

BOARD OF PUBLIC WORKS

JANUARY 8, 2014

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Updated 1/8/2014 1:32 PM

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
January 8, 2014**

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

Recommendation: That the Board of Public Works approves funding a total of 20 individual grants under the Maryland Agricultural Cost-Share Program. Total submission amount: \$311,212

Agreement #	Recipient	County	Amount
AT-2014-2494	HARBORVIEW FARMS	Kent	1,312
AT-2014-2529	BRENT R. D'ATRI	Allegany	4,600
AT-2014-2554	EDDN, LLC.	Washington	16,800
AT-2014-2555	EDDN, LLC.	Washington	8,500
AT-2014-2556	EDDN, LLC.	Washington	1,400
AT-2014-2557	EDDN, LLC.	Washington	700
AT-2014-2575	MT. ARARAT FARM, INC.	Cecil	21,000
CR-2014-2550	LOHMEYER GREENHOUSE, LLC.	Caroline	23,900
CR-2014-2551-B	LOHMEYER GREENHOUSE, LLC.	Caroline	21,744
PR-2014-2543-B	NEWTON BUI	Somerset	41,700
RS-2014-2569	ARMACOST FARMS, INC.	Baltimore	6,600
RS-2014-2570	ARMACOST FARMS, INC.	Baltimore	1,200
RS-2014-2571	ARMACOST FARMS, INC.	Baltimore	10,300
RS-2014-2572	ARMACOST FARMS, INC.	Baltimore	11,400
RS-2014-2573	ARMACOST FARMS, INC.	Baltimore	5,800
RS-2014-2574	EDWARD ENSOR	Baltimore	25,100
UP-2014-2525	DAVID C. EKLUND SR	Washington	21,100
UP-2014-2547	PALMYRA FARMS, LLC	Washington	56,056
UP-2014-2548	PALMYRA FARMS, LLC	Washington	29,000
UP-2014-2558	RICHARD J. HARTLE, JR	Washington	3,000

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

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1. DEPARTMENT OF AGRICULTURE (cont'd)

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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THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
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January 8, 2014**

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

Submission of the Procurement Agency Activity Reports by:

Department of Public Safety and Correctional Services	Nov 2013
Department of Transportation	Nov 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
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ACTION AGENDA
January 8, 2014**

*Contact: Greg Bedward 410-260-7335
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**3. BOARD OF PUBLIC WORKS
*List of Companies Engaged in Investment Activities in Iran***

Recommendation: That the Board of Public Works add China Communications Construction Company Ltd. (China) and Shanghai Zhenhua Heavy Industry Company Ltd. (China) to the list of companies engaged in investment activities in Iran. Inclusion on the *Investment Activities in Iran List* would make China Communications Construction Company Ltd. and Shanghai Zhenhua Heavy Industry Company Ltd. 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. Inclusion on the IAI List also bars financial institutions extending credit to these companies persons in certain situations from contracting with public bodies in the State. The IAI List is published on the Board of Public Works Web site.

Authority: Investment Activities in Iran Act, Chapter 447 (Laws of 2012), codified at §17-701, State Finance and Procurement Article, Annotated Code of Maryland.

Background: This law requires the Board to use credible public information to create a list of persons who are engaged in investment activities in Iran. 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 \$20.0 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 publishing the list, the Board must provide 90 days' written notice that the Board intends to include the person on the list; and that inclusion on the list makes the person ineligible to bid on, submit a proposal for, or renew a contract with a public body for goods or services.

Reference is made to Secretary's Agenda Item 3 (October 2, 2013), in which the Board approved the issuance of 90-day notices to China Communications Construction Company Ltd. and Shanghai Zhenhua Heavy Industry Company Ltd. Each company was given 90 days to provide written documentation demonstrating that they do not engage in investment activities in Iran.

Final List: China Communications Construction Company Ltd. and Shanghai Zhenhua Heavy Industry Company Ltd. were proposed for the IAI List in October and each was issued a 90-notice on October 2, 2013. Accordingly, it is recommended that the Board add China Communications Construction Company Ltd. and Shanghai Zhenhua Heavy Industry Company Ltd. to the IAI List of persons* ineligible to contract with public bodies.

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3. BOARD OF PUBLIC WORKS (cont'd)

*"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

THE ABOVE REFERENCED ITEM WAS:

APPROVED

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**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
January 8, 2014**

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

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Department of the Environment has prepared a Report and Recommendation in favor of each license.

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

BALTIMORE CITY

- 13-0623 *MAYOR AND CITY COUNCIL OF BALTIMORE/BALTIMORE CITY FIRE DEPARTMENT* – To construct a new public 13-slip marina and relocation of Baltimore City’s fire response boats
Inner Harbor, Patapsco River
- 13-0796 *MD PORT ADMINISTRATION* – To perform geotechnical borings to evaluate bottom sediments
Fairfield Marine Terminal, Patapsco River

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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**BOARD OF PUBLIC WORKS
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ACTION AGENDA
January 8, 2014**

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**5. BOARD OF PUBLIC WORKS
Wetlands License 12-0224**

Recommendation: That the Board of Public Works articulate the basis for its decision to grant State Tidal Wetlands License No. 12-0224.

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

Background: Reference is made to Secretary's Agenda Item 5 (March 20, 2013) in which the Board of Public Works granted State tidal wetlands license No. 12-0224 to Timothy E. Beckwith. After the license was issued, Mr. Beckwith's neighbors – who had opposed the license at the March 20 Board meeting – appealed the Board's decision to the Circuit Court of St. Mary's County. On November 21, 2013, the Circuit Court remanded the matter to the Board "to address the relevant factors and provide a basis for its decision." *In re Slaby*, Case No. 18-C-13-587, Slip Op. at 8.

Conclusion: By approving this Item, the Board of Public Works expressly confirms that its decision to grant the license is because the applicant's proposed activities are an exercise of his riparian rights to wharf out for navigation and to protect his property from shoreline erosion and is in the best interest of the State. The ecological, economic, developmental, recreational, and aesthetic values presented by the application compel the issuance of the license.

Findings: The Maryland Department of the Environment recommended issuing the license because "the project as designed has avoided and minimized impacts to tidal wetlands to the fullest and most practical extent possible". MDE Report & Recommendation (R&R), page 3. Based on evaluating the record in full – including the opponents' submissions and presentation as well as MDE's R&R and supporting materials – approval of this Item confirms that the Board finds that the applicant's proposal to control shore erosion and improve navigable access on his property is appropriate. In particular, the Board relies on the following factors in MDE's R&R at page 3:

- The applicant has minimized impacts to the vegetated tidal wetlands by reducing the proposed walkway over existing marsh to a maximum of 3-feet wide.
- The sand containment structures have been reduced and will not adversely impact adjacent properties.
- The proposed pier on lot 5 will not restrict access to the tidal pond inlet.
- Impacts to the shallow water habitat have been avoided and minimized by the applicant placing proposed boat lifts in water depths greater than 2-feet at mean low water.

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5. BOARD OF PUBLIC WORKS (cont'd)

Those factors lead the Board to make the following findings:

- The project will have a beneficial ecological and aesthetic effect because it will control shore erosion and otherwise minimize impacts to tidal wetland vegetation and the shallow water habitat.
- The project will have a beneficial economic and recreational impact because navigable access to the property will be improved and the project will not adversely affect adjacent properties or access to the tidal pond inlet.
- Because of the minimal nature of the project including its small scope and minimal impact outside the applicant's property boundaries, the developmental value is not of particular relevance to this project.

Licensed Activities.

12-0224 TIMOTHY E. BECKWITH – To control shoreline erosion and provide access to navigation for applicant's two undeveloped approved subdivision lots.
Breton Bay at 21085 Breton Beach Court (Lots 4 and 5), Protestant Point, Browns Minor Subdivision in Leonardtown, St. Mary's County.

Lot 4 -As depicted on plans dated April 26, 2012:

- Construct 190-foot long by 6-foot wide timber pier with a 10-foot by 20-foot platform, one boat lift and three mooring piles, all extending a maximum of 200 feet channelward of the mean high water line
- Plant marsh vegetation along 80 feet of eroding shoreline
- Construct four 8-foot wide by 35-foot long stone sand containment structures along 714 feet of shoreline extending 35 feet channelward of the mean high water line

Lot 5 - As depicted on plans dated April 26, 2012:

- Construct 217-foot long by 3-foot wide walkway over vegetated tidal wetlands
- Construct 240-foot long by 6-foot wide timber pier with 10-foot by 18-foot platform, one 20-foot long by 3-foot wide finger pier and six mooring piles, all extending a maximum of 226 feet channelward of the mean high water line
- Plant marsh vegetation along 20 feet of eroding shoreline
- Construct one 8-foot wide by 35-foot long stone sand containment structure extending 35 feet channelward of the mean high water line

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**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
January 8, 2014**

REVISED

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6. MARYLAND DEPARTMENT OF THE ENVIRONMENT:

Recommendation: That the Board of Public Works approve new operation and maintenance grants up to \$1,655,350 to wastewater treatment plants owners.

Grants: The grant for each plant is up to \$30,000 per million gallons per day based on design capacity. The minimum annual award for one plant is \$30,000 and the maximum is \$300,000. The proposed grantees have achieved annual average effluent levels at or below total nitrogen of 3 mg/l and total phosphorous of 0.3 mg/l. This means an annual reduction in nitrogen discharged by over 1,500,000 pounds and phosphorus by over 230,000 pounds.

ENR Wastewater Treatment Plant	Recipient	County	FY 2014 Grant Amount
Hurlock	Town of Hurlock	Dorchester	\$49,500
North Branch (Celanese)	Allegany County	Allegany	\$60,000
Easton	Easton Utilities	Talbot	\$120,000
Kent Island	Queen Anne's County	Queen Anne's	\$90,000
Mattawoman	Charles County	Charles	\$300,000
Chestertown	Town of Chestertown	Kent	\$30,000
Brunswick	City of Brunswick	Frederick	\$42,000
Talbot Region II	Talbot County	Talbot	\$30,000
Indian Head	Town of Indian Head	Charles	\$30,000
Elkton	Town of Elkton	Cecil	\$91,500
Havre de Grace	City of Havre de Grace	Harford	\$68,250
Federalsburg	Town of Federalsburg	Caroline	\$30,000
Hagerstown	City of Hagerstown	Washington	\$240,000
Cumberland	City of Cumberland	Allegany	\$300,000
Pocomoke City	City of Pocomoke City	Worcester	\$44,100
Denton	Town of Denton	Caroline	\$20,000
Delmar	Town of Delmar	Wicomico	\$10,000
Little Patuxent	Howard County	Howard	\$100,000
TOTAL:			\$1,655,350

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REVISED

6. MARYLAND DEPARTMENT OF THE ENVIRONMENT: *(cont'd)*

Authority: The Bay Restoration Fund allows MDE to allocate up to 10% of the annual revenue generated from wastewater treatment plant users for operation and maintenance costs of a wastewater treatment plant that operates at the enhanced nutrient removal level. Sections 9-1601 through 9-1622, Environmental Article, Maryland Code, known as the Maryland Water Quality Financing Act.

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APPROVED	DISAPPROVED
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**BOARD OF PUBLIC WORKS
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7. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve further funding of \$595,000 to the **Town of Federalsburg** for the **Railroad Avenue CSO Removal and Water Main Replacement Project** in Caroline County. (Legislative District 37B). The Board previously approved funding at its August 22, 2012 meeting.

New Loan (\$550,000 estimated) – Water Quality State Revolving Loan Fund

The Town will repay the loan within 20 years following project completion at an interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month before loan closing. Based on this formula, recent loan recipients have received a 1% interest rate. To secure this debt, the Town will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including general obligation bond proceeds as the required 20% State match to federal funds.

Grant Increase (up to \$45,000) – Water Supply Financial Assistance (WSG 06.06)

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

Project Description: Design and construction of sanitary and stormwater sewer lines separating the combined sanitary/stormwater sewer system, along with 2,240 linear feet of water main replacement in the Railroad Avenue area in the Town of Federalsburg. The purpose of the project is to eliminate combined sewer overflows and reduce peak flows during storm events at the Town’s wastewater treatment plant, and also to replace the existing water line that is aged and deteriorated. This board action is for both components of the project.

Project Funding Sources:

Water Quality State Revolving Loan Fund (this Item)	\$ 550,000
Water Quality State Revolving Loan Fund	\$ 243,000
Water Quality State Revolving Loan Fund w/principal forgiveness	\$ 362,500
Supplemental Assistance Grant, SWQH Grant 17.06	\$ 1,137,500
Water Supply Financial Assistance, WSG 06.06 (this Item)	\$ 45,000
Water Supply Financial Assistance, WSG 06.06	<u>\$ 225,536</u>
Estimated Total Project Cost	\$2,563,536

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Act and Sections 9-420 through 9-426 Water Supply facilities.

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
SECRETARY'S
ACTION AGENDA
January 8, 2014**

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8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve releasing the deeds of trust on five 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. *Brandi Cain*
2715 Zeek Lane, Lanham, MD 20706, Prince George's County
Original Loan: \$5,000
Current Balance: \$5,000
- B. *Kimelah McKinley*
3450 Toledo Terrace, #526, Hyattsville, MD 20782, Prince George's County
Original Loan: \$5,000
Current Balance: \$5,000
- C. *Malaika Staff*
1121 University Blvd W, 902B, Silver Spring, MD 20706, Montgomery County
Original Loan: \$5,000
Current Balance: \$5,000
- D. *Kelly Wilson*
501 Prospect Blvd, #24A, Frederick, MD 21701, Frederick County
Original Loan: \$7,500
Current Balance: \$7,500
- E. *India Young*
7929 Mandan Road, #641, Greenbelt, MD 20770, Prince George's County
Original Loan: \$8,000
Current Balance: \$8,000

BOARD OF PUBLIC WORKS

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**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
January 8, 2014**

REVISED

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9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve lending general obligation bond proceeds.

Borrower: EHC Westminster LHA Limited Partnership

Project: Locust House Apartments
30 Locust Street, Westminster, Carroll County, 21157

Authority: §§ 4-1501 *et seq.* Housing and Community Dev't Article,
Annotated Code of Maryland; COMAR 05.05.01

Rental Housing Works finances rental housing that will be occupied by individuals with incomes of 60% and below of the area median income.

§§ 4-1201 through 4-1209, Housing and Community Dev't Article,
Annotated Code of Maryland; COMAR 05.05.05

Partnership Rental Housing Program finances rental housing that will be occupied by households with incomes of 50% and below of the Statewide median income or households with persons with disabilities or special needs with incomes at 30% or less of the area median income.

Loan Amount: \$2,500,000 Rental Housing Works
\$ 825,000 Partnership Rental Housing Program

Fund Source:

MCCBL 2013 ... *Rental Housing Works Program/Provide funds for rental housing developments that serve low and moderate-income households*

MCCBL 2013 ... *Partnership Rental Housing Program*

Collateral: Deed of Trust

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SECRETARY'S
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9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)

Description: Enterprise Housing Corporation is sponsoring a project to acquire and rehabilitate Locust House Apartments, a seven-story rental housing development. The development comprises 98 affordable one-bedroom units with 88 units for seniors and 10 units for individuals with disabilities and special needs. The latter ten units will be restricted to households earning 30% or less of the area median income; 20 other units will be restricted to households earning 50% or less of the area median income; and the remaining 68 units will be restricted to households earning 60% or less of the area median income. Five units are handicapped accessible and two are adapted for the visual-hearing impaired.

Sources	Amount
Rental Housing Works (this Item)	\$ 2,500,000
HUD 223(f) insured mortgage	7,300,000
Tax Credit Equity	3,285,002
Partnership Rental Housing Program (this item)	825,000
MD EmPower	275,480
Interim Income	412,229
EHC Cash Investment	175,000
Deferred Developer's Fee	296,453
Total	\$15,069,164

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20130712-5593) on July 1, 2013.

BOARD OF PUBLIC WORKS

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**BOARD OF PUBLIC WORKS
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ACTION AGENDA
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10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve the borrower granting non-exclusive access easements over a portion of the property that secures a DHCD loan.

Loan Authority: §§ 4-401 *et seq.* Housing and Community Development Article, Annotated Code of Maryland; COMAR 05.01.01

Elderly Rental Housing Program finances rental housing for low-income elderly households.

Authority to Grant Easements: State Finance and Procurement Article § 10-305, Annotated Code of Maryland

Borrower: Marlborough Revitalization Limited Partnership

Project Address: 1701 Eutaw Place, Baltimore City, 21217

Amount:
Original Loan: \$550,000
Current Balance: \$460,055

History: In 1998, DHCD lent \$550,000 to Marlborough Revitalization Limited Partnership to help development of a 227-unit elderly housing project on 0.73 acres of land, known as the Marlborough Apartments. The borrower now seeks to lease rooftop space to Cingular Wireless PCS, LLC and CELLCO PARTNERSHIP d/b/a Verizon Wireless for communication facilities. The transaction requires the borrower to grant easements to Cingular and Verizon across a portion of the roof to construct, install, repair, maintain, operate and replace communication facilities. Cingular and Verizon are obligated to maintain the leased premises in good order, repair and condition. At the end of the lease, Cingular and Verizon must restore the premises to its pre-existing condition.

To grant the easements on the property that secures the DHCD loan, the borrower must have permission from the State. DHCD recommends that the Board approve non-exclusive access easements, in perpetuity, composed of approximately 2% of an acre across a portion of rooftop. The first-year rent for Cingular is \$19,200 and increases 3% annually. The annual rent for Verizon is \$23,988 for the first five years with two five-year extensions at the rate of 115% of the previous term. DHCD supports the transaction as it increases the cash-flow project which strengthens the project's financial position. The small amount of rooftop space to be included in the easements will have no significant impact on the value of DHCD security.

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**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
January 8, 2014**

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11. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve lending general obligation bond proceeds.

Borrower: Shelter Development LLC

Project: Park View at Laurel II
9010 Briarcroft Avenue, Laurel, Prince George's County 20708

Authority: §§ 4-1501 *et seq.*, Housing and Community Dev't Article,
Annotated Code of Maryland; COMAR 05.05.01

Rental Housing Works finances rental housing that will be occupied by individuals with incomes of 60% and below of the area median income.

Loan Amount: \$1,353,000

Fund Source: MCCBL 2013 . . . *Rental Housing Works Program/ Provide funds for rental housing Developments that serve low and moderate-income households.*

Collateral: Deed of Trust

Description: Shelter Development LLC is sponsoring to acquire and rehabilitate Park View at Laurel II, a rental housing development. The development comprises 105 elderly-occupancy units in an elevator building. Built in 1997, the facility has three efficiency, 96 one-bedroom, and six two-bedroom units. The average unit size is 668 square feet.

- Five units will be restricted to households earning 30% or less of the area median income
- 15 units will be restricted to households earning 40% or less of the area median income
- 75 units will be restricted to household earning 50% or less of the area median income
- 10 units will be restricted to households earning 60% or less of area median income

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

Sources	Amount
Rental Housing Works (this item)	\$1,353,000
Tax-Exempt Bond Loan	4,250,000
DHCD – ERHP Refinance/Assumption	759,555
Baltimore City HOME Loan Assumption	519,540
Transferred Reserves	300,000
Interim Income	238,032
Tax Credit Equity	2,337,521
Deferred Developer’s Fee	205,455
Total	\$9,963,103

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20130613-5589) on July 17, 2013

BOARD OF PUBLIC WORKS **THIS ITEM WAS:**

APPROVED **DISAPPROVED** **DEFERRED** **WITHDRAWN**

WITH DISCUSSION **WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS
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REVISED

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

12. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve the Strategic Demolition and Smart Growth Impact Fund awards for fiscal year 2014.

Amount: \$5,000,000

Fund Source: MCCBL of 2013 (Chapter 424 of the Laws of Maryland 2013): Strategic Demolition and Smart Growth Impact Fund FY 2014

Background: The Strategic Demolition and Smart Growth Impact Fund assists local governments and non-profit partners by investing in activities that accelerate economic development, job production, and smart growth in Maryland's Sustainable Communities. Funds may be used for predevelopment activities including:

- Site acquisition and assembly to create redevelopment size parcels
- Demolishing derelict non-contributing structures to make way for new development
- Site development, including public infrastructure improvements
- Construction-stage architectural and engineering designs that integrate green approaches to site and building redevelopment and stormwater management strategies.

Grant-funded projects build on the strengths of existing urban, suburban and rural communities and are part of a local jurisdiction's Sustainable Communities Action Plan, comprehensive plan, local revitalization plan, economic development plan or transit oriented development plan. These projects make possible a range of economic development and smart growth outcomes in existing communities, including:

- Development at Transit-Oriented Development sites
- Stronger local economies in existing communities
- Increased local jobs and services
- Compact growth and mixed-use development
- Expanded housing choices for people of all economic backgrounds
- Development practices that protect the environment and conserve air, water and energy resources, encourage walkability and recreational opportunities, and where available, create better access to transit

**BOARD OF PUBLIC WORKS
SECRETARY'S
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REVISED

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

Awards:

County	Awardee	Amount	Project Name	Description
Allegany	Mayor and City Council of Cumberland	\$500,000	East Side Elementary School Demolition	School will be razed and redeveloped into single-family residences.
Baltimore City	Baltimore City Department of Housing & Community Development	\$650,000	New Psalmist Baptist Church (Old Frederick Road) Demolition	Long vacant, the property is located at site of 30+ acre Uplands redevelopment effort.
Baltimore City	Baltimore Development Corporation	\$300,000	Oldtown Mall Demolition	Prepare site for mixed-use, mixed-income development.
Baltimore City	Coppin Heights Community Development Corporation	\$350,000	The Center for Health Care and Healthy Living (at the Hebrew Orphan Asylum) - Construction Level Design Phase	Prepare construction level drawings for medical and dental clinic, pharmacy, food cooperative and other medical uses.
Baltimore City	Mary Harvin Transformation Center CDC	\$200,000	Project A: Community and Family Life Multiplex	Raze and redevelop vacant properties adjacent to Southern Baptist Church to build family-life center for community events, educational services and employment training to help revitalize East Baltimore Community.
Baltimore City	TRF Development Partners	\$650,000	East Baltimore Historic - Phase II	Infrastructure and stabilization improvements for 40-unit rental project in East Baltimore's Broadway East neighborhood.
Dorchester	Sailwinds Inc.	\$350,000	Sailwinds Gateway – Phase II	Acquire and assemble contiguous vacant, blighted properties at Route 50 to provide for a Welcoming Gateway entrance to the Sailwinds development to attract and connect visitors to the waterfront, downtown, and historic sites in Cambridge.

**BOARD OF PUBLIC WORKS
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REVISED

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

County	Awardee	Amount	Project Name	Description
Frederick	City of Frederick	\$350,000	Downtown Frederick Hotel & Meeting Space Project	Acquire and develop land for construction of 200- room full-service hotel with meeting space
Harford	City of Aberdeen	\$200,000	Aberdeen Transit Oriented Development, Initial Phase of Area 2: Festival Square	Acquire and demolish three properties for construction of parking area and senior housing in support of Aberdeen Transit Oriented Development and the Aberdeen Senior Center.
Prince George's	The Town of Capitol Heights	\$75,000	Capitol Heights Metro	Demolish properties to assemble land adjacent to the Capitol Heights Metro as part of Transit Oriented Development.
Prince George's	Redevelopment Authority of Prince George's County	\$475,000	Mt. Rainier Site Acquisition and Assembly	Assemble property on Rhode Island Avenue, Mount Rainier for comprehensive, mixed-use development that complements Gateway Arts District.
Somerset	Town of Princess Anne	\$500,000	Princess Anne Commons	Infrastructure improvements for 120-unit mixed-income housing community created by redeveloping abandoned Procycle Animal Feeds manufacturing site.
Talbot	Housing Commission of Talbot	\$400,000	Port Street Renaissance In-Fill Revitalization	Site acquisition and development of parcels located in Port Street neighborhood that is critical for revitalization due to its proximity to thriving business district.
	Total	\$5,000,000		

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
January 8, 2014**

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

13. MORGAN STATE UNIVERSITY
Behavioral and Social Sciences Center

Contract ID: LEED Commissioning
Behavioral and Social Sciences Center
Project No.: DCM-BSSC-13-2AE-CxA

Award: Reynolds Consulting Engineers
101 Log Canoe Circle, Suite G
Stevensville, MD 21666

Contract Description: Provide LEED commissioning and commissioning of other systems in the new Jenkins Behavioral and Social Sciences Center building. Work includes reviewing design and systems design, construction review, observing startup of equipment, documenting results, and participating in systems training.

Term: Completion 2019

Amount: \$147,992

Procurement Method: Competitive Sealed Proposals

<i>Proposals:</i>	<i>Technical Score</i>	<i>Price</i>
Reynolds Consulting Engineers	84.33	\$147,992
RMF Engineering	89.33	\$148,848
Horizon Engineering	90.33	\$154,710
Setty & Associates	85.33	\$169,881

MBE Participation: 30%

Performance Bond: Payment and performance bonds at 100% of contract amount

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13. MORGAN STATE UNIVERSITY (cont'd)

Remarks: The solicitation was advertised in *eMarylandMarketPlace*. Reynolds Consulting Engineers was selected for award as the responsible proposer whose overall technical and financial proposal was evaluated as best meeting the needs of the University.

The Morgan State University Department of Design and Construction Management will manage the work with procurement support provided by the University's Department of Procurement. This procurement was conducted pursuant to Morgan State University Policies and Procedures.

Fund Source: MCCBL of 2012, Item 086: Provide funds to complete design of New Jenkins Behavioral and Social Sciences Center

MD Tax Clearance: 13-3164-1111

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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*Churchill B. Wortherly 443-885-3074
churchill.wortherly@morgan.edu*

14. MORGAN STATE UNIVERSITY

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

Recommendation: That the Board of Public Works approve the use of general obligation bond proceeds for the following capital equipment purchase.

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

Description: Furnish and install scientific equipment
Dual Temp Refrigerator/Freezer
True Food Service Model #STA1DT-2HS
RFB Project No.: 11/COM-0035

Procurement Method: Competitive Sealed Bid

Award: Calico Industries, Inc.
9045 Junction Dr., P.O. Box 2005
Annapolis Junction, MD 20701-1155

Amount: \$4,839.59

Fund Source: MCCBL of 2011, Item 072 – *Provide funding to equip the New Center for Built Environment and Infrastructure Studies building at Morgan State University*

MD Tax Clearance: 13-3123-1111

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
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*Contact: David Lever 410-767-0610
dlever@msde.state.md.us*

**15. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
*Public School Construction Capital Improvement Program FY 2014
Energy Efficiency Initiative
Amendment – Carroll County Public Schools***

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve an amendment to the Fiscal Year 2014 Capital Improvement Program for projects improving energy efficiency in the Carroll County Public Schools.

Original Approval: Secretary’s Item 9 (May 15, 2013)

Amendment: Carroll County Public School seeks to reduce 21 Energy Efficiency Initiative project allocations and use those funds instead to increase the allocation for one project and to add two projects. There is no change in the total amount allocated to Carroll County Public Schools.

School	FY 2014 CIP –EEI State Allocation	Total Allocation Adjustment Required	Adjusted State Allocation
Mechanicsville Elementary	53,000	4,000	57,000
Gateway School	0	48,000	48,000
Carroll Springs School	0	22,000	22,000
Westminster High	142,000	(7,000)	135,000
Career & Technology Center	55,000	(5,000)	50,000
Westminster West Middle	55,000	(2,000)	53,000
Runnymede Elementary	48,000	(2,000)	46,000
North Carroll Middle	84,000	(5,000)	79,000
Robert Moton Elementary	37,000	(8,000)	29,000
Oklahoma Road Middle	49,000	(1,000)	48,000
Shiloh Middle	119,000	(3,000)	116,000
Ebb Valley Elementary	65,000	(3,000)	62,000
Linton Springs Elementary	47,000	(1,000)	46,000
Westminster East Middle	46,000	(1,000)	45,000
Winfield Elementary	49,000	(2,000)	47,000
Eldersburg Elementary	43,000	(9,000)	34,000
Sykesville Middle	64,000	(7,000)	57,000
William Winchester Elementary	44,000	(8,000)	36,000

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15. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM *(cont'd)*

Piney Ridge Elementary	47,000	(1,000)	46,000
Freedom Elementary	36,000	(3,000)	33,000
Manchester Elementary	42,000	(1,000)	41,000
Cranberry Station Elementary	43,000	(3,000)	40,000
Hampstead Elementary	42,000	(1,000)	41,000
Mt. Airy Elementary	33,000	(1,000)	32,000
	1,243,000	0	1,243,000

Authority: If school construction funds provided to a county in one Fiscal Year Capital Improvement Program cannot be allocated to, or used for, the eligible project within two years of the initial authorization, the county may opt to have the funds: (1) applied to another eligible project in the current CIP; or (2) reverted to and maintained in the contingency fund for eligible projects in the county in the next FY CIP. Maryland Consolidated Capital Bond Loan of 2012 (Chapter 424, Acts of 2013), *see also* COMAR 23.03.02.03G.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
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*Contact: David Lever 410-767-0610
dlever@msde.state.md.us*

16. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer by the Howard County Board of Education of an easement interest in:

Murray Hill Middle
1.6 acre of 25 acre property
9989 Winter Sun Road, Laurel

As a condition of approval the Howard County Government shall obtain approval of the Board of Public Works before further transferring the easement.

Background: The Howard County Board of Education requests to transfer to the Howard County Government an easement interest in 1.6 acres of a 25-acre parcel land. The parcel is the site of the Murray Hill Middle School. The County Government will use the easement to improve a dangerous curve on Gorman Road, as well as to provide a safe pedestrian-crossing area at the school. The easement will not impact access to the site, setbacks, or outdoor activity areas supporting the school. There is no outstanding bond debt.

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

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
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*Contact: David Lever 410-767-0610
dlever@msde.state.md.us*

**17. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
*Amendments to the Sales and Use Tax – Alcoholic Beverages
Supplementary Appropriation FY 2012
Howard County Public Schools***

Recommendation: Howard County Public Schools requests that the Board of Public Works approve Howard County using unexpended Fiscal Year 2012 Supplementary Appropriation funds in the amount of \$171,810 for a project at **Oakland Mills High School** to replace restroom toilets.

Authority: For Fiscal Year 2012, the General Assembly authorized the Board of Public Works to make grants for individual public school improvement projects that met a school or community need by allocating each county or region a sum for which local matching funds were not required. The State grants were funded by the increase in the alcohol tax. Chapter 572 (2011 Laws of Maryland).

Background: Reference is made to Secretary’s Agenda Item 12 (10/5/2011), in which the Board approved, among other Howard County grants, a grant of \$250,000 for Wilde Lake Middle School for casework and wall partition work. Reference is further made to Secretary’s Agenda Item 4 (1/25/2012) in which the Board approved a grant of \$1.75 million to Howard County for Dunloggin Middle School for replacement of a roof system.

As Howard County awarded contracts for these projects, it realized savings of \$10,150 for Wilde Lake Middle and \$161,660 for Dunloggin Middle Schools. This is a total of \$171,810 in grant funds that were not needed for the two approved projects. Howard County now seeks to use the unexpended grant funds of \$171,810 for a project at Oakland Mills High School to replace restroom toilets.

Public School Construction Program Remarks: The school system will combine this repurposed Supplementary Appropriation grant with FY 2014 Aging Schools Program funds in the amount of \$175,687 to fund the project in the total amount of \$347,497. The Public School Construction Program has evaluated the request from Howard County and states that the project submitted is eligible under the rules that govern project submissions in the Capital Improvement Program and the Aging Schools Program.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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*Agency Contact: Daniel S. Branigan
dsbranigan@smcm.edu
240-895-4412*

18. ST. MARY'S COLLEGE OF MARYLAND

Recommendation: That the Board of Public Works approve St. Mary's College of Maryland transferring the unencumbered balance of \$268.20 from capital funds for the College's completed detailed design of the Anne Arundel Hall reconstruction and \$2,470.50 from capital funds for the completed construction and expansion of a new metal storage building to the Construction Contingency Fund. The Department of Budget and Management and the Department of General Services concur.

Authority: State Finance and Procurement Article 8-129, Annotated Code of Maryland

Fund Sources:

MCCBL 2008 "Provide funds for detailed design of the Anne Arundel Hall reconstruction" Item 071 - \$268.20

MCCBL 2008 "Provide funds for the construction and expansion of a new metal storage building for use by St. Mary's College and the Historic St. Mary's City Commission." Item 08985 - \$2,470.50

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
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SUPPLEMENTAL

Contact: Angela Parks, 410-260-7791
angela.parks@maryland.gov

19. **BOARD OF PUBLIC WORKS**
Wetlands License

Recommendation: Approval is requested of the State Highway Administration's application for a wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. The purpose of SHA's proposed work is to widen State Route 404 to accommodate four lanes of traffic.

The Department of the Environment has prepared a favorable Report and Recommendation. MDE "concludes that the application presents a reasonable exercise of riparian rights." MDE's evaluation took "into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for this project as well as other Code of Maryland Regulations."

Mitigation/Conditions. To insure that impacts to resources are minimized to the maximum extent possible, MDE recommended mitigation and other special conditions. If the Board approves the license with MDE's recommended conditions, "the work proposed will not cause significant deleterious impacts to marsh vegetation, submerged aquatic vegetation, finfish, shellfish, or navigation."

MDE recommends that SHA mitigate the impact of its activities by excavating uplands to create 1,218 square feet of open tidal waters on the southwest side of the existing bridge, as well as planting approximately 1,200 square feet of tidal wetland vegetation on the west end of the tidal gut.

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

QUEEN ANNE'S AND CAROLINE COUNTIES

13-0649 *MD STATE HIGHWAY ADMINISTRATION* – To widen the MD 404 Bridge to accommodate four lanes of traffic (currently two)
MD Rt. 404 over Tuckahoe Creek

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
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January 8, 2014**

*Contact: Jane Bailey 410-767-4307
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**A1. BALTIMORE CITY COMMUNITY COLLEGE
*Life Sciences Building***

CONTRACT ID: Emergency Mold Assessment and Testing
ADPICS No.: 001B4400300, Project: CC-622-140-103

CONTRACT TYPE: Maintenance

DESCRIPTION: Labor, materials, and equipment to assess the mold problem at the Life Sciences Building, and monitor the contractor at each phase.

PROCUREMENT METHOD: Emergency

EMERGENCY DECLARED: August 20, 2013

AWARD: Green Street Environment, Baltimore

AMOUNT: \$137,600

AWARD DATE: September 3, 2013

TERM: 120 Calendar Days

MBE PARTICIPATION: 0%

FUND SOURCE: Using Agency Funds
R95.14.07798.40.1442
Transferred to DGS 025 Clearing Account

REMARKS:

Related Approval: Reference is made to a report of an emergency contract that the Board of Public Works received at its December 18, 2013 meeting as Appendix Item A1. That contract was for mold remediation services. This report is for the contract for assessment and monitoring services.

Nature of Emergency: During August 2013, the air conditioning system at Baltimore City Community College's Life Sciences Building failed, which led to high humidity in the building. The condensation levels reached 70% and mold developed throughout the four-floor building, creating unsafe conditions. A contractor was needed to immediately assess how the mold had materialized and how in-depth the contamination was. Green Street Environmental conducted testing and then monitored the remediation contractor's services. Through its monitoring, Green Street is assured that each building area meets the air testing requirements with respect to mold.

**BOARD OF PUBLIC WORKS
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A1. BALTIMORE CITY COMMUNITY COLLEGE (cont'd)

REMARKS: (cont'd)

Basis for Selection: Green Street Environmental has previously completed several major mold assessments and testing for DGS and the Baltimore City Community College. It had the resources and materials to provide immediate testing. Due to the limited amount of subcontracting for assessment and testing, no MBE subcontract goal was set.

Reason for Late Report: Due to the scale of the mold (entire four story building), the contractor's full building evaluation and proposal preparation took several weeks to complete, and DGS had to confirm pricing.

TAX COMPLIANCE NO.: 13-2865-0111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
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*Contact: Ted King (410) 230-3325
Theodore.King@maryland.gov*

A2. DEPARTMENT OF JUVENILE SERVICES

CONTRACT ID: Oracle Database Software
ADPICS NO.: V00P4400672

CONTRACT TYPE: Information Technology Software

CONTRACT DESCRIPTION: Oracle Database Software License

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: October 25, 2013

BIDS:

SHI International Corporation Somerset, NJ	\$ 109,337
DLT Solutions Herndon, VA	\$ 110,401
Daly Computers Clarksburg, MD	\$ 112,279

AWARD: SHI International Corporation

AMOUNT: \$ 109,337

AWARD DATE: November 15, 2013

TERM: 11/15/2013 - 11/14/2014

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General Funds
Appropriation Code: 11280 0861

**BOARD OF PUBLIC WORKS
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A2. DEPARTMENT OF JUVENILE SERVICES (cont'd)

REMARKS:

Nature of Emergency: The Department of Juvenile Services database software licenses with Oracle Corporation expired on September 30, 2013. The Oracle database software is critical to DJS's case management.

Basis for selection: Once DJS was aware of the situation, it procured the renewal of the software license through the State's commercial-off-the-shelf master contract. The purchase order RFP was sent to eight contractors. DJS received three proposals. SHI was the responsible bidder submitting the lowest-priced responsive bid. The procurement had no subcontracting opportunities for MBEs because it is a renewal of a software license.

MARYLAND TAX CLEARANCE: 13-3110-1110

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
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*Contact: Robert Howells (410)230-8789
Robert.howells@maryland.gov*

**A3. MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY
*Gaming Division***

Contract ID: Consulting Services/VLT Facility Operation License
Prince George's County
ADPICS NO. E75B4400024, #2014-06

Procurement Method: Emergency

Description: Consulting services to assist and advise the Video Lottery Facility Location Commission on gaming operations including a Video Lottery Terminal Facility Operation License in Prince George's County.

Proposals:	Amount:
Civic Economics, Austin, TX	\$325,550
WhiteSand Gaming, Atlantic City, NJ	\$357,675
Spectrum Gaming Group, Linwood, NJ	\$373,425
Newmark Grubb Knight Frank, Las Vegas, NV	\$ 55,000*

*Submitted proposal for one of six tasks specified.

Award: Civic Economics
Austin, Texas

Amount: \$325,550 (not to exceed)

Contract Award Date: October 24, 2013

Term: 10/24/2013 – 12/31/2014

Fund Source: 100% Special (Gaming Proceeds)

Approp. Code: E75D0002

**BOARD OF PUBLIC WORKS
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A3. MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY (cont'd)

REMARKS:

Nature of the Emergency:

The State presently has in operation four VLT facilities with a fifth VLT facility in Baltimore City scheduled to open mid-2014. The General Assembly has authorized a sixth facility in Prince George's County. The law required the State Lottery and Gaming Control Agency to obtain consulting services to assist and advise the Video Lottery Facility Location Commission with evaluating and selecting the entity that will receive that VLT Operation License.

Three applicants submitted proposals for the sixth VLT facility. The Location Commission sought to complete its evaluation process and make a license award by the end of calendar year 2013. To meet this timetable, it was necessary to obtain a consultant that could immediately commence its analysis of the proposals. It is important to accomplish this license award on schedule to open the facility and begin to provide revenue to support State programs and services benefiting the citizens of Maryland.

The contract is limited to the work necessary to mitigate the emergency. Although the term is for 15 months, the consulting work must be completed within the first three months to support the award by the end of 2013. The additional year is a contingency in case the consultant is required to assist the Location Commission with any testimony or litigation in regard to the license award.

Basis for Selection:

As much competition as was possible and practicable for this contract was obtained within the constraint that the services had to be procured in time to meet the emergency. A notice of the availability of the Request for Proposals was advertised on *eMaryland Marketplace* and on the Lottery's website. The RFP was sent by e-mail directly to twenty prospective contractors. Proposals from four offerors were received, all of which were deemed to be reasonably susceptible of selection for award. Civic Economics was ranked first technically and presented the best overall price. Therefore, Civic Economics was determined to be the responsible offeror offering the most advantageous offer to the state considering price and the evaluation factors set forth in the RFP and was awarded the Contract.

Resident Business: No

MD Tax Clearance: 13-2760-0000

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
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January 8, 2014**

*Contact: Kathleen L. Mattis, 410-767-8481
kmattis@opd.state.md.us*

A4. OFFICE OF THE PUBLIC DEFENDER

Contract ID: Malware Web Security System C80P4401110

Description: Email network protection from malicious external Web traffic

Procurement Method: Emergency

Date Emergency Declared: November 6, 2013

Bids:

SLAIT Consulting Inc. \$54,914

Braxton-Grant Technologies, Inc. \$62,787

Award: SLAIT Consulting, Inc.
Gaithersburg, MD

Amount: \$54,914

Contract Award Date: November 18, 2013

Term: 11/18/13 – 11/17/14

MBE Participation: 0%

Fund Source: 100% General Funds
Program Code: C80B0002

Remarks:

Nature of Emergency. An emergency was declared when the agency's BlueCoat Web Proxy/Firewall failed. The equipment was purchased nearly a decade ago and was the agency's primary guard against malicious external Web traffic. There was no maintenance contract on the system because it was past its end-of-life, and the manufacturer no longer supported it. As a result of the failure, the agency was penetrated by mailbots that impacted operations in Rockville for two days, preventing the flow of external email into and out of the entire agency. Several attorneys were unable to email discovery despite court orders to do so. Further damage was discovered from the absence of enterprise-level malware protection.

**BOARD OF PUBLIC WORKS
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A4. Office of The Public Defender (cont'd)

Remarks: (cont'd)

Basis for Selection. Six companies were contacted directly for quotes for replacement of the BlueCoat Web Proxy/Firewall. The BlueCoat product was selected because the agency's IT group finds it is a superior product and the IT group is familiar with the technology and its configuration software, so the new system could be brought online quickly. The agency's current desktop malware software works well with it. Two responsive bids were received. SLAIT Consulting Inc. was selected for price and speed of delivery.

Tax Compliance Number: 13-3098-1111

Resident Business: Yes

BOARD OF PUBLIC WORKS ACTION:

ACCEPTED

WITH DISCUSSION

THIS REPORT WAS:

REMANDED

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
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January 8, 2014**

*Contact: Mary Sheperd, 410-402-8429
mary.sheperd@maryland.gov*

**A5. DEPARTMENT OF HEALTH AND MENTAL HYGIENE
*Crownsville Hospital Center***

CONTRACT ID: Emergency Security Services, M00B4400353
CONTRACT TYPE: Service
DESCRIPTION: Guard services on Crownsville Hospital Center grounds
PROCUREMENT METHOD: Emergency
EMERGENCY DECLARED: November 1, 2013
AWARD: Stronghold Security, LLC, Columbia, MD
AMOUNT: \$302,921
AWARD DATE: November 1, 2013
TERM: 11/1/13 – 10/31/14
MBE PARTICIPATION: None
FUND SOURCE: 100% General [M00 L1501]

REMARKS:

Nature of Emergency: The prior guard services company at Crownsville Hospital Center performed poorly (e.g., history of inattention, not showing up, failing to prevent vandalism). Poor performance continued after corrective actions were requested. When the Mental Health Administration was alerted to the ongoing poor performance, it discovered that there was no actual contract. DHMH entered into an emergency one-year contract to provide the necessary guard services.

Basis for Selection: Stronghold Security, LLC was selected because it could supply necessary personnel on short notice. DHMH has positive experience with Stronghold as the competitively-selected contractor at Rosewood Hospital Center. Stronghold will provide the tenants at the Crownsville Hospital Center a safe atmosphere in which to work while a new, longer-term contract is solicited.

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-2670-1110

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department Of Natural Resources Real Property
ACTION AGENDA
January 8, 2014

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

1A. PROGRAM OPEN SPACE LOCAL SHARE

Recommendation: Approval to commit \$99,900 for the following **development** project.

Piney Run Park Play Unit Replacement - \$99,900
POS #6173-6-334, MD20131107-0800
Carroll County

Background: Replace aging playground equipment with equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act.

Fund Source:

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010
Program Open Space - Local, Prior Funds Replacement
Source Code: 10056 Item 056 \$18,753.68

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012
Program Open Space – Local, Prior Funds Replacement
Source Code: 12057 Item 057 \$81,146.32

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
January 8, 2014

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

2A. PROGRAM OPEN SPACE LOCAL SHARE

Recommendation: Approval to commit \$33,300 for the following **development** project.

Southern High School Tennis Court Improvements - \$33,300
POS #6177-11-201, MD20131119-0812
Garrett County

Background: Renovate two tennis courts at Southern High School to include resurfacing and new perimeter fencing.

Fund Source:

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013
Program Open Space – Local, Prior Funds Replacement
Source Code: 13080 Item 080 \$33,300

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
January 8, 2014**

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

3A. PROGRAM OPEN SPACE LOCAL SHARE

Recommendation: Approval to commit \$54,240 for the following **acquisition** project.

Hagans Property Acquisition - \$54,240
 POS #6174-10-340 (Frederick County - \$27,740)
 POS #6172-6-333 (Carroll County - \$26,500)
 MD20131107-0801

Background: Acquire 7.232± acres in Frederick County for a Monocacy River boat access/launching point. This is the first partnership project of its kind between Frederick and Carroll Counties.

Appraised Value: Hutzell Appraisal Service \$51,000
 Brady Appraisal Services \$55,000

Property Cost: \$53,000

Incidental Costs: \$ 1,240

Fund Source:

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013
 Program Open Space – Local, Prior Funds Replacement
 Source Code: 13080 Item 080 \$27,740

Outdoor Recreation Land Loan of 2008, Chapter 487, Acts of 2007
 Program Open Space - Local Projects
 Source Code: 08006 Item 806 \$16,739.36

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010
 Program Open Space - Local, Prior Funds Replacement
 Source Code: 10056 Item 056 \$9,760.64

+

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
January 8, 2014

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

4A. PROGRAM OPEN SPACE STATE SHARE

Melva Urban - \$130,000

Stabilization Costs - \$6,500 - Frederick County, POS #4581

Reference: That the Board of Public Works approve the acquisition in fee simple of 4.33 +/- acres located in Frederick County. Located at the headwaters of Buzzard Branch, this mostly forested parcel will provide a buffer to one of the highest quality Brook Trout streams in Frederick County. The property will be managed as part of Gravel Hill Swamp Heritage Area.

The property scored 118 under the Program Open Space Targeting System and is located in a Target Ecological Area. This project meets the criteria of Chapter 419, Laws of Maryland 2009 because of its extraordinary environmental value and its location.

Stabilization: DNR also requests approval to use up to \$6,500 in POS Stabilization funds to secure an abandoned well. See Section 5-903(f) of the Natural Resources Article.

Grantor: Melva Urban

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

Property: 4.33 +/- acres, unimproved

Price: \$130,000

Appraisals: \$99,000 (7/24/13) – Joyce A. Sheets – Reviewed by Dave Wallenberg
 \$142,000 (7/23/13) – Harriet L. Bowman – Reviewed by Dave Wallenberg

Fund Source:

POS Acquisition Opportunity Loan – 2009, Chapter 419, Acts of 2009 – \$130,000

Outdoor Recreation Land Loan - 2009 – Additional State Land Acquisition
 Chapter 484 Acts of 2009

Source Code: 44510 Item: 445 Amount: \$6,500

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
January 8, 2014**

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

5A. PROGRAM OPEN SPACE STATE SHARE

William O. Nicholson, Jr. - \$275,000

Stabilization Costs \$27,500 - Frederick County, POS #4543

Reference: That the Board of Public Works approve the acquisition in fee simple of 11.685 +/- acres located in Frederick County. The mostly forested parcel is adjacent to Cunningham Falls State Park and will provide a buffer to adjacent interior forests. The property is improved with a cabin. DNR will request Board of Public Works approval later to lease the property to the Potomac Appalachian Trail Club which will assist with renovations and rent the cabin to the public. The Potomac Appalachian Trail Club helps maintain a section of the Appalachian Trail from Pennsylvania to Virginia, currently providing four cabins available to the public in Maryland.

The property scored 97 under the Program Open Space Targeting System and is located in a Target Ecological Area. This project meets the criteria of Chapter 419, Laws of Maryland 2009 because of its extraordinary environmental value and its location.

Stabilization: DNR also requests approval to use up to \$27,500 in POS Stabilization funds to replace the roof and stabilize the structure. See Section 5-903(f) of the Natural Resources Article.

Grantor: William O. Nicholson, Jr.

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

Property: 11.685 +/- acres, improved

Price: \$275,000

Appraisals:

\$260,000 (6/14/13) – Thomas A. Weigand – Reviewed by Dave Wallenberg

\$330,000 (6/18/13) – Joyce A. Sheets – Reviewed by Dave Wallenberg

Fund Source:

Outdoor Recreation Land Loan - 2009 – Additional State Land Acquisition
Chapter 484 Acts of 2009, Source Code: 44510 Item: 445 Amount: \$275,000

Outdoor Recreation Land Loan - 2009 – Additional State Land Acquisition
Chapter 484 Acts of 2009, Source Code: 44510 Item: 445 Amount: \$27,500

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
January 8, 2014**

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

6A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$101,271 from Rural Legacy funds to The Land Preservation Trust, Inc. for the following project.

***Piney Run Rural Legacy Area
Reynolds Property***

Prior Approval: The Board of Public Works authorized a \$960,000 FY 2014 grant for easement acquisitions for the Piney Run Rural Legacy Area. DNR-RP Item 10A (August 21, 2013)

Project Description: Acquisition of this 19-acre conservation easement protects productive farmland and forest, and provides permanent stream buffers to 2,163 linear feet of unnamed tributaries to Little Piney Run, which is located within the Big Gunpowder Falls Watershed, and flows into Loch Raven Reservoir. This easement will be co-held by The Land Preservation Trust, Inc.

Easement Value: \$95,000 (\$5,000 per acre)

Total Other Costs: \$ 6,271

Administrative:	\$2,850
Incidental:	\$1,996
Program Compliance:	\$1,425

Amount Requested: \$101,271

Fund Source:

Outdoor Recreation Land Loan – 2009 Chapter 335 Acts of 2008
Rural Legacy Program
Source Code: 09025 Item 925 \$4,275

Maryland Consolidated Capital Bond Loan – 2011 Chapter 396 Acts of 2011
Rural Legacy Program
Source Code: 11050 Item 050 \$96,996

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
January 8, 2014

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

7A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$415,159 from Rural Legacy funds to The Land Preservation Trust, Inc. for the following project.

Piney Run Rural Legacy Area
Mount Carmel Tree Farm Property

Prior Approval: The Board of Public Works authorized a \$960,000 FY 2014 grant for easement acquisitions for the Piney Run Rural Legacy Area. DNR-RP Item 10A (August 21, 2013)

Project Description: Acquisition of this 66-acre conservation easement protects productive farmland and forest, and provides permanent stream buffers to 2,130 linear feet of unnamed tributaries to Black Rock Run, which is located within the Big Gunpowder Falls Watershed, and flows into Prettyboy Reservoir. This easement will be co-held by The Land Preservation Trust, Inc.

Easement Value: \$385,000 (\$5,833 per acre)

Total Other Costs: \$ 30,159

Administrative:	\$11,550
Incidental:	\$12,834
Program Compliance:	\$ 5,775

Amount Requested: \$415,159

Fund Source:

Outdoor Recreation Land Loan – 2009 Chapter 335 Acts of 2008
 Rural Legacy Program
 Source Code: 09025 Item 925 \$148,506

Maryland Consolidated Capital Bond Loan – 2012 Chapter 444 Acts of 2012
 Rural Legacy Program
 Source Code: 12060 Item 060 \$266,653

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
January 8, 2014

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

8A. COMMUNITY PARKS AND PLAYGROUNDS PROGRAM

Recommendation: Approval to commit \$100,000 for the following **development** project.

Bates Heritage Synthetic Turf - \$100,000
City of Annapolis, Anne Arundel County
CPP #6187-2-297

Background: Plan, design, and construct a synthetic turf combination baseball/multi-purpose field in partnership with the Cal Ripken, Sr. Foundation at Wiley H. Bates Heritage Park. Related improvements will include walkways, bleacher pads, scoreboard, and baseball dugouts.

Fund Source:

Maryland Consolidated Capital Bond Loan of 2011, Chapter 396, Acts of 2011
Community Parks and Playgrounds
Source Code: 11049 Item 049 \$100,000

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

**Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014**

SERVICES CONTRACT

ITEM:	1-S	Agency Contact: Michael Halpin 410-767-8733 Michael.Halpin@maryland.gov
DEPARTMENT/PROGRAM:		Maryland Supplemental Retirement Plans (MSRP) Board of Trustees for the Maryland Teachers & State Employees Supplemental Retirement Plans
CONTRACT ID:		Investment Management Services Stable Value Fund (Statewide) ADPICS # G50B4400002
CONTRACT DESCRIPTION:		Provide investment management services for the Maryland Supplemental Retirement Plans Stable Value Fund.
AWARD:		Galliard Capital Management, Inc. Minneapolis, MN
TERM:		2/1/2014 – 1/31/2019 (w/1 two-year renewal option)
AMOUNT:		\$3,591,400 Est. (5 Years; Base Contract) <u>\$1,516,430 Est. (2 Years; Renewal Option)</u> \$5,107,830 Est. Total (7 Years)
PROCUREMENT METHOD:		Competitive Sealed Proposals
PROPOSALS:		See page 4B
MBE PARTICIPATION:		None (see Requesting Agency Remarks below)
PERFORMANCE SECURITY:		None

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

ITEM: 1-S (Cont.)

INCUMBENT: Deutsche Investment Management Americas, Inc.
New York, NY
(Local Office in Baltimore, MD)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. and the MSRP website. The notice was also reported in the national publication *Pensions & Investments On-line* and sent to the Governor's Office of Minority Affairs.

Four proposals were received in response to the RFP, all of which were determined to be reasonably susceptible of being selected for award. Award is recommended to Galliard Capital Management, Inc. (Galliard) as having the most advantageous offer for the State. Technical factors were given greater weight than financial factors in the overall award determination. Galliard's proposal was ranked overall #1 with the highest ranked technical proposal and the third lowest price. The lowest priced offeror had the lowest ranked technical proposal. It was determined that the slight price difference (2% lower in fees) between the second lowest priced offer ranked #2 technically and Galliard's financial offer did not offset the technical differences between the two.

The Maryland Supplemental Retirement Plans (MSRP) Board of Trustees (the Board) has general oversight authority and responsibility for the above-mentioned Plans. MSRP enables State employees and teachers to participate in voluntary, tax-favored retirement savings plans. The Board has ongoing authority for (1) reviewing plans administration performance and results; (2) assisting with employee communication materials; and, (3) meeting tax, securities, and various other regulatory promulgations and requirements of administering the Plans.

This contract provides investment management services for the MSRP Stable Value Fund. The contractor is a Plan fiduciary and manages this pool of assets as one of the investment options for the participants of the Maryland 457 Plan, 401(k) Plan, and 401(a) Match Plan. The Stable Value Fund, also referred to as the Investment Contract Pool, is currently valued at about \$800 million.

As is customary in many investment manager agreements, the fees for this stable value arrangement are paid out of earnings or assets of the Stable Value Fund. These charges are invoiced and monitored through the Board of Trustees' staff and payment initiated through the bank custodian (currently Bank of New York Mellon of New York, NY.)

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

ITEM: 1-S (Cont.)

No MBE participation goal was established for this contract because none of the financial institutions providing insurance for the value of participant balances have approved any moderate- or small-sized or MBE-certified investment management firms for such insurance coverage. Without “wrap” insurance coverage, MBE investment management firms cannot be subcontracted in a stable value fund.

FUND SOURCE: 100% Non-Budgeted (Fees paid from Investment Earnings)
APPROP. CODE: G50L0001
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 13-3131-0111

Board of Public Works Action - This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

ITEM: 1-S (Cont.)

PROPOSALS (Cont.):

OFFERORS	TECH. RANK	FINANCIAL PRICE BASE TERM (5 YEARS)	FINANCIAL PRICE RENEWAL OPTION (2 YEARS)	TOTAL FINANCIAL PRICE / RANK (7 YEARS)	OVERALL RANK
Galliard Capital Management, Inc. (Minneapolis, MN)	1	\$3,591,400	\$1,516,430	\$5,107,830 / 3	1
Goldman Sachs Asset Management (New York, NY)	2	\$3,532,515	\$1,470,912	\$5,003,427 / 2	2
Invesco Advisers (Atlanta, GA)	3	\$4,702,000	\$1,994,900	\$6,696,900 / 4	3
Morley Capital Management (Portland, OR)	4	\$1,470,700	\$628,215	\$2,098,915 / 1	4

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Monchel Pridget
410-767-5946
Monchel.Pridget@maryland.gov

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Long Term Care; Office of Health Services

CONTRACT ID: Independent Review Organization for Medical
Necessity Review; DHMH/OPASS-13-13266
ADPICS # M00B4400319 (Statewide)

CONTRACT DESCRIPTION: Obtain an Independent Review Organization (IRO)
to provide medical necessity case review of services delivered by a health care provider to a
Maryland Medicaid beneficiary enrolled with and reimbursed by a Maryland Medicaid Managed
Care Organization (MCO).

AWARD: MAXIMUS Federal Services, Inc.
Reston, VA

TERM: 2/1/2014 –1/31/2016 (w/3 one-year renewal
options)

AMOUNT: \$106,250 Est. (2 Years; Base Contract)
\$ 74,375 Est. (1 Year; 1st Renewal Option)
\$ 85,000 Est. (1 Year; 2nd Renewal Option)
\$ 95,625 Est. (1 Year; 3rd Renewal Option)
\$361,250 Est. Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS: Only One Acceptable Proposal Received

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: N/A

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

ITEM: 2-S (Cont.)

INCUMBENT: N/A

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and the DHMH website.

Two proposals were received in response to the RFP. One proposal was deemed to be not reasonably susceptible of being selected for award; and the financial proposal was returned unopened. The remaining proposal was deemed to be reasonably susceptible of being selected for award. In addition, the Offeror was determined to be responsible, and the financial offer was considered fair and reasonable. It was also determined that other potential offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to MAXIMUS Federal Services, Inc.

The DHMH Office of Health Services is contracting with an IRO to provide medical necessity case review of services delivered by a health care provider to a Maryland Medicaid beneficiary enrolled with and reimbursed by a Maryland Medicaid MCO. Before the IRO conducts a medical necessity case review, the provider must go through the full appeals process provided by the MCO. The IRO will be reimbursed by the MCO or medical care provider who receives the unfavorable decision by the IRO. There is no cost to DHMH for the services of the IRO.

According to COMAR 10.09.71.03, Maryland Medicaid MCOs are required to have a provider appeal process to resolve provider complaints, including claim denials because the services were considered not medically necessary by the MCO. This appeal process is currently the provider's only recourse in overturning an MCO claims denial other than to litigate the case through the courts. Providers have been requesting that DHMH establish a means for them to receive an independent review of these medical necessity denials similar to a process currently in place by the Maryland Insurance Administration that contracts with an IRO to review medical necessity disputes between providers and commercial carriers.

Based on information reported by the MCOs, the majority of the appeals for medical necessity denials are from acute general hospitals. For CY 2010 and 2011, the MCOs reported a total of 10,750 appeals: 10,600 appeals from hospitals, 100 appeals from physicians and 50 appeals from durable medical equipment providers.

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

ITEM: 2-S (Cont.)

This is an Indefinite Quantity Contract with Fixed Unit Prices as defined in COMAR 21.06.03.06A(2). The *Award Amount* is estimated, and there are no guaranteed maximum or minimum quantities under the contract.

A MBE participation goal was not established for this contract based upon the determination that any subcontracting opportunities would be for physician staffing.

FUND SOURCE: 100% Special (Fees paid by MCO or medical care provider)

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 13-2938-0111

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 3-S-MOD **Agency Contact:** Robert Howells
410-230-8789
Robert.howells@maryland.gov

DEPARTMENT/PROGRAM: State Lottery & Gaming Control Agency
(MSLGC) Sales Division

CONTRACT ID: Instant Ticket Vending Machines (ITVMs)
and Related Services; 2008-26 (Statewide)
ADPICS # E75B4400025

CONTRACT APPROVED: DBM Item 2-S (11/5/2008)

CONTRACTOR: GTECH Corporation
Providence, RI

CONTRACT DESCRIPTION: Contract to provide, distribute, install,
maintain and relocate new Instant Ticket Vending Machines (ITVMs) to be located at Lottery
retailer locations throughout the State and the removal of these ITVMs at the end of this contract.

OPTION/MODIFICATION DESCRIPTION: Exercise the first one-year renewal option
and modify the contract to purchase up to 150 ITVMs during this or any subsequent renewal
option period, if exercised.

ORIGINAL CONTRACT TERM: 11/10/2008 - 2/28/2014 (w/5 one-year
renewal options)

OPTION/MODIFICATION TERM: 3/1/2014 – 2/28/2015

ORIGINAL CONTRACT AMOUNT: \$12,100,000 NTE (5 Years, 4 Months)

OPTION/MODIFICATION: \$1,500,000 NTE (1 Year)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$13,600,000 NTE

**Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014**

ITEM: 3-S-MOD (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 43%

REQUESTING AGENCY REMARKS: The MSLGC desires to exercise Renewal Option #1 to provide for the continuing maintenance and repair of the ITVMs currently in operation at Lottery Retailer locations.

This Fixed Unit Price-Indefinite Quantity Contract established firm-fixed unit prices for the purchase of up to 1,000 new ITVMs, monthly maintenance and replacement parts and other related services that are paid to the Contractor. A total of 850 ITVMs have been purchased during the base term of the contract.

The original contract required that the 1,000 ITVMs be purchased during the base term and that the five renewal options would be only for maintenance and repair services. The renewal option includes a modification to the contract to allow the purchase of the balance of 150 ITVMs during the term of Renewal Option #1 or any subsequent renewal option, if exercised. The Contractor has agreed to provide those ITVMs at the same price as contained in the original contract.

FUND SOURCE: 100% Special (Lottery Proceeds)

APPROP. CODE: E75D0001

RESIDENT BUSINESS: No

Board of Public Works Action - This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

SERVICES CONTRACT MODIFICATION

ITEM: 4-S-MOD **Agency Contact:** Robert Howells
410-230-8789
Robert.howells@maryland.gov

DEPARTMENT/PROGRAM: Maryland State Lottery & Gaming Control
Agency (MLGCA)
Product Development Division

CONTRACT ID: Instant Ticket Games and Related Services
Primary Contract; 2013-01P (Statewide)
ADPICS # COF39751

CONTRACT APPROVED: DBM Item 3-S (8/21/2013)

PRIMARY CONTRACTOR: Pollard Banknote Limited
Winnipeg, Manitoba, Canada
(US headquarters: Ypsilanti, MI)

CONTRACT DESCRIPTION: Three Contracts (one primary and two
secondary) to provide Instant Ticket Games (ITGs) and related services to include: ticket design,
production, security and delivery to the Lottery's warehouse; delivery of tickets to the Lottery's
retailers; and marketing and sales support for ITGs.

MODIFICATION DESCRIPTION: Mod, for the Primary Contract, to add a
technical enhancement to the contract by incorporating the "WebPlayTM," proprietary game and
play style; and to increase the Not-to-Exceed (NTE) amount for the contract.

ORIGINAL CONTRACT TERM: 9/1/2013 – 8/31/2017 (w/1 three-year
renewal option)

MODIFICATION TERM: 1/9/2014 – 8/31/2017

ORIGINAL CONTRACT AMOUNT: \$23,200,000 Est. (4 Years)

MODIFICATION AMOUNT: \$3,270,679 Est. (Approx. 3 Yrs.; 8 Mos.)

Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014

ITEM: 4-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$0 [Mod to add a mandatory contractual provision covering Liquidated Damages as required by State Law for MBE Compliance, effective 9/1/2013 with the executed contract. Approved by MLGCA.]

REVISED TOTAL CONTRACT AMOUNT: \$26,470,679 Est.

OVERALL PERCENT +/- (THIS MOD): +14.1%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10% (Primary Contractor only)

MBE COMPLIANCE: 2%

REQUESTING AGENCY REMARKS: The Contract contains multiple awards – a Primary Contract and two Secondary Contracts. The Primary Contractor, Pollard Banknote Limited, is the principal supplier of Instant Ticket Games and related services, including delivery to Lottery Retailers. This modification applies to the Primary Contract only.

The Contractor has available a technical enhancement incorporating a proprietary game and play style called “WebPlay™”, which was offered as a potential future enhancement in its proposal. WebPlay™ is an interactive mobile application offering play for fun and play for prizes functionality which can be tied to various instant tickets such as Crossword and includes a built in QR (Quick Response) reader, social media integration and the ability to display a winning voucher/coupon on the mobile device.

The Lottery’s Product Plan for its Instant Ticket program anticipates that Instant Ticket games specified below will be introduced during the base contract term, resulting in the estimated contract NTE amount increase:

\$5 Crossword =	\$ 490,170
\$3 Bonus Crossword #1 =	\$ 548,211
\$3 Bonus Crossword #2 =	\$ 548,211
<u>The Good Life Family of Games =</u>	<u>\$1,684,087</u>
Total	\$3,270,679

**Supplement B
Department Of Budget And Management
ACTION AGENDA
January 8, 2014**

ITEM: 4-S-MOD (Cont.)

The Lottery anticipates that the WebPlay™ product will provide a significant contribution to the new player acquisition strategy being developed by the Lottery to increase Instant Ticket sales/revenue.

The contract contains a list of additional tasks with prices which are available from the Contractor, and the Lottery desires to add WebPlay™ to the contract as an additional task. The Lottery has determined that the price is fair and reasonable based on an analysis of factors to include: database design and deployment, user authentication, loading game data, loading valid tickets, ticket validation, account history development, feedback system, e-mail system integration, testing, deployment, game design, game play implementation, wireframes, animation, sound effects, analytics and event logging, and interactive prize structure development.

(Note: Production of the Instant Ticket Game and tickets will be accomplished and paid under the basic game production provisions of this Contract and the price for the WebPlay™ component covered by this modification is in addition to the price for the basic game production.)

FUND SOURCE: 100% Special (Lottery Proceeds)

APPROP. CODE: E75D0001

RESIDENT BUSINESS: No

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**Supplement C
University System Of Maryland
ACTION AGENDA
January 8, 2014**

1-C- MOD. CONSTRUCTION CONTRACT MODIFICATION (cont'd)

Revised Total Contract Amount: \$ 2,111,371

Original Procurement Method: Task Order under On-Call Program

MBE Participation: 20% Overall
Subgoals: 7% African American
4% Asian American

MBE Compliance: 27.43%
Sub-goals: 22.35% African American
4.73% Asian American

Performance Security: Equal to contract amount

Requesting Institution Remarks: No additional GMP's are anticipated.

Fund Source: Plant Funds

Approp. Code: R30B30

Resident Business: Yes

MD Tax Clearance: 13-3107-1010

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED DISAPPROVED
WITH DISCUSSION

DEFERRED WITHDRAWN
WITHOUT DISCUSSION

Supplement C
University System Of Maryland
ACTION AGENDA
January 8, 2014

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

2-AE-MOD. A/E SERVICES CONTRACT MODIFICATION

Institution: University of Maryland, College Park

Contract ID: Architectural and Engineering Design Services for
 The Edward St. James Learning and Teaching Center
 Contract No. B-400124-N, Project No. 02-016-908-00
 Prince George's County

Contract Approved: USM Item 7-AE (07/11/2012)

Contractor: Ayers Saint Gross, Inc.
 Baltimore, MD 21230

Contract Description: Architectural/Engineering services for state-of-the art instructional facility on central campus. Facility will provide seating for nearly 2,000 students, OIT classrooms, technology services unit, Center for Teaching Excellence and lounge/study spaces. The scope includes demolition of the 34,700 GSF Shriver Laboratory and a portion of Holzapfel Hall (27,400 GSF), renovation of remaining Holzapfel Hall space and 68,400 GSF of new construction. The project also includes related site and utility improvements, storm water management, pedestrian circulation, landscaping, services access, and a 5,000 GSF Satellite Central Utility Building (SCUB). The scope includes design for LEED Silver Level Certification. The estimated construction cost is \$46.3 million, including installed A/V equipment.

Modification Description: Schematic and Design Development phase design services for the East Wing expansion of the Edward St. John Learning and Teaching Center. This expansion will create an additional 60,000 GSF of new construction for a Chemistry East Wing that will provide seating for nearly 420 students in general Chemistry laboratories and associated innovative collaborative classrooms. Lounge and study space, faculty offices, and chemistry prep and support areas will be provided as well. The expansion will require additional related site and utility improvements, storm water management, pedestrian circulation, landscaping, service loading and access, and design for LEED Silver Level Certification. The estimated construction cost is \$31.9M. Board approval of the Construction Documents phase and remaining phases will be requested at a future date.

Original Term: Design: 07/11/12-08/08/2016
 Construction: 24 months from notice to proceed

**Supplement C
University System Of Maryland
ACTION AGENDA
January 8, 2014**

2-AE-MOD. A/E SERVICES CONTRACT MODIFICATION (cont'd)

Modification Term: 08/08/2016-02/08/2017

Original Amount: \$6,136,629

Modification Amount: \$1,436,091

Revised Total Amount: \$7,572,720

Original Procurement Method: USM Procurement Policies and Procedures for Architectural and Engineering Services Selection

MBE Participation: 26.95% Overall / 6% African American Owned
2% Hispanic Owned / 9% Women Owned

MBE Compliance: 11.7%

Requesting Institution Remarks: Design duration has increased six months to allow for design of the East Wing.

Fund Source: Plant Funds

Approp. Code: R30B22

Resident Business: Yes

MD Tax Clearance: 13-0990-0001

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement C
University System Of Maryland
ACTION AGENDA
January 8, 2014

Contact: James Salt
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USM Rep: Joe Evans

3-GM. GENERAL MISCELLANEOUS

Recommendation: Board approval is requested for the use of General Obligation Bond funding for the following contract totaling: \$ 457,699

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

A. University of Maryland, College Park

Prince George's County
J. M. Patterson Building

<i>Description:</i>	Roof Replacement Phase I at J.M. Patterson Building
<i>Procurement Method:</i>	Task Order via established on-call contract.
<i>Award:</i>	A.K.J., Inc. Stevensville, MD
<i>SBR:</i>	Yes
<i>Amount:</i>	\$ 140,559
<i>Fund Source:</i>	MCCBL of 2012: <i>Provide funds to design, construct, renovate and equip various facilities renewal projects on USM campuses across the State. Item 049</i>
<i>Tax Compliance No.</i>	13-3100-0111
<i>Resident Business:</i>	Yes

B. University of Maryland, Baltimore

Baltimore City

<i>Description:</i>	Labor and materials to correct deficiencies with several doors in two different buildings in order to achieve compliance with the 2010 ADA Standards for Accessible Design.
<i>Procurement Method:</i>	On-Call General Contracting Task Order
<i>Award:</i>	Plano-Coudon, LLC Baltimore, MD 21230
<i>Amount:</i>	\$ 21,225
<i>Fund Source:</i>	MCCBL 2011: <i>Funds to design and construct handicapped accessibility modifications at state owned facilities.</i>
<i>MD Tax Compliance</i>	13-3072-1111
<i>Resident Business:</i>	Yes

**Supplement C
University System Of Maryland
ACTION AGENDA
January 8, 2014**

3-GM. GENERAL MISCELLANEOUS (cont'd)

C. Towson University

New Softball Complex
Baltimore County

Description:

Procurement Method:

Award:

Amount:

Fund Source

MD Tax Compliance:

Resident Business:

Design new Softball Complex at Athletic Precinct

University of Maryland, Baltimore On-call

Architectural/Engineering contract

Marshall Craft Associates, Inc.

Baltimore, MD 21212

\$ 295,904

MCCBL 2013: *Provide funds to design the Softball Complex.* Item 066

13-3132-1111

Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014**

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1-IT. DEPARTMENT OF JUVENILE SERVICES

Contract ID: Payphone Equipment and Service, ADPICS No.: V00P4400593

Description: Local and long-distance payphone equipment/services for juveniles at DJS facilities.

Award: Global Tel-Link (GTL), Mobile, AL

Term: 1/10/2014 – 1/09/2017

Amount: \$1,036,695 (\$ 345,565 annually)

Procurement Method: Intergovernmental Cooperative Purchasing

MBE Participation: 19.92%

Remarks: DJS must have local and long distance payphone telephone equipment and services for the juveniles at its facilities. Federal regulations implementing the Prison Rape Elimination Act of 2003 specifically require DJS to “provide at least one way for residents to report abuse or harassment to a public or private entity or office that is not part of the agency.” 28 CFR §115.351 (b).

While planning for this new procurement, DJS discovered that the Department of Public Safety and Correctional Services was awarding its payphone contract to Global Tel-Link. See DoIT Item 7-IT (12/19/2012). DJS reviewed DPSCS contract specifications and determined that it would be in DJS’s best interest to use DPSCS’s contract as the scope of work is identical. The DPSCS contract gives DJS the authority to enter into a contract with GTL via an Intergovernmental Agreement under COMAR 21.05.09.04.

Fund Source: 100% General [V00E0101]

Resident Business: No

MD Tax Clearance: 13-3078-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

REVISED

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2-IT. MARYLAND STATE POLICE
Electronic Services Section

Contract ID: New Car Installation Equipment
ADPICS BPO No.: W00B4400024

Description: 72 tough book laptops, docking stations, consoles, printers, and wireless modems (with warranties) for installation in the State Police new vehicle fleet.

Award: Brekford Corporation, Hanover, MD

Term: 1/09/2014 – 3/09/2014

Amount: \$403,296

Procurement Method: Competitive Sealed Bidding
Single Bid Received

MBE Participation: None

Remarks: The State Police require equipment that fits within fleet vehicles. The State Police sought to procure this equipment through two of DoIT's master contracts; the solicited vendors could not provide the equipment. The State Police cancelled the task-order solicitation and issued a contract solicitation on *eMarylandMarketplace*. No MBE goal was established because this is a commodities purchase with no subcontracting opportunities. The State Police sought competition from MBEs at the prime level.

The State Police received one bid and deemed it responsive and responsible. The State Police contacted a quarter of the solicited vendors to determine why they did not bid or submit no-bid forms. Some vendors responded that they could not provide all of the equipment as advertised and wanted to provide substitute equipment. Other vendors stated they were not authorized distributors of the manufacturer equipment and could not guarantee the warranty on the equipment, while others stated they were not registered on *eMarylandMarketplace*.

REVISED

**Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014**

2-IT. MARYLAND STATE POLICE (CONT'D)

Fund Source: General Funds

Approp. Code: 21262

Resident Business: Yes

MD Tax Clearance: 13-30049-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

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3-IT-OPT. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID: MD Time Software Maintenance & Support
 ADPICS No.: F50B2400016; CO# COF40976

Contract Approved: DoIT Item 3-IT (1/25/2012)

Contractor: 3C Computer Solutions, Inc., Purcellville, VA

Contract Description: Maintenance and support services for the Leave Accounting System and MDTime, the online version of the Leave Accounting System.

Option Description: Exercise first of two 1-year options.

Original Contract Term: 2/1/2012 – 1/31/2014 (w/two 1-year renewal option).

Option Term: 2/1/2014 – 1/31/2015

Original Contract Amount: \$735,400 (2 year base period)

Option Amount: \$380,800 (Option Year 1)

Revised Total Contract Amount: \$1,116,200

Original Procurement Method: Sole Source

MBE Participation: None

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

3-IT-OPT. DEPARTMENT OF INFORMATION TECHNOLOGY (cont'd)

Remarks: This contract provides software support for the Leave Accounting System (LAS), and the MDTime leave accounting system currently used by 23 State agencies. The LAS is a client server application that enables centralized timekeepers to post employee leave into a centralized database. The system maintains employee leave balances, produces reports for payroll exceptions, and provides agencies the ability to generate administrative reports to reflect leave usage and abuses. The MDTime system application is distributed to each employee to allow them to enter their own timecard. Continuation of this contract is necessary to provide maintenance and support for the LAS system, along with training, rollout maintenance and support for the online MDTime application. 3C Computer Solutions, Inc. is the original developer of the software source code for the State and is the only source that can maintain the LAS and MDTime application.

Fund Source: 100% Reimbursable

Approp. Code: A50A0403

Resident Business: No

MD Tax Clearance: 13-3115-0110

Board of Public Works Action - The Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

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4 -IT-MOD. DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Prevention and Health Promotion Administration
Center for Cancer Prevention and Control
Breast and Cervical Cancer Diagnosis and Treatment Program

Contract ID: Electronic Claims Management System Renewal
ADPICS BPO No.: M00B2400188; CO# COF39132

Contract Approved: DoIT Item 4-IT (9/7/2011)

Contractor: Santeon, Inc., Reston, VA

Contract Description: Maintain and enhance the Electronic Claims Management System, a HIPAA-compliant electronic-claims processing application that supports two DHMH programs: the Kidney Disease Program and the Breast and Cervical Cancer Diagnosis and Treatment Program.

Modification Description: Add funding to cover continued on-site system technical support, especially in light of new federal claims form.

Original Contract Term: 9/13/2011 – 6/30/2014

Modification Term: 1/1/2014 – 6/30/2014

Original Contract Amount: \$820,260

Modification Amount: \$88,000

Revised Total Contract Amount: \$908,260

Percent +/- (This Modification): 10.7%

Overall Percent +/-: 10.7%

Original Procurement Method: Sole Source

MBE Participation: None

**Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014**

4 -IT-MOD. DEPARTMENT OF HEALTH AND MENTAL HYGIENE (cont'd)

Remarks: The National Uniform Claim Committee changed a Centers for Medicare & Medicaid Services claim form to adequately accommodate and implement new diagnosis codes; the new form also makes other changes. Contract funds were encumbered to fund work on this change which will enable the Electronic Claims Management System to successfully process paper the new form.

No MBE participation goal was established for this contract based upon the narrow scope of work that did not provide subcontracting opportunities.

Fund Source: Special Funds (Cigarette Restitution)

Approp. Code: F0304

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

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5-IT. DEPARTMENT OF TRANSPORTATION

Maryland Transit Administration

Contract ID: Positive Train Control Interoperable Electronic Train Management System
T-8000-0357, ADPICS NO: J05B4400019

Contract Description: Install Interoperable Electronic Train Management System to include the Positive Train Control system on MARC commuter train service.

Award: Wabtec Railway Electronics (Wabtec)
Germantown, MD

Term: 1/09/2014 – 1/08/2017 (3 years)

Amount: \$12,989,001

Procurement Method: Sole Source

MBE Participation: None

Remarks: Wabtec will install the Interoperable Electronic Train Management System (I-ETMS) on 32 locomotives; 14 Kawasaki MARC III cab cars; and 6 Sumitomo MARC IIB cab cars. Wabtec will install, test, and support I-ETMS Positive Train Control (PTC) software and equipment that can be used in 125 MPH MARC operation on Amtrak's Northeast Corridor rail lines. The I-ETMS system must be certified by the Federal Railroad Administration.

After a fatal crash involving a commuter train and a freight train in California in 2008, Congress mandated that passenger railroads and certain freight railroads be equipped with Positive Train Control by 2015. PTC ensures that all instructions – signals or verbally – that are given to keep trains from colliding are followed. In case of human failure, a PTC system intervenes electronically to bring the train to a halt. PTC enforces compliance with permanent and temporary speed restrictions for areas on rail lines such as curves, bridges, tunnels. PTC also protects track workers performing maintenance tasks.

**Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014**

5-IT. DEPARTMENT OF TRANSPORTATION

Contracting with Wabtec on a sole source basis is appropriate for several reasons. The Federal Railroad Administration has approved Wabtec’s I-ETMS which is the only PTC system being installed by Class I freight railroads, including CSXT. Because MARC operates two of its three lines over CSXT-owned right of way, its PTC system must be compatible with Wabtec’s I-ETMS. I-ETMS is a proprietary system developed and maintained only by Wabtec. I-ETMS hardware installed onboard railroad vehicles is required to interface with wayside and back office infrastructure. Safety concerns and the need for thorough and comprehensive system interfacing require that Wabtec install and support I-ETMS to ensure full system functionality on MARC railroad vehicles.

Fund Source: 80% Federal Funds, 20% State Budgeted Funds

Appropriation Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 13-2189-1011

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

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6 –IT. MARYLAND STATE POLICE

Contract ID: Firearms Background Check Development
ADPICS No.: W00B4400023

Description: Retroactive. Provide software development resources in support of the *2013 Improving the Completeness of Firearm Background Checks Through Enhanced Data Sharing Program*.

Award: TCC Software Solutions, Indianapolis, IN

Term: 9/01/2013 – 6/30/2014 (10 months) with one 6-month option

Amount: \$500,000

Procurement Method: Sole Source

MBE Participation: None

Remarks: This work was done as part of the emergency situation the Maryland State Police faced due to the October 1, 2013 effective date of the Firearms Safety Act of 2013 (Chapter 427, 2013 Laws of Maryland; see § 5-117.1, Public Safety Article, Annotated Code of Maryland).

An unprecedented number of regulated firearms applications were submitted to the Maryland State Police in 2013. The number of applications received on a weekly basis was often 3-4 times the average, far exceeding State Police capacity to process applications within the required 7-day period. This resulted in a backlog of applications. While many firearms dealers waited for the State Police to complete background checks on customers, as October 1 neared, some dealers began to release firearms on the eighth day after application submission. This raised a serious public safety issue. The backlog and the eighth-day release concerns were brought to the attention of the Governor's Office.

Automation of the background check process has been a goal of the State Police for some time; to that end the State Police had applied for federal grant monies under the *2013 Improving the Completeness of Firearm Background Checks Through Enhanced Data Sharing Program*. However, the growing backlog and increasing number of eighth-day firearms releases precipitated moving forward with automation of background checks immediately. In August 2013, the State Police requested emergency development assistance. TCC Software began work on what is now called The Viewer.

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

6 –IT. MARYLAND STATE POLICE (CONT'D)

Development of The Viewer involved two components: (1) development of database queries that could run against other State agency databases for background check purposes; and (2) a user interface that could take the results and present the data in a meaningful way. To avoid the time-consuming step of State Police personnel logging in and out of multiple State agency databases to determine if an individual is prohibited from possessing a regulated firearm, The Viewer would attempt to automate as much of that process as possible. Applications were batched into groups of 500 – 3,000 and sent to, e.g., DHMH, DJS, DPSCS, MVA. The purpose of batching the background checks, and using the Viewer to receive results was to identify the largest number of prohibited users in the shortest amount of time. The automated queries, although not perfected at this time, flagged applications/citizens with a higher likelihood of being prohibited and prioritized those applications for processing. The State Police believe this effort had a significant and positive impact on preserving public safety.

Since then, the State Police did receive an award under the *2013 Improving the Completeness of Firearm Background Checks Through Enhanced Data Sharing* grant. Accordingly, the State Police request approval to continue working with TCC to refine and enhance the automated queries. The transfer of these vital resources through the completion of development is imperative to the success of the automation effort.

DoIT Remarks: Pursuant to Section §11-204(c), State Finance & Procurement Article, Annotated Code of Maryland, DoIT requests this be approved as a voidable contract, rather than void, as it has been determined that: (1) all parties have acted in good faith, (2) ratification of the procurement contract would not undermine the purposes of procurement law; and (3) the violation, or series of violations, was insignificant or otherwise did not prevent substantial compliance with procurement law.

Fund Source: Firearms Background Check (FBCH2013)

Approp. Code: W00A01

Resident Business: No

MD Tax Clearance: 13-3085-0111

This Item was withdrawn as Item 6-IT from the 12/18/13 DoIT Agenda.

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

Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014

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7-IT-MOD. MARYLAND PUBLIC TELEVISION

CONTRACT ID: Merchant Banking Services
ADPICS BPO No.: R15B3400126

CONTRACT APPROVED: DoIT Item 4-IT (4/18/12)
DoIT Item 6-GM (5/23/2012) (corrections)

CONTRACTOR: Sage Payment Solutions
McLean, VA

CONTRACT DESCRIPTION: Merchant services and electronic payments for pledge drives.

MODIFICATION DESCRIPTION: Continue services for 12 months

ORIGINAL TERM: 01/01/2012 - 12/31/2013

MODIFICATION TERM: 2/1/2014 – 12/31/2014

ORIGINAL AMOUNT: \$112,199

MODIFICATION AMOUNT: \$82,500 (11 months)

PRIOR MODIFICATIONS/OPTIONS: One-month extension (January 2014)

REVISED TOTAL CONTRACT AMOUNT: \$194,699

PERCENT +/-: 74%

**Supplement D
Department of Information Technology
ACTION AGENDA
January 8, 2014**

7-IT-MOD. MARYLAND PUBLIC TELEVISION (cont'd)

ORIGINAL PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

REMARKS: Contractor provides to Maryland Public Television membership information services and processes financial commitments through MPT's pledge drives. MPT seeks to extend the current contract to ensure merchant banking services continue while MPT competitively solicits for a new fundraising database software system. Once MPT has awarded the fundraising database software contract, it can determine if a competitive RFP to secure merchant banking services can be issued or if the new software is proprietary, therefore requiring MPT to secure the merchant banking services identified by the new software contractor.

FUND SOURCE: 100% Special Funds

APPROP. CODE: R15P00

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 13-2899-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Norie Calvert 410-545-0433
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BPW – 01/08/14

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 1-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 5490051416SB
 Highway Maintenance Contract Support at Various
 Locations in Calvert, Charles & St. Mary's
 Counties
 ADPICS NO.: 5490051416

CONTRACT DESCRIPTION: This contract consists of highway maintenance contract support at various locations in Calvert, Charles & St. Mary's Counties. The types of services that SHA will receive consist of but not limited to, brush cutting, landscaping, ditch cleaning, trash removal, mowing grass, snow removal and highway, building and rest area maintenance.

AWARD: Brocar Service & Repair, LLC
 Clinton, MD

AMOUNT: \$678,255 NTE

TERM OF CONTRACT: 01/21/2014 – 12/31/2016

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Small Business Reserve)

BIDS:

Brocar Service & Repair, LLC \$678,255
 Clinton, MD

Council Industries, Inc. \$679,500
 Fort Washington, MD

Colossal Contractors, Inc. \$718,845
 Burtonsville, MD

Unified Professional Services, LLC \$732,660
 Owings Mills, MD

Earn Contractors \$778,695
 Gaithersburg, MD

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: None

ITEM: 1-M (Continued)

BPW – 01/08/14

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Eighty Five (85) contractors were notified for this project on eMaryland Marketplace; Twenty Two (22) of which were MDOT Certified MBE's.

Although there was no MBE goal established for this contract as it is a single element of work, 100% of the work will be performed by a Certified Minority/Small Business Enterprise; therefore, the MBE participation is 100%.

FUND SOURCE:	100% Special Funds Budgeted to SHA
APPROPRIATION CODE:	J02B0102
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	13-2773-0000

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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BPW --01/08/14

REVISED

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION (Construction)

ITEM: 2-C-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-0208-0140
MARC Wedge Storage Yard at Union Station
ADPICS NO. **CO305184**

ORIGINAL CONTRACT APPROVED: Item 2-C, DOT Agenda 3/21/12

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: American Infrastructure, Inc.
Fallston, MD

MODIFICATION: Change Order No. 3 is a contract modification at add additional funding due to a field change for temporary relocation of an existing electrical 2400 volt duct bank and permanent relocation and testing of the new monopole and monopole system. MTA is also requesting that the term of the contract be extended an additional 180 calendar days to complete testing and commissioning. Commissioning is the process by which the Agency tests all work delivered by the contractor in the contract, and insures they operate individually, and are integrated with all other systems as required. The purpose is to insure all elements of the contract can function fully and completely for their intended purpose.

AMOUNT: \$752,886

ORIGINAL CONTRACT AMOUNT: \$21,333,000

REVISED CONTRACT AMOUNT: \$22,085,886

PERCENTAGE INCREASE: 3.5% (Change Order No. 3)
3.5% (Overall)

ORIGINAL DBE PARTICIPATION 18% (DBE Compliance 14.10%)

TERM: 610 Calendar Days (Original)
30 Calendar Days (Change Order No. 1)
30 Calendar Days (Change Order No. 2)
180 Calendar Days (Change Order No. 3)

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

ITEM: 2-C-MOD (Continued)

BPW – 01/08/14

REVISED

REMARKS: American Infrastructure, Inc. temporarily relocated an existing electrical 2400 Volt duct bank and permanently relocated the new monopole as well as performed the necessary inspection and testing of the monopole as required by Amtrak. A change order was signed on October 18, 2013 extending the contract 30 days for original expiration of November 26, 2013. A bridge contract to extend an additional thirty (30) days extension was signed on December 13, 2013 to keep the contract active until this contract modification could be presented to the Board of Public Works.

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

REVISED

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$21,333,000	610 Calendar Days	03/21/2012 Item 2-C	
Change Order No. 1	\$752,886	30 Calendar Days	12/13/13 DCAR	Time Extension only
Change Order No. 2	\$0	30 Calendar Days	12/13/13 DCAR	Time Extension only
Change Order No. 3	\$752,886	180 Calendar Days	1/8/14	Time Extension and Additional Funding
Revised Amount	\$22,085,886			

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BPW -- 01/08/14

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION\OPTION: (General/Miscellaneous)

ITEM: 3-GM-MOD

MARYLAND TRANSPORTATION AUTHORITY

CONTRACT NO. & TITLE: MA 549-000-006
 Electronic Toll Collection System
 Replacement and Operation

ORIGINAL CONTRACT APPROVED: Item 15-GM, DOT Agenda 10/19/05

ORIGINAL PROCURMENT METHOD: Competitive Sealed Proposals

CONTRACTOR: Xerox Corporation (Formerly ACS
 State and Local Solutions, Inc.)
 Baltimore, MD

MODIFICATION: Modification No. 22 is to modify the Scope of work to allow for construction, marketing services, and implementation of a new disaster recovery solution. MDTA is also requesting approval to exercise Renewal Options No. 1 and No. 2.

TERM: 11/7/2005–11/6/2013 (Base Term)
 11/7/2013–3/6/2014 (Modification)
 3/7/2014-3/6/2016 (Option No. 1)
 3/7/2016-3/6/2018 (Option No. 2)

AMOUNT: \$ 62,566,341 (Option No. 1)
\$ 63,923,676 (Option No. 2)
 \$126,490,017 Total

ORIGINAL CONTRACT AMOUNT: \$114,361,566

REVISED CONTRACT AMOUNT: \$286,952,160

PERCENTAGE INCREASE: 55.96% (Overall)

MBE PARTICIPATION: 25.61% (MBE Compliance: 21.16%)

REMARKS: Contract MA 549-000-006 was competitively solicited and awarded to Xerox State and Local Solutions, Inc., October 19, 2005, for the provision of Design and Consultant Services Related to Electronic Toll Collection Systems.

ITEM: 3-GM-MOD (Continued)

BPW – 01/08/14

The Contract includes development, testing, installation, maintenance and operation of an Electronic Toll Collection System at MDTA Toll Facilities to replace the legacy system and to develop the Open Road Toll system for the ICC and I95 Express Toll Lanes (ETLs).

The Contract also includes lane-based fare collection equipment that processes cash, and electronic transactions, design, development, testing, installation, operation, and maintenance of a complete and fully functional violation image capture system, furnishing, installing, staffing, maintaining, and operating a customer service/violation processing center (CSC) with telephone, mail and Internet based customer service, and E-ZPass marketing services.

Currently, the MDTA is in the process of developing new specifications for the replacement (ETC 3G) contract; however, the new contract will not be completed prior to the current March 6, 2014, expiration date. Therefore, we are seeking approval to exercise both Renewal Options, extending the Contract until March 6, 2018, to allow for the development and award of a new Contract.

Additionally, at the time this Contract was originally procured, it was intended that construction and marketing services would be completed within the base term of the Contract. However, due to construction delays a modification to allow construction and marketing services is necessary. The modification will allow for; remobilization, project management, installation of gantries and schedules for the ICC and I-95-ETL, disaster recovery, completion of the Fort McHenry toll booth replacement, and marketing in the renewal option years.

To date, twenty (20) modifications have been approved on these projects that have increased the contract total to \$160,462,146. The two (2) proposed options, \$62,566,341 (option 1) and \$63,923,676 (option 2), total \$126,490,017. If approved, the new total Contract value will be \$286,952,159 and the new Contract expiration date will be March 6, 2018.

A 25.61% Minority Business Enterprise (MBE) overall goal was established for this contract and the Contractor is currently achieving 21.16% in MBE participation based on the expenditures to date. The remaining gantry installation on the ICC and I-95 ETL along with citation processing work will increase the MBE participation for this Contract.

FUND SOURCE: 100% Toll Revenue

APPROPRIATION CODE: 29.10.02.01

RESIDENT BUSINESS: Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

ATTACHMENT I

BPW Date & Item	Action	Amount	Reason
10/19/2005 DOT 15-GM	Contract Approval	\$114,361,566	
6/6/2007 BPW DOT 12-M-Mod	Modification No. 1	\$379,789	Addition of a new Computer Facility to house the Next Generation (NG) Central Computer System.
DCAR - 7/2011 4-M-MOD	Modification No. 2	\$22,638.70	A revised money handling process to include software and seven (7) additional work stations installed in vault rooms at each toll plaza
8/22/2007 DOT 23-GM-Mod	Modification No. 3	\$34,682,028.56	Labor, equipment, and systems for two (2) new toll facilities and for the Open Road Tolling Computer System Computer System (ORTCS)
11/14/2007 DOT 10-GM-Mod	Modification No. 4	\$1,147,600	The deletion of four (4) lanes and addition of four (4) permanent lanes and four (4) temporary toll lanes at the Fort McHenry Tunnel (FMT)
7/2011 5-M-MOD	Modification No. 5	\$43,803	The addition of eleven (11) sets of stop-in center equipment, equipment refreshment, and time extensions for scheduled contract milestone for Phase II, Transition to New System Complete from January 11, 2009 to April 11, 2009
7/2011 6-M-MOD	Modification No. 6	\$8,765.52	Installation of a new MDTA logo on Toll Receipts
7/2011 7-M-MOD	Modification No. 7	\$17,488.98	Installation of LED lights on Lane Gate Arms

4/1/2009 DOT 15-GM-Mod	Modification Nos. 8-9 \$201,755	\$201,754.91	The addition of engineering and technical support to the FMT FreeFlow Lane (FFL) construction project; Equipment/wiring disconnected and relocated to temporary structure, re-installment to permanent structure and tested, and gate override switches at seven (7) toll plazas to allow personnel access for maintenance, incident management, snow removal, etc.
7/1/2009 DOT 12-GM-Mod	Modification No. 10	\$170,838.32	De-installation of nine (9) Lane Entry Gates at midpoint of Toll Lanes/re-installation of these gates at entrance to each toll lane at the HWN, and engineering/technical support for HWN Toll Booth Replacement Project to de-install ETC equipment/wiring in three (3) booths, and reinstalling and testing of new booth installations
12/2/2009 DOT 19-GM Mod	Modification No. 11	\$335,022.88	Revision of shoulder configuration on the Inter-County Connector (ICC) and I-95 ETL supplementing trigger loops and cameras with Idris axle counting loops to provide vehicle classification capability
11/3/2010 BPW DOT 12-GM-Mod	Modification No. 12	\$220,000	Gantry structure modifications on the ICC and I-95 ETL to mount Mark IV antennas to read transponders
4/6/2011 DOT 12-GM-Mod	Modification No. 13	\$250,000	Re-installation of toll lane detection grids due to inadequate pavement cross slopes on the Westbound gantry on the ICC Segment A

5/29/2013 BPW DOT 26-GM-MOD	Modification No. 14R	(\$4,686,273.43)	Revise the Contract to reflect changes that have occurred since contract award such as lane configuration and quantities maintained; modify the number of excess E-ZPass accounts, statements, and violation notices to be processed; pay pass through fees for postage rates; and pass through DMV charges for plate look ups and omissions in the original scope of work.
5/29/2013 BPW DOT 26-GM-MOD	Modification No. 15	\$101,584.62	Approve payment of the Xerox claim related to compensation for the installation and testing of the fully functional toll revenue system in time for the accelerated opening of the MD 200 (ICC) Sections B & C.
5/29/2013 BPW DOT 26-GM-MOD	Modification No. 16	\$175,000	Provide for FMT Toll Booth Replacement technical support at the FMT.
5/29/2013 BPW DOT 26-GM-MOD	Modification No. 17	\$285,000	Provide for Baltimore Harbor Tunnel (BHT)/John F. Kennedy (JFK) Toll Booth Replacement technical support.
5/29/2013 BPW DOT 26-GM-MOD	Modification No. 18	\$11,745,536.72	Modify the Vector System and Customer Service Center (CSC) procedures to issue citations after customers fail to pay the Notice of Toll Due (NOTD).
5/29/2013 BPW DOT 26-GM-MOD	Modification No. 19	\$1,000,000	Provide technical support for WPL Toll Booth Replacement and Conduit Redesign and Install.
5/29/2013 BPW DOT 26-GM-MOD	Modification No. 20	\$0	120 day no cost extension.
12/18/2013 BPW DOT – GM-MOD	Modification No. 21	\$126,490,016.08	Exercise both two (2) year renewal options and revise the scope of work to allow construction and marketing services through the renewal option years is necessary as well as. The scope of work modification will allow for

remobilization, project management, installation of gantries and schedules for the ICC and I-95-ETL, disaster recovery, completion of the FMT toll booth replacement, and marketing

1/8/14 3-GM-MOD	Modification No. 22	\$0	Change in Scope of Work
1/8/14 3-GM-MOD	Renewal Options No. 1 and No. 2	\$126,490,017	Exercise renewal options
	Revised Amount	\$286,952,159.86	

Mike Miller – 410-385-4747
mmiller@marylandports.com

BPW – 01/08/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY

ITEM: 4-RP

MARYLAND PORT ADMINISTRATION: MMC# 08-4003
1824 and 1900 S. Clinton Street
Baltimore, Maryland 21224

EXPLANATION: In accordance with 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to declare 0.6217 acres of land plus a 346,000 square foot pier and riparian rights as surplus. This real property is excess to the needs of the MPA.

SPECIAL CONDITIONS: None

OWNERSHIP: State of Maryland, Maryland Port Administration

APPRAISED VALUE: \$3,100,000. James R. Turlington, Appraiser
\$2,500,000. Mark A. Chaney, Appraiser
\$3,100,000. William T. Caffrey, Jr., Review Appraiser

REMARKS: The Clearinghouse conducted an intergovernmental review of the project under MD20130122-0041 and found the project to be consistent with qualifying comments and contingent upon certain actions. It is recommended to declare the Former Clinton Street Marine Terminal Property, with improvements, located at 1824 S. Clinton Street, and 1900 S. Clinton Street, in Baltimore City on +/- 0.6217 acres, surplus to the State, and to offer the Property for public sale. It is also recommended that prior to the transfer of the Property from State ownership, the Applicant must complete a Determination of Eligibility (DOE) Form for Pier 1 of the Clinton Street Marine Terminal, and provide a description of the proposed use of the Property to the Maryland Historical Trust (MHT).

The MPA submitted a completed DOE Form to the MHT. MHT found the document satisfactory and has no objection to the transfer of the former Clinton Street Marine Terminal.

The MPA does not have the necessary nearby land for the storage of cargo that could come off the pier at the Clinton Street Marine Terminal. The land associated with this property is only three to twenty inches wide and stretches 1,147 feet along Clinton Street. This precludes a cargo handling area for operations at the pier. Furthermore, the outdated pier configuration is not conducive to the type of cargo that the MPA is equipped to handle. The MPA desires to sell the Clinton Street Marine Terminal to a terminal operator with a vested interest in the Port of Baltimore and one that has the required land for cargo storage as well as the funds to revitalize and update the facility for cargo handling operations that are suitable for the type of cargo that the pier configuration supports.

A request to dispose of the +/- 0.6217 acres will be sent to the Board of Public Works in the near future.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	



DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

January 8, 2014

	Pages
Construction	1 thru 3
A/E Contracts	4 and 5
Maintenance	6 thru 11
Equipment	12 and 13
General Miscellaneous	14 thru 23
Real Property	24 thru 32
Leases	33 thru 40
Capital Grants and Loans	41 thru 46

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C (Cont.)

This project was advertised for construction on June 19, 2013. Technical Proposals and Price Bids were received on August 23, 2013 with three (3) bidders responding. Because this is a multi-step bid, the price bids were publicly opened on September 5, 2013. The project is partially federally-funded and includes a 30% DBE participation goal. At bid time, the apparent low bidder, requested a waiver of the entire 30% goal.

Because the Contractor did not submit information that accurately documented good faith efforts as required by 49 CFR Part 26 (the “federal regulations”), the waiver request was denied.

The Contractor appealed that denial to the Maryland State Board of Contract Appeals. After filing its appeal, they later protested the waiver denial. The remaining two bidders, W.M. Schlosser Construction Co. (2nd low bidder), and Whiting-Turner (3rd low bidder) both committed to the 30% DBE goal. After the apparent low bidder’s waiver request was denied, Schlosser was recommended for award. Schlosser’s commitment to the 30% DBE goal was approved by DGS’ MBE Office in a memo dated October 25, 2013. DGS has determined that Schlosser is responsive and responsible, and is requesting that the Board approve the award of the contract for this project to Schlosser.

FUND SOURCES

\$3,531,304.00 MCCBL 2009/Item 017
(Harriet Tubman Underground Railroad
State Park-Visitor Center and site
improvements. Provides funds to design
and construct a visitor center, access roads,
parking, memorial garden, picnic pavilion,
informational kiosks, walking paths, on site
wastewater treatment system and well.-
Dorchester County)
\$ 423,700.00 HUD Grant Federal FY 09
\$ 412,684.00 HUD Grant Federal FY 10
\$1,104,312.00 Land and Water
Conservation Fund Grant
\$8,500,000.00 Transportation Enhancement
Program Grant

RESIDENT BUSINESS

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 2-AE

DEPARTMENT OF NATURAL RESOURCES

CONTRACT NO. & TITLE

Project No. P-026-130-001;
Park Improvements Elk Neck State Park
ADPICS NO. 001B4400355

DESCRIPTION

Approval requested to provide architectural/engineering design services for the construction of improvements to Elk Neck State Park, located in Cecil County. Elements of work include the replacement of the shower building and construction of four (4) new cabins in the Camper Cabin area; replacement of the comfort station in the Northeast Beach Day Use area; connection of the existing comfort station to the existing sewer system at Northeast Beach; and construction of many other miscellaneous improvements to comply with the Americans with Disabilities Act requirements throughout the park.

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

BIDS OR PROPOSALS

Penza Bailey Architects, Inc. Baltimore, MD
Hord Coplan Macht, Inc. Baltimore, MD
Brudis & Associates, Inc./ATI, Inc. Joint Venture
Columbia, MD

**Qualification and
Technical Scores**

173.1 (91%)
162.3 (85%)
154.2 (81%)

AWARD

Penza Bailey Architects, Inc.
Baltimore, MD

AMOUNT

\$258,529.84

TERM

12 Months

MBE PARTICIPATION

53.2% (28.2% Women Owned, 18.2% Asian American, 4.1% Hispanic American, and 2.6% African American)

PERFORMANCE BOND

N/A

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF HUMAN RESOURCES

Dorchester County Department of Social Services (DCDSS)
Cambridge, MD

CONTRACT NO. AND TITLE

Project No. 001IT819324;
Unarmed Guard Services;
ADPICS NO.001B4400305

DESCRIPTION

Approval is requested for a contract to provide unarmed guard services for the Dorchester County Department of Social Services building (approximately 36,018 sq. ft), grounds, and parking lot, Cambridge, MD for a three (3) year period.

PROCUREMENT METHOD

Competitive Sealed Bid
(Small Business Reserve)

BIDS OR PROPOSALS

Defensor Security LLC, Alexandria, VA
MPS Protective Services, Lanham, MD

AMOUNT

\$238,840.80
\$251,664.11

AWARD

Defensor Security LLC
Alexandria, VA
(SBR # SB 12-2796)

TERM

2/1/2014 – 1/31/2017

AMOUNT

\$238,840.80

MBE PARTICIPATION

0%

HIRING AGREEMENT

Yes

PERFORMANCE BOND

Yes

REMARKS

This solicitation was posted on DGS website and solicited through *eMarylandMarketplace.com*. Three hundred twenty-five (325) firms received notice of the solicitation. Two (2) priced bids were received for bid opening on November 12, 2013.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M (Cont.)

The Contractor shall supply all labor, supplies, materials, training, uniforms and equipment necessary to provide two (2) uniformed security guards on State workdays, Monday through Friday during regular business hours from 8 a.m. to 5 p.m., including when additional extended hours are needed at the Dorchester County Department of Social Services.

The services shall be performed in strict conformance with the standards specified in the Specifications. These services shall be provided in an orderly, continuous and consistent manner, which will support the effective delivery of services with minimum amount of disruption to agency operations.

Security Guard services include coverage of the internal building rounds, external building rounds, and state car compound. Security guard services may also include operation of a walk-through and/or hand-held metal detector.

The recommended Contractor, Defensor Security LLC, has been determined to be a responsive and responsible Bidder, has confirmed their bid price, and is a Small Business Reserve vendor.

FUND SOURCES

N00 2014 0819 \$32,502.80
N00 2015 0819 \$79,759.68
N00 2016 0819 \$80,344.00
N00 2017 0819 \$46,234.32

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

13-2988-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

MILITARY DEPARTMENT

Camp Fretterd

CONTRACT NO. AND TITLE

Project No. M-000-130-001
Street Light Replacement Camp Fretterd
Military Reservation
ADPICS NO. 001B4400353

DESCRIPTION –

Replacement lighting throughout the lower end of Camp Fretterd consisting of the 200, 500, and part of the 100 block areas. The new lighting to be installed will consist of new concrete bases, light poles, luminaries, and branch circuit wiring. Current transformers throughout the camp are assumed to be adequate for the new lighting.

PROCUREMENT METHOD

Competitive Sealed Bids (SBR)
(Small Business Reserve)

BIDS OR PROPOSALS

AMOUNT

Integrity Construction, LLC, Gainesville, VA	\$349,977.00
Dvorak, LLC, Baltimore, MD	\$385,000.00
JLN Construction Services, LLC, Baltimore, MD	\$430,000.00
Boulevard Contractors Corp., Owings Mills, MD	\$469,500.00
Congressional Construction, LLC, Catonsville, MD	\$470,999.00

AWARD

Integrity Construction, LLC
Gainesville, VA
(SBR #SB12-3792)

AMOUNT

\$349,977.00

TERM

180 Calendar Days

MBE PARTICIPATION

30% (7% African American, 4% Asian)

VSBE PARTICIPATION

1%

PERFORMANCE BOND

100% of Full Contract Amount

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

REMARKS

This project was advertised for construction on September 16, 2013, bids were received on October 16, 2013 with five (5) bidders responding. This was a Small Business Reserve procurement resulting in Integrity Construction, LLC being considered the evaluated low bidder. Integrity Construction, LLC has submitted all required MBE documents, which were approved on November 18, 2013.

FUND SOURCE

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

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

13-2722-0000

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 5-M

DEPARTMENT OF NATURAL RESOURCES Rocky Gap State Park
Wildlife Offices
(Allegany County)

CONTRACT NO. AND TITLE Project No: P-059-130-310;
Interior and Exterior Renovations
ADPICS NO. 001B4400354

DESCRIPTION The project consists of the Contractor providing all labor, equipment, materials, supplies, insurance, etc. necessary to renovate and update the interior and exterior of the existing two-story Wildlife Offices building; including, all plumbing, HVAC, electrical, phone and data cabling systems and their related components according to the requirements of the plan.

PROCUREMENT METHOD Competitive Sealed Bids

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
C & M Construction and Renovations, LLC Barton, MD	\$499,260.00
Lashley Construction Co., Inc. Frostburg, MD	\$529,648.26
Total Contracting, Inc. Beltsville, MD	\$588,275.00
Harbel, Inc. Cumberland, MD	\$588,781.00
Mann's Construction, Inc. Hancock, MD	\$726,198.00

AWARD C & M Construction and Renovations, LLC
Barton, MD
(SBR # SB12-9408/MBE # 11-635)

AMOUNT \$499,260.00

MBE PARTICIPATION 25% (No sub-goal)

PERFORMANCE BOND Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 6-E

**MARYLAND DEPARTMENT OF
TRANSPORTATION**

State Highway Administration (SHA)

CONTRACT NO. AND TITLE

Vaccum/Sewer Cleaner Truck
ADPICS NO. 001P4100039

DESCRIPTION

for the purchase of one (1) Vaccum/Sewer Cleaner Truck.

Board of Public Works approval is requested

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

Western Star Trucks, Mardela Springs, MD
Mid Atlantic Waste System, Easton, MD

AMOUNT

\$326,203.00
\$347,030.00

AWARDS

Western Star Trucks
Mardela Springs, MD

AMOUNT

\$326,203.00

TERM

N/A – One Time Purchase

MBE PARTICIPATION

0%

PERFORMANCE BOND

N/A

HIRING AGREEMENT ELIGIBLE

N/A

REMARKS

SHA requested the purchase of one (1) Vaccum/Sewer Cleaner Truck. The Department of General Services (DGS) advertised this procurement on eMarylandmarketplace (eMM) on October 16, 2013. Twenty five (25) vendors were solicited. This solicitation closed on November 13, 2013 with two (2) priced bids received.

The bid response submitted by Western Star Diesel Trucks of Delmarva, LLC, has been determined to be responsive and the vendor responsible. Therefore, based on the above and in accordance with COMAR 21.05.02.20, the Procurement Officer recommends award to Western Star Diesel Trucks of Delmarva, LLC, in the amount of \$326,203.00.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 6-E (Cont.)

FUND SOURCE 01 J02 14 10000 02300 0999

RESIDENT BUSINESS Yes

TAX COMPLIANCE NO 13-3058-1000

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 7-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$286,518.39 (4 items).

A.	Department of Public Safety and Correctional Services	Maryland Correctional Institute Jessup, MD
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DESCRIPTION

This project provides for drawings and specifications for the replacement of the HVAC at the Maryland Correctional Institute Jessup.

REMARKS

Indefinite Quantity Contract (IQC) DGS-12-004-IQC was developed for DGS to provide mechanical, electrical and plumbing engineering services for multiple construction projects with fees \$200,000.00 or less. Under this agreement, individual contract awards may not exceed \$200,000.00. Firms may be awarded more than one contract; however, the total amount for the contracts awarded to any one firm may not exceed \$500,000.00.

CONTRACT NO. & TITLE

Project No. KF-731-140-001;
Replace HVAC

PROCUREMENT METHOD

Maryland Architectural and Engineering
Services Act

AWARD

Kibart Consulting Engineers, Inc.
Towson, MD

AMOUNT

\$51,780.50

MBE PARTICIPATION

44%

FUND SOURCE

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 7-GM (Cont.)

CONTRACT NO. AND TITLE

Project No. SG-695-130-001 (SBR);
Roof Replacement

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

Dimensions Construction Remodelers, Inc.
Hyattsville, MD
(SBR # SB12-3792)

AMOUNT

\$177,187.00

TERM

120 Days from Notice to Proceed

MBE PARTICIPATION

25% (7% African-American)

FUND SOURCES

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 8-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$247,189.00 (4 items).

Department of Natural Resources

The fund sources for this particular item will be designated as :
 MCCBL 2012/Item 012 (Provide funds to design, construct and equip capital development projects of Department of Natural Resources property)
 MCCBL 2012/Item 012 (Provide funds to design, construct and equip capital development projects of Department of Natural Resources property)
 MCCBL 2013/Item 014 Provide funds to design construct and equip capital development projects of Department of Natural Resources property)
 MCCBL 2013/Item 015 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)

- A. Smallwood State Park
 Marbury, MD
 (Charles County)

DESCRIPTION

This project is to safely remove existing refrigerant gas from existing A/C heat pump units and remove and dispose of units, and underground refrigerant lines and associated electrical lines to outside units.

CONTRACT NO. & TITLE

Project No. P-030-142-010;
 Replace HVAC Systems – Retreat House

PROCUREMENT METHOD

Small Procurement

AWARD

S.M.C. HVAC Service, Inc.
 Mechanicsville, MD

AMOUNT

\$12,500.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 8-GM (Cont.)

FUND SOURCE

MCCBL FY2013/Item 015

B. Susquehanna State Park
 Havre de Grace, MD (Harford County)

DESCRIPTION

This project is to remove & dispose of existing snow guards & brackets (approx. 370 lf). Salvage all reusable slate shingles & reinstall where needed. Provide & install approx. 670 new individually anchored “retrofit style” copper snow guards. Replace missing slate shingles & remove & replace damaged slate shingles approx. 165 slates.

CONTRACT NO. & TITLE

Project No. P-031-141-010;
Slate Roof Repairs

PROCUREMENT METHOD

Small Procurement

AWARD

Modern Construction Services, Inc.
Street, MD

AMOUNT

\$33,700.00

FUND SOURCE

MCCBL FY2013/Item 015

C. Savage River State Forest,
 (Garrett County)

DESCRIPTION

The project provides for engineering services to design and construct a twelve (12) mile off-road vehicle (ORV) trail at Savage River State Forest in Garrett County. This project is the first phase of a multi-year program to provide new and restored recreational trails in Western Maryland Forest and Parks managed by the DNR.

REMARKS

Indefinite Quantity Contract (IQC) DGS-11-009-IQC was developed for DGS to provide Civil Investigative, Design and Engineering Services and Land Surveying Services for multiple construction projects with fees \$200,000.00 or less. Under this agreement, individual contract awards may not exceed \$200,000.00. Firms may be awarded more than one contract; however, the total amount for the contracts awarded to any one firm may not exceed \$500,000.00.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 8-GM (Cont.)

CONTRACT NO. AND TITLE

P-004-130-001 (DGS-11-009-IQC);
Western Maryland Recreational Access &
Trail Restoration, Phase I

PROCUREMENT METHOD

Maryland Architectural and Engineering
Services Act

AWARD

Whitney, Bailey, Cox & Magnani
Baltimore, MD

AMOUNT

\$165,689.00

FUND SOURCE

MCCBL 2012/Item 012 \$150,000.00
MCCBL 2013/Item 014 \$ 15,689.00

D. Fort Frederick State Park
 Big Pool, MD
 (Washington County)

DESCRIPTION

This project is to prepare an opening and install new single pane sliding glass windows and door units on the interior wall of the Visitor Center. Remove and dispose of and replace existing aluminum/glass doors.

REMARKS

Remove & dispose of existing aluminum frames, glass windows, flashing, etc., and install new store front type units in the rough opening to include new flashing & insulated aluminum frames w/double pane glass infill units.

CONTRACT NO. & TITLE

Project No. P-012-131-010;
Install Windows & Doors – Visitor Center

PROCUREMENT METHOD

Small Procurement

AWARD

Callas Contractors, Inc.
Hagerstown, MD

AMOUNT

\$35,300.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM

DEPARTMENT OF GENERAL SERVICES: Department of Natural Resources
Annapolis, MD

TITLE: Project P-000-143-010;
Transfer of Funds

DESCRIPTION The Department of Natural Resources is requesting the transfer of funding from the DGS/DNR critical maintenance budget to Maryland Environmental Services, (MES) to allow for MES to complete the following projects related to water and sewage at each location:

<u>Project Location</u>	<u>Description</u>	<u>Estimate</u>
Point Lookout State Park	Install new well and controls	\$250,000.00
Greenwell State Park	Construct 2 nd well	\$150,000.00
Swallows Falls State Park	Unclog lagoon influent line	\$ 10,000.00
Sandy Point State Park	Repair Sediment tank, Paint Water tower	\$ 80,000.00
Susquehanna State Park	Improve RV sewage dump Station, replace cleanouts At comfort stations	\$ 45,000.00
Calvert Cliffs State Park	Install new well and controls	\$ 70,000.00
Total		\$605,000.00

REMARKS The Department of Natural Resources programmed these water and sewage projects into their FY-14 Program Open Space projects listing. DNR has utilized the services of MES for its water and sewage projects and to operate many of their facilities. MES will complete the construction and modifications of these sites on behalf of DNR.

AMOUNT \$605,000.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM (Cont.)

FUND SOURCE

MCCBL 2013 Item 015 (Provide Funds to construct capital improvements such as planned maintenance and repair projects on State Owned Land.)

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

<u>ITEM</u>	10-RP	1508 & 1514 Riverside Drive, Pine Bluff Parcels A, B, C and D 1.534 and 19.4 improved acres Wicomico County File # 00-8454 & 00-8503
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REFERENCE Approval is requested for an agreement of sale to sell 1.534 acres +/- of improved land known as Pine Bluff Parcel D, located at 1508 Riverside Drive, Salisbury, and to sell 19.4 acres +/- of improved land known as Pine Bluff Parcels A, B, and C located at 1514 Riverside Drive, Salisbury. Approval is also requested for a release of the lease dated December 6, 1977, recorded at Liber 888, folio 781 to Wicomico County for Pine Bluff Parcel D. Pine Bluff Parcel D, also referred to as the Gordy Building, contains a 18,556 sanitarium building which was previously leased to Wicomico County as a Senior Center. Pine Bluff Parcels A, B and C contain the Pine Bluff Senior Apartments which were leased to Pine Bluff Associates by Ground Rent Lease dated November 23, 1977 and recorded in Liber No. 887, folio 661. Pine Bluff Associates subsequently assigned all of its right, title and interest, as Lessee, in the Ground Rent Lease to Pine Bluff Estates, LLC (per item 6-LL Mod approved by the BPW on 8/1/12). The State is now selling fee simple title to Parcels, A, B, C and D and the improvements located thereon to the Pine Bluff Estates, LLC.

Title and transfer documents are subject to legal review.

<u>OWNERSHIP</u>	The State of Maryland, to the use of the Board of Public Works
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<u>GRANTEE</u>	Pine Bluff Estates, LLC
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<u>PROPERTY</u>	1.534 acres +/- improved, (Parcel D) 19.4 acres +/- improved , (Parcels A, B & C)
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<u>PRICE</u>	\$700,000.00
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APPRAISED VALUES

\$385,000.00 - William R. McCain, Fee Appraiser 11/7/12. Reviewed by William T. Beach.
\$450,000.00 - Bruce D. DiCintio, Fee Appraiser 11/13/12. Reviewed by William T. Beach.
\$715,000 - \$1,800,000 – William T. Beach, Staff Appraiser 4/2/13.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 10-RP (Cont.)

SPECIAL CONDITION

1. The sale of Parcels A, B and C, known as 1514 Riverside Drive, is to be subject to a restrictive covenant to be set forth in the deed requiring the property to be maintained as senior affordable housing.
2. The purchase of these properties by Pine Bluff Estates, LLC will enable it to secure financing for improvements needed to the senior and disabled affordable housing located at 1514 Riverside Drive. It will further enable Pine Bluff Estates, LLC to obtain a 20 year HAP (Housing Assistance Payments Renewal) contract with the U.S. Department of Housing and Urban Development.
3. It is noted that Pine Bluff Estates, LLC entered into a PILOT Agreement with Wicomico County on March 13, 2013.
4. Pine Bluff Estates, LLC has made improvements to the apartment complex from June 2012 to the present totaling \$514,417.00, with an additional \$765,000 in improvements planned. The Department of General Services has toured the site and reviewed the improvements made. It was observed that Pine Bluff Estates, LLC has made significant strides in modernizing and improving the housing complex for seniors.

REMARKS

1. The Department of General Services recommends approval of this transaction.
2. These properties were approved as surplus by the Board of Public Works as item 12-RP on 4/20/11 (for Parcel D) and as item 14-RP on 11/6/13 (for Parcels A, B & C).
3. Legislative notification was made for these properties in accordance with The Annotated Code of Maryland, State Finance & Procurement, Section 10-305, on November 14, 2013.
4. The Clearinghouse conducted an intergovernmental review of the project under MD2010-1001-0947, and has recommended to declare Parcel D of the Pine Bluff Property, known as the Gordy Building and located on +/- 1.534 acres, surplus to the State. It is also recommended that any modification to the structure or other development should be coordinated with the Critical Area Commission, a division of the Maryland Department of Natural Resources. It is further recommended that photographs, and a completed Determination of Eligibility form be provided to the Maryland Historical Trust, and that further consultation between the Applicant, and the Maryland Historical Trust is required.
5. A Determination of Eligibility was provided to MHT in June 2012. MHT advised a historic preservation easement was not required for this property, per letter dated September 13, 2012.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 10-RP (Cont.)

- 6. The Clearinghouse conducted an intergovernmental review of the project under MD2012-0821-0622, and has recommended to declare the Pine Bluff Parcels A, B and C, that consists of +/- 19.4 acres and are located at 1514 Riverside Drive in Salisbury, surplus to the State, and to offer the Parcels for public sale.
- 7. Reference is made to prior BPW approval dated 8/1/12 for item 6 LL-MOD, wherein approval was given to revise a 1977 ground lease and lease Pine Bluff parcels A, B and C to Pine Bluff Estates, LLC; and BPW approval dated 10/5/77 for item L-A-3 for the original 60 year ground lease.

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 11-RP

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

former DDA Pinebluff Office
1500 Riverside Drive, Salisbury
1.048 improved acres +/-
Wicomico County, File # 00-8504

REFERENCE

Approval is requested for an agreement of sale to sell 1.048 acres +/- of improved land known as the Former DHMH / Developmental Disabilities Office, located at 1500 Riverside Drive, Salisbury. This office was closed in September 2012, and is being conveyed to the purchaser of the adjacent Pine Bluff Parcels A, B, C and D, located at 1508 and 1514 Riverside Drive, Salisbury. See companion item of this Department's agenda. Title and transfer documents are subject to legal review.

OWNERSHIP

The State of Maryland, to the use of the Department of Health and Mental Hygiene

GRANTEE

Pine Bluff Estates, LLC

PROPERTY

1.048 acres +/- improved by
2,793 sq ft 2 story structure

PRICE

No monetary consideration

APPRAISED VALUES

\$135,000.00 – Laurence P. Moynihan, Fee Appraiser 11/12/13. Reviewed by William T. Beach.
\$130,000.00 - Bruce D. DiCintio, Fee Appraiser 11/12/13. Reviewed by William T. Beach.

SPECIAL CONDITIONS

1. The property is being conveyed for no monetary consideration. The justification for this transaction includes the repairs estimated for the property to be re-used by Pine Bluff Estates, LLC; the age of the structure (built in 1935); the intent to remove this property from the maintenance obligations of the State; and desire to assist the new owner of the Pine Bluff Senior Apartment Complex in expanding services offered to seniors.
2. Pine Bluff Estates, LLC will seek to re-use this property in connection with senior services for the adjacent Pine Bluff Senior Apartment Complex.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 11-RP (Cont.)

REMARKS

1. This property was approved as surplus by the Board as item 15-RP on 11/6/13.
2. Legislative notification was made for this property in accordance with The Annotated Code of Maryland, State Finance & Procurement, Section 10-305, on 11/14/2013.
3. The Clearinghouse conducted an intergovernmental review of the project under MD2012-0808-0575, and has recommended to declare the property surplus and to offer it for sale. (Note: The Clearinghouse recommendation letter list the acreage as being 0.4591 acres, which is in error. The acreage verified in the title deed is 1.048 acres.)

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 12-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
Agricultural Land Preservation Easements
(Various Properties)

REFERENCE

Approval is requested for the Maryland
Agricultural Land Preservation Foundation, Department of Agriculture, to accept option
contracts for the purchase of agricultural preservation easements on the following properties:

SPECIAL CONDITIONS

Grantor relinquishes all rights to develop or
subdivide the land for industrial, commercial, or residential use. Land shall be preserved solely
for agricultural use in accordance with provisions of the Agricultural Article. No commercial
signs or bill boards are permitted, and there shall be no dumping on land except as is necessary
to normal farming operations. Grantor shall manage the property in accordance with sound
agricultural practices. Grantee shall have the right to enter land for inspection. No public rights
are granted. The term of these easements shall be in perpetuity pursuant to Agriculture Article
Section 2-514.1.

A) As to items 1 and 2, pursuant and subject to the provisions of Agriculture Article Section
2-513, Grantor has elected to reserve the right to apply for release of a lot to convey to himself
or his children for the purpose of constructing a dwelling for personal use as follows: one lot of
one acre or less if the subject property is at least 20 acres, but less than 70 acres, two lots of one
acre or less if the subject property is at least 70 acres, but less than 120 acres, or three lots of one
acre or less if the subject property is 120 acres or more.

B) As to items 3 through 5, pursuant and subject to the provisions of Agriculture Article
Section 2-513, Grantor has elected to reserve to himself, and his assigns, the right to apply for
release of one unrestricted lot, that may be conveyed to himself or others.

C) As to items 6 through 9, the Grantor is waiving the right to request any additional lots.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 12-RP (Cont.)

<u>Grantor</u>	<u>Property</u>	<u>Price</u>	
<u>FAMILY LOTS</u>			
<u>Harford County</u>			
1. Willowbrook Partners 12-13-08	81.13Ac	\$ 539,514.50	
		\$ 6,650.00/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Benfield (fee)	\$770,735.00	\$58,778.67	\$ 711,956.33
b. Benfield (fee)	\$690,000.00	\$58,778.67	\$ 631,221.33
Review Appraiser: Kelleher			

<u>St. Mary's County</u>			
2. Charles Davis, Jr. 18-13-07	117.671Ac	\$1,345,011.70	
		\$ 11,430.27/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Andrews (staff)	\$1,410,000.00	\$64,988.30	\$1,345,011.70
b. Cline (fee)	\$1,240,000.00	\$64,988.30	\$1,175,011.70
c. Peters (fee)	\$1,971,000.00	\$64,988.30	\$1,906,011.70
Review Appraiser: E.Andrews			

UNRESTRICTED LOTS

<u>Allegany County</u>			
3. Carly Delsignore 01-13-01	64.3Ac	\$ 178,260.00	
		\$ 2,772.32/acre	
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Belinko(fee)	\$ 244,340.00	\$30,006.88	\$ 214,333.12
b. Bowers (fee)	\$ 219,000.00	\$30,006.88	\$ 188,993.12
Review Appraiser: Kelleher			

<u>Baltimore County</u>			
4. J. MGinnis et al. 03-13-05	180.291 Ac	\$1,792,910.00	
	Less 1 acre	\$ 10,000.00/acre	
	Per Dwelling		
	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Muller(fee)	\$1,972,000.00	\$142,336.74	\$1,829,663.26
b. Benfield (fee)	\$1,703,264.00	\$142,336.74	\$1,560,927.26
Review Appraiser: Kelleher			

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 12-RP (Cont.)**Kent County**

5. Duck Puddle Ventures	180.58Ac	\$ 256,062.00
14-13-01		\$ 1,418.00/acre

	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Derby (fee)	\$1,265,000.00	\$250,518.67	\$1,014,481.33
b. Cadell (fee)	\$1,390,000.00	\$250,518.67	\$1,139,481.33

Review Appraiser: D.Andrews

LOT WAIVER**Anne Arundel County**

6. H & A Catterton	156.576 Ac	\$1,545,760.00
02-13-02	Less 1 acre	\$ 10,000.00/acre
	Per dwelling	
	(2 dwellings)	

	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Andrews(staff)	\$1,700,000.00	\$63,583.33	\$1,636,416.67
b. Derby (fee)	\$1,005,000.00	\$63,583.33	\$ 941,416.67
c. Muller (fee)	\$1,932,000.00	\$63,583.33	\$1,868,416.67

Review Appraiser: E.Andrews

Dorchester County

7. Russell Baker, et al.	20.37Ac	\$ 42,314.85
09-13-03		\$ 2,077.31/acre

	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Derby (fee)	\$ 55,000.00	\$ 12,685.15	\$ 42,314.85
b. Cline (fee)	\$ 53,000.00	\$ 12,685.15	\$ 40,314.85

Review Appraiser: D.Andrews

8. C & E. Nagel	72.882Ac	\$ 233,222.40
09-13-05		\$ 3,200.00/acre

	(Appraised Value)	(Agricultural Value)	(Easement Value)
a. Derby (fee)	\$ 281,000.00	\$ 41,703.55	\$ 239,296.45
b. Cline (fee)	\$ 260,000.00	\$ 41,703.55	\$ 218,296.45

Review Appraiser: D.Andrews

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 13-LL**DEPARTMENT OF GENERAL SERVICES** Baltimore City

Tenant State Employees Credit Union of Maryland
971 Corporate Boulevard
Linthicum, MD 21090

Property Location 301 W. Preston St.
Baltimore, MD 21201

<u>Space Type</u>	Banking Office	<u>Lease Type</u>	New	<u>Square Feet</u>	1,295
<u>Duration</u>	10 Years	<u>Effective</u>	No later than 7/10/2014		
<u>Annual Rent</u>	\$32,660.59 (Avg.)	<u>Square Foot Rate</u>	\$25.22 (Avg.)		

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

Background/History State Employees Credit Union (SECU) has been operating a 5,289 square foot branch banking office on the second floor of 201 W. Preston Street in the State Center Complex for more than 30 years. However, because of its second floor location, this branch has no visibility and is used less by its members due to limited operational hours, including no Saturday access. Additionally, because of the advancements of internet banking much of the space is currently underutilized.

SECU, in its endeavor to deliver efficient quality service, is seeking Board of Public Works approval to relocate this branch office to the ground floor of the 301 W. Preston Street Building to increase visibility and access to its services.

Special Conditions

1. The Tenant shall maintain the Demised Premises, including all improvements constructed and situated on the Demised Premises, in a neat, orderly, safe, and habitable condition.
2. Landlord's fee simple interest in the Demised Premises may not be encumbered or subordinated by operation of this Lease or by any action taken by the Tenant.
3. The Tenant shall indemnify and hold harmless the Landlord against and from any and all liability or claim of liability arising out of the use of the Demised Premises.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 13-LL (Cont.)

- 4. Tenant shall maintain at its expense insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Demised Premises for not less than a minimum coverage of \$1,000,000.00 combined single limit per occurrence.
- 5. The Tenant is responsible for the build out of the new space subject to the prior approval of the Department of General Services. Further, the Tenant shall not make any future alterations, additions or improvements to the Demised Premises without first obtaining the Landlord's written approval.
- 6. The rental rate commences at \$22.00 per square foot (sf) and increases three percent (3%) annually resulting in the average annual rental rate of \$25.22 per square foot over the term of the lease.
- 7. The Lease term shall commence July 10, 2014 or upon substantial completion of the Tenant Improvements whichever shall first occur.
- 8. The Lease contains one (1) option renewal for five (5) years.

Remarks

- 1. This space is to be used by the State Employees Credit Union of Maryland (SECU) to conduct a State chartered credit union for the performance of those transactions authorized under the Financial Institutions Article of the Annotated Code of Maryland and the National Credit Union Share Insurance Fund.
- 2. The approval of this lease will allow SECU to continue its physical presence at the Baltimore State Center Office Complex providing easy excess to financial services in which it offers to employees and the citizens of the State of Maryland.
- 3. The Landlord has the right to termination this lease for convenience.
- 4. The Department of General Services recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 14-LL-OPT

DEPARTMENT OF GENERAL SERVICES Baltimore City
Anne Arundel & Harford Counties

Tenant State Employees Credit Union of Maryland
971 Corporate Boulevard
Linthicum, MD 21090

Property Locations 301 West Preston Street (200 square feet)
Baltimore, MD 21201

80 Calvert St. (200 square feet)
Annapolis, MD 21401

6601 Ritchie Highway, N.E. (88 square feet)
Glen Burnie, MD 21062

2 South Bond St. (49 square feet)
Bel Air, MD 21014

<u>Space Type</u>	ATM Kiosk	<u>Lease Type</u>	Renewal	<u>Effective</u>	No Later than 7/10/2014
<u>Square Feet</u>	537sq ft.	<u>Duration</u>	10 Years		
<u>Annual Rent</u>	\$13,543.43 (Avg.)	<u>Square Foot Rate</u>	\$25.22 (Avg.)		

<u>Utilities Responsibility</u>	Tenant
<u>Custodial Responsibility</u>	Tenant
<u>Previous Board Action(s)</u>	07/10/1991 -15-L; 02/28/1996 – 17-L; 05/30/2001 – 20-L 04/06/2011 – 8-LL-OPT

Special Conditions

1. The Tenant shall maintain the Demised Premises, including all improvements constructed and situated on the Demised Premises, in a neat, orderly, safe, and habitable condition.
2. The Tenant shall indemnify and hold harmless the Landlord against and from any and all liability or claim of liability arising out of the use of the Demised Premises.
3. Tenant shall maintain at its expense insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Demised Premises.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 14-LL-OPT (Cont.)

- 4. The square foot rental rate commences at \$22.00 and increases three percent (3%) annually resulting in the average annual rate of \$25.22 over the term of the lease.
- 5. The Tenant shall not make any alteration, addition or improvement to the Demised Premises without first obtaining the Landlord's written approval.
- 6. The Lease term shall commencement and run concurrently with the commencement date of the branch office lease which is July 10, 2014 or upon substantial completion of the branch office Tenant Improvements.
- 7. The lease contains one (1) option renewal for five (5) years.
- 8. Tenant shall maintain at its expense insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Demised Premises.
- 9. Landlord has the right to termination this lease for convenience.

Remarks

- 1. These spaces will continue to be used by the State Employees Credit Union of Maryland (SECU) as ATM locations to conduct state-chartered credit union services for the performance of those transactions authorized under the Financial Institutions Article of the Annotated Code of Maryland.
- 2. The Department of General Services recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 15-LT-MOD

DEPARTMENT OF JUVENILE SERVICES Largo, MD
(Prince George's County)

Landlord/Owner Metropolitan Community Development Corporation
1225 R Street, N.W.
Washington, DC 20009

Property Location 99 Commerce Place
Largo, MD 20772

<u>Space Type</u>	Office	<u>Lease Type</u>	Extension	<u>Square Feet</u>	10,375
<u>Duration</u>	2 Years	<u>Effective</u>	2/1/2014		
<u>Annual Rent</u>	\$150,437.50	<u>Square Foot Rate</u>		\$14.50	
		<u>Prev. Square Foot Rate</u>		\$14.50	
		<u>Eff. Square Foot Rate</u>		\$15.60	
		<u>Prev. Eff. Sq. Foot Rate</u>		\$15.60	

Utilities Responsibility Tenant
Custodial Responsibility Landlord

Previous Board Action(s) 09/19/2001 – 12-L; 08/01/2012 – 9-LT-MOD

Fund Source General 100% VOOA0140 Sub Prog 1420 Item 1301

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes and cleaning.
2. 50 Parking spaces are provided adjacent to the facility at no charge.

Remarks

1. This space has been used since 2001 by Juvenile Services to provide counseling and follow-up services for pre-adjudicated and adjudicated youths.
2. This extension is intended to allow the landlord enough time to address necessary building conditions required by DGS Office of Real Estate to negotiate a long term renewal.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT-MOD (Cont.)

- 3. The lease contains a termination for convenience clause.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 16-LT-MOD

MARYLAND ENERGY ADMINISTRATION Annapolis, MD
(Anne Arundel County)

Landlord/Owner 60 West Limited Partnership
29 Blackwell Ln., Suite 202
Warrenton, VA 20186

Property Location 60 West St.
Annapolis, MD 21401

<u>Space Type</u>	Office	<u>Lease Type</u>	Additional	<u>Square Feet</u>	750
<u>Duration</u>	6 Years 2 Months	<u>Effective</u>	1/15/2014		
<u>Annual Rent</u>	\$21,489.73 (<i>average</i>)	<u>Square Foot Rate</u>	\$28.65 (<i>average</i>)		
<u>Annual Parking Costs</u>	\$917.89				

Utilities Responsibility Landlord
Custodial Responsibility Landlord

Previous Board Action(s) #35-LT 10/7/2010

Fund Source D13 A1301; 100% Special Funds

Special Conditions

1. The Lease provides for the pass thru of real estate taxes, janitorial and utilities.
2. The Lease contains provisions for one (1) additional parking space at the cost of \$917.89.
3. The Lease contains one (1) option renewal for five (5) years.
4. The rental rate for the additional space commences at \$26.50 and increases annually by 3% resulting in the average annual rental rate of \$28.65 over the term of this lease.

Remarks

1. The Maryland Energy Administration has leased 9,266 net usable square feet at this location since March 15, 2010. This expansion space is needed to accommodate the growing needs of the agency and the hiring of six (6) additional staff.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 16-LT-MOD (Cont.)

- 2. The additional space will run concurrently with the existing Lease and will be subject to the same terms and conditions.
- 3. The Lease contains a termination for convenience clause.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL (Cont.)

103 Wise Ave	
Contract of Sale	\$129,900.00
Herbert L. Hosford III - Timonium, MD	\$125,000.00
David Corning Iglehart - Owings Mills, MD	\$123,000.00
DGS accepted appraisal	\$123,000.00
Eligible Amount	\$123,625.00*
State Share @ 66%	\$ 81,592.00

* Eligibility is limited to the lesser of the DGS approved value or the contract price plus the cost of appraisals at \$625.00 for each property.

REMARKS

- 1.) Grantee is a nonprofit organization.
- 2.) These acquisitions will provide housing for eight mentally ill individuals.
- 3.) In accordance with *Subtitle 6 of the Health-General Article of the Annotated Code of Maryland*, the Board’s approval is further contingent upon the State’s right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Baltimore County.
- 4.) No State funds will be disbursed until the grantee has presented suitable evidence to the Office of the Comptroller that it has expended the required matching funds.

FUND SOURCE

The total project cost of \$477,200.00 is eligible for State grant participation at \$467,300.00 with a State share of 66% or \$308,418.00. Funding is as follows:

\$168,780.00 – Alliance Real Estate Holdings, LLC
Mortgage, Prolouge, Inc.
\$308,418.00 – State Grant
MCCBL 2010, Community Health Facilities Fund

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION

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

*Montgomery College – Germantown Campus
New Bioscience Education Center – Furniture and Equipment
New 72,690 NASF/126,900 GSF Biotechnology and Science Building which will provide
a modern teaching facility which will help supply a biotechnology workforce for the
Montgomery County area.*

\$4,971,000.00

Maryland Consolidated Capital Bond Loan of 2007, Item 045 \$ 8,061.10

Maryland Consolidated Capital Bond Loan of 2013, Item 018 \$4,962,938.90

TOTAL \$4,971,000.00

CC-01-MC06/07/09/10/13-397

MATCHING FUND

Montgomery College – \$4,971,000.00

Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND

	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$77,668,999.00	\$38,834,500.00	\$38,834,499.00
This Action	\$ 9,942,000.00	\$ 4,971,000.00	\$ 4,971,000.00
Previous Action-23-CGL, 01/25/12	\$32,164,000.00	\$16,082,000.00	\$16,082,000.00
Previous Action- 16-CGL, 06/23/10	\$32,425,740.00	\$16,212,870.00	\$16,212,870.00
Previous Action-24-CGL, 04/18/07	\$ 3,137,259.00	\$ 1,568,630.00	\$ 1,568,629.00

REMARKS

- (1) This action is in accordance with MHEC Construction and Space Allocation regulations, COMAR 13B.07.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommend approval. All contracts will be awarded by Montgomery College and signed by local authorities.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION