

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 15, 2015**

*Norman Astle (410)841-5864  
norman.astle@maryland.gov*

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

**Recommendation:** That the Board of Public Works approve funding a total of 16 individual grants under the Maryland Agricultural Cost-Share Program. Total amount: \$182,825.

Agreement	Recipient	County	Amount \$
AT-2015-2587	Robert P. Jamison	Montgomery	6,500
MP-2015-2916	Byron D. Stambaugh	Carroll	9,000
MP-2015-2917	Byron D. Stambaugh	Carroll	24,325
MP-2015-2918	Byron D. Stambaugh	Carroll	7,200
RS-2015-2905	Liberty Delight Farms	Baltimore	33,000
RS-2015-2906	Liberty Delight Farms	Baltimore	33,900
RS-2015-2908	Peter & John Radio Fellowship	Carroll	10,500
RS-2015-2909	Donald D. Nelson	Carroll	2,700
RS-2015-2910	Donald D. Nelson	Carroll	3,700
RS-2015-2921	D. Bradley Garst Inc.	Carroll	6,300
RS-2015-2922	D. Bradley Garst Inc.	Carroll	6,500
RS-2015-2923	Nancy E. Cramer	Carroll	5,600
RS-2015-2924	Nancy E. Cramer	Carroll	9,300
RS-2015-2925	Nancy E. Cramer	Carroll	5,000
RS-2015-2926	Nancy E. Cramer	Carroll	5,900
UP-2015-2911	Harry Strite	Washington	13,400

**Fund Source:** MCCBL of 2014/Item 14107: Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.

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

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

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**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

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

**Recommendation:** That the Board of Public Works approves *additional* funding of one individual grant under the Maryland Agricultural Cost-Share Program. Total submission amount: \$1017.59

Agreement	Recipient	County	Amount \$
AT-2015-2459	K. Michael Beachy	Garrett	1,017.59

**Fund Source:** MCCBL of 2011/Item 11071: Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.

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

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

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

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

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

Submission of the Procurement Agency Activity Report by:

Budget & Management	Jan 2015
General Services	Sept, Oct, Nov, Dec 2014 and Jan 2015
Transportation	Feb 2015

to the Board of Public Works in accordance with COMAR 21.02.01.05.

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*Contact: Bill Morgante, 410-260-7791  
Bill.morgante@maryland.gov*

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

**Recommendation:** Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Board of Public Works Wetlands Administrator recommends that the Board grant licenses as indicated. The Department of the Environment concurs with this recommendation.

**Authority:** Section 16-202, Environment Article, Annotated Code of Maryland: “The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.” See also COMAR 23.02.04.

**CALVERT COUNTY**

- 14-0772      *U.S. NAVY, CIVILIAN NAVAL FACILITY* – To control shore erosion by emplacing a stone revetment and sand fill at the U.S. Naval Recreation Center.  
*Solomons Island, Patuxent River*  
*Special conditions: Time of year and turbidity curtain requirements.*
- 13-1162      *TOWN OF NORTH BEACH* – To control shore erosion by emplacing stonesill and revetments, and filling, grading and planting marsh vegetation.  
*North Beach, Chesapeake Bay*  
*Special conditions: Marsh establishment and Phragmites removal requirements.*

**KENT COUNTY**

- 14-0603      *NORTH POINT MARINA, INC.* – To improve navigation by dredging an area in the marina and providing for maintenance dredging for six years.  
*Rock Hall, Rock Hall Harbor*  
*Special conditions: Time of year and dredging requirements.*

**QUEEN ANNE’S COUNTY**

- 14-0314      *NARROWS POINT COUNCIL OF UNIT OWNERS* – To prevent further shoreline erosion by performing soil borings, installing stone sill, removing bulkhead, replacing decking, and filling, grading, and planting marsh vegetation.  
*Grasonville, Chester River*  
*Special conditions: Time of year, marsh establishment, Phragmites removal, and water access only requirements.*

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**4. BOARD OF PUBLIC WORKS (cont'd)**  
*Wetlands Licenses*  
*Concurrence Cases*

**WORCESTER COUNTY**

- 14-0791      *FAGERS ISLAND RESTAURANT and TOWN OF OCEAN CITY* – To control shore erosion by emplacing rip rap revetment and a stone sill with flushing window; constructing breakwaters; filling, grading, and planting marsh vegetation; and creating a beach within the marsh creation.  
*Ocean City, Isle of Wight Bay*  
*Special conditions: Marsh establishment requirements.*

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

**Recommendation:** That the Board of Public Works approve lending general obligation bond proceeds for this project.

**Borrower:** Blackburn Housing IV LP

**Project:** Cottages at Riverhouse Phase IV  
1013, 1014, 1015, 1016 Riverhouse Drive, Salisbury, 21801

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

**Fund Source:** MCCBL 2014: Rental Housing Works Program

**Collateral:** Deed of Trust

**Description:** The project is to acquire and construct a 36-unit housing development for the elderly. The project sponsor is SIS Properties, LLC. The project will offer 28 one-bedroom and 8 two-bedroom apartments. All units will be restricted to households earning 60% or less of the area median income.

Sources	Amount
<b>Rental Housing Works (this Item)</b>	<b>\$2,500,000</b>
CDA – Tax Exempt Bonds	1,694,377
Tax Credit Equity	1,392,520
Deferred Developer's Fee	40,394
<b>Total</b>	<b>\$5,627,291</b>

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy on July 17, 2014 (Project # SP 20140717-5834).

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

**Recommendation:** That the Board of Public Works approve lending general obligation bond proceeds for this project.

**Borrower:** Victoria Estates, LLC

**Project:** Victoria Estates  
1018 Lynnhaven Drive, Pocomoke City, 21851  
10218 Old Ocean City Boulevard, Berlin, 21811

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

**Fund Source:** MCCBL 2014: Rental Housing Works Program

**Collateral:** Deed of Trust

**Description:** The project is to acquire and rehabilitate for families 100 units in Pocomoke City and Berlin in Worcester County. The project sponsor is Severn Development Company, LLC and Pax Edwards, LLC. Of the 100 units, 40 are in Pocomoke City and 60 are in Berlin. The project also includes constructing a new community building at each location. The project will offer a mix of affordable one, two, and three bedroom units and will serve households with incomes at or below 60% of the area median income.

Sources	Amount
<b>Rental Housing Works Loan (this Item)</b>	<b>\$2,500,000</b>
FHA Risk Sharing long term Loan	1,735,000
4% Tax Credit Equity	3,853,975
RD 515 loans	2,873,473
EmPOWER	\$150,000
Interim Income	\$167,181
Developer's Deferred Fee and Equity	\$309,521
USDA RD existing reserve for replacement	\$213,399
<b>Total Sources</b>	<b>\$11,802,549</b>

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

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy on February 19, 2015 (Project # SP20150204-5934 for Berlin and Project #SP20150204-5933 for Pocomoke City).

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**REVISED**

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

**Recommendation:** That the Board of Public Works approve lending general obligation bond proceeds for this project.

**Borrower:** Homes for Frederick Limited Partnership

**Project:** Windsor Gardens  
1101 Key Parkway, Frederick, 21702

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

- A. *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:* \$2,500,000  
*Fund Source:* MCCBL 2014: Rental Housing Works Program  
*Collateral:* Deed of Trust

- B. *Partnership Rental Housing Program* finances rental housing that will be occupied by individuals with incomes of 50% and below of the Statewide Median Income.

*Loan Amount:* \$450,000  
*Fund Source:* MCCBL 2014 Partnership Rental Housing Program  
*Collateral:* Deed of Trust

**Description:** The project is to acquire and rehabilitate for families a 59-unit development in the City of Frederick. The project will offer 11 one-bedroom and 48 two-bedroom apartments. Fifty-three of those units will serve households with incomes at or below 60% of the area median income. Six units will be reserved for disabled households whose primary source of income is social security disability payments; these units will be designated as units receiving funding through DHCD's Partnership Rental Housing Program. Rents for those units may not exceed 50% of the Statewide limits.

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**REVISED**

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

Sources	Amount
<b>Rental Housing Works (this Item)</b>	<b>\$2,500,000</b>
CDA – Tax Exempt Bonds	4,215,000
<b>Partnership Rental Housing Program (this Item)</b>	<b>450,000</b>
Tax Credit Equity	2,440,477
Housing Authority of the City of Annapolis	700,000
EmPower Energy Loan	95,000
E-Trade Grant	100,000
Interim Income	246,041
Acquired Reserves	263,251
<b>Total</b>	<b>\$10,005,245</b>

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy on July 17, 2014 (Project # SP 20140717-5832).

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**8. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Recommendation:** That the Board of Public Works approve new water quality revolving loan funding up to \$86,311,000 to Baltimore County for the **Back River WWTP ENR Upgrade, Gwynns Falls (Southern) Sewershed Improvements (SC920), Low Level Sewershed (Eastern) Sewer Improvements (SC912 & SC922R), Outfall Sewershed Sewer Improvements (SC934) and Templegate Pumping Stations Improvements** projects. Borrower will repay this loan over a period not to exceed 20 years following project completion, at an interest rate of 50% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.70% interest rate. To secure this debt, Borrower will deliver its bond, along with a full faith and credit endorsement of Baltimore County, to the Maryland Water Quality Financing Administration. Funding may involve multiple sources provided over several years based on project schedule, including general obligation bond proceeds as the required 20% match to federal funds and other funds.

**A. New Loan of \$70,000,000 (estimated) – Back River WWTP ENR Upgrade**

**Project Description:** The project entails the planning, design and construction of Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) facilities at the existing 180 MGD Back River WWTP. The plant is currently achieving better than the ENR goal of 0.3 mg/l for Total Phosphorus, as its discharge permit requires the plant to achieve monthly average limit of 0.2 mg/l for Total Phosphorus. The construction of the BNR and ENR facilities will consist of two phases. Phase 1 will include the upgrade of existing Activated Sludge Plant Nos. 2 and 3, new denitrification filters and chemical storage and feed system. Phase 2 will include the new Activated Sludge Plant No. 4. The BNR and ENR upgrades will allow the plant to achieve effluent concentration goal of 3.0 mg/l for Total Nitrogen which represents a 67 percent reduction in Total Nitrogen discharge. These improvements will reduce nutrients discharged to Back River and ultimately the Chesapeake Bay. The Water Quality State Revolving Loan funding is for the Baltimore County share of the project cost. (Legislative District 6)

**Project Funding Sources:**

<b>Water Quality State Revolving Loan Fund (SC-882) (this action)</b>	<b>\$70,000,000</b>
CBWQ NR 09.03 (SC-882) (previous action 5/28/14)	\$ 63,190,789
CBWQ NR 09.03 (SC-882) (future action)	\$ 73,215,157
Bay Restoration Fund Grant BRNR 01.03 (SC-877) (previous action 10/29/14)	\$215,156,867
Bay Restoration Fund Grant BRNR 01.03 (SC-877) (future action)	\$ 80,000,000
Local Share/Baltimore City (SC-882 and SC-877)	<u>\$156,052,710</u>
<b>TOTAL ESTIMATED PROJECT COST</b>	<b>\$657,615,523</b>

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

**B. New Loan of \$11,222,000 (estimated) – Gwynns Falls (Southern) Sewershed Improvements (SC920)**

**Project Description:** The project entails planning, design, and construction of improvements to correct deficiencies in the Gwynns Fall (Southern) Sewershed, including replacement and rehabilitation of sewers ranging in diameter size, improvements or upgrades to existing pump stations to reduce infiltration and inflow, point repairs to lines and manholes, disconnection of illegal connections, and new sewers for additional capacity. This is a continuation of Baltimore City's efforts to prevent sanitary sewer overflows as required by the Consent Decree initiated by the Maryland Department of the Environment and the U.S. Environmental Protection Agency to meet Clean Water Act requirements. A portion of the pipe capacity is allocated to Baltimore County. The Water Quality State Revolving Loan funding is for the Baltimore County share of the project cost. (Legislative District 40)

**Project Funding Sources:**

<b>Water Quality State Revolving Loan Fund</b>	<b>\$11,222,000</b>
Local Share/Baltimore City	<u>\$12,884,164</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$24,106,164</b>

**C. New Loan of \$133,000 (estimated) – Low Level Sewershed (Eastern) Sewer Improvements (SC912 & SC922R)**

**Project Description:** – The project entails planning, design, and construction of improvements to correct deficiencies in the Low Level (Eastern) Sewershed, including replacement and rehabilitation of sewers ranging in diameter size, improvements or upgrades to existing pump stations to reduce infiltration and inflow, point repairs to lines and manholes, disconnection of illegal connections, and new sewers for additional capacity. This is a continuation of Baltimore City's efforts to prevent sanitary sewer overflows as required by the Consent Decree initiated by the Maryland Department of the Environment and the U.S. Environmental Protection Agency to meet Clean Water Act requirements. A portion of the pipe capacity is allocated to Baltimore County. The Water Quality State Revolving Loan funding is for the Baltimore County share of the project cost. (Legislative District 45)

**Project Funding Sources:**

<b>Water Quality State Revolving Loan Fund</b>	<b>\$ 133,000</b>
Local Share/Baltimore City	<u>\$14,761,773</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$14,894,773</b>

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

**D. New Loan of \$3,727,000 (estimated) – Outfall Sewershed Sewer Improvements (SC934)**

**Project Description:** The project entails planning, design, and construction of improvements to correct deficiencies in the Outfall Sewershed, including replacement and rehabilitation of sewers ranging in diameter size, improvements or upgrades to existing pump stations to reduce infiltration and inflow, point repairs to lines and manholes, disconnection of illegal connections, and new sewers for additional capacity. This is a continuation of Baltimore City's efforts to prevent sanitary sewer overflows as required by the Consent Decree initiated by the Maryland Department of the Environment and the U.S. Environmental Protection Agency to meet Clean Water Act requirements. A portion of the pipe capacity is allocated to Baltimore County. The Water Quality State Revolving Loan funding is for the Baltimore County share of the project cost. (Legislative District 45)

**Project Funding Sources:**

<b>Water Quality State Revolving Loan Fund</b>	<b>\$ 3,727,000</b>
Local Share/Baltimore City	<u>\$ 7,399,850</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$11,126,850</b>

**E. New Loan of \$1,229,000 (estimated) – Templegate Pumping Station Improvements**

**Project Description:** The project entails upgrading the existing Templegate wastewater pumping station located in the Pikesville area of Baltimore County. The project involves converting the existing station into a submersible-type station with new submersible pumps, standby generator and building, a valve vault, controls and other ancillary improvements. This project is a part of Baltimore County's effort to meet the 2005 Consent Decree requirements for the rehabilitation of the Baltimore County sewer system. (Legislative District 11)

**Project Funding Sources:**

<b>Water Quality State Revolving Loan Fund</b>	<b>\$1,229,000</b>
Local Share	<u>\$ 174,760</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$1,403,760</b>

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

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

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**9. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Recommendation:** That the Board of Public Works approve further grant funding of up to \$35,447,782 to Washington Suburban Sanitary Commission for their portion of the capital cost of the regional **Blue Plains Wastewater Treatment Plant Enhanced Nutrient Removal upgrade** project in the District of Columbia. Funding may involve multiple sources, including general obligation bond proceeds, which may be provided over several years based on project schedule. (Maryland Service Area Legislative Districts 14-22, 24, 26, 47A and 47B)

**A. Grant Increase (up to) \$32,036,769 – Bay Restoration Fund (BR-NR 06.25)**

These funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible Enhanced Nutrient Removal (ENR) costs, as determined by the Department.

**B. Grant Increase (up to) \$3,411,013 - Chesapeake Bay Water Quality Projects  
– Biological Nutrient Removal (NR 04.25)**

**Project Description:** The overall project entails the planning, design and construction of the Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) upgrades at the existing 370 million gallons per day (mgd) Blue Plains Advanced Wastewater Treatment Plant (WWTP). The plant is currently achieving better than ENR goal for Total Phosphorus (TP) (0.3 mg/l) as its discharge permit requires the plant to achieve monthly average of 0.18 mg/l for TP. These upgrades will allow the WWTP to achieve effluent concentration goal of 3.0 mg/l for total nitrogen and permitted total nitrogen loading cap of 4.37 million lbs per year at the design capacity 370 mgd, significantly reducing the nutrients discharged to Potomac River and the Chesapeake Bay.

**Project Funding Sources:**

<b>Bay Restoration Fund Grant BR-NR 06.25 (this action)</b>	<b>\$ 32,036,769</b>
Bay Restoration Fund Grant BR-NR 06.25 (previously approved 8/10/11)	\$ 106,000,000
<b>Biological Nutrient Removal Grants NR 04.25</b>	
<b>MCCBL 2014-14003 (this action)</b>	<b>\$ 3,411,013</b>
Biological Nutrient Removal Grants (previously approved 12/5/12)	\$ 24,831,231
Local Share/State Revolving Fund	\$ 238,667,365
Other (DC Water)	<u>\$ 711,745,021</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$1,116,691,399</b>

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

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

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

MDE has determined this project serves Maryland portion of WSSC service area and 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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**10. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

***Recommendation:*** That the Board of Public Works approve further funding up to \$44,617,934 to The City of Frederick, for the **Gas House Pike Wastewater Treatment Plant Enhanced Nutrient Removal Upgrade** project in Frederick County. Funding may involve multiple sources provided over several years based on project schedule including general obligation bond proceeds as the required 20% match to federal funds and other funds. (Legislative District 3A)

**A. New Loan of \$28,142,000 (estimated) – Water Quality State Revolving Loan Fund.** Borrower will repay this loan over a period not to exceed 20 years following project completion, at an interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 0.80% interest rate. To secure this debt, the Borrower will deliver its bond, along with a full faith and credit endorsement to the Maryland Water Quality Financing Administration.

**B. Grant Increase (up to) - \$14,602,521 Bay Restoration Fund (BR-NR 04.11)** The source of these grant funds is the Bay Restoration Fund. These funds may be expended using multi-year appropriations based on the project schedule and will be used only for eligible costs. The ENR projects may be funded using special funds, revenue bonds or State GO bonds.

**C. Grant Increase (up to) - \$1,873,413 - Chesapeake Bay Water Quality Projects - Biological Nutrient Removal (NR 07.11)** MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

***Project Description:*** The project entails the design and construction of Biological Nutrient Removal (BNR) refinements and Enhanced Nutrient Removal (ENR) upgrade at the existing 8 million gallons per day (mgd) City of Frederick Wastewater Treatment Plant. Upon completion of the BNR and ENR Improvements along with the solids processing rehabilitation and other plant upgrades, the City of Frederick WWTP will be capable of achieving an effluent with a Total Nitrogen goal of 3.0 mg/l and a Total Phosphorus of 0.3 mg/l; significantly reducing nutrients to Monocacy River and ultimately to the Chesapeake Bay.



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

***Project Funding Sources:***

<b>Water Quality State Revolving Loan Fund (this action)</b>	<b>\$28,142,000</b>
<b>Bay Restoration Fund Grant BR-NR 04.11 (this action)</b>	<b>\$14,602,521</b>
Bay Restoration Fund Grant BR-NR 04.11 (previously approved 12/5/12)	\$ 1,458,000
<b>Biological Nutrient Removal NR 07.11 MCCBL 2014-14003 (this action)</b>	<b>\$ 1,873,413</b>
Biological Nutrient Removal NR 07.11 (previously approved 12/5/12)	\$ 500,000
Water Quality State Revolving Loan Fund (previously approved 8/22/12)	\$ 3,030,000
Water Quality State Revolving Loan Fund Green (previously approved 8/22/12)	\$ 1,116,000
Water Quality State Revolving Loan Fund w/Green Principal Forgiveness (previously approved 8/22/12)	<u>\$ 1,116,000</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$51,837,934</b>

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

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

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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*Contact Person: Terri Wilson (410) 537-4155  
terria.wilson@maryland.gov/cheryl.reilly@maryland.gov*

**11. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

**Recommendation:** That the Board of Public Works approve new grant/loan funding up to \$160,000 to the Town of Oakland for the **Oakland Water System Pressure Correction Project Design Phase**, in Garrett County. Funding may involve multiple sources, including general obligation bond proceeds as the required 20% match to federal funds and other funds. (Legislative District 1A)

- A. New Loan of \$20,000 (estimated) – Drinking Water State Revolving Loan Fund.** Borrower will repay this loan over a period not to exceed 30 years following project completion, at an interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.00% interest rate. To secure this debt, Borrower will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.
- B. New Loan Forgiveness/Grant (up to) \$140,000 – Drinking Water State Revolving Loan Fund.** This funding is provided under the Drinking Water State Revolving Loan Fund Program disadvantaged-community criteria. The principal forgiveness loan terms/grant conditions are enforceable should grantee default.

**Project Description:** The project entails improvements to the existing Oakland water distribution system infrastructure. The Water Distribution Tank/Pressure Study explored and recommended alternatives to resolve low pressure problems. The improvements will include planning, design, and construction of water booster pumps, and water line replacement/rehabilitation including ancillary appurtenances within the Town of Oakland. These corrective measures will improve both quantity and quality of water, thereby providing safe and adequate drinking water for the town's residents. This request is for feasibility study and design costs.

**Project Funding Sources:**

Drinking Water State Revolving Loan Fund	\$ 20,000
Drinking Water State Revolving Loan Fund Forgiveness/Grant	\$ 140,000
Local/ Future Drinking Water State Revolving Loan Fund	<u>\$ 1,940,000</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$ 2,100,000</b>

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**11. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

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

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

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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*Contact: Susan Langley 410-514-7662  
susan.langley@maryland.gov*

**12. DEPARTMENT OF PLANNING**

*Maryland Historical Trust*

*Maryland Maritime Archeology Program*

**Recommendation:** The Maryland Historical Trust recommends that the Board of Public Works approve the activities of the Maryland Maritime Archeology Program as proposed for the 2015 field season. This Item also summarizes the Program's 2014 activities.

**Authority:** §§ 5A-333–5A-346, State Finance & Procurement Article, Annotated Code of Maryland.

**Background:** The Submerged Archeological Historic Property Act established the Maryland Maritime Archeology Program (MMAAP) within the Maryland Historical Trust. This Act charges the Trust with identifying and managing the State's submerged archeological sites. Under the Act, anyone seeking to excavate or disturb submerged archeological sites on State lands must obtain a permit from the Trust. The law specifically exempts the Trust from the permit requirement. Instead, the Trust must obtain Board of Public Works approval before undertaking any activity that would otherwise require a permit. In 2015, the Trust proposes to carry out a number of activities that require Board approval.

**PROPOSED 2015 ACTIVITIES REQUIRING BOARD APPROVAL**

The 2015 MMAAP field season will include visits to known sites as well as work in new survey areas around the State. Investigations will use remote-sensing technology and visual inspection. When warranted, limited testing and excavation will be undertaken. This may entail the recovery of diagnostic artifacts to determine site age and significance. Trust staff will conserve and analyze these objects and write a report. MMAAP activities are open to volunteer participation. Proposed activities are dependent on funding.

**Coastal Resiliency Planning Surveys (Somerset County)**

This federally-funded field work near Crisfield and Janes Island State Park will focus on eastern shore areas impacted or at risk because of Hurricane Sandy and climate change.

**Wicomico River Survey (Charles and St. Mary's Counties)**

In and near Charleston and Manahowic Creeks, MMAAP will complete reconnaissance-level work begun in 2014. Work is done with Dr. Julie King, St. Mary's College of Maryland, who researches at 17<sup>th</sup> and 18<sup>th</sup> century archeological sites along the Wicomico River.

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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**12. DEPARTMENT OF PLANNING (*cont'd*)**  
***Maryland Historical Trust***  
***Maryland Maritime Archeology Program***

**Investigation of the *Levin J. Marvel*** (Anne Arundel County)

In this year, the 60th anniversary of the loss of the ram schooner *Levin J. Marvel*, MMAP will collect data to support nominating it to the National Register of Historic Places as a driving force in the passage of the federal Boating Safety [Bonner] Act of 1958.

**Monterrey Project** (Montgomery County and Gulf of Mexico)

Multi-agency project investigating three shipwrecks submerged 4,000 feet in the Gulf of Mexico. Work this year will focus on two wrecks near the one that appears to have been built in Baltimore. This work will clarify the nature of the vessels and cargoes and determine their relationship to each other.

**Mallows Bay** (Charles County)

The National Oceanic and Atmospheric Administration accepted Mallows Bay into its inventory for consideration as a designated National Marine Sanctuary. MMAP continues to work with the community to encourage establishment of the Sanctuary. The Institute for Maritime History, a non-profit volunteer organization, is mapping related WWI-era vessels with MMAP oversight.

**Nautical Archaeology Society Training**

MMAP is a Nautical Archaeology Society training partner and provides lectures, courses, field activities and other educational programming related to maritime archeology. Activities include helping the Battle of the Atlantic Research and Expedition Group, a non-profit volunteer organization.

**Diverse field investigations**

The non-profit organizations will continue to deploy, retrieve, and maintain the mooring buoy for a German U-submarine – the U-1105 Historic Shipwreck Preserve in the Potomac River – under the auspices of MMAP. Deployment in 2015 includes replacing the mooring anchor with a concrete block and installing a new buoy chain. To facilitate the updating of the U.S. Coast Guard and EPA Emergency Response Area Contingency Plan, MMAP reviews and evaluates shoreline and submerged archeological historic properties to prioritize protection and response strategies.

**SYNOPSIS OF THE 2014 FIELD SEASON**

**Wicomico River Survey** (Charles and St. Mary's Counties)

During 2014, more than three weeks of fieldwork including remote-sensing surveys involving magnetometer and side-scan sonar systems were conducted in Haddon, Charleston, and Manahowic Creeks and adjacent waters of the Wicomico River. This work was followed with visual inspections of the adjacent shoreline coordinated with the MHT Office of Archeology. The work resulted in refinement of archeological site records and discovery of areas that could contain submerged archeological historic properties.

**BOARD OF PUBLIC WORKS  
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**12. DEPARTMENT OF PLANNING (cont'd)**  
*Maryland Historical Trust*  
*Maryland Maritime Archeology Program*

**Investigation of the *Levin J. Marvel*** (Anne Arundel County)

Investigation of the ram schooner *Levin J. Marvel* involved examination of the debris field surrounding the wreck, the first visit by a government agency since the Coast Guard inspected it in 1987. This site has the potential to be included in the National Register of Historic Places; additional information is necessary and work will continue in 2015.

**Monterrey Project** (Montgomery County and Gulf of Mexico)

MMAP participated in the multi-agency project investigating three shipwrecks submerged 4,000 feet in the Gulf of Mexico. MMAP has been involved because one of the vessels looks like a Baltimore-built vessel from the late-18<sup>th</sup> to early-19<sup>th</sup> century. This season focused on biological studies as the conservation and analyses from the previous year's project was not yet complete. In 2013, MMAP participated in this project remotely from Dr. Robert Ballard's Inner Space Center at the University of Rhode Island. In 2014, MMAP participated remotely from NOAA headquarters in Silver Spring.

**Diverse field investigations**

The Institute for Maritime History and the Battle of the Atlantic Research and Expedition Group continued to deploy, retrieve and maintain the mooring buoy for the German submarine, U-1105. Under MMAP auspices, they monitored the U-1105 Historic Shipwreck Preserve in the Potomac River. The latter is managed cooperatively by the State, the U.S. Navy and St. Mary's County. MMAP began working with community organizations in southern Maryland to submit a nomination to NOAA to designate Mallows Bay in Charles County as a National Marine Sanctuary. The bay is adjacent to a County park and contains over 100 shipwreck remains dating to WWI.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
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April 15, 2015**

*Contact: David Lever 410-767-0610  
David.lever@maryland.gov*

**13. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM  
*Disposal of Surplus Property***

***Recommendation:*** The Interagency Committee on School Construction recommends that the Board of Public Works declare surplus and approve the disposal of three State-owned relocatable facilities located in Somerset County.

***Background:*** Three State-owned relocatable single-classroom buildings, comprising six units, are no longer useful:

<b>Somerset County</b>	<b>ID</b>
Washington High	# 38419
	# 43714
	# 43716

Somerset County Public Schools has requested that these units be moved as soon as possible. Upon inquiry, the Public School Construction Program finds that no other school system needs the units.

***Authority:*** COMAR 23.03.02.16H: *Surplus Property*: The IAC may recommend to the Board of Public Works that a State-owned relocatable facility be declared surplus property.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
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*Contact: Eric Johnson (410) 223-4150  
ericjohnson@mdstad.com*

**14. MARYLAND STADIUM AUTHORITY  
*Baltimore City Public Schools***

***Contract:*** Construction Manager/Preconstruction Services

***Contract ID:*** Arundel Elementary/Middle School Replacement [BCS-021]

***Description:*** Preconstruction services for the replacement of Arundel Elementary/Middle School throughout the design phase to provide cost-estimating, scheduling, project phasing, constructability reviews, value engineering, quality assurance, scope definitions, and bid packaging/preparations.

***Procurement Method:*** Competitive Sealed Proposals

***Proposals:***

<i>Offeror</i>	<i>Overall Score</i>	<i>Preconstruction</i>	<i>Construction Fee &amp; Estimated Labor</i>
MCN/ Southway	91	\$85,274	\$1,486,643
HESS	90	\$100,299	\$1,709,191
Whiting Turner	88	\$144,885	\$1,675,872
Turner	84	\$117,002	\$2,069,118
Dustin	82	\$131,274	\$2,643,175

***Award:*** MCN Build/ Southway Builders Joint Venture

***Amount:*** \$85,274 (preconstruction services only)

***Term:*** 4/2015 - 4/2016

***MBE Goal:*** 29%

***Authority:*** Baltimore City Public Schools Construction and Revitalization Act of 2013 (Chapter 647) [pertinent portion codified at § 10-646, Economic Development Article, Annotated Code of MD]



**BOARD OF PUBLIC WORKS  
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**14. MARYLAND STADIUM AUTHORITY (cont'd)**  
***Baltimore City Public Schools***

**Background:** The 2013 General Assembly provided for the Stadium Authority to “design and improve, or contract for the design and improvement of, a Baltimore City public school facility.” To effectuate that intent, the Board of Public Works approved a Memorandum of Understanding memorializing the agreement among the Stadium Authority, the Interagency Committee on School Construction, the Baltimore City Board of School Commissioners, and the Mayor and City Council of Baltimore concerning construction and revitalization of Baltimore City Schools. Secretary’s Agenda Item 14 (Oct. 16, 2013).

**Remarks:** Through this contract, the Stadium Authority is procuring a firm to provide preconstruction services for the replacement of Arundel Elementary/ Middle School, a Baltimore City Public School, located at 2400 Round Road, 21225.

A Request for Qualifications was posted on *eMaryland Marketplace* and the Stadium Authority’s website, and was sent out directly. Twenty-seven firms responded. A selection committee, comprising members from Baltimore City Schools and the Stadium Authority, deemed nineteen firms eligible to participate in the CM project pool for Plan Year One. These 19 firms now have an opportunity to bid on project-specific Requests for Proposals.

Seven firms submitted specific proposals on the Arundel Elementary/Middle School project. The selection committee selected five firms to interview and to review pricing. Next, scope and pricing review confirmations were held with the five firms resulting in Best and Final Offer (BAFO) submissions. Upon review of the BAFOs and reference checks, the Stadium Authority recommends awarding the contract to MCN Build/ Southway Builders Joint Venture, who was the top ranked firm technically and the lowest responsive bidder. It is Stadium Authority’s intent to award the construction-phase services to MCN/ Southway provided they perform adequately during the pre-construction phase and if all parties reach an acceptable GMP. The Stadium Authority intends to return with a recommendation to award construction services if pre-construction performance is satisfactory and an acceptable GMP is negotiated

**Fund Source:** Non-Budgeted Funds; Proceeds on deposit in the Baltimore City Public School Construction Facilities Fund

**Tax Compliance No.:** 15-0624-1111

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 15, 2015**

*Contact: Eric Johnson (410) 223-4150  
ericjohnson@mdstad.com*

**15. MARYLAND STADIUM AUTHORITY  
*Baltimore City Public Schools***

**Contract:** Architect/Engineering Services

**Contract ID:** Replacement of Arundel Elementary/Middle School [BCS-020]

**Description:** Design and engineering services for Arundel Elementary/Middle School Replacement

**Procurement Method:** Competitive Sealed Proposals

**Proposals:**

<i>Offeror</i>	<i>Score</i>	<i>Lump Sum Bid</i>
GWWO Inc./Architects, Baltimore	93	\$1,878,800
The Lukmire Partnership, Inc., Baltimore	92	\$1,997,100
Hord, Coplan, Macht, Baltimore	89	\$2,066,900

**Award:** GWWO Inc./Architects

**Amount:** \$1,878,800

**Term:** 4/2015 - 8/2018

**MBE Goal:** 29%  
Sub-goals      15.5% African American  
                     2 % Hispanic American  
                     11.5% Women

**Authority:** Baltimore City Public Schools Construction and Revitalization Act of 2013 (Chapter 647) [pertinent portion codified at § 10-646, Economic Development Article, Annotated Code of MD]

**Background:** The 2013 General Assembly provided for the Stadium Authority to “design and improve, or contract for the design and improvement of, a Baltimore City public school facility.” To effectuate that intent, the Board of Public Works approved a Memorandum of Understanding memorializing the agreement among the Stadium Authority, the Interagency Committee on School Construction, the Baltimore City Board of School Commissioners, and the Mayor and City Council of Baltimore concerning construction and revitalization of Baltimore City Schools. Secretary’s Agenda Item 14 (Oct. 16, 2013).

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 15, 2015**

**15. MARYLAND STADIUM AUTHORITY (cont'd)**  
***Baltimore City Public Schools***

**Remarks:** Through this contract, the Stadium Authority is procuring a firm to provide architectural and engineering services for the replacement of Arundel Elementary/ Middle School, a Baltimore City Public School, located at 2400 Round Road, 21225.

A Request for Qualifications was posted on *eMaryland Marketplace* and the Stadium Authority's website, and was sent out directly. Sixty five firms responded. A selection committee, comprising members from Baltimore City Schools and the Stadium Authority, deemed 31 firms eligible to participate in the A/E project pool for Plan Year One. These 31 firms now have an opportunity to bid on project-specific Requests for Proposals.

Fourteen firms submitted specific proposals on the Arundel Elementary/Middle School project. The selection committee selected four firms to interview and to review pricing. Upon review of the pricing and reference checks, the Stadium Authority recommends awarding the contract to GWWO, who was the low price bid and the top-ranked firm technically.

**Fund Source:** Non-Budgeted Funds; Proceeds on deposit in the Baltimore City Public School Construction Facilities Fund

**Tax Compliance No.:** 15-0566-1111

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 15, 2015**

**SUPPLEMENTAL**

*Contact: Bhaskaran Subramanian (410) 260-8786  
bhaskar.subramanian@maryland.gov*

**16. DEPARTMENT OF NATURAL RESOURCES  
*Shoreline Conservation Service***

*Recommendation:* That the Board of Public Works approve releasing the shore erosion control lien on the following project. The contractual requirements between the Department of Natural Resources and the property owner have been satisfied.

Project Number	Owner's Name	Project Description	County/District	Amount
SEC 2-87	Federal Home Loan Mortgage Corp	Stabilize of eroding shoreline with stone revetment and timber bulkhead	Calvert 29C	\$38,603

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 15, 2015**

**Supplemental**

*Contact: Bill Morgante, 410-260-7791  
Bill.morgante@maryland.gov*

**17. BOARD OF PUBLIC WORKS  
*Wetlands Licenses  
Concurrence Cases***

**Recommendation:** Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Board of Public Works Wetlands Administrator recommends that the Board grant licenses as indicated. The Department of the Environment concurs with this recommendation.

**Authority:** Section 16-202, Environment Article, Annotated Code of Maryland: “The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.” See also COMAR 23.02.04.

**QUEEN ANNE’S COUNTY**

14-0937      *COVE CREEK CLUB* – To provide and maintain navigational access to the marina by maintenance dredging the entrance and channel and providing for maintenance dredging for six years.

*Stevensville, Eastern Bay*

*Special conditions: Time of year restrictions and dredging requirements.*

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
APPENDIX  
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*Contact: Joselyn M. Hopkins, (410) 339-5013  
jmhopkins@dpscs.state.md.us*

**A1. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**  
***Division of Pre-Trial Detention and Services***

***Contract ID:*** Boiler Repair  
Chesapeake Detention Facility  
ADPICS No. Q00P5403284

***Contract Type:*** Maintenance

***Description:*** Materials, equipment, labor to repair boiler

***Procurement Method:*** Emergency

***Date Emergency Declared:*** October 28, 2014

***Bids:***

Capitol Boiler Works, Inc.	\$26,105
Power & Combustion	\$36,300

***Award:*** Capitol Boiler Works, Inc.  
Springfield, Virginia

***Amount:*** \$26,105

***Award Date:*** November 6, 2014

***Term:*** 4 weeks

***MBE Participation:*** 0%

***Fund Source:*** 100% General Funds/Appropriation Code: V1415 8091

***Remarks:***

***Nature of Emergency:*** The boiler at the Chesapeake Detention Facility was completely out of service. This boiler is necessary to dietary, sanitation and heating operations. Immediate repairs were necessary to restore operations. An emergency was declared to prevent health and safety hazards at the Chesapeake Detention Facility.

**BOARD OF PUBLIC WORKS  
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**A1. DEPT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)**  
***Division of Pre-Trial Detention and Services, Chesapeake Detention Facility***

***Remarks:*** (cont'd)

***Basis for Selection:*** DPSCS contacted three vendors and received two bids. Capitol Boiler Works, Inc. was selected because it submitted the low, responsive bid.

***Reason for Late Report:*** The emergency procurement was submitted late because the contractor did not submit the required contract affidavit in a timely manner. Also, DPSCS was late in obtaining agency approval signatures for. DPSCS has advised staff of the importance of emergency procurement procedures and providing all documentation within thirty days.

***Tax Compliance No.:*** 14-2974-1111

***Resident Business:*** No

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**BOARD OF PUBLIC WORKS ACTION:**

**THIS REPORT WAS:**

**ACCEPTED**

**REMANDED**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
APPENDIX  
April 15, 2015**

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

**A2. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**

**Contract ID:** Emergency Food Services  
Baltimore Correctional Food Services  
ADPICS No. Q00B5400155

**Contract Type:** Services

**Description:** Comprehensive inmate food services, to including all food supplies, food preparation and distribution, staffing, sanitation, equipment and equipment maintenance within the confines of correctional/detention facilities in Baltimore City.

**Procurement Method:** Emergency

**Date Emergency Declared:** February 26, 2015

**Award:** Crystal Enterprises, Inc.  
Glenn Dale, MD

**Amount:** \$6,610,568

**Contract Award Date:** February 28, 2015

**Term:** 02/28/15 – 8/31/15

**MBE Participation:** 18.6%

**Fund Source:** 92% General Funds 8% Federal Funds  
Appropriation Code: Various

**Remarks:**

**Nature of Emergency:** Reference is made to DBM Item 4-S (January 7, 2015) in which the Board of Public Works approved DPSCS awarding a contract to Crystal Enterprises, Inc. to provide food services at the Baltimore correctional facilities beginning February 1, 2015. Crystal began performance under that contract. However, on February 24, Crystal notified DPSCS that it would not be able to continue to provide services after February 28 and sustain its business unless DPSCS increased the price per meal from \$1.43 to \$2.20. Crystal attributes the price increase to a 30% variance between the estimated number of daily meals in the Request for Proposals (22,300) and the actual number of daily meals DPSCS orders (15,600).



**BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
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April 15, 2015**

**A2. DEPT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)**

**Remarks:** (cont'd) DPSCS determined that it provided an incorrect number of estimated daily meals in the RFP, and agreed that the disparity affected Crystal's ability to provide services at the contract price. DPSCS recognized also that Crystal would not obtain the contractually-required performance bond or security, due at least in part to the erroneous estimate in the RFP meal count. DPSCS determined that it was in the State's best interest to terminate the contract for convenience, and that avoiding disruption in inmate food services presented an emergency situation.

**Basis for Selection:** On February 26, 2015, DPSCS determined to terminate its contract with Crystal effective February 27. DPSCS determined that the only option available to avoid interruption to inmate food services was to retain Crystal on an emergency basis under revised pricing terms until a new procurement could be completed. DPSCS determined that there was not enough time to solicit other vendors and transition to a different contractor in less than 24 hours. Crystal has been providing excellent services since February 1. There have been no issues with the quality of food, food temperature, or delivery. As such, DPSCS selected Crystal to continue to provide these services during this emergency situation.

**Tax Compliance No.:** 15-0511-1111

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS ACTION:**

**THIS REPORT WAS:**

**ACCEPTED**

**REMANDED**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
 emilyh.wilson@maryland.gov*

**1A. PROGRAM OPEN SPACE LOCAL SHARE**  
*Charles County*

**Recommendation:** Approval to commit **\$145,200** for the following **acquisition** project.

***Indian Head Rail Trail (Middletown Road Property Acquisition) - \$145,200***  
 Charles County, POS #6333-8-93, MD20150220-0111

**Background:** Acquire 10.386 acres adjacent to mile post 11 of the Indian Head Rail Trail in Pomfret. This acquisition will provide additional access to the Trail in terms of parking and offers a buffer to the recreational trail/greenway corridor. Future development would allow the County to meet other visitor needs such as restroom facilities, drinking fountains, picnic facilities and an event staging area.

**Appraised Value:**      Hooper and Associates      \$147,000  
                                  Gatewood Company, Inc.      \$125,000

**Property Cost:**      \$136,000

**Incidental Costs:**      \$    9,200

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012  
 Program Open Space – Local, Prior Funds Replacement  
 Source Code: 12057 Item 057 \$145,200

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
emilyh.wilson@maryland.gov*

**2A. PROGRAM OPEN SPACE LOCAL SHARE**  
***Frederick County***

***Recommendation:*** Approval to commit **\$10,444** for the following **development** project.

***Emmitsburg Community Park and Memorial Park – Security Lighting***  
Town of Emmitsburg, Frederick County,  
POS #6329-10-164, MD20150220-0112

***Background:*** Purchase and install LED security lights at Emmitsburg Community Park and Memorial Park. The proposed outdoor recreational lighting system is designed to perform its intended function, be energy efficient, and minimize light pollution.

***Fund Source:***

Maryland Consolidated Capital Bond Loan of 2011, Chapter 396, Acts of 2011  
Program Open Space – Local, FY 2012 Allocation  
Source Code: 11051 Item 051 \$1,817.10

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013  
Program Open Space – Local, Prior Funds Replacement  
Source Code: 13080 Item 080 \$8,626.90

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
emilyh.wilson@maryland.gov*

**3A. PROGRAM OPEN SPACE LOCAL SHARE**  
***Washington County***

***Recommendation:*** Approval to commit **\$91,800** for the following **development** project.

***Black Rock Golf Course – Cart Paths Phase II***  
Washington County, POS #6319-21-318, MD20150220-0117

***Background:*** Patch and overlay 12,570 linear feet of existing 6 ft. wide cart path on the back nine holes of Black Rock Golf Course.

***Fund Source:***

Maryland Consolidated Capital Bond Loan of 2014, Chapter 463, Acts of 2014  
Program Open Space – Local, Prior Funds Replacement  
Source Code: 14089 Item 089 \$91,800

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
emilyh.wilson@maryland.gov*

**4A. PROGRAM OPEN SPACE LOCAL SHARE**  
***Wicomico County***

***Recommendation:*** Approval to commit **\$90,000** for the following **development** project.

***Port of Salisbury Boat House***  
City of Salisbury, Wicomico County  
POS #6323-22-222, MD20150220-0115

***Background:*** Construct 80' x 50' boat house at the Salisbury Marina to provide storage for racing shells and kayaks.

***Fund Source:***

Maryland Consolidated Capital Bond Loan of 2014, Chapter 463, Acts of 2014  
Program Open Space – Local, Prior Funds Replacement  
Source Code: 14089 Item 089 \$90,000

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
 emilyh.wilson@maryland.gov*

**5A. RURAL LEGACY PROGRAM**

**Recommendation:** Approval to grant \$231,177 to Carroll County for the following project from Rural Legacy Funds.

***Upper Patapsco Rural Legacy Area  
 Herbert Property***

**Prior Approval:** Little Pipe Creek/Upper Patapsco Rural Legacy Areas:  
 \$800,000 FY 2014 grant for easement acquisitions  
 DNR-RP Item 9A (Sept. 3, 2014)

**Project Description:** Acquisition of this 48.45-acre conservation easement protects productive forest and farmland, and provides 2,280 linear feet of stream buffers along an unnamed tributary to Gunpowder River. The property is located adjacent to Pretty Boy Reservoir. Carroll County will hold the easement.

**Easement Value:** \$229,673 (\$4,740 per acre)

**Other Costs:** \$ 1,504 (title work)

**Amount Requested:** \$231,177

**Fund Source:**

Maryland Consolidated Capital Bond Loan – 2013  
 Rural Legacy Program – Prior Year Funds Replacement  
 Chapter 424 Acts of 2013  
 Source Code: 13082 Item: 082 Amount: \$231,176.93

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
emilyh.wilson@maryland.gov*

**6A. RURAL LEGACY PROGRAM**

**Recommendation:** Approval to grant \$571,137 to the Eastern Shore Land Conservancy, Inc. for the following project from Rural Legacy Funds.

***Agricultural Security Corridor Rural Legacy Area  
Moberly Property***

**Prior Approval:** Agricultural Security Corridor Rural Legacy Areas  
\$650,000 FY 2014 grant for easement acquisitions  
DNR-RP Item 9A (Sept. 3, 2014)

**Project Description:** Acquisition of this 153.36-acre conservation easement protects productive forest and farmland, and provides 6,798 linear feet of stream buffers along Tuckahoe Creek. The Eastern Shore Land Conservancy Inc. and DNR will co-hold this easement.

**Easement Value:** \$544,040 (\$ 3,547 per acre)

**Other Costs:**

Administrative:	\$16,321
Incidental:	\$ 2,615 (\$500 settlement fees; \$115 recording costs; \$2,000 title work)
Program compliance:	<u>\$ 8,161</u>
Total costs:	\$ 27,097

**Amount Requested:** \$571,137

**Fund Source:**

Maryland Consolidated Capital Bond Loan – 2014, Rural Legacy Program – Prior Year Replacement Funds, Chapter 463 Acts of 2014, Source Code: 14091 Item: 091 Amount: \$141,268.86

Maryland Consolidated Capital Bond Loan – 2013, Rural Legacy Program – Prior Year Funds Replacement, Chapter 424, Acts of 2013, Source Code: 13082 Item: 082 Amount: \$402,771.14

Outdoor Recreation Land Loan – 2014, Rural Legacy Program, Chapter 423, Acts of 2013, Source Code: A0510 Item: 010 Amount: \$27,096.90

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: Emily Wilson (410) 260-8436  
emilyh.wilson@maryland.gov*

**7A. PROGRAM OPEN SPACE STATE SHARE**

***Edward W. & Nancy N. Purnell, \$125,000 and incidentals of \$1,500***

***Cecil County, POS #4789***

***Recommendation:*** That the Board of Public Works approve the acquisition in fee simple of a 4.83 +/- acre parcel in Cecil County. The forested property is adjacent to, and DNR will manage it as part of, Elk Neck State Forest. A portion of Plum Creek, a tributary of the Elk River, borders the property. Acquisition will protect Forest Interior Dwelling Species and provide for expanded recreational opportunities, in the form of trails. The property, located in a Target Ecological Area, scored 100 under the Program Open Space Targeting System.

***Grantor:*** Edward W. Purnell & Nancy N. Purnell

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

***Property:*** 4.83 +/- acres, unimproved

***Price:*** \$125,000

***Appraisals:*** \$95,000      Stephen H. Muller (9/23/14)    Reviewed by Dave Wallenberg  
\$125,000      George W. Lutz (9/2/14)      Reviewed by Dave Wallenberg

***Incidentals:*** Title fees to Absolute Title Group not to exceed \$1,500

***Fund Source:***

Maryland Consolidated Capital Bond Loan – 2012

POS Stateside – Prior Year Funds Replacement

Chapter 444, Acts of 2012 - Source Code: 12056    Item: 056    Amount: \$126,500

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Supplement A**  
**Department of Natural Resources**  
**ACTION AGENDA**  
**April 15, 2015**

*Contact: John Turgeon (410)514-7903*  
*John.turgeon@maryland.gov*

**8A. MARYLAND ENVIRONMENTAL TRUST**

**Recommendation:** Maryland Environmental Trust recommends that the Board of Public Works approve amending a deed of conservation easement to allow the fee simple owner to permit Columbia Gas Transmission, LLC to widen its right-of-way on the eased property.

**Reference:** Deed of Conservation Easement, dated October 3, 2002 and recorded in the Land Records of Baltimore County at Liber 17140, Folio 567.

**Prior Approval:** Reference is made to Secretary's Agenda Item 9(B) (Oct. 30, 2002) in which the Board of Public Works ratified the donation of a conservation easement on a 25.77-acre property located on **Carroll Road in Baltimore County** to the Trust from W. Robert Zinkham and Theresa A. McGeehan.

**Project Description:** Ms. McGeehan is now sole owner of the property encumbered by the easement. Columbia Gas Transmission, LLC, a Delaware limited liability company, seeks to widen – by 54 feet – its existing 850-foot long right-of-way on that property. In the expanded right-of-way, Columbia proposes to excavate and install a 26-inch diameter gas pipeline parallel to its existing pipeline. The total permanent impact area is 1.06 acres. The property is primarily pasture to the west end and forested in the east. Planned forest clearing would be 0.40 acre.

Columbia has the power of eminent domain, as derived from the Federal Energy Regulatory Commission. See Natural Gas Act, 15 U.S.C.S. § 717f(h). This power vests Columbia with the authority to preempt the Trust's easement. This right-of-way expansion is part of a 21.1 mile project to construct Columbia MB, a liquefied natural gas pipeline parallel to and looping with the existing Columbia MA pipeline. The Columbia MB project is planned to cross numerous Trust-eased properties, most in the Caves Valley area of Baltimore County. The Trust and Columbia have negotiated to minimize impact on these conservation easements while still meeting FERC safety requirements.

McGeehan has agreed to the widening of the right-of-way on her property. The Trust, to avoid Columbia exercising its power of eminent domain on the easement, has agreed to amend the easement to allow the widening which the Trust finds will result in *de minimis* impact to the easement's conservation values. In turn, Columbia has agreed to provide mitigation, for stewardship costs, and water quality enhancement practices.

This item was withdrawn as DNR-RP Item 11A from the September 3, 2014 Agenda.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Same

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

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

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace* and posted on the Agency's website and bid board. Copies of the solicitation notice were sent directly to four prospective vendors, all of which are Maryland firms, and included no MBEs.

This was the second attempt to procure these services. The first solicitation, which received two proposals, was cancelled in November 2014 based upon the new law passed in April 2014 - State Government Article §§10-1401 – 10-1404, Annotated Code of Maryland, "Subtitle 14 Open Data" that requires the State through the Department of Information Technology (DoIT) to provide data files for free through the Open Data Portal. SDAT is in the process of providing its Master Data files to DoIT for the Open Data Portal, which is anticipated to be completed in August 2015. The first solicitation raised many questions about the Open Data initiative and it was deemed to be in the State's best interest to cancel the solicitation to amend the scope of work.

One proposal was received in response to this new RFP, and it was determined to be reasonably susceptible of being selected for award. In addition, the Offeror was determined to be responsible; the financial offer was considered fair and reasonable, and it was determined that other potential offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to Specprint, Inc., the sole Offeror and incumbent.

After receipt of proposals, each firm not submitting an offer was surveyed to determine their reasons for not submitting a proposal. The survey results from all three potential vendors cited the Open Data initiative through DoIT as being the reason for not submitting proposals. The start-up costs and reduced revenue for this contract were not cost beneficial for the other vendors.

SDAT Master Data files have been sold for over ten years. The past three years have shown declining sales for the Master Data files requests, which reduced the revenue received by SDAT. Revenues for the previous five-year contract were estimated to be \$120K per year; however, the revenue totals for the past three years were \$105,623 for FY2012, \$92,956 for FY2013, and \$79,318 for FY2014. SDAT has estimated the new contract revenues to be approximately \$86,000 per year for the base term and \$52,000 per year for the two renewal options.

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

SDAT believes these services will still be needed in addition to the Open Data Portal for customized reports and data not available on the Open Data Portal. As long as the data is available on the Open Data Portal to provide customer's the opportunity to obtain the data requested for free, this contract provides an alternative method to obtain the data in customized reports and provide revenue to the State. Customers request data in different formats and/or layouts and SDAT does not have the staff to handle the volume of requests for data that SpecPrint, Inc. is able to process. SpecPrint, Inc. is familiar with the SDAT's data and the needs of the customers. The value of this contract will be reassessed as the Open Data Portal becomes more readily utilized.

There was no MBE or VSBE participation goals established for this contract because there are no subcontracting opportunities. The contractor receives the file via transfer file protocol from SDAT and reformats it based on the customer's request. A review of the current contract revealed that 95% of the return product is submitted to the customer electronically.

**FUND SOURCE:** N/A (There is no cost to the State since this is a revenue-producing contract. Revenue is added to the General Fund.)

**APPROP. CODE:** E50.C001

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0586-1111

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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**  
**April 15, 2015**

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**April 15, 2015**

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

**BIDS:**

Bidders	Bids			
	Base Contract (3 Years)	Option #1 (1 Year )	Option #2 (1 Year)	Total (5 Years)
Bolton Partners Baltimore, MD	\$179,036	\$70,005	\$60,547	\$309,588
Boomshine Consulting Group Ellicott City, MD	\$228,850	\$59,600	\$77,625	\$366,075
CBIZ Benefits & Insurance Services Cumberland, MD	\$261,125	\$83,175	\$92,625	\$436,925
Cheiron, Inc. McLean, VA	\$268,375	\$95,425	\$98,650	\$462,450
Gabriel, Roeder, Smith & Co. Chicago, IL	\$331,875	\$90,425	\$121,300	\$543,600

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

**PERFORMANCE SECURITY:** 100% of Award (Performance Bond)

**HIRING AGREEMENT ELIGIBLE:** Yes

**INCUMBENT:** Cheiron, Inc.  
McLean, VA

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMaryland Marketplace* as well as the MTA's website. The MTA also identified and directly solicited 14 potential sources for the services, 13 of which are Maryland firms and five are MBEs.

Five bids were received in response to the IFB. Award is recommended to Bolton Partners, Inc., the responsible bidder with the lowest responsive bid.

**Supplement B**  
**Department Of Budget And Management**  
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**April 15, 2015**

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

The MTA provides a defined benefit pension plan for employees that are represented by one of three unions, namely: Local 1300, Local 1859, and Local 2. These benefits are negotiated between union and management and are included in the collective bargaining agreements resulting from these negotiations. This contract will provide technical services relating to:

- Annual actuarial valuation report for the MTA pension plan and bi-annual actuarial valuation report for Other Post-Employment Benefits (Retiree Healthcare Benefits) for each year ending June 30;
- Experience review and evaluation of the assumptions utilized in the annual valuation of the pension plan; and,
- Analysis of any changes to the Plan initiated by either the MTA or by one of the unions representing participants in the pension plan.

A 2% MBE participation goal and no VSBE participation goal were established for this contract based upon the determination that there are limited subcontracting opportunities available in order to maintain the confidentiality of the information generated within this contract. In addition, there are no certified MBEs listed under actuarial services or pension-related activities with a designation from the Society of Actuaries as required to perform actuarial services.

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

**APPROP. CODE:** J00H0101

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0364-0111

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Board of Public Works Action - This Item was:

**APPROVED**

**DISAPPROVED**

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**WITH DISCUSSION**

**WITHOUT DISCUSSION**

<b>BIDDERS/AWARDEES</b>	<b>BIDS</b>	<b>MBE/SBR</b>	<b>MD TAX CLEARANCE</b>
ATC Healthcare Services Baltimore, MD	\$735,500		15-0669-0011
Nurse Professionals Health Care LLC * Ocean City, MD	\$781,240	MBE/SBR	15-0664-0110
Shore Staffing Inc. * Marion Station, MD	\$792,189	MBE/SBR	15-0667-0011
A-Team Solutions, LLC Fulton, MD	\$794,099	MBE	15-0668-1111
General Healthcare Resources * Baltimore, MD	\$840,560		15-0663-0110
Favorite Healthcare Staffing Baltimore, MD	\$860,500		15-0670-0111
Cross Country Staffing, Inc. Baltimore, MD	\$881,570		15-0671-0000
Provida Staff LLC Lutherville, MD	\$904,410		15-0666-0011
Prestige Healthcare Resources Inc. Bladensburg, MD	\$907,537		15-0665-0010



**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

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

**TERM:** 5/1/2015 – 4/30/2020

**AMOUNT:** \$871,500 NTE (5 Years)

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**MBE PARTICIPATION:** None (See Requesting Agency Remarks)

**PERFORMANCE SECURITY:** None

**INCUMBENTS:** As noted with an \* above and the following:

RCM Health Care Services	Delta-T Group Maryland, Inc.	Maxim Healthcare Services Inc.
Philadelphia, PA	Columbia, MD	Towson, MD

**REQUESTING AGENCY REMARKS:** A notice of the availability of the Invitation For Bids (IFB) was posted on *eMaryland Marketplace*, the DHMH Procurement Opportunities web page and the Holly Center's Bid Board. The IFB was sent directly to six potential vendors, all of which are Maryland firms and included three minority businesses and two small businesses. A copy was also sent to the Governor's Office of Minority Affairs.

Eleven bids were received in response to the IFB. However, only nine bids were deemed to be responsive from responsible bidders. One bid was deemed nonresponsive and the bidder not responsible because it did not have a current license as required in the minimum qualifications, and the other bidder was deemed not responsible based upon reference checks. As per the IFB, multiple awards would be made as a result of the solicitation; therefore, all responsive bids from responsible bidders are recommended for award. The recommended awardees will be utilized by right of first refusal based upon the total bid ranking – lowest price to highest price.

These contracts with nursing agencies will provide supplemental nursing staff at Holly Center during shortage periods due to staff illness, vacations and other scheduled and unscheduled absences. The contracts will ensure adequate nursing coverage at all times for Registered Nurses (RN), Licensed Practical Nurses (LPN) and Certified Nursing Assist (CNA) when needed at the Holly Center.

**Supplement B**  
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**ITEM:** 3-S (Cont.)

The Award Amount is based upon the Holly Center's budget and the estimated/anticipated number of hours for RN, LPN, and CNA services per year to be provided under the contracts. The contracts establish the fixed unit prices for the hourly rates for each discipline – RN, LPN and CNA. The bid prices were based upon a model of projected hours of usage for each discipline. These are indefinite quantity contracts with firm fixed unit prices in accordance with COMAR 21.06.03.02 & 21.06.03.06.

No MBE participation goal was established for this contract based upon the determination that there are only three MBE-certified nursing agencies on the lower Eastern Shore. Therefore, the MBEs were encouraged to participate as Prime Contractors and these three MBEs are recommended for contract awards.

<b>FUND SOURCE:</b>	100% General
<b>APPROP. CODE:</b>	M0032.13.05
<b>RESIDENT BUSINESSES:</b>	Yes for all
<b>MD TAX CLEARANCES:</b>	See table under Awards/Bids

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Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

<b>ITEM:</b>	4-S	<b>Agency Contact:</b> Rosetta Rose 410-339-5013 rrose@dpscs.state.md.us
<b>DEPARTMENT/PROGRAM:</b>	Public Safety & Correctional Services (DPSCS)	
<b>CONTRACT ID:</b>	Public Safety Compact Services ADPICS # Q00B5400144	
<b>CONTRACT DESCRIPTION:</b>	<b>RETROACTIVE</b> - Provide services to safely restore ex-prisoners from Baltimore City to their families and communities through effective in-prison substance abuse treatment followed by community-based re-entry support and services and proactive community supervision, to sustain the effort, and to return a portion of the accrued savings from reduction in prisons stays to Safe and Sound for additional treatment and re-entry support and services.	
<b>AWARD:</b>	Safe and Sound Campaign, Inc. Baltimore, MD	
<b>TERM:</b>	12/1/2008 – 12/2/2013 (MOU) 12/3/2013 – 10/31/2015 (Contract)	
<b>AMOUNT:</b>	\$2,831,975 (Donated Funds for MOU) \$2,099,026 (State Funds Paid to date from 5/2013) <u>\$1,695,344</u> (Prospective Funds for Contract) \$6,626,345 Total (6 Years, 11 Months)	
<b>PROCUREMENT METHOD:</b>	Sole Source	
<b>MBE PARTICIPATION:</b>	None	
<b>INCUMBENT:</b>	Same	

**Supplement B**  
**Department Of Budget And Management**  
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**April 15, 2015**

**ITEM:** 4-S (Cont.)

**REQUESTING AGENCY REMARKS:** Request for retroactive approval of a sole source contract to continue services provided through the Public Safety Compact Program (PSC). PSC has been in existence through a Memorandum of Understanding dated December 2008 (FY 2009). The MOU was entered into by the Department of Public Safety and Correctional Services (DPSCS), the Maryland Parole Commission (MPC), the Department of Budget and Management's Budget Office (DBM), and Safe and Sound Campaign, Inc. The program was designed with a public/private financing model to use philanthropic dollars to support effective community-based aftercare and re-entry services for prisoners who complete prison-based substance abuse treatment and cognitive/behavioral therapy. The program was intended to create public savings by coordinating discretionary parole consideration with prison-based services aimed at reducing recidivism.

From the implementation of the program through the end of calendar year 2014, 637 offenders have been assigned to the program and 530 have been released. Savings to the State through this program are generated by shortening offenders' time in prison and reducing recidivism among participants. Program savings are calculated based upon eligible participant days and the fiscal year approved per-diem rate. The excess savings or program savings minus program expenses are divided between the Contractor and the State. The 60% share of the savings returned to the Contractor is invested back into the program to increase treatment and reentry services.

The initial funds gathered to implement this program were completely funded by "Seed Money" provided by a number of investors. That funding lasted until August 2012. Between fiscal year 2010 and 2014, the DPSCS paid a total of \$1.8 million to the Contractor. Of that amount, \$1.0 million was allocated for program expenses, which had previously been funded through the initial funds provided by investors. The remaining amount consisted of the Contractor's 60% share of the excess/program savings. To date, the cumulative savings to the State between fiscal year 2010 and 2014 were \$497,428. The State's savings do not include any savings that may be related to a decrease in the recidivism rate.

In a request to renew the MOU in 2013, it was determined that the procurement method used to execute the MOU in 2008 was incorrect. After a thorough investigation, it was determined that the MOU was erroneously procured under COMAR 21.01.03.01(A)(4), which provides an exemption from procurement regulations for agreements executed with other governmental agencies. However, because one of the parties to the MOU, the Contractor, is a non-profit organization and not a governmental agency, procurement under this exemption is not permissible.

**Supplement B**  
**Department Of Budget And Management**  
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**ITEM:** 4-S (Cont.)

The Department understands that the original 2008 MOU was not done through a proper procurement. In 2008, Safe and Sound Campaign, Inc. was the only vendor available that could provide these services. A sole source procurement would have been the method used to obtain these services in conjunction with the MOU between the State Agencies and the local government entities, if the Procurement Units at DPSCS and DBM had been consulted.

It is now believed that other non-profit organizations/firms may be able to provide these services; therefore, DPSCS is planning to conduct a competitive procurement for these services beyond October 2015. There is also discussion within the agency to bring these services in-house.

**FUND SOURCE:** 100% General

**APPROP. CODE:** Q00A0203

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0041-0110

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

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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**  
**April 15, 2015**

**SERVICES CONTRACT RENEWAL OPTION**

**ITEM:** 5-S-OPTION **Agency Contact:** Robert Howells  
410-230-8789  
robert.howells@maryland.gov

**DEPARTMENT/PROGRAM:** Maryland State Lottery & Gaming Control  
Agency (Lottery) - Communications  
Division

**CONTRACT ID:** Televised Drawings of the Lottery's On-  
Line Games and Related Services; 2010-07;  
ADPICS # E75B5400015

**CONTRACT APPROVED:** DBM Item 2-S (1/5/2011)

**CONTRACTOR:** Hearst-Argyle Stations, Inc.  
d/b/a WBAL-TV 11  
Baltimore, MD

**CONTRACT DESCRIPTION:** Contract to provide Televised Drawings of  
the Lottery's On-Line Games and Related Services to include: 1) produce and televise Drawings  
in the Baltimore designated market area and beyond; 2) promote the drawings, winning numbers,  
Lottery winners and other related Lottery promotions; and 3) perform all other related  
production, promotion and transmission activities.

**OPTION DESCRIPTION:** Exercise the single two-year option.

**ORIGINAL CONTRACT TERM:** 1/6/2011 – 6/30/2015 (w/1 two-year renewal option)

**OPTION TERM:** 7/1/2015 – 6/30/2017

**ORIGINAL CONTRACT AMOUNT:** \$7,437,623 NTE (4 ½ Years)

**OPTION AMOUNT:** \$3,305,610 NTE (2 Years)

**PRIOR MODIFICATIONS/OPTIONS:** None

**REVISED TOTAL CONTRACT AMOUNT:** \$10,743,233 NTE

**Supplement B**  
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**ITEM:** 5-S-OPTION (Cont.)

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 19%

**MBE COMPLIANCE:** 19%

**REQUESTING AGENCY REMARKS:** The Lottery desires to exercise the single available two-year renewal option to provide for the continuation of the televised drawing services.

The Lottery anticipates a continuing need for these services after the expiration of this contract and will make a future determination whether to issue an RFP for a replacement contract or to move these services in-house. Since the drawing machines belong to the Lottery and Lottery staff conducts the drawings, the Lottery has considered conducting the drawings at Lottery headquarters instead of at a TV station. The TV station provides the studio and the broadcast air time. The Lottery is researching the possibility of building a small studio at the agency and then providing a video of the drawings to the TV station for broadcast.

**FUND SOURCE:** 100% Special (Lottery Proceeds)

**APPROP. CODE:** E75D0001

**RESIDENT BUSINESS:** No

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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**  
**April 15, 2015**

**SERVICES CONTRACT RENEWAL OPTION**

<b>ITEM:</b>	6-S-OPTION	<b>Agency Contact:</b> Anne Timmons 410-767-4710 anne.timmons@maryland.gov
<b>DEPARTMENT/PROGRAM:</b>		Budget and Management (DBM) Office of Personnel Services and Benefits Employee Benefits Division
<b>CONTRACT ID:</b>		Consultant and Actuarial Services for State Employee Retiree Health and Welfare Benefits Program; ADPICS # F10B5400008 (Consultant); F10B5400009 (Actuarial)
<b>CONTRACT APPROVED:</b>		DBM Item 2-S (6/6/2012)
<b>CONTRACTOR:</b>		The Segal Company (Eastern), Inc.
<b>CONTRACT DESCRIPTION:</b>	Provide consultant and actuarial services to support the administration of the State Employee and Retiree Health and Welfare Benefits Program.	
<b>OPTION/MODIFICATION DESCRIPTION:</b>	Exercise the first one-year renewal option.	
<b>ORIGINAL CONTRACT TERM:</b>	6/7/2012 – 5/31/2015 (w/2 one-year renewal options)	
<b>OPTION TERM:</b>	6/1/2015 – 5/31/2016	
<b>ORIGINAL CONTRACT AMOUNT:</b>	\$3,424,994 NTE (3 Years)	
<b>OPTION AMOUNT:</b>	\$1,303,462 NTE (1 Year)	
<b>PRIOR MODIFICATIONS/OPTIONS:</b>	None	
<b>REVISED TOTAL CONTRACT AMOUNT:</b>	\$4,728,456 NTE	



**Supplement B**  
**Department Of Budget And Management**  
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**ITEM:** 6-S-OPTION (Cont.)

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 22%

**MBE COMPLIANCE:** 14%

**REQUESTING AGENCY REMARKS:** Request for approval to exercise the first of two one-year renewal options to continue to provide consulting and actuarial services to the State Employee and Retiree Health and Welfare Benefits Program. These services include: assistance with annual health plan rate setting, annual Other Post-Employment Benefits (OPEB) valuation, assistance with compliance and regulatory changes, trend analysis, and healthcare legislation evaluation. In addition, The Segal Company will provide technical assistance and support in connection with the re-procurement of the State's Flexible Spending Account and the Maryland Transportation Administration union healthcare contract.

In the area of actuarial assistance, The Segal Company has provided an excellent level of expertise and proved to be an effective resource for the Department and the Employee Benefits Division (EBD) management teams. The Segal Company has been integral to annual benefit program forecasting, budgeting, rate setting and management. The Segal Company has provided expertise in eligibility and plan modeling allowing the State to anticipate the costs and/or savings of various plan designs or eligibility changes such as replacing the Department's Retiree Drug Subsidy Program with the Employer Group Waiver Plan to provide comprehensive prescription drug benefits to the State's Medicare-eligible Retirees, while reducing plan costs.

The Segal Company assisted the Office of Personnel Services and Benefits EBD with procurements for Medical, Dental, and State Law Enforcement Officers Labor Alliance procurements and continues to play a key role in the Pharmacy Benefit Management contract. The Segal Company played a strategic role in the design, development, and benchmarks for the new Wellness Program introduced during Open Enrollment 2015. In addition, The Segal Company assisted the Department's Employee and Labor Relations Division with the Employee Assistance Program procurement.

The Segal Company has provided several key analyses such as the impact of the healthcare reform, annual OPEB valuation, Federal Mental Health Parity compliance and the Injured Workers Insurance Fund spin-off.

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**ITEM:** 6-S-OPTION (Cont.)

Through the maintenance of the data warehouse, The Segal Company provides health plan utilization reporting and analysis, trends, and modeling. The data warehouse is key to accurately projecting future trend and Program costs, as well as allowing the EBD to view the claims data sorted by age, gender, plan, coverage level, inpatient, outpatient, snapshot-in-time, and over various time periods. This capability allows the EBD to monitor program costs effectively and efficiently and will be critical in tracking the Wellness program's impact on overall Program costs

Overall, The Segal Company has performed well in all areas of actuarial and consulting tasks executed in the support of this contract. The Segal Company has agreed to a reduction in hourly prices for the first year renewal prices. This results in a projected savings of \$21,000 or approximately 2% of the contract.

**FUND SOURCE:** 100% Reimbursable

**APPROP. CODE:** F10A02.02

**RESIDENT BUSINESS:** No

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Board of Public Works Action – This Item was:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement B**  
**Department Of Budget And Management**  
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**April 15, 2015**

**SERVICES CONTRACT RENEWAL OPTION**

<b>ITEM:</b>	7-S-OPTION	<b>Agency Contact:</b> Brendan Clifford 410-767-3550 Brendan.clifford@maryland.gov
<b>DEPARTMENT/PROGRAM:</b>		Health and Mental Hygiene (DHMH) Office of Information Technology
<b>CONTRACT ID:</b>		Data Entry Services; DHMH-OPASS 13-13439; ADPICS # M00B6400001
<b>CONTRACT APPROVED:</b>		DBM Item 5-S (8/21/2013)
<b>CONTRACTOR:</b>		The Data Entry Company (TDEC) Bethesda, MD
<b>CONTRACT DESCRIPTION:</b>		Provide data entry and 100% document key verification for Medical Assistance, Breast and Cervical Cancer, Vital Records and Financial Services programs.
<b>OPTION DESCRIPTION:</b>		Exercise the first one-year renewal option.
<b>ORIGINAL CONTRACT TERM:</b>		9/1/2013 - 8/31/2015 (w/3 one-year renewal options)
<b>OPTION TERM:</b>		9/1/2015 - 8/31/2016
<b>ORIGINAL CONTRACT AMOUNT:</b>		\$1,242,316 (2 Years)
<b>OPTION AMOUNT:</b>		\$631,027 (1 Year)
<b>PRIOR MODIFICATIONS/OPTIONS:</b>		None
<b>REVISED TOTAL CONTRACT AMOUNT:</b>		\$1,873,343
<b>ORIGINAL PROCUREMENT METHOD:</b>		Multi-Step Competitive Sealed Bidding

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**April 15, 2015**

**ITEM:** 7-S-OPTION (Cont.)

**MBE PARTICIPATION:** 21.62%

**MBE COMPLIANCE:** 23%

**REQUESTING AGENCY REMARKS:** Request for approval to exercise the first of three one-year renewal options for the continuation of data entry and 100% document key verification services provided for several DHMH programs. The majority of the work performed under this contract is claims processing for DHMH health care providers and is essential to ensure timely payment. The Data Entry Company has provided excellent service during the base contract term. It is deemed to be in the State's best interests to exercise this renewal option in order to maintain these critical services without interruption.

**FUND SOURCE:** 57% Federal; 43% General

**APPROP. CODE:** M00A0102; M00Q0103

**RESIDENT BUSINESS:** Yes

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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**  
**April 15, 2015**

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 8-S-MOD **Agency Contact:** Theresa Lee  
410-764-3328  
Theresa.Lee@maryland.gov

**DEPARTMENT/PROGRAM:** Health and Mental Hygiene (DHMH)  
Maryland Health Care Commission  
(MHCC)

**CONTRACT ID:** Health Benefit Plan Performance Evaluation  
– Report Development; MHCC 13-006  
ADPICS # COG14898

**CONTRACT APPROVED:** DBM Item 2-S (10/3/2012)

**CONTRACTOR:** HealthcareData Company, LLC (HDC)  
Mechanicsburg, PA

**CONTRACT DESCRIPTION:** Develop a series of Plan-Specific Performance Reports for each reporting commercial health benefit plan operating outside the Exchange, as well as each reporting qualified health, dental and vision plan operating inside the Exchange, which provides the detailed results for quality and performance measures prior to the public release of performance data. In addition, develop two reports for public release, the Health Benefit Plan Performance Report and the Qualified Health Plan Performance Report, which shall be aimed at informing consumers of plan performance outside and inside the Exchange, respectively.

**MODIFICATION DESCRIPTION:** Extend the contract term to complete the reporting period for CY2015, allowing the Commission time to transition the report to a web-based consumer product.

**ORIGINAL CONTRACT TERM:** 11/1/2012 – 5/31/2014 (w/1 one-year renewal option)

**MODIFICATION TERM:** 6/1/2015 – 12/31/2015

**ORIGINAL CONTRACT AMOUNT:** \$447,401 (1 Year, 7 Months)

**MODIFICATION AMOUNT:** \$250,130 (7 Months)

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

**PRIOR MODIFICATIONS/OPTIONS:** \$245,482 [\$13,880: Mod #1: 1/14/2014 - 5/31/2014: Approved by DHMH/MHCC; \$226,102: Option #1: 6/1/2014 - 5/31/2015: DBM Item 13-S-OPTION (2/19/2014); \$5,500: Mod #2: 11/13/2014 – 5/31/2015: Approved by DHMH/MHCC]

**REVISED TOTAL CONTRACT AMOUNT:** \$943,013

**PERCENT +/- (THIS MODIFICATION):** +56%

**OVERALL PERCENT +/-:** +60%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 22.4%

**MBE COMPLIANCE:** 35%

**REQUESTING AGENCY REMARKS:** Health General Article, Section 19-101 et seq., directs MHCC to establish and implement a system to evaluate quality and performance of health benefit plans in a comparative and objective manner.

MHCC is requesting approval to extend the contract by seven months in order to continue the commitment to conduct performance evaluation and report development for the Maryland Health Benefit Exchange. This will also allow MHCC to streamline the health plan quality reporting into a web-based platform on the MHCC Quality website, maintaining a consistent look and aesthetic as the web-based platform for hospital quality reporting. To accomplish this requires the timely completion of all performance evaluation and report development services to produce one final set of annual health plan quality reports prior to the start of the open enrollment period anticipated on October 1, 2015.

There will be no future solicitations for the quality report services as MHCC has committed to condense the services by completing its transition to the interactive consumer friendly web-based format by 2016, at no additional cost to the State, as much of this work will be consolidated into an existing contract for the development and maintenance of the new Maryland Healthcare Guide website.

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

HealthcareData Company, LLC (HDC) possesses a highly specialized skill set and required licensure by the National Committee for Quality Assurance (NCQA). In addition, records indicate that only nine other U.S. vendors possess similar licensure and none of these vendors are based in the State of Maryland.

With exemplary pricing and full confidence that HDC will continue to meet or exceed the MBE participation goal, MHCC believes that it is in the State's best interest to approve the contract modification. MHCC has determined that better pricing would not be obtained through a new, one-year procurement. Also, the high quality of services received from HDC would continue uninterrupted for the last cycle of the quality report series.

**FUND SOURCE:** 52% Special (User Fees); 48% Health Exchange (Reimbursement)

**APPROP. CODE:** M00R0101

**RESIDENT BUSINESS:** No

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Board of Public Works Action -This Item was:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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**April 15, 2015**

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 9-S-MOD                      **Agency Contact:** Sandy Johnson  
410-767-7408  
sandy.johnson@maryland.gov

**DEPARTMENT/PROGRAM**                      Human Resources (DHR)  
Baltimore City Department of Social Services  
(BCDSS)  
Family Investment Administration (FIA)

**CONTRACT IDS:**                      Work Participation, Job Placement and Support  
Services for TCA Customers in Baltimore City;  
ADPICS # See page 27B

**CONTRACTS APPROVED:**                      DBM Item 3-S (11/16/2011)

**CONTRACTORS:**                      See page 27B

**CONTRACT DESCRIPTION:**                      Three Contracts to provide Work Participation,  
Placement, and Support Services for Baltimore City Temporary Cash Assistance (TCA)  
customers, both current recipients and those applying for TCA benefits. The goal is to serve  
approximately 3,000 TCA recipients.

**MODIFICATION DESCRIPTION:**                      Add funding for two contracts to continue providing  
employment services to work-eligible TCA customers.

**ORIGINAL CONTRACT TERM:**                      12/1/2011 – 11/30/2013 (w/1 two-year renewal  
option)

**MODIFICATION TERM:**                      5/1/2015 – 11/30/2015

**ORIGINAL CONTRACT AMOUNT:**                      \$10,172,350 (2 Years)

**MODIFICATION AMOUNT:**                      \$1,028,767 (7 Months)



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**ITEM:** 9-S-MOD (Cont.)

**PRIOR MODIFICATIONS/OPTIONS:** \$8,900,807 [Option #1/Mod#1 to reduce maximum number of payout points: 12/1/2013 – 11/30/2015: DBM Item 3-S-MOD (11/6/2013)]

**REVISED TOTAL CONTRACT AMOUNT:** \$20,101,924

**OVERALL PERCENT+/- (THIS MOD):** +10.1%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION AMOUNT:** 25%

**MBE COMPLIANCE:** Various (See page 27B)

**REQUESTING AGENCY REMARKS:** Request for approval to increase the funding for two of the three work participation contracts to continue welfare-to-work services designed to place TCA customers into work activities that meet the Federal Work Participation Requirements (WPR) that will lead to full-time unsubsidized employment at a self-supporting wage.

The work participation contractors provide a variety of welfare-to-work services designed to enable TCA customers to achieve Federal Work Participation Requirements; enter full-time unsubsidized employment; and, remain employed for at least twelve consecutive weeks. The contracts are based on a fixed unit price per customer to be paid on achievement of the following milestones:

- Payout Point #1 – TCA customers who successfully complete monthly work participation requirements (payable at 1/6 per month for a maximum of 6 months per customer over the life of the Contract);
- Payout Point #2 – TCA customers who are employed full-time for eight consecutive weeks; and,
- Payout Point #3 – TCA customers who successfully complete a total of 12 consecutive weeks of full-time employment.

On average, the Baltimore City Department of Social Services (BCDSS) refers 370 work-eligible customers to a work participation Contractor monthly. Combined, these three contractors provide services for 62% of new customers every month and achieve higher work participation and placement rates than BCDSS alone

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**ITEM:** 9-S-MOD (Cont.)

Contractors provide a variety of services that meet the requirements of, the Federal Temporary Assistance to Needy Families Program, the federal equivalent to Maryland's TCA, as well as DHR's efforts to improve work force outcomes. Provided services include:

- Barrier removal activities;
- Work experience activities;
- Community service activities;
- On-the-job training opportunities;
- Educational opportunities;
- Job specific skill training opportunities;
- Subsidized Employment; and
- Unsubsidized Employment.

All Contractors have achieved acceptable levels of performance success during the contract as noted below. During the renewal option period, as of September 2014:

America Works of Maryland, Inc. has achieved 83% of their enrollment goal by providing services to 1,239 TCA customers. America Works has also achieved 49% of Payout Point #1, 46% of Payout Point #2, and 47% of Payout Point #3.

Goodwill Industries of the Chesapeake, Inc. has achieved 187% of their enrollment goal by providing services to 1,351 TCA customers. Goodwill has also achieved 100% of Payout Point #1, 26% of Payout Point #2, and 30% of Payout Point #3.

KRA Corporation has achieved 196% of their enrollment goal by providing services to 1,626 TCA customers. KRA has also achieved 100% of Payout Point #1, 36% of Payout Point #2, and 35% of Payout Point #3.

The specialized service provided by the contractors significantly assists the agency meet the Federal Work Participation Requirement, and by extension, the State of Maryland. Two contractors, Goodwill Industries of the Chesapeake, Inc. and KRA Corporation, completed performance goals faster than anticipated and will exhaust the contract funding prior to the end of the contract term. Were these contractors to cease operations prior to the end the contract, individuals on public assistance will go unserved. This will impair the State's ability to meet the federal compliance rules for TCA. It will also extend the length of time that customers stay on TCA because it delays their transition to employment. Sufficient funds remain in the current year's budget, making this modification cost neutral.

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**ITEM:** 9-S-MOD (Cont.)

**FUND SOURCE:** 100% Federal (TANF)

**APPROP. CODE:** N00G0010

**RESIDENT BUSINESS:** Yes

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Board of Public Works Action – This Item was:

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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**ITEM:** 9-S-MOD (Cont.)

Contractors	Number of Customers			Base Contract Amount	Renewal Option Amount	Modification Amount	Total Amount
	Base	Option	Total				
America Works of Maryland, Inc. Baltimore, MD MBE Compliance: 25.21% ADPICS # N/A (BCDSS/FIA-12-063-A1)	1500 est. / 2908 actual	1500 est. / 1239 actual	3000 est. / 4147 actual	\$4,987,500	\$4,364,063	\$0	\$9,351,563
Goodwill Industries of the Chesapeake, Inc. Baltimore, MD MBE Compliance: 25% ADPICS # COG16401-20063 (BCDSS/FIA-12-062-A2)	825 est. / 1741 actual	722 est. / 1351 actual	1547 est. / 3092 actual	\$1,586,650	\$1,388,319	\$373,295	\$3,348,264
KRA Corporation Fulton, MD MBE Compliance: 24.48% ADPICS # COG16405-20065 (BCDSS/FIA-12-061-A2)	960 est. / 2128 actual	828 est. / 1626 actual	1788 est. / 3754 actual	\$3,598,200	\$3,148,425	\$655,472	\$7,402,097
<b>Grand Total</b>	<b>3285</b>	<b>3050</b>	<b>6335</b>	<b>\$10,172,350</b>	<b>\$8,900,807</b>	<b>\$1,028,767</b>	<b>\$20,101,924</b>

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**SERVICES CONTRACT MODIFICATION**

<b>ITEM:</b>	10-S-MOD	<b>Agency Contact:</b> Joselyn Hopkins 410-339-5013 jmhopkins@dpscs.state.md.us
<b>DEPARTMENT/PROGRAM:</b>		Public Safety & Correctional Services (DPSCS) Office of Inmate Health Services Pharmacy Program
<b>CONTRACT ID:</b>		Inmate Health Care Services – Inmate Pharmacy Program; Q0005057D – Mod #17 ADPICS # COG16504
<b>CONTRACTS APPROVED:</b>		DBM Item 17-S (6/1/2005)
<b>CONTRACTOR:</b>		Correct Rx Pharmacy Services, Inc. Linthicum, MD
<b>CONTRACT DESCRIPTION:</b>		Contract to implement statewide pharmacy services for inmates in the custody of the Department of Public Safety and Correctional Services.
<b>MODIFICATION DESCRIPTION:</b>		Mod to extend the contract by one year.
<b>ORIGINAL CONTRACT TERM:</b>		6/2/2005 – 6/30/2007 (w/3 one-year renewal options)
<b>MODIFICATION TERM:</b>		7/1/2015 –6/30/2016
<b>ORIGINAL CONTRACT AMOUNT:</b>		\$31,958,458 (2 Years)
<b>MODIFICATION AMOUNT:</b>		\$40,284,024 Total (1 Year)
<b>PRIOR MODIFICATIONS/OPTIONS:</b>		\$269,657,727 (See page 30B)
<b>REVISED CONTRACT AMOUNT:</b>		\$341,900,209 NTE

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**ITEM:** 10-S-MOD (Cont.)

**PERCENT +/- (THIS MODIFICATION):** +126.05%

**OVERALL PERCENT +/-:** +969.83%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 100% (Contractor is a MD Certified MBE)  
 4.5% Subcontracting Goal (20% of the Total Contract Value with the exclusion of the price for pharmaceuticals)

**MBE COMPLIANCE:** 100% (Contractor is a MD Certified MBE)  
 1.0% Subcontracting Goal (8.1% with the exclusion of the price for pharmaceuticals)

**REQUESTING AGENCY REMARKS:** Request for approval to extend the contract to continue existing inmate pharmacy services for one year through June 30, 2016 to allow time to complete the procurement process.

On 11/27/2012, the Maryland State Board of Contract Appeals (MSBCA) issued an Order vacating the State's recommendation of award in DPSCS Solicitation No. Q0012015. This decision was appealed to the Circuit Court for Baltimore City by DPSCS and the recommended awardee of the new contract. In June 2013, the Circuit Court reversed the MSBCA's decision and remanded the case to the MSBCA for a hearing on the merits of the protest appeals. The initial Appellant (Correct Rx) appealed the Circuit Court decision to the Court of Special Appeals.

The appeals process was anticipated to take an additional undetermined amount of time, resulting in further delaying the award. Due to this delay, as well as the fact that the award had already been delayed for two years due to the bid protest appeals, it was deemed that the Offerors' proposals were "stale." DPSCS thus cancelled the procurement in October 2013.

Since 2013, DPSCS has procured several other major contracts and reviewed the scope of work for this contract and is preparing to issue the new solicitation in the coming months. Therefore, additional time is needed to complete this procurement process and award a new contract thus necessitating the need to extend the contract another year through June 30, 2016.

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**ITEM:** 10-S-MOD (Cont.)

**PRIOR OPTIONS/MODIFICATIONS (Cont.):**

Mod #1	N/A	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module: 7/1/2005 - 6/30/2007: DBM Item 12-S-MOD (11/15/2006).
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed (NTE) amount: 7/1/2006 - 6/30/2007: Approved by DPSCS.
Mod #3	\$7,804,432	Mod to clarify portions of the Statement of Work & to increase the NTE amount: 5/12/2007 - 6/30/2007: DBM Item 26-S-MOD (6/6/2007).
Option #1	\$24,131,340	Exercised the first one-year renewal option: 7/1/2007 – 6/30/2008. DBM Item 26-S-MOD (6/6/2007).
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a NTE amount: 7/1/2007 - 6/30/2008: Approved by DPSCS.
Mod #5	\$1,950,000	Mod to clarify portions of the Statement of Work in a non-material change & to increase the NTE amount: 6/1/2008 - 6/30/2008: DBM Item 9-S-MOD (7/16/2008).
Option #2	\$27,219,572	Exercised the second one-year renewal option: 7/1/2008 – 6/30/2009: DBM Item 14-S-OPTION (6/11/2008).
Mod #6	\$1,096,685	Mod to clarify portions of the Statement of Work in a non-material change and increase the NTE amount: 6/17/2009 - 6/30/2009: DBM Item 15-S-MOD (6/17/2009).

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**ITEM:** 10-S-MOD (Cont.)

**PRIOR OPTIONS/MODIFICATIONS (Cont.):**

Option #3	\$28,063,380	Exercised the third one-year renewal option: 7/1/2009 – 6/30/2010. DBM Item 15-S-MOD (6/17/2009).
Mod #7	\$16,251,255	Mod to extend the current contract by six months: 7/1/2010 - 12/31/2010: DBM Item 24-S-MOD (6/23/2010).
Mod #8	\$1,722,669	Mod to increase the NTE amounts in order to continue the existing services: 12/1/2010 – 12/31/2010. DBM Item 11-S-MOD (12/1/2010).
Mod #9	\$18,454,796	Mod to extend the contract by six months in order to complete a new procurement for inmate pharmacy services: 1/1/2011 - 6/30/2011: DBM Item 9-S-MOD (12/15/2010).
Mod #10	\$14,000,000	Mod to extend the contract by six months in order to complete a new procurement for inmate pharmacy services: 7/1/2011 - 12/31/2011: DBM Item 14-S-MOD (6/1/2011).
Mod #11	\$16,580,000	Mod to extend the contract by six months in order to allow for the protest appeal process to be completed: 1/1/2012 - 6/30/2012: DBM Item 7-S-MOD (1/25/2012).
Mod #12	\$18,180,000	Mod to increase the NTE amounts in order to continue the existing services until 6/30/2012 and extend the contract for an additional six months in order to allow for the protest appeal process to be completed: 6/30/2012 - 12/31/2012: DBM Item 26-S-MOD (6/6/2012).
Mod #13	\$16,879,998	Mod to increase the NTE amounts in order to continue the existing services until 12/31/2012 and extend the contract for an additional six months in order to allow for the protest appeal process to be completed: 1/1/2013 – 6/30/2013: DBM Item 16-S-MOD (12/19/2012).



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**ITEM:** 10-S-MOD (Cont.)

**PRIOR OPTIONS/MODIFICATIONS (Cont.):**

Mod #14	\$34,454,392	Mod to increase the NTE amount to cover pharmaceuticals through FY2013; and extend the contract for one year with two three-month renewal options: 6/13/2013 – 6/30/2014: DBM Item 17-S-MOD (6/12/2013).
Mod#15	\$21,127,196	Mod to increase the NTE amount to cover pharmaceuticals through FY2014 and exercise two three-month renewal options: 6/1/2014 - 12/31/2014: DBM Item 12-S-MOD (5/28/2014).
Mod #16	\$21,742,012	Mod to increase the not-to-exceed (NTE) amount to cover pharmaceuticals through CY2014 and extend the contract by six months: 12/18/2014 – 6/30/2015: DBM Item 16-S-MOD (12/17/2014).
Total	<u>\$269,657,727</u>	

**FUND SOURCE:** 100% General

**APPROP. CODE:** Various

**RESIDENT BUSINESS:** Yes

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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**  
**April 15, 2015**

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 11-S-MOD **Agency Contact:** Teresa Dantzler  
410-767-0114  
teresa.dantzler1@maryland.gov

**DEPARTMENT/PROGRAM:** Education (MSDE), Division of Curriculum,  
Assessment & Accountability (DCAA)

**CONTRACT ID:** Maryland High School Assessments  
(MHSA); ADPICS # R00B7200064

**CONTRACT APPROVED:** DBM Item 6-S (4/18/2007)

**CONTRACTOR:** Measurement Incorporated (MI)  
Durham, NC

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

**MODIFICATION DESCRIPTION:** Retroactively and proactively extend the contract term for Module II to align the contract expiration date with the contract for Module I to allow MSDE time to develop a new solicitation for the MHSAs that will be consistent with the new standards.

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

**MODIFICATION TERM:** 1/1/2013 – 12/31/2016

**ORIGINAL CONTRACT AMOUNT:** \$37,878,937

**MODIFICATION AMOUNT:** \$0

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 11-S-MOD (Cont.)

**PRIOR MODIFICATIONS/OPTIONS:** (\$28,977,092) [Mod #1: 12/13/2007 – 12/31/2012: DBM Item 16-S-MOD (12/12/2007)]

**REVISED TOTAL CONTRACT AMOUNT:** \$8,901,845

**PERCENT +/- (THIS MODIFICATION):** 0%

**OVERALL PERCENT +/-:** -76.5%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 15%

**MBE COMPLIANCE:** 3%

**REQUESTING AGENCY REMARKS:** It was always MSDE's intention that the contracts for Modules I and II would have the same duration. Having the two modules aligned allows for better, and necessary, quality control of the assessments program. The MHSA is administered five times each year and during each administration; students' confidential records must be transported between the test developer and test scorers. With contract terms aligned, MSDE could better ensure that the contractors developed efficient processes for transferring confidential student records, and that the processes would be inexorable throughout the life of the contracts. The Code of Fair Testing Practices in Education states that results must be reported accurately and in timely fashion. Having reliable and efficient practices provide greater certainty that students' assessments and subsequent scores are accurately reported in a timely manner. In addition, having the same contractors for both test development and administration and scoring throughout the life of the two contracts allows for inter-rater reliability, scoring consistency, and overall quality control.

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 11-S-MOD (Cont.)

The contract with Educational Testing Service (ETS) for Module I has had several modifications. The most recent being awarded December 18, 2013 to extend the contract term until December 31, 2016 in order to implement and assess the transition to the Partnership for the Assessment of Readiness for College and Career (PARCC) assessments (See DBM Item 13-S-MOD on the 12/18/2013 BPW Agenda). The extensions began because the new standards had not been received from the U.S. Department of Education, and it was deemed to be in the best interest of the State to continue the contract until the scope of work for the new solicitation could be developed. Conducting a new procurement with the old standards would not be cost effective due to start-up costs with a new contractor and it was unknown how long the current standards would continue.

The contract with Measurement Incorporated (MI) for Module II was also modified to extend the contract term beginning in January 2013 with no additional funding required. MSDE executed three amendments to the contract extending the contract term until December 31, 2015. These amendments were treated as “no cost extensions”. When MSDE began to prepare the new amendment to extend the contract term until December 31, 2016 to align the terms for Module I and Module II, it was discovered that Board of Public Works approval was not obtained for the previous extensions. Therefore, at this time, MSDE is requesting approval of the three previous modification extensions through 12/31/2015 and the new modification extension through 12/31/2016. Currently, MI is only hand-scoring the constructed response portion of the Government test. There is no constructed response within the Biology test.

As a result of new PARCC standards and assessments, following the 2016 assessment year, MSDE will procure new test development, test administration, and test scoring for two contents/tests: government and biology, instead of four. The PARCC assessments now include English and algebra that were previously part of the MHSA. MSDE will be developing a new Request for Proposals (RFP) for the MHSA which will be consistent with the new standards, including the newly adopted science standards that will require a complete re-design of the Biology content/test. The new RFP will be competitively procured and will be used to retain a contractor to meet the needs of the MHSA program. It will again allow the assessments and the scoring terms to be aligned in order to allow for quality control and scoring consistency.

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 11-S-MOD (Cont.)

This modification is in the best interest of the State in order to prevent delays in scoring the Government tests that will impact some students' graduations. Using the same scoring contractor (Module II) for the remainder of this testing program will protect the inter-rater reliability, scoring consistency, and quality control for the remaining assessments that will be administered and will, in turn, need to be scored. Attempting to engage another contractor for the final year of the assessment program would add unnecessary risk to the program, undermining established scoring reliability, consistency, and quality.

**FUND SOURCE:** 100% General

**APPROP. CODE:** R00A0104

**RESIDENT BUSINESS:** No

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

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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**  
**April 15, 2015**

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 12-S-MOD **Agency Contact:** Elizabeth Fitzsimmons  
410-767-6331  
Elizabeth.fitzsimmons@maryland.gov

**DEPARTMENT/PROGRAM:** Department of Business & Economic  
Development (DBED); Division of Tourism,  
Film and the Arts (DFTA)

**CONTRACT ID:** Print Media Monitoring Services;  
ADPICS # T00B3400014/  
COF81067 and COG07880

**CONTRACT APPROVED:** DBM Approved & Reported on the  
October 2012 PAAR, Item #6

**CONTRACTOR:** BurrellesLuce  
Livingston, NJ

**CONTRACT DESCRIPTION:** Provide print media monitoring services to  
capture feature stories that appear online and in print related to travel to Maryland for leisure  
travel, recreational pursuits and participation in special events.

**MODIFICATION DESCRIPTION:** Request for retroactive approval of a  
modification to increase the not-to-exceed (NTE) amount based upon the increased volume of  
news clippings during the contract term.

**ORIGINAL TERM:** 11/1/2012 – 10/31/2015

**MODIFICATION TERM:** 7/24/2014 – 10/31/2015

**ORIGINAL AMOUNT:** \$30,767 NTE

**MODIFICATION AMOUNT:** \$30,000 NTE

**PRIOR MODIFICATIONS/OPTIONS:** \$15,000 [Mod #1: Increased NTE amount  
for additional news clippings: 5/7/2014 – 10/31/2015: Approved by DBED]

**REVISED TOTAL CONTRACT AMOUNT:** \$75,767 NTE

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 12-S-MOD (Cont.)

**PERCENT+/- (THIS MODIFICATION):** + 97.5%

**OVERALL PERCENT +/-:** + 146.3%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Bidding  
**MBE PARTICIPATION:** None

**REQUESTING AGENCY REMARKS:** The promotion of Maryland's tourism assets is done primarily through advertising, promotions and public relations. The contracted services assist DBED in monitoring the success of its efforts to increase tourism expenditures in the State by promoting Maryland's attractions, accommodations, and visitor services; providing residents and out-of-state visitors with information and services to ensure a positive trip experience; and positioning Maryland as a competitive destination worldwide.

This is an indefinite quantity fixed unit price contract for print media monitoring services with the NTE amount based upon historic usage for the three year contract term. However, during this three year period the volume of news clippings has increased beyond the anticipated usage greatly because of the highly successful 2014 Star-Spangled Spectacular, a once-in-a-lifetime event that generated more than 2,000 new stories with a circulation of more than 2.2 billion.

DBED was closely monitoring the contract usage during the peak media campaign period and added \$15K in funding to the contract in May 2014 within its delegated authority from the Department of Budget and Management (DBM). Then in July 2014, DBED added another \$5K in funding because it believed it was still within its delegated authority from DBM to do so (under \$25K in total for the two modifications). In January 2015, DBED contacted DBM to add \$25K in funding to the contract, because this amount was above DBED's delegated authority. DBM initially approved DBED's request because the new modification amount was within DBM's delegated authority from the Board of Public Works (BPW) to approve. However, upon further review at DBM, it was realized that the contract award was obtained from a single bid received in response to the solicitation. Therefore, once the contract amount reached \$50K, no matter what the modification amount was, the action required BPW approval.

Since the contract amount exceeded \$50K with the second modification for \$5K processed by DBED, retroactive approval for this amount plus the \$25K submitted to DBM in January is being requested through this agenda item. This modification is deemed to be in the best interest of the State to allow DBED to continue to services through October 2015 and to ensure the success of tourism in Maryland.

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 12-S-MOD (Cont.)

**FUND SOURCE:** 100% General

**APPROP. CODE:** T00G0001

**RESIDENT BUSINESS:** No

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

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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**  
**April 15, 2015**

**GENERAL MISCELLANEOUS**

**ITEM:** 13-GM                      **Agency Contact:** Marc Nicole  
410-260-7049  
Marc.Nicole@maryland.gov

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

**AMOUNT OF REQUEST:** \$224,362 FY2015 Total (see page 41B)

**DESCRIPTION:** Request to approve proposed reimbursable fund budget amendment for the month of March FY2015. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that the proposed reimbursable fund budget amendment be approved by the Board of Public Works unless specifically authorized by the Budget Bill or other law.

**FUND SOURCE:** 100% Reimbursement

**APPROP. CODE:** See page 41B

**REQUESTING AGENCY REMARKS:** Various contributing Departments and Independent Agencies have appropriated funds to pay for services to be provided by receiving Departments or Independent Agencies for the month of March FY2015. The following page shows the reimbursable amendments by Department and Independent Agency and identifies the Departments and Independent Agencies receiving and contributing funding, the amounts of the funding and a brief justification for each amendment.

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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**  
**April 15, 2015**

**ITEM:** 13-GM (Cont.)

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	***** Justification *****
090-15	C00-Judiciary	D15-Governor's Office of Crime Control and Prevention	\$179,712	Funding for a grant to provide Protective Order Advocacy and Representation.
15R-056	M00-Dept. of Health and Mental Hygiene	D26-Maryland Department of Aging	\$44,650	Funding provided to cover the cost of a Statewide evidence based health promotion for the Maryland Living Well Project.
<b>FY2015 March Proposed Reimbursable Amendment Total</b>			<b>\$224,362</b>	

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**SERVICES CONTRACT MODIFICATION**

**ITEM:** 14-S-MOD **Agency Contact:** Teresa Dantzler  
410-767-0114  
teresa.dantzler1@maryland.gov

**DEPARTMENT/PROGRAM:** Education (MSDE)  
Division of Curriculum, Assessment &  
Accountability (DCA & A)

**CONTRACT ID:** Maryland High School Assessments;  
ADPICS # R00B7200063/ COG17224

**CONTRACT APPROVED:** DBM Item 6-S (4/18/2007)

**CONTRACTOR:** Educational Testing Service (ETS)  
Princeton, NJ

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

**MODIFICATION DESCRIPTION:** Reduce the scope of work for Module I and payment schedule for the final Test Edition Year 9 by eliminating the administration of the Algebra/Data Analysis and English II tests to align with the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments and add Biology and Government test form planners for the transition to the new MHSA contract.

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

**MODIFICATION TERM:** 5/1/2015 – 12/31/2016

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

**MODIFICATION AMOUNT:** (\$840,540) (1 Test Edition Year)

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**Supplemental**

**ITEM:** 14-S-MOD (Cont.)

**PRIOR MODIFICATIONS/OPTIONS:** \$90,672,297 (See page 45B)

**REVISED TOTAL CONTRACT AMOUNT:** \$142,257,868

**PERCENT +/- (THIS MODIFICATION):** -1%

**OVERALL PERCENT +/-:** +37%

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Proposals

**MBE PARTICIPATION:** 0.49%

**MBE COMPLIANCE:** 1.23%

**REQUESTING AGENCY REMARKS:** Approval requested to amend the MHSA final contract year (Year 9: 2015– 2016 Test Edition) to reduce the scope of work assumed by the PARCC assessments related contracts and to add test form planners for the MHSA Government and Biology tests to minimize risk in transitioning to a new contract.

The MHSA tests are end-of-course assessments in Algebra/Data Analysis, English II, Government and Biology that are administered to students successfully completing these courses in grades 6-12 Statewide. Students are required to take and pass the assessments or obtain a combined score of all four assessments in order to receive a high school diploma. Three of the assessments: Algebra/Data Analysis, English II, and Biology are also used to fulfill the federal Elementary and Secondary Education Act (ESEA) requirements.

With the adoption of the new Maryland College and Career-Ready Standards, Maryland is in the process of transitioning to new assessments developed collaboratively by the PARCC consortium. The Algebra I and English II PARCC assessments replace two of the four MHSA assessments: Algebra/Data Analysis and English II. The final administration of the MHSA Algebra/Data Analysis and English II tests is scheduled for the summer 2015; thus, all scope of work under the current contract related to the administration of these two content areas beyond the summer of 2015, is no longer needed.

The current contract ends 12/31/2016. To minimize risk during the transition, this modification requests the addition of the creation of the test form planners for Government and Biology for the remaining administrations of the 2016 - 2017 assessment cycle. This will provide continuity within form development and construction across vendors assuring reliability across forms and administrations for the initiating year.

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 14-S-MOD (Cont.)

**FUND SOURCE:** 100% General

**APPROP. CODE:** R00A0104

**RESIDENT BUSINESS:** No

**PRIOR MODIFICATIONS/OPTIONS (Cont.):**

Mod #1	\$27,554,652	Modification of contract to: (1) develop, score and report alternative high school assessment for special education students, (2) discontinue and remove the constructed response items from the MHSA and develop and replace with selective response (multiple choice) items. DBM Item 16-S-MOD (12/12/2007).
Mod #2	(\$1,100,411)	Modification of contract to remove from Module 1 the Secure Back up Forms from the administrations of the 2010 and 2011 test editions. DBM Item 8-S-MOD (3/24/2010).
Mod #3	(\$2,413,490)	Modification of contract to remove the Government assessment portion of the tests from Module I of the HSA tests and Mod-HSA due to statewide cost containment. DBM Item 11-S-MOD (7/27/2011).
Mod #4	\$14,684,129	Modification to extend the Maryland High School Assessment (HSA) contract for one additional test edition year (Year 6: 2012 - 2013 Test Edition) with an additional one-year renewal option (Year 7: 2013 - 2014 Test Edition) in order to assess and implement the requirements of the pending reauthorization of the Elementary and Secondary Education Act (ESEA): 11/3/2011 – 12/31/2013. DBM Item 4-S-MOD (11/2/2011).
Mod #5	\$17,987,079	Modification to exercise one test edition year (2013-2014 Test Edition 7) renewal and reinstate the Government High School Assessment tests for Test Edition Year 6 & 7 (2012-2013 and 2013-2014). DBM Item 11-S-MOD (11/14/2012)

**Supplement B**  
**Department Of Budget And Management**  
**ACTION AGENDA**  
**April 15, 2015**

**ITEM:** 14-S-MOD (Cont.)

**PRIOR MODIFICATIONS/OPTIONS (Cont.):**

Mod #6	\$35,702,006	Modification to extend the contract for two additional test edition years (Test Edition Years 8 and 9) in order to implement and access the transition to PARCC assessments. DBM Item 13-S-MOD (12/18/2013).
Mod #7	(\$1,741,668)	Modification to eliminate the construction/development of the Algebra and English tests (Test Edition Years 8 and 9) in order to transition to PARCC testing; therefore, not duplicating work between the two contracts. DBM Item 14-S-MOD (12/17/2014).
Total	<div style="border-top: 1px solid black; display: inline-block; width: 100px;"></div> \$90,672,297	

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Board of Public Works Action – This Item was:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**April 15, 2015**

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

**1-S. UNIVERSITY OF MARYLAND, BALTIMORE**  
***Architecture/Engineering Services***

***Contract ID:*** On-Call Mechanical and Electrical Design Services  
for Academic Projects  
RFP #87917 AA

***Contract Description:*** On-call mechanical and electrical engineering design services to provide full mechanical and electrical engineering services for University System of Maryland institutions in the Baltimore region for academic projects including classrooms, studios, office facilities and computer labs.

***Award:***

Henry Adams, LLC	Baltimore, MD
Whitman Requardt and Associates, LLP	Baltimore, MD
Affiliated Engineers, Inc.	Rockville, MD
RMF Engineering Inc, P.C.	Baltimore, MD

***Contract Term:*** 04/15/2015 – 4/14/2018  
(3 years with one 2-year option)

***Amount:*** \$3,600,000  
(total maximum for all task orders during base term)

***Procurement Method:*** Competitive Sealed Proposals

***MBE Participation:*** 10% on task orders over \$50,000

***Performance Security:*** None

***Fund Source:*** Various Institutional Funds  
(Includes facilities renewal funds, operating funds, auxiliary funds)

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**April 15, 2015**

**1-S. UNIVERSITY OF MARYLAND, BALTIMORE (con't)**  
***Architecture/Engineering Services***

***Proposals:***

	<i>Ranking</i>	<i>Technical Score</i>
Henry Adams, LLC	1	77.44
Whitman Requardt and Associates, LLP	2	75.90
Affiliated Engineers, Inc.	3	72.28
RMF Engineering Inc, P.C.	4	71.58

***Requesting Institution Remarks:*** The solicitation was advertised in *eMarylandMarketPlace* and the University's eBidBoard. Twenty firms responded. The solicitation provided for multiple awards. After review by the Qualification Committee, the top five firms were requested to submit fee proposals. One firm's fee proposal was submitted late and could not be accepted. The selection process, inclusive of the fee negotiations, was reviewed and approved by the University's executive review group which includes a public member from outside the University.

UMB will award projects on a task-order basis with no guarantee of work to any specific on-call contractor. As projects arise, the University will rotate among the four awarded firms beginning with the firm that achieved the highest total score. These firms will be required to use the fixed hourly rates established from the fee negotiations.

	<i>Resident Business</i>	<i>MD Tax Clearance</i>
Henry Adams, LLC	Yes	15-0421-1111
Whitman Requardt and Associates, LLP	Yes	15-0423-1111
Affiliated Engineers, Inc.	Yes	15-0420-0111
RMF Engineering Inc, P.C.	Yes	15-0422-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**April 15, 2015**

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

## **2-GM. GENERAL MISCELLANEOUS**

**Recommendation:** That the Board of Public Works approve the use of general obligation proceeds to fund the following contracts totaling \$38,149.

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

### **A. University of Maryland, Baltimore**

*School of Law and School of Social Work Buildings*

*Baltimore City*

**Description:** Labor and materials to correct deficiencies with several doors at the School of Law and the School of Social Work buildings to comply with 2010 ADA Standards for Accessible Design.

**Award:** Jeffrey Brown Contracting, LLC  
Towson, MD 21286

**Amount:** \$2,134

**Procurement Method:** On-Call General Contracting Task Order

**Fund Source:** MCCBL 2013: Funds to design and construct handicapped accessibility modifications at state owned, facilities. Item 007

**MD Tax Clearance:** 14-0503-1111

**Resident Business:** Yes

### **B. Salisbury University**

*Delmarva Radio Tower*

*Wicomico County*

**Description:** Establish connection resulting in clear broadcast for Delmarva Public Radio (DPR) listeners in and between Salisbury and Roxanna, DE.

**Award:** Vertical Technology Services, LLC  
Hagerstown, MD 21742

**Amount:** \$36,015

**Procurement Method:** Invitation to Bid

**Fund Source:** MCCBL 2013: Provide funds to design, construct, renovate, and equip a facility for the relocation of Delmarva Public Radio. Item 073

**Tax Compliance Number:** 15-0633-1111

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**April 15, 2015**

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

**3-C. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY**  
***Construction Management at Risk – Pre-Construction Services***

**Contract ID:** Construction Management at Risk Services for the  
 Interdisciplinary Life Sciences Building Project  
 RFP #BC-20942-C

**Contract Description:** Professional management and construction services during pre-construction and construction for interdisciplinary life sciences building project at University of Maryland, Baltimore County. The new facility will provide STEM teaching space including active-learning classrooms, seminar rooms and multi-disciplinary teaching labs as well as interdisciplinary research labs, a vivarium, and other associated support spaces

**Award:** The Whiting-Turner Contracting Company  
 Baltimore, MD

**Contract Term:** 48 months from issuance of pre-construction notice to proceed

**Amount:** \$1,074,000 (pre-construction fees only)

**Procurement Method:** Competitive Sealed Proposals

**Proposals:**

	Technical Rank	Price	Price Rank	Final Rank
Whiting-Turner, Baltimore	1	\$10,590,000	1	1
Barton Malow, Baltimore	2	\$11,082,189	2	2
Turner Construction, Baltimore	3	\$13,230,000	3	3

**MBE Participation:** 29%

**Performance Bond:** 100% performance bond is required

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**April 15, 2015**

**3-C. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY (cont'd)**  
***Construction Management at Risk – Pre-Construction Services***

***Requesting Institution Remarks:*** This solicitation was advertised in *eMaryland Marketplace* and posted on the University's electronic bid board. Four technical proposals were received and evaluated by a University evaluation committee. All proposers were found to be susceptible of award and were invited to make oral presentations. Three firms were shortlisted after oral presentations and invited to submit a price proposal. Award is recommended to The Whiting-Turner Contracting Company, the firm with the highest technical ranking and lowest price.

Approval is requested for award of pre-construction services only. If the University and the Construction Manager agree to a Guaranteed Maximum Price (GMP) for construction, the University will return to the Board with a request to modify the contract to include the GMP in the CM's contract.

***Fund Source:*** MCCBL 2014: *Provide funds to design a new building for interdisciplinary and life sciences research. Item 077*

***Resident Business:*** Yes

***MD Tax Clearance:*** 15-0305-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Kenneth Smith (410) 260-7807  
ksmith@comp.state.md.us*

**1-IT. COMPTROLLER**

**Contract ID:** CACI HighVIEW  
Contract # SS-15-16  
ADPICS No.: E00B5400078

**Description:** HighVIEW Software Maintenance,  
Time and Material Extended Support Labor  
for Registers of Wills and Office of Comptroller

**Award:** CACI Enterprise Solutions, Inc., Chantilly, VA

**Term:** 5/1/2015 – 4/30/2020 (five years)

**Amount:** \$1,099,897

**Procurement Method:** Sole Source

**MBE Participation:** None

**Remarks:** The State's 24 Registers of Wills use the HighVIEW system to scan, index, and store estate-processing documents. Additionally, several divisions within the Comptroller's Office use HighVIEW to scan and store documents for payroll processing, Unclaimed Property claims and reports, and Estate Tax system documents. The HighVIEW software is CACI proprietary software, components of which CACI has modified at State's request to satisfy specific agency needs.

Through this contract for annual maintenance support, contractor will provide the Registers and the Comptroller with scheduled HighVIEW software fix packs, problem determination, new releases and problem resolution for HighVIEW software. Additionally, the extended software support coverage provides the Registers and the Comptroller with CACI's services, not associated with HighVIEW software, for defects such as training and system enhancements. The State will be billed only for actual hours used of service performed.

Approval of this recommendation to award will allow the State to use CACI's knowledge and expertise on an as-needed basis with the necessary assistance and support required to ensure the imaging systems operate efficiently and effectively.

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

**1-IT. COMPTROLLER** *(cont'd)*

As this is CACI's proprietary software system, source code is CACI property. Modifications, enhancements, maintenance and updates to HighVIEW can be obtained only from CACI. Additionally, as the incumbent provider, CACI has been very responsive with a high level of service. It is in the best interest of both the Registers and the Comptroller to continue with this contractor.

**Fund Source:** 8% General (GF)  
 12% Special (SF; Unclaimed property)  
 80% Non-budgeted (NB)

**Approp. Code:** E00A0401 (GF)  
 E00A0501 (SF)  
 E90B0925 (NB)

**Resident Business:** No

**MD Tax Clearance:** 15-0497-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Sharon Mattia (240) 577-7002*  
*SMattia@charhall.org*

**2-IT. DEPARTMENT OF VETERANS AFFAIRS**

**Contract ID:** Information Technology Services at  
Charlotte Hall Veterans Home  
ADPICS No.: D55B5400001

**Description:** **RETROACTIVE** - Time and materials contracts for Information Technology services performed at Charlotte Hall Veterans Home.

**Award:** ArzyNet, Inc., Prince Frederick

**Terms:** 7/22/2009 – 12/31/2009  
1/01/2010 – 12/31/2010  
1/01/2011 – 12/31/2011  
1/01/2012 – 12/31/2012  
7/01/2013 – 09/30/2013  
11/16/2008 – 7/21/2009 and 1/1/2013 – 6/30/2013

**Amount:** \$908,304

**Procurement Method:** Sole Source

**MBE Participation:** None

**Remarks: RETROACTIVE.** Charlotte Hall Veterans' Home requests the Board to declare five existing and written agreements voidable, retroactively approve those five contracts ("the Five Contracts") for the periods July 22, 2009 through December 31, 2012 and for the period July 1, 2013 through September 30, 2013, and approve a modification to each of those contracts that revises billing rates to reflect actual costs incurred. The Department also requests that the Board approve, as a retroactive contract, a contract drafted to cover two other time periods (November 16, 2008 through July 21, 2009 and January 1, 2013 through June 30, 2013) during which there previously was no written contract, and the cost of the work done during those two periods ("the Sixth Contract").

The six contracts were not procured in accordance with Division II of the State Finance and Procurement Article, Md. Code Ann. The Agency is seeking to have the contracts declared voidable in accordance with § 11-204(c) of the State Finance and Procurement Article and COMAR 21.03.01.03.B. The agency further seeks **RETROACTIVE** approval of payment under a modification to the Five Contracts, and payment under the sixth contract, for the following reasons:

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**2-IT. DEPARTMENT OF VETERANS AFFAIRS (cont'd)**

**Remarks (cont'd):** Although the services performed by ArzyNet were paid for exclusively with federal funds, the five contracts were not competitively bid, but were instead awarded as sole source contracts despite the fact that there was no written sole source justification to support the determination to use that procurement method. Also, the contracts were not submitted for approval to the Board of Public Works.

This failure to comply with the State's procurement laws was due to lack of procurement expertise among the staff at Charlotte Hall, as well as the staff's mistaken belief that the federal funding and United States Department of Veterans Affairs (US-DVA) requirement that US-DVA approve personnel that worked with the US-DVA's Computerized Patient Record System (CPRS) relieved the MD-DVA of the obligation to competitively solicit the services.

When this issue was brought to light by the Legislative Auditors, the MD-DVA engaged in a thorough and comprehensive review of all supporting documentation to substantiate and verify all billing amounts submitted by ArzyNet. The agency found that the services provided by ArzyNet were performed to the full satisfaction of the agency and were billed at an appropriate rate.

The review of the invoicing revealed, however, that the written contracts that the agency entered into with ArzyNet did not accurately memorialize the scope of the services that were provided by ArzyNet and did not provide hourly billing rates that were sufficient to cover the cost of certain services required for CPRS implementation under the MOU with the US-DVA. Furthermore, for two significant periods of time (November 16, 2008 through July 3, 2009 and January 1, 2013 through June 30, 2013) there was no written contract at all for the services provided by ArzyNet. Accordingly, the agency requests that the Board also approve a retroactive contract which covers those two time periods and the cost of the work done during those two periods.

The review of invoices revealed that ArzyNet billed for certain Labor Charges at a rate that exceeded contracted Labor Rates (Total: \$42,984.50). These services were verified, however, to be system programming work performed by sub-contractors who were all current or former US-DVA employees familiar with the CPRS system as required by the MOU. The contractor ArzyNet did not profit from the increased Labor Rate charged for these programming services, but instead paid the federal employee sub-contractors at the same rate billed. The agency has determined that the rates charged for these services were reasonable, and the services provided were fully satisfactory. The Agency requests that the Five Contracts be retroactively modified to incorporate the increased labor charges because the services were requested, performed to the satisfaction of the agency, and billed at a reasonable rate as compared to industry standards.

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**2-IT.        DEPARTMENT OF VETERANS AFFAIRS (cont'd)**

**Remarks:** (cont'd): Accordingly, the MD-DVA requests that the Board declare the prior agreements with ArzyNet “voidable” under §11-204(c) of the State Finance and Procurement Article and COMAR 21.03.01.03.B. In addition, the agency is seeking retroactive modification and approval of the Five Contracts, as well as of the Sixth Contract, for the reasonable amount expended for services performed and received.

**Fund Source:**            100% Federal Funds

**Approp. Code:**        D55P0005

**Resident Business:**    Yes

**MD Tax Clearance:**    14-3056-1111

This Item was withdrawn as DoIT Item 5-IT at the 3/18/15 BPW meeting.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Linda Taggart (410) 581-4142  
ltaggart@mpt.org*

**3-IT.      MARYLAND PUBLIC TELEVISION**

**Contract ID:**                Database Fundraising Software  
ADPICS No.: R15B5400154

**Description:** Provide integrated customer-relations-management database system to centralize fundraising needs, email listserv/bulk SMTP mailer, public facing website for expanded fundraising needs including online membership renewal and signups, and input/output data conversion module for all third-party systems MPT uses.

**Award:**                        Blackbaud, Inc., Charleston, SC

**Term:**                         5/1/2015 – 4/30/2018

**Amount:**                    \$985,192

**Procurement Method:**    Competitive Sealed Proposals

**Proposals:**

Offerors	Technical Rank	Five-Year Price	Overall Rank
<b>Blackbaud, Inc.</b> Charleston, SC	1	\$985,192	1
<b>WGBH CRM</b> Boston, MA	2	\$971,070	2

**MBE Participation:**    None

**Remarks:** MPT solicited Blackbaud, Inc., and WGBH CRM directly; neither is located in Maryland and neither is an MBE firm. MPT advertised on *eMM* only, no other notices were submitted. MPT received two offers as these are the only two known companies at this time that offer a database fundraising software system to Public Broadcasting Stations.

The offeror recommended for the award was determined to be the highest ranked technical offeror with only a \$14,000 difference in price from the other offeror. Furthermore, WGBH did not provide all the services required in the scope of work. Blackbaud has been in business over 30 years providing these services to Public Broadcasting Stations throughout the country as well as other entities throughout the world. Additionally, they have 20,000 customers in 60 countries with 75 public television and radio stations. Blackbaud provides its own merchant services for on-line giving and automatic credit card updating that will reduce man hours by MPT staff not having to contact members to update their credit card information. These services are not offered by the other vendor and are services that are being provided over and above the original scope of work. Blackbaud provides the best value to MPT and is recommended for award.

**Supplement D**  
**Department of Information Technology**  
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**April 15, 2015**

**3-IT. MARYLAND PUBLIC TELEVISION** (*cont'd*)

***Fund Source:*** 100% Special Funds (Membership Donations)

***Approp. Code:*** R15P0003

***Resident Business:*** No

***MD Tax Clearance:*** 15-0007-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: George Beneman (410) 581-4282  
gbeneman@mpt.org*

**4-IT.            MARYLAND PUBLIC TELEVISION**

**Contract ID:**                      Master Control Outsourcing  
ADPICS No.: R15B5400127

**Description:**    Provide master control operations for MPT as an outsourced central-casting environment for three program streams, to include monitoring transmitters and other transmission functions.

**Award:**                              Sony Electronics, Inc., Park Ridge, NJ

**Term:**                                5/1/2015 – 7/31/2020

**Amount:**                          \$900,000

**Procurement Method:**        Competitive Sealed Proposals

**Proposals:**

<i>Offerors</i>	<i>Technical Rank</i>	<i>Financial Rank (5 years)</i>	<i>Overall Rank</i>	<i>Difference</i>
Sony Electronics, Inc. (Professional Solutions of America)	1	\$900,000	1	2/10 <sup>th</sup> of a percent higher than low bid
Encompass, Atlanta, GA	2	\$2,198,000	2	
Centralcast, Albany, NY	3	\$622,500	3	

**MBE Participation:**    None

**Remarks:** In August 2014, MPT solicited five vendors directly, of which three were identified in eMM with no Maryland vendors and no MBE firms; MPT does not post solicitations on its website. MPT did not send a copy of the solicitation to GOMA, nor were any outreach efforts made to State or MBE firms for this effort, as it is a highly specialized business. Proposals were due in September 2014. One offeror was deemed not reasonably susceptible for award because of not meeting the minimum requirement of providing a Program Differentiation Plan station, which is a station that provides full Public Broadcasting service and has access to PBS programs at time to air and does not run them on a delayed basis.

MPT received three proposals that were considered reasonably susceptible of being selected for award in response to this RFP.

**Supplement D**  
**Department of Information Technology**  
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**4-IT. MARYLAND PUBLIC TELEVISION (cont'd)**

**Remarks:** (cont'd) Sony is ranked the highest technically by offering the newest technology with a different approach to Centralcast and their technical superiority far outweighs the difference in price over any other offeror. Sony's approach is not hardware and dedicated fiber based but is cloud-based thereby provides the greatest options for sharing MPT programming with other entities. While Centralcast had the lower price they did not provide the dedicated fiber for interconnectivity as required by their system to send their programming streams to MPT which would require MPT to purchase directly from a vendor at a minimum of \$150,000 over the life of the contract thereby substantially reducing the difference between second-lowest Sony's offer and Centralcast's lowest offer. Sony's solution will enable MPT to deliver programming to air without having to modify the production or staff schedules.

Sony's solution will enable MPT to deliver programming to air without having to modify the production or staff schedules. Although it is anticipated that MPT will save over \$2 million during the course of this contract, a few MPT employees will be displaced as a result of this contract. MPT provided the affected employees with more than two years notice, initiated outplacement consultations, and provided employees with DBM outplacement materials. Most of the affected employees have either retired, found a job in another State agency, or will remain at MPT.

**Fund Source:** General

**Approp. Code:** R15P0002

**Resident Business:** No

**MD Tax Clearance:** 14-3042-1111

This Item was withdrawn as DoIT Item 1-IT at the 2/18/15 BPW meeting.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Teresa Dantzler (410) 767-0114*  
*Teresa.Dantzler1@maryland.gov*

**5-IT-MOD. MARYLAND STATE DEPARTMENT OF EDUCATION**

**Contract ID:** Maintenance of Child Care Administrative Tracking System (CCATS)  
with Major Enhancements  
ADPICS No.: R00B3400034, COG15926

**Contract Approved:** DoIT Item 4-IT (4/3/2013)

**Contractor:** Xerox State and Local Solutions, Inc., Baltimore, MD

**Contract Description:** Maintenance and enhancement of Child Care Administrative Tracking System (CCATS)

**Modification Description:** Increase hours for maintenance and transfer work from prior CATS II Task Order.

**Original Contract Term:** 4/4/2013 – 4/3/2017

**Original Amount:** \$6,700,029 (4 years)

**Modification Amount:** \$3,075,383

**Prior Modifications:** None

**Revised Total Contract Amount:** \$9,775,413

**Percent +/- (This Modification):** +45.9%

**Original Procurement Method:** Sole Source

**MBE Participation:** 56%

**MBE Compliance:** 38.1%

**Supplement D**  
**Department of Information Technology**  
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**5-IT-MOD. MARYLAND STATE DEPARTMENT OF EDUCATION (cont'd)**

**Remarks:** Requesting funds to support additional maintenance services for efficient operations through contract end to avoid disrupting system support.

The modification comprises two changes:

- (1) \$72,655.85 will be transferred, with the associated scope of work, from a sunseting CATS II Task Order at the original price. This is part of a fixed price task to improve system security and administration.
- (2) Additional funding of \$3,075,383.21 for future maintenance programming that is currently within the scope of the original contract. The original CATS II Task Order was for October 1, 2010 to May 31, 2014 and included maintenance programming in the scope of work and the contract budget.

When this sole-source contract was awarded for the April 2013 to April 2017, some funds were transferred from the sunseting CATS II Task Order to this CCATS sole source contract to provide for continued system maintenance. The maintenance workload has been higher than expected due to regulatory changes and new child care initiatives. However, maintenance demands have been higher than anticipated and the transferred funds for maintenance will be fully expended later this year. The additional funding will maintain the system through the conclusion of the contract on April 3, 2017.

he MSDE compared the current rates of the sole source contract to labor categories of recent CATS+ awards. The Xerox labor categories were competitively awarded originally under CATS II and the same labor rates were continued onto the sole source contract. This contract was approved as a sole source contract originally because the current CATS+ contract was not yet approved. That continuity, plus the comparable awards show that the proposed pricing is fair and reasonable.

**Fund Source:** 100% Federal

**Approp. Code:** R00A0110

**Resident Business:** Yes

**MD Tax Clearance:** 15-0534-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: John Bohns (410) 767-1057  
John.Bohns@maryland.gov*

**6-IT-MOD. DEPARTMENT OF HEALTH & MENTAL HYGIENE**  
*Office of Systems, Operations and Pharmacy*

**Contract ID:** Support & Maintenance for EDITPS and MMIS  
DHMH-OPASS-06-9117  
ADPICS No.: M00B2400462; COG11935

**Contract Approved:** DBM Item 9-IT (3/15/2006)

**Contractor:** Computer Sciences Corporation, Falls Church, VA

**Contract Description:** Support and maintenance of Maryland's Electronic Data Interchange Translator Processing System (EDITPS) and Medicaid Management Information System (MMIS) Contract consists of technical resources to provide maintenance, support and modifications to MMIS applications, and enhancements to the MMIS subsystems and EDITPS.

**Modification Description:** Extend EDITPS and MMIS support and maintenance services until new contract awarded.

**Original Contract Term:** 5/1/2006 – 4/30/2008 (with three 2-year renewal options)

**Prior Modification(s)/Option(s):** 5/1/2008 – 4/30/2010 (OPT 1 [DBM Item 7-IT-MOD 4/2/08])  
5/1/2010 – 4/30/2012 (OPT 2 [DoIT Item 1-IT-MOD 4/7/10])  
5/1/2012 – 4/30/2014 (OPT 3 [DoIT Item 5-IT-MOD 4/18/12])  
5/1/2014 – 4/30/2015 (DoIT Item 8-IT-MOD [4/2/14])

**Modification Term:** 5/1/2015 – 7/31/2015 (3 months, w/one 6-month option)

**Original Procurement Method:** Competitive Sealed Proposals

**Original Amount:** \$8,057,553 (2 years)

**Modification Amount:** \$1,778,702

**Prior Modifications:** \$53,942,391 (See pages 14D and 15D)

**Revised Total Contract Amount:** \$63,778,646

**Percent +/- (This Modification):** +22.07%

**Overall Percent +/-:** +791.54%

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**Department of Information Technology**  
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**6-IT-MOD. DEPARTMENT OF HEALTH & MENTAL HYGIENE (cont'd)**

**MBE Participation:** 25%

**MBE Compliance:** 29%

**Remarks:** All three renewal options in this contract have been exercised: DHMH seeks to modify the contract by extending it for three months with a six-month option period, to complete vendor evaluations and to finalize the award of the new contract. This contract provides ongoing technical and business support and maintenance of the Medicaid Management Information System II (MMIS II) and the Electronic Data Interchange Translator Processing System (EDITPS). The Office of Systems, Operations and Pharmacy develops and maintains the MMIS to ensure prompt and accurate payment to providers of health care services. MMIS maintains files of approved providers of services and Maryland residents certified as eligible to receive services through the Medical Assistance Program (Medicaid). The contract provides mainframe application developers and specialists to support development, enhancement, and maintenance of the MMIS application and supporting network applications. EDITPS allows trading partners to send EDI transactions through the Maryland Medicaid Electronic Exchange front-end web portal, which receives and translates X12 transactions to Medicaid's proprietary formats in the MMIS system and back electronically.

This contract continues to exceed the MBE goal and remains within budget. The Program feels that historically the cost of the services of the contract and the prices for the upcoming services is reasonable and fair.

**Fund Source:** 26% General, 74% Federal (Support and Maintenance)

**Approp. Code:** M00Q0103

**Resident Business:** Yes (local office in Hanover, MD)

**MD Tax Clearance:** 15-0191-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Supplement D**  
**Department of Information Technology**  
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**6-IT-MOD. DEPARTMENT OF HEALTH & MENTAL HYGIENE (cont'd)**

**Prior Modifications and Options**

<b>Mod #1</b> DBM 14-IT-MOD (5/23/2007)  CO997533	\$904,300	Provided services of four additional contract staff to assess and enhance the current Buy-In Subsystem, Design Strategy, Testing and Implementation of the tasks. This is to improve the interfacing of the Center of Medicare and Medicaid Services and the Medicaid Program and to improve the efficiency of the current Buy-In subsystem. POP: 6/25/07-4/30/08
<b>Option #1</b> <b>Mod #2</b> DBM 7-IT- MOD (4/2/2008)  M00B8200459	\$8,551,734	Exercise first option renewal. This option provided the services of the contract staff to perform maintenance and support for the EDITPS and the MMIS application via the Customer Service Requests (CSR), Production Investigation Review request (PIR) and AD-HOC requests. POP: 5/1/08 – 4/30/10
	\$479,648	Provided services of one additional contract staff to perform maintenance and support for the MMIS application, especially the Buy-In system, via the CSR, PIR and Ad-Hoc requests. POP: 5/1/08-4/30/10
<b>Mod #3</b> DoIT 1-IT- MOD (11/5/2008)  COB14750	\$1,734,720	Provided services four more Senior Computer Programmers and one Data Base Management Specialist to perform maintenance and support for the MMIS application via the CSR, PIR and Ad-Hoc requests. The Medicaid Program is in the process of an MMIS Medicaid Information Technology Architecture (MITA) Restructuring Project requiring the full time involvement of many of the MMIS Subject Matter Experts (SMEs). POP: 11/12/08 – 4/30/10
<b>Option #2</b> <b>Mod #4</b>  DoIT 1-IT-MOD (4/7/2010)	\$8,549,340	Exercise second option renewal. This option period provided the services of the contract staff to perform maintenance and support for the EDITPS and the MMIS application via the CSR, PIR and Ad-Hoc requests. POP: 5/1/10 – 4/30/12
	\$2,784,429	Provided services four more Sr. Computer Programmers and one Data Base Management Specialist to perform maintenance and support for the MMIS application via the CSR, PIR and Ad-Hoc requests. The Medicaid Program is in the process of an MMIS MITA Restructuring Project requiring the full time involvement of many of the MMIS SMEs. Also, this modification provides the services of one Senior Computer Programmer to support the planned enhancements to EDITPS. The enhancements will support an overall State initiative that will allow the sharing of existing common data stores. POP: 5/01/2010 – 4/30/2012.

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**6-IT-MOD. DEPARTMENT OF HEALTH & MENTAL HYGIENE (cont'd)**

**Prior Modifications and Options (cont'd)**

<b>Mod #5</b> DoIT 1-IT-MOD (6/1/2011)	\$972,560	Implemented eMIPP solution to manage the Medicaid Electronic Health Records (EHR) Incentive Program. The CMS announced a final rule to implement the provisions of the American Recovery and Reinvestment Act of 2009 (Recovery Act) that provide incentive payments for the adoption and meaningful use of certified EHR technology. The Medicaid EHR Incentive Program will provide incentive payments to eligible professionals and eligible hospitals as they adopt, implement, or upgrade certified EHR technology in their first year of participation. The eMIPP solution is built on a services framework and can integrate with the existing MMIS system, other state systems and Health Information Exchanges. POP: 6/16/2011 – 4/30/2012.
<b>Mod #6</b> DoIT 7-IT-MOD (10/19/2011)	\$1,706, 861	Provided services of 15 IT professionals to provide support & development activities to meet the Federal mandate to use the ICD-10 codes for services on and after Oct. 1, 2013. Diagnoses and procedure codes impact virtually every system and business process within Medicaid. An assessment to determine the impact must be completed. This will include a review of where diagnoses and inpatient hospital procedures are used, what interfaces need to be changed and what databases need to be changed. It must be determined what the impact is to the Program's business processes. ICD-10-CM and ICD-10-PCS are mandated on all transactions for services performed on and after Oct. 1, 2013. POP: 11/01/2011 – 4/30/2012.
<b>Option #3</b> DoIT 5-IT-MOD (4/18/2012)	\$19,966,077	Exercise third and final option renewal. This option period provided the services of the contract staff to perform maintenance and support for the EDITPS and the MMIS application via the CSR, PIR and Ad-Hoc requests. POP: 5/1/12 – 4/30/14.
<b>Mod #7</b> DoIT 8-IT-MOD (4/2/2014)	\$8,292,722	Provided the services of the contracted staff to perform maintenance and support for the EDITPS and the MMIS application via the CSR, PIR and Ad-Hoc requests. POP: 5/1/14 – 4/30/15.
<b>Total Mods/ Options</b>	<b>\$53,942,391</b>	

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Greg Urban (410) 260-7279  
 Greg@maryland.gov*

**7-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY**

**Contract ID:** Motorola, Inc.  
 ADPICS No.: 060B1400056, COG09656

**Contract Approved:** DoIT Item 3-IT (11/17/2010)

**Contractor:** Motorola, Inc., Columbia

**Contract Description:** Provide integrated Statewide public safety wireless communication system. This will be the primary radio communication system for public safety first responders throughout the State built in five phases. Funding has been identified for the first phase (\$50.7 million) which will build a turn-key radio system to replace Maryland Transportation Authority's existing system; funding for future phases will be budgeted as part of the State's Capital Investment Plan. Once completed, this radio system will be the primary operating radio system for all State agencies, providing a communications platform for 16 State operating units and allowing for seamless interoperability among State users. The radio system will also provide interoperability among State and local first responders and leverage infrastructure investments made by county governments and federal grants. This effort is providing an interoperable backbone to first responders at all levels of government. The radio system uses the Public Safety 700 MHz spectrum licensed to the State by the FCC.

**Modification Description:** Authorize contractor to provide operations and maintenance for base term.

**Original Contract Term:** 11/18/2010 – 11/17/2018 (with seven 1-year renewal options)

**Modification Term:** 4/16/2015 – 11/17/2018

**Original Amount:** \$345,000,000 (8-year base)  
\$140,000,000 (\$20 milion each option year [7 total])  
 \$485,000,000 Total

**Modification Amount:** \$0  
 (Moving \$20M between cost components. See COMAR 21.02.01.05J)

**Prior Modification Amount:** Internal mods performed under DoIT authority; did not increase contract amount.

**Supplement D**  
**Department of Information Technology**  
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**7-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY (cont'd)**

**Revised Total Contract Amount:** No change

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** 20% of contract amount that does not include subscriber equipment

**MBE Compliance:** 21.04%

**Remarks:** This request is to move \$20 million from the *Subscriber Equipment* cost component of the contract to the *Contingency* cost component to better align with forecasted expenses. The adjustment is as follows:

	Cost Components	Modified Cost Components
<b>Infrastructure</b>	\$205 million	\$205 million
<b>Contingency &amp; Inflation</b>	\$ 30 million	\$ 50 million
<b>Subscriber equipment (radios)</b>	\$110 million	\$ 90 million
<b>TOTAL</b>	\$345 million	\$345 million

Increasing the *Contingency* will enable DoIT to use this contract to pay for system operations and maintenance until the end of the contract's base period in Nov. 2018 with no impact to overall contract price. This O&M was pre-priced in Schedule F of the original contract and the option years of the contract reflect the anticipated cost of O&M after the base period of the contract. The O&M services are needed in regions where the two-year warranty has expired. The first regions entered service in December 2012. These O&M services are part of the original RFP and resulting contract, and the modification of the *Contingency* costs are reflective of the cost of O&M in completed regions (Regions 1A and 2), and the anticipated completion of Regions 1, 2, and 3. O&M covers System Support and the Statewide Radio Infrastructure but does not include subscriber equipment owned by individual State agencies.

**Fund Source:** Reimbursable (using agency funds)

**Resident Business:** Yes (local office in Columbia, MD)

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Keith Ross (410) 269-2875  
Keith.Ross@maryland.gov*

**8-IT. STATE BOARD OF ELECTIONS**

**Contract ID:** Election Management System: Operations and Maintenance  
ADPICS No.: D38B5400013

**Description:** Provide operations and maintenance support for the State Elections Board's election management system through the 2016 election cycle.

**Award:** Computer Sciences Corporation, Hanover, MD

**Term:** 4/15/2015 – 12/31/2016

**Amount:** \$905,520

**Procurement Method:** Sole Source

**MBE Participation:** None

**Incumbent:** Computer Sciences Corporation

**Remarks:** The State Elections Board previously used the State's (now-expired) CATS II master contract to procure operations and maintenance for its election management system from Computer Sciences Corporation (CSC). However, CSC is not on the State's current CATS Plus master contract; as a result, the Election Board cannot use CATS Plus as the vehicle for a contract through which CSC can provide the Election Board with operations and maintenance for the election management system.

Because the continued operations and maintenance of election management system is critical to the upcoming mock election, municipal elections, and 2016 election cycle, the State Elections Board recommends awarding a sole source contract to CSC through the 2016 elections. The Elections Board has determined that it is in the best interest of the agency to continue with the current election management system through 2016. Implementing a new election management system for the 2016 elections introduces significant risk to the voting system replacement project and the 2016 elections.

This contract includes specific individual CSC consultants who have serviced the system for many years. Their knowledge and ability to update the existing election management system ES in a short time frame justifies the sole source procurement. The election management system is proprietary to CSC, and CSC employs the staff under this contract.

Due to the proprietary software, there was no MBE goal set for the current and proposed contract.

**Supplement D**  
**Department of Information Technology**  
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**April 15, 2015**

**8-IT. STATE BOARD OF ELECTIONS** (*cont'd*)

***Fund Source:*** 50% General, 50% Special

***Approp. Code:*** I0103

***Resident Business:*** Yes

***MD Tax Clearance:*** 15-0349-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**April 15, 2015**

*Agency Contact: Michael Conaway (410) 514-7148  
michael.conaway@maryland.gov*

**9-IT. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**Contract ID:** Software Maintenance and Enhancement  
ADPICS No.: S00B5400021

**Description:** Software maintenance and enhancement services for DHCD's single-family loans computer application.

**Award:** Application Oriented Designs, Inc., Miami, FL

**Term:** 4/16/15 – 3/31/16

**Amount:** \$300,000 (One year)

**Procurement Method:** Sole Source

**MBE Participation:** None

**Remarks:** Contractor's software system supports DHCD's single family origination and finance programs. DHCD uses the AOD software system for revenue bonds, lending, and loan insurance. Through this recommended contract, AOD will maintain the current AOD software system and, upon DHCD request, provide future enhancements and DHCD-staff training.

DHCD has used AOD software since 1985. (See DBM Item 33-S [6/23/1999].) Since that competitive procurement, DHCD has contracted with AOD on a sole source basis for continued maintenance as well as for enhancements, additional applications, and training to meet DHCD's needs as business practices are updated.

The AOD applications licensed to DHCD are proprietary applications for which AOD holds the source code and owns the intellectual property rights. AOD is the only contractor capable of providing maintenance, technical support, and enhancements to the software applications.

The DHCD procurement review group determined not to place a MBE subcontract goal on this contract due to the proprietary nature of the AOD software.

**Fund Source:** Special Funds (General Bond Reserve Fund)

**Approp. Code:** S00A2601

**Resident Business:** No

**MD Tax Clearance:** 15-0340-0000

The Board of Public Works deferred this matter as DoIT Item 1-IT at the 4/1/15 meeting.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Maryland Department of Transportation**  
The Secretary's Office

**Larry. Hogan**  
Governor

**Boyd Rutherford**  
Lt. Governor

**Pete K. Rahn**  
Secretary

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

### **ACTION AGENDA**

**April 15, 2015**

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Architecture/Engineering	3 – 4
Maintenance	5 – 21
General/Miscellaneous	22 - 26



**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**CONSTRUCTION CONTRACT**

**ITEM:** 1-C

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** CE2845149  
Replacement of the Fuel System at the State  
Highway Administration's Elkton Facility located  
in Cecil County  
ADPICS NO.: CE2845149

**CONTRACT DESCRIPTION:** This Contract consists of the replacement of the fuel system at the  
Administration's Elkton Facility in Cecil County.

**AWARD:** Joseph T. Hardy & Son, Inc.  
New Castle, DE

**AMOUNT:** \$845,611 NTE

**TERM OF CONTRACT:** 04/27/2015 – 04/30/2017

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Joseph T. Hardy & Son, Inc. \$845,611  
New Castle, DE

Total Environmental Concepts, Inc. \$978,124  
Gaithersburg, MD

Subsurface Technologies, Inc \$1,106,500  
New Windsor, MD

Kalyani Environmental Solutions, LLC \$1,506,000  
Baltimore, MD

**LIVING WAGE ELIGIBLE** No – (prevailing wage contract)

**MBE PARTICIPATION:** 7%

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

**ITEM: 1-C (Continued)****BPW – 04/15/15**

**REMARKS:** The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Two hundred seventy three (273) contractors were notified for this project on eMaryland Marketplace; sixty eight (68) of which were MDOT Certified MBE's.

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

**APPROPRIATION CODE:** J02B0101

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 15-0301-1011

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**ARCHITECTURAL/ENGINEERING SERVICES**

**ITEM:** 2-AE

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** BCS 2010-08 C  
Construction Inspection of Traffic Control Devices,  
Statewide  
ADPICS NO.: SBCS1008C

**CONTRACT DESCRIPTION:** This is one (1) of five (5) open-end task order contracts to provide supplemental Construction Inspection of Traffic Control Devices for SHA's Office of Traffic Safety, Traffic Operation Division, Statewide.

**PROCUREMENT METHOD:** Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on April 2, 2015.

**AWARD:**

A.Morton Thomas & Associates, Inc./  
CDM Smith, Inc. (JV)  
Baltimore, MD

Contract C

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

**TERM OF CONTRACT:** 04/16/2015 – 04/15/2021

**DBE PARTICIPATION:** 25%

**PROPOSALS:**

	<u>Technical Proposal Rating (Max 720)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Stantec Consulting Services, Inc./ EBA Engineering, Inc. (JV) Baltimore, MD	501.1	1	Contract A (BPW Approval on 12/17/2014)
Brudis & Associates, Inc. Columbia, MD	477.7	2	Contract B (BPW Approval on 12/17/2014)
A. Morton Thomas & Associates, Inc./ CDM Smith, Inc. (JV) Baltimore, MD	477.7	3	\$6,000,000 (Contract C)

**ITEM: 2-AE (Continued)****BPW - 04/15/15****PROPOSALS (Continued):**

	<u>Technical Proposal Rating (Max 720)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Century Engineering, Inc. Hunt Valley, MD	471.9	4	Contract D (BPW Approval on 12/17/2014)
Johnson, Mirmiran & Thompson, Inc. Baltimore, MD	454.5	5	Contract E (BPW Approval on 12/17/2014)
Rummel, Klepper & Kahl, LLP Baltimore, MD	448.2	6	N/A
KCI Technologies, Inc. Sparks, MD	448.1	7	N/A
Wallace Montgomery & Associates, LLP/ Whitman, Requardt & Associates, LLP Hunt Valley, MD	440.1	8	N/A

**REMARKS:** The Solicitation was advertised in The Daily Record, eMaryland Marketplace and on SHA's web page. A total of eight (8) engineering consultant firms submitted technical proposals for this project.

Consultant shall perform construction inspection services for traffic control devices such as, but not limited to: signals, signing, overhead sign structures, lighting, Intelligent Transportation Systems ("ITS") devices dynamic message signs, automatic traffic recorders, etc.

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

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

**APPROPRIATION CODE:** J02B0101

**RESIDENT BUSINESSES:** Yes

**MD TAX CLEARANCE:** 14-3028-1111

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**BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:**
**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

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

BPW – 04/15/15

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 3-M**

**MARYLAND AVIATION ADMINISTRATION**

**CONTRACT ID:** MAA-MC-15-007  
 Roof Repair and Maintenance at  
 Baltimore/Washington International Thurgood  
 Marshall (BWI Marshall) and Martin State Airport  
 (MTN) in Anne Arundel and Baltimore Counties  
 ADPICS No: MAAMC15007

**CONTRACT DESCRIPTION:** The contract provides for all labor, supervision, equipment, tools, personnel lifts, safety systems, materials, insurance, bonding, and expertise to perform preventive maintenance and repairs to various types of roof surfaces at BWI Marshall and MTN Airports.

**AWARD:** Iron Shore Contracting LLC  
 Linthicum, MD

**TERM OF CONTRACT:** 05/01/2015 – 04/30/2018

**AMOUNT:** \$882,030 NTE

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Iron Shore Contracting LLC Linthicum MD	\$882,030
Tecta America East, LLC Baltimore, MD	\$922,408
Bollinger Roofing Company, Inc. Baltimore, MD	\$943,711
Cole Roofing Co., Inc. Baltimore, MD	\$1,318,692
Roofing by Ruff Baltimore, MD	\$1,574,540
Alliance Roofing	\$2,180,089

Baltimore, MD  
**ITEM: 3-M (Continued)**

**BPW – 04/15/15**

**LIVING WAGE ELIGIBLE:** Yes

**MBE PARTICIPATION:** 100%

**PERFORMANCE SECURITY:** Performance Bond for 100% of the Contract Award

**REMARKS:** This Small Business Preference Solicitation was advertised on eMaryland Marketplace and on the MAA Website. eMaryland Marketplace directly notified 317 total prospective bidders, including 64 Small Business Enterprises and 55 Minority Business Enterprises. The solicitation was sent to the Governor's Office of Minority Affairs and five minority business associations on December 16, 2014. MAA sent 38 direct solicitations to known roof repair and maintenance businesses. 17 sets of specifications and bid documents were sold. A total of six bids were received.

The MBE Goal established for this contract is 15%; however, Iron Shore Contracting, LLC is a certified minority business enterprise, therefore the MBE participation is 100%.

**APPROPRIATION CODE:** J06I0002

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

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0641-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

William Ward 410-768-7252  
[wward@mdot.state.md.us](mailto:wward@mdot.state.md.us)

BPW-04/15/15

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 4-M**

**MOTOR VEHICLE ADMINISTRATION**

**CONTRACT ID:** V-HQ-15014-M  
OPEX Maintenance Agreement  
ADPICS NO: VHQ15014M

**CONTRACT DESCRIPTION:** This contract will provide maintenance service to be performed on two (2) OPEX AS7200 Remittance Scanners and one (1) OPEX Mail Matrix T012.

**AWARD:** OPEX Corporation  
Moorestown, NJ

**TERM OF CONTRACT:** 05/01/2015 – 04/30/2020

**AMOUNT:** \$309,514

**PROCUREMENT METHOD:** Sole Source

**LIVING WAGE:** Exempt

**MBE PARTICIPATION:** 0% (proprietary)

**PERFORMANCE SECURITY:** None

**REMARKS:** The Department of General Services (DGS) solicited and awarded the purchase of one (1) OPEX Mail Matrix and software on 2/20/2009, in the amount of \$235,110.00, for the Motor Vehicle Administration (MVA). The mail matrix distributes various mailed-in applications, checks, registration renewals, drivers' licenses, invoices, administrative flag invoices, etc. into a convenient array of delivery bins in a single pass. The mail matrix is a uniquely designed mail sorter that uses robotics to scan and sort over a million pieces of mail annually.

On Wednesday, August 22, 2012 the BPW approved item 6-E on the Department of Transportation agenda for the purchase of two (2) Opex AS 7200 Remittance Scanners and software in the amount of \$184,770. The Remittance Scanners are used to open and scan all "Mail-in" checks and applications for drivers' license renewals, vehicle registration renewals and administrative flag fees. It is essential that this equipment functions without interruption as the MVA processes and deposit over \$48 million for drivers' license renewals, for administrative flag fees, and for vehicle registration renewals annually.

**ITEM: 4-M (Continued)****BPW – 04/15/15**

With the use of these machines, productivity is increased. The All-In-One capture system drastically reduces document prep and post-processing. Normal everyday use and heavy demand of these machines requires preventive maintenance to ensure continuous operation. OPEX is the sole authorized source for

parts and service on its equipment. OPEX authorizes resellers and other third-parties to sell equipment and maintenance agreement on their behalf; however, no third party has been authorized to act on behalf of OPEX regarding the maintenance of OPEX equipment. All warranty items, as well as all aspects of equipment support, are handled directly through the OPEX World Headquarters in Moorestown, New Jersey.

The equipment utilizes proprietary service diagnostic software covered by various patents and copyrights. OPEX has not released or licensed this software to third parties. To effectively support OPEX equipment, these third parties would have to develop their own diagnostic software.

A maintenance agreement is necessary in order to maintain these units and to continue the productivity of opening, sorting, and scanning incoming mail and MVA's documents. Proper preventive maintenance of these machines is essential to the MVA's commitment to provide efficient services to the citizens of Maryland. Since OPEX is the original manufacture and the only authorized vendor to service this equipment this sole source procurement is justified.

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

**APPROPRIATION CODE:** J04E0003

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 15-0447-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 5-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 492D31417  
Line Striping at Various Locations in Montgomery  
and Prince George's Counties (District 3)  
ADPICS NO: 492D31417

**CONTRACT DESCRIPTION:** This contract consists of line striping at various locations in Montgomery and Prince George's Counties.

**AWARD:** Denville Line Painting, Inc.  
Rockaway, NJ

**AMOUNT:** \$1,144,800 NTE

**TERM OF CONTRACT:** 04/27/2015 – 12/31/2017

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Denville Line Painting, Inc. \$1,144,800  
Rockaway, NJ

Midlantic Marking, Inc. \$1,237,520  
Gaithersburg, MD

Zone Striping, Inc. \$1,456,280  
Glassboro, NJ

**LIVING WAGE ELIGIBLE** Yes

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

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

**REMARKS:** The Solicitation was advertised in eMaryland Marketplace and SHA's Internet Web Page. Fifty eight (58) contractors were notified for this project on eMaryland Marketplace; fourteen (14) of which were MDOT Certified MBE's.

**ITEM: 5-M (Continued)****BPW – 04/15/15**

This contract includes pre-established amounts for a total of \$8,000 (.70% of the total contract value) for payments for mobilization to operations outside of the district area.

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

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** No

**MD TAX CLEARANCE:** 15-0201-0001

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 6-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 5100HC18  
Janitorial Services for the State Highway  
Administration (SHA) Hanover Complex  
ADPICS NO: 5100HC18

**CONTRACT DESCRIPTION:** This contract provides janitorial services including all materials, equipment, labor and supervision required for daily, nightly, weekly, monthly, bi-annual and annual cleaning of the four (4) buildings of the SHA Hanover Complex located in Hanover, Maryland.

**AWARD:** The ARC of Baltimore, Inc.  
Baltimore, MD

**AMOUNT:** \$1,243,522 NTE

**TERM OF CONTRACT:** 06/01/2015 – 05/31/2018

**PROCUREMENT METHOD:** Community Service Provider

**LIVING WAGE ELIGIBLE:** No

**MBE PARTICIPATION:** 100%

**PERFORMANCE SECURITY:** None

**REMARKS:** This Contract was approved by Pricing and Selection Committee on December 18, 2014.

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

**APPROPRIATION CODE:** J02B0101/J02B0102/J02B0104

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0634-1110

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

**APPROVED**

**DISAPPROVED**

**WITH DISCUSSION**

**DEFERRED**

**WITHOUT DISCUSSION**

**WITHDRAWN**

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

T12  
BPW – 04/15/15

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM:** 7-M

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 5262161418  
Interstate 68 (IS68) Sideling Hill Rest Area Facility  
Management located in Washington County  
(District 6)  
ADPICS NO: 5262161418

**CONTRACT DESCRIPTION:** This contract provide the SHA with facility management services for the IS68 East and Westbound Rest Areas and Exhibit Center on Sideling Hill located in District 6.

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

**AMOUNT:** \$1,826,596 NTE

**TERM OF CONTRACT:** 06/01/2015 – 05/31/2018

**PROCUREMENT METHOD:** Community Service Provider

**LIVING WAGE ELIGIBLE:** No

**MBE PARTICIPATION:** 100%

**PERFORMANCE SECURITY:** None

**REMARKS:** This Contract was approved by Pricing and Selection Committee on February 19, 2015.

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

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0495-1111

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

**APPROVED**

**DISAPPROVED**

**WITH DISCUSSION**

**DEFERRED**

**WITHOUT DISCUSSION**

**WITHDRAWN**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 8-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 5280251416R  
Highway Lighting Maintenance and Repairs at  
Various Locations in Anne Arundel County  
ADPICS NO: 528025146R

**CONTRACT DESCRIPTION:** This contract consists of providing maintenance and repairs for Administration street lighting in Anne Arundel County. The work may include, but is not limited to, repairs to highway street lighting, exterior facility lighting, overhead sign lighting, bridge lighting, cable designation, cable fault locating and pole replacement, as well as maintenance of traffic to perform the repairs.

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

**AMOUNT:** \$1,656,164 NTE

**TERM OF CONTRACT:** 04/27/2015 – 12/31/2016

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Lighting Maintenance, Inc. \$1,656,164  
Linthicum, MD

Letke Security Contractors \$2,000,540  
Baltimore, MD

Rommel Engineering & Construction, Inc. \$2,485,000  
Linthicum, MD

**LIVING WAGE ELIGIBLE** Yes

**MBE PARTICIPATION:** 100%

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

**ITEM: 8-M (Continued)****BPW – 04/15/15**

**REMARKS:** The Solicitation was advertised in eMaryland Marketplace and SHA's Internet Web Page. Two hundred seven (207) contractors were notified for this project on eMaryland Marketplace; fifty one (51) of which were MDOT Certified MBE's.

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

This contract includes pre-established amounts for a total of \$90,000 (5.43% of the total contract value) for allowances for specialized equipment for lighting repairs and for payment of miscellaneous materials.

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

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-0158-1111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 9-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 827R101417  
Fuel System Repair and Maintenance for the  
Chesapeake Region (Districts 1, 2, 4 and 5)  
ADPICS NO: 827R101417

**CONTRACT DESCRIPTION:** This contract consists of the fuel system repair and maintenance for the Chesapeake Region (Districts 1, 2, 4 and 5) .

**AWARD:** Clean Fuels Associates, Inc.  
Annapolis, MD

**AMOUNT:** \$354,347 NTE

**TERM OF CONTRACT:** 04/27/2015 – 12/31/2017

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Clean Fuels Associates, Inc. \$354,347  
Annapolis, MD

Total Environmental Concepts, Inc. \$460,995  
Gaithersburg, MD

**LIVING WAGE ELIGIBLE** Yes

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

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

**REMARKS:** The Solicitation was advertised in eMaryland Marketplace and SHA's Internet Web Page. Seventy four (74) contractors were notified for this project on eMaryland Marketplace; eighteen (18) of which were MDOT Certified MBE's.

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

**ITEM: 9-M (continued)****BPW – 04/15/15**

This contract includes pre-established amounts for a total of \$31,800 (8.97% of the total contract value) for allowances for payments for materials for repairs, specialized equipment and subcontractors.

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

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 14-2831-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 10-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 827R201417  
Fuel System Repair and Maintenance for the  
Potomac Region (Districts 3, 6 and 7)  
ADPICS NO: 827R201417

**CONTRACT DESCRIPTION:** This contract consists of the fuel system repair and maintenance for the Potomac Region (Districts 3, 6 and 7).

**AWARD:** Clean Fuels Associates, Inc.  
Annapolis, MD

**AMOUNT:** \$403,225 NTE

**TERM OF CONTRACT:** 04/27/2015 – 12/31/2017

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Clean Fuels Associates, Inc. \$403,225  
Annapolis, MD

Total Environmental Concepts, Inc. \$461,382  
Gaithersburg, MD

**LIVING WAGE ELIGIBLE** Yes

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

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

**REMARKS:** The Solicitation was advertised in eMaryland Marketplace and SHA's Internet Web Page. Seventy four (74) contractors were notified for this project on eMaryland Marketplace; eighteen (18) of which were MDOT Certified MBE's.

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

**ITEM: 10-M (continued)****BPW – 04/15/15**

This contract includes pre-established amounts for a total of \$31,800 (7.89% of the total contract value) for payments for dollars for materials for repairs, specialized equipment and subcontractors.

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

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 14-2901-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

BPW – 04/15/15

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

**CONTRACT MODIFICATION:** (Maintenance)

**ITEM:** 11 -M-MOD

### MARYLAND AVIATION ADMINISTRATION

**CONTRACT ID:** MAA-MC-14-004  
 Asbestos, Lead-Based Paint, Mold Identification, Containment and Abatement Services at Baltimore/ Washington International Thurgood Marshall (BWI Marshall) and Martin State (MTN) Airport  
 Anne Arundel and Baltimore Counties  
 ADPICS NO.: CO318818

**ORIGINAL CONTRACT APPROVED:** DCAR 09/01/2013, PAAR September 2013

**ORIGINAL PROCUREMENT METHOD:** Competitive Sealed Bid

**MODIFICATION:** Modification No. 1 provides for additional funding for asbestos and mold abatement services at BWI Marshall and MTN Airports.

**CONTRACTOR:** SanDow Construction, Inc.  
 Landover, MD

**AMOUNT:** \$100,000

**ORIGINAL CONTRACT AMOUNT:** \$180,000

**REVISED CONTRACT AMOUNT:** \$280,000

**PERCENTAGE INCREASE:** 55% (Modification No. 1)

**TERM OF CONTRACT:** 09/01/2013 – 08/31/2016 (Original)  
 05/01/2015 – 08/31/2016 (Modification No. 1)

**ORIGINAL MBE PARTICIPATION:** 0% (Specialized Work)

**ORIGINAL VSBE PARTICIPATION:** 100%

**REMARKS:** In its first contract year, MAA spent \$100,000 in unexpected asbestos and mold abatement due to the B/C Connector and Security Checkpoint renovation project at MAA. MAA anticipates similar expenditures for the next fiscal year based on mold abatement projects that have been identified. Additionally, the D/E Connector and Security Checkpoint will require Concession renovations and tenant space relocations which may result in more asbestos and mold abatement services.

**ITEM: 11-M-MOD (Continued)****BPW – 04/15/15**

The additional funding is necessary to allow contract continuity for abatement projects while MAA re-procures for these services. The firm is also a certified Veteran Small Business Enterprise.

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

**APPROPRIATION CODE:** J06I00002

**RESIDENT BUSINESS:** Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**ATTACHMENT I**

	<b>Amount</b>	<b>Term</b>	<b>BPW/DCAR Date</b>	<b>Reason</b>
<b>Original Contract</b>	\$180,000	09/01/13- 08/31/16	DCAR 09/01/13	
<b>Modification No. 1</b>	\$100,000	05/01/15-08/31/16	04/15/15	To add funds for anticipated abatement projects

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM: 12-GM**

**THE SECRETARY'S OFFICE**

**NATURE OF REQUEST:** Submission of a request by the Department of Transportation (the “Department”), made by the Secretary of Transportation, for the adoption of resolutions authorizing the issuance and sale by the Department of its Consolidated Transportation Bonds, Series 2015 (Second Issue) in an amount not exceeding \$150,000,000, at a public sale to occur on or before June 30, 2015, as determined by the Secretary, taking into account then current market conditions, such Bonds being authorized by Subtitle 2 of Title 3 of the Transportation Article of the Annotated Code of Maryland.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**GENERAL/MISCELLANEOUS**

**ITEM: 13-GM**

**THE SECRETARY'S OFFICE**

**NATURE OF REQUEST:** Submission of a request by the Department of Transportation (the “Department”), made by the Secretary of Transportation, for the adoption of resolutions authorizing the issuance and sale by the Department of its Consolidated Transportation Bonds, Refunding Series 2015 in an amount not exceeding \$400,000,000 to be issued to refund certain outstanding bonds of the Department, at a public sale to occur on or before June 30, 2015, as determined by the Secretary, taking into account then current market conditions and the affect of market conditions on interest savings of the refunding, such Bonds being authorized by Subtitle 2 of Title 3 of the Transportation Article of the Annotated Code of Maryland.

The following Consolidated Transportation Bonds and approximate amounts are under consideration for refunding:

Series 2006	\$ 55,000,000
Series 2007	\$ 55,000,000
Series 2008	\$130,000,000
Series 2008 (Second Series)	\$160,000,000

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**GENERAL MISCELLANEOUS**

**ITEM: 14-GM**

**MARYLAND TRANSIT ADMINISTRATION**

**REFERENCE:** MTA acknowledges to the Board of Public Works that MTA's previous submission of a modification to this contract – which modification the Board of Public Works approved – omitted a full description in the agenda item of what some of the increased contract amount was covering.

**CONTRACT ID:** MARC Third Party Operations and Maintenance  
MTA-1360; ADPICS No.: TMTA1360

**CONTRACTOR:** Bombardier Transportation Services USA Corp.  
Horsham, PA

**CONTRACT APPROVED** DOT Item 8-M (10/17/2012):  
Provide passenger railroad service on the Camden and Brunswick Lines MARC Commuter Rail system. Includes both operating the service and maintaining equipment, facilities, and rights of way used to provide the service.

**AMOUNT:** \$204,686,939

**MODIFICATION APPROVED** DOT Item 8-M-Mod (11/20/2013):  
Added the following to contractor's scope of work:

- Maintain equipment "in conjunction with the new MARC Penn line weekend service."
- Responsible for lost and found service for customers (Amtrak had been covering this scope)
- Provide full time Trainmaster at Union Station
- Maintain equipment at MTA's Wedge Yard facility, a new layover facility outside Union Station six to seven trains will be repaired, serviced, and cleaned during afternoon layovers.

**AMOUNT:** \$23,999,945

**CONTRACT AMOUNT:** \$228,686,884

**TERM OF CONTRACT:** 10/18/2012 – 06/17/2018

**REMARKS:** Reference is made to the February 2015 fiscal compliance audit report concerning MTA's operations from 2011 through 2013. In that report, the Legislative Auditor concluded that MTA paid the contractor \$362,400 "for one-time mobilization costs associated with the new services (that is, to move contractor equipment to the facility site) even though mobilization costs were not included in the approved change order." The Auditor recommended that MTA submit the change order to the Board for retroactive approval.



**ITEM: 14-GM (Continued)****BPW – 04/15/15**

When presenting the change order to the Board in 2013, MTA had concluded that the one-time mobilization costs that would be required to begin these additional services were part of the scope of services associated with the change order and did not have to be separately delineated in the Board of Public Works Item.

The total funds MTA expended for the 2013 change order did not exceed the Board-approved modification amount of \$24 million. However, MTA now delineates “one-time mobilization costs associated with the new services” as:

(1) Maintain equipment for weekend service at Martin Airport	\$ 71,886
(2) Lost and Found service	\$ 16,342
(3) Maintain equipment at Wedge Yard facility	<u>\$274,166</u>
Total:	\$366,394

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**BOARD OF PUBLIC WORKS ACTION – THE ABOVE REFERENCED ITEM WAS:**
**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

## ATTACHMENT I

	<b>Amount</b>	<b>Term</b>	<b>BPW/DCAR Date</b>	<b>Reason</b>
<b>Original Contract</b>	\$204,686,939	10/18/2012 – 06/17/2018		
<b>Modification No. 1</b>	\$23,999,945	12/02/2013 – 06/17/2018	11/20/2013	Additional maintenance and customer services
<b>Revised Amount</b>	\$228,686,884			

Gary Lockett (410) 385-4833  
[glockett@marylandports.com](mailto:glockett@marylandports.com)

BPW – 04/15/15

**SUPPLEMENTAL**

## DEPARTMENT OF TRANSPORTATION ACTION AGENDA

### CONSTRUCTION CONTRACT

**ITEM:** 15-C

### MARYLAND PORT ADMINISTRATION

**CONTRACT ID:** 515807  
 Substructure Repairs, Agency Wide  
 ADPICS NO. P515807

**CONTRACT DESCRIPTION:** This contract is to provide substructure repairs at all marine terminals and administrative facilities for the Maryland Port Administration.

**AWARD:** Marine Technologies, Inc.  
 Baltimore, MD

**AMOUNT:** \$8,983,855

**TERM OF CONTRACT:** 440 Work Days from Notice to Proceed

**PROCUREMENT METHOD:** Competitive Sealed Bidding  
 (Single Bid Received)

**MBE PARTICIPATION:** 4.62%

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

**REMARKS:** The Engineer's estimate for this contract was \$8,990,000, which falls just under the \$9,000,000 allocation provided in the MPA's Consolidated Transportation Program (CTP) budget. The unit prices in the engineer's estimate are formulated from historical unit pricing for competitively bid similar work paid in three prior MPA contracts dating to 2001 including adjustments for inflation. The engineer's estimates incorporate contemporary bid pricing received by other ports for similar work. While quantities for all bid items are specified for the purposes of obtaining a bid price, the quantities and locations for construction are not provided in this work order contract but will be established based on needs and prevailing conditions at the time of construction.

This solicitation was advertised in eMaryland Marketplace (eMM). Direct solicitation was made to the Governor's Office of Minority Affairs (GOMA), Maryland Minority Contractors Association (MMCA), and Maryland/Washington Minority Contractors Association (MWMCA). The solicitation was advertised for 50 calendar days.

**ITEM: 15-C (Continued)****BPW – 04/15/15****SUPPLEMENTAL**

The MBE goal established for this contract was 4%, however Marine Technologies, Inc. will be exceeding the goal by .62%.

Seven (7) bidders attended the pre-bid meeting. Six (6) bidders were contacted to inquire why they did not submit a bid. One firm stated that they had other commitments that precluded their participation in the project; two firms stated they didn't have the necessary experience to perform the work; two firms stated they did not have the necessary equipment or labor to perform the work; and one firm stated that they did not receive responses from subcontractors. The MPA also contacted the two previous bidders, who competed for award of the previous contract, to inquire why they did not submit bids on this solicitation. The bidders said that time constraints and other contract commitments precluded their participation in this procurement.

Marine Technologies, Inc. has been deemed a responsive and responsible bidder for this contract. The bid amount is considered to be fair and reasonable as it is slightly lower (.03%) than the engineer's estimate.

The agency is seeking to award this single bid contract because Marine Technologies, Inc. has extensive experience and expertise specific to marine and underwater work. The MPA conducted an analysis and comparison of bid prices between the current and new contract being proposed and concluded that this contractor is providing a fair and reasonable price for the services required. The budget for this contract is twice the budget allocated in 2013 when the last contract was awarded and accordingly, it procures twice as much work. The bid items and bid quantities were prioritized on a worst-first (condition-repair) basis and the contract was structured to fall under the allocated CTP budget. Substructure repair work is a critical phase of the rehabilitation efforts in the MPA's asset management plan that includes waterfront timber structures dating from 1923 and concrete structures dating from the 1930's. The severity and growing inventory of structural deficiencies is such that the quantities of work in this contract have approximately doubled over previous contracts. The 2013 contract had 290 work days compared with 440 work days for this project.

The difference between the total bid price and the engineer's estimate is negligible (0.03%). The bid unit prices are characterized by a typical pattern of *overs and unders* in comparison with the estimated unit prices. Forty-six percent (46%) of the value of the items of work is in three bid items and the difference between the engineer's estimate and this bid for these items is one half of one percent (0.5%) less than the engineer's estimate. The three bid items with the largest unit cost overruns amount to about 2% each. Specific justification related to unit cost overruns are as follows: (1) the increases in unit costs for constructed items (as opposed to inspection) are primarily due to increased labor and material requirements to achieve greater strength and durability; (2) inspection unit costs are higher than historical unit prices due to the contingent nature of the work; (3) preconstruction inspection for this contract was completed under the previous contract, inspection is included here as a contingent item used in emergency situations, thus the MPA did not get the economies of scale when inspecting 120 piles as compared with inspections for 1,000s of piles; (4) the unit cost for galvanic protection of the sheetpile includes the cost of a hard-to-find specialist, who is also an MBE for the Port. It is expected that the uncertainty in obtaining that expertise is the reason for difference, since the pure cost of anodes (electrode through which electric current flows into a polarized electrical device) is a near perfect match on the anodes for the crane beam (no specialist required) in the previous bid item.

**ITEM: 15-C (Continued)****BPW – 04/15/15****SUPPLEMENTAL**

Unlike previous substructure repair contracts and many waterfront construction projects, 90% of the dollar value of the bid items of work for this contract requires the services of certified underwater divers who are highly experienced in underwater construction. Most underwater dive firms are limited to underwater inspection, having neither the experienced construction personnel/equipment nor the bonding capacity to complete underwater construction. Most marine construction firms could be expected to have the equipment and bonding capacity, however they do not have the divers on staff with construction experience.

The contractor will install a barrier to water intrusion and lateral confinement of the deteriorating concrete core to obtain an additional 15 year minimum additional service life from the piles. In addition, the contractor will conduct selective demolition, removal, and disposal of existing underwater and/or above water reinforced concrete pile encasement jackets. In the MPA's experience, there are limited contractors with the required marine and underwater expertise and capabilities due to the specialized nature of the work.

Contract work includes assessment of existing concrete crane beams; concrete crane beam repairs; previously repaired concrete piles; concrete pile encasement repairs; corrosion data collection and design; construction of integral cathodic protection system for concrete piles and beams; steel sheet pile bulkhead repairs; underwater survey of timber member conditions; timber pile repairs; timber cap repairs; installation of sacrificial cathodic protection systems; installation of new fender elements; relocation of existing fender elements; and all related work.

<b>FUND SOURCE:</b>	100% Special Funds Budgeted to MPA
<b>APPROPRIATION CODE:</b>	J03D002
<b>RESIDENT BUSINESS:</b>	Yes
<b>MD TAX CLEARANCE:</b>	15-0114-0111

This item was withdrawn as Item 1-C from the 4/1/15 DOT Agenda.

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

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



DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

April 15, 2015

	Pages
Construction	1 and 2
Maintenance	3 thru 6
General Miscellaneous	7 thru 9
Leases	10 thru 15
Capital Grants and Loans	16 thru 18

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

**CONSTRUCTION CONTRACT**

**ITEM**            1-C

Agency Contact: Lauren Buckler  
 410.767.3174  
 lauren.buckler@maryland.gov

**DEPARTMENT OF HEALTH AND  
 MENTAL HYGIENE**

Spring Grove Hospital Center  
 55 Wade Ave.  
 Catonsville, Md. 21228

**CONTRACT NO. AND TITLE**

Project No. SG-000-130-001 (SBR)  
 2<sup>nd</sup> Re-Bid  
 Replace Switchgear Spring Grove Hospital  
 Center  
 ADPICS NO. 001B5400452

**DESCRIPTION**

Approval requested for a contract that consists of furnishing and installing a fully operational outdoor metal-enclosed Switchgear #1. Locate and disconnect existing underground incoming and outgoing feeders; remove existing outdoor metal-enclosed Switchgear #1 and concrete pad.

**PROCUREMENT METHOD**

Competitive Sealed Bids  
 (Small Business Reserve)

**BIDS OR PROPOSALS**

Urban Francis, LLC, Baltimore, MD  
 P.D. Valle Electric Co., Inc., Baldwin, MD  
 Intellect Corp., Baltimore, MD

**AMOUNT**

\$396,571.00  
 \$444,400.00  
 \$499,952.59

**AWARD**

Urban Francis, LLC,  
 Baltimore, MD  
 (SBR #12-4530)

**AMOUNT**

\$396,571.00

**TERM**

120 Calendar Days

**MBE PARTICIPATION**

16%

**VSBE PARTICIPATION**

0%

**PERFORMANCE BOND**

100% of Full Contract Amount

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



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

**MAINTENANCE CONTRACT**

**ITEM**            2-M

Agency Contact: Nancy Hevey  
 410.767.4045  
 nancy.hevey@maryland.gov

**MARYLAND STATE DEPARTMENT OF  
EDUCATION**

Division of Rehabilitative Services  
 Workforce and Technology Center  
 Baltimore, MD

**CONTRACT NO. AND TITLE**

Project No. 001IT819793;  
 Unarmed Uniformed Guard Service  
 ADPICS NO. 001B5400422

**CONTRACT DESCRIPTION**

Approval is requested for a contract to provide unarmed uniformed guard services for the Division of Rehabilitation Services (DORS), Workforce and Technology Center (WTC) for a period of three (3) years.

**PROCUREMENT METHOD**

Competitive Sealed Bids  
 (Small Business Reserve)

**BIDS OR PROPOSALS**

CSI Corporation of DC, Silver Spring, MD  
 BTI Security, Rockville, MD  
 P.A.C.E. Security Solutions, Laurel, MD

**AMOUNT**

\$550,578.00  
 \$553,272.00  
 \$560,244.00

**AWARD**

CSI Corporation of DC  
 Silver Spring, MD  
 (SB 12-3017)

**TERM**

5/1/2015 – 4/30/2018

**AMOUNT**

\$550,578.00 (3 years)

**MBE PARTICIPATION**

7%

**VSBE PARTICIPATION**

0%

**HIRING AGREEMENT ELIGIBLE**

Yes

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

**MAINTENANCE CONTRACT****ITEM**            2-M (Cont.)**REMARKS**

A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site, and *eMarylandMarketplace.com* on 1/23/2015. Three hundred ninety-seven (397) potential Bidders were notified. Bids were to be opened on 2/12/2015; however, only two bids were received on the bid opening date. The low response prompted the procurement officer to extend the bid opening date to 2/17/2015 and email the four vendors that had not submitted a bid but attended the mandatory pre-bid conference.

The recommended contractor has been found responsible, its bid responsive and has confirmed its bid.

**FUND SOURCE**

Federal Operating Funds  
R00A01.20 PCA T7505 5685

**RESIDENT BUSINESS**

Yes

**TAX COMPLIANCE NO.**

15-0417-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**MAINTENANCE CONTRACT**

**ITEM**            3-M

Agency Contact: Nancy Hevey  
 410.767.4045  
 nancy.hevey@maryland.gov

**MARYLAND STATE DEPARTMENT  
OF EDUCATION**

Division of Rehabilitation Services  
 Disability Determination Services  
 Lutherville, MD

**CONTRACT NO. AND TITLE**

Project No. R00R5402071;  
 Unarmed Uniformed Guard Service  
 ADPICS NO. 001B5400423

**CONTRACT DESCRIPTION**

Approval is requested for a contract to provide unarmed uniformed guard service at the Division of Rehabilitation Services (DORS), Disability Determination Services (DDS) for a period of three (3) years with two, one year renewal options.

**PROCUREMENT METHOD**

Preference Purchase  
 (Community Services Provider)

**BIDS OR PROPOSALS**

Falcon Solutions, Severna Park, MD

**AMOUNT**

\$304,806.80

**AWARD**

Falcon Solutions  
 Severna Park, MD

**TERM**

5/1/2015-4/30/2018 (W/2, one-year renewal options)

**AMOUNT**

\$304,806.80 (3 year base contract)  
 \$103,845.67 1<sup>st</sup> one-year renewal option  
 \$104,987.97 2<sup>nd</sup> one-year renewal option  
 \$513,640.44 Total 5 years

**MBE PARTICIPATION**

100% (Preference Purchase) 7% sub-goal

**VSBE PARTICIPATION**

0%

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

**MAINTENANCE CONTRACT****ITEM**            3-M (Cont.)**REMARKS**

Pricing for this contract was approved by the Pricing and Selection Committee as fair market value on February 19, 2015.

Falcon Solutions, LLC (Falcon) is the incumbent for the current services and DORS DDS is satisfied with the unarmed uniformed guard service Falcon has provided.

Therefore, the Procurement Officer recommends the award pursuant to COMAR 21.11.05 to Falcon in the amount of \$304,860.80.

**FUND SOURCE**

100% Federal Funds  
R00A01.23 PCA W12015 5785

**RESIDENT BUSINESS**

Yes

**TAX COMPLIANCE NO.**

15-0481-0111

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**REVISED**

**GENERAL MISCELLANEOUS**

**ITEM**            4-GM

Agency Contact: Lauren Buckler  
 410.767.3174  
 lauren.buckler@maryland.gov

**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 \$18,500.00 (1 item).

Department of Natural Resources

The fund sources for this particular item will be designated as:  
 MCCBL 2012/Item 013 (Provide funds to design, and construct renovations to the firing range facility at Gunpowder Military Reservation training site.)

Gunpowder Falls State Park

**DESCRIPTION**

Approval requested for the use of funds for a project is to remove and dispose of existing cedar shingles, flashing, drip edge, underlayment at the Gittings Baldwin Project at Gunpowder Falls State Park

**REMARKS**

Work includes expose plywood sheathing from the house and pavilion, Remove and store existing ground system (seven lightning rods). Remove and dispose of and replace any deteriorated roof sheathing. Install new architectural shingles, and new matching gutter and downspout on front of the addition/porch. Install 6 new concrete splash guards. Remove debris from of State property.

**CONTRACT NO. & TITLE**

Project No. P-000-153-110;  
 Replace Roof, Gittings-Baldwin Property

**PROCUREMENT METHOD**

Small Procurement

**AWARD**

DiPietri Contractor's, Inc.  
 Dunkirk, MD

**AMOUNT**

\$18,500.00

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

**REVISED**

**GENERAL MISCELLANEOUS**

**ITEM**            4-GM (Cont.)

**FUND SOURCE**

MCCBL 2012 Item 013

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**GENERAL MISCELLANEOUS**

**ITEM**            5-GM

Agency Contact: Lauren Buckler  
 410.767.3174  
 lauren.buckler@maryland.gov

**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 \$32,887.11 (1 item).

Department of Health and Mental Hygiene

Spring Grove Hospital Center.  
 Noyes Building, Catonsville, MD

**DESCRIPTION**

Contract is for A/E design for the roof replacement of the shingle roof system and structural decking replacement on the Noyes Building at Spring Grove Hospital Center.

**REMARKS**

The existing twenty year-old shingle roof is rapidly failing. The present leaking condition is causing damage to the sub-structure and interior, which if addressed at this time can be minimized and easily repaired.

**CONTRACT NO. & TITLE**

Project No. SG-690-150-001;  
 Roof Replacement at Noyes Building

**PROCUREMENT METHOD**

Maryland Architectural and Engineering Services Act

**AWARD**

Gale Associates, Inc.  
 Baltimore, MD

**AMOUNT**

\$32,887.11

**FUND SOURCE**

MCCBL 2013/Item 010 (Provide funds for the State Capital Facilities Renewal Program-Statewide)

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

1. The Tenant shall occupy and use the Premises for and only for overflow parking and riding ring for horse training/schooling purposes. This space will not be exclusively used by the Tenant; it will shared cooperatively with the Department of Natural Resources.
2. The lease does not convey to Tenant any interest in or to any mineral rights.
3. State's fee simple interest in the Premises may not be encumbered or subordinated by operation of this Lease or by any action taken by the Tenant.
4. The Tenant shall indemnify and hold harmless the State against and from any and all liability or claim of liability arising out of the use of the Premises.
5. The Tenant shall not make any alteration, addition or improvement to the Premises without first obtaining the State's written approval.
6. The Tenant shall at its expense perform all maintenance and repairs to the Premises.



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

**LANDLORD LEASE****ITEM**      6-LL-OPT (Cont.)

7.      Tenant shall maintain at its expense insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Premises.

**Remarks**

1.      The Premises will be used by the League of Maryland Horseman, Inc. for overflow parking and riding ring for horse training/schooling purposes. The Tenant will not have exclusive use of the property, it will be shared cooperatively with DNR's State Forest and Park Service Mounted Ranger Patrol. This property was purchased from the Tenant in 1975 as part of the Patapsco State Park acquisition.
2.      A State Clearinghouse review was not applicable because the use of the property has not changed.
3.      The revenue derived from this lease will be applied to the State Forest and Park Reserve Fund.
4.      The State has the right to terminate this lease for convenience.
5.      The Department of General Services, in conjunction with the Department of Natural Resources, recommends the approval of this item.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

1. The Premises is a 4.48 acre plot of land use as an access road to Tenant's radio tower. The Tenant shall occupy and used the Premises for and only for access to its tower site leased from the City of Clear Spring; the Tenant shall not have exclusive use of the Premises.
2. The lease does not convey to Tenant any interest in or to any mineral rights.
3. Landlord's fee simple interest in the Premises may not be encumbered or subordinated by operation of this Lease or by any action taken by the Tenant.
4. 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 Premises.
5. The Tenant shall not make any alteration, addition or improvement to the Premises without first obtaining the State's written approval.

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

**LANDLORD LEASE****ITEM**        7-LL-OPT (Cont.)

6.     The Tenant is responsible for all utilities, maintenance and repairs to the Premises.
7.     Tenant shall maintain at its expense insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Premises.
8.     The annual rent commences at One Thousand Seven Hundred Twenty Five Dollars and Zero Cents (\$1,725.00) and increases Twenty Five Dollars (\$25.00) per annum each anniversary year of the term resulting in an annual rent of One Thousand Nine Hundred Fifty Dollars and Zero Cents (\$1,950.00) in year ten of the lease.

**Remarks**

1.     The Premises is an access road used by Nexstar Broadcasting, Inc. to gain access its tower site leased from the City of Clear Spring.
2.     A State Clearinghouse review was not applicable because the use of the property has not changed.
3.     The revenue derived from this lease will be applied to the DNR Wildlife general fund.
4.     The State has the right to terminate this lease for convenience.
5.     The Department of General Services, in conjunction with the Department of Natural Resources, recommends the approval of this item.

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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

**TENANT LEASE**

**ITEM**            8-LT-MOD

Agency Contact: Robert Suit  
410.767.1819  
robert.suit@maryland.gov

**DEPARTMENT OF BUSINESS AND  
ECONOMIC DEVELOPMENT**

Maryland State Arts Council (MSAC)  
Baltimore, MD

**Landlord**

Spring Garden Associates, LLC  
1340 Smith Ave., Suite 200  
Baltimore, MD 21209

**Property Location**

175 W. Ostend St., Suite E  
Baltimore, MD 21230

<b><u>Space Type</u></b>	Office	<b><u>Lease Type</u></b>	Renewal/Additional	<b><u>Square Feet</u></b>
<b><u>Duration</u></b>	8 Years	<b><u>Effective</u></b>	7/1/2015	Original 6,073
<b><u>Annual Rent</u></b>	\$109,045.30 (Avg.)	<b><u>Square Foot Rate</u></b>	\$16.10 (Avg.)	Additional <u>700</u> 6,773

**Utilities Responsibility**

Lessee

**Custodial Responsibility**

Lessee

**Previous Board Action(s)**

10/27/99 - 14-L, 12/15/04 - 7-L, 08/26/09 - 12-LT

**Fund Source**

100% General T00G0005 7510 1301 75111

**Special Condition**

The lease provides five (5) reserved and twenty-two (22) use-in-common parking spaces at no cost to the State.

**Remarks**

1. This mission of MSAC is to support artists and arts organizations in their pursuit of artistic excellence, to ensure the accessibility of the arts to all citizens, and to promote statewide awareness of art resources and opportunities.
2. In addition to the tenant improvement to expand, the Lessor will provide improvements to the original space: paint, carpet, energy efficient lighting, digital thermostats, light motion sensors, low flow bathroom fixtures, new roof and HVAC units.
3. The rental rate for lease years 1-5 is \$15.65 per usable square foot and \$16.86 per net usable square foot for lease years 6-8 for an average rental rate of \$16.10 per net usable square foot over the lease term. The "effective sf rate" is \$19.28. This is a product of \$1.86 psf for utilities and \$1.32 for custodial coupled with the base rate of \$16.10.

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

**TENANT LEASE****ITEM**      8-LT-MOD (Cont.)

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

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**CAPITAL GRANTS AND LOANS**

**ITEM**            9-CGL

Agency Contact: Fred Mason  
 410.767.4378  
 fred.mason@maryland.gov

**MARYLAND HIGHER EDUCATION COMMISSION**

**RECOMMENDATION**

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

**College of Southern Maryland – Hughesville Campus**

Center for Regional Programs – Construction, Furnishings, and Equipment  
 Construct, furnish, and equip a new 31,320 GSF Center for Regional Programs at the newly established Hughesville Campus to provide training laboratories for programs in the Center for Trades and Energy Training, including electrical, welding, HVAC, carpentry, industrial mechanical, electric lineman, and advanced skills to upgrade the skills of students and meet the workforce needs of area employers.

**\$7,290,250.00**

MCCBL 2007/ Item 045	\$1,211,806.82
MCCBL 2013/ Item 018	<u>\$6,078,443.18</u>
	\$7,290,250.00

CC-09-MC07/13-432

**MATCHING FUND**

College of Southern Maryland – \$2,430,083.00

Cost sharing is 75% State share, 25% local share and is in accordance with Section 11-105(j) of the Education Article.

**BACKGROUND**

	<b><u>Total Amount</u></b>	<b><u>State Share</u></b>	<b><u>Local Share</u></b>
Total Project	\$10,321,333.00	\$ 7,741,000.00	\$ 2,580,333.00
This Action	\$ 9,720,333.00	<b>\$ 7,290,250.00</b>	\$ 2,430,083.00
Previous Action 38-CGL, 5/28/14	\$ 601,000.00	\$ 450,750.00	\$ 150,250.00

**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 the College of Southern Maryland and signed by local authorities.

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

**CAPITAL GRANTS AND LOANS**

**ITEM**            9-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.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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