

BOARD OF PUBLIC WORKS
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NOVEMBER 16, 2016

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BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
November 16, 2016



Contact: Dori Jaffe 410-260-7335
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1. BOARD OF PUBLIC WORKS

Advisory 2016-2: General Obligation Bond Proceeds

Recommendation: That the Board of Public Works issue BPW Advisory 2016-2 to instruct State agencies on the requirement to obtain Board of Public Works approval of all contracts that are proposed to be funded with general obligation bond proceeds (MCCBL funds) regardless of the contract amount.

Authority: Enabling Acts that authorize State debt and the sale of State bonds state: “The cash proceeds of the sale of the bonds shall be . . . expended on approval by the Board of Public Works”

STATE FINANCE & PROCUREMENT ARTICLE, § 8-117(c)(3);
see also annual MCCBL at section 1(3).

Further, “a contract to spend the proceeds of a general obligation loan that has been authorized by any act of the General Assembly may not be executed until the Board of Public Works approves the contract.”

STATE FINANCE & PROCUREMENT ARTICLE, § 8-301(a)

Background: A State agency proposing to award a contract – regardless of amount – funded in any part by general obligation bond proceeds must receive approval from the Board of Public Works before entering into the contract. “Contract” includes all agreements to expend funds, including grant agreements.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
November 16, 2016



Contact: Dori Jaffe 410-260-7335
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2. **BOARD OF PUBLIC WORKS**
Debarment of Robert Nickey, III

Recommendation: That the Board of Public Works debar Robert Nickey, III from being considered for the award of, being awarded, or performing, directly or indirectly, a contract with the State for an indefinite period.

Authority: STATE FINANCE & PROCUREMENT ARTICLE, § 16-203(a)(1),(5), & (b)

Proceedings: The Attorney General instituted debarment proceedings against Mr. Nickey by filing an administrative complaint with the Board of Public Works. Reference is made to Secretary's Agenda Item 1 (9/21/16) in which the Board of Public Works referred Mr. Nickey's request for a hearing on the Attorney General's debarment complaint to the Office of Administrative Hearings.

On October 18, 2016, Mr. Nickey withdrew his request for a hearing and the Office of Administrative Hearings officially closed the case and referred it back to the Board of Public Works.

Background: From approximately 2010 through 2013, Mr. Nickey was the owner, president and CEO of Intaset Technologies, a Maryland-based corporation providing labor services to federal agencies and to the private sector in Maryland and other states. In 2010, Mr. Nickey obtained a \$3 million line of credit with Sovereign Bank N.A. for Intaset. Mr. Nickey admitted that from August 2011 to January 2013, he provided fraudulent data to deceive the bank into thinking that Intaset had more federal government accounts receivable than it actually did. This allowed Mr. Nickey to withdraw funds that the bank would not have released had it known the data was false. With those funds, Mr. Nickey transferred money to the owners of Quantell, Inc. – Shaun Tucker and Joanne Tucker for their personal use and to fund Quantell's operations. Shaun and Joanne Tucker were debarred on September 21, 2016, Secretary's Agenda Item 2.

Mr. Nickey pleaded guilty in the U.S. District Court, District of Maryland to bank fraud and money laundering. He was sentenced to time served; placed on three years' supervised release; required to reside for six months in a halfway house; and ordered to pay \$1,355,143 in restitution.

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2. **BOARD OF PUBLIC WORKS** (*cont'd*)
Debarment of Robert Nickey, III

Basis for Debarment:

A person may be debarred from entering into a contract with the State if the person has been convicted of fraud, conspiracy to commit to fraud, or a violation of § 7201 of the Internal Revenue Code.

STATE FINANCE & PROCUREMENT ARTICLE, § 16-203(a)

A person may be debarred if, during the course of an official investigation...the person has admitted, in writing to any act that is grounds for debarment.

STATE FINANCE & PROCUREMENT ARTICLE, § 16-203(b)

Debarment Term: The Attorney General recommends an indefinite debarment for Robert Nickey, III.

A debarred individual may petition the Board for removal of the debarment within five years following the debarment date.

STATE FINANCE & PROCUREMENT ARTICLE, § 16-310

Action: Approval of this Item will debar Robert Nickey, III from being considered for the award of, being awarded, or performing directly or indirectly a contract with the State for an indefinite period of time.

BOARD OF PUBLIC WORKS

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BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
November 16, 2016



Contact: Gabriel Gnall 410-260-7335
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3. **BOARD OF PUBLIC WORKS**
COMAR: State Procurement Regulations

Recommendation: That the Board of Public Works propose amendments to COMAR Title 21, State Procurement Regulations.

Authority: *State Procurement Change Order Fairness Act of 2016* (Chapter 581, 2016 Acts); STATE FINANCE & PROCUREMENT ARTICLE, §§ 12-101, 12-107, 12-202, 12-203, 13-108, 15-112

Proposal: Amend COMAR Title 21 to:

- Delegate to certain State agencies the approval and award of construction contract change orders in the amount of \$200,000 or less
- Require those agencies to report construction contract change orders in the amount of \$25,000 to \$200,000 on Procurement Agency Activity Reports (PAARs)
- Include information technology contracts in PAARs

(1) Delegation of Procurement and Contracting Authority

Amend: 21.02.04B Department of General Services
21.02.04C Department of Transportation
21.02.04F Maryland Port Commission
21.02.04H Department of Public Safety and Correctional Services

(2) Review and Approval of the Award of Procurement Contracts

Amend: 21.02.05B Procurement Agency Activity Reports

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

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ACTION AGENDA
November 16, 2016



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

Recommendation: The Board of Public Works Wetlands Administrator recommends that the Board grant wetlands licenses for projects involving filling in the navigable waters of Maryland, as indicated.

MDE: The Maryland 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

16-0646 *JOE CROSSMAN* – To improve navigation to a private pier by mechanically dredging a channel; deposit dredged materials; provide for a 6-year dredging period.
Pasadena, Grays Creek
Special conditions: Time-of-year restriction; dredging and dredged material requirements.

16-0215 *ANNE ARUNDEL COUNTY* – To expand a fiber optic network by placing one line in an existing conduit and horizontal directionally drilling two additional conduits.
Marley Creek, Stoney Creek and Rock Creek
Special conditions: Time-of-year restriction. Requirements for: frac-out contingency plan, Independent Monitoring Contractor, pre-construction meeting, monitoring, marsh protection and restoration, horizontal directional drilling guidelines.

DORCHESTER COUNTY

16-0154 *R.R.M. CARPENTER IV* – To control erosion by constructing a revetment.
Cambridge, Chesapeake Bay and Choptank River
Special conditions: Time-of-year restriction; Requirements for: revetment design, construction, and composite marsh mats.

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

ST. MARY'S COUNTY

- 16-0232 *ROBERT M. LUMPKINS* – To improve access and commercial operations by removing, disposing of, and constructing piers and platforms, boat lifts, and a boat ramp.
Piney Point, St. George Creek
Special conditions: Marsh vegetation and disposal requirements.

TALBOT COUNTY

- 16-0304 *BRUCE AND SANDRA HAMMONDS* – To stabilize an eroding shoreline by constructing stone containment sills, and filling, grading and planting marsh vegetation along the shoreline.
Easton, Snug Harbor
Special conditions: Time-of-year restrictions; marsh vegetation establishment and transplanting requirements.

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November 16, 2016



Contact: Bill Morgante 410-260-7791
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5. **BOARD OF PUBLIC WORKS**
Wetlands License
Expedited License No. 15-0343EX

Recommendation: The Board of Public Works Wetlands Administrator recommends that the Board affirm an expedited license issued for a project involving filling in the navigable waters of Maryland.

MDE: The Maryland Department of the Environment concurs with this recommendation.

Expedited License: The Wetlands Administrator issued an expedited license to the Anne Arundel County Department of Recreation and Parks on February 11, 2016, for work in State tidal wetlands at Thomas Point Park in Annapolis. At the time, the County was in the process of applying for a State tidal wetlands license for shoreline work at that site when a storm occurred and the road and surrounding area were flooded.

The Wetlands Administrator may issue an expedited license when an emergency condition requires immediate action. COMAR 23.02.04.06C. In this case, the eroding roadway embankment presented a safety hazard when the road was surrounded by water. This expedited license authorized the County to construct a 195-foot stone revetment to prevent further erosion of the shoulder and undermining of the roadbed.

Public Notice and Comment: MDE had previously published notice of the overall project and solicited public comment. No opposition was expressed during the public comment period in July 2015. This notice and public comment period were part of MDE's processing of the broader individual license that the County is applying for to continue its shoreline stabilization work.

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.

COMAR 23.02.04.05.C: The Board of Public Works may affirm or revoke an expedited license.

ANNE ARUNDEL COUNTY

15-0343EX ANNE ARUNDEL COUNTY DEPT. OF RECREATION AND PARKS – To control shore erosion by placing stone revetment along a deteriorating shoreline.
Annapolis, Fishing Creek
Special conditions: Revetment design and construction restrictions.

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Contact: Bill Morgante 410-260-7791
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6. **BOARD OF PUBLIC WORKS**
Wetlands License
Expedited License No. 14-0010EX

Recommendation: The Board of Public Works Wetlands Administrator recommends that the Board affirm an expedited license issued for a project involving filling in the navigable waters of Maryland.

MDE: The Maryland Department of the Environment concurs with this recommendation.

Expedited License: The Wetlands Administrator issued an expedited license to Jettygirl, LLC on April 14, 2016, for work in State tidal wetlands at the Annapolis Sailing School marina. At the time, Jettygirl was in the process of applying for a State tidal wetlands license to dredge and to reconfigure the marina and to alter the jetty at the marina.

The Wetlands Administrator may issue an expedited license when an emergency condition requires immediate action. COMAR 23.02.04.06C. In this case, excessive sedimentation had occurred underneath the marina's floating docks, rendering that area inoperable and threatening to damage the pier. This expedited license authorized the licensee to dredge a 90-foot long by 10-foot wide area to a depth of 3.5 feet, thus alleviating the potential damage to the pier and enabling use of that area of the marina.

Public Notice and Comment: MDE published notice of the project and solicited public comment. No opposition was expressed during public comment period in September 2014. This notice and public comment period were part of MDE's processing of the broader individual license that Jettygirl is applying for to continue its marina work including further dredging and reconfiguring the marina.

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.

COMAR 23.02.04.05.C: The Board of Public Works may affirm or revoke an expedited license.

ANNE ARUNDEL COUNTY

14-0010EX JETTYGIRL, LLC – Dredge an area in the marina, dewater the dredged material, and place on an existing beach.

Annapolis, Chesapeake Bay

Special conditions: Dredged material transport and discharge restrictions.

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

Recommendation: That the Board of Public Works approve releasing the deed of trust on a property that received a loan from the Department of Housing and Community Development's Down Payment and Settlement Expense Loan Program. The deed of trust is a second mortgage; the borrower is selling her property and requesting release of the deed of trust to facilitate a short sale due to financial hardship. The borrower will sign an unsecured promissory note in the amount of the outstanding principal of the second mortgage. DHCD will receive \$4,500 from the sale. The promissory note will be for \$500.

Loan Authority: Down Payment and Settlement Expense Loan Program
Housing and Community Development, Article §§ 4-301-4-309,
Annotated Code of Maryland

**Authority to Release
Security Interest:** State Finance and Procurement Article, § 10-305,
Annotated Code of Maryland

Borrower: Amber Schroen
4 Church Street, Brooklyn, 21225
Anne Arundel County

Original Loan: \$5,000

Current Balance: \$5,000

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8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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

Borrower: New Park Heights, LLC

Project: Park Heights Apartments
5900 Park Heights Avenue, Baltimore City 21215

Authority: Multifamily Bond Program
§§ 4-101 through 4-255, Housing & Community Development Article,
Annotated Code of Maryland;
COMAR 05.05.02

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

Loan Amount: \$900,000

Fund Source: MCCBL 15168 *Rental Housing Works Program*

Collateral: Deed of Trust

Description: The Park Heights Apartments project is to acquire and rehabilitate 100 one-bedroom units in a seven-story elevator building in the Glen area of northwest Baltimore City. In accordance with a capital needs assessment, the rehabilitation will improve the accessibility and adaptability of the facility to continue its use as senior housing for low-income residents. All units are targeted to households with income at or below 60% of the area median income. The project will benefit from a 99-unit HAP contract. Project sponsors are SCG Development Partners and Stuart Alexander and Associates.

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

SOURCES	AMOUNT
Rental Housing Works Loan (this Item)	\$900,000
HUD\FHA 221(d)4 Permanent Loan	\$11,093,800
4% Tax Credit Equity	\$5,178,924
MEEHA-Empower	\$715,735
Deferred Developer Fee	\$148,332
Interim Income	\$300,000
Total Sources	\$18,336,791

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy on November 21, 2014. Project # SP20141106-5904.

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

A/E Contract: Wastewater Treatment Plant Upgrade – Value Engineering
MES Project # 1-17-2-16-3

Description: Provide engineering document review services (value engineering) to streamline and reduce construction cost of proposed upgrade to Eastern Correctional Institution wastewater treatment plant.

Procurement: A/E Shortlist

Award: WATEK Engineering Corporation

Amount: \$ 8,000

Term: 30 calendar days

MBE Participation: 0 %

Remarks: After an unsuccessful procurement in which all bids to expand/upgrade the Eastern Correctional Institution wastewater treatment plant exceeded available funding, MES asked the A/E to separate the project into two phases. (See Secretary's Item 9 [9/21/2016].) The redesign was recently completed. The A/E submitted bid-ready plans and specifications to MES along with its determination of probable construction cost. The estimated cost is significantly higher than what was initially projected.

MES seeks to engage a value-engineering contractor to identify opportunities for reducing the estimated construction cost while still meeting the project goal which is to construct improvements that will allow for better wastewater treatment.

Fund Sources: MCCBL of 2015

Appropriation Codes: 176 MCCBL 15 (PCA # 11081)

Resident Business: Yes

Tax Compliance No.: 16-2505-0111

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Contact: Ellen Frketic 410-729-8307
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10. **MARYLAND ENVIRONMENTAL SERVICE**
Fair Hill Natural Resources Management Area

A/E Contract: Water Treatment and Distribution System Upgrades
MES Project # 1-17-2-15-3

Description: Provide design, bid and construction services for new water treatment plant, distribution system, and elevated water storage tank

Procurement Method: A/E Shortlist

Award: WATEK Engineering, Inc.

Amount: \$ 179,654

Term: 9 months from notice to proceed

MBE Participation: 19.3%

Remarks: The water treatment and distribution system are old and unreliable. The water plant operation must be changed during the summer and winter to reduce the likelihood of freezing. The result of this operation is several locations in the facility do not have water service during the winter months. The distribution system frequently develops leaks. There is also not enough water storage capacity for fire protection.

Fund Source: MCCBL of 2016

Appropriation Code: 179 MCCBL 16 (PCA# 12012)

Resident Business: Yes

Tax Compliance No.: 16-3729-0111

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11. **MARYLAND ENVIRONMENTAL SERVICE**
Greenbrier State Park

Construction Contract: Improvements to Two Potable Water Storage Tanks
MES Project # 1-17-2-07-5

Description: Clean and repaint interior of two pressurized drinking water storage tanks; add new piping and valves; and incorporate OSHA-compliant access hatches to booster pump station.

Procurement: Competitive Sealed Bids

Bids: Minoan, Inc., York, PA \$59,700
K & K Painting, Inc., Baltimore, MD \$85,000

Award: Minoan, Inc.

Amount: \$59,700

Term: 60 calendar days

MBE Participation: 4%

Remarks: The potable water storage tanks are lined with coal tar epoxy, which is no longer allowable by the National Sanitation Foundation because it is a potential carcinogen. The proposed work will remove lining and any interior corrosion and apply an updated lining, which should last approximately 20 years. The tanks will also have OSHA-compliant access hatches installed during this upgrade which will allow them to be inspected more frequently.

Fund Source: MCCBL of 2016 \$59,700

Appropriation Code: 177 MCCBL 2016 (PCA# 12002)

Resident Business: Yes

Tax Compliance No. 16-3513-0111

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Contact: Gary McGuigan (410)223-4150
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12. MARYLAND STADIUM AUTHORITY
Parking Structure at the North Bethesda Conference Center
Bid Package for Project Management and Trade Packages

Contract ID: Design/Build Contract for Montgomery County Garage, CP-001

Recommendation: Award Bid Package for construction services to the design-build contractor for the parking structure at the North Bethesda Conference Center

Contractor: Donley's, LLC
7325 Beaufont Springs Drive, Suite 325
Richmond, VA 23225

Prior Approvals: Secretary's Agenda Item 30 (5/13/15)

Project: The 650-space cast-in-place parking structure at the North Bethesda Conference Center is a Montgomery County project with funding of \$21 million. The County and the Stadium Authority entered into a Memorandum of Agreement in March 2014. Through this memorandum, the Stadium Authority procures and manages the design and construction of the parking structure. The County is fully funding the project.

Bid Package Description: Trade packages and construction project management

Bid Package Amount: \$16,249,993

Pre-Construction Amount: \$ 1,304,296

Revised Amount: \$17,554,289

Term: 11/2016 – 12/2017

MBE Goal: 27.37%
Subgoals: African American 8.96%
Asian American 1.82%

Remarks: Reference is made to Secretary's Agenda Item 30 (5/13/15) in which the Stadium Authority stated: "The Stadium Authority anticipates that the design-build contractor and the Stadium Authority will agree to one bid package that will be presented to the Board of Public Works for approval to award when the package is finalized."

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12. **MARYLAND STADIUM AUTHORITY** *(cont'd)*
Parking Structure at the North Bethesda Conference Center
Bid Package for Project Management and Trade Packages

Remarks: (cont'd)

The contract established a guaranteed maximum price of \$16.25 million to construct the 650-space cast-in-place concrete parking structure. For budgetary reasons, Donley's requested to change from cast-in-place concrete to structural pre-cast concrete during the pre-construction phase. The County and the Stadium Authority agreed to this request in February 2016. This Bid Package reflects the change and comprises the cost to construct the project including site improvements and utilities, concrete, masonry, metals, carpentry, waterproofing, roofing, elevators, fire suppression, plumbing, mechanical and electrical as well as the administrative cost for Donley's to manage project construction.

Donley's advertised 22 construction packages for bids. The project was advertised for trade contractor participation in *eMaryland Marketplace*, The Blue Book, the Stadium Authority's website, Donley's website, Maryland Washington Minority Companies Association website, and directly. An MBE outreach event was conducted at the Conference Center. Attendees were provided with project information and could tour the project site. Competitive bids were received via an electronic mail box. Post-bid scope review meetings were held with selected trade contractors.

Donley's submitted a bid package to the Stadium Authority that was within budget; however, MBE participation was insufficient. To increase MBE participation, Donley's re-bid the project. This effort included:

- Sending three additional email solicitations to MBE contractors
- Conducting a second outreach event at the Conference Center
- Telephoning MBE contractors to invite them to attend the outreach event and to bid.
- Becoming a member of the Maryland Washington Minority Contractors Ass'n (MWMCA)
- Engaging MWMCA president, Wayne Frazier, to assist with advertising and seeking minority participation
- Advertising project on MWMCA website

Bids were again received via an electronic mail box accessible only by representatives from Donley's and the Stadium Authority. Post-bid scope review meetings with selected trade contractors were held.

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12. **MARYLAND STADIUM AUTHORITY** (cont'd)
Parking Structure at the North Bethesda Conference Center
Bid Package for Project Management and Trade Packages

Remarks: (cont'd)

Donley's submitted a revised bid package to the Stadium Authority on October 26, 2016. The amount, again within budget, includes appropriate MBE participation. Based on the information provided, the Stadium Authority concludes that Donley's has demonstrated the good faith effort required to satisfy MBE program goals.

While the change in construction type from cast-in-place concrete to pre-cast concrete benefitted the overall budget, the high value of the structural pre-cast concrete scope (one-third of the total trade cost) together with a limited pool of MBE contractors certified to perform that particular scope of work likely influenced Donley's ability to fully meet the MBE goals. The Stadium Authority also foresees potential for Donley's to increase the final overall MBE participation amount as a result of expending portions of the contingency amount (approximately \$410,000) which is contractually required to remain unallocated to any specific scope of work during the bidding/bid package phase.

Authority: § 10-622, Economic Development Article, Annotated Code of Maryland: "The [Stadium] Authority may design and construct projects for . . . political subdivisions."

Fund Source: Montgomery County

Tax Compliance No.: 16-3701-0110

Resident Business: No

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November 16, 2016



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13. **STATE TREASURER'S OFFICE**
Qualified Zone Academy Bonds

The Treasurer recommends that the Board of Public Works adopt a resolution concerning the sale of State of Maryland General Obligation – Qualified Zone Academy Bonds of 2016.

<i>Amount:</i>	Up to \$4,680,000
<i>Denomination:</i>	As determined by the Treasurer
<i>Maturities:</i>	As determined by the Treasurer, in accordance with Sections 54A and 54E of the Internal Revenue Code, not to exceed 15 years
<i>Tax Credit Rates:</i>	As set daily by the U.S. Treasury
<i>Form:</i>	General Obligation - Qualified Zone Academy Bonds of 2016
<i>Method/Time of Sale:</i>	Private sale on date determined by Treasurer before December 31, 2016
<i>Settlement:</i>	As determined by Treasurer before December 31, 2016
<i>Use of Proceeds:</i>	Renovation, repair, and capital improvements of qualified zone academies (See Chapter 198 Acts of Maryland; Secretary Item 21 [5/21/16])

Remarks: 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. The Treasurer anticipates that a supplemental coupon, paying a relatively small amount of annual interest, may be required to successfully market these QZABs. QZAB proceeds, administered by the Interagency Committee for School Construction through the Aging School Program, are used to fund capital improvements, renovations, and repairs 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.

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
November 16, 2016



13. **STATE TREASURER'S OFFICE** *(cont'd)*
Qualified Zone Academy Bonds

Chapter 198 Acts of the General Assembly of 2016 authorized the Qualified Zone Academy Bonds Loan of 2016 in the amount of \$4,680,000 representing the federal QZAB authorization for Maryland for calendar year 2014. (This sale will issue the full amount of authorized bonds.)

Sections 54A and 54E of the Internal Revenue 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 Internal Revenue 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, the rules require that 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
November 16, 2016



APP 1

Contact: Jane Bailey 410-767-4307
Jane.Bailey@maryland.gov

A1. DEPARTMENT OF GENERAL SERVICES

Saratoga State Office Building

Contract ID: Flood Remediation
ADPICS No.: 001B7400128, PROJECT No.: BB-311-171-003

Contract Type: Maintenance

Description: Flood mitigation services to remove standing water, damaged drywall, and wet carpets and to dry all affected areas in the basement and first floor of 311 Saratoga Street.

Procurement Method: Emergency

Date Emergency Declared: August 17, 2016

Bid: Popowski Brothers Inc. t/a PBI Restoration \$44,140
Hunt Valley

Award: PBI Restoration

Award Date: August 17, 2016

Contract Amount: \$44,140

Term: 30 Calendar days

MBE Participation: 0%

Fund Source: H00.17.77051.01.1498

BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
November 16, 2016



APP 2

A1. DEPARTMENT OF GENERAL SERVICES (cont'd)
Saratoga State Office Building

Remarks:

On August 17, 2016 during a heavy rainfall, Maryland Capital Police observed water flowing into the lobby of 311 Saratoga Street, Baltimore and notified the building manager. The building manager determined the roof drain in an electrical closet on the first floor had dislodged and allowed water to flow freely into the building. Approximately 35,000 square feet on the first floor and basement were affected by several inches of water. This condition presented an immediate danger to the occupants of the building and necessitated closing areas which provide services to citizens. Immediate action was required to allow for the safe reoccupation of the large area affected.

Basis for Selection: PBI was the first company to respond to the request and immediately provided all the equipment and manpower necessary to mitigate the flood danger and allow for the building to be occupied. PBI Restoration has the experience and expertise to complete mitigation of flood issues and provided a reasonable cost to complete the work in comparison to previous emergency flood remediation projects. Only the work necessary to mitigate the emergency was completed. Subsequent repairs will be completed under a separate procurement.

Tax Compliance No.: 16-3135-1111

Resident Business: Yes

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
November 16, 2016



APP 3

Contact: Sandy Johnson (410) 767-7408
sandy.johnson@Maryland.gov

A2. DEPARTMENT OF HUMAN RESOURCES

Social Services Administration

Foster Care Maintenance Payments Program

Contract Title: Emergency Out-of-State Residential Child Care
SSA/OOS-17-009, ADPICS #N00B7400205

Contract Type: Human Services

Contract Description: Out-of-State placement of self-injurious child with severe psychiatric illness.

Procurement Method: Emergency

Date Emergency Declared: September 12, 2016

Award: Bellefaire JCB, Shaker Heights, OH

Amount: \$90,592

Contract Award Date: September 12, 2016

Term: 9/12/16 - 12/31/16 (111 days)

MBE Participation: None

Fund Source: 66% General; 34% Federal (Title IV-E)
Appropriation Code: N00G0001

Remarks:

Nature of Emergency: The youth has a long standing severe psychiatric illness and profound safety concerns involving head-banging, suicide attempts, and hallucinations. Multiple in-State resources have been explored by the local Department of Social Services and exhausted. Before placing a youth with an out-of-State provider, regulations require the local Department of Social Services to exhaust all in-State placement options and to document those efforts. Additional in-State, as well as out-of-State providers that are under contract to DHR were researched; however, none were able to accept the youth.

BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
November 16, 2016



APP 4

A2. DEPARTMENT OF HUMAN RESOURCES (cont'd)
Social Services Administration
Foster Care Maintenance Payments Program

Remarks: (cont'd)

Basis for Selection: Due to the youth's emergent need for removal and placement, the local Department determined that Bellefaire JCB was most appropriate, as it provides residential treatment services for youth with severe mental health needs, as well as services for those with demonstrated self-injurious, risk-taking and aggressive behaviors.

Tax Compliance No: 16-3297-0000

Resident Business: No

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

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

Recommendation: Approval to commit \$45,000 for the following **development** project.

Cresaptown Community Park Walking Track Upgrade - \$45,000
Allegany County, POS #6585-1-291 MD20161003-0847

Background: Upgrade walking trail at Cresaptown Community Park from stone to asphalt to increase user safety, allow for additional use of the track, and reduce annual maintenance.

Fund Source:

Outdoor Recreation Land Loan of 2017, Chapter 27, Acts of 2016
Program Open Space Local Share
Source Code: 17009 Item 009 \$45,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

2A. PROGRAM OPEN SPACE LOCAL SHARE
St. Mary's County

Recommendation: Approval to commit \$143,500 for the following **development** project.

John Baggett Park at Laurel Grove – Ballfield and Parking Area Lighting - \$143,500
St. Mary's County, POS #6588-18-134 MD20161003-0848

Background: Purchase and install lighting system for 90-foot baseball field and parking area at Laurel Grove's John Baggett Park. The proposed outdoor recreational lighting system is designed to perform its intended function, be energy efficient, and minimize light pollution.

Fund Source:

Maryland Consolidated Capital Bond Loan of 2012, Chapter 444, Acts of 2012
Program Open Space – Local, Prior Funds Replacement
Source Code: 12057 Item 057 \$85,718.96

Maryland Consolidated Capital Bond Loan of 2013, Chapter 424, Acts of 2013
Program Open Space – Local, Prior Funds Replacement
Source Code: 13080 Item 080 \$57,781.04

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

3A. PROGRAM OPEN SPACE LOCAL SHARE
Wicomico County

Recommendation: Approval to commit \$40,500 for the following **development** project.

Cedarhurst Park Play Module - \$40,500
Wicomico County, POS #6584-22-230 MD20161003-0850

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

Fund Source:

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015
Program Open Space – Local, FY 2016 Allocation
Source Code: 15162 Item 162 \$40,500

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

4A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$188,032 to the Prince George's Soil Conservation District from Rural Legacy Funds to acquire a 50.78 acre conservation easement.

***Patuxent River Rural Legacy Area
Richardson Property***

Prior Approvals: Patuxent River Rural Legacy Area Grant approved for easement acquisitions: DNR-RP Item 9A (09/3/2014) \$1,080,000 for FY2015

Project Description: Acquisition of this easement protects valuable forest and farm land, and protects water quality through riparian buffers of a perennial stream that flows into Black Swamp Creek, a tributary of the Patuxent River. The easement will be held by the Prince George's Soil Conservation District.

Easement Value: \$298,604 (\$5,880 per acre)
\$178,148 (DNR portion)
\$120,456 (Prince George's County portion)

Total Other Costs: Administrative: \$5,344
Incidental: \$4,539
\$9,883

Amount Requested: \$188,032

Fund Source:

Outdoor Recreation Land Loan – 2014, Chapter 423, Acts of 2013
Rural Legacy Program – Regular Allocation
Source Code: A0510 Item: 010 Amount: \$188,031.76

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

5A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$768,565 to The Lower Shore Land Trust from Rural Legacy Funds to acquire a 292.69 acre conservation easement.

Dividing Creek Rural Legacy Area – Long Property (Somerset County)

Prior Approvals: Dividing Creek Rural Legacy Area Grants for easement acquisitions:
DNR-RP Item 9A (09/03/2014) \$600,000 for FY2015
DNR-RP Item 5A (08/15/2015) \$550,000 for FY2016

Project Description: Acquisition of this easement will protect valuable agricultural and forest lands and protects water quality through riparian buffers on 2,400 linear feet of shoreline along Dividing Creek. The easement will conserve Forest Interior Dwelling Species habitat, including stopover and breeding habitat for migratory songbirds and raptors. The easement will be held by the Department of Natural Resources and the Lower Shore Land Trust.

Easement Value: \$712,407 (\$2,434 per acre)

Total Other Costs: Administrative: \$21,372
Incidental: \$24,100
Compliance: \$10,686
\$ 56,158

Amount Requested: \$768,565

Fund Source:

- Outdoor Recreation Land Loan – 2014, Chapter 423, Acts of 2013
Rural Legacy Program, Source Code: A0510 Item: 010 Amount: \$30,453.33
- Outdoor Recreation Land Loan – 2015, Chapter 462, Acts of 2014
Rural Legacy Program, Source Code: A0510 Item: 010 Amount: \$25,704.88
- Maryland Consolidated Capital Bond Loan – 2014, Chapter 463, Acts of 2014
Rural Legacy Program – Prior Year Replacement Funds, Source Code: 14091
Item: 091 Amount: \$75,486.81
- Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015
Rural Legacy Program – Bond Sale Premiums, Source Code: 15400 Item: 400
Amount: \$636,920.19

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

**Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016**

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

6A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$72,310 to Washington County from Rural Legacy Funds to acquire a 23.71 acre conservation easement.

Mid-Maryland Washington Rural Legacy Area – Matson Property

Prior Approvals: Mid-Maryland Washington Rural Legacy Area grant for easement acquisitions: DNR-RP Item 5A (08/05/2015) \$990,000 for FY2016

Project Description: Acquisition of this easement will protect valuable agricultural and forest lands and provide 650 linear feet of stream buffers along Antietam Creek. In addition, the easement provides viewshed protection along Coffman Farm and Keedysville Roads. The easement will be held by Washington County.

Easement Value: \$69,761 (\$2,942 per acre)

Purchase Price: \$68,100 (2,872 per acre)

Total Other Costs:

Administrative:	\$2,043
Incidental:	\$1,145
Compliance:	<u>\$1,022</u>
	\$ 4,210

Amount Requested: \$72,310

Fund Source:

Outdoor Recreation Land Loan – 2015, Chapter 462, Acts of 2014
Rural Legacy Program – Regular Allocation
Source Code: A0510 Item: 010 Amount: \$4,209.65

Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015
Rural Legacy Program – Bond Sale Premiums
Source Code: 15400 Item: 400 Amount: \$68,100.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

7A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$183,510 to Washington County from Rural Legacy Funds to acquire a 57.97 acre conservation easement.

Mid-Maryland Washington Rural Legacy Area – Maiorana Property

Prior Approvals: Mid-Maryland Washington Rural Legacy Area grant for easement acquisitions: DNR-RP Item 5A (08/05/2015) \$990,000 for FY2016

Project Description: Acquisition of this easement will protect valuable agricultural and forest lands and provide 1,800 linear feet of forested stream buffers along unnamed tributaries to Antietam Creek. The easement will be held by Washington County.

Purchase Price: \$173,910 (3,000 per acre)

Total Other Costs: \$ 9,600

Administrative:	\$5,217
Incidental:	\$1,774
Compliance:	\$2,609

Amount Requested: \$183,510

Fund Source:

Outdoor Recreation Land Loan – 2015, Chapter 462 Acts of 2014
Rural Legacy Program – Regular Allocation
Source Code: A0510 Item: 010 Amount: \$9,599.85

Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015
Rural Legacy Program – Bond Sale Premiums
Source Code: 15400 Item: 400 Amount: \$173,910.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

8A. RURAL LEGACY PROGRAM FUNDS

Recommendation: Approval to grant \$138,832 to Washington County from Rural Legacy Funds to acquire a 44.95 acre conservation easement.

Mid-Maryland Washington Rural Legacy Area – Kefauver-Canfield Property

Prior Approvals: Mid-Maryland Washington Rural Legacy Area grant for easement acquisitions: DNR-RP Item 5A (08/05/2015) \$990,000 for FY2016

Project Description: Acquisition of this easement will protect valuable farm land and completes protection of the entire Kefauver-Canfield property, which has a CREP easement encumbrance on the remaining 70.09 acres. See DNR-RP Item 11A (7/27/2016). The easement will be held by Washington County.

Easement Value: \$153,734 (\$3,420 per acre)

Purchase Price: \$131,850 (2,933 per acre)

Total Other Costs:

Administrative:	\$3,955
Incidental:	\$1,049
Compliance:	<u>\$1,978</u>
	\$ 6,982

Amount Requested: \$138,832

Fund Source:

Outdoor Recreation Land Loan – 2014, Chapter 462, Acts of 2014
Rural Legacy Program – Regular Allocation
Source Code: A0510 Item: 010 Amount: \$6,982.45

Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015
Rural Legacy Program – Bond Sale Premiums
Source Code: 15400 Item: 400 Amount: \$131,850.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
 Department of Natural Resources
 ACTION AGENDA
 November 16, 2016

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

9A. CONSERVATION RESERVE ENHANCEMENT PROGRAM

O. Clayton Smith Property

Recommendation: Approval to grant \$950,107 to Frederick County from Program Open Space Stateside Funds to acquire a 156.3 acre Conservation Reserve Enhancement Program easement.

Background/Prior Approvals: Reference is made to Program Open Space Agenda Item 9A (9/16/2009) in which the Board of Public Works approved the Conservation Reserve Enhancement Program (CREP) easement acquisition program and authorized the use of Program Open Space funds to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program* (April 24, 2009).

Project Description: Acquisition of this CREP easement permanently protects water quality by requiring forested and vegetative stream buffers along 3,053 linear feet of tributaries to Lander Branch. As part of the transaction, the landowner will be donating the remaining 138.47 acres of the farm into easement. The easement will be co-held by Frederick County and the Department of Natural Resources.

Easement Value: \$940,036 (\$6,011 per acre)

Incidental Costs: \$10,071

Total Amount Requested: \$950,107

CREP Targeting: The CREP easement program focuses its efforts on “Target Level 1” and “Target Level 2” counties where the easement practices will have the greatest impact on water quality. Targeting for CREP was a multiagency and conservation partnership organization effort that utilized nine high priority, science based, data sets and areas of special consideration developed from the past 10 years of research and study of water quality and natural resource conditions in the State’s 134 watersheds. Frederick County is a Target Level 1 county.

Supplement A
Department of Natural Resources
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November 16, 2016

9A. **CONSERVATION RESERVE ENHANCEMENT PROGRAM** (cont'd)
O. Clayton Smith Property

Easement Valuation System: DNR uses an easement evaluation system based on:

- (1) whether the property is located within a “Target Level 1” or “Target Level 2” county;
- (2) the width of the buffers; and
- (3) the amount of land in the CREP contract that will be covered by the easement.

The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

Fund Source:

Outdoor Recreation Land Loan – 2016, Chapter 310, Acts of 2015
Program Open Space – Stateside
Source Code: A0510 Item: 010 Amount: \$10,071.20

Maryland Consolidated Capital Bond Loan – 2014, Chapter 463, Acts of 2014
POS Stateside – Prior Year Funds Replacement
Source Code: 14090 Item: 090 Amount: \$940,036.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

10A. PROGRAM OPEN SPACE STATE SHARE

Estate of Charles Albert Jackson, \$148,000
POS #4935

Recommendation: That the Board of Public Works approve the acquisition in fee simple of 6.5 +/- acres in Washington County.

Description: Acquisition of this parcel will provide public access to Beaver Creek for anglers. Located downstream from DNR's Powell Hatchery Fish Management Area, acquisition will secure public access to Beaver Creek for "catch and release" fly fishing. The property will be managed by the Maryland Fisheries Service. The property, located in a Targeted Ecological Area, scored 99 under the Program Open Space Targeting System.

Stabilization funds: Stabilization funds of \$14,800 are requested to raze structures. DNR's plan at the time of acquisition is to dispose of the improvements. See Natural Resources Article, § 5-904(e).

Grantor: Charles E. Jackson, Nancy S. James and Patricia A. Renner, Personal Representatives of the Estate of Charles Albert Jackson

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

Property: 6.5 acres +/-, improved

Price: \$148,000

Appraisals: \$152,000 (3/3/16) – Donald N. Briggs
\$150,000 (3/24/16) – LouAnne Cline

All appraisals reviewed by Dave Wallenberg, Chief Review Appraiser

Fund Source:

Outdoor Recreation Land Loan – 2016
POS Stateside – Additional State Land Acquisition
Chapter 310 Acts of 2015
Source Code: A0510 Item: 010 Amount: \$14,800.00

Maryland Consolidated Capital Bond Loan – 2014
POS Stateside – Prior Year Funds Replacement
Chapter 463 Acts of 2014
Source Code: 14090 Item: 090 Amount: \$148,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
November 16, 2016

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

11A. MARYLAND ENVIRONMENTAL TRUST

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

- 1. *Property:*** 81.73 acres, City of Salisbury, Naylor Mill Road, Salisbury
 Parts of Wicomico County Tax Map 0100, Parcel 0002 and Tax Map 0029,
 Parcel 0398, Legislative Districts 37A and 38B

Grantor: City of Salisbury

Grantee: Maryland Environmental Trust and Lower Shore Land Trust, Inc.

- 2. *Property:*** 156.5 acres, Somerset County, Fairmont Road, Westover
 Somerset County Tax Map 0039, Parcels 0363 and Parcel 0193
 Legislative District 38A

Grantor: Randolph and Barbara Stadler

Grantee: Maryland Environmental Trust and Lower Shore Land Trust, Inc.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department of Budget and Management
ACTION AGENDA
November 16, 2016

*Contact: Sharon Mattia 240-577-7002
smattia@charhall.org*

1-S. MARYLAND DEPARTMENT OF VETERANS AFFAIRS
Charlotte Hall Veterans Home
Services Contract

Contract ID: Management Services for the Charlotte Hall Veterans Home; MDVA-CHVH-15-01; ADPICS # D55B7400004

Contract Description: Provide a broad range of quality long-term health care and assisted living services to the residents of the Charlotte Hall Veterans Home.

Award: HMR of Maryland, LLC (HMR)
Anderson, SC (Local Office in Charlotte Hall, MD)

Term: 1/1/2017 – 12/31/2020 (w/2 two-year renewal options)

Amount: \$170,864,900 (4 Years, Base)
\$ 85,432,450 (2 Years, Renewal Option #1)
\$ 85,432,450 (2 Years, Renewal Option #2)
\$341,729,800 Total (8 Years)

Procurement Method: Competitive Sealed Proposals

Proposals:

Offeror	Technical Ranking	Financial Offer/Ranking	Overall Ranking
HMR of Maryland, LLC <i>Anderson, SC (Local Office in Charlotte Hall, MD)</i>	3	\$341,729,800 (1)	1
Charlotte Hall Nursing, LLC <i>Timonium, MD</i>	2	\$347,831,800 (2)	2
Maryland Health Innovations, LLC <i>Ellicott City, MD</i>	1	\$381,876,072 (3)	3

Note: Technical factors had greater weight than financial factors in the overall award determination.

MBE Participation: 3.59% (See Requesting Agency Remarks)

Performance Security: Performance Bond - \$4,000,000

Incumbent: Same

Supplement B
Department of Budget and Management
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1-S. MARYLAND DEPARTMENT OF VETERANS AFFAIRS (cont'd)

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to 15 prospective vendors, six of which are Maryland firms, and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Four proposals were received in response to the RFP; however, one proposal was determined to be not reasonably susceptible for award and removed from further consideration. HMR of Maryland, LLC (HMR) was ranked overall #1 with the lowest financial offer and lowest ranked technical offer. The #1 ranked technical offer was highest in price (over \$40M or 12%). In an effort to achieve the most advantageous price for the State, three separate BAFOs were issued to encourage the offerors to submit a lower price. Even though technical factors were given greater weight than financial factors in the overall award determination, the technical differences between the three offerors were not substantial enough to recommend award to either of the higher priced offerors that were ranked #1 and #2 technically. Therefore; award is recommended to HMR as having the most advantageous offer for the State.

The financial proposals were based upon a model contained in the RFP to allow for proper comparisons among offerors that included fixed prices.

DVA's Charlotte Hall Veterans Home (Home) was established for the purpose of operating and managing a home for veterans of the State of Maryland. The Home is located at Charlotte Hall, St. Mary's County, Maryland and is now licensed for 168 assisted living beds and 286 comprehensive care (nursing home) beds for a total of 454 beds. The Home is open to honorably discharged Maryland veterans, and their non-veteran spouses, who have served in the armed forces of the United States, and are of retirement age or are unable to work due to a disability recognized by the Veterans Administration or the Social Security Administration.

This contract will provide for the operation and management of the Home. Services will be provided in seven functional areas: (1) administration/management/human resources; (2) nursing/resident care; (3) dietary services, housekeeping, and laundry; (4) facility maintenance, plant operations, safety and security; (5) social and behavioral health services; (6) transportation, fleet services, appointments & scheduling; and (7) ancillary and additional contracted services. This contract also provides enhanced services and additional staffing to ensure the well-being of our Maryland veterans.

On September 13, 2016, Charlotte Hall Nursing, LLC filed a protest against the award to HMR, the incumbent. A second protest was filed by Charlotte Hall Nursing, LLC on September 14, 2016. Maryland Department of Veterans Affairs denied both protests on October 25, 2016. On November 2, 2016, Charlotte Hall Nursing, LLC filed an appeal with the Maryland State Board of Contract Appeals.

Supplement B
Department of Budget and Management
ACTION AGENDA
November 16, 2016

*Contact: Crystal Stewart 410-260-6406
 crystal.stewart@maryland.gov*

2-S. MARYLAND STATE ARCHIVES
Services Contract

Contract ID: Optical Scanning Services; MSA-17-01; ADPICS # D60B7400001

Contract Description: Provide paper scanning services of targeted permanent record material for the Maryland State Archives.

Award: iScan/Humanium, Inc.
 Baltimore, MD

Term: 12/1/2016 - 6/30/2018

Amount: \$350,000 (1½ Years)

Procurement Method: Preferred Provider

Bids/Proposals: N/A

MBE Participation: 0%

Performance Security: None

Incumbent: Same

Requesting Agency Remarks: The Maryland State Archives (MSA) is the ultimate repository for Maryland's permanent record material. As part of ongoing special fund initiatives, MSA is scanning and placing online targeted record series. Some imaging is performed under the Maryland Rehabilitation and Employment Program coordinated by Maryland Works, Inc. This contract will allow MSA to utilize the Preferred Provider Program (community service providers) to obtain scanning services as needed and as funds become available.

Scanning high demand record series serves a very important preservation purpose by removing from often destructive office environments records of permanent value and placing them in a secure archival environment. It also has the added benefit of making public records more accessible to the using agency and to the public in general. Often, these record series are used by multiple agencies at different locations. Scanning the records saves the State and the business community considerable money by allowing research to take place locally.

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2-S. MARYLAND STATE ARCHIVES (cont'd)

This contract will be used to support an ongoing cooperative digitization project by MSA, the Comptroller's Office, and the Registers of Wills to scan all pre-1940 probate records in the custody of the MSA. This contract also will support digitization of Health and Mental Hygiene's Division of Vital Records Death Certificates, Fetal Deaths, Marriage Certificates, Affidavits of Parentage, and Foreign Adoptions. This work is to be done under a Memorandum of Understanding recently entered into by MSA and the Division of Vital Records.

MSA has used iScan to convert/scan paper records into an electronic format since 2004. MSA envisions utilizing the Preferred Provider Program well into the future to scan permanent records/materials presently housed at State agencies or already transferred to MSA. Many agencies are now realizing the benefits and cost savings of converting paper records to electronic format.

In accordance with COMAR 21.11.05.04, on September 30, 2016, the Pricing and Selection Committee for the Employment Works Program certified the prices for this contract as fair market value at \$350,000 for providing paper scanning services.

Fund Source: 100% Special (MSA's Consolidated Publications Account)

Appropriation Code: D60A1001

Resident Business: Yes

MD Tax Clearance: 16-3598-0110

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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Department of Budget and Management
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Contact: Jamie Tomaszewski 410.260.7386
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3-S. DEPARTMENT OF BUDGET AND MANAGEMENT
Division of Procurement Policy & Administration
Services Contract

Contract ID: Small Package Delivery and Express Services; ADPICS # 050B7400005

Contract Description: Statewide contract to provide non-exclusive small package delivery services at a discounted rate.

Award: FedEx Corporate Services, Inc.
 Memphis, TN (local offices throughout Maryland)

Term: 11/28/2016 - 11/27/2021

Amount: \$3,500,000 NTE (5 Years)

Procurement Method: Intergovernmental Cooperative Purchasing Agreement

Bids/Proposals: N/A

MBE Participation: None (Single Element of Work)

Incumbent: Same

Requesting Agency Remarks: Request for approval of the State's participation in an Intergovernmental Cooperative Purchasing Agreement competitively procured by the State of Utah as part of the National Association of State Procurement Officers (NASPO) ValuePoint program. The NASPO ValuePoint (formerly NASPO-Western States Contracting Alliance) master contract for small package delivery services has four separate awards to four contractors, one of which is FedEx Corporate Services, Inc. (FedEx).

The Department of Budget and Management seeks to participate in the master contract with FedEx as a non-exclusive contractor. The contract would afford all State agencies, Maryland local governments, and Maryland non-profit entities access to receive discounted shipping rates on FedEx services. Previously, State agencies using FedEx shipping services procured these services individually as needed. The master contract offers discounted pricing projected to decrease annual Statewide spending on FedEx services by half, according to current usage estimates. Depending upon the zones sent to and from, the discounts can be upwards of 50% savings over the list prices.

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3-S. DEPARTMENT OF BUDGET AND MANAGEMENT (cont'd)

This NASPO ValuePoint contract is the result of a formal, competitive solicitation conducted by the State of Utah as the lead state for the NASPO ValuePoint Cooperative Purchasing Organization in accordance with Utah's procurement statutes, regulations, and policies.

<i>Fund Sources:</i>	Various
<i>Appropriation Codes:</i>	Various
<i>Resident Business:</i>	Yes
<i>MD Tax Clearance:</i>	16-3594-1111

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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November 16, 2016

*Contact: Stacey E. Little 410-767-6717
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4-S. DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Prevention and Health Promotion Administration
Maternal and Child Health Bureau
Services Contract

Contract ID: Reproductive Health Conference Training and Technical Assistance; DHMH/OPASS 17-17165; ADPICS # M00B7400389

Contract Description: Provide five medically accurate, culturally competent training sessions on new contraceptive technologies and up-to-date sexual and reproductive health research.

Award: Access Matters, Inc.
Philadelphia, PA

Term: 12/1/2016 - 9/30/2017 (w/2 one-year renewal options)

Amount: \$ 64,998 (10 Months, Base)
\$ 64,998 (1 Year, Renewal Option #1)
\$ 64,998 (1 Year, Renewal Option #2)
\$194,994 Total (Approx. 3 Years)

Procurement Method: Multi-Step Competitive Sealed Bidding

Bids: 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 Multi-Step Invitation for Bids (MS-IFB) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to seven prospective vendors, none of which are Maryland firms, and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Only one bid was received in response to this solicitation. The recommended contractor is responsible, and its bid meets the technical requirements set forth in the MS-IFB. It was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation. Moreover, the price has been deemed fair and reasonable based upon historical pricing, since there are no comparable training services on the open market. The bid price is \$2.00 less per year than the price for these services under the previous sole source contract from 2013.

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

Access Matters, Inc. was formerly a Centers for Disease Control and Prevention (CDC) designated national training center sub-site, so the previous contracts were obtained through a sole source procurement. The CDC no longer provides the designation to any national or local providers. Therefore, DHMH made the determination to obtain these services through a competitive procurement. The MS-IFB had no minimum qualifications to ensure substantial competition for the training services. However, no other bids were received, and no potential bidders responded with reasons as to why they did not bid to the solicitation.

The contract will provide medically accurate culturally competent training related to:

- (1) New contraceptive technologies;
- (2) Sexual and reproductive health research;
- (3) Maximizing billing;
- (4) Electronic health records; and,
- (5) Clinical management.

The training will be through local, regional, and Statewide conferences, meetings and webinars. Four trainings are to be in-person or webinar trainings per the approval and discretion of the Office of Family and Community Health Services. The fifth training must be full-day training for up to 300 participants at a location that provides free parking and accommodations for disabled and nondisabled participants.

No MBE or VSBE participation goals were established for this contract based upon the determination that there were no available subcontracting opportunities.

Fund Source: 100% Federal
Appropriation Code: M00F0304
Resident Business: No
MD Tax Clearance: 16-2890-0000

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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*Contact: Dorothy M. Richburg 410-554-9285
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5-S. MARYLAND STATE DEPARTMENT OF EDUCATION
Division of Rehabilitation Services (DORS)
Maryland Business Enterprise Program for the Blind (MD BEP)
Services Contract

Contract ID: Maryland Interstate Welcome Centers and Rest Stops Vending Services;
ADPICS # R00B7400048

Contract Description: Provide full service automatic vending machines to vend a variety of products such as snacks and beverages, including healthy food selections at Rest Stops and Welcome Centers for the Maryland Business Enterprise Program for the Blind (MD BEP).

Award: Service 1st Vending
Baltimore, MD

Term: 2/1/2017 – 1/31/2020 (w/2 one-year renewal options)

Amount:

<u>Estimated Sales:</u>	<u>Estimated Payments (Commission) to State:</u>
\$2,760,000 (Base, 3 Years)	\$1,407,000 (Base, 3 Years)
\$ 920,000 (Renewal Option 1, 1 Year)	\$ 469,200 (Renewal Option 1, 1 Year)
\$ 920,000 (Renewal Option 2, 1 Year)	\$ 469,200 (Renewal Option 2, 1 Year)
\$4,600,000 Total (5 Years)	\$2,346,000 Total (5 Years)
	<i>(Based upon the 51% Commission Rate)</i>

Procurement Method: Competitive Sealed Bidding

Bids: See page 12B

MBE Participation: 10% (See Requesting Agency Remarks)

Performance Security: None

Incumbent: Compass Group USA/Canteen
Suitland, MD

Requesting Agency Remarks: A notice of the availability of the Invitation for Bids (IFB) was published on *eMaryland Marketplace*. Copies of the solicitation notice were emailed directly to 14 prospective vendors, 13 of which are Maryland firms, and included eight MBEs.

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5-S. MARYLAND STATE DEPARTMENT OF EDUCATION (cont'd)

Six bids were received in response to the IFB. The responsive bid with the highest priced commission rate was received from Service 1st Vending, who was determined to be a responsible bidder. Therefore, award is recommended to Service 1st Vending.

The Division of Rehabilitation Services, Maryland Business Enterprise Program (MD BEP) administers the blind vending program with the active participation of the Committee of Blind Vendors under the Randolph Sheppard Act, 20 U.S.C. §107, 34 C.F.R. §395, 23 U.S.C. §111, State Finance and Procurement Art. §14-109, and COMAR 13A.11.04.

The MD BEP vending program provides training and self-employment business opportunities to legally blind individuals who operate a variety of businesses including snack bars, cafeterias, coffee shops, convenience stores and micro markets located on federal and State properties. There are 70 Randolph-Sheppard businesses operated by blind Maryland entrepreneurs located on federal and State properties throughout Maryland. In addition to these businesses, the MD BEP contracts for automatic vending machines services on State properties, including the Welcome Centers and Highway Rest Stops.

This is a revenue generating contract that will provide automated vending machine services at all Welcome Centers and Highway Rest Areas throughout the State. The contractor will install, maintain, and operate vending machines that are not more than two years old and of the highest quality standards set by the industry. The contractor is also required to complete various reports detailing machine activity, and providing prompt customer service to resolve problems.

The rest areas included in this contract are:

- 1-95 North & South
- I-70 East & West
- 1-68 Sideling Hill East & West
- I-68 Friendsville
- US-15 Emmittsburg
- US-301 Bay Country
- US-13 Pocomoke
- US-301 Crain Highway

The payments made to MD BEP will constitute a percentage of gross sales of all products sold as a result of vending machine operations.

A 10% MBE participation goal was established for this contract based on the available subcontracting opportunities and the number of available subcontractors for these services. No VSBE participation goal was established for this contract based upon the limited amount of veteran businesses that provide vending machine services.

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5-S. MARYLAND STATE DEPARTMENT OF EDUCATION (cont'd)

Fund Source: 100% Special (Revenue Generating)

Appropriation Code: R00A0120

Resident Business: Yes

MD Tax Clearance: 16-3238-1111

Bids (cont'd):

Bidders	Commission to be Paid to MD BEP
Service 1 st Vending <i>Baltimore, MD</i>	51%
Canteen Vending <i>Hanover, MD</i>	44.3%
Gilly Vending, Inc. <i>Miami, FL</i>	43.2%
Royalle Dining Services <i>Dunkirk, MD</i>	43.1%
Jel-Cap Vending <i>Baltimore, MD</i>	38.5%
Black Tie Services <i>Baltimore, MD</i>	35.4%

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department of Budget and Management
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November 16, 2016

*Contact: La Juan Lee 410-767-3090
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6-S. MARYLAND HIGHER EDUCATION COMMISSION
Office of Grant Management
Services Contract

Contract ID: College Access Marketing Campaign; ADPICS # R62B6400002

Contract Description: Develop a multi-faceted Statewide integrated marketing campaign utilizing traditional media, other communication tools and ancillary materials to increase awareness of MHEC's core message: to increase awareness about college access, enrollment, and completion among the target population of low-income high school students, veterans, disabled students, adult learners, and Near-Completers.

Award: Pinnacle Communications Resource Company, LLC
Baltimore, MD

Term: 12/1/2016 (or earlier upon BPW approval) - 3/31/2017

Amount: \$352,750 (Approx. 4 Months)

Procurement Method: Competitive Sealed Proposals

Proposals:

Offerors	Technical Ranking	Financial Offer/Ranking	Overall Ranking
Pinnacle Communication <i>Baltimore, MD</i>	1	\$352,750 (2)	1
Renegade Communication <i>Hunt Valley, MD</i>	2	\$350,000 (1)	2
Weber Schandwick <i>Baltimore, MD</i>	3	\$375,000 (3)	3

Note: Technical factors had greater weight than financial factors in the overall ranking determination.

MBE Participation: 100% (Awardee is a Maryland Certified MBE)
17.5% Subcontracting Goal

Performance Security: None

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*Contact: John Maneval 301-429-7714
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7-S. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Division of Development Finance Housing and Building Energy Programs
Services Contract

Contract ID: Customer Investment Fund Multifamily Housing Energy Efficiency Retrofit: Project Management, Energy Efficiency Auditing and Quality Control, and Training Services; ADPICS #S00B7400013.

Contract Description: Five contracts to provide services to building owners in three categories to implement retrofit projects for energy conservation within existing, income-eligible, multifamily housing, primarily in master metered properties.

Awards: See page 19B

Term: 12/1/2016 (or earlier upon BPW approval) – 6/30/2017

Amount: \$2,600,000 NTE (7 Months)

Procurement Method: Competitive Sealed Proposals

Proposals: See page 17B

MBE Participation:

Category 1 – Project Management:	20%
Category 2 – Energy Efficiency Auditing:	0%
Category 3 – Training:	10%

Incumbent: None

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to 135 prospective vendors, 13 of which are Maryland firms, and included eight MBEs. A copy was also sent to the Governor’s Office of Minority Affairs.

This pilot program is funded by the Customer Investment Fund under the terms of the Baltimore Gas & Electric Constellation Energy and Exelon Merger, as ordered by the Maryland Public Service Commission, for eligible multifamily housing buildings in the Baltimore Gas & Electric utility service territory. It will offer project management services, energy efficiency auditing and quality control, and training services. The project management contractor will be the primary contact for the building owner and will coordinate services provided by other contractors for a project, including the installation of energy conservation measures and renewable energy measures, which will be funded primarily through one or more grants to the building owner. The installation of these measures is not included under this contract.

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

Three Categories of Service were established for this Contract: Category 1 – Project Management; Category 2 – Energy Efficiency Auditing; and Category 3 – Training.

The Program is intended to:

- Provide a single point of contact for a Building Owner to implement a multifamily housing energy efficiency building retrofit;
- Achieve a high level of energy savings through a coordinated effort by the Project Management Contractor, Energy Efficiency Audit and Quality Control Contractor, and the ECM Installer for each project awarded funding;
- Increase the knowledge base of the energy efficient participants through real time workforce development training in actual jobsite conditions, and;
- Provide Building Owner, operator training to maximize the energy savings potential of each project.

An estimated ten projects will be selected to receive consolidated energy retrofit service funding. Projects are anticipated to include low, mid, high rise, garden style, and scattered site buildings containing no more than five buildings and 300 units. Contractors will be required to accept job assignment(s) according to the Department's needs.

Seven offerors submitted 12 proposals in response to the RFP. Two offerors submitted three proposals that were determined not to be reasonably susceptible of being selected for award because their technical proposals either did not meet the minimum qualifications specified in the RFP or did not include completed VSBE forms as required by COMAR. Five offerors submitted nine proposals that were determined to be reasonably susceptible of being selected for award, three for each Category: 1; 2; and 3. As per the RFP, technical and financial factors had equal weight in the overall ranking determination.

The RFP allowed for up to three awards for Service Category 1; four for Service Category 2; and two for Service Category 3. Therefore, seven proposals are being recommended for award based upon the allowable award amounts stated in the RFP. Rankings by Category are listed below.

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

Service Category 1: Project Manager

Offerors	Technical Ranking	Financial Proposal/Ranking	Overall Ranking
New Ecology, Inc. Baltimore, MD	1	\$524,200 (1)	1
Equity Development & Growth Enterprises, Corp dba Edge Energy Beltsville, MD	3	\$989,000 (2)	2
Elysian Energy, LLC Laurel, MD	2	\$1,003,173 (3)	3

Service Category 2: Energy Auditor and Quality Control

Offerors	Technical Ranking	Financial Proposal/Ranking	Overall Ranking
Equity Development & Growth Enterprises, Corp dba Edge Energy Beltsville, MD	2	\$260,000 (2)	1
Lilker EMO Falls Church, VA	3	\$259,000 (1)	2
New Ecology, Inc. Baltimore, MD	1	\$996,100 (3)	3

Service Category 3: Training

Offerors	Technical Ranking	Financial Proposal/Ranking	Overall Ranking
Civic Works, Inc. Baltimore, MD	1	\$69,500 (2)	1
New Ecology, Inc. Baltimore, MD	3	\$65,640 (1)	2
Elysian Energy, LLC Laurel, MD	2	\$76,800 (3)	3

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

The *Award Amount* is based upon the DHCD budget for the Customer Investment Fund Multifamily Housing Energy Efficiency Retrofit projects. The *Financial Proposals* were based upon a model in the RFP to obtain fixed unit prices for completing the entire project for the particular Service Category.

The MBE participation goals established by Service Category were based upon the limited subcontracting opportunities available in each category. In addition, a 1% VSBE participation goal was established for Service Categories 1 and 3. The recommended awardees are meeting or exceeding the established goals.

Fund Source: 100% Special (Utility Fund Multifamily Customer Investment Fund)

Appropriation Code: S00A2504

Resident Businesses: See page 19B

MD Tax Clearances: See page 19B

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

Awardees/ADPICS #/MBE & VSBE Participation/Tax Clearances	Service Categories
1. Civic Works, Inc. Baltimore, MD ADPICS: S00B7400012 MBE Participation: 10% for Category 3 VSBE Participation: 1% for Category 3 Tax Clearance: 16-2580-0110	3
2. Equity Development & Growth Enterprises d/b/a EDGE Energy Beltsville, MD ADPICS: S00B7400012 MBE Participation: 30% for Category 1; 0% for Category 2 VSBE Participation: 2% for Category 1; 0% for Category 2 Tax Clearance: 16-2581-0111	1 & 2
3. Elysian Energy, LLC Laurel, MD ADPICS: S00B7400012 MBE Participation: 20% for Category 1 VSBE Participation: 1% for Category 1 Tax Clearance: 16-2582-0110	1
4. Lilker EMO Energy Solutions Falls Church, VA ADPICS: S00B7400012 MBE Participation: 0% for Category 2 VSBE Participation: 0% for Category 2 Tax Clearance: 16-2583-0110	2
5. New Ecology, Inc. Burtonsville, MD ADPICS: S00B7400012 MBE Participation: 55% for Category 1; 0 % for Category 2; 10% for Category 3 VSBE Participation: 1.7% for Category 1; 0% for Category 2; 3.8% for Category 3 Tax Clearance: 16-2809-0110	1, 2, & 3

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*Contact: Debbie Thornton 410-230-3322
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8-S. DEPARTMENT OF JUVENILE SERVICES
Contractual Residential Operations
Services Contract

Contract ID: Per Diem Residential Care and Services; 17-PD-043; ADPICS # V00B7400079

Contract Description: Provide per diem Residential Treatment Foster Care services for Maryland youth in referred by DJS who are before the Juvenile Courts of the State of Maryland.

Award: Children’s Choice of Maryland, Inc.
 Bellmawr, NJ (local facilities throughout Maryland)

Term: 12/1/2016 – 6/30/2019

Amount: \$1,284,654 (3 Years)

Procurement Method: Non-Competitive Negotiated Procurement of Human, Social, Cultural or Educational Services

Bids/Proposals: N/A

MBE Participation: 5% (See Requesting Agency Remarks)

Performance Security: None

Incumbent: None

Requesting Agency Remarks: DJS is seeking approval of a contract with Children’s Choice of Maryland, Inc. (Children’s Choice) based upon the services and capacity it possesses to meet important DJS population needs for youth who are without the specialized services for Treatment Foster Care on the Eastern Shore. Children’s Choice has locations in every county on the Eastern Shore except for Talbot County. And beyond the Eastern Shore, Children’s Choice also has a Statewide network that could assist DJS in placing some difficult cases as the need arises. This Treatment Foster Care program serves youth with sexual behavior problems and LGBTQ youth. Provisions for short-term emergency placement (shelter) are also a possibility.

DJS determines the “not-to-exceed” amounts of each contract based upon an estimated number of youth that may require these services annually. Contractors are paid only for the youth placed in the program for the actual number of days they receive services. Daily or Per Diem rates are paid in accordance with the Interagency Rates Committee.

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8-S. DEPARTMENT OF JUVENILE SERVICES (cont'd)

These services were procured through Non-Competitive Negotiated Procurement of Human, Social or Educational Services. (See State Finance and Procurement Article 13-106 and COMAR 21.14.01.03 G). This procurement method was used based upon the following reasons:

- DJS’s Secretary and Procurement Officer have determined that two or more sources for the service are available but that because of the absence of effective competition, it is unreasonable to expect those sources to respond to an Invitation for Bids under COMAR 21.05.02 or Request for Proposals under COMAR 21.05.03;
- For these services, the recommended contractors have submitted an acceptable response to a Request for a General Expression of Interest that was last advertised through public notification on *eMaryland Marketplace* on January 29, 2016;
- Under this procurement method, contractors that respond to the Request for a General Expression of Interest may be awarded contracts as the need arises, as determined by the Agency head. As stated above, the DJS Secretary has now made this determination; and,
- The Maryland Office of Children is the single point of entry for these services under approved negotiated rates for youth of the various State Agencies.

A 5% MBE participation goal was established for this contract based upon the projected beds available in the contract.

Fund Source: 93% General; 4% Federal;
3% Special (Local Education Agencies)

Appropriation Code: Various

Resident Business: No

MD Tax Clearance: 16-2792-0110

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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Contact: Rodney Spence 410-468-2379
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9-S-OPT. MARYLAND INSURANCE ADMINISTRATION
Producer Licensing Unit
Services Contract Renewal Option

Contract ID: Continuing Education (CE) & CE Reporting; ADPICS # D80B7400007

Contract Approved: DBM Item 1-S (12/17/2014)

Contractor: Prometric Inc.
 Bloomington, MN (Local office Baltimore, MD)

Contract Description: Assist the Maryland Insurance Administration (MIA) with continuing education course review and auditing, as well as the banking and reporting of continuing education credits for individuals who hold insurance producer licenses or Small Business Health Options Program (SHOP) navigator licenses/permits.

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

Original Contract Term: 1/2/2015 - 1/1/2017 (w/3 one-year renewal options)

Option Term: 1/2/2017 - 1/1/2018

Original Contract Amount: \$850,400 (2 Years)

Option Amount: \$462,200 (1 Year)

Prior Modifications/Options: None

Revised Total Contract Amount: \$1,312,600

Original Procurement Method: Competitive Sealed Proposals

MBE Participation: 13%

MBE Compliance: 17%

Requesting Agency Remarks: Request for approval to exercise the first of three one-year renewal options contained in the original contract to provide Continuing Education (CE) course review and reporting. The MIA issues licenses to individuals and firms to act as insurance producers. The resident individual insurance producer (licensee) must complete 24 CE credit hours every two years in order to renew the license, as required by Section 10-116 of the Insurance Article, Annotated Code of Maryland.

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*Contact: Valerie Roddy 410-767-5652
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10-S-OPT. DEPARTMENT OF HEALTH AND MENTAL HYGIENE
Developmental Disabilities Administration
Services Contract Renewal Option

Contract ID: DDA Rate Setting; DHMH OPASS-15-14207; ADPICS # ~~COG97732~~ **MOOB7400384**

Contract Approved: DBM Item 3-S (7/16/2015)

Contractor: Johnston, Villegas-Grubbs & Associates, LLC
Taos, NM

Contract Description: Develop a rate setting process to review all services including residential, community supported living/personal supports, personal care, individual and family supports services, day, supportive employment, one time only and supplemental services.

Option Description Exercise the first one-year renewal option.

Original Contract Term: 8/1/2015 – 7/31/2016 (w/2 one-year renewal options)

Option Term: 2/1/2017 – 1/31/2018

Original Contract Amount: \$435,617 (18 Months) (See Mod #1)

Option Amount: \$232,800 (12 Months)

Prior Modifications/Options: \$0 (Mod #1: Correction to end the contract base term after 18 months: 8/1/2016 – 1/31/2017: Approved by DHMH)

Revised Total Contract Amount: \$668,417

Original Procurement Method: Competitive Sealed Proposals

MBE Participation: None

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10-S-OPT. DEPARTMENT OF HEALTH AND MENTAL HYGIENE (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 provide implementation support and all activities in the original contract term. In addition, the contractor will:

- Update services rates as necessary based on cost changes, funding availability, and provider submitted information from cost reports and wage surveys;
- Conduct analysis to determine bridge funding requirements;
- Develop updates for rate publications in regulation;
- Provide ongoing support to align rates with ratings associated with the Department’s selected assessment scale; and,
- Provide ongoing training to DDA providers on rate setting and its impact to individual funding.

The rate setting study is being done in accordance with the requirements set forth in Chapter 648 of the Acts of 2014. This legislation enables the repeal of the current State law that establishes a prospective payment system for the distribution of State funds to providers of community-based services. In order to replace the prospective payment system, the legislation requires that the DDA conduct an independent cost-driven rate setting study, develop and implement a plan incorporating the findings of the study, develop a strategy for assessing the needs of individuals receiving services, provide adequate working capital payments to providers, develop a sound fiscal billing and payment system, establish a payment schedule and consult with stakeholders, including providers and individuals receiving services. This contract aligns with the requirements associated with the legislative authorization to repeal the current prospective payment system.

Fund Source: 57.5% General; 42.5% Federal (Medicaid Reimbursable)

Appropriation Code: M00M0101

Resident Business: No

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department of Budget and Management
ACTION AGENDA
November 16, 2016

*Contact: Terri Wilson 410-537-4155
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11-S-MOD. MARYLAND DEPARTMENT OF THE ENVIRONMENT
Engineering and Capital Projects Program
Services Contract

Contract ID: Construction Monitoring Contract; ADPICS # U00B7400002

Contract Approved: DBM Item 2-S-MOD (10/5/2016)

Contractor: Straughan Environmental, Inc.
 Columbia, MD

Contract Description: Provide Statewide professional services for monitoring construction activities associated with projects funded by the Maryland Department of the Environment (MDE) to include: estimating contractor's completed work in place; reviewing daily logs and schedules of values; and other evaluations to determine the progress of a project to release payments to a contractor.

Modification Description: Add the Western Region to the existing contract for the Central, Eastern, and Southern Regions.

Original Contract Term: 10/20/2016 (or earlier upon BPW approval) – 10/31/2021

Modification Term: 12/1/2016 (or earlier upon BPW approval) – 10/31/2021

Original Contract Amount \$3,000,000 NTE (Approx. 5 Years)

Modification Amount: \$0

Prior Modifications/Options: None

Revised Total Contract Amount: \$3,000,000 NTE

Overall Percent +/- (This Mod): 0%

Procurement Method: Competitive Sealed Bidding

MBE Participation: 95% (Awardee is a MD Certified MBE)
 (25% Subcontracting Goal & 5% VSBE Goal)

MBE Compliance: N/A

Performance Security: None

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11-S-MOD. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)

Requesting Agency Remarks: Request for approval to modify the contract to include Maryland's Western Region to provide professional services for monitoring construction activities associated with projects funded by MDE.

For effective and efficient implementation, MDE divided the State into four Construction Monitoring Regions (Regions) as follows:

1. Central Region: Baltimore City, Anne Arundel, Baltimore, Carroll, Cecil, Harford, Howard and Montgomery Counties;
2. Eastern Region: Caroline, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester Counties;
3. Southern Region: Calvert, Charles, Prince George's and St. Mary's Counties; and
4. Western Region: Allegany, Frederick, Garrett and Washington Counties.

At the time of the BPW approval for the Central, Eastern, and Southern Regions, the contract award for the Western Region was still under review. In order to move forward with the contract for the other three regions, the Western Region was removed from the original agenda item. The apparent low bid for the Western Region was determined to be nonresponsive; therefore, the bid was rejected. Straughan Environmental, Inc. (Straughan) submitted the lowest responsive bid for the Western Region and is recommended for award in this fourth region. See the bid list below for the Western Region.

BIDDERS	BIDS
Straughan Environmental, Inc. <i>Columbia, MD</i>	\$1,485
Chesapeake Environmental Management, Inc. <i>Belair, MD</i>	\$1,584
Gannett Fleming, Inc. <i>Baltimore, MD</i>	\$2,125
Brewington Management Co. <i>Upper Marlboro, MD</i>	\$2,731
Pennoni Associates, Inc. <i>Columbia, MD</i>	\$2,748

Since Straughan was awarded a contract for three regions and is now being recommended for award in the fourth region, this modification is in the best interest of the State to ensure Statewide coverage for monitoring construction activities associated with projects funded by MDE.

Supplement B
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11-S-MOD. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)

MDE provides financial assistance in the form of grant and loans to local governments and other grant/loan recipients for the construction of drinking water, wastewater and nonpoint source projects. MDE is required to monitor funded projects in order to release loan and grant payments. This procedure necessitates out-sourcing professional services to enable MDE to meet the additional workloads due to increased State Revolving Loan Funds and other State and federal funding. Increased State and federal funding not only increased the number of active projects currently under construction, but the State Revolving Loan Fund also expanded MDE's overall funding capacity in the future years due to the revolving nature of the Fund.

Fund Source: 100% Special (60% Water Quality Revolving Loan Fund; 20% Bay Restoration Fund; 20% Drinking Water Revolving Loan Fund)

Appropriation Code: U00A10.01

Resident Business: Yes

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
November 16, 2016

Contact: Jonathan Martin 410-260-7280
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12-GM. DEPARTMENT OF BUDGET AND MANAGEMENT
Office of Budget Analysis (OBA)
General Miscellaneous

Request Amount: \$3,212,326 FY2017 Total (see page 30B)

Description: Request to approve proposed reimbursable fund budget amendments for the month of October FY2017. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that the proposed reimbursable fund budget amendments be approved by the Board of Public Works unless specifically authorized by the Budget Bill or other law.

Fund Source: 100% Reimbursement

Appropriation Code: See page 30B

Requesting Agency Remarks: The contributing Departments have appropriated funds to pay for services to be provided by the receiving Departments for October FY2017. The following page shows the reimbursable fund amendments and identifies the Departments receiving and contributing funding, the amount of the funding and a brief justification for the amendment.

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department of Budget and Management
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12-GM. DEPARTMENT OF BUDGET AND MANAGEMENT (cont'd)

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	Justification
17R-013	D10A01.01 Office of the Governor	R30B22.00 University of Maryland, College Park	\$14,600	Funding is for the purpose of providing support for the expense of the DC Office space located at the Hall of States. The Office of the Governor and the University of Maryland, College Park have entered into a MOU to share in this expense.
17R-015	D10A01.01 Office of the Governor	J00A01.01 Maryland Department of Transportation	\$12,000	Funding is for the purpose of providing support for the expense of the DC Office space located at the Hall of States. The Office of the Governor and the Maryland Department of Transportation have entered into a MOU to share in this expense.

Supplement B
Department of Budget and Management
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12-GM. DEPARTMENT OF BUDGET AND MANAGEMENT (cont'd)

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	Justification
010-17	F50 Department of Information Technology	J02 State Highway Administration	\$3,156,588	Funding is for the purpose of providing project management for the procurement and construction of communication towers and related facilities.
013-17	C00A00.06 Judiciary	D15A05.16 Governor's Office of Crime Control & Prevention	\$29,138	Funding is for the purpose of providing support for the Violence Against Women Grant Program.
FY2017 October Proposed Reimbursable Amendment Total			\$3,212,326	

Supplement C
University System of Maryland
ACTION AGENDA
November 16, 2016



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

**1-C-BP. UNIVERSITY OF MARYLAND, BALTIMORE for
UNIVERSITY OF BALTIMORE
Langsdale Library Renovation
Construction Management at Risk - Bid Package 2 of 3**

Contract ID: Langsdale Library Renovation at University of Baltimore, RFP #14-323 BS

Recommendation: Award construction Bid Package 2 of 3 which includes building envelope commissioning, HVAC commissioning, polished concrete, masonry, miscellaneous metals, millwork, waterproofing, roofing, metal wall panels, doors, demountable partitions, storefronts, flooring, painting, toilet and accessories, appliances, library shelving, shades, walk-off mats, elevator, lift, fire suppression, telecom, security, fence and gates, exterior landscaping, interior landscaping, CM allowances, bonds and insurance.

Contractor: Plano-Coudon LLC, Baltimore

Original Approval: USM 4-C (7/23/14)

Project: Create a modern library facility for the University of Baltimore to house its collections, new technologies, and expanded services in a context of increased electronic resources and demand for flexible, inviting, and productive study spaces. This is primarily an interior renovation of the 58,218 GSF/36,971 NASF four-floor library, built in 1965 and located at 1420 Maryland Avenue, Baltimore City. The upgrade will address library space deficiencies, remedy code-related and other system deficiencies, and bring this critically-important University resource up to current library standards. Envelope upgrades will improve the building's thermal/energy performance while also achieving an aesthetic more reflective of the progressive ideals of the University. Also included in the project is a new building facade and atrium addition on the west side.

The Board of Public Works previously approved awarding a Construction Management at Risk contract to Plano-Coudon Construction for professional management and pre-construction services related to this project.

The University anticipates that it will present to the Board three bid packages to be awarded to Plano-Coudon, during the construction phase. This Item relates to bid package 2 of 3. The estimated construction cost for this project is \$20.6 million.

The overall project estimate is \$23.825 million including design, construction, and equipment.

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**1-C-BP. UNIVERSITY OF MARYLAND, BALTIMORE for
UNIVERSITY OF BALTIMORE (cont'd)
Langsdale Library Renovation
Construction Management at Risk - Bid Package 2 of 3**

This Bid Package Amount: \$6,189,460

***Amount Pre-Construction;
Bid Package 1; USM Authorized Changes:*** \$13,234,493

Revised Amount: \$19,423,953

Contract Term: 11 months from pre-construction notice-to-proceed
17 months from construction notice-to-proceed

Modification Term: 19 months from pre-construction notice-to-proceed
21 months from construction notice-to-proceed

Fund Source:

MCCBL 2016: \$250,000 *Provide funds to continue design and begin construction and equipping of the renovation of the Langsdale Library, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project. Item 164.*

MCCBL 2017 Chapter 27, Acts of 2016: \$3,150,000 *[pre-authorized for FY 2018]*

Private Donation and Plant Funds: \$2,789,460

NOTE: MCCBL 2016, private donations, and plant funds will be used to fund this Bid Package at this time. Board approval is however, requested for the full amount of the Bid Package, \$6,189,460 with the understanding the University will initially authorize the contractor to perform construction work for Bid Package 2 only not to exceed \$3,039,460 and will return to the Board to authorize the remaining \$3,150,000 when MCCBL 2017 funds become available.

MBE Participation: 30%
Subgoals of: 7% African American
4% Asian American

MBE Compliance: 30.06%
Subgoals of: 8.52% African American
4.27% Asian American

Supplement C
University System of Maryland
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1-C-BP. UNIVERSITY OF MARYLAND, BALTIMORE *for*
UNIVERSITY OF BALTIMORE *(cont'd)*
Langsdale Library Renovation
Construction Management at Risk - Bid Package 2 of 3

Performance Security: 100% performance bond required

Requesting Institution Remarks: The Construction Management at Risk contract was initially awarded for pre-construction. This is the second bid package, with one additional bid package anticipated for AV equipment. The MBE for this Bid Package 21.49%.

Resident Business: Yes

MD Tax Clearance: 16-3419-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement C
 University System of Maryland
 ACTION AGENDA
 November 16, 2016



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

2-C. UNIVERSITY OF MARYLAND, COLLEGE PARK
Construction Contract

Contract ID: On Call Construction Management at Risk Services, RFP# 84966-B

Contract Description: Provide Construction Management at Risk Services during pre-construction and construction phases for construction projects on an on-call basis for the University of Maryland College Park Service Center.

Contractors:

Coakley & Williams Construction, Inc. <i>Bethesda, MD</i>	DPR Construction <i>Columbia, MD</i>
Quandel Schafer <i>Abingdon, MD</i>	Plano-Coudon, LLC <i>Baltimore, MD</i>
The Whiting Turner Contracting Company <i>Baltimore, MD</i>	Kinsley Construction <i>York, PA</i>

Contract Term: 11/17/16 – 11/16/18 (2-year base term w/ three 1-year renewal options)

Amount: \$200,000,000 (not to exceed)
 \$100,000,000 estimated annually with no single project anticipated to exceed \$15,000,000

Proposals:

<i>Firm</i>	<i>Technical Score</i>	<i>Proposal Price</i>
Plano-Coudon, LLC	86.5	\$336,706
Quandel Schafer	87.0	\$342,085
DPR Construction	83.8	\$379,777
Kinsley Construction	86.1	\$382,732
Coakley & Williams Construction, Inc.	85.3	\$393,500
The Whiting Turner Contracting Company	87.1	\$396,500

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 University System of Maryland
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2-C. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)
Construction Contract

MBE Participation: MBE goals assigned on task orders exceeding \$100,000

Performance Security: 100% performance bond required for projects exceeding \$100,000

Requesting Institution Remarks: The solicitation was advertised in *eMaryland Marketplace*. Twelve proposals were received and evaluated by a University Technical Evaluation committee. Six firms achieved the minimum technical score and were requested to submit price proposals. Evaluation of the price proposals was based on the CM costs which include pre-construction services and construction services for the Epply Natatorium Pool MEP Systems project. As construction management projects arise, the University will compete each project among the six on-call construction management firms. MBE goals will be established for all projects exceeding \$100,000 by the Procurement Review Group.

Task orders exceeding \$1 million will be presented to the Board of Public Works for approval.

Fund Source: Fund sources will vary with each project but include Facilities Renewal Funds, Institutional Funds and Auxiliary Services Funds.

Resident Business/MD Tax Clearance:

<i>Firm</i>	<i>Resident Business</i>	<i>MD Tax Clearance</i>
Coakley & Williams Construction, Inc.	Yes	16-3434-1111
DPR Construction	Yes	16-3435-0111
Quandel Schafer	Yes	16-3436-1110
Plano-Coudon, LLC	Yes	16-3438-1111
The Whiting Turner Contracting Company	Yes	16-3439-1111
Kinsley Construction	No	16-3437-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

3-C. UNIVERSITY OF MARYLAND, COLLEGE PARK
Construction Contract

Contract ID: Eppley Natatorium Pool MEP Systems Replacement
 Construction Management at Risk Services, RFP# 84966-B

Recommendation: The University recommends award of the Construction Management at Risk Services contract to Plano-Coudon, LLC. Approval is requested for award of pre-construction services only. The University will return to the Board with a request to award bid packages and the remaining fee.

Contractor: Plano-Coudon, LLC, Baltimore

Project: Replace air handling units that support Eppley Natatorium

The University anticipates the final value of this contract will be approximately \$3.3 million.

The overall project estimate is \$4 million.

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

Contract Term: 6 months from issuance of pre-construction notice to proceed

Amount: \$821,200 (*pre-construction services; long-lead mechanical eqmt*)

Procurement Method: Competitive Sealed Proposals

<i>Firm</i>	<i>Proposal Price</i>
Plano-Coudon, LLC	\$336,706
Quandel Schafer	\$342,085
DPR Construction	\$379,777
Kinsley Construction	\$382,732
Coakley & Williams Construction, Inc.	\$393,500
The Whiting Turner Contracting Company	\$396,500

Funding: Institutional Funds

MBE Participation: 15%

REVISED

3-C. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)
Construction Contract

Performance Bond: Equal to contract amount

Requesting Institution Remarks: This solicitation was advertised in *eMaryland Marketplace* as the price evaluation factor for On Call Construction Management at Risk Services contract. The On Call contract for all six vendors is recommended as USM Item 2-C on today's Agenda. This is the first task under the construction manager at risk services master contract. The six selected firms submitted sealed proposals for Pre-Construction and Construction Management services.

As design progresses and design information becomes available, the contractor will bid construction packages.

Resident Business: Yes

MD Tax Clearance: 16-3438-1111

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

Supplement C
University System of Maryland
ACTION AGENDA
November 16, 2016



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

4-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: \$168,534.

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

University of Maryland, College Park

Physical Sciences Complex

- 1. Description:** Panasonic MDFU5312PA -30°C Upright Freezer
Procurement Method: Simplified Procurement Competitive
Award: Panasonic Healthcare Corporation of North America
Wood Dale, IL 60191-1082
Amount: \$4,168
Fund Source: MCCBL of 2013: *Provide funds to equip Phase I of a new Physical Sciences Complex to provide modern laboratory and office space for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology. Item #:057*
Resident Business: No **MD Tax Clearance:** 16-3587-1111
- 2. Description:** Sutter MOM 2- photon microscope
Procurement Method: Single Source
Award: Sutter Instrument CO.
One Digital Drive
Novato, CA 94949
Amount: \$117,312
Fund Source: MCCBL of 2013: *Provide funds to equip Phase I of a new Physical Sciences Complex to provide modern laboratory and office space for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology. Item #:057.*
Resident Business: No **MD Tax Clearance:** 16-3423-0000
- 3. Description:** 13 LED Microscope lamp
Procurement Method: Simplified Procurement Competitive
Award: Baltimore Precision Instruments
8846 Belair Road
Baltimore, MD 21236-2401
Amount: \$5,995

4-GM. GENERAL MISCELLANEOUS (cont'd)

Capital Equipment

University of Maryland, College Park (cont'd)

Physical Sciences Complex

Fund Source: MCCBL of 2013: Provide funds to equip Phase I of a new Physical Sciences Complex to provide modern laboratory and office space for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology. Item #:057.

Resident Business: No **MD Tax Clearance:** 16-3606-1111

Bowie State University
 Computer Science Building

Description: Provide door adjustments and building signage for ADA compliance in the Computer Science Building

Procurement Method: Non-Competitive Small Procurement

Award: Atlantida Builders, Inc
 5901 Arbor St.
 Hyattsville, MD 20781

Amount: \$1,900

Fund Source: MCCBL of 2014: Provide funds to design and construct handicapped accessibility modifications at State-owned facilities. Item: #011.

Resident Business: Yes **MD Tax Clearance:** 16-3497-0001

Frostburg State University
 Public Safety Facility

1. **Description:** Fitness Equipment

Procurement Method: Cooperative agreement

Award : Life Fitness
 2716 Network Place
 Chicago, IL 60673

Amount: \$11,800

Fund Source: MCCBL of 2015: Provide funds to continue design of and to construct and equip a facility to serve the Frostburg State University Police Department. Item: 147.

Resident Business: No **MD Tax Clearance:** 16-3386-1011

Supplement C
University System of Maryland
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4-GM. GENERAL MISCELLANEOUS (cont'd)
Capital Equipment

Frostburg State University (cont'd)
Public Safety Facility

2. **Description:** FireKing fireproof file cabinets
Procurement Method: RFQ
Award: Rudolph's Office & Computer Supply
5020 Campbell Blvd, Suite C
Baltimore, MD 21236
Amount: \$ 11,232
Fund Source: MCCBL of 2015: *Provide funds to continue design of and to construct and equip a facility to serve the Frostburg State University Police Department. Item: 147.*
Resident Business: Yes **MD Tax Clearance:** 16-3398-1111
3. **Description:** Custom Built Computer Console, Dispatcher
Procurement Method: Cooperative agreement
Award : Ergoflex Systems, Inc. T/A Xybix Systems, Inc.
8207 SouthPark Circle
Littleton, CO 80120
Amount: \$16,127
Fund Source: MCCBL of 2015: *Provide funds to continue design of and to construct and equip a facility to serve the Frostburg State University Police Department. Item:*
Resident Business: No **MD Tax Clearance:** 16-3517-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement C
University System of Maryland
ACTION AGENDA
November 16, 2016



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

5-RP. UNIVERSITY OF MARYLAND, BALTIMORE
Acquisition, Ground Lease, Demolition

Project ID: Ground Lease and Demolition of University Property

Recommendation:

That the Board of Public Works approve the University of Maryland, Baltimore:

- Demolishing the former Walter P. Carter Building
- Leasing University-owned property at 630 W. Fayette Street in Baltimore City to the University of Maryland Medical System Corporation to develop a surface parking lot for approximately 300 vehicles

Tenant: University of Maryland Medical System Corporation

Property: 630 W. Fayette Street, including former Walter P. Carter Center Building

Project: The University of Maryland, Baltimore requests Board of Public Works approval to enter into a ground lease between the University, as landlord, and the University of Maryland Medical System Corporation (UMMS), as tenant. Through this lease, UMMS will demolish the former Walter P. Carter Center Building and construct a surface parking lot to be used by UMMS employees. The estimated cost for demolishing the facility and constructing a surface parking lot is \$6 million. UMMS will assume all costs associated with demolition and construction.

Term: Five-year initial term with 4 five-year options (25 years total).

At any time, the University has the right to terminate the ground lease, recapture the leasehold interest, and obtain fee title ownership of the improvements by paying a recapture fee. The recapture fee is an amount equal to the remaining unamortized cost as of the date of recapture of all of UMMS' costs associated with the demolition and construction, all amortized on a straight-line basis over 20 years.

5-RP. UNIVERSITY OF MARYLAND, BALTIMORE (cont'd)
Acquisition, Ground Lease and Demolition

Ground Rent Amount:

- UMMS will pay the University \$5 annual rent
- UMMS will pay to demolish the former Walter P. Carter Building (\$4.5 million est.)
- UMMS will pay to construct surface parking for approximately 300 cars (\$1.5 million est.)

Requesting Institution Remarks: The University acquired the former Walter P. Carter Center Building (together with Arch Street between West Fayette and Vine Streets) in 2011 from the Department of Health and Mental Hygiene, with the intent in the short term of demolishing the structure to provide surface parking, and in the future to provide a building site for the University. The high cost of demolition prevented the University from demolishing the structure. The Walter P. Carter Center Building was in poor condition when acquired and has remained vacant since its purchase. The structure continues to deteriorate, posing safety issues and ongoing stabilization costs to UMB.

Other Ground Lease Specifics:

1. UMMS is prohibited from using the property for any use other than surface parking.
2. UMMS will be responsible for all operating charges including taxes, electricity, gas, water, telephone, internet, sewage and other utilities or services from the commencement date to the termination date.
3. UMMS will adhere to University design guidelines in developing the parking lot and streetscape.
4. The University has design approval.
5. UMMS may sublet all or a portion of the surface parking lot subject to the University's right of first refusal and the University's right of approval of sublease to a third party.

State Clearinghouse: The Clearinghouse conducted an intergovernmental review of the project and recommends changing the use and demolishing the former Walter P. Carter Center Building.
MD20160818-0753

Board of Regents: The USM Board of Regents approved the creation of the ground lease on September 9, 2016.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
 Department of Information Technology
ACTION AGENDA
 November 16, 2016



DoIT 1D

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 Nita.Settina@maryland.gov
 Carla Thompson (410) 697-9667
 Carla.Thompson@maryland.gov*

1-IT. DEPARTMENT OF NATURAL RESOURCES

Contract ID: Maryland State Park Reservation System
 ADPICS BPO No.: K00B7400059

Contract Description: Revenue-producing contract to manage, facilitate, and execute a central reservation system and payments for the Maryland Park Service rental inventory to include camp sites, mini-cabins, and pavilions.

Awards: CAMIS USA Inc., Ann Arbor, MI

Term: 4/1/2017 – 3/31/2020 (3-year base with two 1-yr options)

Amount: \$1,412,250 (3-year base)
 \$ 470,750 (option one)
 \$ 470,750 (option two)
 \$2,353,750 NTE

Procurement Method: Competitive Sealed Proposals

Proposals:

	<i>Ranking</i>			
	<i>Technical</i>	<i>Financial</i>	<i>Overall</i>	<i>Evaluated Price</i>
CAMIS USA Inc.	2	1	1	\$2,353,750
Active Network, LLC	1	2	2	\$3,311,000

MBE Participation: 5%

Incumbents: Active Network, LLC, San Diego, CA

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016



DoIT 2D

1-IT. DEPARTMENT OF NATURAL RESOURCES (cont'd)

Remarks: The notice of solicitation for this bid was posted on *eMarylandMarketplace* and was sent to 27 companies that recently expressed interest in a U.S. Department of the Interior park reservation service procurement. Four bids were received in response to the solicitation; two bids were determined to be non-responsive.

Although CAMIS USA Inc., the recommended offeror, was not the higher-ranked technical offeror it was the lower-priced offeror and the magnitude of its price differential was judged to outweigh the comparatively slight technical differences between it and ACTIVE Network, LLC. CAMIS USA Inc. currently provides park reservation services to the states of Michigan and Washington. In addition, CAMIS USA Inc. has over 15 years experience with high volume call center services.

Fund Source: 100% Special (Forest/Park Reserve Fund)

Approp. Code: K00A0401

Resident Business: No

MD Tax Clearance: 16-3268-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016



DoIT 3D

*Contact: Al Bullock (410) 697-9403
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Carla Thompson (410) 697-9667
Carla.Thompson@maryland.gov*

2-IT. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID: Michigan Collegiate Telecommunications Association
Voice-over-IP, Long Distance and Toll Free Telecommunications Services
ADPICS BPO No.: 060B7400038, 060B7400039

Contract Description: Provide voice-over internet protocol, long distance and toll-free calling services

Awards: Level 3 Communications, LLC, Broomfield, CO
Verizon Business Network Services, Inc., Ashburn, VA

Term: 11/17/2016 – 11/16/2019 (three years)

Amount: \$ 6,476,087 (Level 3 – Voice-over-IP)
\$ 7,591,356 (Verizon, Long Distance/Toll Free)
\$14,067,443 NTE

Procurement Method: Intergovernmental Cooperative Purchasing
[Michigan Collegiate Telecommunications Ass'n Master Service Agreement]

MBE Participation: None

Incumbents: AT&T (Long Distance)
Verizon (Toll Free)

Remarks: DoIT intends to use the Michigan Collegiate Telecommunications Association (MiCTA) Master Service Agreement to obtain Voice over Internet Protocol (IP) telecommunication services provided by Level 3. This intergovernmental contract provides DoIT with a favorable pricing structure to procure the required services in a timely manner that will meet the mission critical initiatives of DoIT. During this three-year contract, DoIT will complete a Statewide transition of the State's time division multiplexing network to an IP-based network.

DoIT also anticipates using the MiCTA Master Service Agreement to acquire a replacement contract vehicle for long-distance and toll-free telecommunications services. Through this agreement, DoIT will migrate long-distance and toll-free services from the existing contracts with AT&T and Verizon. Those contracts expire 12/31/2017 and will be extended for approximately one year to allow local government entities time to either contract with MiCTA for services or obtain individual contracts.

Supplement D
Department of Information Technology
ACTION AGENDA
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DoIT 4D

2-IT. DEPARTMENT OF INFORMATION TECHNOLOGY (*cont'd*)

Fund Source: Various

Approp. Code: Various

Resident Business: Yes (both have local offices in Maryland)

MD Tax Clearance: 16-3919-1110 – Level 3
16-3618-1001 – Verizon

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016

Supplemental



DoIT 5D

Contact: Debbie Pecora (410) 339-5836
Debbie.Pecora@maryland.gov
Carla Thompson (410) 697-9667
Carla.Thompson@maryland.gov

3-IT. DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES

Contract ID: DataWorks Plus 2015-47
ADPICS BPO No.: ~~Q00P7402951~~ **Q00B7400069**

Contract Description: Provide annual software maintenance and support for the facial recognition templates of the Maryland Image Repository System and the Motor Vehicle Administration Facial Recognition System.

Awards: DataWorks Plus, LLC, Greenville, SC

Term: 12/1/2016 – 11/30/2017

Amount: \$160,095

Procurement Method: Sole Source

MBE Participation: None

Remarks: DPSCS's contract with DataWorks Plus, LLC expires November 30, 2016. Due to the critical nature of these services, DPSCS seeks to continue essential maintenance and support provided by DataWorks Plus for the facial-recognition templates of the Maryland Image Repository System and those of the Motor Vehicle Administration Facial Recognition System.

This contract will continue software maintenance and support services for one year. Services include 24x7x365 technical support services for:

- *Maryland Image Repository System and MVA Facial Recognition System:* This core criminal image database is used by all Maryland law enforcement and criminal justice agencies, correctional facilities, and community supervision agencies. Both image databases are essential components of the FBI's Next Generation Identification System pilot project that employs facial recognition technology to enhance the ability of law enforcement to conduct investigations and apprehend criminal suspects as well as to identify missing persons.



Supplemental

3-IT. PUBLIC SAFETY & CORRECTIONAL SERVICES (cont'd)

Remarks: (cont'd)

The facial-recognition templates and the Maryland Image Repository System/Digital Photo Manager software are proprietary products of DataWorks Plus, LLC, the software developer and licensor. The vendor has customized its software for compatibility with DPSCS's IT infrastructure and provides all technical support and upgrades for the application system. There is no other source for the software, maintenance, or technical support for this system.

Fund Source: General
Approp. Code: Q00A0102
Resident Business: No
MD Tax Clearance: 16-3577-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

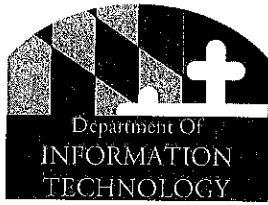
DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



State of Maryland
Department of Information Technology

LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

DAVID A. GARCIA
Secretary

November 29, 2016

Sheila McDonald, Esquire
Executive Secretary
Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, MD 21401-1991

Executive Secretary McDonald:

SUBJECT: Item 3-IT, DoIT Agenda 11/16/2016

This is to advise you of the following change to the Department of Information Technology's Agenda Item previously approved by the Board of Public Works.

On 11/16/16, DoIT presented an Item on behalf of the Department of Public Safety and Correctional Services, for Board of Public Works approval as Item 3-IT. The ADPIC purchase order number was provided instead of a blanket purchase order number. A blanket purchase order number is required to ensure both DoIT and BPW approve the Item in ADPICS.

DoIT Agenda 11/16/2016

Item 3-IT SUPP

Purchase Order number: Q00P7402951

Blanket PO number: Q00B7400069

Thank you for your attention to this matter. If you need further information, please call me at (410) 697-9403.

Sincerely,

Albert G. Bullock
Chief of Staff

cc: The Honorable Larry Hogan, Governor
The Honorable Peter Franchot, Comptroller
The Honorable Nancy K. Kopp, Treasurer

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016



DoIT 7D

Contact: Luis Estrada (410) 697-9402
Luis.Estrada@maryland.gov
Carla Thompson (410) 697-9667
Carla.Thompson@maryland.gov

4-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID: Hardware and Associated Equipment & Services (Hardware 2012)
ADPICS BPO No.: 060B2490022

Contract Approved: DoIT Item 4-IT (11/14/2012)

Contractors: See Page 9D

Contract Description: Multiple award, indefinite quantity, purchase order request for proposals-based Master Contract to provide hardware, installation, training services and manufacturer's extended warranty. Excludes laptops and desktops.

Modification Description: Add 22 master contractors

Original Contract Term: 11/15/2012 – 11/14/2027 (15 years)

Modification Term: 12/1/2016* – 11/14/2027 (*or earlier upon Board approval)

Original Amount: \$57,000,000 (Base)

Modification Amount: None

Prior Modifications: \$ 35,000,000 (DoIT Item 2-IT-MOD 10/15/2014)
\$ 12,000,000 (DoIT Item 4-IT-MOD 3/23/2016)
\$100,000,000 (DoIT Item 3-IT 6/22/2016)

Contract Ceiling Amount: \$204,000,000 (no change, this mod)

Original Procurement Method: Competitive Sealed Proposals

MBE Participation: 1% (Functional Area IV only)

Incumbents: 73 Master Contractors

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016



DoIT 8D

4-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY (cont'd)

Remarks: Reference is made to DoIT Item 3-IT (6/22/2016) in which the Board of Public Works approved adding vendors to the Hardware Master Contract via the first expansion window for hardware, installation, training services and manufacturer's extended warranty. Laptops and desktops are excluded.

DoIT is seeking approval to add 22 Offerors to the Master Contract under the Hardware Master Contract. These contractors submitted proposals on time, however they were not presented to the Board of Public Works when the Hardware contract expansion was approved, because they did not have tax clearances and DoIT needed time to resolve issues with their proposals. All issues have been resolved; and the offerors are in good standing, DoIT now seeks to add these offerors to the Hardware master contract.

Fund Source: Various

Approp. Code: Various

Resident Business: See Page 9D

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
 Department of Information Technology
ACTION AGENDA
 November 16, 2016



DoIT 9D

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

Additional Contractors for the Hardware Master Contract

	Company Name	City	State	Resident Business	MD Tax Clearance
1	2020 Teknology	Reston	VA	No	16-3565-1110
2	Apollo Video Technology	Bothell	WA	No	16-3566-0111
3	Bell Techlogix, Inc.	Richmond	VA	No	16-3277-1111
4	Betis Group, Inc.	McLean	VA	No	16-3278-1111
5	BIAS Corporation	Atlanta	GA	No	16-3569-1111
6	Black Box Network Services (Nu-Vision Technologies LLC)	Amityville	NY	No	16-3279-1110
7	C&J Security Services	Woodbridge	VA	No	16-3570-0000
8	ConvergeOne, Inc.	Eagan	MN	No	16-2203-1111
9	Copper River Enterprise Services	Chantilly	VA	No	16-3281-1110
10	En Pointe Technologies Sales, LLC	El Segundo	CA	No	16-2204-1000
11	GigaNetworks	Miami	FL	No	16-3282-0000
12	IP Data Systems	Ellicott City	MD	Yes	16-2205-1111
13	Knight Point Systems, LLC	Reston	VA	No	16-2206-1111
14	My Office Products	Savage	MD	Yes	16-3284-1111
15	Net-AV	Hampstead	MD	Yes	16-2208-1111
16	Ogis Communication Group Inc. dba/OCG Telecom	Cincinnati	OH	No	16-3285-1001
17	Patriot Technologies, Inc.	Frederick	MD	Yes	16-3286-1111
18	Quasius Investment Corp. d/b/a GCA	Tampa	FL	No	16-3287-0000
19	Southern Computer Warehouse	Marietta	GA	No	16-3288-1001
20	TASER International Inc.	Scottsdale	AZ	No	16-3289-1111
21	Toshiba America Business Solutions, Inc.	Irvine	CA	No	16-2209-1111
22	MCI Communications Services, Inc. dba Verizon Business Services	Valhalla	NY	No	16-2210-1101

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016



REVISED

DoIT 10D

Contact: Kenneth Smith (410) 260-7807
ksmith@comp.state.md.us
Carla Thompson (410) 697-9667
Carla.Thompson@maryland.gov

**5-IT-OPT. COMPTROLLER OF MARYLAND
*Information Technology Division***

Contract ID: IBM Corporation
ADPICS BPO No.: E00B7400021

Contract Approved: DoIT Item 5-IT (12/18/2013)

Contractor: IBM Corporation, Baltimore, MD

Contract Description: Maintenance and defect support for the Intelligent Forms Processing software as well as optional 'how to' support hours. This contract supports the Comptroller's Revenue Administration Division's Tax Imaging System which is driven by IBM's IFP software.

Option Description: Exercise third of four 1-year options

Original Contract Term: 1/8/2014 – 1/7/2015(one year base w/ **four**, 1-year options)

Option Term: 1/8/2017 – 1/7/2018

Original Contract Amount: \$250,552

Option Amount: \$290,048

Prior Mods/Options: \$260,878 (DoIT Item 12-IT-OPT [12/17/14]; OPT 1)
\$276,235 (DoIT Item 7-IT-OPT [12/2/2015])

Revised Total Contract Amount: \$1,077,713

Original Procurement Method: Sole Source

MBE Participation: None

Supplement D
Department of Information Technology
ACTION AGENDA
November 16, 2016



DoIT 11D

REVISED

5-IT-OPT. COMPTROLLER (cont'd)

Remarks: The system uses imaging technology to scan and interpret tax return information for subsequent processing by the Tax Administration System and stores the images of the tax returns electronically. The Tax System is driven by IBM's proprietary Intelligent Forms Processing software.

IBM Intelligent Forms Processing automates document data capture and employs Optical and Intelligent Character Recognition and sophisticated data repair technologies to ensure highly efficient scanning and processing of data and images. The solution, along with support and customer services, has been, to date, very satisfactory. Given the high level of customer satisfaction, level of knowledge transfer and highly critical nature of the tax data collection system requiring year to year consistency of performance, it is highly recommended the renewal option be exercised.

Fund Source: General

Approp. Code: E00A0401

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



BOARD OF PUBLIC WORKS (BPW)

ACTION AGENDA

November 16, 2016

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Architectural/Engineering	1 – 5
Construction	6 – 12
Maintenance	13 – 18
Real Property	19



Contact: Eric T. Lomboy
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elomboy@sha.state.md.us

**1-AE. STATE HIGHWAY ADMINISTRATION
*Architectural/Engineering Services Contract***

Contract ID: BCS 2014-13 A, B, C, D, E, F, G, H, I, J and K
(Construction Management and Inspection Services in Districts 3,
4 and 5)
ADPICS Nos.: SBCS1413A, SBCS1413B, SBCS 1413C,
SBCS1413D, SBCS1413E, SBCS1413F, SBCS1413G,
SBCS1413H, SBCS1413I, SBCS1413J and SBCS1413K

Contract Description: These contracts are a complete series of eleven open-ended, task-order based contracts to provide Construction Management and Inspection Services in District 3 (Montgomery and Prince George's Counties), District 4 (Baltimore and Harford Counties) and District 5 (Anne Arundel, Calvert, Charles and St. Mary's Counties).

Awards:	Rummel, Klepper & Kahl, LLP Baltimore, MD	Contract A (District 4)
	Johnson, Mirmiran & Thompson, Inc. Sparks, MD	Contract B (District 3)
	Stantec Consulting Services Inc. / AECOM Technical Services, Inc. (JV) Baltimore, MD	Contract C (District 4)
	Whitney, Bailey, Cox & Magnani, LLC / A. Morton Thomas & Associates, Inc. / Urban Engineers, Inc. (JV) Baltimore, MD	Contract D (District 5)
	Alpha Construction and Engineering Corporation, Inc. / Michael Baker International, Inc. (JV) Baltimore, MD	Contract E (District 3)
	Parsons Brinckerhoff, Inc. / ATCS, P.L.C. (JV) Baltimore, MD	Contract F (District 4)
	Whitman, Requardt & Associates, LLP / PRIME AE Group, Inc. (JV) Baltimore, MD	Contract G (District 3)

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
November 16, 2016**



1-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

Awards (cont'd.): Greenman-Pedersen Inc. / Contract H (District 3)
 O'Connell & Lawrence, Inc. /
 Gannett Fleming, Inc. (JV)
 Annapolis Junction, MD

McCormick Taylor, Inc. Contract I (District 4)
 Baltimore, MD

KCI Technologies, Inc. / Contract J (District 5)
 STV Incorporated (JV)
 Sparks, MD

Wallace Montgomery & Associates, LLP / Contract K (District 3)
 Development Facilitators, Inc. (JV)
 Hunt Valley, MD

Contract Term: 12/08/2016 – 12/07/2022

Amount: \$17,725,000 NTE each
 (Grand Total \$194,975,000 NTE)

Procurement Method: Maryland Architectural and Engineering Services Act;
 recommendation approved by the Transportation Professional
 Services Selection Board on November 3, 2016.

Proposals

	Technical Proposal Rating (Max 535)	Technical Ranking	NTE Price
Rummel, Klepper & Kahl, LLP Baltimore, MD	330.9	1	\$17,725,000 (Contract A)
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	324.6	2	\$17,725,000 (Contract B)
Stantec Consulting Services Inc./ AECOM Technical Services, Inc. (JV) Baltimore, MD	323.3	3	\$17,725,000 (Contract C)
Whitney, Bailey, Cox & Magnani, LLC/ A. Morton Thomas & Associates, Inc. Urban Engineers, Inc. (Tri-V) Baltimore, MD	321.8	4	\$17,725,000 (Contract D)

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
November 16, 2016**



1-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

Proposals (cont'd):

	Technical Proposal Rating (Max 535)	Technical Ranking	NTE Price
Alpha Construction and Engineering Corporation/ Michael Baker International, Inc. Baltimore, MD	318.80	5	\$17,725,000 (Contract E)
Parsons Brinckerhoff, Inc. / ATCS, P.L.C. (JV) Baltimore, MD	317.9	6	\$17,725,000 (Contract F)
Whitman, Requardt & Associates, LLP / PRIME AE Group, Inc. Baltimore, MD	305.1	7	\$17,725,000 (Contract G)
Greenman-Pedersen, Inc. / O'Connell & Lawrence, Inc. / Gannett Fleming, Inc. (Tri-V) Annapolis Junction, MD	287.0	8	\$17,725,000 (Contract H)
McCormick Taylor, Inc. Baltimore, MD	281.0	9	\$17,725,000 (Contract I)
KCI Technologies, Inc. / STV Incorporated (JV). Sparks, MD	280.7	10	\$17,725,000 (Contract J)
Wallace Montgomery & Associates, LLP Development Facilitators, Inc. (JV) Hunt Valley, MD	278.6		\$17,725,000 (Contract K)
Indam Engineers, Inc. Ellicott City, MD	225.7		N/A
Century Engineering, Inc. Hunt Valley, MD	197.3		N/A
Ammann & Whitney Consulting Engineers, PC Edgewood, MD	151.3		N/A
HAKS Engineers, Inc. Baltimore, MD	143.7		N/A



1-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

DBE Participation: 25% (Contracts A – J)
33% (Contract K)

Requesting Agency Remarks: The solicitation was advertised in The Daily Record and eMaryland Marketplace notifying 719 firms, of which 109 were certified DBEs and on SHA's web page on September 26, 2014. A total of 15 engineering consultant firms submitted technical proposals for this project.

The Consultant shall perform supplementary Construction Management and Inspection (CMI) services for the SHA's Office of Construction for various highway construction, facilities, environmental, and system preservation projects located in Districts 3, 4 and 5. Services to be provided may include professional construction management and inspection of highways, bridges/structures, facilities, environmental restoration, utilities, maintenance, and system preservation construction projects to ensure that they are built per the plans and specifications, in accordance with SHA's objectives of estimated cost and time frame and within Federal Highway Administration requirements for construction compliance, documentation, and reimbursement for various highway construction, facilities, environmental, and system preservation projects located in District 3 (Montgomery and Prince George's counties), District 4 (Baltimore and Harford counties) and District 5 (Anne Arundel, Calvert, Charles and St. Mary's counties) and statewide with the approval of SHA's Deputy Administrator.

Though the established DBE goal for these contracts is 25%, the joint venture firm of Wallace Montgomery & Associates, LLP/Development Facilitators, Inc. proposes to exceed the goal by 8% proposing a DBE participation plan of 33% on Contract K.

The current incumbents performing these services in Districts 3, 4, and 5 are: Johnson, Mirmiran and Thompson, Inc./Alpha Construction and Engineering Corporation (JV); Rummel, Klepper & Kahl, LLP/KCI Technologies, Inc. (JV); Rummel, Klepper & Kahl, LLP; and Wallace, Montgomery & Associates, LLP/EBA Engineering, Inc. (JV).

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

Fund Source: Federal and Special Funds Budgeted to SHA

Approp. Code: J02B0101

Resident Businesses: Yes

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
November 16, 2016



1-AE. **STATE HIGHWAY ADMINISTRATION** (cont'd)

<i>MD Tax Clearance:</i>	Rummel, Klepper & Kahl, LLP	16-3254-1111
	Johnson, Mirmiran & Thompson, Inc.	16-3255-1111
	Stantec Consulting Services Inc. /	16-3256-1111
	AECOM Technical Services, Inc. (JV)	
	Whitney, Bailey, Cox & Magnani, LLC/	16-3257-1111
	A. Morton Thomas and Associates, Inc. /	
	Urban Engineers, Inc. (JV)	
	Alpha Corporation/	16-3258-1111
	Michael Baker International, Inc. (JV)	
	Parsons Brinckerhoff, Inc. /	16-3259-1111
	ATCS, P.L.C. (JV)	
	Whitman, Requardt & Associates, LLP /	16-3260-1111
	PRIME AE Group, Inc. (JV)	
	Greenman-Pedersen, Inc. /	16-3261-1111
	O'Connell & Lawrence, Inc. /	
	Gannett Fleming, Inc. (JV)	
	McCormick Taylor, Inc.	16-3262-0111
	KCI Technologies, Inc. /	16-3263-1110
	STV Incorporated (JV)	
	Wallace Montgomery & Associates, LLP /	16-3264-1111
	Development Facilitators, Inc. (JV)	

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: John Thornton
410-385-4850
jthornton@marylandports.com

2-C. MARYLAND PORT ADMINISTRATION
Construction Contract

Contract ID: 514218 (Cruise Terminal Exterior Improvements at South Locust Point Marine Terminal)
ADPICS No.: P514218

Contract Description: This contract is to improve and replace the sign structure, gate and fencing and to widen and realign the entrance lane at South Locust Point Cruise Terminal.

Awards: Rubino Enterprises, Incorporated
Linthicum Heights, MD

Contract Term: 200 Work Days from NTP (*Anticipated Start: 01/01/2017*)

Amount: \$1,045,313

Procurement Method: Competitive Sealed Bidding

Bids/Proposals: Rubino Enterprises, Incorporated \$1,045,313
Linthicum Heights, MD

J. A. Argetakis Contracting Co., Inc. \$1,288,690
Baltimore, MD

JLN Construction Services, LLC \$1,503,603
Baltimore, MD

Desbuild Incorporated \$1,609,000
Hyattsville, MD

MTI Management Services, Inc. \$2,101,540
Baltimore, MD

Control Sources, L.L.C. \$2,556,038
Essex, MD

MBE Participation: 100%

Performance Security: Performance Bond at 100% of Contract Amount

Incumbents: None

2-C. MARYLAND PORT ADMINISTRATION (cont'd)

Requesting Agency Remarks: The Engineer's Estimate for this contract was \$1,092,196; 4.29% above the low bid received.

MPA advertised the solicitation on eMaryland Marketplace. It was directly solicited to the Maryland/Washington Minority Contractors Associate, the Maryland Minority Contractors Association, and the Maryland Department of Commerce. Six responsive and responsible bids were received.

The scope of this project is to widen and realign the entrance lane into MPA's South Locust Point Cruise Terminal with full depth pavement reconstruction; install concrete combination curb and gutter; install landscaping; install a new overhead entrance sign structure (including foundations, sign panels, lighting, CCTV cameras and related equipment and infrastructure); and install a new chain link fence and crash-resistant sliding entrance gate.

The MBE goal established for this contract is 17%. Rubino Enterprises, Incorporated is a certified MBE and has committed to using four MBE subcontractors to achieve a goal of 46.5%, exceeding the total MBE goal by 29.5%.

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

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J03D002

Resident Business: Yes

MD Tax Clearance: 16-3219-0111

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Eric T. Lomboy
410-545-0330
elomboy@sha.state.md.us

3-C. STATE HIGHWAY ADMINISTRATION
Construction Contract

Contract ID: QA2815249 (Replacement of the Fuel System at the Administration's Centreville Maintenance Facility in Queen Anne's County)
ADPICS No.: QA2815249

Contract Description: This contract provides all material and equipment necessary for replacing the fuel system at the Administration's Centreville Maintenance Facility in Queen Anne's County.

Awards: Total Environmental Concepts, Inc.
Gaithersburg, MD

Contract Term: 12/08/2016 – 12/31/2018

Amount: \$1,246,425 NTE

Procurement Method: Competitive Sealed Bidding

Bids/Proposals: Total Environmental Concepts, Inc. \$1,246,425
Gaithersburg, MD

W. M. Schlosser Co., Inc. \$1,733,000
Hyattsville, MD

MBE Participation: 0% (Single Element of Work)

Performance Security: Performance & Payment Bonds for 100% of the award amount exist for this contract.

Incumbent: None

Requesting Agency Remarks: The Engineer's Estimate for this contract is \$1,198,658. The low bid received is 3.99% over the Engineer's Estimate. SHA has confirmed Total Environmental Concepts, Inc.'s bid price.

This contract was advertised on June 28, 2016 with bids opened on August 18, 2016. The Solicitation was advertised in eMaryland Marketplace notifying 458 potential contractors; 42 of which were MDOT Certified MBE's.

3-C. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks: (cont'd)

There are only a few contractors who hold the certifications required by the Maryland Department of the Environment to perform fuel tank retrofit activities. Of those contractors, several are already performing operations on other contracts for SHA and have their available labor and equipment already committed to those ongoing projects.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0101

Resident Business: Yes

MD Tax Clearance: 16-2909-0111

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Georgia A. Peake
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gpeake1@mta.maryland.gov

4-C-MOD. MARYLAND TRANSIT ADMINISTRATION
Modification: Construction Contract

Contract ID: T-1296R (Ancillary Repair and Maintenance of Security and Wireless Systems and Associated Equipment)
ADPICS No.: CO337845

Contract Approved: DOT Agenda 01/07/2015, Item 3-C

Contractors: Southern Improvement Company, Inc.
Hunt Valley, MD

Mona Electric Company, Inc.
Clinton, MD

Hawkeye Construction, LLC.
Baltimore, MD

Contract Description: This is a task order-based contract for miscellaneous minor construction, repairs, and maintenance work for the MTA's facilities located throughout various locations at MTA. Work may include: repairs, maintenance, additions, and modifications to existing control and communications systems, as well as systems installation work in accordance with supplied drawings and specifications.

Modification Description: The modification is for additional funds required to continue the MTA's mission to strengthen its Metro Subway, Light Rail and Bus transit system's safety and reliability and maintain the integrity and capability of its assets. In addition, this contract's initiatives support the BaltimoreLink, which includes the full redesign of MTA's transit plan scheduled for roll-out in June 2017.

Original Contract Term: 01/08/2015 – 01/08/2020

Modification Terms: 12/08/2016 – 01/08/2020

Original Contract Amount: \$12,000,000

Modification Amount: \$ 6,000,000

Prior Mods. /Options: None

4-C-MOD. MARYLAND TRANSIT ADMINISTRATION (Cont'd)

Revised Contract Amount: \$18,000,000

Percentage +/- Change: 50%

Overall Percent +/-: 50%

Original Procurement Method: Competitive Sealed Bidding

DBE Participation: 25%

DBE Compliance: 8.2%

Requesting Agency Remarks: This ancillary contract was awarded to Southern Improvement Company, Inc., Hawkeye Construction, LLC and Mona Electric Company, Inc., under a new ancillary contract at BPW on January 07, 2015. All three contractors have bid on and been awarded tasks under this contract. To date, 13 tasks have been issued; nearly 60 % of the contract authority was utilized to support homeland security, safety and communication hardware, software, infrastructure improvements, and systems safety improvements at various locations in the MTA.

The various agency initiatives to be covered by this modification, including those that support the BaltimoreLink, are transit signal priority, actuator replacement, protective relays, and bus transit facilities; in addition to on-going systems repairs and maintenance to MTA's existing control and communications systems.

The DBE goal was established at 25% for this contract and approximately 8.2% participation has been utilized to date. The nature of the individual Orders For Services (OFS) which are the individual tasks under the ancillary contract has limited DBE subcontracting opportunities to date with many OFS's containing only a single element of work. Going forward, the OFS's will afford greater opportunities for DBE participation and the MTA is committed to establishing an individual goal to each OFS as applicable. Each of the three contractors has committed to meeting or exceeding the 25% DBE goal.

Fund Source: 80% Federal Funds;
20% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: Yes

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



4-C-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$12,000,000	01/08/2015 – 01/08/2020	01/08/2015; Item 3-C	Original Contract
Modification No. 1	\$6,000,000	12/08/2016 – 01/08/2020	11/16/2016; Item 4-C-Mod	Adding funding, no change to term
Revised Contract Total	\$18,000,000			



Contact: Eric T. Lomboy
410-545-0330
elomboy@sha.state.md.us

5-M. STATE HIGHWAY ADMINISTRATION
Maintenance Contract

Contract ID: 4101161418R (Mechanical Cleaning & Sweeping of Roadways and Shoulders at Various Locations in Garrett County)
ADPICS No.: 4101161418

Contract Description: This contract consists of the mechanical cleaning and sweeping of controlled access highways, primary highways and shoulders at various locations in Garrett County.

Awards: Outdoor Contractors, Inc.
Williamsport, MD

Contract Term: 12/08/2016 – 12/31/2018

Amount: \$367,190 NTE

Procurement Method: Competitive Sealed Bidding

Bids/Proposals: Outdoor Contractors, Inc. \$367,190
Williamsport, MD

Quarry Ridge Asphalt \$391,003
Cumberland, MD

DeAngelo Brothers, LLC \$768,714
Hazelton, PA

Living Wage Eligible: Yes

MBE Participation: 100%

Performance Security: None

Incumbent: Outdoor Contractors, Inc.
Williamsport, MD

Requesting Agency Remarks: The Engineer's Estimate for this contract is \$352,230. The low bid received is 4.30% over the Engineer's Estimate. SHA has confirmed Outdoor Contractors, Inc.'s bid price.

5-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks (cont'd)

This contract was previously advertised on December 1, 2015 with bids opened on January 7, 2016. The solicitation was cancelled as a result of receiving a single bid. This contract was re-advertised on August 9, 2016 with bids opened on September 8, 2016. The Solicitation was advertised in eMaryland Marketplace notifying 594 potential contractors; 95 of which were MDOT Certified MBE's.

This open-ended, on-call contract consists of cleaning and sweeping controlled access highways, primary highways and shoulders at various locations in Garrett County.

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

Fund Source: 100% Special Funds (Transportation Trust Funds)

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 16-3070-0111

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Eric T. Lomboy
410-545-0330

elomboy@sha.state.md.us

6-M. STATE HIGHWAY ADMINISTRATION
Maintenance Contract

Contract ID: 5261161419 (Asset Management of the Youghiogheny Information and Rest Area located in Garrett County on Interstate 68)
ADPICS No.: 5261161419

Contract Description: This contract consists of asset management of Youghiogheny Information and Rest Area, inclusive of all janitorial and maintenance services required for the upkeep of the building and grounds of the Rest Area.

Awards: Horizon Goodwill Industries, Inc.
Hagerstown, MD

Contract Term: 01/01/2017 – 12/31/2019

Amount: \$ 774,196 NTE

Procurement Method: Preferred Provider

Living Wage Eligible: No (Preferred Provider)

MBE Participation: 0% (Single Element of Work)

Performance Security: None

Incumbent: Horizon Goodwill Industries, Inc.
Hagerstown, MD

Requesting Agency Remarks: The Pricing and Selection Committee for Blind Industries and Services of Maryland and the Employment Works Program approved the pricing on September 15, 2016.

The vendor has performed satisfactorily on previous contracts and has met SHA's needs.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0102



6-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Resident Business: Yes

MD Tax Clearance: 16-3146-1111

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Eric T. Lomboy
410-545-0330

elomboy@sha.state.md.us

7-M. STATE HIGHWAY ADMINISTRATION
Maintenance Contract

Contract ID: AX0647714 (Miscellaneous Roadway Structure Repairs at Various Locations in Carroll, Frederick & Howard Counties – District 7)
ADPICS No.: AX0647714

Contract Description: This contract consists of providing the necessary labor, materials and equipment to perform the physical maintenance of miscellaneous roadway structures at various locations in District 7.

Awards: PDI-Sheetz Construction Corporation
Linthicum, MD

Contract Term: 12/08/2016 – 12/31/2018

Amount: \$1,494,351 NTE

Procurement Method: Competitive Sealed Bidding

Bids/Proposals:	PDI-Sheetz Construction Corp. Linthicum, MD	\$1,494,351
	Concrete General, Inc. Gaithersburg, MD	\$1,497,115
	Allied Contractors, Inc. Baltimore, MD	\$1,822,790
	Brawner Builders, Inc. Hunt Valley, MD	\$2,026,101

Living Wage Eligible: Yes

MBE Participation: 100%

Performance Security: An annual renewable payment and performance bond in the amount equal to the Contract price per year exists on this contract.

Incumbent: PDI-Sheetz Construction Corp.
Linthicum, MD



7-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Requesting Agency Remarks: The Engineer's Estimate for this contract is \$1,422,160. The low bid received is 5.08% over the Engineer's Estimate. SHA has confirmed PDI-Sheetz Construction Corporation's bid price.

This contract was advertised on August 9, 2016 with bids opened on September 22, 2016. The Solicitation was advertised in eMaryland Marketplace. Seven hundred twelve potential contractors were notified about this contract on eMaryland Marketplace; 105 of which were MDOT Certified MBE's.

A 3% MBE goal was established for this contract; however, PDI-Sheetz Construction Corporation has committed to a 100% participation. PDI-Sheetz Construction Corporation is a Certified Minority Business claiming 1.5% of the MBE goal. They will also subcontract The New Barbet II Corporation; both of which are Certified Minority Business Enterprises; thereby achieving a 100% participation.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 16-3212-1110

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Eric Lomboy
(410) 545-0025
ELomboy@sha.state.md.us

8-RP. STATE HIGHWAY ADMINISTRATION
Real Property – Conveyance

Recommendation: That the Board of Public Works approve the following road conveyance.

Authority: Transportation Article, § 8-304
State Finance and Procurement Article, § 10-305
Annotated Code of Maryland

Property: MMC#13-2393
MD 874-D (Old New Market Road): from the corporate town limits of New Market, Maryland, approximately 0.08 mile \pm north of MD 144-FB (Main Street), running northeast to MD 75 (Green Valley Road), for a distance of 0.72 mile \pm .

Grantor: State of Maryland, State Highway Administration

Grantee: Frederick County, Maryland

Consideration: N/A

Appraised Value: N/A

Special Conditions: N/A

Fund Source: N/A

Legislative Notice: N/A

State Clearinghouse: N/A

Requesting Agency Remarks: Frederick County will use this property as an integral part of their road way system. The conveyance is being made to comply with conditions of a Road Transfer Agreement dated November 18, 2008 between the SHA and Frederick County, Maryland.

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

November 16, 2016

	Pages
Construction Modification	1 and 2
Architecture and Engineering	3 and 5
Maintenance	6 and 7
General Miscellaneous	8 thru 11
Real Property	12
Leases	13 thru 18
Capital Grants and Loans	19 thru 34

REVISED

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

1-C-MOD. CONSTRUCTION CONTRACT
Department of Juvenile Services

Contract ID: Construction Management At Risk Services
for the New Youth Detention Center
Cheltenham Youth Center
ADPICS No. 001B4400536
Project No: DC-455-090-001

Original Contract Approved: BPW: May 23, 2012; Item 1-C

Contractor: Turner Construction Company
Washington, DC

Contract Description: Construction Management (CM) at Risk Services for the new Youth Detention Center in Cheltenham, MD. The CM firm will provide professional management and construction services during both pre-construction and construction phases.

Original Procurement Method: Competitive Sealed Bids

Modification Description: Part A. All labor and materials to install additional temporary power to service the building while the permanent power is being installed. \$83,243.00 Part B. Provides for the cost to set, connect, and test the Medium Voltage (MV) Switchgear for the facility. \$ 112,377.00

Original Contract Term: 730 Calendar Days

Modification Term: 0 Calendar Days

Original Contract Amount: \$46,785,052

Modification Amount: \$ 195,620

Prior Modifications/Options: \$ 2,254,724

Revised Total Contract Amount: \$49,235,396

Original Contract Term: 730 Calendar Days

Modification Term: 0 Calendar Days

REVISED

1-C-MOD. CONSTRUCTION CONTRACT (cont'd)
Department of Juvenile Services

Percent +/- (This Modification): 0.42%

Overall Percent +/-: 5.26%

Remarks: Contract time will remain unchanged. Part A. This work is necessary in order for work to continue on the facility while the permanent power is in the installation process. Part B. This work is necessary because permanent power is required for the facility to operate which required this MV switchgear.

Original MBE Participation: 35%

MBE Participation: 31%

Fund Source: MCCBL 2013/Item 023

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



REVISED

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

2-AE. ARCHITECTURE AND ENGINEERING SERVICES
Department of General Services

Contract ID: Professional Services Agreement to Provide Architectural and Engineering Services for Construction Scheduling and Claims Analysis Project No. DGS-15-018-IQC

Description: Indefinite Quantity Contract Agreement to provide architectural and engineering services for construction scheduling and claims analysis to the Maryland Department of General Services on an as needed basis. The proposed agreement will be effective for two years with one two-year renewal option. Individual projects awarded under this agreement may not exceed \$300,000; however, the selected firms may be awarded more than one project.

Term: 12/01/16 - 11/30/2018
 Two (2) years, with one (1) two-year renewal

Procurement Method: Maryland Architectural and &Engineering Services Act

BIDS OR PROPOSALS	Qualification and Technical Scores	Contract Limit
Hill International, Inc., Washington, DC	182%	\$500,000.00
RKK LLP, Baltimore, MD	177%	\$500,000.00
JMT, Sparks, MD	164%	N/A
Alpha Corporation, Baltimore, MD	161%	N/A
Urban Engineers, Baltimore, MD	170%	N/A
KCI, Sparks, MD	NA	N/A
Trauner Consulting Services, Inc., Philadelphia, PA	NA	N/A
Resolution Management Consultants, Marlton, NJ	NA	N/A
O'Connell, Baltimore, MD	NA	N/A

Awards:

	ADPICS No.	Contract Amount
Hill International, Inc.	001B7400196	\$500,000
RKK, LLP	001B7400197	\$500,000

REVISED

2-AE. ARCHITECTURE AND ENGINEERING SERVICES (cont'd)
Department of General Services

Amount: \$500,000 Est. per Firm (1st two-year term) x 2 = \$1,000,000.
\$500,000 Est. per Firm (2nd two-year term) x 2 = \$1,000,000.
\$2,000,000 Total Est. . . .

Fund Source: Various accounts

MBE Participation: 25%

Remarks. Five of the nine firms that submitted technical proposals achieved the minimum qualifying score of 85% and were recommended by the Qualification Committee for price proposal negotiations. It was determined that a Second Phase Review Panel evaluation was required. At the meeting of August 11, 2016, the General Professional Services Selection Board (GPSSB) approved the Qualification Committee's recommendation of the ranking of the firms and authorized negotiations with the top ranked firms. At the meeting of September 15, 2016, the General Professional Services Selection Board (GPSSB) approved the Qualification Committee's recommendation of the ranking of the firms and authorized negotiations with the top ranked firm of Hill International and RKK, LLP.

The price proposal submitted by each firm reflected billing rates for each discipline required for this contract. The billing rates were inclusive of direct salaries, fringe benefits, overhead, profit, materials, and all other costs, direct and indirect. The fee for each project/task order awarded under the proposed agreement will be negotiated and the contract will be approved and executed by the State individually. Projects/task orders will normally be awarded on a rotating basis beginning with the number one ranked firm. Once the project award process has been initiated with a firm in the normal rotation, the next opportunity for project award will go to the next firm in the rotation unless the unit issuing the assignment finds that:

1. The firm is unable to perform the assignment;
2. The hours or fees proposed by the firm for services needed cannot successfully be negotiated to an amount the State considers fair and reasonable,
3. Another firm has special experience or qualifications, including geographic proximity to the site for which services are needed, that make it in the best interest of the State to give the assignment to another firm, or

REVISED

2-AE. ARCHITECTURE AND ENGINEERING SERVICES (cont'd)
Department of General Services

- 4. Assignment to another firm would tend to balance to a greater extent, among firms on the indefinite quantity contract list being used, the fees paid or payable for work assignments previously issued.

The services performed shall be consistent with prudent professional architectural and engineering practices and in accordance with the latest State of Maryland Codes, Regulations, and Department of General Services' design standards.

A contractual agreement of this nature is necessary to enable the State to fulfill its ongoing construction and renovation responsibility in a cost effective and timely manner.

The price proposals and the scope of services represented by the price proposals were reviewed by the General Professional Services Selection Board. The price proposals were accepted by the General Board as fair, competitive, and reasonable as required by Title 13-308 of the State Finance and Procurement Article, Annotated Code of Maryland.

MD Tax Clearance:

Hill International - 16-1260-0111
RKK, LLP - 16-3516-1111

Resident Business:

Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

Contact: Karen Davis 410.767.4945
 karen.davis@maryland.gov

3-M. MAINTENANCE CONTRACT
Department of Labor, License and Regulation
Multiple Locations

Contract ID: HVAC Preventative Maintenance Service
 ADPICS NO. 001B7400166

Description: Approval is requested for a contract to provide HVAC Preventative Maintenance Service for five (5) DLLR locations – 1100 North Eutaw Street Building, Baltimore Metro-South Claim Center, College Park Claim Center, Towson Claim Center and Waldorf American Job Center, for three years effective December 1, 2016 through November 30, 2019.

Procurement Method: Competitive Sealed Bids
 (Small Business Reserve)

<i>Bids or Proposals</i>	<i>Amount</i>
M & E Sales Inc., Hanover, MD	\$246,612.00
Mechanical Industries LLC., Frederick, MD	\$269,905.20
KELLY HVAC Incorporated, Upper Marlboro, MD	\$785,099.40
RLS Heating, A/C& Refrigeration, Orchard Beach, MD	\$823,800.00
JCM Control Systems Inc., Lutherville, MD	\$890,937.60
KEEPIN IT COOL, Waldorf, MD	\$1,350,000.00

Award M & E Sales Inc. - SBR# SB12-20870

Term: 12/01/2016 – 11/30/2019 with two (2), one (1) year options

Amount: \$146,052.00 (three (3) years)
 \$55,080.00 Option year 1
 \$45,480.00 Option year 2
 Total + Option Years = \$246,612.00

MBE Participation: 0%

Performance Bond: No

Hiring Agreement Eligible: No

REVISED

3-M. MAINTENANCE CONTRACT (cont'd)
Department of Labor, License and Regulation

Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com* on August 5, 2016, as a Small Business Reserve procurement. Approximately two hundred and twenty-eight (228) potential vendors received notification of this solicitation. Bids were opened August 31, 2016 and six bids were received. The recommended contractor M & E Sales Inc. has been found responsible, its bid responsive and has confirmed its bid.

Fund Source:

P00 17	8U801	05	0812	\$26,097.00
P00 17	24428	09	0812	\$22,587.00
P00 18	8U801	05	0812	\$26,097.00
P00 18	24428	09	0812	\$22,587.00
P00 19	8U801	05	0812	\$26,097.00
P00 19	24428	09	0812	\$22,587.00

Resident Business: Yes

MD Tax Clearance: 16-3031-0 111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

4-GM. GENERAL MISCELLANEOUS
Department of Education

Reference: In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval of the use of General Obligation Bond funding for the contract(s) noted below.

Title: Construct Alterations and Additions to the
State Library Resource Center, Baltimore, MD
Project No. ED-000-971-028

Description: Approval is requested to extend Phases V and VI of the architectural/engineering services contract for the Alterations and Additions to the State Library Resource Center in Baltimore, Maryland. This item encumbers the funds allocated in MCCBL 2014, Item 20, to activate design Phases V and VI. These services were included and approved as part of the original BPW contract (1-AE-MOD, 3/5/2014) with Ayers Saint Gross, Inc.

Remarks: The required services for phases V and VI (construction administration and post-construction services) are valued at \$884,235.08 and \$7,915.57 respectively. These funds will be utilized over a three year period as the facility is renovated.

Fund Source: MCCBL 2014 Item 020 - \$892,150.65

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

5-GM. GENERAL MISCELLANEOUS

Reference: In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$308,586. (3 items).

A. Maryland Department of Education Enoch Pratt Free Library, Baltimore

Contract ID: Scheduling and Claims Analysis Scope of Services
Renovations to Enoch Pratt Free Library
Project No: ED-000-971-528

Description: Provide scheduling and claims analysis during the renovation of the Enoch Pratt Free Library. This is a 300,000 square foot facility with a construction budget of \$85,000,000. Work shall be completed assuming continued phased occupancy.

Procurement Method: Maryland Architectural and
Engineering Services Act

<i>Bids or Proposals</i>	<i>Amount</i>
KCI Technologies, Inc., Sparks, MD	\$199,628.00

Award: KCI Technologies, Inc.

Amount: \$199,628.00

Fund Source: 020MCCBL2014

Remarks: Indefinite Quantity Contract (IQC) DGS-12-200-IQC was developed for DGS to provide Construction Inspection & Testing Services for Multiple Construction projects with fees \$200,000 or less. Under this agreement, individual contract awards may not exceed \$200,000. Selected firms may be awarded more than one contract; however, the total amount for the contracts awarded to any one firm may not exceed \$500,000. The expiration of the contract (DGS-12-200-IQC) is November 17, 2017.

5-GM. GENERAL MISCELLANEOUS (cont'd)

B. Maryland Department of Education Enoch Pratt Free Library, Baltimore
Maryland

Contract ID: Industrial Hygienist and Indoor Air Quality Testing
During Construction of the Enoch Pratt Free
Library
Project No: ED-000-971-428

Description: Approval is requested for a contract to for monitoring and testing of indoor air quality during the renovation of the Enoch Pratt Free Library. A 300,000 square foot facility with a construction budget of \$85,000,000. Work shall be completed assuming continued phased occupancy, therefore safety and health of the public is the driving concern for this service.

Procurement Method: Maryland Architectural and
Engineering Services Act

<i>Bids or Proposals</i>	<i>Amount</i>
KCI Technologies, Inc., Sparks, MD	\$49,833.00

Award: KCI Technologies, Inc.

Amount: \$49,833.00

Fund Source: 020MCCBL2014

Remarks: Indefinite Quantity Contract (IQC) DGS-12-200-IQC was developed for DGS to provide Construction Inspection & Testing Services for Multiple Construction projects with fees \$200,000 or less. Under this agreement, individual contract awards may not exceed \$200,000. Selected firms may be awarded more than one contract; however, the total amount for the contracts awarded to any one firm may not exceed \$500,000. The expiration of the contract (DGS-12-200-IQC) is November 17, 2017.

C. Department of Military Havre De Grace Readiness Center
National Guard Havre De Grace, MD

Contract ID: CPM Schedule Analysis at Havre de Grace
Readiness Center
Project No: M-500-160-004

5-GM. GENERAL MISCELLANEOUS (cont'd)

Description: Approval is requested for a contract to provide a review and analysis of the project's baseline CPM schedule and continuing reviews of monthly schedule updates over the contract's duration. A narrative report, in electronic and hard copy format, should accompany each review effort.

Procurement Method: Maryland Architectural and Engineering Services Act

<i>Bids or Proposals</i>	<i>Amount</i>
Alpha Corporation, Baltimore, MD	\$59,125.00

Award: Alpha Corporation

Amount: \$59,125.00

Fund Source: MCCBL2016 Item 108

Remarks: Indefinite Quantity Contract (IQC) DGS-12-200-IQC was developed for DGS to provide Construction Inspection & Testing Services for Multiple Construction projects with fees \$200,000 or less. Under this agreement, individual contract awards may not exceed \$200,000. Selected firms may be awarded more than one contract; however, the total amount for the contracts awarded to any one firm may not exceed \$500,000. The expiration of the contract (DGS-12-200-IQC) is November 17, 2017.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Wendy Scott-Napier 410.767.4088
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6- RP. REAL PROPERTY
Department of Natural Resources
File #8465, Baltimore County

Recommendation: Approval for the sale of unimproved property and permanent and temporary construction easements

Property: 0.271 acres +/- fee simple transfer, 0.045 acres +/- revertible slope easement and 0.089 acres +/- temporary construction easement

Grantor: State of Maryland, to the use of the Department of Natural Resources

Grantee: Baltimore County, Maryland

Remarks: Approval is requested for the sale of 0.271 acres +/- of land, the grant of veritable slope easements in the amount of 0.045 acres +/-, and temporary construction easements in the amount of 0.089 +/- acres to Baltimore County. Baltimore County has requested this land for purposes of widening the Gwynnbrook Avenue Bridge. The County will implement a storm water management and soil erosion program during construction and be responsible for all maintenance. Presentation of the project to the Board of Public Works has been delayed, due to County and State review processes.

Consideration: \$26,081.00

Appraisals: Stephen H. Muller – 5/12/11 - \$26,081.00

State Clearinghouse: Clearinghouse conducted an intergovernmental review of the project under MD20150615-0510. It has recommended to declare +/- 0.271 acres of land in the vicinity of the intersection of Gwynnbrook Avenue and Owings Mills Boulevard surplus to the State and transfer the land to Baltimore County. It is also recommended to grant a revertible slope easement of +/- 0.045 acres, and temporary construction easements of +/- 0.0892 acres to Baltimore County. Baltimore County plans to widen the Gwynnbrook Bridge.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

7-LL. LANDLORD LEASE
Department of General Services

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

Subtenant: Maryland Federation of Art
206 Main Street, 2nd floor and attic, 1st floor bathroom
Annapolis, MD 21401

Space Type: Historic Properties **Lease Type:** New/Sub Lease **No. Property:** 1
Duration: 5 Years **Effective:** 11/20/2016
Annual Rent: \$1.00

Utilities Responsibility: Tenant
Custodial Responsibility: Tenant
Previous Board Action(s): None

Recommendation: Reference is made to the prior Board item approved on 10/29/2014 where approval was provided for 10 properties. Request is made to approve this sublease agreement. 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 following sub-lease:

206 Main Street Sub-Tenant: Maryland Federation of Art
Term: Five (5) years
Annual Rent: \$8,310.00 with an annual 2% increase during the term.

7-LL. LANDLORD LEASE (cont'd)

Special Conditions

1. The Sub-Tenant shall occupy and use the Demised Premises for general business of an art gallery.
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 two five year terms by providing written notice to Landlord six months prior to expiration of the original term.
5. The Lease provides no parking for the Sub-Tenant.
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.
9. The Board of Public Works is now requested to approve 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

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

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

8-LT. TENANT LEASE

*Department of Human Resources
 Department of Public Safety and Correctional Services*

Landlord/Owner Nathan Family, LLC
 198 Thomas Johnson, Suite 207
 Frederick, MD 21702

Property Location 100 East All Saints
 Frederick, MD 21702

Space Type	Office	Lease Type	Retroactive	Square Feet	46,152 DHR
Duration	6 months 16 days	Effective	May 1, 2016		2,325 DPSCS
Term Rent	\$646,629.32			Square Foot Rate	\$24.50 (9 month term)
				Prev. Square Foot Rate	\$13.75

Utilities Responsibility	Tenant
Custodial Responsibility	Landlord
Previous Board Action(s)	#13-LT, dated 4/20/11; #5-L, dated 11/17/93; #8-L, dated 4/16/97; #20-L, dated 12/15/99; #18-L, dated 7/6/05.

Fund Source

DHR	N00G0002	7B10	1351	G0010	17,821	\$24.50	\$237,712.34
	N00G0003	7C10	1351	G3010	15,308	\$24.50	\$204,191.71
	N00G0004	7D10	1351	G4100	4,113	\$24.50	\$54,862.85
	N00G0005	7E10	1351	G5000	4,341	\$24.50	\$57,904.12
	N00G0006	7F10	1351	G6010	4,569	\$24.50	\$60,945.38
Sub-Total:					46,152		\$615,616.40
DPSCS				RC110	2,325		\$31,012.92
Total							\$646,629.32

Recommendation

Approval is requested for the payment of rent for the retroactive period that lapsed from May 1, 2016 to November 16, 2016 pursuant to the State Finance and Procurement Article 11-204(c)(1). The total amount of funds for the retroactive period is \$646,629.32. The reasons for the retroactive request are the Landlord's refusal to negotiate a lease extension, and concerns by both the Agency and Frederick County regarding the relocation of the facility and public transportation available to serve the clients at the new facility. This retroactive approval is for one lease at this location for both DHR and Public Safety. Both agencies have been at this location since 1995.

Reference is made to item 13-LT approved by the Board of Public Works on 4/20/11, wherein the Board approved a 5 year lease for the period 5/1/11 – 4/30/16. At the request of the using agency, DGS issued a Request for Proposals to seek new space for DHR in 2015.

REVISED

8-LT. **TENANT LEASE** (cont'd)

Remarks

1. This retroactive request through November 16, 2016 is for a lease extension to provide both using agencies more time to relocate. Approval for the lease extension for the period November 17, 2016 – January 31, 2017 will be requested on the Secretary's agenda as an emergency request.
2. This lease contains the standard 6 month hold over provision.
3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.05.05.02D. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

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

9-LT. TENANT LEASE

Department of Public Safety and Correctional Services

Landlord CHARLES H. JAMISON, INC
19939 Fisher Avenue
Frederick, MD. 20837

Property Location 92 Thomas Johnson Drive, Suite 275
Frederick, MD. 21702

Space Type	Office	Lease Type	New	Square Feet	2,400
Duration	10 Years	Effective		January 1, 2017	
Annual Rent	\$ 48,480.00	Square Foot Rate		\$20.20	

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) 11/17/93-5-L; 4/16/97- 8-L; 12/15/99 - 20-L; 7/6/05 – 18-L
4/20/11- 14-LT

Fund Source 100%- General DPP Admin; RC110

Recommendation

Approval is respectfully requested to lease for a ten (10) year term this new office lease consisting of 2,400 net usable square feet at a square foot rate of \$20.20, for an annual rent of \$48,480.00. The lease provides for a five (5) year renewal option, which will be submitted for future Board of Public Works approval. This item relates to Item 8 LT appearing on the 11/16/16 agenda.

Remarks

1. DPSCS seeks space for its Division of Parole and Probation regional office. This is an administrative office that meets regularly with various levels of staff, but has little contact with the public.

REVISED

9-LT. TENANT LEASE (*cont'd*)

2. The lease contains a termination for convenience clause, and the standard 6 month hold-over period.
3. The lease provides ten (10) use-in-common parking spaces at no cost to the State.
4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Contact: Ahmed Awad 410.767.6589
ahmed.awad@maryland.gov

10-CGL. CAPITAL GRANTS AND LOANS
Department Of Health and Mental Hygiene

Recommendation That the Board of Public Works (BPW) approve a revision of a previously approved submission of a request for a “Waiver of Priority of Declaration and Subordination Agreement” by Easter Seals Serving DC/MD/VA Inc. (Easter Seals).

Past BPW Actions

- 5/9/2007 - The BPW approved a grant of \$1,000,000.00 (DGS 19-CGL) to assist Easter Seals for the use and purpose of construction of only 10,183 gross square feet of a 46,000 square foot three story building located at 1420 Spring Street, Silver Spring, MD 20910. The property has been subject to the legal operation and effect of a Notice of Right of Recovery, dated January 9, 2008 and recorded among the Land Records of Montgomery County, Maryland in Liber 35259, Folio 726. This Right of Recovery is set to expire on January 17, 2038.
- 9/7/2016 – The BPW approved (DGS 40-CGL) the transfer of the State’s Right of Recovery for the Support Center, Inc. located on 1010 Grandin Avenue, Rockville, MD 20851 to the property owned by Easter Seals located at 1420 Spring Street, Silver Spring, MD 20910. The amount of the State’s Right of Recover being transferred is \$731,875.00. This Right of Recovery is currently in the process of being recorded in the land records of Montgomery County and will expire on June 19, 2032.
- 9/7/2016 – The BPW approved (DGS 40-CGL) a Waiver of Priority of Declaration and Subordination Agreement. Easter Seals has a financing agreement with the Manufacturers and Traders Bank (M&T Bank) with the condition that the State agreed to subordinate its Right of Recovery to the deed of trust in the amount of \$6,900,000.00 which has been paid down to a current value of \$5,935,000.00.

Easter Seals is the owner of a fee simple interest in a parcel of land with improvements located at 1420 Spring Street, Silver Spring, Maryland 20910 (the “Property”). The total State’s Right of Recovery on this property is \$1,731,875.00. Easter Seals has received a loan from Manufacturers and Traders Bank (M&T Bank) to refinance indebtedness. In the process of completing the documentation associated with the refinancing of indebtedness it has come to the attention of M&T Bank and Easter Seals that there exists another deed of trust on the Property in the amount of \$750,000.00 for a line of credit that is currently undrawn. This deed of trust is recorded among the Land Records of Montgomery County, Maryland in Liber 36532, Folio 425. It has also come to the attention of Easter Seals that M&T Bank will require \$1,070,000.00 in collateral as part of the refinancing.

10-CGL CAPITAL GRANTS AND LOANS (cont'd)

Accordingly, Easter Seals will be recording a new deed of trust which will encompass the \$5,935,000.00 currently owed on a previous deed of trust, the \$750,000.00 line of credit, and the \$1,070,000.00 in additional collateral required by M&T Bank. The new M&T Bank deed of trust in the amount of \$7,755,000.00 will be recorded in the land records for Montgomery County.

The financing agreement with the M&T Bank is conditioned upon the State agreeing to subordinate its Right of Recovery to the deed of trust in the amount of \$7,755,000.00. The current appraisal for the Building puts the "value-in-use" for the Building at \$10.4 million. There are no other changes in the terms of the Waiver of Priority of Declaration and Subordination Agreement.

Remarks Health General Article 24-706(d)(2) provides that a lien based on the State's right of recovery is superior to a lien or other interest of a mortgage "except as the State may by written subordination agreement provide otherwise." The Waiver of Priority Declaration and Subordination Agreement reflects the financial arrangement as so stated above.

This agreement is approved as to form and legal sufficiency by an Assistant Attorney General Maryland Department of Health and Mental Hygiene.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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

11-CGL. CAPITAL GRANTS AND LOANS

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 Chesapeake Math and IT Academy, Inc.

Chesapeake Math and IT Academy Gymnasium (Prince George’s County)

“For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Math and IT Academy gymnasium, located in Prince George’s County.”

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2016 (MISC – Chapter 027, Acts of 2016), DGS Item G026; (SL-016-160-038)

Matching Fund The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2018 and the Board of Public Works to certify a matching fund. The Board of Directors of the Chesapeake Math and IT Academy, Inc. has submitted documentation that it has \$1,294,444.26 in a financial institution to meet the matching fund requirement for this project.

Background	Total Project	\$ 500,000.00
	16-G026 (This Action)	\$ 250,000.00
	Local Cost	\$ 250,000.00

Remarks

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

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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

12-CGL. CAPITAL GRANTS AND LOANS

Recommendation That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

Mayor and City Council of the City of Rockville

F. Scott Fitzgerald Theatre and Social Hall (Montgomery County)

“For acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the F. Scott Fitzgerald Theatre and Social Hall facility, including site improvements to facility parking lots, sidewalks, and driveways, located in Montgomery County.”

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2015 (LHI - Chapter 495, Acts of 2015)
 DGS Item G071*

\$75,000.00

*Maryland Consolidated Capital Bond Loan of 2015 (LSI - Chapter 495, Acts of 2015)
 DGS Item G129; (SL-045-150-038)*

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 Mayor and City Council of the City of Rockville have submitted documentation that \$830,725.00 has been allocated in their Fiscal Year **2017** budget to meet the matching fund requirement for this project.

Background

Total Project	\$1,945,000.00
15-G071 (This Action)	\$ 100,000.00
15-G129 (This Action)	\$ 75,000.00
Local Cost	\$1,770,000.00

Remarks

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

12-CGL. CAPITAL GRANTS AND LOANS (cont'd)

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

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

13-CGL. CAPITAL GRANTS AND LOANS

Recommendation That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

***Board of Directors of the National Capital B’nai B’rith Housing Foundation, Inc.
Homecrest House (Montgomery County)***

*“For the acquisition, planning, design, construction, repair, renovation,
reconstruction, and capital equipping of the Homecrest House, located in
Montgomery County.”*

\$75,000.00

*Maryland Consolidated Capital Bond Loan of 2016 (LSI – Chapter 027, Acts of 2016),
DGS Item G091*

\$45,000.00

*Maryland Consolidated Capital Bond Loan of 2016 (LHI – Chapter 027, Acts of 2016),
DGS Item G168; (SL-001-140-038)*

Matching Fund The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2018 and the Board of Public Works to certify a matching fund. The Board of Directors of the National Capital B’nai B’rith Housing Foundation, Inc. has submitted documentation that it has \$80,785.42 in a financial institution and \$70,663.60 in prior eligible expenditures for a total of \$151,449.02 to meet the matching fund requirement for this project.

Background	Total Project	\$360,000.00
	16-G091 (This Action)	\$ 75,000.00
	16-G168 (This Action)	\$ 45,000.00
	14-G161 (Prior Action)	\$ 60,000.00
	12-G069 (Prior Action)	\$ 40,000.00
	11-G064 (Prior Action)	\$119,000.00
	Local Cost	\$ 21,000.00

(Prior Actions: 10/1/14 Agenda, Item 18-CGL, 10/17/12 Agenda, Item 26-CGL,
and 4/4/12 Agenda, Item 10-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.

13-CGL CAPITAL GRANTS AND LOANS (cont'd)

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 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

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

14-CGL. CAPITAL GRANTS AND LOANS

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

Board of Trustees of the Maryland Zoological Society, Inc.

Maryland Zoo in Baltimore – Infrastructure Improvements (Baltimore City)

“To assist in funding the design, construction, and equipping of infrastructure improvements for the exhibits and operations of the Maryland Zoo in Baltimore.”

\$3,500,000.00

Maryland Consolidated Capital Bond Loan of 2016 (MISC – Chapter 027, Acts of 2016)

DGS Item 127, (SL-007-060-038)

Matching Fund No match is required.

Background

Total Project	\$38,010,000.00
16-127 (This Action)	\$ 3,500,000.00
15-136 (Prior Action)	\$ 5,000,000.00
14-041 (Prior Action)	\$ 5,000,000.00
13-033 (Prior Action)	\$ 7,000,000.00
12-027 (Prior Action)	\$ 5,000,000.00
11-018 (Prior Action)	\$ 2,500,000.00
10-024 (Prior Action)	\$ 5,000,000.00
08-031 (Prior Action)	\$ 2,000,000.00
07-051 (Prior Action)	\$ 1,000,000.00
06-030 (Prior Action)	\$ 760,000.00 (CA-FY 2007)
05-041 (Prior Action)	\$ 500,000.00
04-038 (Prior Action)	\$ 750,000.00
Local Cost	\$ 0.00

(Prior Actions: 10/21/15 Agenda, Item 23-CGL; 11/12/14 Agenda, Item 13-CGL; 12/18/13, Item 17-CGL; 12/19/12, Item 18-CGL; 08/22/12, Item 20-CGL; 12/15/10, Item 19-CGL; 11/05/08 Agenda, Item 22-CGL; 10/31/07 Agenda, Item 13-CGL; 01/03/07 Agenda, Item 16-CGL; 02/15/06 Agenda, Item 27-CGL; 11/17/04 Agenda, Item 18-CGL)

14-CGL CAPITAL GRANTS AND LOANS (cont'd)

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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

15-CGL. CAPITAL GRANTS AND LOANS

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

***Board of Trustees of the Reisterstown Community Cemetery
Reisterstown Community Cemetery Project (Baltimore County)***

“For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of infrastructure improvements to the Reisterstown Community Cemetery, located in Baltimore County”

\$25,000.00

*Maryland Consolidated Capital Bond Loan of 2016 (MISC – Chapter 027, Acts of 2016)
DGS Item 140, (SL-015-160-038)*

Matching Fund No match is required.

Background:

Total Project	\$ 25,000.00
16-140 (This Action)	\$ 25,000.00
Local Cost	\$ 0.00

Remarks:

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

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

16-CGL. CAPITAL GRANTS AND LOANS

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

Board of Trustees of Sandy Spring Museum, Inc.

Sandy Spring Museum (Montgomery County)

“For the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Sandy Spring Museum, located in Montgomery County.”

\$40,000.00

Maryland Consolidated Capital Bond Loan of 2016 (LHI – Chapter 027, Acts of 2016), DGS Item G177; (SL-037-100-038)

Matching Fund The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2018 and the Board of Public Works to certify a matching fund. The Board of Trustees of Sandy Spring Museum, Inc. has submitted documentation that it has \$42,819.63 in a financial institution to meet the matching fund requirement for this project.

Background

Total Project	\$435,574.34
16-G177 (This Action)	\$ 40,000.00
14-G168 (Prior Action)	\$ 75,000.00
10-G138 (Prior Action)	\$ 35,000.00
10-G068 (Prior Action)	\$ 65,000.00
Local Cost	\$220,574.34

(Prior Actions: 01/06/16 Agenda, Item 18-CGL; 03/19/14 Agenda, Item 18-CGL; and 09/07/11 Agenda, Item 26-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.

16-CGL. CAPITAL GRANTS AND LOANS (cont'd)

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

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Contact: Fred Mason 410.767.4378
 fred.mason@maryland.gov

17-CGL. CAPITAL GRANTS AND LOANS
Maryland Higher Education Commission

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

Garrett College

STEM Building 200 Renovation and Addition – Construction, Furniture & Equipment
 The proposed project involves renovation of the 10,022 NASF/ 15,000 GSF Building 200, and construction of a 2,608 NASF/6,500 GSF addition to provide modern and centralized laboratory and classroom space for the biology, chemistry, physics, earth science, and mathematics disciplines. This project will replace antiquated labs located in several buildings with a central facility meeting the needs of current STEM instruction.

\$3,937,000

MCCBL 2015/Item 112 \$3,937,000

CC-15-MC07/15-445

Matching Fund: Garrett College – \$3,937,000

Cost sharing is 50.0% State share, 50.0% local share and is in accordance with Section 11-105(j) of the Education Article.

Background:	Total Amount	State Share	Local Share
Total Project	\$8,524,000	\$4,262,000	\$4,262,000
This Action	\$7,874,000	\$3,937,000	\$3,937,000
Previous Action -10-CGL-11/04/15	\$ 650,000	\$ 325,000	\$ 325,000

Remarks:

- 1.This action is in accordance with MHEC Construction and Space Allocation regulations, COMAR 13B.07.
- 2.The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommend approval. All contracts will be awarded by Garrett College and signed by local authorities.
- 3.The Office of the Comptroller may not disburse State funds until after the Department of General Services verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Contact: Ahmed Awad 410.767.6589
ahmed.awad@maryland.gov

18-CGL. CAPITAL GRANTS AND LOANS
Department of Health and Mental Hygiene

Submission of a request by Go Getters, Inc. Mental Health that the Board of Public Works approve a "Waiver of Priority of Declaration and Subordination Agreement" for the property located at 431 Main Street, Salisbury, Maryland 21804.

Past BPW Item: On September 10, 1997 the BPW approved a capital grant in the amount of \$808,801.00 (DGS Agenda Item 34-CGL) from Community Mental Health, Capital Program 1996 for the acquisition of a one story L shaped building containing approximately 10,820 square feet. The building is situated on a 1.33 acre site which is located at 431 Main Street, Salisbury, Maryland 21804. Go-Getters, Inc. is using the building as a Community Rehabilitation Center for psychiatrically disabled adults.

A notice of the State's Right of Recovery, as required under Health-General Article §24-606, of the Annotated Code of Maryland, was recorded among the Land records of Wicomico County Maryland on September 30, 1997 in Book 1564, Page 441.

Currently the building is in need of renovations to address water infiltration into the building. Go-Getters, Inc., has received a loan from Branch Banking and Trust Company (BB&T). The loan is conditioned upon the State agreeing to subordinate its right of recovery to BB&T's first Deed of Trust in the amount of \$350,000.00. The State is not funding the renovations.

Remarks: Health General Article §24-606(f)(2) provides that a lien based on the State's right of recovery is superior to a lien or other interest of a mortgage "except as the State may by written subordination agreement provide otherwise". The Waiver of Priority Declaration and Subordination Agreement reflects the financial arrangement as so stated above.

This agreement is approved as to form and legal sufficiency by an Assistant Attorney General for the Department of Health and Mental Hygiene. The Board is now requested to approve the Waiver of Priority Declaration and Subordination Agreement that will permit Go-Getters, Inc., to close on the loan.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Contact: Ahmed Awad 410.767.6589
ahmed.awad@maryland.gov

19-CGL. CAPITAL GRANTS AND LOANS
Department of Health and Mental Hygiene

Recommendation That the Board of Public Works approve a grant of **\$242,951.00** to ***Way Station, Inc. (Frederick County)***.

Project Renovation of a connected row house located at 320-322 North Potomac Street, Hagerstown, Maryland 21740.

Bids

William C. Barton and Associates, Inc., Reisterstown, MD	\$371,092.00*
The Eagle Construction Company, Greencastle, PA	\$373,771.00
Buchery Builders, Inc., Frederick, MD	\$381,900.00

*William C. Barton and Associates, Inc. was rejected due to an incomplete initial bid and an additional 60 day longer time requirement.

Award

The Eagle Construction Company, Greencastle, PA	\$373,771.00
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Remarks

1. This project will provide housing for four individuals with psychiatric disabilities.
2. In accordance with *Subtitle 6 of Title 24 of the Health-General Article of the Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Fredrick County.
3. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of Capital Planning, Budgeting, and Engineering Services that it has expended the required matching funds.
4. Grantee is a nonprofit organization.

19-CGL. CAPITAL GRANTS AND LOANS (cont'd)

Fund Source DHMH share is 65% of the eligible costs. The grantee's share is the difference between the total project costs less the State's share and funding is as follows:

\$373,771.00	Total Project Cost
\$373,771.00	Eligible Project Cost
\$242,951.00 (65%)	MCCBL 2015 (CHFF) DHMH #09810-06
\$130,820.00 (35%)	Way Station, Inc., Cash reserves

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplemental

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

20-C-MOD. CONSTRUCTION CONTRACT MODIFICATION *Maryland State Police*

Contract ID: Project No: PZ-000-150-001
001B6400444/COH01427
Martin State Airport
Air Crew Training Facility

Original Contract Approved: BPW 03/23/16; Item 1-C

Contractor: Hascon LLC
Columbia, MD

Contract Description: Approval is requested for the construction of a building addition onto the existing Maryland State Police Aviation Command Helicopter Hanger at Martin State Airport. This addition will house the Air Crew Simulation Training Device included as part of the MDOT contract to purchase 10 Agusta-Westland Model 139 helicopters for the Maryland State Police.

Modification Description: This change order will provide all labor and materials necessary to implement the code requirement changes to the contract documents, and changes to adjoining areas resulting from the design revision, via the direction of the Maryland Aviation Administration (MAA). In addition to the code requirements by the MAA, the contractor was subject to contract document changes by the Maryland Department of the Environment (MDE). Also included is a ninety-one (91) day compensable time extension with a revised completion date of January 6, 2017.

Original Contract Term: 180 Calendar Days

Modification Term: 91 Calendar Days

Original Contract Amount: \$ 2,351,100.00

Modification Amount: \$ 869,422.35

Prior Modifications/Options: \$ 0.00

Revised Total Contract Amount: \$ 3,220,522.35

Percent +/- (This Modification): 36.98%

Overall Percent +/-: 36.98%

Supplemental

20-C-MOD. CONSTRUCTION CONTRACT MODIFICATION (cont'd)
Maryland State Police

Original Procurement Method: Competitive Sealed Bidding
(Small Business Reserve)

Original MBE Participation: 37% (15% Self Performing, Minority-owned Firm
(7% African American-owned, 15% Asian
American-owned)

Original VSBE Participation: 5%

MBE Compliance: 0%

Remarks: The contract time will be revised by ninety-one (91) compensable calendar days with a revised completion date of January 2, 2017.

In an effort to be code compliant via MAA and MDE standards, the contract documents had to be modified to accommodate ADA standards and current Storm Water Management standards. Per these required changes, this affected the building - steel structure, footings, and ancillary features of the new facility, as well as the need to construct and install a new 2-Stop elevator within the footprint of the facility. These changes and revisions impacted the awarded contractor from performing the work within the duration of the original contract, thereby making it necessary to extend the contract duration and compensate the contractor for extended general conditions costs by 91 calendar days.

Fund Source: 18 MCCBL 2015 Provide funds to acquire a flight training device and construct a new flight training facility at Martin State Airport.

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

