

*BOARD OF PUBLIC WORKS*  
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*DECEMBER 16, 2015*

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**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contact: Norman Astle (410)841-5864  
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**1. DEPARTMENT OF AGRICULTURE  
*Maryland Agriculture Cost-Share Program***

**Recommendation:** That the Board of Public Works approves funding of 12 individual grants under the Maryland Agricultural Cost-Share Program.

**Amount:** \$294,700

<b>Agreement #</b>	<b>Recipient</b>	<b>County</b>	<b>Amount \$</b>
AT-2016-2645	Brandon Cullins	St. Mary's	3,200
AT-2016-2679	K. Michael Beachy	Garrett	38,100
AT-2016-2683	Joan Q. Dawkins	Queen Anne's	3,400
AT-2016-2684	William B. Sharp	Queen Anne's	3,600
AT-2016-2685	William B. Sharp	Queen Anne's	4,400
AT-2016-2686	William B. Sharp	Queen Anne's	3,400
AT-2016-2687	William B. Sharp	Queen Anne's	4,400
CH-2016-2673	Fair Hill Farms, Inc	Kent	11,800
CR-2016-2583	James W. Sanders, Jr	Caroline	10,700
MP-2016-2675-R	Franklin E. Thompson	Frederick	4,100
SA-2016-2672	Marvin P. Gyr, Jr.	Kent	7,600
UP-2016-2610	Sheldon M. Shank	Washington	200,000

**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” Section 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

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

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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December 16, 2015**

*Contact: Norman Astle 410-841-5834  
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**2. DEPARTMENT OF AGRICULTURE  
*Maryland Agricultural Cost-Share Program***

**Recommendation:** That the Board of Public Works approves Additional funding of seven individual grants under the Maryland Agricultural Cost-Share Program.

**Amount:** \$9,466.05

<b>Agreement #</b>	<b>Recipient</b>	<b>County</b>	<b>Amount</b>
AT-2015-3072-R	John D. Fernwalt, Jr	Kent	101.69
CH-2014-2489	Harborview Farms	Kent	373.04
CH-2016-2464	F. Kevin Leaverton	Queen Anne's	207.81
CR-2014-2679	Duncan Butler, Jr	Queen Anne's	1,033.76
MP-2014-3084	Fertile Plains, LLC	Frederick	2,087.34
MP-2015-3070	Kenneth L. Martin	Carroll	5,454.69
SA-2013-2734	Phillips Choice Limited Partners	Kent	207.72

**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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**BOARD OF PUBLIC WORKS  
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ACTION AGENDA  
December 16, 2015**

*Contact: Norman Astle (410)841-5864  
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**3. DEPARTMENT OF AGRICULTURE  
Maryland Agriculture Cost-Share Program Reversion Requests**

**Recommendation:** That the Board of Public Works approves the reversion of the remaining balances for 51 projects that were cancelled or completed in accordance with Maryland Agricultural Cost-Share Program guidelines.

**Amount:** \$299,996.15

<b>Agreement #</b>	<b>Recipient</b>	<b>County</b>	<b>Amount</b>	<b>Status</b>
AT-2013-2156	J. Gary Marsh	Allegany	\$2,100.00	Cancelled
AT-2013-2214	Gary Berkebile	Garrett	\$90.94	Completed
AT-2013-2236	Deborah A Niner	Garrett	\$78.75	Completed
AT-2013-2310	Tranquility Manor Farms, Inc.	Baltimore	\$861.37	Completed
AT-2013-2342	Clarence E. Tucker, Sr	Charles	\$3,056.62	Completed
AT-2013-2375	Justin S. Clough	Queen Anne's	\$1,277.25	Completed
AT-2013-2477	Garvick's Farms, Inc	Carroll	\$584.15	Completed
AT-2013-2478	Garvick's Farms, Inc	Carroll	\$624.00	Completed
AT-2013-2521	David M. Clark, Sr	Queen Anne's	\$700.00	Completed
AT-2013-2535	Estate Of Robert L. Davis, Sr	Kent	\$224.42	Completed
AT-2013-2548	John R. Alexander, Jr	Baltimore	\$1,257.50	Completed
AT-2013-2567	Belvin L. Mann	Allegany	\$538.37	Completed
AT-2013-2583	John D. Fernwalt, Jr	Kent	\$1,901.79	Completed
AT-2013-2584	John D. Fernwalt, Jr	Kent	\$1,046.20	Completed
AT-2013-2585	John D. Fernwalt, Jr	Kent	\$2,929.52	Completed
AT-2013-2589	John D. Fernwalt, Jr	Kent	\$1,626.07	Completed
AT-2013-2635	Swan Point Farm, LLC	Kent	\$223.75	Completed
AT-2013-2636	Swan Point Farm, LLC	Kent	\$72.56	Completed
AT-2013-2688	Justin M. Harrison	Baltimore	\$390.00	Completed
AT-2013-2707	Darrell K. Lambert	Allegany	\$120.25	Completed
AT-2013-2715	Hartley W. Justice, Jr	Baltimore	\$5,503.90	Completed
AT-2013-2771	Russell L. Shlagel	Charles	\$8,100.00	Cancelled
AT-2013-2794	Sydney D. Peverley, III	Harford	\$2,126.25	Completed
AT-2013-2833	Alice M. Mason	Kent	\$4,655.14	Completed
AT-2013-2834	Joyce D. Redman	Kent	\$621.04	Completed
AT-2013-2837	Joyce D. Redman	Kent	\$359.84	Completed
AT-2013-2839	Joyce D. Redman	Kent	\$920.08	Completed
CH-2013-2034	T. Allen Stradley Estate	Kent	\$500.00	Cancelled
CH-2013-2045	Olan H. Simpkins	Kent	\$1,300.00	Cancelled

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

**3. DEPARTMENT OF AGRICULTURE (cont'd)  
Maryland Agriculture Cost-Share Program Reversion Requests**

<b>Agreement #</b>	<b>Recipient</b>	<b>County</b>	<b>Amount</b>	<b>Status</b>
CH-2013-2087	Linda Hague-Crew	Kent	\$91.12	Completed
CH-2013-2474	Clark Enterprises	Kent	\$53.75	Completed
CH-2013-2475	Clark Enterprises	Kent	\$127.56	Completed
CH-2013-2706	Black Bottom Farms, LLC	Kent	\$1,100.00	Cancelled
CH-2013-2765	Ralph W. Flinchbaugh	Kent	\$47.80	Completed
CH-2013-2841	Ralph C. Whaley, Jr	Queen Anne's	\$672.85	Completed
CH-2013-2842	Ralph C. Whaley, Jr	Queen Anne's	\$720.56	Completed
CH-2013-2843	Ralph C. Whaley, Jr	Queen Anne's	\$751.07	Completed
CH-2013-2844	Ralph C. Whaley, Jr	Queen Anne's	\$125.00	Completed
CR-2013-2338-B	Trina N. Garvey	Caroline	\$35,000.00	Completed
CR-2013-2711-B	Garey B. Brown	Caroline	\$47,000.00	Completed
CR-2013-2712	Garey B. Brown	Caroline	\$31,400.00	Completed
CR-2013-2722-B	M. David Wood, Jr	Caroline	\$28,805.50	Completed
CR-2014-2237-B	Paul W. Towers, Sr	Caroline	\$28,000.00	Completed
LS-2013-2221	John P. Archer, Jr	Harford	\$7,600.00	Completed
LS-2013-2853	Matthew G. Wihlerle, III	Harford	\$18,800.00	Completed
MP-2013-1768	Richard L. Grossnickle	Frederick	\$19,300.00	Completed
MP-2013-2133	Wayne E. Rhoderick	Frederick	\$9,400.00	Completed
MP-2013-2191	Richard V. Devilbiss, Sr	Carroll	\$4,500.00	Completed
MP-2013-2192	Wayne E. Rhoderick	Frederick	\$21,400.00	Completed
MP-2013-2265	John Leannarda	Carroll	\$19.00	Completed
MP-2013-2529	Kenneth W. Staley	Carroll	\$1,292.18	Completed

**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” Section 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

**BOARD OF PUBLIC WORKS**

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**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

**REVISED**

*Contact: Bill Morgante 410-260-7791  
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**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 the license 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.

**ANNE ARUNDEL COUNTY**

- 15-0606      *U.S. COAST GUARD* – To construct a boat ramp at the USCG Station.  
*Annapolis, Fishing Creek*  
*Special condition: Time-of-year restriction.*
- 15-0530      

**ST. MARY’S COUNTY**

- 15-0569      *NAVFAC WASHINGTON* – To control shore erosion by installing a living shoreline including filling, grading, and planting marsh vegetation and installing hardwood logs in one area.  
*Patuxent Naval Air Station, Pearson Creek*  
*Special conditions: Marsh establishment requirements.*

**TALBOT COUNTY**

- 15-0337      *COMMISSIONERS OF OXFORD* – To reconfigure a public boat ramp and landing by removing a bulkhead, piers and piles and constructing/emplacing timber platforms, piles, a boat ramp, a timber pier and timber wing walls.  
*Oxford, Town Creek*  
*Special conditions: Time-of-year restriction and boat ramp fill requirements.*

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015

REVISED

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

STATEWIDE

- 15-0506 *MD DEPT. OF NATURAL RESOURCES* – To improve benthic habitat at 21 sites by adding various filling materials.  
*From Pooles Island to the Tangier Sound, Chesapeake Bay*  
*Special conditions: Clearance requirements for navigation, restrictions on materials used for artificial reef construction, demarcation of three sites for navigational purposes, Maryland Historical Trust notification before materials placement, and MHT notification if historic property is discovered.*

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BOARD OF PUBLIC WORKS

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**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contact: Robert Ward 410-767- 2211  
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**6. DEPARTMENT OF COMMERCE  
*Small, Minority, and Women-Owned Businesses Account  
Funded by Video Lottery Terminal Proceeds – FY 2014***

**Contract ID:** Fund Managers for Small, Minority and Woman-Owned Business Account  
Video Lottery Terminal Grants  
ADPICS No. T00R3401379

**Contract Approved:** Secretary's Agenda Item 15 (April 17, 2013)

**Contractor:** Meridian Management Group Inc., Baltimore

**Contract Description:** Fund Manager to provide investment capital and loans to small, minority and woman owned businesses across the State with funds allocated from Maryland video lottery proceeds.

**Modification Description:** *RETROACTIVE*/Increase VLT grant proceeds allocated for FY 2014 Fund Establishment Expense Fee from \$280,000 to \$434,000.

**Term:** 5/1/2013 – 4/30/2018 w/ one 5-year renewal

**Original Fee Allocation Amount:** \$280,000 [\$3.5 million x 8% = start-up fee]

**Modification Fee Allocation Amount:** \$154,000

**Total Fee Allocation Amount:** \$434,000

**Remarks:** Reference is made to Secretary's Agenda Item 15 (4/17/13) in which the Board of Public Works approved the Department of Commerce awarding \$3.5 million in Video Lottery Terminal proceeds to Meridian Management Group of which 92% was to be used to make loans to small, minority, and woman owned businesses across Maryland. The Board authorized MMG to use the other 8% of the award (\$280,000) for "initial operating expenses in connection with the initial establishment of the Fund." MMG was one of three Fund Managers approved for the VLT Account Program in its first year of operation, FY 2014.

After award, MMG requested twice to increase the amount within its overall allocation that it could use for expenses related to startup costs. The requests were for \$145,000 and for \$9,000. The requests were based on the budget for overhead and operating expenses that MMG submitted with its proposal before contract award. The Department granted the request and authorized \$434,000 (instead of \$280,000) as MMG's Expense Fee in FY 2014. This equates to about 12.5% (instead of 8%) of the overall MMG allocation.

**BOARD OF PUBLIC WORKS  
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6. **DEPARTMENT OF COMMERCE** *(cont'd)*  
*Small, Minority, and Women-Owned Businesses Account  
Funded by Video Lottery Terminal Proceeds – FY 2014*

*Remarks: (cont'd)*

The Department now seeks retroactive approval for modification. The Department deems the modification to be in the best interest of the State to ensure the overall success of the VLT lending program.

**Fund Source:** Small, Minority & Woman-Owned Business Investment Account  
T00F00015

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**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contacts: John Maneval (301) 429-7714 John.Maneval@Maryland.gov  
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**7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

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

**Borrower:** Gaudenzia Foundation, Inc.

**Project:** Gaudenzia Baltimore at Park Heights Avenue  
4615 Park Heights Avenue, Baltimore, MD 21215

**Authority:** Chapter 424 of the Laws of Maryland 2013;  
Chapter 463 of the Laws of Maryland 2014;  
Chapter 495 of the Laws of Maryland 2015;  
COMAR 05.05.09

The *Shelter and Transitional Housing Facilities Grant Program* serves homeless households.

**Grant Amount:** \$1,304,089

**Fund Source:** MCCBL 2016: *Shelter and Transitional Housing Facilities Grant Program*

**Collateral:** Deed of Trust

**Description:** Gaudenzia Baltimore at Park Heights Avenue is a project to rehabilitate a supportive housing and comprehensive services facility for the homeless that will preserve 124 beds and create 32 new beds in Baltimore City. Gaudenzia provides transitional supportive housing and comprehensive services to a recovering population of adults and women with children who are diagnosed with co-occurring mental illness and chemical dependency. The project will substantially rehabilitate the building, which has been at full or near-full capacity since 2001. Renovations are intended to increase energy efficiency, address deferred maintenance issues, and reconfigure spaces to increase the capacity of the building and allow for safer, more modern service delivery.

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

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

*Description: (cont'd)*

<b>Fund Sources</b>	<b>Amount</b>
<b>DHCD STHGP Grant (this Item)</b>	<b>\$1,304,089</b>
DHCD Financing Adjustment Factor Grant	\$195,911
Maryland Affordable Housing Trust	\$50,000
Federal Home Loan Bank – Pittsburgh	\$500,000
Federal Home Loan Bank – Atlanta	\$500,000
Maryland Dept. of Health and Mental Hygiene	\$750,000
Maryland Bond Bills	\$200,000
<b>TOTAL</b>	<b>\$3,500,000</b>

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy on November 11, 2014 (Project # SP 20141106-5905).

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**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contact: David Blazer (410)260-8281  
David.Blazer@maryland.gov*

**8. DEPARTMENT OF NATURAL RESOURCES**

**Recommendation:** That the Board of Public Works approve the expenditure of general obligation bond proceeds as described.

**Contract ID:** Maryland Shellfish Aquaculture Capital Equipment Financing  
ADPICS Contract # 605P6400023

**Description:** Capital equipment for shellfish aquaculture development

**Award:** MARBIDCO, the Maryland Agricultural and Resources Based  
Industry Development Corporation

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

**Procurement Method:** Exempt per § 11-203(a)(xviii), State Finance & Procurement  
Article, Annotated Code of Maryland

**Amount:** \$300,000

**Contract Term:** December 18, 2015 – December 17, 2016

**Incumbent:** Same

**Background:** The Oyster Restoration and Aquaculture Development Program assists watermen interested in developing their own shellfish aquaculture businesses. Through this program, funding assistance is extended to existing and prospective shellfish aquaculture businesses. Business owners will use this funding to purchase equipment such as oyster tumblers, graders, and other material handling gear.

**Fund Source:** MCCBL of 2015: *Oyster Restoration Program* \$300,000

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**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contact: Katherine Z. Dixon (410) 585-3035  
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**9. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
*Dorsey Run Correctional Facility, Phase II  
Construction Contract Modification***

***Contract ID:*** Design-Build Construction of  
Dorsey Run Correctional Facility, Phase II  
KJC-000-140-C01, ADPICS No.:603B4400001

***Original Contract Approved:*** Secretary's Agenda Item 2 (12/18/13)

***Project Delivery Method:*** Design/Build

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

***Contractor:*** P.J. Dick Inc.  
Pittsburg, Pennsylvania

***Project Description:*** Design-Build contract to construct 560-bed minimum security west compound. Project comprises one Support Services Building, two 280-dormitory Housing Units, site work, fences, and utilities.

***Modification:*** Change Order No. 33/Provide pre-assembled security search booth with modular wiring, ADA-compliant rails, and electrical conduit and wiring; provide 25 additional cameras, electrical conduit and associated wiring, programming and testing.

***Modification Amount:*** \$ 247,649

***Original Contract Amount:*** \$23,200,000

***Change Orders Previously Approved:*** \$ 944,652

***Revised Contract Amount:*** \$24,392,301

***% of this CO to Contract Award:*** 1.07%

***% of Cumulative CO to Original:*** 5.41%

***Fund Source:*** FY13 Capital Appropriation (Federal)  
Q00A01.05 PCA15115

**BOARD OF PUBLIC WORKS  
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**9. DEPT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)  
*Dorsey Run Correctional Facility, Phase II  
Construction Contract Modification***

***MBE Participation:*** 30.49%  
***MBE Compliance:*** 30.14%  
***Performance Bond:*** 100% of contract amount

***Remarks:*** Upon completion of Phase II/West Compound, access for inmates between East and West Compounds for programming functions requires a search booth to eliminate potential contraband handling. During occupancy of Phase I/East Compound, certain after-hour activities have been identified by security which mandate additional cameras for monitoring and evidencing.

***Tax Compliance No.:*** 15-3030-1111  
***Resident Business:*** No

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**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contact: Ellen Frketic 410-729-8307  
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**10. MARYLAND ENVIRONMENTAL SERVICE  
*Eastern Correctional Institution***

***A/E Contract:*** Replacement of High Pressure Steam Valves at ECI Co-Generation Plant  
MES Project # 1-16-4-41-3

***Description:*** Engineering services, including preparation of bid-ready plans and specifications, for installation of high pressure steam valves at ECI Co-Generation Plant.

***Procurement:*** A/E Short List

***Award:*** KCI Technologies Inc., Sparks, MD

***Amount:*** \$44,703

***Term:*** 12 months

***MBE Participation:*** 0 %

***Remarks:*** The Eastern Correctional Institution's Co-Generation Plant, constructed in 1987, produces high pressure and temperature steam and water feed systems to generate steam and electricity. Control and management of these systems is accomplished with automatic and manual valve arrangements designed for specific applications. Many of the original valves – in service since 1987 – have exceeded their expected life and no longer efficiently perform their function.

***Fund Source:*** MCCBL of 2015: *Infrastructure Improvement Fund*

***Appropriation Codes:*** 176 MCCBL 15 (PCA 11080)

***Resident Business:*** Yes

***Tax Compliance No.:*** 15-2767-1110

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**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

*Contact: Michael J. Frenz 410.333.1560  
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**11. MARYLAND STADIUM AUTHORITY  
*Baltimore City Public Schools Construction & Revitalization Program  
Revenue Bonds, Series 2015***

***Recommendation:*** That the Board of Public Works approve the Maryland Stadium Authority issuing \$320 million in Baltimore City Public Schools Construction and Revitalization Program revenue bonds, the proceeds of which will be used to finance a portion of the costs to design, construct, renovate, rehabilitate, equip, and furnish the first group of public school facilities under the Baltimore City Public Schools Construction and Revitalization Program.

***Bond Proceeds.*** Proceeds of this Baltimore City Public Schools Construction and Revitalization Program Revenue Bonds, Series 2015 bond issuance will be used to pay:

- Program Year One costs: design, construction, renovation, rehabilitation, equipping, furnishing of Baltimore City public school facilities
- Costs related to the bond issuance

***Authority:*** “Before each issuance of bonds to finance improvements to a Baltimore City public school facility, the [Stadium] Authority shall obtain the approval of the Board of Public Works for the proposed bond issue.” Section 10-645(e), Economic Development Article, Annotated Code of Maryland.

***Background:*** The Baltimore City Public School Construction and Revitalization Act of 2013 authorizes the Stadium Authority to issue up to \$1.1 billion in debt as limited obligations of the Stadium Authority. These bonds are solely payable from and secured by the Baltimore City Public School Construction Financing Fund established under the Act. The Financing Fund receives \$60 million annually; this sum comprises \$20 million from each of three entities: the State of Maryland, the City of Baltimore, and the Baltimore City Board of School Commissioners. Bonds issued under the Act do not constitute a debt, liability, or pledge of the faith and credit or the taxing power of the State, the Stadium Authority, or any other governmental unit. The Act authorizes the Stadium Authority to use the bond proceeds to design, build, renovate, rehabilitate, equip, and furnish the public school facilities identified for this Program.

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

**11. MARYLAND STADIUM AUTHORITY (cont'd)  
*Baltimore City Public Schools Construction and Revitalization Program Revenue  
Bonds, Series 2015***

*Legislative Committee Review and Comment Period.* The Stadium Authority submitted the Amended Comprehensive Plan of Financing to the General Assembly's fiscal committees for review and comment on September 9, 2015. This 45-day notice before Board of Public Works approval is required by Section 10-645(c), Economic Development Article.

*Documents:* Approval of this Item includes approval of:

- Amended Comprehensive Plan of Financing (Sept. 1, 2015)
- Preliminary Official Statement
- Trust Indenture
- Bond Purchase Agreement
- Resolution of Board of Public Works approving bond issuance

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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  
December 16, 2015**

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

**12. MARYLAND STADIUM AUTHORITY  
*Baltimore City Public Schools  
Frederick PK-5 School  
Construction Management at Risk – Bid Package #1***

**Contract ID:** Frederick PK-5 School/BCS-008

**Recommendation:** That the Board of Public Works approve the award of Bid Package No. 1 to Gilbane Building Company, the construction manager at risk, for the Frederick PK-5 School project.

**Contractor:** Gilbane Building Company, Baltimore, MD 21230

**Prior Approval:** Secretary's Agenda Item 15 (12/17/14)

**Project:** The Frederick PK-5 School project is a renovation/addition of the 85,000 +/- square-foot school building at 2501 Frederick Avenue. The original award to Gilbane was for construction services only.

The Stadium Authority estimates the construction cost to be \$24.6 million.

**Bid Package #1 Description:** Demolition & hazardous abatement; sitework/site utilities; concrete; steel.

**Bid Package #1 Amount:** \$4,033,156

**Pre-Construction Amount:** \$ 118,323

**Revised Amount:** \$ 4,151,479

**Term:** 12/2015 - 6/2016

**MBE Goal:** 32%  
Subgoals: African American 7%  
Asian American 4%

**Remarks:** Reference is made to Secretary's Agenda Item 15 (12/17/14) in which the Stadium Authority stated: "If Contractor's pre-construction performance is satisfactory and an acceptable [bid package] can be negotiated, the Stadium Authority intends to return to the Board of Public Works with a recommendation to award construction services to Gilbane."

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

**12. MARYLAND STADIUM AUTHORITY  
*Baltimore City Public Schools  
Frederick PK-5 School  
Construction Management at Risk – Bid Package #1***

**Remarks (cont'd):** Bid Package #1 procurement proceeded as follows:

Gilbane advertised the project for trade contractor participation on the web sites of the Stadium Authority, Baltimore 21<sup>st</sup> Century Schools, Gilbane, and MWMCA. The solicitation was placed on *eMarylandmarketplace*. In an effort to maximize MBE participation, the Stadium Authority conducted an MBE outreach session. A pre-bid meeting was held at Frederick Elementary School where attendees received project information and toured the project site. Gilbane later distributed the Bid Package documents to all pre-qualified trade contractors expressing an interest in bidding. Work solicited included demolition/ hazardous abatement, sitework/site utilities, concrete, and steel.

Sealed trade-contractor bids were received and opened at Gilbane’s Baltimore field office. Post-bid scope review meetings were conducted with selected trade contractors to ensure that their bids were both responsive and complete.

The Stadium Authority anticipates returning to the Board of Public Works for permission to add the remaining construction bid packages to the contract when appropriate. The remaining bid packages are currently out to bid.

**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]

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

**Tax Compliance No.:** 15-3035-1110

**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  
December 16, 2015**

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

**13. MARYLAND STADIUM AUTHORITY  
*Baltimore City Public Schools  
Fort Worthington K-8 School  
Construction Management at Risk – Bid Package #1***

**Contract ID:** Fort Worthington K-8 School/BCS-006

**Recommendation:** That the Board of Public Works approve the award of Bid Package No. 1 to Gilbane Building Company, the construction manager at risk, for the Fort Worthington K-8 School project.

**Contractor:** Gilbane Building Company, Baltimore, MD 21230

**Prior Approval:** Secretary's Agenda Item 16 (12/17/14)

**Project:** The Fort Worthington K-8 School project is a complete replacement of the school structure at 2701 East Oliver Street with a 103,000 +/- square-foot building. The original award to Gilbane was for construction services only.

The Stadium Authority estimates the construction cost to be \$32.6 million.

**Bid Package #1 Description:** Demolition & hazardous abatement; earthwork/ utilities.

**Bid Package #1 Amount:** \$1,652,330

**Pre-Construction Amount:** \$ 120,831

**Revised Amount:** \$1,773,161

**Term:** 12/2015 - 6/2016

**MBE Goal:** 32%  
Subgoals: African American 7%  
Asian American 4%

**Remarks:** Reference is made to Secretary's Agenda Item 16 (12/17/14) in which the Stadium Authority stated: "If Contractor's pre-construction performance is satisfactory and an acceptable [bid package] can be negotiated, the Stadium Authority intends to return to the Board of Public Works with a recommendation to award construction services to Gilbane."

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
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**13. MARYLAND STADIUM AUTHORITY (cont'd)**

***Baltimore City Public Schools***

***Fort Worthington K-8 School***

***Construction Management at Risk – Bid Package #1***

**Remarks (cont'd):** Bid Package #1 procurement proceeded as follows:

Gilbane advertised the project for trade contractor participation on the web sites of the Stadium Authority, Baltimore 21<sup>st</sup> Century Schools, Gilbane, and MWMCA. The solicitation was placed on *eMarylandmarketplace*. In an effort to maximize MBE participation, the Stadium Authority conducted an MBE outreach session. A pre-bid meeting was held at Fort Worthington Elementary School where attendees received project information and toured the project site. Gilbane later distributed the Bid Package documents to all pre-qualified trade contractors expressing an interest in bidding. Work solicited included demolition/ hazardous abatement, and earthwork/site utilities.

Sealed trade-contractor bids were received and opened at Gilbane's Baltimore field office. Post-bid scope review meetings were conducted with selected trade contractors to ensure that their bids were both responsive and complete.

The Stadium Authority anticipates returning to the Board of Public Works for permission to add the remaining construction bid packages to the contract when appropriate. The remaining bid packages are currently out to bid.

**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]

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

**Tax Compliance No.:** 15-3035-1110

**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  
December 16, 2015**

*Contact: Lois Y. Whitaker 443-885-3074  
lois.whitaker@morgan.edu*

**14. MORGAN STATE UNIVERSITY**  
*Dining Services*

**Contract ID:** Dining Services  
Project No. 14/PRO-2019-S

**Original Approval:** Secretary's Agenda Item 14 (5/14/2014)

**Contractor:** Thompson Hospitality Services, Reston, VA

**Contract Description:** Dining services for University students, faculty, staff, and guests. Included are boarded meals, commuter plans, retail operations, catering services and concessions. Contractor is responsible for management, personnel, food products supplies, materials, marketing, technical support and training systems.

**Modification Description:** Add mobile food truck and dining services renovation projects.

**Original Amount:** \$35,096,544 (5-year base term)

**Modification Amount:** \$3,975,500

**Revised Contract Amount:** \$39,072,044

**Contract Term:** June 1, 2014 to May 31, 2019 (with five 1-year renewal options)

**Modification Term:** Unchanged

**MBE Participation:** 40%

**MBE Compliance:** 34.7%

**Performance Bond:** \$1,000,000

**Fund Source:** Current Unrestricted: Business and Auxiliary Services

**Remarks:** The food services contract, approved in 2014, provided for the University and Thompson Hospitality to mutually decide on and equally share expenditures related to \$3.97 million in Capital Investments.

The University and Thompson Hospitality have now agreed on the Capital Investments program.

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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**14. MORGAN STATE UNIVERSITY (cont'd)**  
*Dining Services*

**Remarks:** (cont'd)

Thompson Hospitality will:

- Provide mobile food truck
- Renovate Rawlings Dining Hall
- Relocate convenience store into Rawlings Residence Hall
- Renovate Cyber Café and incorporate smoothie bar
- Upgrade Montebello food kiosk
- Upgrade Richardson Library coffee kiosk

These projects will be undertaken beginning 2015 fall semester and concluding at the start of 2016 fall semester, barring unforeseen issues related to building infrastructure, permitting, abatement, regulatory or code issues and any other issues beyond the control of Thompson Hospitality.

The University will make five annual payments to Thompson Hospitality on August 1 of each year from 2015 through 2019.

The Morgan State University Business and Auxiliary Services will manage the contract with procurement support provided by the University's Department of Procurement.

**MD Tax Clearance:** 15-3031-0011

**Resident Business:** Yes (Local office in Maryland)

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

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

**REVISED**

*Contact: Lois Y. Whitaker 443-885-3074  
lois.whitaker@morgan.edu*

**15. MORGAN STATE UNIVERSITY**  
*Information Technology Division*

**Contract ID:** Next Generation Network Upgrade  
Project No. 15/PRO-0012-S

**Award:** Magothy Technology, LLC

**Contract Description:** Provide data network equipment and integrated network admissions management solution to replace existing infrastructure. Includes hardware, software, maintenance, and services for a complete turnkey solution.

**Amount:** \$18,703,145

**Procurement Method:** Request for Quotes  
Morgan State University Procurement Policies and Procedures

<i>Offeror</i>	<i>Technical</i>	<i>Price</i>
Magothy Technology	Exceptional	\$18,703,145
Disys Solutions	Acceptable	\$24,818,818

**Term:** Nine months from issuance of Notice to Proceed

**MBE Participation:** 100% (Contractor is a certified MBE)

**Remarks:** The University's network infrastructure is outdated (12-14 years old) and no longer serviced by a vendor. The University engaged in a two-year process to ensure that it would procure the best possible product to replace the system. The process included consultation with the Office of the Attorney General and contacting other universities that had gone through similar IT procurements in the last few years.

An IT consultant, Gartner, Inc., reviewed the Network Upgrade solicitation and recommended that the University send the solicitation as a request for quotation to vendors already party to the State DoIT contract. See DoIT Item 3-IT (4/3/13). Four vendors were identified as capable of providing a comprehensive turnkey network overhaul. One vendor chose not to participate in the solicitation process. Another vendor's proposal was not reasonably susceptible of award. Two offerors' solutions advanced to the end of the solicitation process. Through technical and oral evaluations, Magothy Technology continued to maintain a clear grasp of the University's requirements and at a price that was the best value to the University. Magothy Technology has been deemed the most responsive and responsible vendor.

**Fund Source:** Current Unrestricted Funds

**MD Tax Clearance:** 15-2765-1111      **Resident Business:** Yes

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015**

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

**16. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM  
*Amendments to the FY 2014 Capital Improvement Program:  
Baltimore City Public Schools***

**Recommendation:** The Interagency Committee on School Construction recommends that the Board of Public Works increase funding in the Fiscal Year 2014 Capital Improvement Program for Baltimore City Public Schools for the #060 Gwynn Falls Elementary HVAC project.

**Original Approval:** Secretary's Item 9 (5/15/13) (Public School Construction FY 2014 CIP)

**Specific Request:** Baltimore City Public Schools requests to use funds from the Statewide contingency fund as shown:

Project	FY 2014 CIP State Allocation	Proposed Increase	Adjusted State Allocation
#060 Gwynn Falls Elementary: HVAC	\$1,354,000	\$1,259,000	\$2,613,000

BCPS originally requested \$3.5 million for the HVAC project at Gwynn Falls Elementary #060 in the FY 2014 CIP. The Board of Public Works approved an allocation of \$1,354,000 for the project with the remaining balance to be requested later. This recommendation – to allocate reverted funds – will complete State funding for this project based on the State participation in the actual contract award.

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

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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  
December 16, 2015**

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

**17. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**

**Recommendation:** The Interagency Committee on School Construction recommends that the Board of Public Works approve Calvert County Government's request to facilitate development in the Lusby Town Center by transferring its easement interest in:

**Appeal and Patuxent Elementary Parcel**  
5.1 acre site  
11655 H. G. Trueman Road, Lusby

**Background:** Reference is made to Secretary's Agenda Item 17 (12/17/14) in which the Board of Public Works approved the Calvert County Board of Education conveying an easement interest in 5.1 acres of a 31.5 acre property at 11655 H.G. Trueman Road to Calvert County Government.

As standard, the Board of Public Works conditioned its approval on the County Government obtaining further Board of Public Works approval before transferring any right, title or interest to any portion of the property. There is no outstanding debt to be assumed and there are no sale proceeds to be shared by the State as a result of this sale.

The Calvert County Board of County Commissioners notes that it "wishes this property be returned to productive use for the expansion of the tax base and provision of jobs in Calvert County and would like to entertain proposals, in accordance with State laws regarding the disposition of real property, that may advance these goals within the unincorporated Lusby Town Center." The transfer of this site will not have any direct financial impact. There is no outstanding bond debt.

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

The IAC approved this recommendation at its December 3, 2015 meeting.

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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  
December 16, 2015**

*Contact: Daniel S. Branigan 240-895-4412  
dsbranigan@smcm.edu*

**18. ST. MARY'S COLLEGE OF MARYLAND  
*Anne Arundel Hall Reconstruction***

**Recommendation:** That the Board of Public Works approve St. Mary's College of Maryland encumbering general obligation bond proceeds to procure office, classroom, and public space furniture for the Anne Arundel Hall Reconstruction project.

**Contract ID:** Anne Arundel Hall Reconstruction Project/  
Maryland Correctional Enterprises

**Contractor:** Maryland Correctional Enterprises

**Procurement Method:** Preference Purchase

**Amount:** \$330,000

**Fund Source:** MCCBL 2015 (190)  
Appropriation Code: R14-622

**Remarks:** The Department of Budget Management has approved the furniture being procured.

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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  
December 16, 2015

**SUPPLEMENTAL**

**REVISED**

Contact: Bernadette Benik (410)260-7080  
bbenik@treasurer.state.md.us

**19. STATE TREASURER**

*Qualified Zone Academy Bonds of 2015*

Submission of a recommendation by the State Treasurer for the adoption of the attached resolutions concerning the sale of State of Maryland, General Obligation Qualified Zone Academy Bonds of 2015 dated as of December 17, 2015, in the amount of \$4,625,000 for the purpose of financing certain qualified projects (the "Bonds").

- Ratifying and approving:
  - (i) The resolutions authorizing the Bond Sale adopted December 2, 2015.
  - (ii) The Term Sheet dated December 9, 2015.
  - (iii) The award of the Bonds to Branch Banking and Trust Company by the Treasurer.
- Ordering the issuance of the Bonds to mature on December 15, 2030, subject to annual amortization in substantially equal annual amounts each December 15 until maturity, beginning on December 15, 2016, aggregating \$4,625,000 in principal amount and with no supplemental coupon, which shall earn federal tax credits at the rate of 4.76% per annum, as established by the U.S. Department of the Treasury on December 16, 2015.
- Directing the Interagency Committee on School Construction to monitor the administration of the Qualified Zone Academy Bonds Program.

**Remarks:**

The Treasurer received three bids for the purchase of the Bonds. Neither the bid from Branch Banking and Trust Company ("BB&T") nor the bid from JPMorgan Chase Bank, N.A. ("JPMorgan") required the payment of a supplemental coupon.<sup>1</sup> While the interest rate bid on the Bonds was identical in both the BB&T and JPMorgan bids, there were several other differences between the bids. The bid from Branch Banking and Trust Company stipulated the payment of \$4,000 in legal fees by the State. The bid from JPMorgan had a number of additional conditions, including requiring the State to pay a redemption premium in the event of any early redemption of the Bonds. After review of all proposals and consultation with bond counsel to the State, the State's financial advisor, Davenport & Company, LLC, recommended the Bonds be awarded to BB&T.

<sup>1</sup> The bid from Capital One Public Funding, LLC required the payment of a supplemental coupon on the bonds in the amount of 0.25%.

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
December 16, 2015

**SUPPLEMENTAL**

**REVISED**

19. **STATE TREASURER** (cont'd)  
*Qualified Zone Academy Bonds of 2015*

**Remarks:** (cont'd)

Qualified Zone Academy Bonds (QZAB) are special, federally-authorized tax-credit bonds that pay little or no interest but allow QZAB purchasers to receive federal income tax credits. QZAB proceeds, administered by the Interagency Committee for School Construction through the Aging Schools Program, are used to fund renovations, repairs and capital improvements at existing schools in which at least 35% of the students are eligible for free or reduced-price lunch. QZAB projects must have private business contributions equal to 10% of the project's cost.

Chapter 401 of the Acts of the General Assembly of 2015 authorized the Qualified Zone Academy Bonds Loan of 2015 in the amount of \$4,625,000 representing the federal QZAB authorization for Maryland for calendar year 2013.

Sections 54A and 54E of the Internal Revenue Code (the "Code") and Treas. Reg. §1.1397E-1 provide guidance on the maximum term, permissible use of proceeds and remedial actions for QZABs. Under Sections 54A and 54E of the Code, among the most significant requirements are the remedial actions to be taken under certain circumstances to protect the tax credit status of QZABs. For example, if QZAB proceeds are not spent on qualified projects within three years, the rules require that the unspent proceeds must be used to immediately redeem the QZABs. Similarly, Treas. Reg. §1.1397E-1(h)(8) requires that, in the event that a school that received QZAB financing ceases to be used as a public school at any time during the maximum 15 years the QZABs may be outstanding, within 90 days the corresponding amount of QZABs must be redeemed or funds must be set aside in escrow for redemption of the QZABs at maturity, or, in the event of a cash disposition, cash proceeds equivalent to the QZABs must be used within two years for an alternative qualified project.

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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  
December 16, 2015**

*Contact: Norie Calvert (410) 545-0433  
ncalvert@sha.state.md.us*

**A1. DEPARTMENT OF TRANSPORTATION  
*State Highway Administration***

***Contract Title:*** Loader Repair for District 6  
P2611263

***Contract Type:*** Maintenance

***Description:*** Repair Washington County Shop Loader #86119

***Procurement Method:*** Emergency

***Date Emergency Declared:*** October 13, 2015

***Bids:***

Cleveland Brothers Equipment Company, Inc.	\$31,374
Alban Cat	\$37,524

***Award:*** Cleveland Brothers Equipment Co., Inc., Harrisburg, PA

***Amount:*** \$31,374

***Contract Award:*** October 20, 2015

***Term:*** Eight weeks

***MBE Participation:*** 0%

***Fund Source:*** 100% Special Fund Budgeted to SHA  
Appropriation Code: J02B

**BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
APPENDIX  
December 16, 2015**

**A1. DEPARTMENT OF TRANSPORTATION (cont'd)  
*State Highway Administration***

**Remarks:**

*Nature of Emergency:* Washington County Shop Loader # 86119 broke down in September 2015. Salt used for winter operation is harsh on machines, corroding the components. SHA sent the loader out for diagnosis where it was determined that extensive repairs were needed:

*Replace hydraulic hoses, replace transmission hoses, repair two broken windows, repair and replace clips around fuse box, repair broken front brackets, repair brake foot vale, gaskets/reseal both steering cylinders, bushings for steering cylinder and pin bores, temperature sender for transmission oil temperature, ride control (accumulator and switches – component control), repair directional switch wiring, repair kick-out and bucket positioned (wiring and switches – component code) and repair the quick coupler bucket linkage bearing, and connect the ground wire to the alternator*

The time required to complete a standard procurement would have this critical piece of equipment out of service through the beginning of the winter. The only available option was to make an emergency award so that the repair work could start. Time was of the essence for these repairs as Washington County is among the first counties in the State to experience winter storms. Not having this loader immediately available for winter operations would adversely impact winter response efforts.

*Basis for Selection:* Low bid

*Tax Compliance No.:* 15-2810-1010

*Resident Business:* No

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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  
December 16, 2015**

*Contact: William Leahy (410) 514-7903  
William.leahy@maryland.gov*

**1A. DEPARTMENT OF NATURAL RESOURCES  
*Maryland Environmental Trust***

**Recommendation:** That the Board of Public Works ratify the amendment of a previously-accepted perpetual conservation easement.

**Property:** 300.59 acres in Queen Anne’s County, Romancoke Road, Stevensville  
Queen Anne’s County Tax Map 0070, Parcel 0040  
Legislative District 36

**Grantor:** County Commissioners of Queen Anne’s County

**Grantee:** Maryland Environmental Trust

**Prior Approvals:** Reference is made to:

- Secretary’s Agenda Item 22 (5/15/1985) in which the Board of Public Works ratified the donation of a conservation easement to Maryland Environmental Trust by Harold Greenberg, Raymond Greenberg, and George Revitz.
- Reference is made to Secretary’s Agenda Item 31 (11/27/1985) in which the Board of Public Works ratified an amendment to the conservation easement.

NOTE: The Commissioners of Queen Anne’s County acquired the property in 2000.

**Easement Record:**

- Deed of Easement dated May 8, 1985 and recorded among the Land Records of Queen Anne’s County, Maryland in Liber 232, Folio 472.
- Amendment to Deed of Easement dated December 6, 1985 and recorded among the Land Records of Queen Anne’s County, Maryland in Liber in Liber 244, folio 398

**Project Description:** This action will authorize an amended and restated conservation easement that extinguishes the property owner’s right to construct one single family residence with accessory structures or an educational and recreational camp and also extinguishes the right to subdivide the property. In exchange, the property owner may construct a public golf driving range and a public nature preserve including two soft launch water access areas with associated piers, group permit primitive camping area, hiking/biking trails, wildlife observation structures including a boardwalk and passive recreation amenities.

This action will reduce the impact to conservation values of the property by eliminating development rights and permitting the creation of a public nature preserve.

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	

**Supplement B**  
**Department of Budget And Management**  
**ACTION AGENDA**  
**December 16, 2015**

*Contact: Chloe Bean 410-260-2621  
chloe.bean@maryland.gov*

**1-S. MARYLAND ENERGY ADMINISTRATION**  
***Services Contract***

**Contract ID:** Evaluation, Measurement, and Verification (EM&V) of MEA Energy Programs for the Maryland Energy Administration; DEXR5400003; ADPICS BPO# DEXB6400020

**Contract Description:** Provide evaluation, measurement, and verification (EM&V) services for energy programs within the State of Maryland. Anticipated EM&V services include: verifying estimated energy program savings; assessing energy benefit calculation accuracy; verifying installed energy measures were installed correctly and as specified; recommending improvements to data collection, data storage, and energy savings calculation methods; and, providing guidance on best practices.

**Award:** Tetra Tech MA, Inc.  
Madison, WI

**Term:** 1/1/2016 – 12/31/2017 (w/1 one-year renewal option)

**Amount:** \$1,508,570 NTE (2 Years, Base)  
\$ 840,000 NTE (1 Year, Renewal Option #1)  
\$2,348,570 NTE Total (3 Years)

**Procurement Method:** Competitive Sealed Proposals

**Proposals:**

<b>Offerors</b>	<b>Technical Ranking</b>	<b>Total Evaluated Price</b>	<b>Financial Ranking</b>	<b>Overall Ranking *</b>
Tetra Tech MA, Inc. Madison, WI	1	\$482	3	1
ERS North Andover, MA	2	\$447	2	2
GDS Marietta, GA	3	\$436.15	1	3

*Note: \*Technical and financial factors were given equal weight in the overall award determination.*

**MBE Participation:** 10% (See Requesting Agency Remarks)

**Performance Security:** None

**Incumbent:** None

**Supplement B  
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**1-S. MARYLAND ENERGY ADMINISTRATION (cont'd)**

**Requesting Agency Remarks:** A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace* (eMM) and on MEA’s website. Copies of the solicitation notice were sent to 469 potential vendors through eMM. A copy was also sent to the Governor’s Office of Minority Affairs.

Four proposals were received in response to the RFP. One proposal was deemed not to be reasonably susceptible of being selected for award. The financial proposal was returned unopened. The remaining three offerors’ financial proposals were evaluated. The Total Evaluated Price, as listed in the table above, represents a total composite labor rate for the two-year base period plus the one-year renewal option period. Offerors were asked to provide fully-loaded labor rates for five pre-established job categories. Each labor rate was multiplied by an evaluation factor that represented each category’s expected share of the contracted work. The resulting rates for each of the job categories were then added together to create a composite labor rate for each year of the contract. Adding the composite labor rates for the two base contract years and the one renewal option year established the Total Evaluated Price.

Tetra Tech MA, Inc. was ranked overall #1 with the highest technical ranking and the highest evaluated price. Although Tetra Tech did not have the lowest total evaluated price, it was determined that that price difference between the other two offerors did not outweigh the technical differences between the proposals. Therefore, award is recommended to Tetra Tech MA, Inc. as having the most advantageous offer to the State. As the most technically qualified offeror, MEA believes Tetra Tech will be able to perform the requested work efficiently and effectively.

A 10% MBE participation goal was established for this contract based upon the limited number of MBE subcontractors that could be utilized for the identified subcontracting opportunities. Also, a 1% VSBE participation goal was established for this contract; however, the recommended awardee has committed to a 2% VSBE participation goal.

**Fund Source:** 100% Special (Strategic Energy Investment Fund)  
**Appropriation Code:** D13A1301  
**Resident Business:** No  
**MD Tax Clearance:** 15-2873-0010

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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**  
**December 16, 2015**

*Contact: Julie Vinson 240-313-3553*  
*Julie.vinson@maryland.gov*

**2-S. DEPARTMENT OF HEALTH AND MENTAL HYGIENE**  
*Potomac Center*  
*Services Contract*

**Contract ID:** Physician Services – Potomac Center; DHMH/OPASS 16-15797; ADPICS # M00B6400386

**Contract Description:** Provide 24 hours per day/7 days per week/365 days per year Physician Services for the residents at the Potomac Center, located in Hagerstown, Maryland.

**Award:** Farid Murshed, M.D.  
Hagerstown, MD

**Term:** 2/1/2016 – 1/31/2019

**Amount:** \$268,091 (3 Years)

**Procurement Method:** Competitive Sealed Bidding

**Proposals:** Only One Bid Received

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

**Performance Security:** None

**Incumbent:** Same

**Requesting Agency Remarks:** A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to 84 prospective vendors, all of which are Maryland firms, and included 29 MBEs. A copy was also sent to the Governor’s Office of Minority Affairs.

Only one bid was received in response to the IFB. The recommended contractor is responsible, and its bid meets the technical requirements set forth in the IFB. Moreover, the price has been deemed fair and reasonable, and it was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation (posted for 34 days). Therefore, award is recommended to Farid Murshed, M.D., the sole bidder and incumbent.

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**2-S. DEPARTMENT OF HEALTH AND MENTAL HYGIENE (cont'd)**

The contract physician must have admitting rights to the local hospital, Meritus Medical Center, which restricts physicians outside the local area to bid. In addition, the Potomac Center’s population can be difficult and sometimes violent, which increases the reluctance to bid on the IFB. The Potomac Center provides 24/7 habilitation services and serves as a temporary home to 63 people with intellectual disabilities, some with co-occurring mental illness, substance abuse and forensic involvement, e.g. criminal or police background.

The Contractor shall provide 24/7 on-call physician services 365 days a year, as well as provide three hour treatment sessions twice a week on grounds.

No MBE or VBSE participation goals were established for this contract based upon the determination that there were no subcontracting opportunities available for these direct care services.

*Fund Source:* 100% General  
*Appropriation Code:* M00M0701  
*Resident Business:* Yes  
*MD Tax Clearance:* 15-2746-0000

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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**  
**December 16, 2015**

*Contact: Susan Traylor 301-429-7582  
susan.traylor@maryland.gov*

**3-S-OPT.     DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT**  
*Community Development Administration*  
*Multifamily Low Income Housing Tax Credit Program*  
*Services Contract Renewal Option*

**Contract ID:** Tax Credit Compliance Monitoring; S00B3400014; ADPICS #S00B6400016

**Contract Approved:** BPW Item 4-S (1/2/2013)

**Contractor:** Spectrum Enterprises, Inc.  
Cape Elizabeth, ME

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

**Option Description:** Exercise first one-year renewal option.

**Original Contract Term:** 1/10/2013 – 1/9/2016

**Option Term:** 1/10/2016 – 1/9/2017

**Original Contract Amount:** \$1,500,750 (3 Years)

**Option Amount:** \$500,250 (1 Year)

**Prior Modifications/Options:** None

**Revised Total Contract Amount:** \$2,001,000

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** 25%

**MBE Compliance:** 26%

**Supplement B  
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**3-S-OPT.     DEPT. OF HOUSING & COMMUNITY DEVELOPMENT (cont'd)**

**Requesting Agency Remarks:** Request for approval to exercise the first of two one-year renewal options as contained in the original contract to perform required tax credit compliance monitoring involving periodic physical inspections and on-site file reviews of properties owned by participants in the federal Low Income Housing Tax Credit (LIHTC) Program in Maryland. DHCD currently administers a portfolio of 360 Federal Low-Income Housing Tax Credit properties with 34,174 units. Spectrum is responsible for conducting an annual desk audit on all 360 properties and all 34,174 units to ensure compliance with Internal Revenue Code requirements. This audit ensures units are leased to tenants within the program's income limits, rents are within the program's rent limits, owners are in compliance with Section 42 of the Code, etc. In calendar year 2015, desk audits were conducted on all 34,174 units for 360 properties.

Spectrum is also responsible for meeting the IRS requirement that all properties be inspected not less than three years after the property's last inspection and that all new properties are inspected within two years of their place in service date. The inspection encompasses an on-site review of all buildings within the project as well as an inspection of 20% of the total units within the project to ensure compliance with Uniform Physical Conditions. Corresponding tenant file reviews are conducted to ensure compliance with IRS Code requirements. In CY 2015, Spectrum inspected 125 properties and 2,591 units.

Spectrum has performed file reviews and physical inspections since for DHCD since 1991 and is the authorized agent for Maryland and six other states. Its principal is a nationally recognized expert in the low-income housing industry and has conducted training sessions throughout the country over the past 20 years. DHCD is satisfied with Spectrum's performance under this contract and, therefore, requests approval to exercise the first one-year renewal option.

**Fund Source:** 100% Special (Monitoring Fees Collected from Property Owners through the Bond Reserve Fund)

**Appropriation Code:** S00A2505

**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**  
**December 16, 2015**

*Contact: Shawn Seaman 410-260-8660  
shawn.seaman@maryland.gov*

**4-S-MOD. DEPARTMENT OF NATURAL RESOURCES**  
*Resource Assessment Service/Power Plant Assessment Division (PPAD)*  
*Services Contract Modification*

**Contract ID:** Technical Assistance in Biological Sciences; ADPICS #: K00B1400005

**Contract Approved:** DBM Item 2-S (7/28/2010)

**Contractor:** Versar, Inc.  
Columbia, MD

**Contract Description:** Provide technical assistance in the area of Biological Sciences as it relates to the siting, licensing and operation of electric power plants and ancillary facilities, including solid waste disposal sites and transmission lines within or affecting Maryland.

**Modification Description:** Add funding to the contract to provide for PPAD's immediate needs for biological sciences technical expertise in conducting licensing reviews of new energy generation and transmission line projects mandated by Natural Resources Code §3-302 through §3-307.

**Original Contract Term:** 8/1/2010 – 7/31/2015

**Modification Term:** 1/1/2016 – 7/31/2016

**Original Contract Amount:** 5,000,000 NTE (5 Years)

**Modification Amount:** \$500,000 (7 Months)

**Prior Modification/Options:** \$0 [MOD #1: Extended term to complete new procurement: 8/1/2015 – 7/31/2016: Approved by DNR]

**Revised Total Contract Amount:** \$5,500,000

**Overall Percent +/- (This Mod):** 10%

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** 10%

**MBE Compliance:** 7%

**Supplement B**  
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**4-S-MOD.    DEPARTMENT OF NATURAL RESOURCES (cont'd).**

**Requesting Agency Remarks:** This modification will allow for the continued and uninterrupted technical expertise in a variety of fields including water quality and terrestrial and aquatic ecology, as well as ecological impact assessment of renewables, steam electric and hydroelectric generating facilities and transmission facilities throughout the State. This expertise is vital to the Power Plant Research Program's (PPRP) legislative mandate (Natural Resources Article §3-302 - §3-307) of performing a comprehensive and objective evaluation of power plants and transmission lines to resolve environmental and economic issues prior to a Public Service Commission (PSC) ruling on any Certificate of Public Convenience and Necessity (CPCN) case. Recently, there has been an unexpected increase in the number of power generation CPCN applications being filed with the PSC.

In order for a company to build a power plant or transmission line greater than 69 kV in Maryland, a Certificate of Public Convenience and Necessity (CPCN) must be obtained from the Maryland PSC (Refer to PUC Article § 7-205 – 7-208). As part of this licensing process, applicants must address a full range of environmental, engineering, socioeconomic, planning, and cost issues. The Power Plant Siting Act of 1971, augmented by the Electric Utility Industry Restructuring Act of 1999, provides a consolidated State review of CPCN applications in Maryland. The DNR PPAD, and the program which it administers, PPRP, is responsible for managing an objective and comprehensive review and bringing to the PSC a consolidated set of licensing recommendations based on sound science. This is the only process within the State regulatory framework that allows a comprehensive review of all electric power issues, with the goal of balancing the tradeoffs required to provide needed electrical power at a reasonable cost while protecting the State's valuable natural resources.

When modification #1 was executed earlier this year to extend the contract term, it was believed that PPRP had enough funding remaining in the current contract to bridge the gap between this FY2010 – FY2015 contract and the new FY2016 – FY2020 contract. However, there has been an increase in the number of licensing cases; and the FY2016 – FY2020 procurement process has taken longer than expected. In an effort to encourage multiple offerors, PPRP directly solicited numerous firms and extended the Request for Proposals (RFP) due date. This coupled with an increase in the work load due to numerous utility-scale solar projects being proposed in the State has required DNR to seek this contract modification to increase the available funding.

Since May 2015, CPCN applications for 15 projects have been received and are currently under review by PPRP; and up to 10 more projects are anticipated in early 2016. Thus, funding available on the contract has diminished more quickly than originally anticipated. DNR is requesting the additional funding in order to bridge the gap between completing current and anticipated near-term technical work while, in parallel, getting a new contract in place. This modification will provide DNR with sufficient funding and time to complete the procurement process and award a new contract.



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*Contact: Fred Kelley 410-260-8660  
 frederick.kelley@maryland.gov*

**5-S-MOD. DEPARTMENT OF NATURAL RESOURCES**  
***Resource Assessment Service/Power Plant Assessment Division (PPAD)***  
***Services Contract Modification***

***Contract ID:*** Technical Assistance in Environmental Engineering; ADPICS # K00B0400122

***Contract Approved:*** DBM Item 2-S (4/21/2010)

***Contractor:*** Environmental Resources Management, Inc.  
 Annapolis, MD

***Contract Description:*** Provide technical assistance in the area of Environmental Engineering as it relates to the siting, licensing and operation of electric power plants and ancillary facilities including solid waste disposal sites and transmission lines within or affecting Maryland.

***Modification Description:*** Add funding to the current contract to provide for PPAD's immediate needs for environmental engineering technical expertise in conducting licensing reviews of new energy generation and transmission line projects mandated by Natural Resources Code §3-302 through §3-307.

***Original Contract Term:*** 5/1/2010 – 6/30/2015

***Modification Term:*** 1/1/2016 – 6/30/2016

***Original Contract Amount:*** \$5,000,000 (5 Years)

***Modification Amount:*** \$500,000 (6 Months)

***Prior Modification/Options:*** \$0 [MOD #1: Extended term to complete new procurement: 7/1/2015 – 6-30/2016: Approved by DNR]

***Revised Total Contract Amount:*** \$5,500,000

***Overall Percent +/- (This Mod):*** 10%

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

***MBE Participation:*** 20%

***MBE Compliance:*** 11%

**Supplement B**  
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**5-S-MOD.    DEPARTMENT OF NATURAL RESOURCES (cont'd)**

**Requesting Agency Remarks:** This modification will allow for the continued and uninterrupted technical expertise in a variety of fields including water supply, hydrogeology, soils science, coal combustion by-product (CCB) management, cost-benefit analysis, chemistry, facility engineering, and policy and regulatory analysis. This expertise is vital to the Power Plant Research Program's (PPRP) legislative mandate (Natural Resources Article §3-302 - §3-307) of performing a comprehensive and objective evaluation of power plants and transmission lines to resolve environmental and economic issues prior to a Public Service Commission (PSC) ruling on any Certificate of Public Convenience and Necessity (CPCN) case. Recently, there has been an unexpected increase in the number of power generation CPCN applications being filed with the PSC.

In order for a company to build a power plant or transmission line greater than 69 kV in Maryland, a Certificate of Public Convenience and Necessity (CPCN) must be obtained from the Maryland PSC (Refer to PUC Article § 7-205 – 7-208). As part of this licensing process, applicants must address a full range of environmental, engineering, socioeconomic, planning, and cost issues. The Power Plant Siting Act of 1971, augmented by the Electric Utility Industry Restructuring Act of 1999, provides a consolidated State review of CPCN applications in Maryland. The DNR PPAD, and the program which it administers, PPRP, is responsible for managing an objective and comprehensive review and bringing to the PSC a consolidated set of licensing recommendations based on sound science. This is the only process within the State regulatory framework that allows a comprehensive review of all electric power issues, with the goal of balancing the tradeoffs required to provide needed electrical power at a reasonable cost while protecting the State's valuable natural resources.

When modification #1 was executed earlier this year to extend the contract term, it was believed that PPRP had enough funding remaining in the current contract to bridge the gap between this FY2010 – FY2015 contract and the new FY2016 – FY2020 contract. However, there has been an increase in the number of licensing cases; and the FY2016 – FY2020 procurement process has taken longer than expected. In an effort to encourage multiple offerors, PPRP directly solicited numerous firms and extended the Request for Proposals (RFP) due date. This coupled with an increase in the work load due to numerous utility-scale solar projects being proposed in the State has required DNR to seek this contract modification to increase the available funding.

Since May 2015, CPCN applications for 11 solar energy projects have been received and are currently under review by PPRP; up to 10 additional solar energy projects are anticipated in early 2016. Thus, funding available on the contract has diminished more quickly than originally anticipated. DNR is requesting the additional funding in order to bridge the gap between completing current and anticipated near-term technical work while, in parallel, getting a new contract in place. This modification will provide DNR with sufficient funding and time to complete the procurement process and award a new contract.



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**December 16, 2015**

*Contact: Sandy Johnson 410-767-7408*  
*Sandy.Johnson@maryland.gov*

**6-S-MOD. DEPARTMENT OF HUMAN RESOURCES**  
***Social Services Administration (SSA)/Foster Care Maintenance Program***  
***Services Contract Modification***

***Contract ID:*** Residential Child Care Services; SSA/RCC-14-006-A1; ADPICs # COG51913

***Contract Approved:*** DBM Item 8-S (6/12/2013)

***Contractor:*** The Benedictine School for Exceptional Children, Inc.  
 Ridgely, MD

***Contract Description:*** Approval request to provide Residential Child Care (RCC) services for a total of 760 clients, at various locations throughout Maryland through 44 separate RCC contracts.

***Modification Description:*** Reduce the “Basic Program” beds from 10 to 5 and increase the “Enhanced Program” beds from 14 to 19 for one facility.

***Original Contract Term:*** 7/1/2013 – 6/30/2016 (w/2 one-year renewal options)

***Modification Term:*** 12/17/2015 – 6/30/2016

***Original Contract Amount:*** \$7,555,434 (3 Years)

***Modification Amount:*** \$427,777 (6 Months; 14 Days)

***Prior Modifications/Options:*** None

***Revised Total Contract Amount:*** \$7,983,211

***Overall Percent +/- (This Mod):*** +5.7%

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

***MBE Participation:*** None

**Supplement B**  
**Department of Budget And Management**  
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**December 16, 2015**

**6-S-MOD. DEPARTMENT OF HUMAN RESOURCES (cont'd)**

**Requesting Agency Remarks:** The Benedictine School for Exceptional Children, Inc. (Benedictine) has received increased referrals that reflect more intensive student needs served by the Enhanced Program due to the closure of other similar programs within the State of Maryland. These youth frequently have needs that involve extensive medical issues including seizures and complex medication regiments, interfering and dangerous behaviors that include self-injury and aggression, and can lead to the need for external support and intense sensory needs requiring specific environmental adjustments. Under the current DHR contract, the demand for “Basic” beds has declined and the need for more “Enhanced” beds has increased.

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

The Basic Program serves students with intellectual disabilities, autism, or multiple disabilities by offering individualized instruction and programming, modified curriculum and materials, and a high staff:student ratio. Benedictine provides a multi-disciplinary approach with regular communication and collaboration amongst all team members – school, residential, therapists, family, local school systems and placing agencies. The mission of The Benedictine School is to assist individuals with disabilities in becoming as independent or semi-independent as possible; to make wise use of leisure time; and to live and work in a community setting.

The Enhanced Program serves students whose needs surpass what is provided in the Basic Program. All aspects of the Basic Program are provided in addition to the following additional aspects: There is an availability of 1:1 adult support for any student who requires it. Students in this program often fall within the Autistic Spectrum and/or the Emotional and Behavioral disorders of the DSM-IV/V, or demonstrate a need for similar intensity of services. Learning environments are set up to meet the individual needs of the students including study carrels, quiet areas, group activity areas, sensory rooms, visual supports, low lighting, minimal auditory and visual distractions, and a variety of assistive technology. These supports may be offered in specialized classrooms (Total Communication/Life Skills) or integrated into multi-learning classrooms.

The total modified amount is an overall increase of \$427,777. The additional cost would allow the State to provide the enhanced services that these youth require to receive services within the State of Maryland, thereby avoiding an even greater cost associated with sending these youth to placements out of State. The total revised modification amount assumes that each slot purchased will be occupied by a child for every day of the term of the contract through 6/30/2016. Based on history, this is unlikely to occur. This is a reimbursement contract. The provider is paid solely for the actual children placed with it during the contract period, and then only for the actual number of days each child is with the provider.







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**8-GM. DEPARTMENT OF BUDGET AND MANAGEMENT (cont'd)**

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	Justification
16R-031	D50 - Military Department	Q00 - Department of Public Safety & Correctional Services	\$140,000	Funding is for the purpose of providing support of the Military Department Freestate Challenge Academy to obtain \$420,000 in matching federal funds.
<b>FY2016 November Proposed Reimbursable Fund Amendment Total</b>			<b>\$140,000</b>	

**Supplement C  
University System Of Maryland  
ACTION AGENDA  
December 16, 2015**

*Contact: Thomas Hickey 301-445-2774  
thickey@usmd.edu  
USM Rep: James Haley*

**1-GM. GENERAL MISCELLANEOUS**  
*Capital Equipment*

**Recommendation:** That the Board of Public Works approve the use of general obligation bond funding proceeds for the following contracts totaling: \$21,278.

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

**University of Maryland, College Park**

Remote Library Storage Facility

- |    |  |
|----|--|
| 1. | <p><b>Description:</b> Furnish and deliver two scanner tables</p> <p><b>Procurement Method:</b> Simplified Procurement Competitive</p> <p><b>Award:</b> The Crowley Company<br/>Frederick, MD 21704</p> <p><b>Amount:</b> \$6,270</p> <p><b>Fund Source:</b> MCCBL of 2013: <i>Provide funds to equip the Remote Library Storage Facility at College Park, Item 056</i></p> <p><b>Tax Compliance No.:</b> 15-2834-1111</p> <p><b>Resident Business:</b> Yes</p>    |
| 2. | <p><b>Description:</b> Furniture for Rooms 0208 and 0208A (Severn Building)</p> <p><b>Procurement Method:</b> Preferred provider</p> <p><b>Award:</b> Maryland Correctional Enterprises<br/>Jessup MD</p> <p><b>Amount:</b> \$15,008</p> <p><b>Fund Source:</b> MCCBL of 2013: <i>Provide funds to equip the Remote Library Storage Facility at College Park, Item 056</i></p> <p><b>Tax Compliance No.:</b> 15-2785-1111</p> <p><b>Resident Business:</b> Yes</p> |

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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**  
**December 16, 2015**

*Contact: Thomas Hickey 301-445-2774*  
*thickey@usmd.edu*  
*USM Rep: James Haley*

**2-GM.      UNIVERSITY OF MARYLAND, COLLEGE PARK**  
**for THE UNIVERSITIES AT SHADY GROVE**  
***Funding***

***Contract ID:***                      Architectural and Engineering Design Services  
    Biomedical Sciences & Engineering Education Building  
    Contract No. 4164 / Project No. 11-467-295

***Recommendation:*** Authorize \$1,482,059 appropriated in the 2015 MCCBL to previously-approved AE contract for Biomedical Sciences & Engineering Education Building.

***Contractor:***                        Cooper Carry, Inc.  
    Atlanta, GA 30309

***Contract Approved:***            USM Item 8–AE (05/14/2014)

***Project:*** Design services for the Biomedical Sciences and Engineering Education Building for The Universities at Shady Grove. This 135,414 NASF / 220,000 GSF building will house academic programs in medicine, dentistry, mechanical engineering, biotechnology, biological sciences, electrical engineering, environmental science and technology, and associated fields; and will include spaces for general instruction, scientific instruction, offices and administrative support, student support centers, and building systems and support.

The new facility will enhance the collaborative efforts of three sister institutions to offer advanced-degree education in high technology and medical sciences fields and to share instructional facilities across disciplines and degree programs. The University of Maryland, College Park, the University of Maryland Baltimore, and the University of Maryland, Baltimore County will share the facility with the common goals of advanced education, collaboration, and curricular innovation. The project also strengthens a robust array of corporate partners in the Shady Grove region that are committed to partnerships with these educational programs that will complement their businesses and advance the region's and the State's economy.

The projected construction cost for this project is \$115 million.

***Amount:***                              \$1,482,059

***Fund Source:***                        MCCBL of 2015: Item 148



**Supplement C  
University System Of Maryland  
ACTION AGENDA  
December 16, 2015**

*Contact: Thomas Hickey 301-445-2774  
thickey@usmd.edu  
USM Rep: James Haley*

**3-C. UNIVERSITY OF MARYLAND, COLLEGE PARK  
*H. J. Patterson Wing 2 Mechanical Room Renovation  
Construction Management at Risk***

**Contract ID:** Construction Management Services for H. J. Patterson Hall Wing II Main Mechanical Room 0242 Renovation; No. 15023

**Recommendation:** Award H. J. Patterson Wing 2 Mechanical Room Renovation contract to J. Vinton Schafer & Sons, Inc. for pre-construction services only.

**Contractor:** J. Vinton Schafer & Sons, Inc., Abingdon, MD

**Project:** The renovation is intended to design a new chilled water system that includes a new 800-ton water chiller, cooling towers, and pumping system. Chilled water will be integrated to operate with the Edward St. John chilled water plant both hydraulically and from an automation perspective. The mechanical room will also provide Jimenez Hall and the Health Center with chilled water.

The University anticipates the final value of this construction management at risk contract will be approximately \$5.25 million.

The overall project estimate is \$6 million which includes design, construction and equipment.

**Contract Term:** Twelve months from issuance of notice to proceed

**Amount:** \$60,000 (pre-construction)

**Procurement Method:** Task Order under  
On-Call Construction Management Services Contract  
APPROVED: USM Item 9-C (1/5/2011) (base term)  
USM Item 7-C-Opt (12/17/14) (third of three options)

**Proposals:**

<b>Company</b>	<b>Rank</b>	<b>Pre-Construction</b>	<b>Construction</b>	<b>General Conditions</b>	<b>Total</b>
J. Vinton Schafer & Sons, Inc.	1	\$60,000	\$350,000	\$561,393	\$971,393
Lewis Contractors	2	\$130,340	\$475,000	\$700,000	\$1,357,840

**Supplement C  
University System Of Maryland  
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**3-C. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)  
*H. J. Patterson Wing 2 Mechanical Room Renovation  
Construction Management at Risk***

**Funding:** MCCBL of 2014, Item 084

**MBE Participation:** 20%  
Subgoal: 7% African American

**Performance Security:** Equal to contract amount

**Requesting Institution Remarks:** This Construction Management Services contract is for pre-construction services during the design phase. As design progresses and design information becomes available, the contractor will sequentially and competitively bid the construction packages. If the University and the Contractor agree to a cost for construction, the University will return to the Board with a recommendation to modify the contract to include the actual construction costs, which includes the CM’s construction services fee.

**Resident Business:** Yes

**MD Tax Clearance:** 15-2784-1110

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement C  
University System Of Maryland  
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*Contact: Thomas Hickey 301-445-2774  
thickey@usmd.edu  
USM Rep: James Haley*

**4-C. UNIVERSITY OF MARYLAND, COLLEGE PARK  
*Reckord Armory Renovation***

**Contract ID:** Ground Floor Renovation for Navy and Air Force ROTC  
Contract No. 28134

**Contractor:** Baltimore Contractors, Inc., Glen Burnie, MD

**Project:** Renovate Reckord Armory ground floor for Navy and Air Force ROTC programs. This project consists of a new HVAC system; all new electrical service including panels serving the renovation area tied to recently-installed switchgear; new interior partitions for the space which is a mix of office, office service, classroom and conference space. The project also includes a new women’s restroom that addresses deficiencies. All work is ADA-compliant; the ground floor is accessible via a ramp to the southwest entrance.

**Contract Term:** 124 Calendar Days

**Amount:** \$1,144,400

**Procurement Method:** Task Order under On-Call General Contracting Services  
USM Item 2-C (5/29/2013) (base term)  
USM Item 6-C-Opt (5/13/15) (first of three options)

**Proposals:**

<b>Company</b>	<b>Bid Amount</b>
Baltimore Contractors	\$1,144,400
North Point Builders	\$1,259,000
Brawner Builders	\$1,280,435
Kalmia Contracting Company	\$1,364,004
Rich Moe Enterprises	\$1,408,691

**Funding:** Donor Funds \$544,400  
Institution Funds \$600,000

**MBE Participation:** 34%  
Subgoals: 7% African American  
4% Asian American

**Supplement C  
University System Of Maryland  
ACTION AGENDA  
December 16, 2015**

**4-C. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)  
*Reckord Armory Renovation***

**Performance Security:** Equal to contract amount

**Requesting Institution Remarks:** This solicitation was issued as a task-order solicitation to the On-Call General Contractors. Five proposals were received. Award is recommended to the lowest responsive and responsible bidder

**Resident Business:** Yes

**MD Tax Clearance:** 15-2848-1111

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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  
December 16, 2015**

*Contact: Thomas Hickey 301-445-2774  
thickey@usmd.edu  
USM Rep: James Haley*

**5-C. UNIVERSITY OF MARYLAND, COLLEGE PARK  
*Stamp Student Union Suite Renovations***

**Contract ID:** Stamp Student Union – Student Involvement Suite Renovation  
No. QC14156

**Contractor:** Kalmia Contracting Company, Beltsville, MD

**Project:** Renovate Student Involvement Suite to accommodate student organizations and facilitate student engagement.

**Contract Term:** 180 Calendar Days

**Amount:** \$1,498,984

**Procurement Method:** Task Order under On-Call General Contracting Services  
USM Item 2-C (5/29/2013) (base term)  
USM Item 6-C-Opt (5/13/15) (first of three options)

**Proposals:**

<b>Company Name</b>	<b>Bid Amount</b>
Kalmia Contracting Company	\$1,498,984
North Point Builders	\$1,543,000
Rich Moe Enterprises	\$1,573,250
Baltimore Contractors	\$1,732,500
Brawner Builders	\$1,681,560
CFI Contractors	\$1,845,835

**Funding:** Institutional Funds

**MBE Participation:** 26%  
Subgoals: 22% African American  
4% Asian American

**Performance Security:** Equal to contract amount

**Supplement C  
University System Of Maryland  
ACTION AGENDA  
December 16, 2015**

**5-C. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)  
*Stamp Student Union Suite Renovations***

**Requesting Institution Remarks:** This solicitation was issued as a task-order solicitation to the On-Call General Contractors. Six proposals were received. Award is recommended to the lowest responsive and responsible bidder. The MBE subcontract goal established for this contract was 20%; Kalmia Contracting Company has committed to exceeding the goal by 6%. In addition, the firm is exceeding the sub-goal for African American by 15%.

**Resident Business:** Yes

**MD Tax Clearance:** 15-2847-0111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**December 16, 2015**

*Contact: Thomas Hickey 301-445-2774*  
*thickey@usmd.edu*  
*USM Rep: James Haley*

**6-C-BP.      UNIVERSITY OF MARYLAND, COLLEGE PARK**  
***The New Cole Fieldhouse***  
***Construction Management at Risk: Bid Package 1 of 4***

***Contract ID:***            Construction Management at Risk Services for the  
The New Cole Fieldhouse  
Contract No. 20624

***Recommendation:***    Award Bid Package 1 of 4

***Contractor:***            Gilbane Building Company

***Prior Approval:***        USM Item 2-C (10/7/2015) (pre-construction services)

***Project:*** This project is to renovate, convert and expand Cole Fieldhouse to create an academic, research, and athletic facility and to construct two outdoor turf football practice fields.

- The first phase includes creating an indoor football practice facility. Cole Field House will be expanded to the north to convert the arena bowl into a 100-yard indoor football practice facility.
- The second phase will expand the building envelope to the north and west to create a Center for Sports Medicine, Health and Human Performance, the Academy for Innovation and Entrepreneurship, a football training complex, and two outdoor turf football practice fields.

The University anticipates the final value of this contract will be approximately \$125 million.

The overall project estimate is \$147.4 million which includes design, construction and equipment.

***Contract Description:*** Provide professional management and construction services during pre-construction and construction for all phases of the project.

***Bid Package Description:*** Demolish structure and foundation work needed to allow the seating bowl concrete and earth to be removed. To facilitate this work, Bid Package 1 includes temporary partitions; mechanical, electrical, and plumbing relocations; removal of arena seating; and a prorated portion of the CM general conditions and fee



**Supplement C**  
**University System Of Maryland**  
**ACTION AGENDA**  
**December 16, 2015**

*Contact: Thomas Hickey 301-445-2774*  
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*USM Rep: Joe Evans*

**7-S-OPT.     UNIVERSITY OF MARYLAND, BALTIMORE**  
***Service Contract Option***

***Contract ID:***                               On Call Program Management Services RFP #87848 AA

***Contract Approved:***                   USM Item 1-S (01/28/2015)

***Contractor:***                               Jacobs Project Management Co.  
1100 North Glebe Road, Suite 500  
Arlington, VA 22201

McDonough Bolyard Peck, Inc.  
10440 Little Patuxent Parkway, Suite 250  
Columbia, MD 21044

***Contract Description:*** Professional program management and related services. Services include scheduling, schedule analysis, estimating, cost control, inspection services, claims support, management analysis, management support and project manager services.

***Option Description:***                     Exercise first renewal option

***Original Contract Term:***               01/28/2015 – 01/27/2016 (with two 2-year renewals)

***Option Term:***                             01/28/2016 – 01/27/2018

***Original Contract Amount:***           \$800,000 (estimate for base term)

***Option Amount:***                         \$1,600,000 (estimate for renewal term)

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

***MBE Participation:***                    MBE goal to be set for task orders over \$50,000;  
MBE sub-goals to be set for task orders over \$200,000.

***MBE Compliance***                        15%

***Performance Security:***               None



**Supplement D  
Department of Information Technology  
ACTION AGENDA  
December 16, 2015**

*Contact: Kenneth H. Smith (410) 260-7807  
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Carla Thompson (410) 260-6155  
Carla.Thompson@maryland.gov*

**1-IT. COMPTRROLLER OF MARYLAND**

**Contract ID:** Mainframe Software Licenses and Maintenance  
SS-2016-07  
ADPICS BPO No.: E00B6400058

**Contract Description:** Provide maintenance and support for 20 mainframe software applications that support core functions at Annapolis Data Center.

**Awards:** CA, Inc., Herndon, VA

**Term:** 12/31/2015 – 12/30/2020 (5 years)

**Amount:** \$8,814,870 (\$1,762,974 annually)

**Procurement Method:** Sole Source

**MBE Participation:** None

**Remarks:** CA, Inc. will provide continuation of software maintenance and support for 20 software products that reside on the Annapolis Data Center mainframe. As the software developer, CA retains the proprietary and copyright privileges associated with the software. CA is the only vendor that can provide the software maintenance and support. The 20 software products represent a significant component of the operational and application development engines driving the Annapolis Data Center mainframe. This five year contract with CA provides the Comptroller the benefit of a lower fixed rate per year for the five-year term. All things being considered, the Comptroller believes the price being offered to the State is reasonable and justifiable.

**Fund Source:** 100% Reimbursable  
**Approp. Code:** E00A1001  
**Resident Business:** No  
**MD Tax Clearance:** 15-2670-1111

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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  
December 16, 2015**

*Contact: George Beneman (410) 581-4232  
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Carla.Thompson@maryland.gov*

**2-IT. MARYLAND PUBLIC TELEVISION**

**Contract ID:** Digital Post Production & Encoding System Upgrade Package  
ADPICS BPO No.: R15P6400111

**Contract Description:** Installation, configuration, testing, training and interconnection for a Digital Post Production and Encoding System Upgrade Package.

**Awards:** Digital Video Group, Mechanicsville, VA

**Term:** 1/1/2016 – 4/29/2016

**Amount:** \$59,253

**Procurement Method:** Competitive Sealed Bids

**Proposals:** Single bid received

**MBE Participation:** None

**Remarks:** MPT issued the Invitation for Bids directly to three prospective bidders in Tennessee, Canada, and Massachusetts. Six potential bidders also could access the IFB through *eMarylandMarketplace*.

MPT is purchasing this equipment through the Maryland State Master Lease Purchase financing program. The State will borrow the funds to purchase the digital post production and encoding system upgrade package through a five-year lease. Payment for the system cannot be processed until the borrowing process for the funds is completed by the Maryland State Treasurer. This process could take up to 180 days from invoice submission. Because of this potential delay in receiving payment, firms declined to bid except for Digital Video Group.

Purchase and installation must be provided by an authorized equipment installer which did not allow for MBE subcontracting opportunity.

**Fund Source:** Special (Viewer support)  
**Resident Business:** No

**Approp. Code:** R15P0002  
**MD Tax Clearance:** 15-2790-0000

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

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**December 16, 2015**

**REVISED**

*Contact: Susan Harrison (410) 767-1434  
Susan.Harrison@maryland.gov  
Carla Thompson (410) 260-6155  
Carla.Thompson@maryland.gov*

**3-IT-MOD. DEPARTMENT OF HEALTH & MENTAL HYGIENE**

**Contract ID:** Program Management Services  
DHMH-OPASS 13-13369  
ADPICS BPO No.: M00B5400029, COG52332

**Contract Approved:** Secretary's Agenda Appendix Item A5 (7/24/2013)

**Contractor:** FEi Systems, Columbia, MD

**Contract Description:** EMERGENCY AWARD: (1) Integrate existing systems and develop new functionality to implement Affordable Care Act (specifically extend Money Follows the Person demonstration, Balancing Incentive Program, and Community First Choice State Plan personal care option); and (2) Provide hosting, maintenance and support relating to long-term supports and services tracking system and ISAS systems and functions.

**Modification Description:** Extend contract to continue operations and maintenance for the Long Term Services and Support (LTSS)/In-Home Supports Assurance (ISAS) systems during transition to a new contractor.

**Original Contract Term:** 6/24/2013 – 6/30/2014 (one year)

**Modification Term:** 1/1/2016 – 9/30/2016 (nine months)

**Original Amount:** \$8,393,000 (one year)

**Modification Amount:** \$2,959,800 (nine months)

**Prior Modifications:** \$2,562,948 (term extension): 7/1/2014 – 6/30/2015  
[DoIT Item 6-IT-OPT (5/28/2014)]  
\$1,281,474 (term extension): 7/1/2015 – 12/31/2015  
[DoIT Item 5-IT-MOD (4/1/2015)]

**Revised Total Contract Amount:** \$15,197,222

**Percent +/- (This Modification):** +35.27%

**Overall Percent +/-:** +81.07%

**Original Procurement Method:** Emergency

**REVISED**

**Supplement D  
Department of Information Technology  
ACTION AGENDA  
December 16, 2015**

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

**MBE Participation:** 5%  
**MBE Compliance:** 5.17%

**Remarks:** DHMH recommends extending the contract as a contingency plan to continue operations and maintenance of the LTSS/ ISAS systems. Extending the contract will provide a contingency plan to ensure ongoing operations and maintenance (hardware and software hosting, help desk, claims file processing, operations, and maintenance services) for the LTSS/ ISAS systems and functions.

DHMH has actively worked on competitively re-procuring this contract since December 2013. The services that are provided under the contract were broken down into two parts to be competitively solicited: software development and operations and maintenance.

DHMH awarded a task order for LTSS software development in September 2014 through the DoIT CATS+ contract. That same month, DHMH began the process to procure a new operations and maintenance contract; the procurement was estimated to be completed in July 2015. The go-live date was scheduled for October/November 2015, including a 90-day transition period. However, the award was not made until September 2015 and with a 90-day transition period, the scheduled go-live will not occur until **early 2016**. This schedule provides only two weeks between go-live and when the current contract expires for system cut-over to the new contractor.

Because this is a live care management and timekeeping system, there cannot be a gap in operations. As a contingency plan, DHMH is requesting a nine-month extension to the incumbent contract to continue services should the transition not be completed in **by early 2016**. If the projected start date above is not met, the LTSS case management system will not be operable and 9,883 Medicaid participants will not receive attendant care services. In addition, ISAS will not be operable and over \$14.9 million in attendant care services will not be paid monthly; this will affect 6,500 Medicaid providers with a total of 16,465 attendant care workers a month.

**ISAS currently saves the State an estimated \$7.6 million annually. If the system became inoperable and DHMH had to revert to paper timesheet billing, State spending would increase and provider accountability would decrease.**

**DHMH intends to terminate this contract for convenience when the transition to the new contractor is complete.**

**Fund Source:** 25% Reimbursable, 75% Federal      **Approp. Code:** M00Q0103  
**Resident Business:** Yes      **MD Tax Clearance:** 15-0509-1111

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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**  
**December 16, 2015**

*Contact: Anna Lansaw (410) 767-3763  
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 Carla Thompson (410) 260-6155  
 Carla.Thompson@maryland.gov*

**4-IT-MOD. DEPARTMENT OF TRANSPORTATION**  
***Maryland Transit Administration***

**Contract ID:** Positive Train Control Interoperable Electronic Train Management System  
 T-8000-0357, ADPICS BPO No.: J05B4400019

**Contract Approved:** DoIT Item 5-IT (1/8/2014)

**Contractor:** Wabtec Railway Electronics, Germantown

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

**Modification Description:** Enhancements and adjustments to the MARC Positive Train Control Installation project. Includes: (1) replacement/upgrade of 9-Aspect Cab Signal Systems on 26 MARC MP36 locomotives; and (2) installation of integrated video and event recorders (with hardware) on all 67 vehicles involved in this project.

**Original Contract Term:** 1/9/2014 – 1/8/2017

**Modification Term:** 1/8/2017 – 1/22/2017

**Original Amount:** \$12,989,001

**Modification Amount:** \$ 2,138,700

**Prior Mod Amount:** None

**Revised Total Contract Amount:** \$15,127,701

**Percent +/- (This Modification):** +16.47%

**Original Procurement Method:** Sole Source

**MBE Participation:** None

**Supplement D  
Department of Information Technology  
ACTION AGENDA  
December 16, 2015**

**4-IT-MOD. DEPARTMENT OF TRANSPORTATION (cont'd)**

**Remarks:** The project enhancements address two aspects of the installation that MTA/MARC has identified to implement, in an effort to assure safe operation and provide for improvement in accident and incident investigation. The two items are:

1. Upgrade of the 9-Aspect Cab Signal System on 26 MARC MP36 locomotives, and
2. Upgrade of the recording system to be able to record video along with two cameras for all 67 vehicles.

The original project scope of work did not include replacement of the older 9-Aspect Cab Signal System on the 26 MP36 locomotives. The older existing 9-Aspect Cab Signal Systems were expected to work properly with the newly installed equipment. However, the older system has been discontinued by the manufacturer and is incompatible with the newer systems and other equipment being installed. In order to ensure safe operation and ongoing maintainability, this modification covers the additional work needed to replace the older 9-Aspect Cab Signal Systems on the 26 MP36 locomotives with the same equipment being installed on all the other locomotives.

The planned installation of PTC included a recorder to record all safety related signals generated by the locomotive, but the original scope of work for this project did not include any video recording. This modification will replace the planned recorder with one that has video recording capabilities. Additionally, there will be the installation of two cameras. These cameras will be pointed toward the front of the locomotive (one aimed high and one aimed low). The implementation of this system will provide an invaluable tool for accident or incident investigation.

Negotiations were held and it was agreed that, contingent upon MTA approval, the additional cost of \$2,138,700 for additional contract time would be fair and reasonable. Negotiations involved a thorough examination of all items on the change order. The majority of the change order price is driven by the cab signal equipment and associated hardware necessary for mounting. Based on comparable costs with other commuter agencies per data from [www.transporeconomics.net](http://www.transporeconomics.net) a cost of \$72,000 per vehicle was found to be reasonable. Furthermore, the existing cab signal receivers will be reused; reducing the price by \$12,000 per vehicle (based on another agency's spare parts pricing) for a final estimate of \$60,000 per vehicle for 26 locomotives. As a result, the total change order cost of \$2,138,700 for 14 additional days of contract time was found to be a fair and reasonable one, as it was \$165,800 less than the Engineer's Estimate of \$2,304,500.

**Fund Source:** 80% Federal; 20% State Funds budgeted to MTA  
**Approp. Code:** J05H0105  
**Resident Business:** Yes **MD Tax Clearance:** 15-2684-1111

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

**Supplement D**  
**Department of Information Technology**  
**ACTION AGENDA**  
**December 16, 2015**

*Agency Contact: Rosetta Butler (410) 339-5836  
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**5-IT-OPT. DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES**  
*Information Technology & Communications Division*

**Contract ID:** Electronic Tracking of Offenders  
DPSCS Q00S0285033 (Contract 2011-15)  
ADPICS BPO No.: Q00B6400071

**Contract Approved:** DoIT Item 4-IT (11/16/2011)

**Contractor:** Behavior Interventions Incorporated, Boulder, Colorado

**Contract Description:** Provide offender electronic tracking services and equipment for radio frequency system and for global positioning system.

**Modification Description:** Exercise second o(f two) 1-year option

**Original Contract Term:** 1/1/2012 -12/31/2014 (with two, 1-yr options)

**Modification Term:** 1/1/2016 – 12/31/2016

**Original Amount:** \$2,567,667

**Option Amount:** \$855,889

**Prior Option Amount:** \$855,889 (DoIT Item 5-IT-OPT [12/3/2014])

**Revised Total Contract Amount:** \$4,279,445

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** None

**Remarks:** This contract provides offender electronic tracking services and equipment for both radio frequency and global positioning systems. Further, this contract allows DPSCS to monitor approximately 53,400 offenders who the courts have released to the community and about 15,400 offenders who are in the Drinking Driver Monitor Program due to alcohol-related motor vehicle violatons. The incumbent, Behavior Interventions, Inc., has performed satisfactorily under the contract and its pricing remains fair and reasonable in option year #2.

**Supplement D  
Department of Information Technology  
ACTION AGENDA  
December 16, 2015**

**5-IT-OPT. DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES (cont'd)  
*Information Technology & Communications Division***

**Fund Source:** 100% General

**Approp. Code:** Q00A0102

**Resident Business:** No

**MD Tax Clearance:** 15-3150-1111

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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 J. Hogan**  
Governor

**Boyd K. Rutherford**  
Lt. Governor

**Pete K. Rahn**  
Secretary

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

### **ACTION AGENDA**

**December 16, 2015**

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Architectural/Engineering	3 – 4
Maintenance	5 – 10 and 16-19
Real Property	11 – 15

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

BPW – 12/16/15

**DEPARTMENT OF TRANSPORTATION  
 ACTION AGENDA**

**CONSTRUCTION CONTRACT:**

**ITEM:** 1-C

**MARYLAND AVIATION ADMINISTRATION:**

**CONTRACT ID:** MAA-CO-16-001  
 Concourse E Extension – Site Work at  
 Baltimore/Washington International Thurgood  
 Marshall (BWI Marshall) Airport  
 ADPICS No.: MAACO16001

**CONTRACT DESCRIPTION:** This Contract provides the site work for Concourse E Extension at BWI Marshall. The work includes the conversion of an existing drainage pond, new concrete and asphalt apron, removal and relocation of a new storm drainage pipe and structures, water main construction, and pavement marking.

**AWARD:** Allan Myers MD., Inc.  
 Fallston, MD

**TERM OF CONTRACT:** 301 Calendar Days from NTP

**AMOUNT:** \$20,277,777

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Allan Myers MD., Inc. \$20,277,777  
 Fallston, MD

P. Flanigan & Sons, Inc. \$23,955,554  
 Baltimore, MD

**DBE PARTICPATION:** 30%

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

**REMARKS:** The Engineer's estimate for this item is \$20,870,445.

This Solicitation was advertised on eMaryland Marketplace and on the MAA Website on September 18, 2015. The MAA directly solicited six prospective bidders. The solicitation was sent to the Governor's Office of Minority Affairs and five minority business associations on September 18, 2015. Twenty-two sets of specifications were provided; two bids were received.

**ITEM: 1-C (Continued)**

**BPW- 12/16/15**

**FUND SOURCE:** 100% Special Funds Budgeted to MAA  
**APPROPRIATION CODE:** J06I0003  
**RESIDENT BUSINESS:** Yes  
**MD TAX CLEARANCE:** 15-2863-1000

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	

Donna DiCerbo (410) 537-7814  
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BPW – 12/16/15

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**ARCHITECTURAL/ENGINEERING SERVICES**

**ITEM:** 2-AE

**MARYLAND TRANSPORTATION AUTHORITY**

**CONTRACT ID:** MDTA 2014-01 (C & D)  
Comprehensive Building and Facility Engineering  
and Architectural Design Consulting Services

**CONTRACT DESCRIPTION:** These are the final two of four task order based contracts which will provide Comprehensive Building and Facility Engineering and Architectural Design Consulting Services.

**PROCUREMENT METHOD:** Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on December 3, 2015.

**AWARDS:**

URS Corporation Contract C  
Hunt Valley, MD

Parsons Brinckerhoff, Inc. Contract D  
Baltimore, MD

**AMOUNT:** \$3,000,000 NTE (Contract C)  
\$3,000,000 NTE (Contract D)  
\$6,000,000 Grand Total

**TERM OF CONTRACT:** Five Years from NTP

**MBE PARTICIPATION:** 35% each

**VSBE PARTICIPATION:** 1% each

**PROPOSALS:**

	<u>Technical Proposal Rating (Max 3500)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Whitman Requardt & Associates, LLP Baltimore, MD	2905	1	Contract A BPW Approved 10/7/15

ITEM: 2-AE (Continued)

BPW – 12/16/15

PROPOSALS (Continued):

	<u>Technical Proposal Rating (Max 3500)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	2902	2	Contract B BPW Approved 10/7/15
URS Corporation Hunt Valley, MD	2892	3	\$3,000,000 (Contract C)
Parsons Brinckerhoff, Inc. Baltimore, MD	2787	4	\$3,000,000 (Contract D)
Gannett Fleming, Inc. Baltimore, MD	2591	5	N/A
Whitney, Bailey, Cox, & Magnani, LLC/ Prime AE Group, Inc. (JV)	2534	6	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and on the SHA web page. A total of six engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms.

The Consultant(s) shall perform work including but not be limited to: space planning; facility master plan studies; emergency inspections; building envelope evaluations; specialized building systems analysis and design including security; life safety; data; communications; audio/video; electrical; mechanical and plumbing engineering design services.

This contract includes a provision authorizing an extension for up to one-third of the original term to spend funds remaining on the contract as provided in Revised Board Advisory 1995-1.

<b>FUND SOURCE:</b>	100% Toll Revenue	
<b>APPROPRIATION CODE:</b>	29.10.02.01	
<b>RESIDENT BUSINESSES:</b>	Yes	
<b>MD TAX CLEARANCE:</b>	URS Corporation	15-2252-1111
	Parsons Brinckerhoff, Inc.	15-1898-1001

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:** 3-M

**MARYLAND AVIATION ADMINISTRATION**

**CONTRACT ID:** MAA-MC-16-016  
Security Guard Services at Martin State Airport  
ADPICS No.: MAAMC16016

**CONTRACT DESCRIPTION:** This contract provides for trained, uniformed, unarmed personnel, equipment, and a vehicle to provide security coverage eight hours a day (11:00 p.m. – 7:00 a.m.), seven days per week at Martin State Airport.

**AWARD:** All County Security Agency  
Ellicott City, MD

**TERM OF CONTRACT:** 05/01/2016 - 04/30/2021

**AMOUNT:** \$414,270

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

**BIDS:**

All County Security \$414,270  
Ellicott City, MD

Axiom Defense \$418,504  
Clinton, MD

BTI Security \$429,454  
Rockville, MD

Davis & Davis Enterprise, Inc. \$488,000  
d/b/a/ All Secure Security Co.  
Baltimore, MD

**LIVING WAGE ELIGIBLE:** Yes

**MBE PARTICIPATION:** 0% (Single Element of Work)

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

**ITEM: 3-M (Continued)**

**BPW – 12/16/15**

**REMARKS:** This Solicitation was advertised on eMaryland Marketplace and MAA website. eMaryland Marketplace directly notified 94 small business firms, 18 of which were MBE firms. The MAA directly solicited 58 prospective bidders, including 50 MBE firms. The solicitation was sent to the Governor’s Office of Minority Affairs and five minority business associations on September 17, 2015. Thirteen sets of specifications were obtained by bidders; four bids were received.

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

**APPROPRIATION CODE:** J06I00002

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-2839-1111

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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: 4-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** 499D31417  
Providing Maintenance of Traffic (MOT) at Various Locations in Montgomery & Prince George's Counties (District 3)  
ADPICS NO: 499D31417

**CONTRACT DESCRIPTION:** This on-call, task based contract provides maintenance of traffic for roadway maintenance operations in Montgomery and Prince George's Counties. The contract consists of items for MOT signing, Flagging, MOT Drums and Cones, Variable Message Signs, Temporary Traffic Barrier, Protection Vehicle, Temporary Lighting, Temporary Crash Cushions, Labor, and other incidental items that may be required to perform these services.

**AWARD:** Allied Contractors, Inc.  
Baltimore, MD

**AMOUNT:** \$940,610 NTE

**TERM OF CONTRACT:** 01/28/2016 – 12/31/2017

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Allied Contractors, Inc. \$940,610  
Baltimore, MD

Concrete General, Inc. \$1,294,010  
Gaithersburg, MD

Highway & Safety Services, Inc. \$2,061,600  
Gaithersburg, MD

**LIVING WAGE ELIGIBLE:** Yes

**MBE PARTICIPATION:** 4%

**PERFORMANCE SECURITY:** None

**ITEM: 4-M (continued)**

**BPW - 12/16/15**

**REMARKS:** The Solicitation was advertised in eMaryland Marketplace and SHA’s Internet Web Page. Fifty-five contractors were notified for this project on eMaryland Marketplace; 12 of which were MDOT Certified MBE’s.

The lowest bid received was 25.64% under the Engineers Estimate of \$1,265,000. The low bidder, Allied Contractor did confirm their bid prices, and has performed on numerous contracts for SHA over the past several years with no issues.

MOT sets up lane closures and work zone traffic control so motorists can safely moving around a work zone. Without this we cannot perform any roadwork activity.

The contract includes a pre-established material allowance in the amount of \$4,000 (.43% of the total contract value) for mobilization for outside of district.

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

**APPROPRIATION CODE:** J02B0102

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:** 15-2588-1111

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
	<b>WITH DISCUSSION</b>	<b>WITHOUT DISCUSSION</b>	

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 5-M**

**STATE HIGHWAY ADMINISTRATION**

**CONTRACT ID:** AX0977314  
Miscellaneous Roadway Structure Repairs at  
Various Locations in Montgomery and Prince  
George’s County (District 3)  
ADPICS No.: AX0977314

**CONTRACT DESCRIPTION:** This contract is an on-call, task based contract to perform miscellaneous roadway structure repairs along SHA maintained roadways, which includes: repair of curb and gutter; concrete deck on bridges; slope protection; painting; repair of damaged railings; repair of drain systems; and patching throughout District 3.

**AWARD:** Concrete General, Inc.  
Gaithersburg, MD

**AMOUNT:** \$1,779,100 NTE

**TERM OF CONTRACT:** 01/28/2016 – 12/31/2017

**PROCUREMENT METHOD:** Competitive Sealed Bidding

**BIDS:**

Concrete General, Inc. Gaithersburg, MD	\$1,779,100
PDI-Sheetz Construction Corp. Linthicum, MD	\$1,805,356
Brawner Builders, Inc. Hunt Valley, MD	\$1,822,730
Allied Contractors, Inc. Baltimore, MD	\$1,968,565
Fort Myer Construction Corp. Washington, DC	\$3,416,773

**LIVING WAGE ELIGIBLE:** Yes

ITEM: 5-M (continued)

BPW 12/16/15

MBE PARTICIPATION: 3%

PERFORMANCE SECURITY: Performance and Payment Bonds for 100% of the work exist for this contract.

REMARKS: The Solicitation was advertised in eMaryland Marketplace and SHA’s Internet Web Page. Three hundred seventy six contractors were notified for this project on eMaryland Marketplace; 94 of which were MDOT Certified MBE’s.

This contract is for maintenance of miscellaneous roadway structures in Prince George’s and Montgomery Counties. The work includes but is not limited to curb removal and replacement; remove and replace concrete deck for portions thereof; repair concrete or block slope protection; repair of damaged reinforcing or structural steel; repair of miscellaneous painted areas; remove, repair, and replace damaged railing or balustrade, the balustrade may be replaced with steel beam traffic barrier; remove, replace bridge sidewalks; repair of scupper and drain systems; repair piers, pier caps, abutment or incidental structures; respond to and assist in the clean-up operations following natural disasters; asphalt and/or contract patching for bridge approaches and repair salt storage facilities.

The MBE goal of 3% was established based on the estimated usage of hauling, MOT items, and various material supply items including topsoil. Because of the unknown nature of the exact work to be undertaken, this goal was established by the PRG and based on the review of the estimated items on the contract.

The contract includes a pre-established material allowance in the amount of \$69,000 (3.88% of the total contract value) for dump fees, specialized equipment, specialized subcontractors, utility location and materials.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 15-2589-1111

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
	<b>WITH DISCUSSION</b>	<b>WITHOUT DISCUSSION</b>	

Norie Calvert 410-545-0402  
Ncalvert@sha.state.md.us

BPW – 12/16/15

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA

REAL PROPERTY CONVEYANCE - INTERAGENCY TRANSFER

ITEM: 6-RP MMC# 13-2390

STATE HIGHWAY ADMINISTRATION

RECOMMENDATION: That the Board of Public Works approve State Highway conveying of property to another agency.

AUTHORITY: Transportation Article, Section 8-309 (g) (1)  
Annotated Code of Maryland

PROPERTY: ICC Right of Way and extra land (± 584.50 ac), ICC Right of Way, east of MD 97 to west of US 29, Montgomery County

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Maryland Transportation Authority, a business unit of the Maryland Department of Transportation

CONSIDERATION: \$0

APPRAISED VALUE: N/A

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on June 10, 2015. The 45-day review period expired July 25, 2015.

STATE CLEARINGHOUSE: N/A

REMARKS: The SHA acquired the right of way and extra land for the construction of the Intercounty Connector (ICC) on behalf of the MdTA, per multiple agreements between SHA and MdTA. Also, per those agreements, SHA is responsible for transferring all of the land it acquired that had been titled to them, and purchased with bond money, to MdTA. This is the transfer of land that SHA purchased in Montgomery County on behalf of MdTA on contract B & C of the ICC. There are multiple descriptions and over 30 plats. Some land is being transferred by plat and some by description. The item number used is one of many item numbers referenced in the deeds. The original purchase price of this land was \$55,000,000. There are two deeds transferring land associated with ICC Contract B & C to MdTA. The first deed contains the items that were federally funded and the second deed contains the items that were non-federally funded.

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
	<b>WITH DISCUSSION</b>	<b>WITHOUT DISCUSSION</b>	

Norie Calvert 410-545-0402  
Ncalvert@sha.state.md.us

BPW – 12/16/15

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA

REAL PROPERTY CONVEYANCE – INTERAGENCY TRANSFER

ITEM: 7-RP MMC# 13-2391

STATE HIGHWAY ADMINISTRATION

RECOMMENDATION: That the Board of Public Works approve State Highway conveying of property to another agency.

AUTHORITY: Transportation Article, Section 8-309 (g) (1)  
Annotated Code of Maryland

PROPERTY: ICC Right of Way and extra land (± 191.50 ac), ICC Right of Way, MD 97 to East of I-95, Prince George’s County

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Maryland Transportation Authority, a business unit of the Maryland Department of Transportation

CONSIDERATION: \$0

APPRAISED VALUE: N/A

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on June 15, 2015. The 45-day review period expired July 30, 2015.

STATE CLEARINGHOUSE: N/A

REMARKS: Per multiple agreements between SHA and MdTA, SHA acquired the right of way and extra land for the ICC on behalf of MdTA. Also per those agreements, SHA is responsible for transferring all of the land it acquired that had been titled to them and had been purchased with bond money, to MdTA. This is the transfer of that land that SHA purchased in Prince George’s County on behalf of MdTA on Contract C of the ICC. There are multiple descriptions and over 35 plats. Some land is being transferred by plat and some by description. The item number used is one of the many item numbers referenced in the deed. The total cost of this Right of Way and Extra Land on Contract C exceeded \$4,750,000.

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN  
WITH DISCUSSION WITHOUT DISCUSSION



**ITEM: 8-RP (Continued)**

**BPW – 12/16/15**

proposes to dispose of this legally landlocked property to the sole adjoining owner, Shri Krishna Hospitality LLC, through a negotiated sale of \$110,000 which is 89 % of the appraised value.

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

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>	<b>WITHOUT DISCUSSION</b>		

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**REAL PROPERTY EASEMENT**

**ITEM:** 9-RP MMC#15-2449

**STATE HIGHWAY ADMINISTRATION**

**RECOMMENDATION:** That the Board of Public Works approves the State Highway Administration granting the release of a Snow Fence Easement.

**AUTHORITY:** Transportation Article, Section 8-309(f) (1) (ii)  
Annotated Code of Maryland.

**PROPERTY:** Former Merhle King property (± 3,100 feet)  
Northeast corner of the intersection of MD Route 27  
and Brink Road extending north 100 feet, Brink,  
Montgomery County.

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

**GRANTEE:** Theodore H. Butz, Thompson H. Butz, Jr.,  
Robert T. Butz and Jeremy F. Butz  
as tenants in common

**CONSIDERATION:** \$500

**APPRAISED VALUE:** N/A

**SPECIAL CONDITIONS:** N/A

**STATE CLEARINGHOUSE:** N/A

**REMARKS:** In 1955, the State Roads Commission (now SHA) acquired the subject Snow Fence Easement from Merhle King. The Easement is not needed by SHA because snow fences are no longer used along Maryland highways. The SHA proposes to release the Easement to the sole adjoining owner at an administrative cost of \$500.

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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  
ward@mdot.state.md.us

BPW-12/16/15

**REVISED**

**DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA**

**MAINTENANCE CONTRACT**

**ITEM: 10-M**

**MOTOR VEHICLE ADMINISTRATION**

**CONTRACT ID:** V-MUL-16004-M  
Snow and Ice Removal Services for Fourteen MVA  
Statewide Locations  
ADPICS No.: VMU16004AM, VMU16004BM,  
VMU16004CM, VMU16004DM, VMU16004EM,  
VMU16004FM, VMU16004GM, VMU16004HM,  
VMU16004IM, VMU16004JM, VMU16004KM,  
VMU16004LM, VMU16004NM, and  
VMU16004MM

**CONTRACT DESCRIPTION:** This contract will provide for on-call Snow and Ice Removal Services for 14 MVA locations for the winter season. All work performed under this contract shall be performed as expeditiously as is consistent with professional skill and care and in an orderly manner, as possible under adverse weather conditions.

**AWARDS:**

Capital Transmission, Inc. Hyattsville, MD	\$75,000	Annapolis-AM
Humpty Dumpsters, Inc. Bel Air, MD	\$75,000	Bel Air-BM
TCH Enterprize, LLC Bowie, MD	\$90,000	Beltsville-CM
J.M.Kudrick & Sons Cumberland, MD	\$100,500	Cumberland-DM
JLN Construction Services, LLC Baltimore, MD	\$30,000 \$75,000 \$75,000	Easton - EM Glen Burnie (HQ) - IM Westminster - NM
J.H.G. Contractors, Inc. Fredrick, MD	\$75,000	Frederick - FM

**ITEM: 10-M (Continued)**

**BPW – 12/16/15**

**REVISED**

**AWARDS (Continued):**

Earn Contractors, Inc. Gaithersburg, MD	\$90,000	Gaithersburg - GM
Advantage Landscape & Construction, Inc Hagerstown, MD	\$75,000	Hagerstown - HM
TCH Enterprize, LLC Bowie, MD	\$75,000 \$75,000	Largo - JM White Oak - MM
Jacob’s Yardworks, LLC Salisbury, MD	\$30,000	Salisbury - KM
McChesney Associates, Inc. Waldorf, MD	\$75,000	Waldorf - LM

**TERM OF CONTRACT:** 12/21/2015 – 12/20/2018 (w/two 1-year options)

**AMOUNT:** \$1,015,500

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

**BIDS:** See Attachment I

**LIVING WAGE ELIGIBLE:** Yes

**MBE PARTICIPATION:** 0% (No Subcontractable Opportunities)

**PERFORMANCE BOND:** None

**REMARKS:** On September 11, 2015, the MVA advertised an Invitation for Bid on eMaryland Marketplace for Snow and Ice Removal Services at 14 MVA locations, to be awarded to multiple Small Business Enterprises. This service is critical to the overall operation of the MVA Branches during inclement weather.

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

**APPROPRIATION CODE:** J04E0003

**RESIDENT BUSINESS:** Yes

**MD TAX CLEARANCE:**

Advantage Landscape Construction, Inc.	15-2715-1111
Capital Transmission, Inc.	15-2963-1111
Earn Contractors, Inc.	15-2716-0111
Humpty Dumpsters, Inc.	15-2962-1111

ITEM: 10-M (Continued)

BPW – 12/16/15

**REVISED**

<b>MD TAX CLEARANCE (Continued):</b>	J. M. Kudrick & Sons	15-2695-0010
	Jacob’s Yardworks, LLC	15-2713-0111
	JHG Contractors, Inc.	15-2712-1111
	JLN Construction Services, LLC	15-2711-0111
	McChesney Associates, Inc.	15-2714-0111
	TCH Enterprize, LLC	15-2740-0000

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**REVISED**

## ATTACHMENT I

<b>Consolidated Branch Snow Removal Bid Price Information</b>															
Bidders:	Number of Bids Received per Branch	Capital Transmission, Inc.	Humpty Dumpsters, Inc.	TCH Enterprize, LLC	J.M. Kudrick & Sons	JLN Construction Services, LLC	J.H.G. Contractors, Inc.	Earns Contractor, LLC	Advantage Landscape & Construction, Inc.	McChesney Associates, Inc. Waldorf, MD	Jacob's Yardworks, LLC	Brookway, LLC	Colossal Contractors Inc.	Easy Out	
		Hyattsville, MD	Bel Air, MD	Bowie, MD	Cumberland, MD	Baltimore, MD	Frederick, MD	Baltimore, MD	Construction, Inc.	MD	Salisbury, MD	Pikesville, MD	Burtonsville MD	Bel Air, MD	
1	ANNAPOLIS	2	\$8,170.00	No Bid	No Bid	No Bid	\$15,625.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
2	BEL AIR	2	No Bid	\$4,975.00	No Bid	No Bid	\$15,625.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$10,125.00
3	BELTSVILLE	3	\$9,125.00	No Bid	\$4,285.00	No Bid	No Bid	No Bid	\$7,275.00	No Bid	No Bid	No Bid	No Bid	\$6,275.00	No Bid
4	CUMBERLAND	3	\$13,290.00	No Bid	No Bid	No Bid	\$20,975.00	\$4,440.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
5	EASTON	1	No Bid	No Bid	No Bid	No Bid	\$16,585.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
6	FREDERICK	3	\$12,100.00	No Bid	No Bid	No Bid	\$16,585.00	\$7,269.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
7	GAITHERSBURG	3	\$9,445.00	No Bid	No Bid	No Bid	\$16,585.00	No Bid	\$5,700.00	No Bid	No Bid	No Bid	No Bid	\$7,350.00	No Bid
8	HAGERSTOWN	2	No Bid	No Bid	No Bid	No Bid	\$20,975.00	No Bid	No Bid	\$6,850.00	No Bid	No Bid	No Bid	No Bid	No Bid
9	GLEN BURNIE	2	No Bid	No Bid	No Bid	No Bid	\$15,625.00	No Bid	No Bid	No Bid	No Bid	No Bid	\$82,000.00	No Bid	No Bid
10	LARGO	3	\$9,380.00	No Bid	\$4,285.00	No Bid	\$15,625.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
11	SALISBURY	2	No Bid	No Bid	No Bid	No Bid	\$20,975.00	No Bid	No Bid	No Bid	No Bid	\$9,885.00	No Bid	No Bid	No Bid
12	WALDORF	2	No Bid	No Bid	No Bid	No Bid	\$16,585.00	No Bid	No Bid	No Bid	\$12,990.00	No Bid	No Bid	No Bid	No Bid
13	WESTMINSTER	1	No Bid	No Bid	No Bid	No Bid	\$15,625.00	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
14	WHITE OAK	4	\$8,150.00	No Bid	\$4,080.00	No Bid	No Bid	No Bid	\$7,100.00	No Bid	No Bid	No Bid	\$82,000.00	No Bid	No Bid



DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

December 16, 2015

	Pages
Maintenance Contracts	1 thru 6
General Miscellaneous	7 thru 9
Real Property	10 thru 16
Leases	17 thru 34
Capital Grants and Loans	35 thru 60

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

**MAINTENANCE CONTRACT**

Agency Contact: Nancy Hevey  
 410.767.4045  
 nancy.hevey@maryland.gov

**ITEM** 1-M**DEPARTMENT OF GENERAL SERVICES**

Borgerding District Court  
 Multi-Service Center  
 Baltimore, MD

**CONTRACT NO. AND TITLE**

Project No. 001IT819821  
 Janitorial Services  
 ADPICS NO: 001B6400242

**CONTRACT DESCRIPTION**

A contract to provide janitorial service at the Borgerding District Court/Multi-Service Center for a period of three years.

**PROCUREMENT METHOD**

Competitive Sealed Bids  
 (Small Business Reserve)

**BIDS OR PROPOSALS****AMOUNT**

RGF Consulting Corporation dba Envirokleen Fort Washington, MD	\$274,359.00
Now LLC, Lanham, MD	\$286,204.47
Preferred Cleaning, LLC	\$290,019.60
ReadyClean Industrial Services, Inc./dba ReadyClean Services Group, Inc., Baltimore, MD	\$313,787.88
Acclaim USA, Inc., Upper Marlboro, MD	\$320,199.99
Cleaning Better, Inc., Owings Mills, MD	\$354,600.00
Affordable Carpet Cleaning, Corp., Baltimore, MD	\$415,524.00
Pleasant Haven Contracting, LLC, Baltimore, MD	\$446,081.64
The Dorcas Group, LLC, Baltimore, MD	\$832,277.73

**AWARD**

RGF Consulting Corporation/dba nvirokleen  
 (SBR # SB12-14498)

**TERM**

1/1/16-12/31/18

**AMOUNT**

\$274,359.00 (3-years)

**MBE PARTICIPATION**

5%

**HIRING AGREEMENT ELIGIBLE**

Yes

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

**MAINTENANCE CONTRACT**

**ITEM**            1-M (Cont.)

**REMARKS**

The Department of General Services advertised solicitation number 001IT819821/MDDGS31021250 on the DGS Web Site and *eMaryland Marketplace.com* on August 4, 2015. This solicitation was advertised as a Small Business Reserve procurement with a 5% MBE goal. Approximately 875 vendors received notification of this solicitation directly from eMaryland Marketplace. A Pre-Bid conference was held on August 18, 2015 with 19 bidders in attendance.

Three bidders were determined non-responsive for failure to submit required forms under COMAR 21.06.02.03.B (2) and COMAR 21.11.03.09 C (5). By letter dated February 2, 2015, Maryland Works waived their interest in this contract. RG FCC dba Envirokleen has been found to be responsive, its bid responsible, and has confirmed its bid.

All housekeeping supplies in support of this contract are to be Green Certified and purchased from Blind Industries and Services of Maryland (BISM) to the extent they are available.

**FUND SOURCE**

DGS Operating Funds  
H00 16 33541 0813 \$46,710.50  
H00 17 33541 0813 \$91,453.00  
H00 18 33541 0813 \$91,453.00  
H00 19 33541 0813 \$44,742.50

**TAX COMPLIANCE NO.**

15-2489-1111

**RESIDENT BUSINESS**

Yes

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

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**





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

**MAINTENANCE CONTRACT**

Agency Contact: Lauren Buckler  
410.767.3174  
lauren.buckler@maryland.gov

**ITEM** 3-M**HEALTH & MENTAL HYGIENE**

Spring Grove Hospital  
Bland Bryant Building  
Catonsville, MD

**CONTRACT NO. & TITLE**

SG-594-140-001  
Server Room (IT) AC Replacement  
ADPICS NO. 001B6400263

**DESCRIPTION** This project consists of the Contractor replacing the air conditioning system for the Server Room on the 4<sup>th</sup> floor of the Bland Bryant Building at Spring Grove Hospital.

**PROCUREMENT METHOD**

Competitive Sealed Bidding

**BIDS OR PROPOSALS****AMOUNT**

JLN Construction Services, LLC  
Baltimore, MD  
D&B Construction, Inc.  
Baltimore, MD  
Oakmont Contracting, LLC  
Columbia, MD

\$253,987.62

\$285,959.00

\$341,120.00

**AWARD**

JLN Construction Services, LLC  
Baltimore, MD  
SB #SB12-5661

**AMOUNT**

\$253,987.62

**MBE PARTICIPATION**

35% (7% African-American &  
4% Asian-American)

**VSBE PARTICIPATION**

2%

**BID BOND**

Yes

**PERFORMANCE BOND**

Yes

**PAYMENT BOND**

Yes











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

**REAL PROPERTY**

**ITEM**           6-RP (Cont.)

**PROPERTY**                 3.43 +/- acres

**CONSIDERATION**         No Monetary Consideration

**REMARKS**

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item as it accommodates a plan that benefits the farming operation.
2. Costs associated with this exchange will be paid by David Maenner.
3. The Appraisal Unit of the Department of General Services has determined that the proposed exchange has a net-positive impact to the value of the Easement.

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**







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

**REAL PROPERTY**

**ITEM**            9-RP (Cont.)

3. An exception is requested to the one year appraisal policy set forth in BPW Advisory 2005-3. Due to delays in coordinating both the Federal and State permit processes, the project is now being submitted for approval.

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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**

**LANDLORD LEASE**

**ITEM**            11-LL (Cont.)

(History Cont.)

Prior to acquisition, the rubble landfill was contained on a 24-acre site. At the time of acquisition, the deed to the State expressly reserved to the seller the right to continue its rubble landfill operation and permitted the seller to derive income not to exceed \$4,000,000 through a period ending July 1992. Once the reserved period ended in 1992, the State leased the rubble landfill site and began to receive revenue based on 25% of the gross revenues from tipping fees. In 1996, the revenue was decreased to 10% of the gross revenue from tipping fees, noting investments Days Cove Reclamation Company needed to make to come into compliance with what were new Maryland Department of the Environment (MDE) requirements for landfills at the time. In 2002, DNR's tenant contracted to purchase a 12-acre parcel from an adjacent private owner. Following the issuance of the permit for the expansion of the rubble landfill, the 12-acre parcel was donated to the State. Throughout the lease terms, Days Cove Reclamation Company, Inc. has been a responsible and cooperative tenant.

From January 1992 through September 2015, the State received revenues of \$12,406,328 from this lease. The ~~estimated~~ income for the final phase of reclamation is estimated to be between \$500,000 - \$750,000 per year for up to the next 10 years. At the completion of the rubble landfill project, the site will be closed in accordance with laws and regulations for the closure of a rubble landfill, and the property will be reclaimed and restored to parkland in a manner prescribed by DNR and consistent with MDE regulation. ~~restored in accordance with surface mining, sediment and erosion control and environmental regulations for the completion of the restored/reclaimed parkland into a natural habitat area.~~

**Special Conditions**

1. Landlord's fee simple interest in the Demised Premises may not be encumbered or subordinated by operation of this Lease or by any action taken by the Tenant.
2. Tenant shall indemnify and hold harmless the Landlord against and from any and all liability or claim of liability arising out of the use of the Demised Premises.
3. Tenant may not sublease any portion of the Demised Premises without first obtaining BPW approval. DNR is requesting approval from the BPW for Days Cove to sublease a portion of the Premises to Benjer, Inc. to establish and operate a Recycling Operation (referenced below).
4. The rubble landfill operation term will terminate at the end of year 10, or earlier if rubble landfill operations conclude before the 10-year term. Tenant shall complete closure of the rubble landfill within three years of rubble landfill operation termination.
5. Tenant shall, at its cost and expense, provide closure plans to DNR and MDE for approval.

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

**REVISED**

**LANDLORD LEASE**

**ITEM**            11-LL (Cont.)

6. Tenant shall deposit into an escrow fund held by the Landlord \$5.00 per ton of material deposited into the rubble landfill for the first five years of the lease. This escrow fund is financial security for closure and post-closure responsibilities of the Tenant. At the end of five years, a reassessment will be made concerning adjustments of payment into the escrow account that are appropriate based on then-current cost estimates. Any adjustment made shall be by amendment to the lease and subject to BPW approval.
7. As additional consideration, the Tenant shall fund improvements to the Demised Premises in the amount of \$750,000 payable in three installments – \$350,000 due the earlier of one month from issuance of the vertical expansion permit or 12/1/2018; \$200,000 due the earlier of 13 months from issuance of the vertical expansion permit or 12/1/2019; and \$200,000 due the earlier of 25 months from issuance of the vertical expansion permit or 12/1/2020.
8. The vertical height of the rubble landfill shall not exceed 190 feet.
9. The rubble landfill is within the Critical Area; therefore, the Tenant must obtain approval for any activity not permitted within the Critical Area.
10. Tenant shall provide educational tours of its operation at the rubble landfill with emphasis on reclamation considerations and contributions of illustrations to the DNR Educational Center located adjacent to the rubble landfill.
11. Tenant shall, at its cost and expense, perform all maintenance and repairs to the Demised Premises.
12. Tenant shall maintain, at its expense, insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Demised Premises at \$1,000,000 annually and \$2,000,000 aggregate.
13. Tenant shall maintain, at its expense, environmental pollution insurance at \$1,000,000 annually and \$2,000,000 aggregate.

**Remarks**

1. Tenant shall occupy and use the Demised Premises for and only for, operating a rubble landfill, related equipment repair, a water treatment facility to treat and discharge storm water and leachate under a discharge permit from MDE, and for the reclamation of the underlying land and restorative uses including grading, planting and vegetative planting consistent with park purposes – all in accordance with the MDE permit requirements
2. The Department of General Services, in conjunction with DNR, recommends the approval of this item.

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

**REVISED**

**ITEM**      11-LL (Cont.)

**Sublease**

BPW approval is also requested to permit Days Cove Reclamation Company, Inc. to sublease 2.4+/- acres of the Demised Premise to Benjer, Inc. to operate a recycling operation consisting of taking inbound concrete, masonry and other materials, crushing and recycling these materials into aggregates and resale of the finished product (the “Recycling Operation”). Location of the Recycling Operation on the rubble landfill site reduces the amount of materials that end up in the rubble landfill and limits the number of stops and travel expenses that customers who want to recycle such material have to make. Pursuant to Paragraph 11.2 of the Lease Agreement, the Tenant may not sublease all or any portion of the Demised Premises without first obtaining the express written approval from the BPW.

**Special Conditions**

1. The Premises shall be used for the sole purpose of operating a Recycling Operation and for all other reasonable business related thereto and for no other purpose whatsoever.
2. The term of the Sublease commences upon the approval of the BPW and the term shall run concurrent with the term of the Lease.
3. All terms and conditions of the Lease are incorporated into the Sublease with any and all conflicts being controlled by the Lease.
4. The Tenant shall conduct all sales transactions for inbound and outbound materials and maintain accounting records. The Sub-Tenant shall provide all supervision, equipment, materials and labor for the Recycling Operation.
5. The Sub-Tenant shall pay the Tenant \$0.75 times the number of tons of inbound materials purchased and outbound materials sold per annum in rent, subject to the Sub-Tenant receiving at least \$28,700 profit in earnings a month.
6. The State’s fee simple interest in the subleased Demised Premises may not be encumbered or subordinated by operation of this Sublease or by any action taken by the Tenant or Sub-Tenant.
7. The Sub-Tenant shall indemnify and hold harmless the State of Maryland, DNR and Tenant, against and from any and all liability or claim of liability arising out of the use of the subleased Demised Premises.

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**



**2<sup>nd</sup> REVISION**

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

**LANDLORD LEASE**

**ITEM**            12-LL (Cont.)

**Special Conditions** (*cont'd*)

2. The Tenant shall indemnify and hold harmless the Landlord against and from any and all liability or claim of liability arising out of the use of the Premises.
3. Tenant shall pay to Landlord a surcharge fee per week per child according to the following rate schedule:

Enrollment Status	Weekly State Surcharge Fee per Child
<b>FULL TIME Employee Four to Five Days:</b>	
State Employee-Household Income Less than \$40,000	\$ 5.00
State Employee-Household Income \$40,000 to \$60,000	\$15.00
State Employee-Household Income Greater than \$60,000	\$25.00
Non-State Employee	\$30.00
<b>PART-TIME Employee (both State and Non-State):</b>	
Two full days	\$15.00
Three full days	\$20.00

1. The Tenant shall not make any alterations, additions or improvements to the Premises without first obtaining the Landlord's written approval.
2. The Tenant shall, at its cost and expense, perform all maintenance and repairs to the Premises caused by negligence on the part of the Tenant.
3. Tenant shall maintain, at its expense, insurance against loss or liability in connection with bodily injury, death, property damage or destruction to the Premises of not less than a minimum coverage of \$1,000,000 combined single limit per occurrence with the State named as an additional insured.
4. The lease contains two option renewal terms for two years each.
5. The Landlord has the right to terminate this lease for convenience.

**Remarks**

1. Tenant shall also occupy and use the Premises to provide child day care services to State of Maryland employees and the general public.
2. The Department of General Services, in conjunction with the Department of Budget and Management, 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**

**LANDLORD LEASE**

**ITEM** 13-LL-MOD (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 of not less than a minimum coverage of \$1,000,000 combined single limit per occurrence.

**Remarks**

- 1. A State Clearinghouse review was not necessary, as the use of the property has not changed.
- 2. The Department of General Services, in conjunction with the Canal Place Preservation & Development Authority, recommends approval of this item.

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**





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

**REVISED**

**LANDLORD LEASE**

**ITEM** 15-LL-MOD (Cont.)

**Special Conditions**

1. The Sub-Tenant shall occupy and use the Demised Premises for general office use, including clients.
2. The Sub-Tenant is responsible for all maintenance of the property.
3. The Sub-Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its occupancy of the premises.
4. Sub-Tenant can extend the lease term for five years terms by providing written notice to Landlord six months prior to expiration of the original term.
5. The Lease provides Sub-Tenant the use of two parking spaces at the property.
4. The Sub-Tenant shall maintain, at its expense throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction occurring within the Demised Premises. General Comprehensive Liability insurance will have a minimum coverage of \$1,000,000 combined single limit per occurrence and shall contain broad form GCL Endorsement or its equivalent.
5. The Sub-Tenant shall indemnify and hold harmless the State of Maryland and Maryland Department of General Services against any and all liability or claim of liability (including reasonable attorney’s fees) arising out of licensee’s use and occupancy, conduct, operation or management of the premises during the Term.
6. This Lease contains a termination for convenience clause.

The BPW is now requested to approve an extension of the sub lease agreement. Historic Annapolis has provided DGS with its master plan for all of the historic properties under master lease with the State.

---

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**

**LANDLORD LEASE**

Agency Contact: Robert Suit  
410.767.1819  
robert.suit@maryland.gov

**ITEM** 16-LL-MOD**DEPARTMENT OF GENERAL SERVICES**

Annapolis, MD

**Tenant**

Historic Annapolis, Inc.  
c/o Hyatt Commercial  
200 Westgate Circle, Suite 502  
Annapolis, MD 21401

**Subtenant**

Barbara Marx Brocato  
18 Pinkney Street  
Annapolis, MD 21401

<b><u>Space Type</u></b>	Historic Properties	<b><u>Lease Type</u></b>	Extension	<b><u>No. Property</u></b>
<b><u>Duration</u></b>	2 Years	<b><u>Effective</u></b>	11/1/2015	1
<b><u>Annual Rent</u></b>	\$27,000.00			

**Utilities Responsibility**

Tenant

**Custodial Responsibility**

Tenant

**Previous Board Action(s)**

10/29/2014 – Item 11-LL-MOD; 3/7/2001-Item 8-L

**Retro-Active Leases:** BPW is requested to retroactively approve ~~these office leases~~ **this lease** for the period of 11/1/2015 to 12/15/2015 pursuant to the State Finance and Procurement Article 11-204(c)(1). The retro-active period is covered in the annual contract cost.

Reference is made to the BPW Action Agenda of March 7, 2001, Item 8-L, wherein the Board approved a master lease agreement from the Department of General Services to Historic Annapolis, Inc. for 11 properties. The master lease agreement is for a 30-year term, which commenced March 7, 2001 at \$1.00 per year. It provides that the 11 properties will be used for general public use and historical preservation purposes. The Lease was modified and approved by the BPW on October 29, 2014, Item 11-LL-MOD.

The master lease further provides that subject to BPW approval, the Lessee may sub-lease the properties to generate income. Therefore, pursuant to said provisions, BPW approval is requested for the renewal of the following sub-lease:

**18 Pinkney Street, 1<sup>st</sup> Floor**

Sub-Tenant: Barbara Marx Brocato  
Term: Two years  
Annual Rent: \$27,000.00 with an annual 3% increase during the term.

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

**REVISED**

**LANDLORD LEASE**

**ITEM** 16-LL-MOD (Cont.)

**Special Conditions**

1. The Sub-Tenant shall occupy and use the Demised Premises for general office use, including clients.
2. The Sub-Tenant is responsible for all maintenance of the property.
3. The Sub-Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its occupancy of the premises.
4. Sub-Tenant can extend the lease term for three one-year terms by providing written notice to Landlord six months prior to expiration of the original term.
5. The Lease provides Sub-Tenant the use of one parking space at the property and one parking space at Paca House.
6. The Sub-Tenant shall maintain, at its expense throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction occurring within the Demised Premises. General Comprehensive Liability insurance will have a minimum coverage of \$1,000,000 combined single limit per occurrence and shall contain broad form GCL Endorsement, or its equivalent.
7. The Sub-Tenant shall indemnify and hold harmless the State of Maryland and Maryland Department of General Services against any and all liability or claim of liability (including reasonable attorney’s fees) arising out of licensee’s use and occupancy, conduct, operation or management of the premises during the Term.
8. This Lease contains a termination for convenience clause.

The Board of Public Works is now requested to approve an extension of the sub-lease agreement. Historic Annapolis has provided DGS with its master plan for all of the historic properties under master lease with the State.

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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**

Agency Contact: Robert Suit  
 410.767.1819  
 robert.suit@maryland.gov

**ITEM** 18-LT

**MARYLAND DEPARTMENT OF AGRICULTURE**  
 (Animal Health)

Salisbury  
 Wicomico County

**Landlord** Tri-County Council for the Lower Eastern Shore of Maryland  
 31901 Tri-County Way, Suite 201  
 Salisbury, MD 21804

**Property Location** 31901 Tri-County Way  
 Salisbury, MD 21804

<b><u>Space Type</u></b>	Office/Storage	<b><u>Lease Type</u></b>	New	<b><u>Square Feet</u></b>	3,900
<b><u>Duration</u></b>	6 Months	<b><u>Effective</u></b>	January 1, 2016		
<b><u>Six-months Rent</u></b>	\$23,400	<b><u>Square Foot Rate</u></b>	\$6.00		

<b><u>Utilities Responsibility</u></b>	Landlord
<b><u>Custodial Responsibility</u></b>	Landlord
<b><u>Previous Board Action(s)</u></b>	N/A
<b><u>Fund Source</u></b>	L0012 1301 25101 100% General Funds

**Special Conditions**

3. The lease contains a six-month holdover provision.
4. The lease contains one option renewal for six months.

**Remarks**

5. The space will be used as warehouse storage space, staging area and incident command center for possible avian influenza outbreak.
6. The lease contains a termination for convenience clause.
7. In accordance with the State Finance and Procurement Article, Section(s) 13-105 and 4-318, this space is exempt from publicly advertising. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

---

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

**TENANT LEASE**

Agency Contact: Robert Suit  
410.767.1819  
robert.suit@maryland.gov

**ITEM** 19-LT-OPT

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES** Baltimore City

**Landlord/Owner** A&A Piccinini Real Estate, LLC  
111 North Charles Street, Suite 300  
Baltimore, MD 21201

**Property Location** 3027 East Madison Street  
Baltimore, MD 21205

<b><u>Space Type</u></b>	Office	<b><u>Lease Type</u></b>	Renewal	<b><u>Square Feet</u></b>	7,930
<b><u>Duration</u></b>	1 year	<b><u>Effective</u></b>	January 1, 2016		
<b><u>Annual Rent</u></b>	\$98,848.08	<b><u>Square Foot Rate</u></b>		\$12.47	
		<b><u>Prev Square Foot Rate</u></b>		\$12.22	

<b><u>Utilities Responsibility</u></b>	Tenant
<b><u>Custodial Responsibility</u></b>	Tenant
<b><u>Previous Board Action(s)</u></b>	6/9/10 – 17-LT-OPT; 4/27/05 – 9-L; 2/23/00 – 10-L

<b><u>Fund Source</u></b>	Criminal Supervision	35.03.02	32110	ABOJ	1310	97%	General
	DDMP		35.03.02	32213	ABOJ	1310	3% General

**Special Conditions**

1. The lease contains escalations/de-escalations for real estate taxes.
2. The lease incorporates 95 use-in-common parking spaces at no cost to the State.

**Remarks**

1. This space has been used since 2000 as administrative and client contact offices for the Division of Parole and Probation Office of Criminal Supervision and the Drinking Driver Monitor Program. The Office of Criminal Supervision is responsible for monitoring and supervising the activities of those persons under court supervision residing in the community. The Drinking Driver Monitor Program Office supervises and administers breathalyzer tests to those persons mandated to participate in the program by the courts. This space will also serve as a urinalysis collection site.
3. This one-year extension will allow the agency and DGS time to either identify a property for relocation or negotiate a longer-term renewal.
4. The lease contains a termination for convenience clause.
5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**





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

**TENANT LEASE**

**ITEM**        21-LT-MOD (*cont'd*)

**Remarks**

1.        The City of Salisbury approved this lease extension on October 6, 2015.
2.        These spaces are to be used by State of Maryland employees.
3.        The number of spaces is on a 1:2 ratio established for this area.
4.        There is no termination for convenience for this lease.

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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** 25-CGL

Agency Contact: Cathy Ensor  
410.767.4107  
[cathy.ensor@maryland.gov](mailto:cathy.ensor@maryland.gov)

**RECOMMENDATION** That the Board of Public Works enter into a grant agreement for the following grant:

*Mayor and City Council of the City of Baltimore (Baltimore City)*

*East Baltimore Biotechnology Park*

*“To assist in funding property acquisition, demolition, and site improvements in the East Baltimore Biotechnology Park.”*

***\$5,000,000.00***

*Maryland Consolidated Capital Bond Loan of 2015 (MISC – Chapter 495, Acts of 2015)  
DGS Item 120, (SL-021-020-038)*

**MATCHING FUND** No match is required.

**BACKGROUND**

Total Project		\$993,100,000.00
<b>15-120</b>	<b>(This Action)</b>	<b>\$ 5,000,000.00</b>
14-035	(Prior Action)	\$ 5,000,000.00
13-003	(Prior Action)	\$ 1,350,000.00
13-030	(Prior Action)	\$ 5,000,000.00
11-G002/131	(Prior Action)	\$ 2,500,000.00
10-G002/130	(Prior Action)	\$ 5,000,000.00
09-G002/136	(Prior Action)	\$ 5,000,000.00
08-G002/130	(Prior Action)	\$ 5,000,000.00
07-G003/144	(Prior Action)	\$ 5,000,000.00
06-009	(Prior Action)	\$ 5,000,000.00
05-G058/178	(Prior Action)	\$ 4,000,000.00
04-G040/097	(Prior Action)	\$ 4,500,000.00
02-003	(Prior Action)	\$ 2,000,000.00
Local Cost		\$938,750,000.00

(Prior Actions: 12/3/14 Agenda, Item 15-CGL; 3/19/14 Agenda, Item 21-CGL; 6/15/13 Agenda, Item 21-CGL; 6/6/12 Agenda, Item 11-CGL; 9/1/10 Agenda, Item 41-CGL; 11/20/02 Agenda, Item 9-CGL (non-match); 10/5/05 Agenda, Item 17-CGL; 8/30/06 Agenda, Item 24-CGL; 3/21/07 Agenda, Item 16-CGL (non-match); 1/30/08 Agenda, Item 17-CGL.B.; 2/27/08 Agenda, Item 16-CGL Supplemental; 4/1/09 Agenda, Item 20-CGL)

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

**CAPITAL GRANTS AND LOANS**

**ITEM** 25-CGL (Cont.)

**REMARKS**

1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
2. The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
3. Invoices should be submitted to the Department of General Services for the disbursement of funds.

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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** 29-CGL

Agency Contact: Cathy Ensor  
410.767.4107 cathy.ensor@maryland.gov

**RECOMMENDATION** That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

*Board of Directors of the Kennedy Krieger Institute, Inc. (Baltimore City)*  
*Kennedy Krieger Institute – Comprehensive Center for Autism/Neurodevelopmental Disabilities*

*“For the design and construction of a new Comprehensive Center for Autism and other Neurodevelopmental Disabilities at Kennedy Krieger’s East Baltimore Campus.”*

**\$2,000,000.00**

*Maryland Consolidated Capital Bond Loan of 2015 (MISC – Chapter 495, Acts of 2015), DGS Item G014; (SL-081-110-038)*

**MATCHING FUND** The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2017 and the Board of Public Works to certify a matching fund. The Board of Directors of the Kennedy Krieger Institute, Inc. has submitted documentation that it has an \$8,000,000.00 grant from The Harry and Jeanette Weinberg Foundation, Inc. A portion of the grant was used as match for the 2013 and 2014 grants in the amount of \$3,500,000.00. With this grant, the grantee has utilized a total of \$5,500,000.00 of the grant to meet the matching fund requirement for this project.

**BACKGROUND**

Total Project	\$41,500,000.00
<b>15-G014 (This Action)</b>	<b>\$ 2,000,000.00</b>
14-G006 (Prior Action)	\$ 1,500,000.00
13-G007 (Prior Action)	\$ 2,000,000.00
12-G005 (Prior Action)	\$ 1,000,000.00
11-G005 (Prior Action)	\$ 1,000,000.00
Local Cost	\$34,000,000.00

(Prior Actions: 1/7/15 Agenda, Item 13-CGL; and 7/24/13 Agenda, Item 32-CGL)

**REMARKS**

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

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

**CAPITAL GRANTS AND LOANS**

**ITEM** 29-CGL (Cont.)

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

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**



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

**CAPITAL GRANTS AND LOANS**

**ITEM** 30-CGL (Cont.)

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

---

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

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION







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

**REVISED**

**CAPITAL GRANTS AND LOANS**

**ITEM**           33-CGL (Cont.)

**Remarks (Cont.)**

*D. Grantee hereby represents (i) that the funds obtained from the Lenders are vital to the completion of the Project and (ii) that it has been advised by the Lenders that the provisions related to the Lenders in this Agreement are a condition precedent to the Lenders making the Loans.*

*13. Disposition of Property: Furthermore, notwithstanding anything herein to the contrary, the State hereby consents to (i) the transfer of the Grant-Funded Property to NMTC Borrower in order to facilitate the New Markets Tax Credit financing, and (ii) the lease by NMTC Borrower of the Grant-Funded Property, provided any such lease or leases are in the normal course of business of NMTC Borrower and consistent with the scope and purpose of the Project. The State further consents to any assignment of NMTC Borrower's interests in such leases to any lender to the Project. (iii) the use of the Grant Funded Property by, and/or transfer thereof to, The Johns Hopkins University and/or its designees provided any such use or transfer are consistent with the scope and purpose of the Project and, further provided with respect to any transfer, that The Johns Hopkins University agrees to abide by the restrictions on the property as outlined in this Agreement prior to any such transfer of the property.*

*Furthermore, notwithstanding anything herein to the contrary, all rights to and any decisions concerning disposition or transfer of Grant-Funded Property which may be granted to the State in this Agreement shall be subject and subordinate to the rights of any lender to the Project. If NMTC Lenders seek to dispose or transfer Grant-Funded Property pursuant to its foreclosure rights, the NMTC Lenders shall advise the State not less than thirty (30) days prior to exercising its foreclosure rights, but shall not need the State's consent to such foreclosure except as may be required by law. Upon a foreclosure sale, the net proceeds from the sale, after deduction of all costs of the sale, shall be applied in order of priority as set forth in the Deed(s) of Trust secured by the Property. Any funds remaining may be disbursed in accordance with the Agreement and any other applicable agreements by the Grantee.;*

*15. Insurance: (e) Notwithstanding anything herein to the contrary, the State agrees to subordinate to the NMTC Lenders (i) all of its right, title, interest or claim, if any, in and to the proceeds of all policies of insurance covering the Grant-Funded Property; and (ii) all of its right, title and interest or claim, if any, in and to all awards or other compensation made for any taking of any part of the Grant-Funded Property. Only after all debt held by all lenders to the Project has been satisfied shall any remaining, excess insurance proceeds be disbursed to the State.*

*28. Amendment. The Agreement may be amended only in a writing signed by the parties and acknowledged by the Lenders (as defined in Recital C).*

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

**CAPITAL GRANTS AND LOANS**

**ITEM** 33-CGL (Cont.)

**Remarks (Cont.)**

32. *Third-Party Beneficiary; Power of Attorney.* The obligations and undertakings of the State and Grantee set forth in this Agreement are also made for the benefit of the Lenders, and the Lenders are hereby, and shall be until such Assignment is terminated, an intended third party beneficiary of this Agreement. As such, the Lenders shall have the right to enforce Grantee's rights under this Agreement. Effective immediately, but to be exercised by the Lenders only upon the failure of Grantee to execute any instrument or take any action required to enforce the provisions of this Agreement within five (5) days after receipt of a written request from the Lenders to do so, Grantee hereby irrevocably constitutes and appoints the Lenders as its true and lawful attorney-in-fact with full irrevocable power and authority in the place and stead of Grantee, for the purpose of carrying out the terms of this Agreement, to take any and all appropriate action and to execute any and all documents and instruments that may be necessary or desirable to accomplish the purposes of this Agreement. The powers conferred on the Lenders hereunder are solely to protect the interests of Lenders and shall not impose any duty upon the Lenders to exercise any such power. Except with respect to the Lenders, this Agreement shall not confer any rights or remedies upon any person other than the parties designated herein.

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

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

(4) Invoices should be submitted to the Department of General Services for the disbursement of funds.

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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** 34-CGL

Agency Contact: Cathy Ensor  
410-767-4107  
[cathy.ensor@maryland.gov](mailto:cathy.ensor@maryland.gov)

**RECOMMENDATION** That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

*Board of Directors of the Olney Theatre Center for the Arts, Inc.  
(Montgomery County)*

*Olney Theatre Center*

*“For the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Olney Theatre Center.”*

***\$100,000.00***

*Maryland Consolidated Capital Bond Loan of 2014 (LHI - Chapter 463, Acts of 2014)  
DGS Item G165; SL-013-060-038*

**MATCHING FUND** The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2016 and the Board of Public Works to certify a matching fund. The Board of Directors of the Olney Theatre Center for the Arts, Inc. is utilizing the value of property as their matching fund. The Department of General Services, Real Estate Office reviewed the appraisal for 2001 Olney Sandy Spring Road in Olney and approved a value of \$8,310,000.00. A portion of the value of property was used as match for the 2013 grant in the amount of \$125,000.00. With this grant, the grantee has utilized at total of \$225,000.00 of the value of property to meet the matching fund requirement for this project.

**BACKGROUND**

Total Project	\$16,596,000.00
<b>14-G165 (This Action)</b>	<b>\$ 100,000.00 (Match)</b>
13-G144 (Prior Action)	\$ 125,000.00 (Match)
11-G072 (Prior Action)	\$ 150,000.00 (Match)
09-G122 (Prior Action)	\$ 150,000.00 (Match)
06-030 (Prior Action)	\$ 250,000.00 (Non-Match)
05-043 (Prior Action)	\$ 575,000.00 (Non-Match)
05-G110 (Prior Action)	\$ 175,000.00 (Match)
02-147 (Prior Action)	\$ 500,000.00 (Non-Match)
01-000 (Prior Action)	\$ 250,000.00 (Match)
00-050 (Prior Action)	\$ 1,500,000.00 (Non-Match)
98-028 (Prior Action)	\$ 1,500,000.00 (Match)
98-000 (Prior Action)	\$ 475,000.00 (Match)
96-000 (Prior Action)	\$ 250,000.00 (Match)
Local Cost	\$10,596,000.00

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

**CAPITAL GRANTS AND LOANS**

**ITEM**            34-CGL (Cont.)

(Prior Actions: 3/9/14 Agenda, Item 16-CGL; 5/15/13 Agenda, Item 29-CGL; 3/24/10 Agenda, Item 20-CGL; 9/20/06 Agenda, Item 16-CGL; 9/21/05 Agenda, Item 28-CGL; 2/19/03 Agenda, Item 12-CGL; 3/13/02 Agenda, Item 31-CGL; 2/17/01 Agenda, Item 12-CGL; 4/5/00 Agenda, Item 10-CGL; 8/27/97 Agenda, Item 63-CGL)

**REMARKS**

1.        This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
  
2.        The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance and Procurement Article, Annotated Code of Maryland*, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
  
3.        The Office of the Comptroller may not disburse State funds until after the Office of 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**

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

**CAPITAL GRANTS AND LOANS**

**ITEM** 35-CGL

Submission of a request by Board of County Commissioners of St. Mary's County that the Board of Public Works approve St. Mary's County:

(1) Leasing real property located at 22156 Three Notch Road, Lexington Park, Maryland to Patuxent River Naval Air Museum Association, Inc. (Lessee) for operation of a public museum and visitor center.

**PAST BPW ACTIONS**

DGS Agenda Item 24-CGL (05/30/01)

DGS Agenda Item 25-CGL (01/23/02)

DGS Agenda Item 12-CGL (04/05/06)

DGS Agenda Items 17 & 18-CGL (06/07/06)

**BACKGROUND**

*The Grants.* The State granted the Board of County Commissioners of St. Mary's County (Grantee), \$975,000 in general-obligation bond proceeds and \$250,000 in capital appropriations for the ***Patuxent River Naval Air Museum and Visitors Center (St. Mary's County)*** as follows:

*“For a portion of the cost to design a new National Naval Air Museum and Visitor Center, located in Lexington Park.”*

***\$250,000.00***

***Capital Appropriation 2001 (Chapter 204, Acts of 2000); 00-075***

*“For the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center in Lexington Park.”*

***\$250,000.00***

***Patuxent River Naval Air Museum and Visitors Center Loan of 2001 (Chapter 718, Acts of 2001); 01-G000***

***\$225,000.00***

***Maryland Consolidated Capital Bond Loan of 2003 (Chapter 204, Acts of 2003 as amended by Chapter 432, Acts of 2004); 03-G344***

*“For the planning, design, construction, renovation, reconstruction, and capital equipping of the buildings and permanent exhibits of the Patuxent River Naval Air Museum and Visitors Center, to be located adjacent to the Patuxent River Naval Air Station in Lexington Park.”*

***\$150,000.00***

***Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005 as amended by Chapter 639, Acts of 2012); 05-G113***

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

**CAPITAL GRANTS AND LOANS**

**ITEM** 35-CGL (Cont.)

***\$350,000.00***

***Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005 as amended by Chapter 639, Acts of 2012); 05-G112; SL-026-001-038***

Each grant agreement contains the following condition:

*“Disposition of Property.* Grantee may not sell, lease, exchange, give away, or otherwise transfer or dispose of any interest in real or personal property acquired or improved with Grant funds (“**Grant-Funded Property**”) unless the BPW gives prior written consent. This includes transfer or disposition to a successor on the merger, dissolution, or other termination of the existence of Grantee. Grantee shall give the BPW written notice at least 60 days before any proposed transfer or disposition. If the BPW permits transfer or disposition, Grantee may be required to repay the State that percentage of the proceeds allocable to the Grant that was used to acquire the property as the BPW determines in its sole discretion.

Grantee has now entered a one-year lease agreement with Patuxent River Naval Air Museum Association, Inc. for operation of a public museum and visitor center located at 22156 Three Notch Road, Lexington Park. Grantee continues to own the property, will maintain the grounds and the new building, and will operate a visitor center component. The grant funded property will continue to be utilized by Grantee and Lessee for the purpose for which the funds were intended.

Prior to the end of the original one-year term of the lease, Grantee will renew the lease for an additional one-year term or longer. If there is any change of Lessee, or other disposition of grant funded property in the future, Grantee will provide notification to the BPW as required by the grant agreements.

The Department of General Services recommends BPW approval of St. Mary's County leasing grant funded property located at 22156 Three Notch Road, Lexington Park to Patuxent River Naval Air Museum Association, Inc. for the operation of a public museum and visitor center. This recommendation is based on:

- 1) Grantee and Lessee continuing to utilize the grant-funded property for the purpose for which the funds were intended; and
- 2) Grantee continuing to own the grant funded property.

Grantee now seeks Board of Public Works approval to lease grant-funded property located at 22156 Three Notch Road, Lexington Park to Patuxent River Naval Air Museum Association, Inc.

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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**            36-CGL (Cont.)

3.     The Office of Comptroller may not disburse State funds until after the Office of 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**



