requirements when it solicited for the emergency contract, but Mid-Atlantic Veterinary Hospital was the only company to respond. The price was fair and reasonable, and the vendor can readily provide the services needed within the time required.

**TAX COMPLIANCE NO.:**           13-1938-1111

**RESIDENT BUSINESS:**                 Yes

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**BOARD OF PUBLIC WORKS ACTION:**

**THIS REPORT WAS:**

**ACCEPTED**

**REMANDED**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department Of Natural Resources Real Property**  
**ACTION AGENDA**  
**October 2, 2013**

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

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

**Recommendation:** Approval to commit \$52,171 for the following **development** project.

***LaVale District Park Development #7: Tennis Court Resurfacing - \$52,171***  
***Allegany County***  
***POS #6123-1-269***  
***MD20130806-0599***

**Background:** Resurface four tennis courts, paint court lines, and install new court nets at LaVale District Park.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$52,171.20

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Supplement A**  
**Department Of Natural Resources Real Property**  
**ACTION AGENDA**  
**October 2, 2013**

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

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

**Recommendation:** Approval to commit \$93,000 for the following **development** project.

***Laurel Springs Park Sports Light System - \$93,000***  
***Charles County***  
***POS #6140-8-87***  
***MD20130815-0626***

**Background:** Install sports field lighting system for Field #2 at Laurel Springs Park.  
The proposed outdoor recreational lighting system is designed to perform its intended function, be energy efficient, and minimize light pollution.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010  
Program Open Space - Local, FY 2011 Allocation  
Source Code: 10055 Item 055 \$69,070.88

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010  
Program Open Space - Local, Prior Funds Replacement  
Source Code: 10056 Item 056 \$23,929.12

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department Of Natural Resources Real Property**  
**ACTION AGENDA**  
**October 2, 2013**

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

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

**Recommendation:** Approval to commit \$60,014 for the following **development** projects.

1. ***Walkersville Pavilion Rehabilitation - \$22,315***  
***Town of Walkersville, Frederick County***  
***POS #6133-10-336 MD20130821-0640***

**Background:** Install new roofs on three pavilions in Walkersville Community Park and one pavilion in Creamery Park. The roofs will include new plywood and existing shingles will be replaced with tin. Tin roofs will reduce the need for future maintenance and replacement.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$22,315

2. ***Walkersville Community Park Basketball Court - \$13,500***  
***Town of Walkersville, Frederick County***  
***POS #6134-10-337 MD20130821-0641***

**Background:** Resurface and repaint line markings on basketball court at Walkersville Community Park.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$13,500

3. ***Walkersville Community Park Sand Volleyball Court - \$3,600***  
***Town of Walkersville, Frederick County***  
***POS #6135-10-338 MD20130821-0642***

**Background:** Construct sand volleyball court at Walkersville Community Park.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$3,600

**Supplement A**  
**Department Of Natural Resources Real Property**  
**ACTION AGENDA**  
**October 2, 2013**

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

4. *Emmitsburg Community Park Improvements - \$20,599*  
*Town of Emmitsburg, Frederick County*  
*POS #6137-10-339*  
*MD20130821-0644*

**Background:** Improve park with chain link fencing, bleachers, playground safety surfacing, lighting for bathroom and pavilion, and water line for field maintenance.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$20,598.75

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**BOARD OF PUBLIC WORKS**
**THIS ITEM WAS:**
**APPROVED**
**DISAPPROVED**
**DEFERRED**
**WITHDRAWN**
**WITH DISCUSSION**
**WITHOUT DISCUSSION**

**Supplement A**  
**Department Of Natural Resources Real Property**  
**ACTION AGENDA**  
**October 2, 2013**

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

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

**Recommendation:** Approval to commit \$52,500 for the following **development** project.

*Youth Center Gym Improvements - \$52,500*  
*City of Greenbelt, Prince George's County*  
*POS #6141-16-767*  
*MD20130815-0627*

**Background:** Replace floor and renovate wood bleachers at Greenbelt Youth Center Gymnasium.

**Fund Source:**

Outdoor Recreation Land Loan of 2009, Chapter 335, Acts of 2009  
 Program Open Space - Local Projects  
 Source Code: 09016 Item 916 \$40,325.05

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$12,174.95

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: Emily Wilson  
ewilson@dnr.state.md.us  
(410) 260-8436

**Reference:** That the Board of Public Works approve the acquisition in fee simple of 33 +/- acres (comprising four parcels) located in Allegany County. These forested parcels are outstanding Forest Interior Dwelling Species habitat and will be added to Green Ridge State Forest. Acquisition also provides a buffer for the headwaters of Pratt Hollow Run, a tributary of Fifteen Mile Creek.

**Grantor:** Bradley J. Kimble

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

**Property:** 33 +/- acres, unimproved (comprised of 4 parcels)

**Price:** \$47,500\* (parcels 35 & 147)  
                     \*5% discount from the recommended value of \$50,000  
 \$95,000\* (parcels 161 & 162)  
                     \*5% discount from recommended value of \$100,000

Total	<u>\$142,500</u>
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### Appraisals:

## Parcels 35 & 147

\$44,000 (4/24/13) – Michael P. Goodfellow – Reviewed by Dave Wallenberg

\$50,000 (5/30/13) – LouAnne Cline – Reviewed by Dave Wallenberg

### Parcels 161 & 162

\$58,000 (4/24/13) – Michael P. Goodfellow – Reviewed by Dave Wallenberg

\$100,000 (5/30/13) – LouAnne Cline – Reviewed by Dave Wallenberg

**Fund Source:**

POS Acquisition Opportunity Loan – 2009, Chapter 419, Acts of 2009 – \$142,500

## BOARD OF PUBLIC WORKS

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

## DEFERRED

**WITHDRAWN**

**WITH DISCUSSION**

## WITHOUT DISCUSSION

**Supplement A**  
**Department Of Natural Resources Real Property**  
**ACTION AGENDA**  
**October 2, 2013**

**ITEM 6A**  
**FOREST CONSERVATION ACT EASEMENT**

*Contact: Emily Wilson  
ewilson@dnr.state.md.us  
(410) 260-8436*

**Recommendation:** That the Board of Public Works approve the Department of Natural Resources accepting a permanent forest conservation easement from the Military Department. The easement will provide long-term protection of 1.5 acres of forest area located on the Military Department's Westminster Readiness Center property located in Carroll County.

**Background:** The Military Department is donating the easement in accordance with the Forest Conservation Plan (File #C13-28, Westminster Readiness Center) prepared in connection to certain development on its property. This easement is consistent with DNR forest conservation practices.

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

**GRANTOR:** State of Maryland to the use of the Military Department.

**GRANTEE:** State of Maryland to the use of the Department of Natural Resources

**PROPERTY:** 1.5 acres on the Military Department's Westminster Readiness Center property, Carroll County

**PRICE:** \$ -0-

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



*MARTIN O'MALLEY*  
Governor

*ANTHONY BROWN*  
Lieutenant Governor

*T. ELOISE FOSTER*  
Secretary

*DAVID C. ROMANS*  
Deputy Secretary

## **ACTION AGENDA**

**October 2, 2013**

**Services Contracts ..... 1B - 5B**

**~Effective Resource Management~**

45 Calvert Street • Annapolis, MD 21401-1907

Tel: (410) 260-7041 • Fax: (410) 974-2585 • Toll Free: 1 (800) 705-3493 • TTY Users: call via Maryland Relay  
<http://www.dbm.maryland.gov>

<b>ITEM:</b>	1-S	<b>Agency Contact:</b> Donna DiCerbo 410-537-7807 ddicerbo@mdta.state.md.us
<b>DEPARTMENT/PROGRAM:</b>	Maryland Department of Transportation Maryland Transportation Authority (MDTA)	
<b>CONTRACT ID:</b>	Armored Transport Services MDTA #20130006 ADPICS # J01B4400004	
<b>CONTRACT DESCRIPTION:</b>	Provide armored transport services on a daily basis excluding weekends, and scheduled state holidays, for various MDTA locations.	
<b>AWARD:</b>	Dunbar Armored, Inc. Hunt Valley, MD	
<b>TERM:</b>	11/1/2013 - 10/31/2016 (w/1 two-year renewal option)	
<b>AMOUNT:</b>	\$ 702,740 (3 Years; Base Contract) <u>\$ 504,253</u> (2 Years; Renewal Option) \$1,206,993 Total (5 Years)	
<b>PROCUREMENT METHOD:</b>	Competitive Sealed Bidding	
<b>BIDS:</b>	Only One Bid Received	
<b>MBE PARTICIPATION:</b>	0% (Single element of work)	
<b>PERFORMANCE SECURITY:</b>	N/A	
<b>INCUMBENT:</b>	Same	



**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**October 2, 2013**

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

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMaryland Marketplace (eMM)*. A total of 63 firms received the notice via eMM; 13 are certified SBR firms; seven are certified MBEs; and two are both SBR/MBE certified firms.

Only one bid was received in response to this solicitation. The recommended contractor 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.

MDTA emailed the firms that did not bid to inquire as to why not and received six responses. The following reasons were given as to why the firms did not submit a bid: the subject of the solicitation is not something it ordinarily provides; other commitments preclude participation at this time; the person who normally filled these out has left the company with remarks requesting another user name and password; and the time allotted for completion of the Bid/Proposal was insufficient.

This contract is to provide daily armored car pick-up and delivery services at nine MDTA locations Statewide.

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

**APPROP. CODE:** 29.10.02.01

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2344-1111

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Board of Public Works Action – This Item was:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

<b>ITEM:</b>	2-S	<b>Agency Contact:</b> Albert Annan 410-767-0114 aannan@msde.state.md.us
<b>DEPARTMENT/PROGRAM:</b>	Education (MSDE) Division of Special Education/Early Intervention Services	
<b>CONTRACT ID:</b>	R00R3402345; Special Education Fall Leadership Conference ADPICS # R00B4400009	
<b>CONTRACT DESCRIPTION:</b>	Provide the facilities and host the in-service training and professional development for special education/early intervention forum for 325 participants.	
<b>AWARD:</b>	MDR Services Stevensville, MD	
<b>TERM:</b>	10/22/2013 - 10/25/2013	
<b>AMOUNT:</b>	\$94,390	
<b>PROCUREMENT METHOD:</b>	Competitive Sealed Bidding	
<b>BIDS:</b>	Only One Bid Received	
<b>MBE PARTICIPATION:</b>	0% (Single element of work)	
<b>INCUMBENT:</b>	Timonium Management Company Timonium, MD	
<b>REQUESTING AGENCY REMARKS:</b>	A notice of the availability of the Invitation for Bids (IFB) was advertised on <i>eMaryland Marketplace</i> . Copies of the solicitation notice were emailed directly to 36 potential vendors, all of which are Maryland firms. A copy was also sent to the Governor's Office of Minority Affairs.	

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**October 2, 2013**

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

Despite allowing ample advanced notice of the event to prospective bidders, only one bid was received in response to this 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 325 people.

The recommended vendor, MDR Services, is responsible, and its bid meets the technical requirements set forth in the IFB. Moreover, the price, which calculates to \$72.61 per person per day, has been deemed fair and reasonable, and it was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation.

This annual conference is an essential component to implementing the Division mission, its Five Year Strategic Plan goals and activities, and its support to local administrators in the quest to narrow the achievement gap for children and students with disabilities from birth through age 21. The principle goal is to improve developmental and academic achievement performance results for children and students with disabilities through a comprehensive and coordinated system of quality care and services.

The training offered through this conference is designed to increase the knowledge and awareness of early intervention/special education requirements, as stipulated in the Individuals with Disabilities Education Act (IDEA) and the Code of Maryland Regulations (COMAR). The training components are: (1) pre-training planning based upon State/local data, (2) internal and external stakeholder planning time, (3) presentations by national, State and/or local experts, (4) evaluation, and (5) identification of next steps for follow-up. At the forum, current education information is shared through national and local leaders presenting evidence-based best practices to make a difference in the lives of children, including children and youth with disabilities and their families.

Attendees include special education leaders in the 24 Maryland local school systems, special education partners, advocates, higher education, senators and delegates and state education board members.

MSDE has received funds from the United States Department of Education, Office of Special Education to sponsor the training.

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**October 2, 2013**

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

**FUND SOURCE:** 100% Federal (Special Education)

**APPROP. CODE:** R00A0113

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2358-0000

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**CONSTRUCTION CONTRACT**

**ITEM: 1-C**

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

**INSTITUTION:** University of Maryland, Baltimore for the  
University of Maryland Baltimore County

**CONTRACT ID:** Fine Arts Building Renovation, RFP #13-117 CD

**CONTRACT DESCRIPTION:** Management and construction services during pre-construction and construction phases for the Fine Arts Building Renovation at University of Maryland, Baltimore County

**AWARD:** J. Vinton Schafer & Sons, Inc.  
1309-A Continental Drive  
Abingdon, MD 21009

**CONTRACT TERM:** 11 months for pre-construction services from issuance of pre-construction notice to proceed;  
29 months from construction notice to proceed.

**AMOUNT:** \$126,300 (pre-construction fees only)

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**PROPOSALS:**

	<i>Technical Score</i>	<i>Price Score</i>	<i>Total Score</i>	<i>Total Price</i>
J. Vinton Schafer Abingdon, MD	60.00	38.08	98.08	\$2,250,438
Lewis Contractors Owings Mills, MD	56.16	40.00	96.16	\$2,142,594
Whiting-Turner Baltimore, MD	56.83	38.56	95.38	\$2,222,700
Turner Construction Baltimore, MD	59.01	34.74	93.76	\$2,466,779

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**ITEM: 1-C (cont'd)**

**MBE PARTICIPATION:** 25%  
 Sub-goals: 7% African American, 4% Asian American

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

**REQUESTING INSTITUTION REMARKS:** The solicitation was advertised in *eMaryland Marketplace* and distributed to the Office of Minority Affairs and other MBE associations. Six technical proposals were received. Five offerors achieved the required minimum technical score and were invited to oral presentations. Following oral presentations, four offerors maintained the minimum technical score and were invited to submit pricing. J. Vinton Schafer & Sons, Inc. ranked first in technical scoring and third in pricing. J. Vinton Schafer presented a competent construction management team and demonstrated through their experience a strong understanding of the project. Award is recommended to J. Vinton Schafer & Sons, Inc who had the highest combined technical and financial score and provided the best value to the University.

The estimated construction cost for this project is \$12,800,000. This Item recommends award for pre-construction services only. If the University and the Contractor agree to a Guaranteed Maximum Price for construction, the University will return to the Board with a recommendation to modify the contract to include the actual construction costs including the CM's fees associated with the construction phase.

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

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2418-1110

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**BOARD OF PUBLIC WORKS**
**THIS ITEM WAS:****APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**ARCHITECT/ENGINEERING SERVICES CONTRACT RENEWAL OPTION:**

**ITEM: 2-A/E OPT**

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

**INSTITUTION:**

University of Maryland, College Park

**CONTRACT ID:**

Indefinite Delivery Contracts -  
 Civil and Structural Design  
 Engineering Services  
 Contract No. K-003084-N,  
 Contract No. K-003085-N  
 Contract No. K-003098-N  
 Contract No. K-003099-N

**CONTRACT APPROVED:**

USM Item 7-A/E (10/06/2010)

**CONTRACTORS:**

Alpha Corporation  
 Baltimore, Maryland

A Morton Thomas and Associates, Inc.  
 Rockville, Maryland

Wallace Montgomery & Associates, LLP  
 Towson, Maryland

Rummel, Klepper & Kahl, LLP  
 Baltimore, Maryland

**CONTRACT DESCRIPTION:** Indefinite delivery/indefinite quantity contracts for delivery of Civil/Structural Design Services in support of maintenance, repair and construction projects at the University of Maryland, College Park and the institutions supported by the College Park Service Center. Services are to be performed as needed. The annual ordering limit per contract is \$500,000 for a total combined not to exceed amount of \$4,000,000 over the two-year base period.

**OPTION DESCRIPTION:** Exercise second of three 1-year renewal options

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**ITEM: 2-A/E-OPT** (*cont'd*)

**CONTRACT TERM:** 10/06/10 – 10/05/12 with three 1-year options

**OPTION TERM:** 10/06/13 – 10/05/14 (Option 2)

**CONTRACT AMOUNT:** NTE \$4,000,000 (2-yr base award)

**OPTION AMOUNT:** NTE \$2,000,000 (1-yr renewal) (Option 2)

**PROCUREMENT METHOD:** USM Procurement Policies and Procedures for Architectural and Engineering Services

**MBE PARTICIPATION:** 25% on task orders exceeding \$50,000

**MBE COMPLIANCE:** 30%

**REQUESTING INSTITUTION REMARKS:** Firms are paid for actual hours worked based on fully-burdened fixed-hourly rates established in the contract. Task Orders are assigned on a rotating basis. MBE goals will be established for all Task Orders expected to exceed \$50,000.

**FUND SOURCE:** Fund source varies depending on project or task order and the institution placing order

**RESIDENT BUSINESS:** Yes – all firms

<b>MD TAX CLEARANCE:</b>	Alpha Corporation	13-2393-1111
	A Morton Thomas	13-2396-0111
	Wallace Montgomery	13-2394-1111
	& Associates LLP	
	Rummel, Klepper & Kahl	13-2395-1111

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**BOARD OF PUBLIC WORKS**
**THIS ITEM WAS:****APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**



**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**SERVICES CONTRACT MODIFICATION****ITEM: 3-S MOD**

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

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

**CONTRACT ID:** Consulting Services for Implementation of the  
Kuali Financial System (KFS)  
RFP 83514-D, Contract # D-005309

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

**APPROVED:** USM Item 9-S (06/20/2012)

**ORIGINAL CONTRACT DESCRIPTION:** Services of a consultant who is a Kuali Commercial Affiliate to provide resources and expertise related to implementing the Kuali Financial System (KFS) with the University's existing systems requirements. The consultant will work with the University's Division of Information Technology, Office of the Comptroller, and Department of Procurement & Supply to:

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

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**ITEM: 3-S MOD** (*cont'd*)

**MODIFICATION DESCRIPTION:**

1. Shorten base term to coincide with new system go-live date (January 2014).
2. Increase contract amounts for base term (retroactive) and for option #1 to reflect scope changes.
3. Exercise option #1 effective January 2014.
4. Authorize University to complete project without further Board approval of task orders.

**ORIGINAL TERM:** Base Term (06/20/2012 – 06/19/2014) with three 1-year renewal options.

**MODIFIED TERM:** Base Term (06/20/2012 – 01/31/2014) with three 1-year renewal options.

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 0%

<b>AMOUNT:</b>	<i>Original</i>	<i>Actual (As of 8/31/13)</i>	<i>Current</i>
Base Term	\$ 3,500,000	\$5,183,596	\$8,500,000
Option Year 1	\$ 500,000		\$3,000,000
Option Year 2	\$ 500,000		\$ 500,000
Option Year 3	<u>\$ 500,000</u>		<u>\$ 500,000</u>
Total NTE	\$ 5,000,000		\$12,500,000

**REQUESTING INSTITUTION REMARKS:** This is an indefinite-delivery indefinite-quantity contract with hourly rates. Task orders are issued for specific scopes of work.

The original implementation plan underestimated the extent of programming, testing, and training required to adapt KFS for University use. The original estimate also failed to include development and modification of the Labor Ledger component of KFS (used to integrate payroll data into the financial system).

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**ITEM: 3-S-MOD** (*cont'd*)

**REQUESTING INSTITUTION REMARKS:** (continued)

Essential modifications required to go-live in January 2014 are included in the revised base term amount. Additional revisions and enhancements to the software are included in the renewal option #1 increase. The University currently lacks in-house programming staff necessary to implement the KFS system and must acquire these services via this contract.

The University System of Maryland, Board of Regents approved this revised plan at its September 20, 2013 meeting.

**FUND SOURCE:** Current Unrestricted Funds

**APPROP CODE:** R30B22

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2465-0111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**October 2, 2013**

**GENERAL/MISCELLANEOUS**

**ITEM: 4-GM**

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

**Recommendation:** Approve the use of General Obligation Bond Funding for the following contract totaling \$102,999.

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

**A. University of Maryland, College Park:**

Physical Sciences Complex

**Description:** Furniture for Physical Science Complex  
 Tables - Equipment List Item 06-05, 07-03

**Procurement Method:** Simplified Procurement

**Award:** Manifesto, Inc.  
 Chicago, IL 60654

**Amount:** \$5,149

**Fund Source:** MCCBL of 2012: *Provide funds to equip the Physical Sciences Complex at College Park.* Item 036

**MD Tax Clearance:** N/A

**Resident Business:** No

**B. Salisbury University:**

Delmarva Public Radio Relocation Project

**Description:** Site package for modular trailer to house broadcast equipment and operations of the Delmarva Public Radio being relocated from Caruthers Hall

**Procurement Method:** Competitive Sealed Bids

**Award:** Delmarva Veteran Builders, LLC.  
 Salisbury, MD

**Amount:** \$97,850

**Fund Source:** MCCBL 2014: *Provide funds to design, construct, renovate, and equip a facility for the relocation of Delmarva Public Radio.* Item 072

**Tax Compliance No.** 13-2447-0000

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**ITEM: 1-IT**

**Agency Contact:**

Heidi J. Tarleton (410) 767-3763  
Htarleton@mta.maryland.gov  
Carla Thompson (410) 260-6155  
Carla.Thompson@maryland.gov

**DEPARTMENT/PROGRAM:**

Maryland Department of Transportation  
Maryland Transit Administration

**CONTRACT ID:**

On-Board Bus AVL Equipment Retrofit  
MTA-1392  
ADPICS No.: J05B4400003

**CONTRACT DESCRIPTION:** Acquire data radios; replace control heads; remove, replace and program voice radios to update and interface to SmartTrack Computer Aided Dispatch Monitoring Automatic Vehicle Location system.

**AWARD:**

Xerox/ACS Transport Solutions, Inc.  
Columbia, MD 21046

**TERM:**

10/03/2013 – 10/02/2014 (1 year)

**AMOUNT:**

\$ 1,516,967

**PROCUREMENT METHOD:**

Sole Source

**MBE PARTICIPATION:**

0%

**INCUMBENT:**

Xerox/ACS Transport Solutions, Inc.

**REMARKS:** With the SmartTrack Computer Aided Dispatch Monitoring Automatic Vehicle Location (CAD/AVL), through GPS a bus sends its location via data radio to the central AVL servers. This data from the CAD/AVL system is used to provide real-time location data for the recently approved Bus Real-Time passenger information system. The data is also used to monitor the performance of the buses on the street and provides route schedule adherence data for MTA's on-time performance reports.

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

**ITEM: 1-IT (cont'd)**

The existing CAD/AVL equipment is experiencing high equipment failure rates and high fallback (inability to communicate wirelessly with SmartTrack CAD/AVL system), which significantly impacts bus operations. While in the fallback condition, the bus is unable to report its position and is not providing the CAD/AVL system with route schedule adherence and on-time performance data. The MTA can no longer find spares to maintain the equipment. Voice/data communication is the only method to communicate emergencies on the bus and to report bus position back to the Bus Operations Control Center. Buses scheduled for revenue services have a non-functional voice/data radio and this is a safety concern for bus operators and customers.

To resolve this issue, the MTA must replace/retrofit 2004 – 2007 models (approximately 104 buses). Models 2008 and newer are already equipped with the new CAD/AVL system.

Xerox/ACS is one of the largest vendors in the United States of CAD/AVL equipment and is the only contractor that can provide the services required to retrofit the bus AVL equipment to ensure compatibility with the existing CAD/AVL system.

The MBE goal on this contract is zero. Because other manufacturers of this type of equipment do not have access to complete the retrofit replacement components and design specifications, they would not be in a position to manufacture components to the specifications to perform a retrofit and therefore only Xerox/ACS Transport Solutions employees will have the knowledge to complete the task. This system does not have any tasks that can be subcontracted.

**FUND SOURCE:** 100% State Budgeted Funds

**APPROPRIATION CODE:** J05H0105

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2314-1111

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Board of Public Works Action - The Item was:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**ITEM: 2-IT**

**Agency Contact:**

William P. Ward (410) 768-7252  
wward@mdot.state.md.us  
Carla Thompson (410) 260-6155  
Carla.Thompson@maryland.gov

**DEPARTMENT/PROGRAM:**

Maryland Department of Transportation  
Motor Vehicle Administration

**CONTRACT ID:**

Software Maintenance and Support  
ACIS/eFR-19  
ADPICS No.: J00B3400072

**CONTRACT DESCRIPTION:** Software license and support for MVA's Automated Compulsory Insurance System (ACIS)/ Electronic Financial Responsibility Form #19 web application

**AWARD:**

MS Technologies Corporation  
Rockville, MD

**TERM:**

12/17/2013-12/16/2018

**AMOUNT:**

\$4,022,967

**PROCUREMENT METHOD:**

Sole Source

**MBE PARTICIPATION:**

100%

**INCUMBENT:**

MS Technologies Corporation

**REMARKS:** This contract will provide on-going maintenance and support for ACIS/ eFR19 that are used by all insurance companies to verify automobile insurance. The system notifies, monitors, tracks, and records uninsured motorists throughout the State and transmits the information through a secure Electronic Data Interchange to insurance companies. Based on the information transmitted, MVA imposes fines to uninsured motorists. The system aids in grossing approximately \$90,565,000 annually to the State. MS Technologies developed the ACIS/eFR-19 through a competitively bid process and is a proprietary system. Additional funding is included for enhancements and legislative mandates for the term of the contract.

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

**ITEM:** 2-IT (cont'd)

**REMARKS (continued):**

MS Technologies is a certified Minority Business Enterprise and certified Small Business Enterprise. No MBE sub-goal was set for this contract due to the proprietary nature of the software.

**FUND SOURCE:** 100% Special

**APPROP. CODE:** J04E0001 & J04E0003

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2342-1111

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Board of Public Works Action - The Item was:

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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

**ITEM: 3-IT - OPT**

**Agency Contact:**

Carol Kaiser (443) 769-1021  
ckaiser@collegesavingsmd.org  
Carla Thompson (410) 260-6155  
Carla.Thompson@maryland.gov

**DEPARTMENT:**

College Savings Plans of Maryland

**CONTRACT ID:**

Application Hosting & IT consulting services  
10-03  
R60B4400002

**CONTRACT APPROVED:**

DoIT Item 3-IT (10/20/2010)

**CONTRACTOR:**

Definition 6 LLC, Atlanta, GA

**CONTRACT DESCRIPTION:** Application hosting, system administration, help desk support and IT consulting services for records administration for the Maryland Prepaid College Trust and the Maryland College Investment Plan

**OPTION DESCRIPTION:**

Exercise second of three 2-year options

**ORIGINAL TERM:**

10/20/2010-10/19/2011  
(w/3 two-year renewal options)

**OPTION TERM:**

10/20/2013-10/19/2015

**ORIGINAL CONTRACT AMOUNT:**

\$159,600

**OPTION AMOUNT:**

\$319,200

**PRIOR MODIFICATIONS/OPTIONS:**

DoIT Item 9-IT (10/19/2011)  
(first option)

**REVISED TOTAL CONTRACT AMOUNT:**

\$798,000

**ORIGINAL PROCUREMENT METHOD:**

Competitive Sealed Proposals

**MBE PARTICIPATION:**

5%

**MBE COMPLIANCE:**

5%

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

**ITEM:** 3-IT - OPT (cont'd)

**REMARKS:** Definition 6 has performed well since the original contract went into effect; they have satisfied the criteria outlined in the contract. Price has been fair based on the services provided. Consequently, CSPM sees no reason to rebid the contract.

**FUND SOURCE:** 100% Non-Budgeted

**APPROP. CODE:** R60H0041

**RESIDENT BUSINESS:** No

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Board of Public Works Action - The Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**ITEM: 4-IT - MOD**

**Agency Contact:**

Heidi Tarleton (410) 767-3763  
Htarleton@mta.maryland.gov  
Carla Thompson (410) 260-6155  
Carla.Thompson@maryland.gov

**DEPARTMENT/PROGRAM**

Maryland Department of Transportation  
Maryland Transit Administration

**CONTRACT ID**

On-Board Communication Network Maintenance  
MTA-1325/J05B1400005  
ADPICS No.: COF31321

**CONTRACT APPROVED**

DoIT 3-IT (9/01/2010)

**CONTRACTOR**

Clever Devices LTD, Plainview, NY

**CONTRACT DESCRIPTION** Maintenance services for On-Board Bus Communications Network including the Intelligent Vehicle Network (IVN), Automatic Vehicle Monitoring (AVM)/Bus Link Switch and Speakeasy information system. The IVN provides MTA with the means to disseminate bus stop information to the ridership through the automated voice annunciation module as well as providing the MTA with a source to collect vehicle performance data.

**MODIFICATION DESCRIPTION *RETROACTIVE*:** Extend contract by three months. MTA failed to seek Board approval to exercise the contract's renewal option. On the day the contract was set to expire (9/12/13), MTA extended the original term from 9/12/13 to 12/3/13. MTA now seeks retroactive approval of the 3-month extension as it was necessary to continue ongoing preventive and remedial maintenance for the On-board Bus Communications Network.

<b>OPTION DESCRIPTION</b>	Exercise 21-months remaining on renewal option
<b>ORIGINAL TERM</b>	9/13/10-9/12/2013 (w/1 two-year renewal option)
<b>MODIFICATION TERM</b>	9/13/2013 – 12/03/2013
<b>OPTION TERM</b>	12/04/2013 – 9/12/2015
<b>ORIGINAL AMOUNT</b>	\$2,781,225 (3 years)
<b>MODIFICATION AMOUNT</b>	\$245,812 (3 months)
<b>OPTION AMOUNT</b>	\$1,750,181 (1 Year, 9 Months) [Originally estimated at \$983,248]

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

**REVISED TOTAL AMOUNT**      \$4,777,218

**ITEM:** 4-IT – MOD (cont'd)

**PERCENT +/- (THIS MODIFICATION)**      + 9%

**ORIGINAL PROCUREMENT METHOD**      Sole Source

**MBE PARTICIPATION**      0%

**REMARKS:** The On-Board Communications Network Maintenance contract provides maintenance and periodic inspections of hardware and software installed on the buses to maintain system integrity and performance. The system consists of the IVN, Speakeasy and BusLink Switch with BusLink Server computer systems that are manufactured under proprietary patents and registered trademarks of Clever Devices LTD. The current systems are experiencing warranty expirations and performance failures leading to excessive Americans with Disabilities Act exceptions. The systems that provide this information, due to the complexity, require a continuing program of inspection and monitoring to maintain the network performance.

Exercising the renewal is in the best interest of the State because MTA has issued a procurement to replace the current On-Board Network components on the buses; warranty and maintenance are included. The anticipated Notice to Proceed date for this new contract is March 2014 with an 18-month bus installation for cut-over to this new system. When MTA transitions to the new contract after installation, this contract will be cancelled for convenience.

The Board of Public Works should treat this contract as voidable, rather than void, because: 1) all parties have acted in good faith; 2) ratification of the procurement contract would not undermine the purposes of the procurement law; and 3) the violation, or series of violations, was insignificant or otherwise did not prevent substantial compliance with the procurement law.

**FUND SOURCE:**      100% Special (Transportation Trust Funds)

**APPROP. CODE:**      J05H0101

**RESIDENT BUSINESS:**      No

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<b>BOARD OF PUBLIC WORKS</b>	<b>THIS ITEM WAS:</b>
<b>APPROVED</b>	<b>DISAPPROVED</b>
<b>WITH DISCUSSION</b>	<b>DEFERRED</b>
	<b>WITHOUT DISCUSSION</b>
	<b>WITHDRAWN</b>



## **BOARD OF PUBLIC WORKS (BPW)**

### **ACTION AGENDA**

**October 2, 2013**

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<b>Maintenance</b>	<b>9 – 19</b>
<b>Service</b>	<b>20 - 21</b>
<b>Real Property</b>	<b>22</b>
<b>General/Miscellaneous</b>	<b>23 - 28</b>
<b>Energy Performance</b>	<b>29 - 31</b>
<b>Architectural/Engineering</b>	<b>32 - 38</b>

Suzette Moore - (410) 859-7792  
[smoore2@bwiairport.com](mailto:smoore2@bwiairport.com)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### CONSTRUCTION CONTRACT

**ITEM:** 1-C

### MARYLAND AVIATION ADMINISTRATION

**CONTRACT ID:** MAA-CO-13-015  
 Runway 10-28 and 15R-33L Obstruction Clearing  
 Project at BWI Thurgood Marshall Airport (BWI  
 Marshall)  
 Anne Arundel County  
 ADPICS NO.: MAACO13015

**CONTRACT DESCRIPTION:** This contract provides for safety improvements for Runways 10-28 and 15R-33L at BWI Marshall. The work area consists of six (6) landside and four (4) airside locations that include areas of tree clearing and isolated tree removal within environmentally sensitive areas and non-sensitive areas.

**AWARD:** RJO Services, LLC  
 Severna Park, MD

**AMOUNT:** \$310,025

**TERM:** 80 Calendar Days from NTP

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

**BIDS:**

RJO Services, LLC Severna Park, MD	\$310,025
Excel Tree Service Jessup, MD	\$419,416
F & L Construction, Inc. Washington, DC	\$694,046

**MBE PARTICIPATION:** 15.10%

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

**REMARKS:** The Engineer's Estimate was \$384,467.

This Solicitation was advertised on eMM and on the MAA Website. EMaryland Marketplace directly notified over two hundred-seventy (270) prospective bidders, including Maryland companies, Minority Business Enterprises, and Small Business Enterprises.

**ITEM: 1-C (Continued)****BPW – 10/02/13**

MAA sent direct soliciaiton to seven (7) vendors. A total of nine (9) firms purchased the contract documents. Three (3) bids were received.

The MBE Goal established for this contract was 4% however the contractor is exceeding the goal by 11.10%.

<b>FUND SOURCE:</b>	100% Special Funds Budgeted to MAA
<b>APPROPRIATION CODE:</b>	J06I0003
<b>MD TAX CLEARANCE:</b>	13-2452-1111
<b>RESIDENT BUSINESS:</b>	Yes

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

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

Donna DiCerbo - (410) 537-7814  
[ddicerbo@mdta.state.md.us](mailto:ddicerbo@mdta.state.md.us)

BPW – 10/02/13

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM: 2-C**

**MARYLAND TRANSPORTATION AUTHORITY**

**CONTRACT ID:** BB 2747-000-006A (Construction)  
 BB 2747-000-006B (Monitoring, Maintenance & Warranty)  
 Replace Acoustic Monitoring on Eastbound Bay Bridge

**CONTRACT DESCRIPTION:** This contract provides for the construction, monitoring, maintenance and warranty of an Acoustic Monitoring System (AMS) for the Eastbound Chesapeake Bay Bridge.

**AWARD:** Pure Technologies US, Inc.  
 Columbia, MD

**AMOUNT:** \$1,537,000 (Contract A)  
~~\$ 225,000~~ (Contract B)  
 \$1,762,000

**TERM:** 240 Calendar Days from NTP (Contract A)  
 5 Years from NTP (Contract B)

**PROCUREMENT METHOD:** Sole Source

**MBE PARTICIPATION:** 0%

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

**REMARKS:** The compatibility of MDTA's monitoring equipment for the Eastbound and Westbound spans of the Bay Bridge is essential for accurate, safe and efficient travel for Maryland's motorists. Therefore, in accordance with COMAR 21.05.05, the MDTA has determined that a sole source procurement is necessary as only one source exists that can provide the required services.

Pure Technologies developed and holds patents for acoustic monitoring systems. This contract includes a non-bid item totaling \$100,000 (6.02% of the total contract value) for Miscellaneous Construction which will only be used if necessary.

**FUND SOURCE:** 100% Toll Revenue

**APPROPRIATION CODE:** 29.10.02.01

**MD TAX CLEARANCE:** 13-2424-1111

**RESIDENT BUSINESS:** Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



Heidi Tarleton (410) 767-3763

[htarleton@mta.maryland.gov](mailto:htarleton@mta.maryland.gov)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### CONSTRUCTION CONTRACT

**ITEM: 3-C**

#### MARYLAND TRANSIT ADMINISTRATION:

**CONTRACT ID:** T-1196-0140  
Bus Main Shop  
ADPICS NO.T11960140

**CONTRACT DESCRIPTION:** This contract is for construction of a new Bus Main Shop located at 1300 Bush Street in Baltimore City. The Building will total 80,000 square feet and will include an office, a common lunch area, and separate bay for dynamometer testing.

**AWARD:** W.M. Schlosser Company, Inc  
Hyattsville, MD

**TERM:** 548 Calendar Days from NTP

**AMOUNT:** \$27,488,000

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

W.M. Schlosser Company, Inc Hyattsville, MD	\$27,488,000
James W. Ancel, Inc Towson, MD	\$28,497,230

**DBE PARTICIPATION:** 30.31%

**PERFORMANCE SECURITY:** Performance Bond at 100% of Contract Amount

**REMARKS:** The Engineer's Estimate for this contract was \$26,127,053.

This Solicitation was advertised in eMaryland Marketplace and on MTA's Web Site. One Hundred Eighty Three (183) firms received bid packages; One Hundred-Two (102) were Maryland firms. Two (2) bids were received and all bids were responsive and responsible.

The Bus Main Shop will be a new Facility building on MTA property located 1300 Bush Street in Baltimore City. The building will total 80,000 square feet and will include the construction of the Main Rebuild Shop, and the Air-Conditioner Shop for all buses. It is a three story, high bay steel framed building with full architectural, mechanical, and electrical support amenities. The site work includes installation of utilities, parking lot paving, drainage, storm water management, signage, pavement markings, retaining walls, fences and other aesthetic improvements.

**ITEM: 3-C (Continued)****BPW – 10/02/13**

The DBE Goal established for this contract was 30%; however the contractor will be exceeding the goal by .31%.

This contract includes a miscellaneous/unanticipated work allowance of \$700,000 (3% of the total contract value).

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

**APPROPRIATION CODE:** J05H0105

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2319-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Suzette Moore (410) 859-7792  
[smoore2@bwiairport.com](mailto:smoore2@bwiairport.com)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

**CONTRACT MODIFICATION:** (Construction)

**ITEM:** 4-C-MOD

### MARYLAND AVIATION ADMINISTRATION

**CONTRACT ID:** MAA-CO-12-006  
 B/C Connector and Security Checkpoint at BWI  
 Thurgood Marshall Airport (BWI Marshall)  
 Anne Arundel County  
 ADPCS NO.: CO302658

**ORIGINAL CONTRACT APPROVED:** Item 15-EX, DOT Agenda 06/06/12

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposal  
 (Direct Solicitation)

**MODIFICATION:** Modification No. 1 is to increase the contract value by \$6,250,000. The additional costs are associated primarily with the difficulty of renovating and adding to areas of the main terminal that are older and less known. Additional costs were also incurred to enhance safety and security, and to renovate the Observation Gallery.

**CONTRACTOR:** Hensel Phelps Construction Company  
 Chantilly, VA

**AMOUNT:** \$ 6,250,000

**ORIGINAL CONTRACT AMOUNT:** \$43,937,000

**REVISED CONTRACT AMOUNT:** \$50,187,000

**PERCENTAGE INCREASE:** 14% (Modification No. 1)

**TERM:** 366 Calendar Days from NTP

**MBE PARTICIPATION:** 20% (MBE Compliance 29%)

**REMARKS:** This contract provides for the construction of a new nine (9) lane passenger security checkpoint and airside passenger connector between Concourses B and C, and lower level building shell along the west side of the connector for a future baggage screening facility at BWI Marshall.

The primary elements related to this project are:

1. **Coordination with Existing Conditions and Changed Conditions \$3,143,782)**

The new B/C Connector was added onto areas of the main terminal that had been built and rebuilt many times over the last 60 years. As each of these older structures was uncovered the plans had to be changed to coordinate the new work with the old work, especially the mechanical and electrical systems.

Other unforeseen subsurface conditions that were encountered, such as buried pipelines and other obstructions, had to be removed or relocated. In addition, some modifications had been made to the existing building after completion of design and before the start of construction, and these modifications had to be accommodated in the new construction.

2. **Changes Required by Health, Fire, and Safety Codes (\$514,723)**

Shortly after the start of construction the contractor discovered more asbestos than had been identified by a pre-construction survey of hazardous materials.

As new fire sprinklers and fire alarms were installed in the B/C Connector, they had to be tied into older systems in the existing building. The older systems, in turn, had to be upgraded to work seamlessly with the new systems.

Other changes made during construction included new safety features on elevators and moving walkways, and additional emergency lighting, fire extinguishers and automatic defibrillators.

3. **Changes Required by the TSA and Other Security Needs (\$894,062)**

During construction of the new passenger screening checkpoint and adjacent TSA offices, the TSA requested additional cabling for its data systems and modifications to the roll-up grilles. Other modifications made to enhance security of the facility included door hardware that conforms to new airport-wide standards, and the addition of intrusion alarms, security cameras and cipher locks.

At various stages of construction the contractor had to demolish and rebuild walls separating public areas from secure areas of the airport. To ensure that no unauthorized entry occurred at any time through the construction site into the secure areas, the contractor was directed to post additional security guards and security managers.

4. **Renovation of the Observation Gallery and Other Accommodations (\$180,347)**

The B/C Connector was built around and under the Observation Gallery, which is a major public amenity of the main terminal. The Observation Gallery was scheduled to be renovated but the design was not complete when the B/C Connector began.

5. **Final Close-out Costs (\$1,092,073)**

<b>FUND SOURCE:</b>	88% Other Funds Budgeted to MAA 12% Special Funds Budgeted to MAA
<b>APPROPRIATION CODE:</b>	J06I00003
<b>RESIDENT BUSINESS:</b>	No

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**      **WITHOUT DISCUSSION**

## ATTACHMENT I

	<b>Amount</b>	<b>Term</b>	<b>BPW/DCAR Date</b>	<b>Reason</b>
<b>Original Contract</b>	\$43,937,000	366 Calendar Days	06/06/12, 15-EX	
<b>Modification #1</b>	\$ 6,250,000	366 Calendar Days	10/02/13, 4-C- MOD	
<b>Revised Amount</b>	<b>\$50,187,000</b>			

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA

**CONSTRUCTION CONTRACT**

ITEM: 5-C

STATE HIGHWAY ADMINISTRATION

**CONTRACT ID:** HO2205129  
Septic System Upgrades, Including Pump Station,  
Sewer and Force main at the Administration's  
Dayton Shop in Howard County  
ADPICS NO.: HO2205129

**CONTRACT DESCRIPTION:** This Contract consists of septic system upgrades, including pump station, sewer and force main at the Administration's Dayton Shop in Howard County.

**AWARD:** Utilities Unlimited, Inc.  
Sykesville, MD

**AMOUNT:** \$262,020 NTE

**TERM OF CONTRACT:** 10/14/2013 - 10/31/2014

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Utilities Unlimited, Inc. Sykesville, MD	\$262,020
JLW Associates, Inc. Leonardtown, MD	\$342,300
Flippo Construction Co., Inc. Forestville, MD	\$387,715
DSM Properties Randallstown, MD	\$407,600
Rivers Construction Group, Ltd. Silver Spring, MD	\$470,600
Level Land, Inc. Lisbon, MD	\$504,960

**MBE PARTICIPATION:** 7%

**PERFORMANCE SECURITY:**

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

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Two-Hundred Nineteen (219) contractors were notified for this project on eMaryland Marketplace; Sixty Seven (67) of which were MDOT Certified MBE's.

The MBE Goal established for this contract was 5.00%, however the Contractor is exceeding the goal by 2%. The contractor is a registered Small Business Enterprise.

This contract includes pre-established amounts for a total of \$3,000 (1% of the total contract value) for Payments of Operation and maintenance Manuals and Record Documents.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term on the original contract to spend funds remaining on the contract as provided in Board Advisory 1995-1.

**FUND SOURCE:**

100% Special Funds Budgeted to SHA

**APPROPRIATION CODE:**

J02B0101

**RESIDENT BUSINESS:**

Yes

**MD TAX CLEARANCE:**

13-2260-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Heidi J. Tarleton (410) 767-3796  
[Htarleton@mta.maryland.gov](mailto:Htarleton@mta.maryland.gov)

BPW – 10/02/13

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 6-M**

**MARYLAND TRANSIT ADMINISTRATION**

**CONTRACT ID:** T-8000-0389  
 Metro Draft Gear Overhaul  
 ADPICS NO. T80000389

**CONTRACT DESCRIPTION:** The Maryland Transit Administration (MTA) is requesting approval of the overhaul of the existing WABTEC railcar draft gear assemblies on the Metro Subway cars. The Metro Subway fleet is equipped with a mechanical draft gear assembly that was originally supplied by WABCO Corporation, now called Westinghouse Air Brake Technologies (WABTEC).

**AWARD:** Westinghouse Air Brake Company (WABTEC) Passenger  
 Transit Division  
 Duncan, SC

**TERM:** October 8, 2013 – October 7, 2015

**AMOUNT:** \$ 2,500,000

**PROCUREMENT METHOD:** Sole Source

**DBE PARTICIPATION:** 0% (Proprietary Equipment)

**REMARKS:** During a scheduled 45-day inspection at the Wabash Maintenance Facility on July 6, 2012, Railcar Maintenance discovered a cracked yoke assembly in the rear-end draft gear assembly of car 113. The draft gear assembly was immediately removed from the car and replaced with a recently rebuilt unit.

The draft gears are now seven to ten years old and need to be overhauled. The existing draft gear assemblies need to be rebuilt by the original equipment company that holds the patent for this part, WABTEC. The Contractor shall perform the overhaul of the existing Wabtec draft gear and yoke assembly on the MTA's fleet of one-hundred (100) Metro Subway cars. There are two (2) draft gear and yoke assemblies on each vehicle for a total of two-hundred (200) assemblies on the fleet, and up to ten (10) spare assemblies.

According to COMAR 21.05.05.02 A (2), "When the compatibility of equipment, accessories, or replacement parts is the paramount consideration", a sole source procurement is justified. By using the WABTEC overhauled draft gear assemblies, it will allow METRO equipment standards to remain intact. It is recommended that this contract award be made to WABTEC Passenger Transit Division, as a sole source contract as detailed above.



**ITEM: 6-M (Continued)****BPW – 10/02/13**

Due to the specialized requirements of the work, a Disadvantaged Business Enterprise (DBE) goal was not established.

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

**APPROPRIATION CODE:** J05 H0105

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 13-2189-1011

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

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

Heidi J. Tarleton (410) 767-3796

BPW – 10/02/13

[Htarleton@mta.maryland.gov](mailto:Htarleton@mta.maryland.gov)

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM:** 7-M

**MARYLAND TRANSIT ADMINISTRATION**

**CONTRACT ID:** T-8000-0407  
Metro Air Compressor Overhaul  
ADPICS NO. T80000407

**CONTRACT DESCRIPTION:** The Maryland Transit Administration (MTA) is requesting approval of the overhaul of the existing WABTEC (previously known as WABCO) D-4-S Air Compressor on the fleet of 100 Metro Subway cars. There is one air compressor on each pair of cars and there are fifty (50) pairs in the fleet. The air compressor supplies compressed air for the air brake equipment and other specified air actuated devices of each married pair.

**AWARD:** Westinghouse Air Brake Company (WABTEC) Passenger Transit Division – Main Office  
Elmsford, NY

**TERM:** October 8, 2013 – October 7, 2015

**AMOUNT:** \$1,200,000

**PROCUREMENT METHOD:** Sole Source (Specialized Work)

**DBE PARTICIPATION:** 0%

**REMARKS:** The Metro railcar main air compressors have been identified as a frequently failing part due to age. These compressors supply compressed air to the friction braking system on the vehicles, as well as supply compressed air to the propulsion equipment and other auxiliary equipment such as the windshield wiper and air horn. Proper compressed and dried air is essential for the safe operation of the vehicle.

The units consist of several cast components and other machined pieces which are proprietary to WABTEC. Other manufacturers of this type of equipment do not have access to WABTEC replacement components, design specifications and technical drawings, and would not be in a position to manufacture replacement components to WABTEC specifications to perform an overhaul. The award of a sole source contract to WABTEC Passenger Transit Division will provide the necessary continuity of equipment and service needed for this high traffic railcar system.

According to COMAR 21.05.05.02 A (2), “When the compatibility of equipment, accessories, or replacement parts is the paramount consideration”, a sole source procurement is justified. By using the WABTEC overhauled draft gear assemblies, it will allow METRO equipment standards to remain intact. It is recommended that this contract award be made to WABTEC Passenger Transit Division, as a sole source contract as detailed above.

**ITEM: 7-M (Continued)****BPW – 10/02/13**

Due to the specialized requirements of the work, a Disadvantaged Business Enterprise (DBE) goal was not established.

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

**APPROPRIATION CODE:** J05 H0105

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2189-1011

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Norie Calvert 410-545-0433  
[ncalvert@sha.state.md.us](mailto:ncalvert@sha.state.md.us)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### MAINTENANCE CONTRACT

**ITEM:** 8-M

### STATE HIGHWAY ADMINISTRATION

**CONTRACT ID:** 4100051416  
 Mechanical Cleaning & Sweeping of Highways and  
 Park & Ride Lots at Various Locations in Anne  
 Arundel & Charles Counties  
 ADPICS NO.: 4100051416

**CONTRACT DESCRIPTION:** This Contract consists of mechanical cleaning & sweeping of highways and park & ride lots at various locations in Anne Arundel & Charles counties.

**AWARD:** H. D. Myles, Inc.  
 Church Hill, MD

**AMOUNT:** \$1,318,250 NTE

**TERM OF CONTRACT:** 10/14/2013 – 12/31/2016

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

H. D. Myles, Inc. Church Hill, MD	\$1,318,250
East Coast Sweeping, Inc. Annapolis Junction, MD\	\$1,408,210
The Kalika Construction Group USA, LLC Towson, MD	\$1,667,000
Reilly Sweeping, Inc. Annapolis Junction, MD	\$2,189,200

**MBE PARTICIPATION:** 0% (single element of work)

**PERFORMANCE SECURITY:** None

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Fifty Seven (57) contractors were notified for this project on eMaryland Marketplace; Thirteen (13) of which were MDOT Certified MBE's.

**ITEM: 8-M (Continued)****BPW – 10/02/13**

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

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term on the original contract to spend funds remaining on the contract as provided in Board Advisory 1995-1.

**FUND SOURCE:** 100% Special Funds Budgeted to SHA

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2278-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Norie Calvert 410-545-0433

BPW – 10/02/13

[ncalvert@sha.state.md.us](mailto:ncalvert@sha.state.md.us)

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT****ITEM: 9-M****STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 5261161416  
 Janitorial Services at the Youghiogheny Information  
 and Rest Center in Garrett County  
 ADPICS NO.: 5261161416

**CONTRACT DESCRIPTION:** This Contract is for janitorial services at the Youghiogheny Information  
 and Rest Center in Garrett County.

**AWARD:** Horizon Goodwill Services  
 Hagerstown, MD

**AMOUNT:** \$426,210 NTE

**TERM OF CONTRACT:** 10/31/2013 – 12/31/2016

**PROCUREMENT METHOD:** Preference Provider

**MBE PARTICIPATION:** 100%

**PERFORMANCE SECURITY:** None

**REMARKS:** Maryland Works Pricing and Selection Committee approved the price on June 20, 2013.

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

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term on the original contract to spend funds remaining on the contract as provided in Board Advisory 1995-1.

**FUND SOURCE:** 100% Special Funds Budgeted to SHA

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2438-1111

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

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

Norie Calvert 410-545-0433  
[ncalvert@sha.state.md.us](mailto:ncalvert@sha.state.md.us)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### MAINTENANCE CONTRACT

**ITEM:** 10-M

### STATE HIGHWAY ADMINISTRATION

**CONTRACT ID:** 5281371416  
 Maintenance and Repair of Highway Street  
 Lighting at Various Locations in Howard County  
 ADPICS NO.: 5281371416

**CONTRACT DESCRIPTION:** This Contract consists of the maintenance and repair of highway street lighting at various locations in Howard County. The contractor is to supply all material for this contract.

**AWARD:** Lighting Maintenance, Inc.  
 Linthicum, MD

**AMOUNT:** \$692,467 NTE

**TERM OF CONTRACT:** 10/14/2013 – 06/30/2016

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Lighting Maintenance, Inc. Linthicum, MD	\$692,467
Rommel Engineering & Construction, Inc. Linthicum, MD	\$879,615

**MBE PARTICIPATION:** 100%

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

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One-Hundred Seventy Two (172) contractors were notified for this project on eMaryland Marketplace; Fifty Two (52) of which were MDOT Certified MBE's.

The MBE Goal established for this contract was 5%, however 100% of the work will be performed by a Certified Minority Business Enterprise. The contractor is also a registered Small Business Enterprise.

**ITEM: 10-M (Continued)****BPW – 10/02/13**

This work involves the repair/maintenance of lighting that was designed in accordance with AASHTP standards for roadway lighting. The illumination standards are established by the Illumination Engineering Society. For street lighting, SHA uses full “luminaire cutoffs.” There is only a 3% spillover at 80% axis. These full cutoffs are usually less glaring to drivers, yet they distribute full intensity light to the ground. Highmast lighting is designed as straight “down lighting” and is used on major highways.

This contract includes pre-established amounts for a total of \$50,000 (7% of the total contract value) for Payments of Materials for Repairs.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term on the original contract to spend funds remaining on the contract as provided in Board Advisory 1995-1.

<b>FUND SOURCE:</b>	100% Special Funds Budgeted to SHA
<b>APPROPRIATION CODE:</b>	J02B0102
<b>RESIDENT BUSINESS:</b>	Yes
<b>MD TAX CLEARANCE:</b>	13-2120-1111

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

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



John Thornton (410) 385-4850  
[jthornton@marylandports.com](mailto:jthornton@marylandports.com)

BPW –10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### SERVICE CONTRACT

ITEM: 11-S

### MARYLAND PORT ADMINISTRATION

**CONTRACT ID:** 213030-S  
 IT Architect  
 ADPICS NO. P140015

**CONTRACT DESCRIPTION:** The contractor will provide MPA with one IT Architect to manage and maintain the Port Operations and Security System.

**AWARD:** NARVLE, LLC  
 Columbia, MD

**AMOUNT:** \$1,113,600 (5 years)  
\$1,158,144 (5-year renewal, including 4% CPI increase)  
 \$2,271,744 (aggregate value including five-year renewal option)

**TERM OF CONTRACT:** 1/01/14 - 12/31/18  
 (Five (5) years with one (1) five-year renewal option)

**PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 100%

**REMARKS:** MPA advertised this solicitation on eMaryland Marketplace and sent a copy to the Governor's Office of Minority Affairs, the Maryland Minority Contractors Association, and the Maryland/Washington Minority Contractors Association. EMaryland Marketplace directly notified 244 prospective bidders including Maryland companies, Minority Business Enterprises, and Small Business Enterprises. Six proposals were received. Five of the six offerors were deemed not reasonably susceptible of being selected for award due to lack of experience required by the RFP and necessary to perform the contract. The firms judged not reasonably susceptible of being selected for award were so notified, one firm requested a debriefing (which MPA provided), and no protests were filed. The Evaluation Committee determined that the remaining firm, NARVLE, LLC, has the necessary qualifications and experience and that its price proposal is fair and reasonable.

Although there was no MBE goal established for this contract due to the single element of work, the contractor is a certified Minority Business Enterprise (MBE), therefore the MBE participation is 100%. The firm is also a certified Small Business Enterprise.

**ITEM: 11-S (Continued)****BPW – 10/02/13**

The Port Operations and Security System is a mission-critical system, including software, hardware, and infrastructure, consisting of MPA's Remote Video Surveillance System, the gate pass management system, the MPA visitor system and the Access Control System. The IT Architect will provide services to maintain, manage and enhance the system for evolving needs.

**FUND SOURCE:** 100% Special Funds Budgeted to MPA

**APPROPRIATION CODE:** J03D0001

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2175-0000

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

BPW -- 10/02/13

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**REAL PROPERTY DISPOSITION**

**ITEM:** 12-RP MMC# 12-3022

**MARYLAND AVIATION ADMINISTRATION:** Assignment of Contract to Purchase 1347  
Hanover Road, Hanover Maryland 21076  
Anne Arundel County

**EXPLANATION:** On March 20, 2013, the Board of Public Works approved the sale of 1347 Hanover Road to David Scheffenacker, t/a Preston Sheffenacker Properties as Item 13-RP, DOT Agenda. Thereafter, with the consent of the Maryland Aviation Administration, Mr. Sheffenacker assigned the contract to Preston Bruce-PGN, LLC, of which Mr. Scheffenacker is a managing member.

**GRANTOR:** State of Maryland, Maryland Aviation  
Administration

**GRANTEE:** Preston Bruce-PGN, LLC

**CONSIDERATION:** \$180,000

**REMARKS:** Approval of this assignment is requested. Mr. David Scheffenacker, t/a Preston - Scheffenacker Properties has assigned all of his rights and interest under the Bid Offer, with the consent of the Maryland Aviation Administration, to Preston-Bruce-PGN, LLC. Additionally Mr. Sheffenacker had requested two contract extensions and paid two additional \$5,000 non-refundable deposit in order to have time to obtain the Unanimous Consent of Members for Preston Bruce -PGN, LLC, which is dated July 30, 2013.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Heidi Tarleton (410)-767-3763**  
[htarleton@mta.maryland.gov](mailto:htarleton@mta.maryland.gov)

**BPW—10/02/13**  
**REVISED**

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### GENERAL MISCELLANEOUS

**ITEM: 13-GM**

### MARYLAND TRANSIT ADMINISTRATION

**CONTRACT ID:** T-8000-0412  
 Commuter Bus Service between Waldorf, Maryland and  
 Washington D.C. Route No. 610  
 ADPICS No.: T80000412

**CONTRACT DESCRIPTION:** The purpose of this contract is to provide commuter bus services between Waldorf, Maryland and Washington, D. C. Route 610 provides for a total of twenty-six (26) daily trips. There are currently thirteen (13) morning commuter rush hour and thirteen (13) evening commuter rush hour express bus trips each weekday.

**AWARD:** Gold Line, Inc.  
 Tuxedo, Maryland

**TERM:** 11/01/2013 - 10/31/2018

**AMOUNT:** **\$11,051,520 NTE**

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

### BIDS:

Gold Line, Inc. \$10,937,520  
 Tuxedo, Maryland

Keller Transportation, Inc. \$12,136,410  
 Waldorf, Maryland

Dillon's Bus Services, Inc. \$13,502,775  
 Hanover, Maryland

**MBE PARTICIPATION:** 6.9%

**PERFORMANCE SECURITY:** A Performance Bond in the amount of 10% of the contract amount is in place

**ITEM: 13-GM (Continued)**

**BPW -- 10/02/13**

**REVISED**

**REMARKS:** The NTE contract value of \$11,015,520 includes the bid price of \$10,937,520 plus \$78,000 for fuel surcharges.

Commuter Bus Route 610 will make stops in Charles County, at the U.S. 301 Park & Ride and St. Charles Towne Mall. Route 610 will travel to Washington D.C. to make stops at HUD, L'Enfant Plaza Mall, Archives Mall, FBI, Justice and Metro Center Mall.

The procurement method used was a Multi Step Invitation for Bid as provided under the Code of Maryland Regulations (COMAR) 21.05.02.17. The contract was advertised on April, 23, 2013, on eMaryland Marketplace, the MTA's website and distributed to the Governor's Office of Minority Affairs. In response, three technical proposals were received in response to the Invitation for Bid. All firms were found responsive and responsible.

The MTA will lease two (2) buses to Gold Line, Inc. in the amount of one dollar \$1.00 per month per vehicle a total of \$120.00 for five years.

The MBE goal established for this contract was 6%; however, the Contractor is exceeding the goal by .9%

**FUND SOURCE:** 100% Special Funds Budgeted to MTA

**APPROPRIATION CODE:** J05H0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2207-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Heidi Tarleton (410)-767-3763**  
[htarleton@mta.maryland.gov](mailto:htarleton@mta.maryland.gov)

**BPW—10/02/13**  
**REVISED**

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### GENERAL MISCELLANEOUS

**ITEM: 14-GM**

### MARYLAND TRANSIT ADMINISTRATION

**CONTRACT ID:** T-8000-0413  
 Commuter Bus Service between Waldorf, Maryland and  
 Washington D.C. Route No. 620  
 ADPICS No.: T80000413

**CONTRACT DESCRIPTION:** The purpose of this contract is to provide commuter bus services between Waldorf, Maryland and Washington, D. C. Route 620 provides for a total of twenty-six (26) daily trips. There are currently twelve (12) morning commuter rush hour and fourteen (14) evening commuter rush hour express bus trips each weekday.

**AWARD:** Gold Line, Inc.  
 Tuxedo, Maryland

**TERM:** 11/01/2013 - 10/31/2018

**AMOUNT:** **\$10,766,095 NTE**

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

#### **BIDS:**

Gold Line, Inc. \$10,686,550  
 Tuxedo, Maryland

Keller Transportation, Inc. \$12,228,825  
 Waldorf, Maryland

Dillon's Bus Services, Inc. \$13,147,225  
 Hanover, Maryland

**MBE PARTICIPATION:** 8.4%

**PERFORMANCE SECURITY:** A Performance Bond in the amount of 10% of the contract amount is in place.

**ITEM: 14-GM (Continued)****BPW- 10/02/13****REVISED**

**REMARKS:** The NTE contract value of \$10,766,095 includes the bid price of \$10,686,550 plus \$79,545 for fuel surcharges.

Commuter Bus Route 620 will make stops in Charles County, at the U.S. 301 Park & Ride, St. Charles Towne Mall and St. Charles Towne Plaza. Route 620 will travel to Washington D.C. to make stops at State Department, HUD, L'Enfant Plaza Mall, Foggy Bottom – GWUM, FBI, Justice and Metro Center Mall.

The procurement method used was a Multi Step Invitation for Bid as provided under the Code of Maryland Regulations (COMAR) 21.05.02.17. The contract was advertised on April, 23, 2013, on eMaryland Marketplace, the MTA's website and distributed to the Governor's Office of Minority Affairs. In response, three technical proposals were received in response to the Invitation for Bid. All firms were found responsive and responsible.

The MTA will lease three (3) buses to Gold Line, Inc. in the amount of one dollar \$1.00 per month per vehicle a total of \$180.00 for five years.

The MBE goal established for this contract was 6.3%; however, the Contractor is exceeding the goal by 2.1%

**FUND SOURCE:** 100% Special Funds Budgeted to MTA

**APPROPRIATION CODE:** J05H0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2207-0111

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

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

**Heidi Tarleton (410)-767-3763**  
[htarleton@mta.maryland.gov](mailto:htarleton@mta.maryland.gov)

**BPW—10/02/13**  
**REVISED**

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM: 15-GM**

**MARYLAND TRANSIT ADMINISTRATION**

**CONTRACT ID:** T-8000-0416  
 Commuter Bus Service between Waldorf, Maryland and  
 Washington D.C. Route No.650  
 ADPICS No.: T80000416

**CONTRACT DESCRIPTION:** The purpose of this contract is to provide commuter bus services between Waldorf, Maryland and Washington, D. C. Route 650 provides for a total of twenty-one (21) daily trips. There are currently ten (10) morning commuter rush hour and eleven (11) evening commuter rush hour express bus trips each weekday.

**AWARD:** Gold Line, Inc.  
 Tuxedo, Maryland

**TERM:** Five (5) year period  
 11/01/2013 through 10/31/2018

**AMOUNT:** **\$9,595,781 NTE**

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

**BIDS:**

Gold Line, Inc. \$9,521,899  
 Tuxedo Maryland

Keller Transportation, Inc. \$10,051,864  
 Waldorf, Maryland

Dillon's Bus Services, Inc. \$12,317,603  
 Hanover, Maryland

**MBE PARTICIPATION:** 6.6%

**PERFORMANCE SECURITY:** A Performance Bond in the amount of 10% of the contract amount is in place



**ITEM: 15-GM (Continued)****BPW -- 10/02/13****REVISED**

**REMARKS:** The NTE contract value of \$9,595,781 includes the bid price of \$9,521,899 plus \$73,882 for fuel surcharges.

Commuter Bus Route 650 will make stops in Charles County including; LaPlata Park & Ride, South Potomac Church, White Plains, and Accokeek Park & Ride in Prince George's County. Route 650 will travel to Washington D.C. to make stops at HUD, L'Enfant Plaza Mall, Archives Mall, FBI, Justice, Metro Center Mall, Foggy Bottom – GWUM, and the State Department,

The procurement method used was a Multi Step Invitation for Bid as provided under the Code of Maryland Regulations (COMAR) 21.05.02.17. The contract was advertised on April, 23, 2013, on eMaryland Marketplace, the MTA's website and distributed to the Governor's Office of Minority Affairs. In response, three technical proposals were received in response to the Invitation for Bid. All firms were found responsive and responsible.

The MBE goal established for this contract was 5.7%; however, the Contractor is exceeding the goal by .9%

**FUND SOURCE:** 100% Special Funds Budgeted to MTA

**APPROPRIATION CODE:** J05H0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 13-2207-0111

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

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

John Thornton (410) 385-4850  
[jthornton@marylandports.com](mailto:jthornton@marylandports.com)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

**CONTRACT MODIFICATION:** (Energy Performance)

**ITEM:** 16-EP-MOD

### MARYLAND PORT ADMINISTRATION

**CONTRACT ID:** 290042-EP-2  
Phase II Energy Performance Contract

**ORIGINAL CONTRACT APPROVED:** Item 16-EP, DOT Agenda 07/06/11

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals  
DGS Indefinite Delivery Contract  
No. DGS-06-EPC-IDC-5.0

**CONTRACTOR:** Pepco Energy Services, Inc.  
Arlington, VA  
(Local Office: Lanham, MD)

**MODIFICATION:** Modification No. 2 is an adjustment of contract requirements to accommodate changes needed to the design of the Harbor Heat Sink at the World Trade Center.

**AMOUNT:** \$0

**ORIGINAL CONTRACT AMOUNT:** \$27,551,209 (see Remarks)

**REVISED CONTRACT AMOUNT:** \$27,551,209 (see Remarks)

**PERCENTAGE INCREASE:** 0% (Modification No.2)

**TERM:** 07/06/2011 – 07/05/2026

**MBE PARTICIPATION:** 34% (MBE Compliance 34%)

**REMARKS:** The contract is a Phase II energy performance contract requiring the contractor to implement energy savings measures at certain MPA facilities. The contract includes installation of a mechanical system at the World Trade Center referred to as the Harbor Heat Sink consisting, in general, of heat exchangers, pumps, and other equipment to circulate water from the Inner Harbor to cool condenser water from the chillers. The Harbor Heat Sink is innovative technology that will replace outdated and less efficient cooling towers. When the original contract was approved, the design of the Harbor Heat Sink was not complete. However, it was imperative the contract proceed in order to meet a deadline on the use of Federal funding in the solar portion of the contract (installed at the South Locust Point Cruise Terminal). Subsequent completion and refinement of the design of the Harbor Heat Sink after award of the contract showed that certain changes to the Harbor Heat Sink are desirable. Those changes will increase the contractor's cost to construct the Harbor Heat Sink beyond those the contractor included in its contract price. However, those additional current capital construction costs are partially offset by savings in future operating costs payable to the contractor for operations and maintenance costs and measurement and verification costs associated with fulfillment of the contractor's guarantee of future energy

**ITEM: 16-EP-MOD (Continued)****BPW – 10/02/13**

savings (with no decrease in the services to be provided by the contractor). To further offset the additional costs of constructing the redesigned Harbor Heat Sink, MPA and the contractor agreed to eliminate insulation in Buildings 91A and 91B at Dundalk Marine Terminal because it would provide only marginal future energy savings. These offsets result in MPA and the contractor being able to implement the redesigned Harbor Heat Sink at no net change to the overall contract price, no net change to the beneficial environmental impact of the project, and no significant reduction in the future energy savings guaranteed by the contractor. This Modification will also extend the date for completion of the construction phase of the contract from January 6, 2013 (18 months from July 6, 2011) to March 28, 2014.

Changes in price components:	<u>Original</u>	<u>Mod. No. 2</u>
Phase I Feasibility Study	\$ 164,500	\$ 164,500
Design/Construction	\$17,035,639	\$17,232,950
Pepco Measurement and Verification Services	\$ 1,743,709	\$ 1,736,108
Energy Savings Guarantee Bond	\$ 176,286	\$ 176,286
Operation, Maintenance and Warranties	\$ <u>8,431,075</u>	\$ <u>8,241,365</u>
Total Project	\$27,551,209	\$27,551,209

<b>FUND SOURCE:</b>	\$10,796,018	State Treasurer's Office (STO) Energy Performance Contract Lease-Purchase Agreement
	\$750,000	Maryland Energy Administration (MEA) Sunburst Block Grant from the U.S. Dept. of Energy for the construction of solar electric panels on the roof tops of the Cruise Terminal and Shed 10 at South Locust Point Marine Terminal
	\$172,880	Baltimore Gas and Electric Rebates
	\$1,562,075	State Agency Loan Program
	\$3,620,849	MPA capital contribution
	\$338,317	SREC Revenue during Construction
	\$10,311,070	MPA Operating Budget (offset by annual energy savings resulting in net positive cash flow to the MPA)

This item was previously submitted and withdrawn as Item 11-EP-MOD on the 09/18/13 DOT Agenda.

**APPROPRIATION CODE:** N/A

**RESIDENT BUSINESS:** Yes

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

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

## ATTACHMENT I

	<b>Amount</b>	<b>Term</b>	<b>BPW/DCAR Date</b>	<b>Reason</b>
<b>Original Contract</b>	\$27,551,209	07/06/2011- 07/05/2026	07/06/2011 Item 16-EP	
<b>Modification No. 1</b>	\$ 0	07/06/2011- 07/05/2026		Corrected a typographical error in the contract
<b>Modification No. 2</b>	\$0	07/06/2011- 07/05/2026	10/02/13 Item 16-EP- MOD	Revisions for changes to Harbor Heat Sink
<b>Revised Amount</b>	\$27,551,209			

Norie A. Calvert 410-545-0433  
[ncalvert@sha.state.md.us](mailto:ncalvert@sha.state.md.us)

BPW – 10/02/13

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

**CONTRACT MODIFICATION:** (Architectural/Engineering)

**ITEM:** 17-AE-MOD

### STATE HIGHWAY ADMINISTRATION

**CONTRACT NO. & TITLE:** See Attachment I  
 ADPICS NOS.: See Attachment

**ORIGINAL CONTRACT APPROVED:** See Attachment I

**ORIGINAL PROCURMENT METHOD:** Maryland Architectural and Engineering Services Act

**MODIFICATION:** This modification request is for a total of fifteen (15) contracts. Two (2) of these modifications are for additional time only, ten (10) are for additional authority only and three (3) are for additional time and authority. The contracts in this modification that expire 11/01/2013 through 01/01/2014, require six (6) and eighteen (18) month time extensions in order to complete the new procurements. Other contract details are on the attached listing.

**CONTRACTOR:** See Attachment I

**TERM:** See Attachment I

**AMOUNT:** \$13,700,000

**ORIGINAL CONTRACT AMOUNT:** \$39,000,000

**REVISED CONTRACT AMOUNT:** \$55,115,000

**PERCENTAGE INCREASE:** See Attachment I

**DBE PARTICIPATION:** See Attachment I

**REMARKS:** State Highway Administration (SHA) is responsible for all Maryland numbered highways, with the exception of those within Baltimore city. This includes designing and building roadways, managing traffic safety programs, responding to emergencies including severe weather events, crashes and other incidents, and managing the federal-aid highway program. To facilitate this effort, contracts are procured with firms in the community who can provide expertise unavailable SHA.

**ITEM: 17-AE-MOD (Continued)****BPW – 10/02/13**

The requested time extensions and additional funds will allow SHA to continue to provide these critical services, which will be significantly increased due to the revenue generated by the Transportation Infrastructure Investment Act of 2013.

This modification request is for a total of fifteen (15) contracts. Two (2) of these modifications are for additional time only, ten (10) are for additional authority only and three (3) are for additional time and authority. Of the fifteen (15), there are five (5) contract modifications requesting time extensions which are needed in order to complete the new procurements. These contracts, originally awarded with terms of four (4) to five (5) years, have expiration dates ranging from 11/01/2013 through 01/01/2014.

Thirteen (13) of the fifteen (15) contracts are requesting additional funds, which are needed to fund these contracts until the replacement contracts can be completed. Of the fifteen (15) contracts, there are ten (10) contracts requesting additional funds only because services have significantly increased as follows: services on two (2) contracts have significantly increased due to the Intercounty Connector (ICC) monitoring efforts and the Watershed Improvement Plan (WIP)/Total Maximum Daily Load (TMDL) program; and services on eight (8) contracts has significantly increased due to SHA's Bridge Inspection Program and the Federal Highway Administration (FHWA) mandate to perform structural load ratings for all assigned bridges in the State of Maryland. The additional funds will allow these relatively new contracts to continue through their terms and replacement contracts will be procured prior to the expirations dates.

There are 15 different consultants performing the work on these 15 contracts. The consultants are providing functions that include, but are not limited to: Survey and Engineering (2); Planning, Development, Engineering, Design, System Integration and Support Services (3); Supplemental Engineering (1); Erosion/Sediment Control and Water Quality Inspection Services (1); and Bridge Inspection (8).

SHA is currently working with the Consultants to raise the contracts that have a low MBE Compliance rate.

**FUND SOURCE:** Federal and Special Budgeted to SHA

**APPROP CODE:** J02B0101

**RESIDENT BUSINESSES:** Yes

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

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

ADPICS # / Change Order #	Contractor	Current Expiration Date	Requested Time Extension	Original Amount	Requested Funding Increase	Revised Contract Amount	Mod % / Overall %	MBE Goal / MBE Compliance	BPW / DOT Agenda	Replacement Contract / Current Stage / Anticipated Award	Description
SBCS0704G CO302846	Greenman- Pedersen, Inc.	11/01/2013	05/01/2014 6 months	\$1,000,000	\$0.00	\$1,250,000	0% 25%	23% 17.62%	03/12/2008 6AE	BCS 2009-12 I-K  Technical Stage  Spring 2014	Survey and Engineering services in District 6.  Services are needed to deliver on several statewide SHA system preservation projects/progra ms such as Crash Prevention, Spot Safety Improvement, Safety and Resurfacing and Congestion Management.  Additional time is needed in order for SHA to continue delivering these critical and safety related services until the replacement contracts can be awarded.
SBCS0704H CO302847	Brudis & Associates, Inc.	11/01/2013	05/01/2014 6 months	\$1,000,000	\$0.00	\$1,250,000	0% 25%	23% 22.19%	03/12/2008 6AE		

ADPICS # / Change Order #	Contractor	Current Expiration Date	Requested Time Extension	Original Amount	Requested Funding Increase	Revised Contract Amount	Mod % / Overall %	MBE Goal / MBE Compliance	BPW / DOT Agenda	Replacement Contract / Current Stage / Anticipated Award	Description
SBCS0706A CO302848	Jacobs Engineering Group, Inc.	01/01/2014	07/01/2015  18 months	\$2,000,000	\$600,000	\$3,415,000	30%  70.75%	23%  13.44%	07/16/2008  3AE	BCS 2012-04  Advertisement Stage  Spring 2015	Planning, Development, Engineering, Design, System Integration and Support Services, Statewide.
SBCS0706B CO302849	Telvent USA, LLC.	12/01/2013	06/01/2015  18 months	\$2,000,000	\$600,000	\$2,900,000	30%  45%	23%  5.58%	06/25/2008  8AE		Additional time and funds are necessary to continue providing AVL Development for Emergency Responses, CCTV cameras, uninterruptable power supply back-up power, portable trailer mounted
SBCS0706C CO302850	DCI / ICS / DMJM Harris (Tri-V)	11/01/2013	05/01/2015  18 months	\$2,000,000	\$600,000	\$2,900,000	30%  45%	23%  0.00%	06/25/2008  8AE		CCTV, dynamic message signs, and updating and retrofitting roadway weather information systems and highway advisory radios until the replacement contracts can be procured.



ADPICS # / Change Order #	Contractor	Current Expiration Date	Requested Time Extension	Original Amount	Requested Funding Increase	Revised Contract Amount	Mod % / Overall %	MBE Goal / MBE Compliance	BPW / DOT Agenda	Replacement Contract / Current Stage / Anticipated Award	Description
SBCS0712A CO302851	Wallace Montgomery & Assoc. / Greenman- Pedersen (JV)	07/01/2014		\$2,000,000	\$300,000	\$2,800,000	15% 40%	24% 22.90%	01/30/2008 7AE	BCS 2012-01 Technical Stage Spring 2014	Supplemental Engineering Support Services in District 1.  Additional funds are necessary to continue providing these critical services until the replacement contracts can be procured.
SBCS1011 CO302852	RKK/URS Corp. (JV)	01/01/2016		\$5,000,000	\$2,000,000	\$7,000,000	40% 40%	25% 2.88%	01/26/2011 6AE	No replacement procurement is in the A&E pipeline at this time as these are relatively new contracts.	Erosion/Sedim ent Control and Water Quality Inspection Services, Statewide.  Additional funds are necessary due to the increased need for these services, especially for ICC monitoring efforts and the WIP/TMDL

ADPICS # / Change Order #	Contractor	Current Expiration Date	Requested Time Extension	Original Amount	Requested Funding Increase	Revised Contract Amount	Mod % / Overall %	MBE Goal / MBE Compliance	BPW / DOT Agenda	Replacement Contract / Current Stage / Anticipated Award	Description
SBCS1016A CO302854	Wallace Montgomery & Associates, LLP	08/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 19.09%	08/10/2011 24AE	No replacement procurement is in the A&E pipeline at this time as these are relatively new contracts.	Bridge Inspection, Statewide.  Additional funds are necessary continue to perform these critical and safety services. Usage of these services has been significantly higher due to the increased demands of SHA's Bridge Inspection Program and the FHWA mandate to perform structural load ratings for all assigned bridges in the State of Maryland.
SBCS1016B CO302855	Johnson, Mirmiran & Thompson / RKK (JV)	09/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 14.07%	09/21/2011 5AE		
SBCS1016C CO302856	The Wilson T. Ballard Company	09/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 16.93%	09/21/2011 5AE		
SBCS1016D CO302858	Whitman, Requardt & Associates, LLP	07/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 16.62%	07/27/2011 6AE		
SBCS1016E CO302860	URS Corporation	10/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 25.51%	10/19/2011 4AE		
SBCS1016F CO302861	Northeast Engineering / Gannett Fleming (JV)	07/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 13.40%	07/27/2011 6AE		
SBCS1016G CO302862	EBA Engineering Inc. / Greenhorne & O'Mara (JV)	09/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 25.23%	09/21/2011 5AE		
SBCS1016H CO302863	GPI/WBCM (JV)	08/01/2016		\$3,000,000	\$1,200,000	\$4,200,000	40% 40%	23% 33.20%	08/10/2011 24AE		

**Attachment I Summary:**

Total Contract Modification Requests	15
Total Time Extension Only Contract Modification Requests	2
Total Additional Funds Only Contract Modification Requests	10
Total Time Extension and Additional Funds Contract Modification Requests	3
Original Contract Fund Totals	\$39,000,000
Total Additional Fund Request for all Contract Modification Requests	\$13,700,000
Revised Contract Amount Totals	\$55,115,000

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM**            1-C-MOD

**DEPARTMENT OF HEALTH AND  
MENTAL HYGIENE**

Deer's Head Hospital Center  
Salisbury, MD  
(Wicomico County)

**CONTRACT NO. AND TITLE**

Project No: H-053-100-001;  
Kidney Dialysis Unit Addition and  
Renovate Unit 1 North  
ADPICS NO. COF31540

**ORIGINAL CONTRACT APPROVED**

8/22/2012 BPW/DGS Agenda Item 1-C

**CONTRACTOR**

Whiting-Turner Contracting Company  
Cambridge, MD

**CONTRACT DESCRIPTION**

Approval is requested for a contract that provides for the construction of a new 7,870 gsf, attached, one-story Kidney Dialysis Unit addition with 27 dialysis stations. In addition, the contract calls for the renovation of the 6,710 gsf Unit 1 North, comprising of the existing dialysis area to be renovated for administrative and support use.

**MODIFICATION DESCRIPTION**

Change Order covers the cost to provide and install a new reverse osmosis (RO) system as supplied by Performance Water Systems. The change order will also include a compensable time extension of 35 calendar days.

**TERM OF ORIGINAL CONTRACT**

550 Calendar Days

**TERM OF MODIFICATION**

35 Calendar Days

**AMOUNT OF ORIGINAL CONTRACT**

\$5,259,921.00

**AMOUNT OF MODIFICATION**

\$176,631.00

**PRIOR MODIFICATIONS/OPTIONS**

\$78,874.00

**REVISED TOTAL CONTRACT AMOUNT**

\$5,515,426.00

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM**            1-C-MOD (Cont.)

**PERCENT +/- (THIS MODIFICATION)**            0.033%

**OVERALL PERCENT +/-**            0.048%

**ORIGINAL PROCUREMENT METHOD**            Competitive Sealed Bids

**ORIGINAL MBE PARTICIPATION**            29.42%

**MBE COMPLIANCE**            19.6%

**REMARKS**            Contract time will be extended by thirty-five (35) compensable calendar days. The previous completion date of August 6, 2013 will be revised to December 4, 2013.

The new RO system is needed to perform the required dialysis treatments. The Using Agency requested the upgrade in order to ensure that the adjoining components per the contract would both match and function as planned.

**FUND SOURCE**            \$139,002.00 MCCBL 2012/Item 014  
(Equipment-Provide funds to equip the kidney dialysis unit at the Deer's Head Center)  
\$37,629.00 MCCBL 2011/Item 011  
(Construction-Provide funds to complete design and construct a new kidney dialysis unit and renovate the existing kidney dialysis unit for administrative purposes at Deer's Head Hospital Center.)

**RESIDENT BUSINESS**            Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM**            2-C-MOD

**MILITARY DEPARTMENT**

Dundalk Readiness Center  
 Baltimore, MD  
 (Baltimore County)

**CONTRACT NO. AND TITLE**

Project No: M-591-120-004;  
 Design and Construction of Alterations and  
 Addition to the Readiness Center  
 ADPICS NO.: COF31542

**ORIGINAL CONTRACT APPROVED**

9/19/2012 DGS/BPW Agenda Item 3-C;

**CONTRACTOR**

Whiting-Turner Contracting Company  
 Towson, MD

**CONTRACT DESCRIPTION**

Contract approval requested for a Design/Build project to renovate and add to the above existing facility. The total area of the new building will be 65,930 gross square feet (GSF).

**MODIFICATION DESCRIPTION**

Change Order covers the cost to remove existing utility poles and related cables and to install a new underground utility system and land the new cables onto relocated utility poles along the north and south boundaries. The underground system is a requirement per the Public Service Commission (PSC). The contract does not include the relocation of BGE and Verizon lines. The contract time is unchanged.

**TERM OF ORIGINAL CONTRACT**

730 Calendar Days

**TERM OF MODIFICATION**

0 Calendar Days

**AMOUNT OF ORIGINAL CONTRACT**

\$14,292,084.00

**AMOUNT OF MODIFICATION**

\$136,062.00

**PRIOR MODIFICATIONS/OPTIONS**

\$54,340.00

**REVISED TOTAL CONTRACT AMOUNT**

\$14,482,486.00

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**CONSTRUCTION CONTRACT MODIFICATION**

**ITEM**            2-C-MOD (Cont.)

**PERCENT +/- (THIS MODIFICATION)**            0.009%

**OVERALL PERCENT +/-**            0.013%

**ORIGINAL PROCUREMENT METHOD**            Multi-Step Competitive Sealed Bids

**ORIGINAL MBE PARTICIPATION**            39.4% (28% African American, 8% Asian American owned)

**MBE COMPLIANCE**            pending

**REMARKS**            The contract documents did not address the relocation of the site utilities, mainly, the BGE and Verizon poles and cables. In order to properly develop the newly acquired property, the existing BGE and Verizon utility poles along with the cables need to be relocated along the north to south boundary. In addition to the relocating the poles, the pre-existing easement agreement was broad in scope thereby allowing BGE and Verizon unlimited access to the site; this too needed to be corrected and reassigned so that the utility easement is limited to the north to south boundary within the limits of 10 feet from the property line. Due to requirements by the PSC, the new utilities are to be located underground and are to terminate at utility poles at each end of the property.

**FUND SOURCE**            \$102,046.50 75% Federal CA 2013/002  
\$ 34,015.50 25% MCCBL 2012/Item 011  
(Provide funds for land acquisition design and construction of alterations and an addition to the Dundalk Readiness Center-Baltimore County.)

**RESIDENT BUSINESS**            Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM**            3-M

**MARYLAND STATE POLICE**

Forensic Science Division (FSD)

**CONTRACT NO. AND TITLE**

Medical Hazardous Waste Disposal Services  
 Forensic Division Labs  
 ADPICS NO. 001B4400083

**CONTRACT DISCRIPTION**

Approval is requested for a contract for a period of five (5) years to provide Medical Hazardous Waste Disposal at the Maryland State Police- Forensic Division Labs located at the following locations.

Pikesville, MD

Berlin, MD

Hagerstown, MD

Middle River, MD (Aviation Division – Headquarters)

**PROCUREMENT METHOD**

Competitive Sealed Bids  
 (Small Business Reserve)

**BIDS OR PROPOSALS**

Only one bid received

**AWARD**

Kalyani Environmental Solutions  
 Baltimore, MD.  
 (MDOT Certified MBE #13-001,  
 SBR #12-3869)

**TERM**

10/7/2013-10/6/2018 (5 Years)

**AMOUNT**

\$170,750.00 Est.

**MBE PARTICIPATION**

100% Prime Contractor

**REMARKS**

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, Bid Board and *eMaryland Marketplace.com*. as a Small Business Reserve (SBR) Procurement on June 4, 2013. Five (5) firms were directly solicited and thirty-four (34) firms were solicited thru *eMarylandMarketplace*. One (1) priced bid was received.



**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM**            3-M (Cont)

The recommended contractor, Kalyani Environmental Solutions, has been found to be a responsive and responsible vendor. Kalyani Environmental Solutions is SBE certified (SB12-3869) with DGS in addition to an MDOT certified MBE (#13-001).

The Forensic Science Division is the leading Forensic Laboratory in the state of Maryland. This results in a large amount of medical and other laboratory waste which needs to be disposed of in a proper manner.

The Contractor shall provide the FSD with adequate services for handling, treating, transporting and disposing of Special Medical Waste in accordance with all Maryland laws and regulations in addition to all codes and regulations set forth by the Department of Health and Mental Hygiene which are intended to ensure safety in handling infectious agents and that arise from the Health-General Article, Title 17, of the Annotated Code of Maryland.

A survey was conducted by the Procurement Officer to other bidders that demonstrated an interest under the last solicitation procured by the Using Agency. The Procurement Officer contacted other firms as to why bids were not submitted. These explanations included: 1) Did not have the proper licenses to handle and dispose of hazardous waste. and 2) Although notified, the company is currently in vacation mode and missed it.

The original price of \$1,450.00 quoted on *eMarylandMarketplace* only accounted for a single pickup of the various containers from different locations. The award amount of \$170,750.00 accounts for the estimated frequency of pickups over the five-year term of this contract.

**FUND SOURCE**

W00 41711 0899  
(State Police Operating Funds)

**RESIDENT BUSINESS**

Yes

**TAX COMPLIANCE NO.**

13-1957-0110

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM**            4-GM (Cont.)

B. Military Department

Laurel Armory

**DESCRIPTION**

A/E shall provide site survey, construction drawings and specifications for the complete replacement of the roof system. A/E shall provide construction administration and project documents for review. A/E shall provide site visits, attend all meetings and be responsible for meeting minutes. A/E shall review and approve all submittals and respond to RFIs. A/E shall produce as-built drawings for this project.

**REMARKS**

Indefinite Quantity Contract (IQC) DGS-11-006-IQC was developed for DGS to provide roofing design and engineering services for multiple construction projects with fees \$100,000 or less.

**CONTRACT NO. & TITLE**

Project No. M-872-130-001;  
Replace Roof

**PROCUREMENT METHOD**

Maryland Architectural and Engineering Services Act

**AWARD**

A S Architects, Inc.  
Linthicum, MD

**AMOUNT**

\$79,762.00

**MBE PARTICIPATION**

7.41%

**FUND SOURCE**

MCCBL 2012 Item 007 (Provide funds for the State Capital Facilities Renewal Program-Statewide.)

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**REAL PROPERTY**

**ITEM**            5-RP

**DEPARTMENT OF HEALTH AND**  
**MENTAL HYGIENE**

Crownsville Hospital Center  
 Cottages 37, 39 and 45  
 Crownsville, MD (Anne Arundel County)  
 File No. 00-8531

**REFERENCE**

Approval is requested for the demolition of 3 cottages at the Crownsville State Hospital Center in Anne Arundel County. This includes cottages 37, 39 and 45. There is no future use for these cottages due to their condition. Cottages 37 and 45 are both in poor condition, and cottage 39 collapsed during a snow storm in December 2009.

**PROPERTY**

Crownsville State Hospital Center  
 1520 Crownsville Rd.  
 Crownsville, MD 21032

**REMARKS**

1. The Clearinghouse conducted an intergovernmental review of the project under MD20130805-0592. The Clearinghouse recommended to change the use and demolish Cottages 37, 39 and 45 at the former Crownsville Hospital Center. It is also recommended that the Applicant and any future property owners should comply with the Guiding Principles. In 2007, the Guiding Principles were created by an interagency work group to serve as guidance for the possible redevelopment of the former Crownsville Hospital Center.

2. The Department of General Services recommends approval of this item.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**DEPARTMENT OF GENERAL SERVICES**  
**ACTION AGENDA**

**LANDLORD LEASE**

**ITEM**      6-LL (Cont.)

2.      The Sub-Lessee shall be responsible for and obtain all permits, licenses, inspections and approval required for its use and occupancy of the Demised Premises and shall deliver to the Sub-Lessor copies of all necessary permits, licenses, inspections and approvals prior to taking any action requiring such permits, licenses, inspections and approvals.
3.      The Sub-Lessee shall maintain the Demised Premises, including all improvements, in a neat, orderly, safe and habitable condition.
4.      This sublease is contingent upon the continuation by the State of Maryland of the Master Lease. The Master Lease is an exhibit to the sublease.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

