

BOARD OF PUBLIC WORKS

TABLE OF CONTENTS

AUGUST 10, 2011

I. ITEMS SUBMITTED ON THE SECRETARY'S AGENDA

Department of Agriculture	
Agricultural Cost-Share Program Grants.....	4-6
Board of Public Works	
Wetlands Licenses.....	7-8
Department of the Environment.....	9-18
Maryland Environmental Service.....	19
Department of Housing & Community Development.....	20-28
Department of Planning.....	29-30
Maryland Stadium Authority	31
Morgan State University	32-35
Maryland Stadium Authority	36
Public School Construction.....	37
APPENDIX.....	38-41
SUPPLEMENT A - Program Open Space.....	42-44
SUPPLEMENT B - Budget & Management.....	45-85
SUPPLEMENT C - University System of Maryland.....	86-106
SUPPLEMENT D - Department of Information Technology	107-125

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

Construction Contracts	126-136
A/E Contracts.....	137-145
Maintenance Contracts.....	146-160
Lease	161-162
Property	163
General Miscellaneous	164-173
A/E Contracts.....	174-178
General Miscellaneous	179-182

III. ITEMS SUBMITTED ON THE DEPARTMENT OF GENERAL SERVICES AGENDA:

Construction Contracts and Modifications	183-187
A/E Service Contracts.....	188-191
Maintenance.....	192-193
General Miscellaneous	194-195
Property	196-217
Leases.....	218-229
Capital Grants and Loans	230-237
Lease	238-240

INDEX	242-243
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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, AUGUST 10, 2011**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, August 10, 2011.

Board Members present:

The Honorable Martin O'Malley, Governor
The Honorable Peter Franchot, Comptroller

Also present:

Al Collins, Secretary, Department of General Services
David Romans, Deputy Secretary, Department of Budget & Management

CONSTRUCTION:

General Construction Project Contingency Fund 1988
Maryland Consolidated Capital Bond Loan of 2004
Maryland Consolidated Capital Bond Loan of 2005
Maryland Consolidated Capital Bond Loan of 2006
Maryland Consolidated Capital Bond Loan of 2007
Maryland Consolidated Capital Bond Loan of 2008
Maryland Consolidated Capital Bond Loan of 2009
Maryland Consolidated Capital Bond Loan of 2010
Maryland Consolidated Capital Bond Loan of 2011

On items where payments are to be made from proceeds of the above listed bond issues, full regard is given to the provisions of each Act and its prospective amendments.

Except as otherwise provided in these Acts, before the State agency or institution responsible for an individual item may begin work with funds secured under the Act, the agency or institution shall provide satisfactory assurances to the Board of Public Works that the work described in the individual items can be completed with the funds specified for that item.

If federal funds are available to help accomplish any project identified in these Acts, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds secured under these Acts, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in these Acts, not to expand its scope.

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Norman Astle (410) 841-5864

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1. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program Grant Requests

Recommendation: That the Board of Public Works approve funding a total of 30 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$297,600.

Agreement #	Recipient	County	Amount
AT-2011-2410	DONALD BURROUGHS	St. Mary's	4,800
AT-2011-2411	DONALD BURROUGHS	St. Mary's	4,000
AT-2012-1539	JOHN T. KIRBY	Queen Anne's	1,100
CH-2011-2435	DIANE E. HAGUE	Kent	4,500
CR-2012-1510-B	STEPHEN E. FOSTER	Caroline	34,300
CR-2012-1511	STEPHEN E. FOSTER	Caroline	5,800
CR-2012-1512-B	MARK R. FRASE	Caroline	10,500
CR-2012-1513-B	BETTER DAYS FARM OPERATIONS, LLC	Caroline	18,600
CR-2012-1519	BOSTON FARM LLC	Dorchester	4,900
CR-2012-1520	BOSTON FARM LLC	Dorchester	4,500
MP-2012-1517	FOGLE FARM	Carroll	3,200
MP-2012-1518	DEANNA J. MULLENDORE	Washington	14,400
MP-2012-1523	JOSEPH A. SCHWARTZBECK, JR	Carroll	12,200
MP-2012-1532	KARLA L. STONER	Frederick	1,500
MP-2012-1533	KARLA L. STONER	Frederick	1,000
MP-2012-1534	KARLA L. STONER	Frederick	2,600
MP-2012-1535	KARLA L. STONER	Frederick	600
MP-2012-1536	KARLA L. STONER	Frederick	2,500
MP-2012-1537	KARLA L. STONER	Frederick	2,500
MP-2012-1538	KARLA L. STONER	Frederick	1,800
NW-2011-2465-B	THOMAS J. MILLER, SR	Dorchester	35,000
PA-2011-2403	DAVID LIKER	Howard	9,300
PA-2011-2404	DAVID LIKER	Howard	6,300
PR-2012-1505	GREGORY WILKINS	Worcester	7,000
RS-2012-1521	MARY E. PRICE	Baltimore	76,300
RS-2012-1522	MARY E. PRICE	Baltimore	15,100
RS-2012-1540	AARON M. PUCKETT	Carroll	6,600
RS-2012-1541	AARON M. PUCKETT	Carroll	900
RS-2012-1542	AARON M. PUCKETT	Carroll	1,700
RS-2012-1543	AARON M. PUCKETT	Carroll	4,100

BOARD OF PUBLIC WORKS**AUGUST 10, 2011****SECRETARY'S AGENDA**

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

Fund Source: MCCBL of 2010/Item 10077: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve **ADDITIONAL FUNDING** of 5 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$5,908.03.

Agreement #	Recipient	County	Amount \$
MP-2011-1515	DAVID S. BOLLINGER	Carroll	1,029.63
MP-2011-2214	WAYNE WACHTER	Frederick	237.00
MP-2011-2292	MICHAEL R. HAINES	Carroll	629.08
MP-2011-2295	MICHAEL R. HAINES	Carroll	2,998.42
UP-2011-1845	RONALD L. INGRAM	Washington	1,013.90

Fund Source: MCCBL of 2010/Item 10077: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
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3. BOARD OF PUBLIC WORKS *Wetlands Licenses*

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

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

BALTIMORE CITY

11-0173 U. S. NAVY – To repair seawall, emplace piles, and construct a floating dock and walkway – Patapsco River

KENT COUNTY

11-0042 HAVEN HARBOUR MARINA – to replace fixed pier with a floating pier, finger piers and pilings; and to maintenance dredge an area- The Havens, Rock Hall

TALBOT COUNTY

11-0104 *WILLIAM & LINDA CARTER – To construct stone groins and fill, grade and plant marsh vegetation along an eroding shoreline – Miles River, Easton

11-0481 *ESTATE OF PETER HERSLOFF – To remove/replace pier, emplace stone edging, construct mooring piles, finger pier, and boatlifts, and fill, grade, and plant marsh vegetation along an eroding shoreline – Wye River East, Easton

VARIOUS COUNTIES

10-0058 MD BROADBAND COOP – To install fiber optic cable using directional bore, existing conduit and bridge attachment methods - Chester, Sassafras, Bohemia rivers, C&D Canal and Long Beach in Queen Anne's, Kent, and Cecil counties

*NOTE: In FY2012, BPW has approved 0.79 acres of living shoreline.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
dmoore@comp.state.md.us

4. BOARD OF PUBLIC WORKS *Wetlands License 11-0249*

Approval is requested of the following application for wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case has been classified as an extraordinary case because a public informational hearing was held. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

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

ST. MARY'S COUNTY

11-0249 DEPARTMENT OF NATURAL RESOURCES – To remove and replace piers, floating docks, finger piers, and mooring piles at shellfish hatchery restoration operation. DNR has requested a 10-year license in to complete the project.

DNR Piney Point Aquaculture Center on St. George's Creek

- Application received – October 12, 2010
- Public comment period ended – February 1, 2011
- Public hearing held – March 21, 2011
- Hearing comment period closed – April 18, 2011
- MDE Report and Recommendation approving works as above described received – July 5, 2011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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5. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Submission of a request by the Maryland Department of the Environment for approval of capital construction grants totaling \$1,567,310 for the following projects, which will be funded from proceeds of various general obligation bonds:

1. **Towson Finished Reservoir Cover (WC1164) – New Grant - \$1,500,000**
 Recipient: Baltimore City
 Legislative District: 42
 Project No.: WSG 01.03
 MCCBL 2010 (10068) - \$758,930 – Water Supply Financial Assistance Program
 MCCBL 2011 (11065) - \$741,070 – Water Supply Financial Assistance Program
2. **Region II (St. Michaels) Sewer Collection System Improvement Project – Further Funding - \$67,310**
 Recipient: Talbot County
 Legislative District: 37B
 Project Number: SWQH 09.21
 MCCBL 2011 (11064) - \$67,310 – CBWQ- Supplemental Assistance Program

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

MDE has determined that these projects are consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. These projects are consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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6. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$86,500 to the Town of Vienna for the **Vienna Smart Water Meters Replacement** project in Dorchester County. This grant may involve multiple sources of funding including GO bonds, as the required 20% State match of Federal funds. (Legislative District 37)

Project Description: The project involves the replacement of all the existing water meters within the potable water distribution system for the Town of Vienna. The existing water meters are aging and experiencing performance problems. The project will replace traditional meters with smart meters and qualifies as a "Green" project under the Drinking Water Revolving Loan Fund program.

Project Funding Sources:

Drinking Water State Revolving Loan Fund – Green Grant (this action)	\$86,500
Local Funding	<u>\$12,353</u>
TOTAL ESTIMATED PROJECT COST:	\$98,853

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

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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7. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **grant funding** up to \$16,053,000 to the Washington Suburban Sanitary Commission for the **Parkway Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) Upgrade** project in Prince George's County. The source of these grant funds is the Bay Restoration Fund. (Legislative District 23A)

Project Description: The project entails the planning, design and construction of Enhanced Nutrient Removal (ENR) facilities at the existing 7.5 million gallons per day (mgd) Parkway Wastewater Treatment Plant. Upon completion of the ENR facilities, the plant will achieve effluent quality with annual average nutrient goals of 3.0 mg/l for Total Nitrogen (TN) and 0.3 mg/l for Total Phosphorous (TP), which represents a 62.5% reduction in TN and 70% reduction in TP. These improvements will significantly reduce nutrients discharged to the Patuxent River and the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 03.25 (this action)	\$16,053,000
Local Funding	\$ 2,491,340
TOTAL ESTIMATED PROJECT COST:	\$18,544,340

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department. The ENR projects may be funded using special funds, revenue bonds or State GO bonds.

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

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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8. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a new grant up to \$48,000 to Maryland Environmental Service for the **Maryland Correctional Institute Wastewater Treatment Plant Enhanced Nutrient Removal Upgrade** project in Washington County. The source of these grant funds is the Bay Restoration Fund. (Legislative District 2B)

Project Description: The project entails multi phase funding of the planning, design and construction phases to upgrade the Maryland Correctional Institute's Wastewater Treatment Plant for Enhanced Nutrient Removal (ENR) at the existing capacity of 1.6 million gallons per day (mgd). Currently, the project is in the planning phase which includes a feasibility study. This study will determine the most appropriate and cost effective technology and types of modifications required at the Maryland Correctional Institute Wastewater Treatment Plant to achieve effluent with 3.0 mg/l Total Nitrogen and a Total Phosphorous of 0.3 mg/l. After the upgrades, the nitrogen discharge will be reduced by 62.5 percent and phosphorous discharge by 85 percent, significantly reducing nutrients discharged to Antietam Creek and ultimately to the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 03.22 (this action)

\$48,000

TOTAL ESTIMATED STUDY COST:

\$48,000

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department. The ENR projects may be funded using special funds, revenue bonds or State GO bonds.

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

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

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9. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **new loans** up to \$400,000 to Allegany County for the **Shades Lane Water** project. To secure this debt, Allegany County will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. These loans may involve multiple sources of funding including GO bonds as the required 20% State match to Federal funds. (Legislative District 1B)

A. New Loan Estimated \$50,000 – Drinking Water State Revolving Loan Fund. This loan will be repaid over a period not to exceed 30 years following project completion, at an interest rate of 25% of the Average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.10% interest rate.

B. New Loan Forgiveness Estimated \$350,000 – Drinking Water State Revolving Loan Fund. This loan will be forgiven as a Disadvantaged Community under the Federal Safe Drinking Water Act. The Principal Forgiveness loan terms are enforceable should there be a programmatic default on the Loan Agreement.

Project Description: The proposed project will replace the existing water distribution system which is undersized and experiences severe low pressure problems. The project will include a master meter station.

Project Funding Sources:

Drinking Water State Revolving Loan Fund (this action)	\$ 50,000
Drinking Water State Revolving Loan Fund w/Principal Forgiveness (this action)	<u>\$350,000</u>
TOTAL ESTIMATED PROJECT COST:	\$400,000

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

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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10. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve further grant funding up to \$435,000 to the Town of Emmitsburg for the **Emmitsburg Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) Upgrade** project in Frederick County. The project involves multiple sources of funding which are being provided over several years based on project schedule. The source of these grant funds is the Bay Restoration Fund. (Legislative District 4A)

Project Description: The project entails the planning, design and construction of Biological Nutrient Removal and Enhanced Nutrient Removal (ENR) facilities at the existing 0.75 million gallons per day (mgd) Emmitsburg Wastewater Treatment Plant. The planning study recommended a Biolac Reactor System followed by Denitrification Filters including Secondary Clarifiers, RAS Pumping System, Aerobic Digesters, Sludge Dewatering Influent Screening and Grit Removal facility. This project will achieve an effluent with Total Nitrogen of 3.0 mg/l and a Total Phosphorous of 0.3 mg/l. The purpose of the project is to reduce nutrients to the Upper Monocacy River, the Potomac River and ultimately the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 03.11 (this action)	\$ 435,000
Bay Restoration Fund Grant (previously approved 1/3/07)	\$ 50,000
Bay Restoration Fund Grant (future)	\$ 7,871,000
Biological Nutrient Removal NR 06.11 (previously approved 5/19/10)	\$ 500,000
Biological Nutrient Removal (future)	\$ 4,845,617
Supplemental Assistance SWQH 18.11 (most recent action 5/19/10)	\$ 693,590
Supplemental Assistance SWQH 18.11 (future)	\$ 1,979,219
USDA Funding	\$ 6,920,000
Local Funding	\$ 1,273,085
TOTAL ESTIMATED PROJECT COST:	\$24,567,511

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department. The ENR projects may be funded using special funds, revenue bonds or State GO bonds.

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

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
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11. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further funding** up to \$10,437,629 to the Town of Snow Hill for the **Snow Hill Wastewater Treatment Plant (WWTP) Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) Upgrade** project in Worcester County. This project involves multiple sources of funding which are being provided over several years based on the project schedule. (Legislative District 38B)

A. New Loan Estimated to be \$632,000 – Water Quality State Revolving Loan Fund. This loan will be repaid over a period not to exceed 20 years following project completion, at an interest rate of 25% of the Average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.10% interest rate. To secure this debt, the Town of Snow Hill will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match of Federal funds.

B. New Loan Forgiveness Estimated to be \$1,500,000 – Water Quality State Revolving Loan Fund. This loan will be a Principal Forgiveness loan to be forgiven as a Disadvantaged Community under the Federal Clean Water Act. The principal forgiveness loan terms are enforceable should there be a programmatic default on the Loan Agreement. To secure this debt, the Town of Snow Hill will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match of the Federal Funds.

C. New Loan Estimated to be \$82,000 – Water Quality State Revolving Loan Fund. This loan is for the "Green" components of the project under the Water Quality Revolving Loan Fund program funding eligibility. The loan will be repaid over a period not to exceed 20 years following project completion, at an interest rate of 25% of the Average of the Bond Buyer 11-Bond Index for the month preceding loan closing. Based on this formula, recent loan recipients have received a 1.10% interest rate. To secure this debt, the Town of Snow Hill will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match of Federal funds.

BOARD OF PUBLIC WORKS

August 10, 2011

Secretary's Agenda

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

D. New Loan Forgiveness Estimated to be \$568,000 – Water Quality State Revolving Loan Fund. This loan forgiveness is for the “Green” components of the project under the Water Quality Revolving Loan Fund program funding eligibility. The principal forgiveness loan terms are enforceable should there be a programmatic default on the Loan Agreement. To secure this debt, the Town of Snow Hill will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration. This loan may involve multiple sources of funding including GO bonds as the required 20% State match of the Federal Funds.

E. Grant Increase up to \$3,016,000 – Bay Restoration Fund (BR-NR 02.24). The source of these grant funds is the Bay Restoration Fund. These funds may be expended using multi-year appropriations based on the project schedule and will be used only for eligible costs. The ENR projects may be funded using special funds, revenue bonds or State GO bonds.

F. Grant Increase up to \$3,096,629 – CBWQ -Biological Nutrient Removal (NR 01.24) MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

G. Grant Increase up to \$1,543,000 – CBWQ Project Funds-Supplemental Assistance Program (SWQH 01.24). MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

Project Description: This project entails multi-phase funding for planning, design and construction of Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) facilities at the existing 0.50 million gallons per day Snow Hill Wastewater Treatment Plant (WWTP). The treatment plant construction will mainly include new head-works, equalization tanks, five-stage Bardenpho biological treatment process, clarifiers, denitrification filters, UV disinfection and sludge processing facilities. Upon completion of the BNR and ENR upgrades, the Snow Hill WWTP will be capable of achieving effluent quality with annual average nutrient goals of 3.0 mg/l for Total Nitrogen (TN) and 0.3 mg/l for Total Phosphorous (TP). The purpose of this project is to reduce nutrients to the Upper Pocomoke River and ultimately the Chesapeake Bay.

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

11. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)*Project Funding Sources:*

Water Quality Revolving Loan Fund (this action)	\$ 632,000
Water Quality Revolving Loan Fund w/Principal Forgiveness (this action)	\$ 1,500,000
Water Quality Revolving Loan Fund Green (this action)	\$ 82,000
Water Quality Revolving Loan Fund w/Green Principal Forgiveness (this action)	\$ 568,000
Bay Restoration Fund Grant BR-NR 02.24 (this action)	\$ 3,016,000
Bay Restoration Fund Grant BR-NR 02.24 (previously approved 05/19/10)	\$ 400,000
Biological Nutrient Removal Grant NR 01.24 MCCBL 2007-07083 (this action)	\$ 613,316
Biological Nutrient Removal Grant NR 01.24 MCCBL 2010-10066 (this action)	\$ 2,483,313
Biological Nutrient Removal Grant NR 01.24 (most recent action 05/19/10)	\$ 549,631
SWQH Grant 14.24 MCCBL 2010-10067 (this action)	\$ 1,543,000
SWQH Grant 14.24 (previously approved 05/19/10)	\$ 200,000
SWQH Grant 14.24 (future action)	\$ 80,132
USDA Grant/Loan & Local Share	\$ 2,299,906
TOTAL ESTIMATED PROJECT COST:	\$13,967,298

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act and Sections 9-348, Construction Grants or Loans; Water Quality Improvement.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Terri Wilson (410) 537-4155
twilson@mde.state.md.us / creilly@mde.state.md.us

12. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant funding** of up to \$104,000,000 to Washington Suburban Sanitary Commission (WSSC) for their portion (45.84%) of the capital cost of the **Blue Plains Wastewater Treatment Plant Enhanced Nutrient Removal upgrade** project, located in Washington D.C. The project involves multiple sources of funding which are being provided over several years based on project schedule. The source of the grant funds is the Bay Restoration Fund. (Maryland Service Area Legislative Districts 14-27)

Project Description: The overall project, which costs approximately \$900 million, entails the planning, design and construction of the Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) upgrades at the existing 370 million gallons per day (mgd) Blue Plains Advanced Wastewater Treatment Plant (WWTP). These upgrades will allow the WWTP to achieve the effluent concentration goal of 3.0 mg/l for total nitrogen and permitted total nitrogen loading cap of 4.37 million lbs per year, significantly reducing the nutrients discharged to Potomac River and the Chesapeake Bay. The plant is currently achieving phosphorus reductions beyond the goal of 0.3 mg/l as its discharge permit requires the plant to achieve a monthly average of 0.18 mg/l for total phosphorus.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 06.25 (this action)	\$104,000,000
Bay Restoration Fund Grant BR-NR 06.25 (previously approved 2/27/08)	\$ 2,000,000
Estimated Bay Restoration Fund Grants (Future Contracts)	\$ 97,300,000
Estimated Biological Nutrient Removal Grants (Future Contracts)	\$ 28,780,000
Estimated Local (WSSC) Funding	<u>\$177,620,000</u>
TOTAL ESTIMATED PROJECT COST (Maryland):	\$409,700,000

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department. The ENR projects may be funded using special funds, revenue bonds or State GO bonds.

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

MDE has determined this project serves Maryland portion of WSSC service area that is consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307
efrke@menv.com

13. MARYLAND ENVIRONMENTAL SERVICE
Rocky Gap Water Treatment Plant

A/E CONTRACT Design, bidding & construction services
 MES Project #12-05-02

CONTRACT DESCRIPTION Design, bid and construct upgrade of water treatment plant and distribution main serving Rocky Gap State Park.

AWARD Watek Engineering Corporation, Silver Spring

CONTRACT TERM 30 months from notice to proceed

CONTRACT AMOUNT \$248,025

PROCUREMENT METHOD MES A/E Short List

MBE PARTICIPATION 13.3%

REMARKS: The Rocky Gap WTP is old and the equipment is obsolete. It is becoming increasingly difficult to obtain repair parts. The existing treatment process does not meet the current drinking water regulations; MES rents temporary treatment equipment to remain in compliance. Currently, the greatest demand is from the Lodge, which is supplied by an aging distribution main running under the lake. With the addition of video gaming facilities, it is projected the demand for potable water will increase. To have adequate room for an expanded-capacity plant, it is necessary to relocate to the other side of the lake and abandon the old distribution pipe.

FUND SOURCE MCCBL of 2008: Maryland Environmental Service Infrastructure Improvement Fund

APPROPRIATION CODE 432 MCCBL 08 (PCA #10971)

MD TAX CLEARANCE 11-1840-0111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Norman C. Swoboda (410)514-7355
swoboda@mdhousing.org

14. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing the deeds of trust on four properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program. In each case, the deed of trust is a second mortgage; the borrower is selling the property in lieu of foreclosure to pay off the first mortgage owed to DHCD, and the borrower has requested a release of the deed of trust securing the second mortgage on the basis of a hardship (e.g., loss of income due to unemployment or illness). Each borrower has signed or will sign a promissory note in the amount of the outstanding principal of the second mortgage.

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

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

1. Loan Recipient: **James Avampto and April Ostrowski**
1312 Foxglove Square, Belcamp, MD 21017
Harford County
Original Loan: \$7,500
Current Balance: \$7,500
Type: Second Mortgage

2. Loan Recipient: **Randi and Michael Eckard**
12404 Valley Lane, Newburg, MD 20664
Charles County
Original Loan: \$5,440
Current Balance: \$5,440
Type: Second Mortgage

3. Loan Recipient: **Shelly Helferich**
869 Deering Rd, #9L, Pasadena, MD 21122
Anne Arundel County
Original Loan: \$5,000
Current Balance: \$5,000
Type: Second Mortgage

BOARD OF PUBLIC WORKS**AUGUST 10, 2011****SECRETARY'S AGENDA****14. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)****4. Loan Recipient:****Bryan West**

222 Alexandria Street, Hagerstown, MD 21740

Washington County

Original Loan: \$5,000

Current Balance: \$2,500

Type: Second Mortgage

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

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contacts: Patricia Rynn Sylvester 410-514-7481 sylvester@dhcd.state.md.us
 John Maneval 410-514-7451 maneval@dhcd.state.md.us
 Cynthia Rafferty 410-514-7537 rafferty@dhcd.state.md.us

15. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BORROWER: Community Housing Associates, Inc. (CHA)

AUTHORITY: Housing and Community Development Article, Title 4, Subtitle 12,
 Sections 4-1201 through 4-1209
 COMAR 05.05.05.01 through .29

Statutory Requirements:

- The Partnership Rental Housing Program shall provide financing for rental housing that will be occupied by individuals with incomes of 50% or less of the Statewide median income.
- Repayment of principal or interest may not be required unless the project is sold or fails to serve the low-income tenants for whom it is intended.
- Developments must be financially self-sufficient so that they do not require further State assistance for long term occupancy.

PROJECT TITLE: CHA Bailey II – 2301 N. Charles Street

AMOUNT: \$525,000

COLLATERAL: Deed of Trust

DESCRIPTION: The project consists of rehabilitating a three-story walk-up building on 0.067 acres in Baltimore City at the northeast of North Charles and 23rd Streets. The building has seven apartment units (two efficiency and five one-bedroom units). The street level unit will be equipped to meet UFAS requirements for mobility, hearing, and visual impairment. All other units will be adaptable for hearing and visual impairment. The proposed improvements include new kitchens, living rooms, full baths, and combination washer/dryer in each unit. A new sprinkler system will be installed, each unit will be heated and cooled by stacked HVAC systems and will have its own water heater. PRHP funding will require long term affordability restrictions for all of the units and require rents to be set at a level affordable to and occupied by households with incomes at or below 50 % of Statewide median income. Residents will be drawn from the Bailey Consent Decree waiting list and will be defined as a family, usually a single person, with a disability who is under the age of 62 and is eligible for a one-bedroom unit and who is on an Housing Authority of Baltimore City waiting list for public or Section 8 subsidized housing. Tenant Services will be provided by a Resource Coordinator from CHA whose role will be to ensure that residents have access to appropriate support and services through its network with more than 50 social support organizations to address any of the variety of needs that someone with disabilities might present.

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

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

DESCRIPTION: (cont'd) 2301 N. Charles Street, Inc., a non-profit corporation created by and an affiliate/subsidiary of the Community Housing Associates, Inc., will own the property. The project will be developed by the Community Housing Associates, Inc. of Baltimore City. The project is managed by Community Housing Associates, Inc. of Baltimore City, and Brinton Building Services, Inc. of Baltimore City will be the general contractor.

FUND SOURCE:

<u>Source</u>	<u>Amount</u>
DHCD Partnership Rental Housing Program -- MCCBL 2010	\$525,000
MD Dept of Health & Mental Hygiene	\$492,006
HABC Bailey Capital Funds	\$210,000
Sponsor Equity	\$ 13,354
Total	\$1,240,360

REMARKS: The proposed loan will be used for eligible project costs under COMAR 05.05.05.

The Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP20110304-5171) on March 19, 2011.

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

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

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: George C. Eaton (410) 514-7348
eaton@mdhousing.org

16. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve the release and sale of collateral in connection with a private UCC sale of existing furniture, fixtures and equipment located in the premises formerly known as Bella Luna, a restaurant located in Cambridge.

BORROWER: Pumpkin Genius, LLC

LOAN AUTHORITY: Neighborhood Business Development Program
Housing and Community Development Article,
Sections 6-301 through 6-311 COMAR 05.13.01
Maryland Annotated Code

**AUTHORITY TO SELL
STATE ASSET:** State Finance and Procurement Article,
§ 10-305, Maryland Annotated Code

AMOUNTS:	NBDP: Original Loan	\$ 167,000.00
	Current Principal Balance	\$ 164,111.74

BACKGROUND: In 2008, DHCD lent Pumpkin Genius, LLC \$167,000. The loan enabled Pumpkin Genius to finance the furnishing, fixture and equipment for a start-up Italian restaurant, located at 303 High Street, Cambridge. DHCD has a UCC security interest in the collateral. Pumpkin Genius leased space from NOVO Development Corporation, which is owned by Brett Summers. To induce the Pumpkin Genius to rent space, Summers provided DHCD a limited guaranty of the loan in the amount of \$67,000. Pumpkin Genius has permanently closed the restaurant and has asked for and been awarded protection under Chapter 7 of the bankruptcy code. Both Pumpkin Genius and Summers failed to make payments due and owing meaning the note and guaranty are in default.

DHCD has accelerated the balance due under the note and guaranty. Summers requested that DHCD forbear from filing suit against him and from otherwise exercising its rights and remedies under the guaranty; DHCD has agreed to forbear from filing suit against Summers as long as Summers strictly complies with the forbearance agreement.

Summers agrees to pay, over time, \$67,000 to DHCD plus an additional sum of \$29,580, the full appraised value of the collateral, in connection with the private UCC sale of the collateral. The equipment will remain in the premises and will be used by the next tenant.

BOARD OF PUBLIC WORKS**AUGUST 10, 2011****SECRETARY'S AGENDA****16. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)**

MARKET VALUE: An appraisal of the collateral prepared by American Auctions & Appraisals, Inc., dated December 3, 2010, estimated the market value, installed, to be \$29,580. The appraiser stated in the event that the collateral was removed from the premises and auctioned at a later date, the cost of moving the collateral alone would total approximately \$17,500, with no guarantee of how much the equipment would sell for at an auction.

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

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

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: George C. Eaton, (410) 514-7348
eaton@mdhousing.org

17. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve the request to permit the sale of a zero coupon U.S. Treasury bond held by the Department of Housing and Community Development as described.

BORROWER: Interfaith Housing Development Corporation of the Maryland Eastern Shore, Inc.

LOAN AUTHORITY: Rental Housing Production Program
 Housing and Community Development Article,
 Sections 4-1501- - 4-1511, Maryland Annotated Code,
 COMAR 05.05.01

**AUTHORITY TO SELL
 STATE ASSET:** State Finance and Procurement Article,
 § 10-305, Maryland Annotated Code

AMOUNTS:

Original Loan	\$523,300
Current Principal Balance	\$523,300

BACKGROUND: In 1992, DHCD lent the borrower \$523,300. The loan was used to finance the construction and permanent financing of a portion of St. Martin's House in Caroline County, which consists of one building with four wings. Three wings each contain four bedrooms and communal living areas providing transitional housing for homeless women and their children, and staff quarters are located in the fourth wing. The project is situated on an acre which is part of a larger site containing several hundred acres in owned by the Benedictine Sisters of St. Gertrude's Monastery. This site includes a monastery, a school, a food distribution center and a thrift store. The loan is secured by a leasehold deed of trust, granting DHCD a security interest in the ground lease between the Benedictine Sisters and the borrower that requires payments of \$1.00 per year and runs to 2047. The improvements are leased back to the Benedictine Sisters, who operate the facility and programs for the residents, under the terms of a sublease that requires rent payments to the borrower in the amount necessary to cover mandatory payments on the loan.

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

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

BACKGROUND: (cont'd) The loan term is 40 years, maturing on June 1, 2033. The Borrower was required to use a portion of the loan proceeds to purchase the U. S. Treasury Bond to be held in the name of DHCD at a price that resulted in a face value of \$362,000 at a yield to maturity of 7.65%. The Treasury Bond was purchased for a term of 29 years; therefore, the loan term extended beyond the original term. Upon maturity and redemption of the bond in 2021, the loan documents require that the proceeds be reinvested in a replacement zero coupon Treasury Bond with a maturity date that coincides with the maturity of the deed of trust note in 2033. The proceeds from the sale of the Treasury Bond should provide funds in an amount sufficient to purchase the substitute bond, to pay down a portion of the outstanding principal balance of the loan and to provide a small amount of operating funds to the borrower.

As structured, the Treasury Bond is to be redeemed in 2021 for the par value of \$362,000 and the substitute bond is to be purchased. Considering the yield/value fluctuations of the bond market, there is no guarantee that the sale of the Treasury Bond in 2021 would provide sufficient funds to purchase the substitute bond in the full amount of the outstanding principal balance. The proposed sale of the Treasury Bond at this time simply accelerates the liquidation in order to take advantage of the increased market value of the Treasury Bond resulting from the extraordinarily low yields that currently exist. DHCD's secured position will be improved by the proposed sale and substitution in the respect that the par value of the substitute bond will be equal to the outstanding principal balance of the loan after the principal payment made with a portion of the sale proceeds. It is anticipated that the sale of the Treasury Bond will generate sufficient proceeds to reduce the principal balance of the loan to approximately \$463,000 and to purchase a substitute bond with that face value. As a result, the substitute bond will fully secure the principal amount of the loan due at maturity. Residual sale proceeds will be used in the operation of the project.

MARKET VALUE: The improvements consist of a one-story building with four wings, each with four bedrooms. The three residential wings containing 4 bedrooms each also contain shared living areas, and to a lesser degree shared bathing/showering facilities. The layout and location of the project is well-suited to the targeted use as transitional housing, but is less so for a conventional tenant population. The configuration of the improvements, combined with the fact that the borrower has use of the project pursuant to the terms of a ground lease, make it extremely difficult to develop a credible estimate of the value of the collateral for the loan.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact Person: Carol Gilbert (410) 514-7229
 gilbert@mdhousing.org
 Dawn Medley (410) 514-7237
 medley@mdhousing.org

18. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Neighborhood BusinessWorks Program – Fiscal Year 2011

Recommendation: The Department of Housing and Community Development recommends that the Board of Public Works approve the use of general obligation bond proceeds to fund one loan totaling \$150,000 for Fiscal Year 2011.

PROGRAM	BORROWER	DESCRIPTION	LOAN AMOUNT
Loan	St Paul LLC	Purchase and renovation of a mixed-use owner-occupied property in the Mt. Vernon neighborhood of Baltimore City to accommodate office and residential uses	\$150,000

Fund Source: MCCBL of 2010: *Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designed by local governments.* Item SA24(B).

Authority:

- ◆ The Budget Reconciliation and Financing Act of 2010 (BRFA) [SB 141].
- ◆ Section 8-301, State Finance and Procurement Article, Annotated Code of Maryland.
- ◆ Article – Housing and Community Development, §§6-301 through 6-311
- ◆ Regulations concerning the program are found at COMAR 05.13.01.

Background: The Neighborhood Business Development Program, operating as Neighborhood BusinessWorks (NBW), was established in 1995 to provide flexible gap financing for small businesses starting up or expanding in locally designated neighborhood revitalization areas throughout Maryland. Loans are made to Maryland-based local development corporations, microenterprises, nonprofit organizations, or small businesses. Loans and grants are made to these organizations whose activities contribute to the broader revitalization of the designated neighborhood (e.g., reuse of vacant/underutilized buildings or providing needed goods or services to area residents). Financing ranges from \$1,000 up to the lesser of (i) \$500,000 or (ii) 50 % of total project costs. Loan applicants must provide a cash contribution of at least 5% of the total project cost.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Anne Raines 410.514.7634
ARaines@mdp.state.md.us

19. **DEPARTMENT OF PLANNING**
Maryland Historical Trust

AUTHORITY African American Heritage Preservation Program

RECOMMENDATION That the Board of Public Works approve four MHT grant agreements through the African American Heritage Preservation Program totaling \$293,000.

A. Kennard High School Restoration
410 Little Kidwell Avenue, Centreville
Queen Anne's County

Grantee: Kennard Alumni Association, Inc.
Description: To restore interiors, including interior doors and partitions.
(Total project costs are estimated at \$102,000.)
Amount: \$80,000
Fund Source MCCBL 2011 -Maryland Historical Trust, Appropriation #11077
Remarks: Kennard High School was the only secondary school for African Americans in Queen Anne's County from 1936 until its closing in 1966. The African American community provided the land for the school and later provided for the addition of electricity and lighting. MHT holds an exterior and interior preservation easement on the property. The building retains its historic layout and much historic fabric on both interior and exterior. Currently vacant, the building will become the Kennard High School African American Cultural Heritage Center, including one classroom restored to its original appearance.

B. San Domingo Rosenwald School Restoration
11526 Old School Road, Mardela Springs
Wicomico County

Grantee: John Quinton Foundation, Inc.
Description: Interior and exterior rehabilitation, including installation of systems, thermal and moisture protection, and access doors (Total project costs are estimated at \$30,000.)
Amount: \$25,000
Fund Source: MCCBL 2011 -Maryland Historical Trust, Appropriation #11077
Remarks: The San Domingo Rosenwald School was constructed in 1919 as a cooperative effort involving the African American community, Wicomico County, and the Rosenwald Foundation. Today it is one of three Rosenwald schools remaining in the county. The John Quinton Foundation, Inc. acquired the property in 2010 and has used MHT Capital Grant funds, the Foundation's funds, and other private grants and donations to begin the restoration of the structure as a community center. The building retains its historic layout and most of the historic fabric on both interior and exterior. MHT holds an exterior and interior preservation easement on the property.

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

19. DEPARTMENT OF PLANNING (cont'd)*Maryland Historical Trust*C. **Sandy Spring Odd Fellows Lodge Renovation**1310 Olney-Sandy Spring Road, Sandy Spring
Montgomery County

Grantee: Grand United Order of Oddfellows Sandy Spring Lodge #6430, Inc.
Description: Interior and exterior rehabilitation, improvements to accessibility, site work, installation of systems, and associated architectural and engineering services. (Total project costs are estimated at \$104,000.)
Amount: \$100,000
Fund Source: MCCBL 2011 -Maryland Historical Trust, Appropriation #11077
Remarks: The Odd Fellows Lodge in Sandy Spring was built during the early 1900s by African American artisans and laborers as a health, burial, and life insurance agency. During segregation, the Lodge became a social hub for the African American community. The site was originally donated to the local African American community by the Sandy Spring Quakers for the "Independent Methodist Church for Colored People of Sandy Spring", and was later home to the Sandy Spring Industrial School. MHT holds an exterior and interior preservation easement on the property. The building retains much historic fabric on both interior and exterior. Currently vacant, the building will become an educational and cultural center.

D. **Sandy Spring Slave Museum and African Art Gallery**18524 Brooke Road, Sandy Spring
Montgomery County

Grantee: Sandy Spring Slave Museum and African Art Gallery, Inc.
Description: Interior and exterior repairs; systems and utilities upgrades; extermination treatments; restoration of statue; site work; and design and fabrication of exhibits and signage. (Total project costs are estimated at \$88,000.)
Amount: \$88,000
Fund Source: MCCBL 2011 -Maryland Historical Trust, Appropriation #11077
Remarks: The Sandy Spring Slave Museum and African Art Gallery, constructed in phases from 1990-2004, highlights the African American experience through its collection of historic artifacts, memorabilia, and African art. Located in the historically African American settlement of Sandy Spring, the museum also gives emphasis to Montgomery County heritage. A log cabin, an arts pavilion, several statues, and a cross-section of a slave ship are located alongside the main museum building on its one-acre site. This grant will allow restoration of all structures and enhancement of exhibits.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Michael J. Frenz 410.333.1560
mfrenz@mdstad.com

20. MARYLAND STADIUM AUTHORITY

Recommendation: That the Board of Public Works:

1. Authorize the Authority to issue up to \$11,100,000 in revenue bonds with the proceeds to be used for capital projects at the Camden Yards Sports Complex, to fund a debt service reserve and to pay costs related to the issuance of the bonds.
2. Authorize the Authority to repay the above obligation with interest to the bondholders over a period of not more than twelve years with a pledge of Lottery revenues received by the Authority annually.
3. Approve the Amended Comprehensive Plan of Financing dated December 7, 2010 that was submitted on December 10, 2010 to the General Assembly fiscal committees. By correspondence dated January 12, 2011, the fiscal committees approved the Plan of Financing.
4. Approve a form of First Supplemental Lease and First Supplemental Sublease.
5. Authorize the Board of Public Works to execute and deliver on behalf of the State of Maryland the First Supplemental Lease and First Supplemental Sublease.
6. Approve the Board of Public Works Resolution on these matters.

Background: Approval of this Item will permit:

- (i) The Authority to finance the costs of certain capital improvements to Oriole Park at Camden Yards and the Warehouse at Camden Yards in an amount not to exceed \$10,000,000, \$1,100,000 for a debt service reserve account and for closing costs; and
- (ii) The Board of Public Works to execute and deliver on behalf of the State of Maryland the First Supplemental Lease and First Supplemental Sublease.

Legal Authority: Subject to the approval of the Board of Public Works, the Authority may borrow money from any source for any corporate purpose, including construction of sports facilities at Camden Yards, pursuant to Sections 10-614, 10-628 and 10-644 of the Economic Development Article of the Annotated Code of Maryland, as amended. Pursuant to Section 7-312(e)(1) of the State Finance and Procurement Article of the Annotated Code of Maryland, the Lottery Revenues may be paid to the Authority as rents as set forth in the First Supplemental Lease.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

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

21. **MORGAN STATE UNIVERSITY**
Business Management Complex

CONTRACT ID: Design Services
Business Management Complex
Project No. DCM-BMC-10-1AE

FIRM: Ayers Saint Gross in association with KPF
1040 Hull Street, Suite 100
Baltimore, MD 21230

CONTRACT DESCRIPTION: Design Services from Pre-Schematic through the
Design Development Phase Only.

MODIFICATION DESCRIPTION: Award the Construction Document design portion
of the contract only. The original approval was only for design services through design
development, due to the timing of funding. The balance of the design contract cannot be awarded
until it is funded with the construction phase.

TERM OF ORIGINAL CONTRACT: 1,553 Calendar Days from issuance
of the Notice to Proceed

ORIGINAL CONTRACT AMOUNT: \$2,302,255.00 (Design Services
Pre Schematic - DD only)

MODIFICATIONS TO DATE: None
November 3, 2010 (Original BPW Date)

MODIFICATION AMOUNT: \$2,487,949

REVISED TOTAL CONTRACT AMOUNT: \$4,790,204

ORIGINAL PROCUREMENT METHOD: Multi Step Negotiation

MBE PARTICIPATION: 30% (Full Contract Amount)

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

21. MORGAN STATE UNIVERSITY (cont'd)
Business Management Complex

PERFORMANCE BOND: This contract contains a Performance and Payment Bond in the amount of 100% of the contract.

REMARKS: Due to the sequence of funding only a partial contract was initially awarded (through design development) November 3, 2010. The FY12 Legislative session increased the funding for design by \$921,000 for total funding to date of \$5,213,794. This will allow for the design services to be funded through the Construction Design phase only. The balance of the design funding is expected to be made available with the construction appropriation. Total design funding will be \$6,800,000. The total value of the intended design contract is \$6,346,500. This cost is within the expected amount for this type of facility when the full scope of work is considered.

ASG/KPF remains committed to meet the project MBE goal of 30%. The Morgan State University Department of Design and Construction Management will manage the AE teams work with support provided by the University's Department of Procurement.

FUND SOURCE:

MCCBL FY08: \$ 374,155 *Provide funds to design a new School of Business Complex at the Northwood Shopping Center. Item 08068*

MCCBL FY09: \$ 942,794 *Provide funds for the detailed design of a New School of Business Complex. Item 09090*

MCCBL FY10: \$ 250,000 *Provide funds for the detailed design of a New School of Business Complex. Item 10080*

MCCBL FY11: \$ 921,000 *Provide funds for the detailed design of a New School of Business Complex. Item 11073*

MD TAX CLEARANCE: 11-1777-1111

RESIDENT BUSINESS: Yes

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

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

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

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

22. MORGAN STATE UNIVERSITY
Business Management Complex

CONTRACT ID:	LEED Commissioning Business Management Complex Project No. DCM-BMC-10-2AE	
FIRM:	Kibart, Inc. Consulting Engineers 901 Dulaney Valley Road, Suite 301 Towson, MD 21204	
DESCRIPTION:	LEED Commissioning Services (Design Review and Construction Commissioning)	
TERM:	1,430 Calendar Days from issuance of the Notice to Proceed	
AMOUNT:	\$149,900	
PROCUREMENT METHOD:	Competitive Sealed Proposal	
	Technical Score	Price
Kibart, Inc. 901 Dulaney Valley Road, Suite 301 Towson, MD	84.07	\$149,900
McDonough Bolyard Peck Inc. (MBP) 10440 Little Patuxent Pkwy Columbia, MD	92.58	\$217,500
MBE PARTICIPATION:	30%	
PERFORMANCE BOND:	100% of Contract Amount	

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

22. MORGAN STATE UNIVERSITY (cont'd)
Business Management Complex

REMARKS: A notice of availability of the Request for Proposals was advertised on *eMarylandMarketplace.com* in accordance with the Morgan State University Procurement Policies and Procedures. Four proposals were received in response to the RFP. Two proposals were determined to be reasonably susceptible of being selected for award. Kibart has committed to meeting the established 30% MBE subcontract goal.

The Morgan State University Department of Design and Construction Management will manage the contract with support provided by the University's Department of Procurement.

FUND SOURCE: MCCBL FY08 *Provide funds to design a new School of Business Complex at the Northwood Shopping Center.* Item 08068

MD TAX CLEARANCE: 11-1830-0110

RESIDENT BUSINESS: Yes

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

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

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: Michael Frenz 410-333-1560
mfrenz@mdstad.com

23. **MARYLAND STADIUM AUTHORITY**

Hippodrome Performing Arts Center –

Utilities Capital Cost Reimbursement and Minimum Ticket Sales Agreement

Recommendation: That the Board of Public Works approve an agreement reached between the Maryland Stadium Authority and TMG Hippodrome, LLC:

- (1) The Stadium Authority will pay to TMG an annual sum of \$250,000, in monthly installments, to reimburse TMG for certain utilities capital cost charges TMG incurs in operating the Hippodrome Performing Arts Center; and
- (2) TMG will pay to the Stadium Authority a minimum annual ticket surcharge of \$440,000 (\$2 x 220,000 tickets), plus an additional \$0.25 for every ticket sold in excess of 350,000.

These obligations will run for the term of the facility operating agreement between the parties.

Authority: Sec. 10-641, Economic Development Article, Annotated Code of Maryland.

Background: The Stadium Authority and TMG Hippodrome, LLC are parties to the Operating Agreement for the Hippodrome Performing Arts Center pursuant to which TMG operates the Hippodrome. Due to budget and physical constraints during the Stadium Authority's 2003 renovation of the facility, a central plant to service heating and cooling was not constructed. Instead, a determination was made that heating and cooling vendors would increase pre-existing plant capacity to provide the required service to the theater; however this has resulted in capital capacity and demand charges being passed through monthly to TMG. As a result of these utility charges, TMG must charge a higher rent to attract Broadway productions, which rent is higher than competing venues. TMG indicates that by entering into this agreement, it will be able to function more competitively in its market.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us

24. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**
Disposal of Surplus Relocatable Buildings

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works declare surplus and approve the disposal of two State-owned relocatable classroom units located in Howard County:

Background: Two State-owned relocatable buildings in Howard County are no longer useful:

School Name**ID#**

Elkridge Elementary

#273 & #274

Howard County Public Schools requests that these units be moved as soon as possible. The IAC finds that no other school system in the State has expressed a need for the units and approved disposal. The Board of Public Works must declare the property surplus in order to allow disposal to proceed

Authority: COMAR 23.03.02.16H.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

SECRETARY'S AGENDA

APPENDIX

Report of emergency contracts awarded by various agencies in accordance with **COMAR 21.05.06** (Title 21 - State Procurement Regulations) and reported in accordance with **COMAR 21.02.01.05(A)(3)**.

Individual reports enclosed.

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

APPENDIX

SECRETARY'S AGENDA

Contact: Tim Bowman, 410-260-8891
tbowman@dnr.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF NATURAL RESOURCES

Maryland Natural Resources Police

CONTRACT TITLE: Homeland Security – Emergency Bridge Surveillance
ADPICS No. KP00P2400019
KP00P2400015

CONTRACT TYPE: Equipment Purchase

DESCRIPTION: Radar and long-range night-vision cameras

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: May 6, 2011

AWARDS:

Three radar, radar processors, cabling: Navassist
2012 NE 100th St.
Seattle, WA

Two long range night vision cameras: Vumii Imaging Inc
1100 Abernathy Rd. Suite 1100
Atlanta, GA 30338

AMOUNT: Navassist – \$239,367.13
Vumii Imaging Inc – \$270,285.00

AWARD DATE: Navassist – 05/17/2011
Vumii Imaging Inc – 05/13/2011

TERM: 5/6/11-7/30/11

BOARD OF PUBLIC WORKS

AUGUST 10, 2011

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (continued)**MBE PARTICIPATION:** 0%**FUND SOURCE:** 100% General Funds
Appropriation Code: 30.01.07.04**REMARKS:**

Nature of Emergency: In May 2011 information came to light as a result of the US raid on the compound of Usama Bin Laden which revealed that passenger train traffic moving over waterways was under threat from Al Qaeda terrorists. It is well established that transportation networks have been targeted in the past by terrorists with deadly results and disruption to normal activity. The Maryland Natural Resources Police are building out a radar/camera surveillance system for Maryland waterways but a gap exists in the monitoring of the waterways in the Northeast corridor. This emergency procurement supported the effort to expand capacity to provide real-time surveillance of this transportation corridor. The location of the areas to be observed, required the use long range radar and cameras to provide sufficient surveillance capacities. These sensors will report back to the NRP Command Center at Sandy Point State Park; if suspicious vessels or other activity is detected, appropriate law enforcement authorities will be alerted.

Basis for Selection: Radar: Navassist is the only company registered to do business in Maryland that provides the SSR Engineering radar processors that are used in the MLEIN system.

Cameras: Vumii Imaging had been selected to provide a camera with Night Vision capabilities out to 1.8 miles for the National Capital Region. Two of the targets to be observed were within that range. The laser illuminator camera provides excellent threat assessment capabilities at such range.

Reason for Late Report: This procurement involved multiple entities and manufacturers; delivery and installation of equipment and training of staff required more time than anticipated.

BOARD OF PUBLIC WORKS**AUGUST 10, 2011****APPENDIX****SECRETARY'S AGENDA****REPORT OF EMERGENCY PROCUREMENT****ITEM:** **Appendix 1** (continued)

TAX COMPLIANCE NO.:	Navassist	11-1782-0000
	Vumii Imaging	11-1834-0000

RESIDENT BUSINESS:	No
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BOARD OF PUBLIC WORKS ACTION:**REPORT ACCEPTED****WITH DISCUSSION****WITHOUT DISCUSSION****REPORT REMANDED TO DEPT./AGENCY****REMARKS:**

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

August 10, 2011

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

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
410-260-8450

RECOMMENDATION That the Board of Public Works approve the Department of Natural Resources reserving 21.601 acres of abandoned land located off Loy Wolfe Road within South Mountain State Park, Frederick County. **POS #4374**

AUTHORITY *Sec. 13-106, Real Property Article, Annotated Code of Maryland.*

A government agency may reserve vacant or abandoned land by submitting a Board of Public Works-approved application to the State Archivist in his capacity as Commissioner of Land Patents.

Sec. 13-101, Real Property Article, Annotated Code of Maryland

Abandoned land is land located within, or contiguous to, DNR-owned and managed land for which no property taxes have been paid in the last 20 years and which has not been actually possessed by anyone for the last 20 years.

GRANTOR Unknown Owner

GRANTEE State of Maryland, to the use of the Department of Natural Resources

PROPERTY 21.601 acres, unimproved, South Mountain State Park, Frederick County

REMARKS DNR seeks to reserve this abandoned land for public use. Reservation of this abandoned land would allow DNR to close the boundary line along the east side of South Mountain State Park. A portion of this parcel and the adjacent parkland have very steep rock cliffs. Reservation of this property will create land holdings beyond the steep cliffs, thereby allowing DNR to mark the Park boundaries easily and safely. The property also forms an excellent buffer protecting the Appalachian National Scenic Trail against encroachment and conflicting activities. The property will remain forested and will promote a sustainable natural resource based economy that provides land for timber sales, fishing, hunting, wildlife viewing and camping. These activities directly benefit the State and local economies.

The Department of Assessments and Taxation advises that this parcel has no owner of record, no parcel number assigned, and no record of taxes being paid for at least the past 20 years. There is no evidence that this parcel has been in the continuous possession of any person during the past 20 years.

Board of Public Works Action: the above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

August 10, 2011

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

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
410-260-8450

RECOMMENDATION That the Board of Public Works approve the Department of Natural Resources reserving 23.470 acres of abandoned land located off Echo Lake Road within South Mountain State Park, Frederick County. **POS #4375**

AUTHORITY *Sec. 13-106, Real Property Article, Annotated Code of Maryland.*

A government agency may reserve vacant or abandoned land by submitting a Board of Public Works-approved application to the State Archivist in his capacity as Commissioner of Land Patents.

Sec. 13-101, Real Property Article, Annotated Code of Maryland

Abandoned land is land located within, or contiguous to, DNR-owned and managed land for which no property taxes have been paid in the last 20 years and which has not been actually possessed by anyone for the last 20 years.

REMARKS DNR seeks to reserve this abandoned land for public use. This parcel is bordered by State parkland on three sides. Reservation would allow DNR to connect large contiguous tracts of State land. The parcel is covered with wooded vegetation and provides forested riparian buffers along several streams. Reservation of this parcel will provide public access to a parcel completely surrounded by public land. This parcel will remain forested, thereby protecting water quality in the Catoclin Creek watershed. Reservation of this land will help to promote a sustainable natural resource based economy that provides land for timber sales, fishing, hunting, wildlife viewing and camping.

The Department of Assessments and Taxation has advised that this parcel has no owner of record, no parcel number assigned, and no record of taxes being paid for at least the past 20 years. There is no evidence that this parcel has been in the continuous possession of any person during the past 20 years.

GRANTOR Unknown Owner

GRANTEE State of Maryland, to the use of the Department of Natural Resources

PROPERTY 23.470 acres, unimproved, South Mountain State Park, Frederick County

Board of Public Works Action: the above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

**SUPPLEMENT A
DEPARTMENT OF NATURAL RESOURCES REAL PROPERTY
ACTION AGENDA**

August 10, 2011

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
410-260-8450

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

RECOMMENDATION That the Board of Public Works approve the Department of Natural Resources reserving 3.859 acres of abandoned land located off Reno Monument Road, within South Mountain State Park, Washington County. **POS #4376**

AUTHORITY *Sec. 13-106, Real Property Article, Annotated Code of Maryland.*

A government agency may reserve vacant or abandoned land by submitting a Board of Public Works-approved application to the State Archivist in his capacity as Commissioner of Land Patents.

Sec. 13-101, Real Property Article, Annotated Code of Maryland

Abandoned land is land located within, or contiguous to, DNR-owned and managed land for which no property taxes have been paid in the last 20 years and which has not been actually possessed by anyone for the last 20 years.

REMARKS DNR seeks to reserve this abandoned land for public use. This approximately 3.859 acre parcel is located at Fox Gap, an important Civil War heritage site and part of a new National Historic District. Fox Gap is relevant to the Battle of South Mountain and is proximate to the Appalachian National Scenic Trail. Reservation of this land will provide a critical buffer for South Mountain State Battlefield and the Maryland portion of the Appalachian National Scenic Trail, as well as reduce potential management issues and user conflicts. DNR intends for the parcel to remain undeveloped.

The Department of Assessments and Taxation has advised that this parcel has no owner of record, no parcel number assigned and no record of taxes being paid for at least the past 20 years. In addition, there is no evidence that this parcel has been in the continuous possession of any person during the past 20 years.

GRANTOR	Unknown Owner
GRANTEE	State of Maryland, to the use of the Department of Natural Resources
PROPERTY	3.859 acres, unimproved, South Mountain State Park, Washington County

Board of Public Works Action: the above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT**ITEM:** 1-S

Agency Contact: Michael Haifley
410-767-4429
Michael.haifley@dgs.state.md.us

DEPARTMENT/PROGRAM:

Department of General Services (DGS)
Office of Procurement and Logistics

CONTRACT ID:

001IT818378;
Web-Based Electronic Procurement Services
ADPICS NO. 001B2400080

CONTRACT DESCRIPTION:

Approval request for (1) a Contract to provide an Internet accessible electronic procurement Software as a Service (SAAS) solution for the State of Maryland Department of General Services; and (2) authority to charge a 1% Processing Fee, which has been deemed by DGS to be a reasonable fee, assessed on electronic transactions for DGS-controlled electronically procured contracts, per the Maryland State Finance and Procurement (SFP) Code Ann. § 13-226 (c). (See Requesting Agency Remarks below.)

AWARD:

Periscope Holdings, Inc.
Austin TX

TERM:

8/15/2011 – 8/14/2016 (w/1 five-year renewal option)

AMOUNT:

\$3,699,100 Est. (5 Years; Base Contract)
\$2,377,500 Est. (5 Years; Renewal Option)
\$ 28,150 Est. (Professional Labor Services)
\$6,104,750 Est. Total (10 Years)

ESTIMATED GROSS REVENUE to the STATE:

\$ 6,000,000 Est. (5 Years; Base Contract)
\$ 6,000,000 Est. (5 Years; Renewal Option)
\$12,000,000 Est. Total (10 Years)
(See Requesting Agency Remarks below)

PROCUREMENT METHOD:

Competitive Sealed Proposals

BIDS OR PROPOSALS:

See Attachment

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM: 1-S (Cont.)

MBE PARTICIPATION: 30% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: \$200,000

INCUMBENT: None (See Requesting Agency Remarks below)

REQUESTING AGENCY REMARKS: A notice of the Request for Proposals (RFP) was advertised on both the DGS website and *eMarylandMarketplace.com*, which directly solicited 577 prospective vendors, 116 of which are small businesses and 155 are certified minority businesses. The RFP was also sent to the Governor's Office of Minority Affairs.

Two proposals were received in response to the RFP and both were deemed to be reasonably susceptible of being selected for award. Periscope Holdings, Inc. (Periscope) was ranked #1 technically and had the lower price; therefore, award is recommended to Periscope with the overall #1 ranking. Periscope demonstrated its ability to address the service needs required throughout the State efficiently and effectively, which should result in greater savings potential out of the transaction process, and provide the best value to the State.

By statute, all State ~~and local jurisdiction's~~ solicitations with an estimated value greater than \$15,000 ~~and local jurisdiction's~~ solicitations with an estimated value greater than \$25,000 must be solicited on *eMarylandMarketplace.com* (eMM), with certain exceptions such as emergency procurements. eMM is the only recognized bidder registration platform for the State and it electronically distributes bid notices to registered vendors whose profiles match the requirement being sought. The State currently uses eMM to solicit, receive and tabulate bids, and post notices of awards from bids. The State currently contracts with Deloitte & Touche to support and maintain the software for eMM. The current eMM maintenance contract expires on 12/31/2011. The eMM applications are hosted by MDOT on its servers at the MDOT Data Center. The Department of General Services (DGS) administers eMM. In the most recent fiscal year, 7/1/2009 – 6/30/2010, over 5,219 solicitations were posted on eMM. From 7/7/2009 – 1/6/2011, the value of the awards reported out of eMM was \$2,754,447,611.

This new contract will address the concerns of the 2007 Governor's Transition Report which called for an "overhaul" of eMM, citing the lack of an eCatalog function, the lack of audit capabilities on contract purchases, eMM's limited reporting capabilities, and a need to make the system more user friendly which may also facilitate increased small business participation. The RFP incorporated these concerns and the solutions proposed address the deficiencies cited in the Governor's Transition Report.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

The recommended solution provides all of the functionality of the eMM, and also includes eCatalog functionality, provides for enhanced business intelligence and reporting capabilities, is scalable, provides greater transfer of data from and into ADPICS, has the ability to track and audit contract purchases, has intuitive ease of use, and also provides additional functionality not currently available in eMM to facilitate efficient and effective procurement and purchasing practices. The go-live date of the service would be on or before 1/1/2012. The expected 4 ½ month period between the date of contract award and the go-live date will be for contract start-up activities.

Along with the proposed service, the Offerors provided a ~~transaction processing fee~~ to be assessed on the awarded vendors on the value of purchases awarded on DGS controlled contracts. Both Offerors proposed a 1% fee. All new DGS controlled contracts awarded after 8/15/2011 will require the awardees to post their products into the new eCatalog and will contain notice of the 1% fee requirement. This fee will be paid by each contractor to DGS, based upon the value of all orders placed ~~by State agencies~~ against each contract. ~~Vendors holding existing DGS controlled contracts will also be asked to participate in the new eCatalog system and pay the 1% user fee. Due to the increased functionality of the new eCatalog system, it is expected that many existing contractors will voluntarily agree to use the eCatalog and pay the 1% user fee because they will save at least that percentage through the elimination of the need for order entry and the separate generation of invoices, and through automated inventory entries, all of which are features of the eCatalog system.~~

The typical annual value of spend resulting from DGS controlled contracts is approximately \$120,000,000. This 1% ~~User Processing Fee~~ would generate an estimated \$1,200,000 per year. This would provide sufficient funds to pay for the service and resources to administrate the contract. There is currently no appropriation for the services to be performed under this contract. Any generated ~~User Processing Fees~~ in excess of what is needed to pay for the new system will go into the General Fund.

~~The Maryland SFP Code Ann. § 13-226 authorizes a primary procurement unit, in this case DGS, to conduct all elements of the procurement of a contract by electronic means. The term "Procurement" is defined to include, not only the solicitation, bidding, award and execution of the contract, but also, the administration of the contract, which includes the placements of orders against DGS-controlled electronically procured contracts, upon which the 1% Processing Fee will be assessed.~~

A 15% MBE participation goal was established for this contract; however, the recommended Offeror has committed to a 30% MBE participation goal.

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM: 1-S (Cont.)

FUND SOURCE: 100% Special (User Processing Fees)

APPROP. CODE: N/A

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1723-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT

ITEM: 1-S (Cont.)

BIDS OR PROPOSALS (Cont.):

<u>Offerors</u>	<u>Tech. Ranking</u>	<u>Financial Price Base Contract 5 Years</u>	<u>Financial Price Renewal Option 5 Years</u>	<u>Total Financial Price (10 Years) Base & Option</u>	<u>Professional Labor Services *</u>	<u>Total Price/ Financial Ranking</u>	<u>Overall Ranking **</u>
Periscope Holdings Austin, TX	1	\$3,699,100	\$2,377,500	\$6,076,600	\$28,150	\$6,104,750 (1)	1
SciQuest Cary, NC	2	\$3,703,836	\$3,721,856	\$7,459,163	\$33,750	\$7,459,163 (2)	2

Note: * Professional Labor Services represent the hourly rates for five different labor categories based upon a model of estimated hours of usage. These Professional Labor Services hourly rates were established in case any services were needed during the term of the contract that were not originally anticipated in the RFP.

** Technical factors and financial factors had equal weight in the overall award determination.

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT

ITEM: 2-S

Agency Contact: Sandy Johnson
410-767-7408
SJohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM:

Human Resources (DHR)
Family Investment Administration (FIA)

CONTRACT ID:

FIA/TAP 12-001;
Transportation Assistance Program (TAP)
ADPICS BPO NO. N00B2400107

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: Provide a Transportation Assistance Program (TAP) statewide that will provide reliable, low cost, used, Maryland State inspected vehicles to enable Temporary Cash Assistance (TCA) or former TCA customers to achieve and maintain full-time employment.

AWARD:

Vehicles for Change, Inc.
Baltimore, MD

TERM:

9/1/2011 – 8/31/2012 (w/ 2 one-year renewal options)

AMOUNT:

\$ 302,575 NTE (1 Year; Base Contract)
\$ 332,150 NTE (1 Year; Renewal Option #1)
\$ 366,275 NTE (1 Year; Renewal Option #2)
\$1,001,000 NTE Total (3 Years)

PROCUREMENT METHOD:

Competitive Sealed Proposals

BIDS OR PROPOSALS:

Only one proposal received

MBE PARTICIPATION:

5% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY:

None

HIRING AGREEMENT ELIGIBLE:

Yes

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

INCUMBENT: None

REQUESTING AGENCY REMARKS: A notice of availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and posted on the DHR website. A Notice of Intent to Solicit was mailed to 132 vendors, of which 113 are Maryland firms and 35 are MBEs. A copy of the RFP was also sent to the Governor's Office of Minority Affairs.

This RFP is to acquire services to provide eligible Temporary Cash Assistance (TCA) customers with safe, low-cost, reliable Maryland State inspected motor vehicles in order to achieve or maintain full time employment.

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

Other Maryland dealerships and a transportation companies were contacted to determine why they did not submit proposals in response to this solicitation; however, no responses were received. Only two vendors attended the Pre-Proposal Conference held on 10/18/2010.

TAP services shall be provided through a single flat fee per vehicle for a not-to-exceed total of 91 vehicles per year for the base contract period (\$3325) and the renewal option periods (Option #1 = \$3650 and Option #2 = \$4025). Vehicles to be used for TAP include compact cars, small Minivans, small SUVs and small Pickup Trucks. The single flat fee per vehicle is inclusive of all activities associated with:

- The payment of Taxes, Tags and Title;
- A 6 Months or 12,000 Miles Warranty;
- A Maryland State Motor Vehicle Inspection;
- The Original Car Owner's Manual, if available, or the Contractor's Car Care Guide;
- Financing Services;
- Delivery Services;
- The reporting and submission of Deliverables; and
- The Price to put the Vehicle on the Road (Repair Costs: Parts and Labor).

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

In addition, VFC will provide a mandatory two-hour car orientation class to educate customers on the care of their vehicles and warranty services.

Each customer receiving a vehicle is responsible for paying a portion of the "Price to put the Vehicle on the Road", which is not to exceed 50% of the parts and labor repair costs up to a maximum of \$1,000. VFC is required to provide a copy of the vehicle's bill of sale (if purchased) and actual repair costs (parts and labor) in conjunction with submission of the Monthly Invoice. VFC proposed that the majority of the vehicles used in TAP will be obtained by donation. The Department is responsible for the payment of the balance of the flat fee (minus the customer's portion of the repair costs) upon submission of a monthly invoice.

Temporary Assistance to Needy Families (TANF) customers and former TANF customers who have a bona-fide job offer or have a job but did not have transportation or reliable transportation have benefited from such assistance in the past. These jobs are usually during non-traditional hours or are not accessible to public transportation or require the customers to travel more than 3-4 hours by bus to get to the job. Usually, these jobs have paid \$10.00 per hour or more. This type of assistance also ensures customers remain off TCA rolls or helps customers get off of TCA permanently.

The calculated savings to the State with this contract for a household of three is \$6,888 per year, and even more for larger households. (This calculation is determined by the number of people who have received cars through one of these programs multiplied by the monthly TCA grant for a three person Household times 12.) This type of program has been successfully implemented in Garrett County, Carroll County and Baltimore City.

The core services for this Contract are vehicle distribution and vehicle parts. There are few MBEs which provide these services in the State of Maryland. For this reason, a MBE participation goal of 5% was established for this contract. VFC will receive part-time staffing from the MBE subcontractor to assist the TAP customers. The staff will collaborate with the local departments to assist in identifying and securing qualified applicants. They will review applications and will act as the sole contact for TAP customers when they are approved to receive a vehicle. The staff will also conduct the car orientation classes and be the contact person once the TAP customers take ownership of their vehicles.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

FUND SOURCE: 100% Federal

APPROP. CODE: N00G0010

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1781-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Clarence Snuggs
410-514-7006
snuggs@mdhousing.org

DEPARTMENT/PROGRAM: Housing and Community Development (DHCD)
Division of Credit Assurance

CONTRACT ID: S00R1400010;
Sub-Servicer for DHCD Single Family Housing
Loans Issued in Connection with the Issuances of
Bonds
ADPICS No. S00B2400001

CONTRACT DESCRIPTION: Contract for a second servicer for the servicing of
certain single family loans made by DHCD with proceeds from revenue bonds issued by
DHCD's Community Development Administration (CDA).

AWARD: M & T Bank
Buffalo, NY

TERM: 8/11/2011 - 9/30/2014

AMOUNT: \$5,000,000 NTE (3 Years, 1 month, 19 Days)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 1% (See Requesting Agency Remarks below)

MBE WAIVER: 24% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None (See Requesting Agency Remarks below)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of availability of the Request for Proposals (RFP) was advertised in *eMarylandMarketplace.com*, posted on DHCD's website, submitted to Governor's Office of Minority Affairs (GOMA), and mailed directly to 44 prospective vendors, of which eight are Maryland firms and four are MBEs.

DHCD received four offers in response to the RFP, but only three were deemed to be reasonably susceptible of being selected for award. One offeror was rejected for failure to provide complete MBE documents. DHCD returned the unopened financial proposal to the rejected offeror.

Of the three remaining offers, the proposal from M & T Bank was ranked first overall with the first-ranked technical proposal and the second lowest price. The proposal ranking second overall and second technically was significantly higher in price than the other two offers. The proposal with the lowest price was ranked third technically and third overall. The slight difference in price (14% or \$683,753) between M & T Bank and the lowest price offer did not offset the difference in the technical proposals. Therefore, M & T Bank is the recommended awardee with the most advantageous offer to the State.

M & T Bank's strength is its extensive experience servicing loans that are comparable to CDA's single family bond portfolio. M & T has serviced single family mortgage loan portfolios for more than 30 years, maintained Fannie Mae and FHA approvals and has extensive experience servicing large quantities of loan types for all private insurers, including FHA, VA, Rural Housing Services, and bond and private insurance companies. M & T is staffed with experienced personnel in sufficient numbers to manage a portfolio the size of CDA's portfolio, and has mortgage industry standard servicing software. M & T has low delinquency rates for the loans it services, a result of its very strong loss mitigation resources and proactive mitigation strategies. Although its offices are in Buffalo, New York, M & T has a strong local presence in Maryland through its 205 full service branches in Maryland, which will provide easy access for DHCD's borrowers to pay their mortgages and assist in any borrower inquiries. It is the second largest deposit taker in the Maryland.

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM: 3-S (Cont.)

The purpose of this Contract is to add a servicer to share servicing responsibilities as currently being provided by Bogman, Inc. In today's mortgage servicing environment two servicers are needed to balance the workload associated with administering the 16,000 loans in the Maryland Mortgage Program portfolio while ensuring new and evolving best practices are implemented. Having two servicers will allow DHCD to benchmark and compare the performance of these two servicers against each other and industry indicators to enable maximum performance for the Maryland Mortgage Program portfolio.

As loan servicer, M & T Bank will provide servicing of single family housing loans funded in connection with the issuance of revenue bonds and subordinate loans from other sources. M & T Bank will maintain records, collect and remit payments, collect and manage escrows (including the payment of insurance and taxes), respond to borrowers' inquiries, perform loss mitigation, process claims and engage in other loan servicing activities. The addition of M & T Bank to DHCD's loan servicing team will increase DHCD's ability to improve the loan portfolio, assist and expedite interaction with both current and delinquent borrowers, and provide an additional benchmark to evaluate the quality of loan servicing regarding the two servicers. A great deal of special attention and timely asset management is essential for success in the current, very volatile housing environment; having additional resources in the form of M & T Bank enhances DHCD's ability to pursue significant remedies for Maryland homeowners.

A 25% MBE participation goal was established for this contract. M & T Bank requested a 24% waiver, and after careful consideration, DHCD determined that the documentation submitted in support of the waiver request represented a good faith effort. DHCD approved M & T Bank's waiver request.

On 6/6/2011, DHCD received a protest from one of the potential MBE subcontractors that was contacted by M & T Bank in making a good faith effort to obtain MBE participation and was not selected by M & T Bank to be a subcontractor. On 6/15/2011, DHCD informed the MBE subcontractor that it failed to qualify as an "interested party" per COMAR 21.10.02.01.A because it was not an actual or prospective bidder, offeror, or contractor, and therefore lacked standing to file a protest of the proposed contract award to M & T Bank. Accordingly, DHCD informed the potential MBE subcontractor that DHCD would take no action regarding the claim. The potential subcontractor appealed DHCD's decision to take no action to the Maryland State Board of Contract Appeals (MSBCA) on 6/16/2011. The MSBCA affirmed DHCD's determination to take no action and dismissed the appeal on 8/1/2011.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

FUND SOURCE: 100% Special (Non-Budgeted CDA Revenue Bond
Repayment Proceeds)

APPROP. CODE: N/A

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-1378-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 3-S (Cont.)

ATTACHMENT

14B
BPW 8/10/2011

BIDS OR PROPOSALS (Cont.):

<u>OFFERORS</u>	<u>TECHNICAL RANKING</u>	<u>FINANCIAL PRICE /RANKING*</u>	<u>OVERALL RANKING**</u>
M & T Bank Buffalo, NY	1	\$4,756,205 (2)	1
Cenlar Ewing, NJ	2	\$8,176,174 (3)	2
AmeriNational Community Services, Inc. Baltimore, MD	3	\$4,072,452 (1)	3

Note: * The financial price/offer was based on a model in the RFP for evaluation purposes only.
** Technical factors had more weight than financial factors in the overall ranking determination.

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT

ITEM: 4-S

Agency Contact: Jay Sakai
410-537-3567
Jsakai@mde.state.md.us

DEPARTMENT/PROGRAM:

Maryland Department of the Environment
Water Management Administration
Water Supply Program

CONTRACT ID:

**Develop and Implement Source Water Protection
Programs for Vulnerable Community Water
Systems Using Groundwater
ADPICS BPO: U00B1400043**

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: Multiple contracts to develop and implement Source Water Protection Programs for each of 20 water systems that have been identified by the State as having vulnerable water sources.

AWARDS:

Western & Eastern Regions:
Advanced Land and Water, Inc.
Sykesville, MD

Central Region:

S.S. Papadopoulos & Associates, Inc
Bethesda, MD

TERM:

9/8/2011 – 9/7/2013

AMOUNT:

\$121,139 (Western Region)
\$ 85,607 (Eastern Region)
\$173,390 (Central Region)
\$380,136 Grand Total for all three Regions

PROCUREMENT METHOD:

Multi-Step Competitive Sealed Bidding

BIDS OR PROPOSALS:

See Attachment

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: None

INCUMBENT: None

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Through eMM, 141 prospective vendors received the solicitation, of which 75 are Maryland firms and included 61 MBEs. Copies of the solicitation notice were mailed directly to two prospective vendors, both of which are Maryland minority businesses. A copy was also sent to the Governor's Office of Minority Affairs.

Bidders could bid on one, two or all three regions, but were requested to submit separate bids for each region. Four bidders responded to the IFB for all three regions. Therefore, 12 bids were received in response to the IFB. The breakdown per region is shown below and in the Attachment.

Western Region: one of four bids was deemed technically unacceptable;
Central Region: two of four bids were deemed technically unacceptable; and
Eastern Region: one of four bids was deemed technically unacceptable.

The 1996 Amendments to the Safe Drinking Water Act (SDWA) reaffirmed the importance of source water protection as the first step in protecting drinking water quality. The SDWA mandated that each State develop a formal Source Water Assessment Program (SWAP). Maryland's SWAP was approved by EPA in November 1999. MDE has prepared Source Water Assessment Reports for all public drinking water systems in Maryland. These reports define the boundaries of areas providing source water for public drinking water systems, identify the significant potential sources of contamination within the defined areas, and evaluate the susceptibility of each public water system to the identified contaminants. Each Source Water Assessment Report also includes recommendations for management of the assessment areas and is intended to assist local jurisdictions in implementing a Source Water Protection Program (SWPP). The foundation for such a program is a partnership among State and local governments, water suppliers, consumers, residents and businesses in the source water protection areas. While many jurisdictions recognize the need to protect their water sources, they often do not have the resources to develop and implement specific plans for doing so.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

The purpose of these contracts is to develop and implement SWPPs for each of 20 water systems that have been identified by the State as having vulnerable water sources. The contracts include reviewing and updating existing source water assessments, establishing community involvement teams, developing and implementing individual SWPPs for each community, and documenting all project activities. This project will help to protect water sources for more than 287,000 Maryland citizens.

FUND SOURCE: 100% Federal

APPROP. CODE: U00A0400

RESIDENT BUSINESS: Yes for both

MD TAX CLEARANCE: 11-1717-0111 (Advanced Land and Water, Inc.)
11-1718-0111 (S.S. Papadopoulos & Associates)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-S (Cont.)

ATTACHMENT

18B
BPW 8/10/2011

BIDS OR PROPOSALS (Cont.):

BIDDERS:

BIDS:

Western Region

Advanced Land and Water, Inc. Sykesville, MD	\$121,139
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S.S. Papadopoulos & Associates, Inc. Bethesda, MD	\$137,180
--	-----------

Horsley Witten Group Sandwich, MA	\$147,036
--------------------------------------	-----------

Central Region

S.S. Papadopoulos & Associates, Inc. Bethesda, MD	\$173,390
--	-----------

Horsley Witten Group Sandwich, MA	\$179,521
--------------------------------------	-----------

Eastern Region

Advanced Land and Water, Inc. Sykesville, MD	\$85,607
---	----------

S.S. Papadopoulos & Associates, Inc. Bethesda, MD	\$108,228
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Horsley Witten Group Sandwich, MA	\$114,198
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SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT

ITEM: 5-S

Agency Contact: Albert Annan
410-767-0114
aannan@msde.state.md.us

DEPARTMENT/PROGRAM:

Education (MSDE)
Division of Student, Family and School Support

CONTRACT ID:

**R00R1400952;
Maryland Youth Risk Behavior Survey
ADPICS NO. R00B1400032**

DESCRIPTION:

DESCRIPTION: Request for retroactive approval of a contract for conducting a comprehensive survey of approximately 2,500 students in grades 9, 10, 11 and 12 from approximately 30 randomly selected Maryland public schools under the biennial Maryland Youth Risk Behavior Survey (MYRBS) program.

AWARD:

Macro International Inc.
Calverton, MD

TERM:

4/1/2011 – 3/31/2012 (w/2 biennial one-year renewal options)

AMOUNTS:

\$125,377 (1 Year; Base Contract - FY2011)
\$136,298 (1 Year; 1st Renewal Option - FY2013)
\$141,753 (1 Year; 2nd Renewal Option - FY2015)
\$403,428 Total (3 Survey Years)

PROCUREMENT METHOD:

Competitive Sealed Proposals

BIDS OR PROPOSALS:

See Attachment

MBE PARTICIPATION:

27.54% (See Requesting Agency Remarks below)

INCUMBENT:

KRA Corporation
Beltsville, MD

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

REQUESTING AGENCY REMARKS: The Maryland State Department of Education (MSDE) is requesting retroactive approval of a contract to conduct the Maryland Youth Risk Behavior Survey under the biennial Maryland Youth Risk Behavior Survey (MYRBS) program. If this contract is not approved, the State of Maryland will not have youth health risk data for 2011. This will result in a loss of trend data and noncompliance with Maryland law. Additionally, the lack of current MYRBS data could adversely impact the ability of State and local agencies to apply for federal and other grants.

A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were emailed directly to 18 prospective vendors, seven of which are Maryland firms and included three MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Five proposals were received in response to the RFP. However, only two of the proposals were deemed to be reasonably susceptible of being selected for award. Award was recommended to Macro International Inc. (Macro) as being the most advantageous Offeror to the State with the #1 ranked technical offer and the lower price. Macro was notified in March 2011 that it was the recommended awardee and was sent a copy of the contract to sign. There were communication issues that created some confusion regarding administration and authorization of the contract; thus, permission to proceed with preliminary and essential survey work was provided to Macro prior to the Board of Public Works (BPW) approval. Therefore, during the months of April and May 2011, Macro surveyed students in grades 9 - 12 in 25 Maryland public high schools in 14 counties. The survey was administered to meet the tight timelines established by Federal Centers for Disease Control and Prevention (CDC), as explained below. There was only a narrow window of time to survey the students and forward the data to CDC by June. CDC is currently requesting the data from all of the states.

When MSDE realized what had happened, work was immediately stopped to await BPW approval of the contract. At this point, Macro has not completed the compilation of the data to send to the CDC and has not been paid for the work performed to date. Approval of this voidable contract, will allow MSDE to pay Macro and allow Macro to continue with the time sensitive work, which will allow MSDE to obtain additional federal funding coming later in August 2011.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

The Maryland Youth Risk Behavior Survey (MYRBS) is part of the Youth Risk Behavior Surveillance System (YRBSS) developed in 1990 by the CDC. CDC provides administrative guidelines for conducting the survey and strongly recommends that the survey be administered during the spring of the survey year (March - May) to ensure that the collected data are forwarded to CDC by June of the same year for the results to be analyzed and a report issued. Therefore, it is imperative that a contractor adhere to CDC's schedule. Failure to comply with these timelines will cause a state to be omitted from the national results. Each state is required to pay for the survey with CDC contributing approximately \$45,000 to \$50,000 to each participating state.

The MYRBS mandated by House Bill 358 (Acts of 2004) requiring MSDE to establish procedures for the administration of the survey, is conducted biennially with statistical analysis support from the CDC. This survey is the second series of three biennial surveys being conducted by MSDE since the Bill was passed. MYBRS will be administered to approximately 2,500 students in grades 9, 10, 11 and 12 in approximately 30 Maryland public schools. The survey provides information on the nature, extent, and trends in alcohol, tobacco, and other drug use, harassment, nutritional habits and chronic youth health issues in Maryland. The result of the survey assists in planning effective strategies and programs to prevent or discourage improper behavior and abuses among adolescents. The survey results also assist MSDE in program planning and implementation efforts, including determining priorities and resource allocations, identifying specific objectives, and developing effective prevention strategies by Maryland State and local government agencies and Maryland communities.

Since this is a biennial survey, the base contract survey was conducted in FY2011 (4/1/2011-3/31/2012) and the two renewal option year surveys, if exercised contingent upon availability of funding, will be conducted in FY2013 (4/1/2013-3/31/2014) for the first renewal option and FY2015 (4/1/2015-3/31/2016) for the second renewal option.

The MYRBS consists of a booklet of questionnaires completed by survey participants. The survey data collected is then sent to the CDC for preliminary statistical analysis and the result is incorporated into various reports for review by MSDE and other stakeholders.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

The Contractor:

- Develops a sampling plan;
- Implement the survey administration plan that includes active parental consent;
- Distributes survey booklets to designated schools;
- Retrieves completed survey booklets;
- Submits completed surveys to CDC's contractor;
- Reviews the initial data set provided by CDC's contractor;
- Identifies data anomalies;
- Develops draft and final reports based on data received from CDC's contractor; and,
- Provides technical assistance that includes presentations to stakeholders, additional writing of reports as required, data analysis and/or the investigation of anomalies in the data.

FUND SOURCE: 63.64% General; 36.36% Federal

APPROP. CODE: R00A0112

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-0522-1111

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 5-S (Cont.)

ATTACHMENT

23B
BPW 8/10/2011

BIDS OR PROPOSALS (Cont):

OFFERORS	TECH. RANK	FINANCIAL PRICE (BASE CONTRACT YEAR)	FINANCIAL PRICE (1 ST RENEWAL OPTION YEAR)	FINANCIAL PRICE (2 ND RENEWAL OPTION YEAR)	FINANCIAL PRICE / RANK * (TOTAL 3 YEARS)	OVERALL RANK **
Macro International, Inc. Calverton, MD	1	\$125,377	\$136,298	\$141,753	\$403,428 / 1	1
KRA Corporation Beltsville, MD	2	\$180,072	\$186,578	\$193,326	\$559,976 / 2	2

Note: * The Financial Price was a fixed price for each year of the project and the Financial Ranking was based upon the total of the prices for each of the three biennial years – Base Contract year plus Renewal Option #1 and Renewal Option #2.

** Technical Factors and Financial Factors had equal weight in the overall award determination.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Michael Haifley
410-767-4429
Michael.Haifley@dgs.state.md.us

DEPARTMENT/PROGRAM: General Services (DGS)
Facilities Operations Management (FOM)

CONTRACT ID: DGS-DC/TC-001;
Child Care Services at the Annapolis Child
Care Center, Tawes Complex, Annapolis,
MD; and at the Community Place Child
Care Center, Crownsville, MD
ADPICS No: COD85590

CONTRACT APPROVED: 12/12/2001 DBM BPW Agenda Item 14-S

CONTRACTOR: Play and Learn Centers, Inc.
Lutherville, MD

CONTRACT DESCRIPTION: Contract to provide day care services at the
Annapolis Child Care Center, Tawes Complex and at the Community Place Child Care Center in
Crownsville in accordance with State Family Law Article 5-587.

MODIFICATION DESCRIPTION: Approval request to continue existing day
care services for an additional four months in order to complete the re-procurement for a new
contract.

TERM OF ORIGINAL CONTRACT: 1/1/2002 - 12/31/2004 (w/2 three-year
renewal options)

TERM OF MODIFICATION: 9/1/2011 – 12/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$4,366,284 Est.

AMOUNT OF MODIFICATION: \$502,199 Est. (4 Months)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$10,197,477 Est. (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$15,065,960 Est.

PERCENT +/- (THIS MODIFICATION): +11.50%

OVERALL PERCENT +/-: +38.02%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract for an additional four months to continue to provide day care services at the Annapolis Child Care Center, Tawes Complex and at the Community Place Child Care Center in Crownsville to allow time for DGS to complete the re-procurement of a new contract. DGS anticipates having a new contract award recommendation to the BPW in November 2011 for a 1/1/2012 start date.

A Request for Proposals (RFP) was advertised on *eMarylandMarketplace* and the DGS bid board on 5/16/2011. A single offer was received on the due date of 6/10/2011 from the incumbent, Play and Learn Centers, Inc. During the technical evaluation it was discovered that the MBE Utilization and Fair Solicitation Affidavit was not filled out completely. After consultation with the Department of Budget and Management (DBM) and the Governor's Office of Minority Affairs (GOMA), it was determined that Play and Learn Centers, Inc.'s proposal was not susceptible of being selected for award pursuant to COMAR 21.11.03.09 C (6) and 21.06.02.03 (B) (2). Because only one offer was received, the services performed under this contract must be re-procured.

Previously, Offerors had to submit responses for both Centers. In order to stimulate competition the new solicitation will give Offerors the opportunity to bid on the Annapolis and Crownsville Child Care Centers individually and together, with an award(s) made to individual Centers or both Centers, based on the proposal determined to be the most advantageous to the State considering technical and financial factors as set forth in the RFP.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

Play and Learn Centers, Inc. has provided day care services as required under the contract for the State since 1991 in Crownsville and 2002 in Annapolis, Maryland. DGS has not received a complaint or concerns regarding any aspect of its performance. The vendor has provided several letters of compliments from parents expressing the love and care their children have received from Play and Learn Centers, Inc. In several cases, the children were enrolled for several years and graduated to kindergarten. The Maryland State Department of Education – Office of Child Care, which currently is responsible for Child Care Services, and the Department of Human Resources – Child Care Administration, which previously was responsible for Child Care Services, have performed yearly Child Care Center Inspections. The inspection reports for the last five years have shown the Centers to be in compliance.

The Centers offer safe, high quality services that are affordable and convenient to State employees, as well as the general public. Children of State employees are given first priority to receive services under this contract. The Annapolis Center has space and equipment to accommodate 102 children; and the Crownsville Center has space and equipment to accommodate up to 100 children from infant to school age.

Although the original contract had no MBE participation goal during the second renewal option Play and Learn Centers, Inc. stated that the Centers would make a good faith effort to purchase toys, games, supplies and food from minority-owned and operated businesses in the State of Maryland. Play and Learn Centers, Inc. has also made efforts to subcontract with minority owned and operated businesses for janitorial services, trash collection, building improvements and maintenance, etc.

The source of funds for this contract comes from user fees that are collected by the Contractor for the services provided. The provider bills the cost for these services directly to parents. An additional surcharge for maintenance is billed to non-State-employees.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

FUND SOURCE: 100% Special (User Fees)

APPROP. CODE: H00C0101

RESIDENT BUSINESS: Yes

MD TAX COMPLIANCE: 11-1574-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 6-S-MOD (Cont.)

ATTACHMENT

28B
BPW 8/10/2011

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod. #1	\$ 153,504	Mod for an adjustment for additional services for part-time & drop-in Day care other than infants, for the period of 3/1/2002 to 12/31/2004. Approved on the 2/27/2002 DBM BPW Agenda, Item 4-S-MOD.
Opt. #1	\$4,519,788	Exercised the first of two three-year renewal options as contained in the original contract for the period of 1/1/2005 to 12/31/2007. Approved on the 2/2/2005 DBM BPW Agenda, Item 9-S-OPTION.
Opt. #2	\$4,519,788	Exercised the second and final three-year renewal option as contained in the original contract for the period of 1/1/2008 to 12/31/2010. Approved on the 10/31/2007 DBM BPW Agenda, Item 6-S-OPTION.
Mod. #2	\$1,004,397	Mod to extend the contract for eight months to continue to provide day care services in order to allow time for DGS to complete the procurement for a new contract for the period of 1/1/2011 to 8/31/2011. Approved on the 12/1/2010 DBM BPW Agenda, Item 10-S-MOD.
Total	<u>\$10,197,477</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
SJohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Human Resources (DHR)
Social Services Administration (SSA)
Foster Care Maintenance Payments Program

CONTRACT ID: SSA/RCC/11-021-A1;
CIS & H, Inc.
ADPICS NO. COD83057

CONTRACT APPROVED: 3/23/2011 DBM BPW Agenda Item 5-S

CONTRACTOR: CIS & H, Inc.
Upper Marlboro, MD

CONTRACT DESCRIPTION: Approval request to provide Residential
Child Care (RCC) services for a total of 1,376 clients at various locations throughout Maryland
through 71 separate RCC contracts.

MODIFICATION DESCRIPTION: Approval request to modify the contract to
reduce the number of beds for one Provider, CIS&H, Inc., to 18 from 21.

TERM OF ORIGINAL CONTRACT: 4/1/2011 – 3/31/2013

TERM OF MODIFICATION: 9/1/2011 – 3/31/2013

AMOUNT OF ORIGINAL CONTRACT: \$3,528,126 (2 Years)

AMOUNT OF MODIFICATION: (\$399,014) (19 Months)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$3,129,112

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): -11.3%

OVERALL PERCENT +/-: -11.3%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to modify the contract by reducing the current number of beds purchased by the Department from 21 to 18. This contract provides for residential child care services for developmentally disabled children in accordance with all relevant licensing laws and regulations for children placed by local departments of social services.

Although CIS & H, Inc. is currently licensed by the Department of Health and Mental Hygiene (DHMH) for 18 child care beds, in the sealed proposal in response to the RFP issued November 2010 CIS & H, Inc. requested 21 child care beds. During the RFP evaluation period, CIS & H, Inc. requested an increase in its capacity from 18 to 21 by the licensing agency. However, it did not follow through with the necessary inspections to grant the increase; therefore, the licensed capacity remained unchanged for this provider. However, the Department awarded 21 beds based on the proposal for 21 beds.

Upon realizing the discrepancy, the Department prepared a modification to the contract to reflect the reduction in CIS & H, Inc.'s capacity as per the license issued by the DHMH. Failure to adjust the contracted number of beds may result in adverse audit findings.

Since the contract began in April 2011, during various periods up to the present, a total of 15 children were served by the Provider. Because the contract is a not-to-exceed amount based upon all beds being filled for the entire duration of the contract, the total contract value will actually be approximately \$210,000 less based upon the price of 15 beds for 5 months (4/1/2011 – 8/31/2011) being only \$525,019 versus the price of 21 beds being \$735,026.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

FUND SOURCE: 66% General; 34% Federal

APPROP. CODE: N00G0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1886-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 8-GM **Agency Contact:** David Treasure
410-260-7049
dtreasur@dbm.state.md.us

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

AMOUNT OF REQUEST: \$1,611,331, FY 2011 Total (see Attachment)

DESCRIPTION: Request to approve various proposed reimbursable fund budget amendments for the fourth quarter of FY 2011. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that 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

APPROP. CODE: See Attachment

REQUESTING AGENCY REMARKS: Various contributing Departments and Independent Agencies have appropriated funds to pay for services to be provided by receiving Departments or Independent Agencies for the fourth quarter of FY 2011. The Attachment shows the reimbursable amendments by Department and Independent Agency and identifies the Departments and Independent Agencies receiving and contributing funding, the amounts of the funding and a brief justification for each amendment.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 8-GM (Cont.)

ATTACHMENT

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	Justification
11R-062	C82-Office of the State Prosecutor (OSP)	D15- Boards and Commissions- Governor's Office of Crime Control and Prevention	\$9,999	***** Justification ***** Funding to provide computer crime analyst training to 2 OSP employees.
11R-087	M00- Department of Health and Mental Hygiene	U00- Department of the Environment	\$15,065	Funding for salaries (\$13,440) and computer equipment (\$1,625) to expand community based childhood lead poisoning prevention programs in Maryland.
11R-088	M00- Department of Health and Mental Hygiene	D12- Department of Disabilities	\$115,780	Funding to cover the cost of the Medical Care Programs Administration website design and enhancements for the Employed Individuals with Disabilities (EID) Program.
11R-094	C81-Office of the Attorney General (OAG)	M00- Department of Health and Mental Hygiene	\$40,000	Funding to provide 25% of salaries for 2 new OAG attorneys for the enactment of the Maryland False Health Claims Act of 2010.
11R-097	K00- Department of Natural Resources	D50- Military Department- Maryland Emergency Management Agency	\$1,430,487	Funding to purchase equipment for the Maritime Law Enforcement Information Network and TAC STACK which supports radio inter-operability (\$1,226,502) and Maryland Water Watch Outreach Programs and anti-terrorism training (\$203,985).
FY 2011 4th Qtr Proposed Reimbursable Amendments Total			\$1,611,331	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 9-GM **Agency Contact:** Nicole Stallings
410-767-5660
nstallings@dhmh.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

PROGRAM: Office of the Secretary

FUND SOURCE: 100% Federal (Centers for Medicare & Medicaid
Services' Center for Consumer Information &
Insurance Oversight)

APPROP. CODES: M00.A0101

AMOUNT OF REQUEST: N/A

DESCRIPTION: Request to establish three federally funded positions pursuant to §7-236, State Finance and Procurement Article, and Section 38 of House Bill 70 (Budget Bill for FY2012). This latter provision enables the Board of Public Works to authorize the creation of no more than 100 additional State funded positions during Fiscal Year 2012. The three requested positions will initially be supported entirely with federal funds and will at a later date be supported with Exchange fee collections, as described below. DBM requests the Board create a total of three positions within the "Rule of 100" for the Department of Health and Mental Hygiene.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	Administrator III	18/Base	\$ 46,563
1	Dir. of Operations	ES-10	\$115,356
<u>1</u>	Dir. of Comm. & Outreach	ES-10	<u>\$115,356</u>
3	Total		\$276,275

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-GM (Cont.)

REQUESTING AGENCY REMARKS: The three positions will support key functions of the Maryland Health Benefit Exchange:

- The Administrator III will serve as Special Assistant to the Executive Director of the Exchange and will oversee and manage all administrative affairs, office procedures and other tasks as assigned by the Executive Director.
- The Director of Operations will play a leading role in establishing the Exchange's strategic and programmatic priorities and managing the organization to ensure that it achieves its mission.
- The Director of Communications and Outreach will be responsible for shaping the public image of the Exchange and for directing its interaction with the public and the media to ensure the Exchange's responsiveness and accessibility.

The Exchange's enabling legislation allows the Executive Director to set the classification, grade and compensation of the staff of the Exchange. The Director of Operations and Director of Communications and Outreach will be Executive Service. Specific grade and salary/wages will be dependent on the qualifications of the applicant.

DBM REMARKS: The Secretaries of DBM and DHMH have certified that funds are available for the new positions for which approval is requested within the Rule of 100. If the Board approves this request, three positions will have been approved within the Rule of 100 for FY2012.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 10-GM

Agency Contact: Dorothy Morrison
410-865-1130
dmorrison@mdot.state.md.us

DEPARTMENT/PROGRAM:

Transportation (MDOT)
Maryland Transit Administration (MTA)
Office of Safety and Risk Management

AMOUNT OF REQUEST:

\$1,050,000

FUND SOURCE:

100% Special (MTA Capital Program)

APPROPRIATION CODE:

J05H0105

DESCRIPTION:

Request for approval of a settlement and payment of fines associated with an administrative enforcement action commenced by the United States Environmental Protection Agency (EPA) against the State of Maryland, the Maryland Department of Transportation (MDOT), and the Maryland Transit Administration (MTA). The administrative enforcement action arises from a multi-media environmental inspection of MTA's facilities by EPA, and the administrative complaints in the case alleged violations of the Clean Water Act (CWA), 33 U.S.C. §1251, *et seq.*, as well as the Resource Conservation Recovery Act (RCRA), 42 U.S.C. §6901, *et seq.* A letter sent under separate cover from the Attorney General's Office will more thoroughly describe the history and terms of the settlement.

If approved by the Board of Public Works, MTA would enter into a Consent Agreement and Final Order with EPA that would resolve the violations MTA discovered, disclosed and corrected through an audit of MTA facilities required under an earlier settlement with EPA. Payment includes a cash penalty of two hundred and fifty thousand dollars (\$250,000.00), and completion of a Supplemental Environmental Project (SEP) estimated to cost eight hundred thousand dollars (\$800,000).

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 10-GM (Cont.)

REQUESTING AGENCY REMARKS: MDOT, MTA and the OAG recommend this requested settlement to avoid complex and costly litigation. In light of the cost of litigation and the disruption caused by litigation, the requested amount is economically reasonable.

If the proposed settlement is approved, a check in the amount of Thirty-Eight Thousand, Six-Hundred and Fourteen dollars (\$38,614.00) payable to "Oil Spill Liability Trust Fund-311 Docket No. RCRA-CWA-CAA-03-2011-0041" and a check in the amount of Two-Hundred and Eleven Thousand, Three-Hundred and Eighty-Six dollars (\$211,386) payable to "Treasurer, United States of America" will be drafted. Together these penalties comprise the total cash penalty of Two Hundred and Fifty Thousand dollars (\$250,000). The cost associated with the SEP are incurred as the SEP is developed and implemented at the nine MTA facilities; therefore, the Eight Hundred Thousand, (\$800,000) that under the agreement MTA must expend for the SEP is not due at this time but will be included in future agency appropriations. The checks for the cash penalties should be mailed to this office for delivery to the appropriate EPA office.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 11-S **Agency Contact:** Larry Williams
410-260-7195
Larryw@dbm.state.md.us

DEPARTMENT/PROGRAM: Budget & Management (DBM)
Fleet Management Office (FMO)

CONTRACT ID: Maintenance and Repair Services for State Owned
Vehicles
ADPICS NO. 050B1400025

CONTRACT DESCRIPTION: Contract to provide Statewide vehicle maintenance and repair services via a network of local vendors for State-owned cars, light trucks, vans and medium and heavy-duty trucks not covered by in-house maintenance and repair facilities. The contract also provides an accident management program to manage reporting and repair of all vehicle accidents and vandalism claims by participating State agencies.

AWARD: PHH Arval, Inc.
Sparks, MD

TERM: 8/11/2011 – 9/30/2016

AMOUNT: \$46,000,000 Est. (5 Years)
(See Requesting Agency Remarks below)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 0% (See Requesting Agency Remarks below)

INCUMBENT: ARI, Inc.
Mt. Laurel, NJ

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request For Proposals (RFP) was advertised on the *eMarylandMarketplace.com* and DBM web sites. Copies of the solicitation notice were mailed directly to six prospective vendors, one of which is a Maryland firm, and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Five offers were received for this contract. One offeror requested to withdraw its offer prior to oral presentations. The remaining four were determined to be reasonably susceptible of being selected for award (see Attachment). PHH Arval, Inc. (PHH) was ranked #2 technically and had the lowest price. The #1 technically ranked offeror had the third lowest price. Financial factors were given greater weight than technical factors in the overall award determination. Therefore, PHH is recommended for the award of this contract as providing the most advantageous offer to the State.

The contract for which approval is being requested will continue to provide access to a repair and maintenance service network of national and local Maryland vendors for servicing State-owned cars, light trucks, vans and medium and heavy-duty trucks. It also provides for an accident management program to manage reporting and repair of all vehicle accidents and vandalism claims by participating State agencies. The term dates include a seven week transition period from the incumbent to the new Contractor.

The State owns approximately 8,700 vehicles; of this number, approximately 5,400 currently participate in the maintenance program. The approximately 3,300 remaining vehicles are maintained using State-owned repair facilities.

The requested \$46,000,000 approval amount of this item is estimated. Approximately \$43,560,000 of this amount is estimated to be reimbursements for the actual cost of maintenance and repairs to State vehicles by participating facilities. The financial offer in the Attachment was based upon a model in the RFP for evaluation purposes for a five-year period for administrative fees. The administrative fees for this contract are estimated to be \$2,440,000. The contractor will be paid a fixed per-vehicle, per-month fee for vehicle maintenance and fixed-incident fees for towing and accident occurrences.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S (Cont.)

No MBE goal was established for this contract because State agencies control which repair facility a vehicle is taken to. There is no direct contractor/subcontractor relationship between the recommended contractor, PHH Arval, Inc. (PHH) and the repair facilities.

FUND SOURCE: Various

APPROP. CODE: Various State Agencies

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1643-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 11-S (Cont)

ATTACHMENT

BPW 8/10/2011

BIDS OR PROPOSALS (Cont):

<u>Offerors</u>	<u>Tech. Rank</u>	<u>Five Year Financial Offer (Rank)*</u>	<u>Overall Rank**</u>
PHH Arval, Inc. Sparks, MD	2	\$2,437,500 (1)	1
LeasePlan Alpharetta, GA	3	\$2,587,550 (2)	2
Automotive Rentals, Inc. Mt. Laurel, NJ	1	\$2,993,750 (3)	3
All Star Fort Worth, TX	4	\$3,927,000 (4)	4

Note: * The financial offer was based upon a model in the RFP of administrative fees for a five year period.

** Financial factors had greater weight than technical factors in the overall award determination.

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 1-GM

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

Recommendation: That the Board of Public Works approve the use of general obligation bond funding proceeds for the following contracts totaling \$248,532.05.

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

1. **University of Maryland, Baltimore**
Addition to the School of Pharmacy

- A. Description:** Protein Characterization System w/Scanning
UV/Visible Optics
Purchase Order 846360
- Procurement Method:** Educational & Institutional Cooperative Purchasing
Contract. E & I aggregates the purchasing power of
member institutions to competitively award contracts.
- Award:** Beckman Coulter, Inc.
Brea, CA 92821
- Amount:** \$192,654.78
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition
and renovation to the School of Pharmacy.* Item 052
- MD Tax Clearance:** 11-1848-1111
- Resident Business:** No
- B. Description:** 2 ea Highpoint Forte 65" High Bookcases
2 ea Highpoint Forte 4-drawer lateral files
2 ea Berco Racetrack Table
Purchase Order 846382
- Procurement Method:** Baltimore Regional Cooperative Purchasing
Committee Contract
- Award:** Glover Equipment Sales Group, LLC
Cockeysville, MD
- Amount:** \$9,316.27
- Fund Source:** MCCBL 2009: *Provide funds to equip an addition and
renovation to the School of Pharmacy.* Item 052
- MD Tax Clearance:** 11-1829-1111
- Resident Business:** Yes

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 1-GM (continued)

C. Description: RF-20AXS Fluorescence Detector and Photomultiplier
Purchase Order 846359
Procurement Method: Simplified Procurement
Award: Shimadzu Scientific
Columbia, MD 21046
Amount: \$15,275.00
Fund Source: MCCBL 2009: *Provide funds to equip an addition and renovation to the School of Pharmacy.* Item 052
MD Tax Clearance: 11-1833-1111
Resident Business: Yes

2. University of Maryland, College Park:
Fine and Performing Arts Center at Bowie State University, Bowie MD

A. Description: Printer stands
Equipment List C-52-17
Purchase Order G154044
Procurement Method: Small Procurement
Award: Rudolph's Office and Computer Supply (MBE)
5020 Campbell Blvd
Baltimore, MD 21236
Amount: \$440.
Fund Source: MCCBL of 2010: *Provide funds to equip the Fine and Performing Arts Center at Bowie State University.* Item 903
MD Tax Clearance: 11-1828-1111
Resident Business: Yes

B. Description: Furnish and install 2 dye vats (soup cooker)
Equipment List C-20-06
Purchase Order G155096
Procurement Method: Simplified Procurement
Award: American Energy Equipment LLC
7538 Fullerton Court
Springfield, VA 22153
Amount: \$16,005
Fund Source: MCCBL of 2010: *Provide funds to equip the Fine and Performing Arts Center at Bowie State University.* Item 903
MD Tax Clearance: 11-1829-1000
Resident Business: No

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 1-GM (continued)

- C. Description:** Furnish and install shelving units and scaffold tower
Equipment List C-47-17, C-46-13
Purchase Order G154488
- Procurement Method:** Simplified Procurement
- Award:** Metro Shelving and Warehouse Products (Company is a state
certified small business)
4520 Mack Ave. Unit H
Frederick, MD 21703
- Amount:** \$13,401
- Fund Source:** MCCBL of 2010: *Provide funds to equip the Fine and
Performing Arts Center at Bowie State University.* Item 903
- MD Tax Clearance:** 11-1497-0111
- Resident Business:** Yes
-
- D. Description:** Furnish and install Brodhead-Garrett Drawing
Table DT-90PL
Equipment List C-55-04
Purchase Order D155182
- Procurement Method:** Small Procurement
- Award:** The Library Store, LTD.
10528 Saint Paul Street
Kensington, MD 20895
- Amount:** \$1,440.00
- Fund Source:** MCCBL of 2010: *Provide funds to equip the Fine
And Performing Arts Center at Bowie State
University.* Item 903
- MD Tax Clearance:** 11-1873-1111
- Resident Business:** Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

REAL PROPERTY

ITEM: 2-RP

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

INSTITUTION: University of Maryland, Baltimore

RECOMMENDATION: That the Board of Public to declare surplus State-owned real property located at 830 W. Baltimore Street, Baltimore. The University anticipates a future recommendation to sell the surplus property to the University of Maryland, Baltimore Health Sciences Research Park Corporation to enable the development of a Maryland Proton Treatment Center.

PROPERTY: 830 W. Baltimore Street
Baltimore City
Unimproved parcel approximately 30,000 sf to be subdivided from larger parcel

EXPLANATION: The University of Maryland, Baltimore established the Health Sciences Research Park Corporation (RPC) to develop the UMB Biopark. The Biopark supports key UMB goals, including commercialization of technology, creation of a biotech sector in Baltimore, and improvement of the neighborhood bordering UMB. The development of a proton treatment center in the Biopark will establish UMB and the School of Medicine as one of the leading centers for cancer clinical care, research and education in the world. The proposed proton treatment center will be the fifth on the east coast and the first, and probably the only, facility in the Baltimore/ Washington Region. The Proton Treatment Center will be a radiation oncology treatment center. An on-site extended stay hotel, for use by patients and companies located in the BioPark, may also be developed as part of the project.

AUTHORITY: Section 10-305, State Finance and Procurement Article, Maryland Code. The Board must declare State real property surplus at least 45 days before the Board approves transferring the property. The University will return to the Board for approval to dispose of these parcels.

REQUESTING INSTITUTION REMARKS:

1. **Background:** The land is part of a larger parcel of land (approximately 4.7 acres) that UMB bought from Baltimore City in 2003 and subsequently ground-leased to the RPC to develop the BioPark. That ground lease will be amended so that the approximate 30,000 sf parcel can be subdivided from the larger parcel for the sale. The RPC intends to assemble this parcel with another it currently owns and lease the assembled parcel to the Proton Treatment Center for 75 years.

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 2-RP

REQUESTING INSTITUTION REMARKS: (continued)

- 2. *No Effect On Resources:*** The eventual sale will not have an adverse impact on University, USM, or State resources.
- 3. *Clearinghouse Review:*** The Clearinghouse conducted an intergovernmental review of the project under MD20110621-0445.
- 4. *Legislative Committees' Review:*** The Legislative Committees' review will be conducted during the 45-day period after the Board of Public Works declares this property surplus.
- 5. *Regents Approval:*** The University System of Maryland Board of Regents has approved the contemplated transaction.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

SERVICE CONTRACT RENEWAL OPTION

ITEM: 3-S OPT

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Marketing, Communications and Advertising Services for the
Robert H. Smith School of Business.
University of Maryland, College Park
Contract No. N146304, RFP No. 82099N

ORIGINAL CONTRACT APPROVED: 08/26/09, USM Item 12-C
08/11/10, USM Item 7-S OPT (First Renewal)

CONTRACTOR: Carton Donofrio Partners
100 N. Charles Street, 15th Floor
Baltimore, MD 21211

CONTRACT DESCRIPTION: The Robert H. Smith School of Business requires marketing and advertising services including account management, creative services, production and media planning and buying. Carton Donofrio Partners supports the Smith School's Office of Marketing and Communications in developing, producing and distributing integrated online and offline communications aimed at supporting the school's goals and increasing the school's visibility locally, nationally and internationally. The contract utilizes a combination fixed price (retainer) plus indefinite quantity (labor, production and media buy per negotiated task orders as needed) agreement.

OPTION DESCRIPTION: Exercise the second of five one-year renewal options.

ORIGINAL CONTRACT TERM: 08/26/2009 – 08/25/2010 (One Year Base with
5 one-year options)

FIRST OPTION TERM: 08/26/2010 – 08/25/2011

SECOND OPTION TERM: 08/26/2011 – 08/25/2012

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 3-S OPT (Continued)

AMOUNT OF CURRENT CONTRACT: \$2,561,070 Estimated total-Base Year+
Renewal Option 1

- \$214,800 Fixed Price Retainer
- \$453,670 Estimated Services by Task Order
- \$1,892,600 Estimated Media by Task Order

AMOUNT OF SECOND OPTION: \$1,500,000 Estimated total – Renewal
Option 2 of 5

- \$108,843 Fixed Price Retainer
- \$275,000 Estimated Task Order Labor/Production
- \$1,116,157 Estimated Media

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25% of Task Order Labor/Production

PERFORMANCE BOND: N/A

REQUESTING INSTITUTION REMARKS: The University has a continuing need for the services of Carton Donofrio in support of ongoing initiatives. Carton Donofrio has continued to perform well, meeting the University's expectations including MBE participation.

This project will be administered by the Robert H. Smith School of Business at the University of Maryland, College Park with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE: Current Unrestricted Funds

APPROP CODE: R30B22

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1836-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES CONTRACT

ITEM: 4-AE

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

INSTITUTION:

University of Maryland, College Park for the
University of Maryland Eastern Shore

CONTRACT ID:

Architectural and Engineering Design Services for
the New Engineering, Aviation, Computer, and
Mathematical Sciences Building,
University of Maryland Eastern Shore, Princess Anne
Contract No. B-400161-N
Project No. 90-000-014-00

CONTRACT DESCRIPTION: Design 163,350 GSF, 88,610 NASF classroom, lab and office building including related site and utility improvements, storm water management, pedestrian circulation, landscaping, and service access. The building shall be designed and constructed using sustainable principles. The University expects to obtain LEED Gold Certification.

AWARD:

Hord Coplan Macht/The Freelon Group Architects JV
(HCM-F)
Baltimore, MD 21202

TERM:

(08/18/11 – 06/18/14) – Forty Six (46) months from Notice to Proceed broken down as follows: Design - 18 months; Bidding/Guaranteed Maximum Price (GMP) Phase - 4 months; Construction Administration Phase - 24 months.

AMOUNT:

\$7,272,827 (See Remarks)

PROCUREMENT METHOD:

USM Procurement Policies and Procedures for
Architectural and Engineering Services Selection.

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 4-AE (continued)

PROPOSALS:	<u>Ranking</u>
Hord Coplan Macht/ The Freelon Group Architects JV Baltimore, MD 21202	1
SmithGroup, Inc. Washington, DC 20006	2
Cannon Design Arlington, VA 22209	3
Ayers Saint Gross Baltimore, MD 21230	4
Gaudeau, Inc. Baltimore, MD 21230	5
Wilson Architects Boston, MA 02210	6
Perkins & Will Charlotte, NC 28203	7
RTKL Associates, Inc. Baltimore, MD 21231	8
HDR Architecture, Inc. Bethesda, MD 20814	9
MBE PARTICIPATION:	25%
PERFORMANCE SECURITY:	N/A

REQUESTING INSTITUTION REMARKS: This project was advertised in *eMaryland Marketplace*. Fifteen proposals were received. The proposals of nine firms were determined to be technically acceptable and susceptible for award.

HCM-F presented a team that is well qualified and experienced in higher education projects of this nature. All of the key personnel have extensive higher education, classroom building experience. The team has experience with the Construction Management-at-Risk method of contracting, Building Information Modeling (BIM), and LEED certification. The firm's example projects were very similar to the proposed project in terms of size, cost, and complexity.

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 4-AE (continued)

REQUESTING INSTITUTION REMARKS: (Continued)

The University's estimate for the services included in the scope of this contract (all phases included) was \$7,713,388.

Approval is requested for all six phases (Schematics through Post Construction); however, due to the limited design funding, the initial award will be for the first four phases only (\$5,548,708). These phases include Schematics, Design Development, Construction Drawings and Bidding. By approving this contract, the Board grants the University the authority to approve the unilateral exercise of the remaining two phases (Construction Administration and Post-Construction) and directs that the expenditure of those phases be reported to the Board once funding becomes available.

Facilities Management/ Department of Capital Projects at the University of Maryland, College Park will manage the Architect/Engineer's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCES:

MCCBL of 2010: *New Engineering and Aviation Science Building. Provide funds for preliminary design of a new engineering and aviation science building. Item 048*
\$3,000,000

MCCBL of 2011: *New Engineering and Aviation Science Building. Provide funds to complete design of a new engineering and aviation science building. Item 041*
\$3,600,000

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1860-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

Agency Contact: James Salt
301-445-1987
(jsalt@usmd.edu)
USM Rep: James Stirling

SERVICE CONTRACT

ITEM: 5-S

INSTITUTION: University of Maryland University College

CONTRACT NO. & TITLE: Implementation and Maintenance of Enterprise Resource Planning Systems with a primary emphasis on Oracle/PeopleSoft Software
RFP 90939-USM

DESCRIPTION: University of Maryland University College on behalf of the University System of Maryland requests approval to enter into master contracts with multiple contractors to provide technical and management consultant services to assist University System of Maryland institutions with the implementation and maintenance of Enterprise Resource Planning (ERP) Systems with a primary emphasis on Oracle/PeopleSoft Software. To ensure sufficient contractor resources for the ten participating USM institutions, multiple awards are requested.

AWARD:

Attain, LLC
8000 Towers Crescent Drive
Suite 1500
Vienna, VA 22182

Cansler Group (SBE)
2068 Horizons Drive
Ooltewah, TN 37363

Cedar Crestone
1255 Alderman Drive
Alpharetta, GA 30005

CIBER
6363 S. Fiddler's Green Circle,
Suite 1400
Greenwood Village, CO 80111

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 5-S (continued)

AWARD: (continued)

DIVYA (SBE)
PO Box 390515
Cambridge, MA 02139

EMS Consulting (SBE)
5550 W. Executive Drive,
Suite 450
Tampa, FL 33609

ENTAP (SBE and MBE)
136 E. Market Street,
Suite 1010
Indianapolis, IN 46204

Highpoint Consulting (SBE)
2332 Galiano Street,
2nd Floor
Coral Gables, FL 33134

IO Consulting
26893 Bouquet Canyon Road,
Suite C293
Saugus, CA 91350

Maverick Solutions (SBE)
8521 Six Forks Road
Suite 108
Raleigh, NC 27615

Navigator Management Partners (SBE)
6030 Daybreak Circle,
Suite A150-231
Clarksville, MD 21029

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 5-S (continued)

AWARD: (continued)

Strider and Cline, Inc. (SBE)
7420 N. Granby Ave.,
Kansas City, MO 64151

Synch-Solutions
211 West Wacker Drive,
Suite 300
Chicago, IL 60606

CONTRACT TERM: Initial term is date of award through June 30, 2016. USM may at its sole option renew the contract for a period not to exceed five years (could be as few as one year) at the sole discretion of the University.

AMOUNT: \$45,000,000 (estimated initial five-year term)

PROCUREMENT METHOD: Competitive Sealed Proposal

BIDS OR PROPOSALS:

Attain, LLC Vienna, VA	Technically Acceptable
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Cansler Group (SBE) Ooltewah, TN	Technically Acceptable
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Cedar Crestone Alpharetta, GA	Technically Acceptable
----------------------------------	------------------------

CIBER Greenwood Village, CO	Technically Acceptable
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Deloitte Baltimore, MD	Technically Acceptable
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SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 5-S (continued)

BIDS OR PROPOSALS: (continued)

IO Consulting Saugus, CA	Technically Acceptable
DIVYA (SBE) Cambridge, MA	Technically Acceptable
EMS Consulting (SBE) Tampa, FL	Technically Acceptable
ENTAP (SBE and MBE) Indianapolis, IN	Technically Acceptable
Highpoint Consulting (SBE) Coral Gables, FL	Technically Acceptable
Maverick Solutions (SBE) Raleigh, NC	Technically Acceptable
Navigator Management Partners Clarksville, MD (SBE)	Technically Acceptable
Synch-Solutions Chicago, IL	Technically Acceptable
Strider and Cline, Inc. (SBE) Kansas City, MO	Technically Acceptable

MBE PARTICIPATION: 10% of the overall volume awarded (one firm is a Maryland State Certified MBE); MBE goals may also be set at the task order level

PERFORMANCE OR PAYMENT SECURITY: May be requested for a specific task order/project

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 5-S(continued)

REQUESTING INSTITUTION REMARKS: The solicitation was issued on behalf of the University System of Maryland. The solicitation was advertised in *eMaryland Market Place* and on UMUC's Procurement Office *Electronic Bid Board*. Nine Minority Business Enterprises were directly solicited. Twenty-three firms responded to the solicitation and were evaluated by an Evaluation and Selection Committee. Fourteen offerors were found to be technically acceptable and were requested to submit price proposals consisting of a hourly rates for various consulting services. The University recommends award of master contracts to thirteen of the fourteen firms. The fourteenth is not recommended for award because its hourly rates were significantly higher than those firms who are recommended.

As USM institutions identify specific higher education ERP services they require, that institution would solicit those services on a task order basis. The buying institution would provide a statement of requirements for higher education ERP consulting services to one or more of the master contractors determined by the services required and the services provided by the master contractor(s). The master contractors would respond by providing a task order proposal including a price quotation consisted with the hourly rates it quoted when responding to the original solicitation. Individual task order agreements between the institution and selected master contractor would not be brought back to the Board of Public Works. There is no obligation that a USM institution enter into a task order for any of the services provided by the master contractors nor does the USM guarantee a minimum fee or number of task orders of any kind under the master contracts. Projects will be managed by each campus' Office of Information Technology Services with procurement support from the University's Procurement Department.

Award is being recommended to 13 companies of which 8 are Maryland Small Businesses and one is also a Maryland State Certified Minority Business Enterprise. To attract small and minority businesses, the USM unbundled the requirements for the services to include both smaller engagements, such as training, adhoc consulting and staff augmentation, as well as full, complex implementations and upgrade projects. Generally, the companies fall into two categories. The first includes major or full service consulting firms that specialize in support for higher education ERP (primarily PeopleSoft) implementations, upgrades, upgrade labs and training and have a significant number of highly experienced consultants in both technical and functional areas. The second includes niche firms having higher education experience with smaller numbers of staffs with specialized skill sets that may be needed in specific technical areas or could be used for short-term staff augmentation.

BIDS OR PROPOSALS (continued)

FUND SOURCE: Current Unrestricted Funds

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 5-S (continued)

APPROP. CODES:	R30B21
	R30B23
	R30B24
	R30B25
	R30B26
	R30B27
	R30B28
	R30B29
	R30B30
	R30B31
	R30B34
	R30B35
	R30B36

RESIDENT BUSINESS:

Attain, LLC	No
Cansler Group (SBE)	No
Cedar Crestone	No
CIBER	No
IO Consulting	No
DIVYA (SBE)	No
EMS Consulting	No
ENTAP (SBE and MBE)	No
Highpoint Consulting	No
Maverick Solutions	No
Navigator Management Partners	Yes
Synch-Solutions	No
Strider and Cline, Inc.	No

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 5-S (continued)

MD TAX CLEARANCE:

Attain, LLC	Control Number: 11-1535-0001
Cansler Group (SBE)	Control Number: 11-1373-0000
Cedar Crestone	Control Number: 11-1274-0000
CIBER	Control Number: 11-1272-1111
DIVYA (SBE)	Control Number: 11-1376-0000
EMS Consulting (SBE)	Control Number: 11-1545-0100
ENTAP (SBE and MBE)	Control Number: 11-1273-0001
Highpoint Consulting (SBE)	Control Number: 11-1599-0000
IO Consulting	Control Number: 11-1343-0110
Maverick Solutions (SBE)	Control Number: 11-1372-0000
Navigator Management Partners (SBE)	Control Number: 11-1275-0000
Strider and Cline, Inc. (SBE)	Control Number: 11-1375-0000
Synch-Solutions	Control Number: 11-1374-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

REAL PROPERTY: Acquisition by Purchase

ITEM: 6-RP

Agency Contact: James Salt
301-445-1987
(jsalt@usmd.edu)
USM Rep: James Stirling

INSTITUTION: Salisbury University

DESCRIPTION: Salisbury University seeks approval to acquire property, consisting of a 3,440 +/- square foot one-story concrete block building sitting on approximately .436 acres of land, located at 117 Bateman Street in Salisbury. The property has most recently been used as a tavern but has been vacant for approximately twenty years. It is located contiguous with the University's east campus.

PROPERTY: 117 Bateman Street
Salisbury

GRANTOR: JJM Real Estate Venture I, LLC (Mr. John Mertz and Mr. John Mertz, Jr.)

GRANTEE: State of Maryland for the use of the University System of Maryland on behalf of its constituent institution Salisbury University

APPRAISED VALUE: W.R. McCain & Associates \$400,000
Trice Group, LLC \$520,000

FUND SOURCE: Self Support Funds

APPROP. CODE: R30B29

PRICE: \$520,000

REQUESTING INSTITUTION REMARKS: This property is located contiguous with the University's east campus and surrounded by property owned by the University immediately north of its athletic fields. This property is ideal for future development for athletic and/or student activities programs. The University has been attempting, for several years, to reach agreement with the owners on a purchase price. The owner had claimed to have negotiated a

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 6-RP (continued)

REQUESTING INSTITUTION REMARKS: (cont'd) lease for a prospective tenant whose intention was to open a bar/tavern in this location, a use inconsistent with the present and prospective future development of the University. Most recently, the University requested appraisals based on the assertion that the property had been leased and would be used as a tavern. Although the University is acquiring the property at the highest appraised value, it is less than the amount of the owner's original offer.

Final Settlement (acquisition and closing costs) amount is approximated at \$530,000.00.

This acquisition was approved by the University System of Maryland Board of Regents.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

REAL PROPERTY: Acquisition by Purchase

ITEM: 7-RP

Agency Contact: James Salt
301-445-1987
(jsalt@usmd.edu)
USM Rep: James Stirling

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center.

PROPERTY: 1601 Thomas Avenue, Baltimore

GRANTOR: David W. Jones

GRANTEE: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution Coppin State University.

APPRAISED VALUE:	Lipman, Frizzell	\$66,200.00
	Grubb, Ellis	\$57,000.00

FUND SOURCE: MCCBL of 2010: *Provide funds to acquire a site for the new Science and Technology Center.* Item 050.

PRICE:	Acquisition:	\$ 65,000.00
	Ground Rent:	\$ 000.00
	Relocation	\$ 199,700.00 *
	Total	\$ 264,700.0

* The owner lives in an apartment at this property and operates a retail business on the first floor. The University is paying to relocate both the residence and the business.

REQUESTING INSTITUTION REMARKS: This property is being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Services Building. This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 8-GM

Agency Contact: James Salt
301-445-1987
(jsalt@usmd.edu)
USM Rep: James Stirling

RECOMMENDATION: That the Board of Public Works approve Salisbury University demolishing a 3,900 square foot wood frame dwelling located at 309 West College Avenue, Salisbury.

REQUESTING INSTITUTION REMARKS:

Reference is made to USM Item 2-RP (Feb. 9, 2011) in which the Board of Public Works approved Salisbury University's acquisition of 309 West College Avenue, which included a 3,900 square foot wood frame dwelling. In that Item, the University alerted the Board that, "The existing structure is not conducive to University use and the University plans to demolish it after purchase." It was understood that Salisbury University found the facility to be unsuitable for University purposes. Renovation of this facility would be cost prohibitive.

Since the closing on that acquisition, the University submitted the proposed demolition to the State Clearinghouse. The State Clearinghouse conducted an intergovernmental review of the project [MD20110407-0198]. The Clearinghouse recommended the University contact the Oil Control Program at the Maryland Department of the Environment concerning the removal and cleanup of an underground petroleum storage tank. The University has completed the removal and cleanup of the underground petroleum storage tank.

Once the site is cleared, it will be held for future University development.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 1-IT MOD

Agency Contact:
Joselyn Hopkins (410) 339-5013
jmhopkins@dpscs.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Public Safety & Correctional Services

CONTRACT ID:

Electronic Monitoring Systems
050R5800116-2 MOD IV
ADPICS No. COD81236

CONTRACT APPROVED:

DBM Item 13-IT (6/15/2005)

CONTRACTOR:

BI, Inc.
Boulder, CO

CONTRACT DESCRIPTION: Provide Radio Frequency Electronic Home Detention Systems (landline and cellular-based).

MODIFICATION DESCRIPTION: Extend current contract four months to allow time to complete procurement process and award a new contract.

ORIGINAL CONTRACT TERM: 6/20/2005 - 6/30/2007 w/3 one-year renewal options

MODIFICATION TERM: 9/1/2011 – 12/31/2011

ORIGINAL CONTRACT AMOUNT: \$2,000,000

MODIFICATION AMOUNT: \$84,000

PRIOR MODIFICATIONS/OPTIONS: \$1,325,000

REVISED TOTAL CONTRACT AMOUNT: \$3,409,000

PERCENT +/- (THIS MODIFICATION): +4.2%

OVERALL PERCENT +/-: +66%

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

ITEM: 1-IT MOD (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 0%

REMARKS: The extension for four months to allow time to complete the procurement process and award a new contract is necessary because the procurement process has taken much longer than expected. This is a very complex contract covering electronic monitoring services for over 375 offenders who are under the direct supervision of the Division of Parole and Probation.

The RFP process requires significant time and effort to ensure the vendor community clearly understands the services needed by the State. In addition, the scope of the solicitation was revised to include both the GPS and Radio Frequency aspect of electronic monitoring services which were previously procured through a separate contract. DPSCS worked diligently with DoIT to ensure that the specifications include all of DPSCS requirements; the solicitation was released June 17. It is the opinion of the DPSCS operating and procurement staff that this extension will provide sufficient time to complete the procurement process and have an Agenda Item presented to the Board with a recommendation for award before the end of this extension.

BI Inc. has consistently provided the required services for the Division of Parole and Probation since 2/1/2006. By continuing services with this contractor, the State will receive the benefit of exemplary electronic monitoring services while allowing for the successful procurement of a new contract.

FUND SOURCE: 100% General

APPROP. CODE: Q00B0306

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 11-1774-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 2-IT

Agency Contact:
Elliot Schlanger (410-260-2994)
ESchlanger@doit.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Department of Information Technology

CONTRACT ID:

Implementation of JobAps - Recruiting, Applicant
Tracking, Selection, and Online Testing System
Contract 060B1400059
ADPICS BPO No. 060B1400059

CONTRACT DESCRIPTION: Implement a Web-enabled public-facing Statewide
Recruitment and Examination Software as a Service, with standard process workflow and
integration with backend systems.

AWARD:

JobAps, Inc.
Santa Barbara, CA

TERM:

8/15/2011-8/14/2016 w/ 2 three-year options

AMOUNT:

\$2,581,637 Base Period
\$914,952 Option Period #1
\$999,792 Option Period #2
\$4,496,381 Total

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

6.47%

PERFORMANCE SECURITY:

None

INCUMBENT:

None

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

ITEM: 2-IT (Cont.)

REQUESTING AGENCY REMARKS: In 2010, the State completed a competitive procurement for software for a new State personnel system that included the evaluation of software for recruitment and examination of prospective State job applicants. The State determined that the software package offered by DLT Solutions, Inc. ("DLT"), which consisted of PeopleSoft enterprise software and, for recruitment and examination, JobApps, Inc. ("JobApps") software, best met the State's requirements. In March 2010, the State and DLT entered into a contract that included the eventual purchase of the JobApps software ("DLT Contract"). However, upon later examination of the procurement file and prior to the purchase of any software, it was determined DLT made two late modifications to its offer that increased its price by \$1.4 million. Because those modifications did not make its terms more favorable to the State and had not, pursuant to COMAR 21.05.02.10.B., properly been approved, DoIT concluded that the DLT Contract was void. In a February 2011 letter, following several requests that DLT honor its pre-modifications price, and DLT's refusal to do so, the State informed DLT that the DLT Contract was void and that ratification of the DLT Contract was not in the State's best interests. DLT has not challenged that determination.

Having previously concluded that the JobApps software best met the State's requirements for recruitment and examination, and that the JobApps/PeopleSoft software combination was superior to the software packages offered by the two other offerors, The State sought, as a sole source procurement, a proposal from JobApps for its software, as well as for services to implement that software. JobApps, Inc. is the only permanently authorized seller of its software, and JobApps does not authorize any other parties to provide implementation services, installation, integration or operations and maintenance support of their public sector products.

This contract with JobApps is to implement a web-enabled, public-facing Statewide Recruitment and Examination SaaS, standard process workflow and integration with backend systems. Its embedded process workflow and other automated features will replace many time-consuming, often redundant manual processes and agency-specific legacy silo systems. The system includes robust reporting functionality to support the State's statutory and business intelligence analysis requirements.

It is also the initial phase of the Statewide Personnel System implementation. Included in the contract is the later integration with the PeopleSoft HCM implementation planned for Go-Live in FY14.

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

ITEM: 2-IT (Cont.)

The JobAps System will:

1. Enable agency human resources and recruitment personnel to substantially automate many of the recruitment related processes including approval of job requisitions, creation of job announcements and selection plans.
2. Provide centralized and agency-specific website views of job opportunities for the public.
3. Give the public the ability to apply for jobs online and store their recruitment profiles to enable easier application for different job opportunities and eliminate the need for agency human resource personnel to manually key employment applications.
4. Accommodate the differing recruitment requirements of civilian and sworn officer agency recruitment processes.
5. Provide the ability to develop, publish and deliver employment tests.
6. Give job applicants the ability to identify and schedule testing without contacting agency human resources.
7. Provide the ability to score and band applicants.
8. Integrate with backend position control and hiring systems for better control and reduction of redundant processes.
9. Provide robust reporting functionality to support agency specific and aggregate statewide statutory reporting and business intelligence analysis requirements.

There are 54 State agencies and 173 distinct departments/offices within those agencies that are "in scope" and will use the JobAps system.

The MBE goal established for this Contract was 6%. The area of on-site Project Manager is the only area in which subcontracting opportunities exist for these proprietary software services.

FUND SOURCE:	Reimbursable Funds
APPROP. CODE:	B0406
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	11-1804-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 3-IT

Agency Contact:
Elliot Schlanger (410-260-2994)
elliot.schlanger@doit.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Department of Information Technology
Web Services Division

CONTRACT ID:

Maryland Self-Funded eGovernment Services
ADPICS No. 060B1400050

CONTRACT DESCRIPTION: Work-order based, single-award indefinite-quantity master contract to provide eGovernment services and support for the State of Maryland. DoIT will manage the Master Contract which will be available for use by all State agencies via a work order process.

AWARD:

NICUSA, Inc.
Olathe, Kansas

TERM:

Five Years – Anticipated NTP 8/15/11 – 7/31/16
with three 1-year renewals

AMOUNT:

\$200,000 5 year base term
\$ 40,000 Option #1 – Year 6
\$ 40,000 Option #2 – Year 7
\$ 40,000 Option #3 – Year 8
\$320,000 Not to Exceed

PROCUREMENT METHOD:

Competitive Sealed Proposals
(Single Proposal Received)

PROPOSALS:

NICUSA, Inc.

MBE PARTICIPATION:

30%
Applies to all State-paid time and materials work orders, which is represented by the \$320,000 NTE amount.

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 3-IT (Cont.)

REMARKS: The State desires to promote citizen, business and government efficiency by making new services available online anytime/anywhere and enhancing the desirability and efficiency of providing existing online services to business and Maryland residents. This contract provides enterprise-wide eGovernment (eGov) services that are available for all State agencies, boards and commissions.

The eGov contract provides for the design, development, hosting, operation and maintenance of eGov products and services via a funding model that leverages fees for select services to pay for other non-fee-based services. This model will leverage a small number of commercially-valuable services desired by the private sector and pool the fees generated from the purchase of those services into a special contractor-owned and managed fund created for the contract. The fund will be used exclusively to deliver eGov services for all agencies across State government on a work order basis.

Approximately 24 states currently use the self-funded eGov model and typically deploy 10 to 20 new eGov services per year. Because so many other states have adopted this model, the proposed vendor, NIC, has a large catalog of applications already developed that may be beneficial to the State for no additional cost to Maryland.

DoIT will work with the contractor to establish an eGov Governance Board made up of key State IT and business leaders. This Board will encourage collaboration between agencies to identify and recommend new services and enhancements and determine priorities, including which new services will be provided for a fee and which will be offered at no cost. Services will be developed and managed at the direction of the State and the State will maintain ownership of all State data. The contractor oversees the electronic delivery of services and information by providing application development and support, common payment processing, integration with existing systems; security; hosting, marketing, and financial audit reporting to maintain exact investment and return of State fees generated by electronic transactions. As such, the contractor will adhere to all State privacy and security guidelines.

As the eGov Governance Board determines what services and applications to pursue, they will do so by submitting individual Work Orders to NIC. Using the examples of the other 24 states who have implemented this eGov model, Work Orders most commonly fall into two categories:

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

ITEM: 3-IT (Cont.)

Work Order Category	Brief Description	Approximate % of work per category on NIC contracts in other states
No Cost to the State	No public funds were expended to deliver this service. No fees were charged to use or access the service.	80%
No Cost to the Customer	<p>NIC is able to support the No Cost services because:</p> <ul style="list-style-type: none"> • they bring to the State a catalog of applications already developed and in place in other States that can "plug and play" in Maryland • they will introduce new fee-based products and services of interest to businesses and citizens that will offset the no-cost offerings 	
No Cost to the State Cost to the Customer	<p>No public funds were expended to deliver this service or product. The service was provided for a fee to those interested in paying for it. As evidenced in other states, most services provided are Government-to-Business and are of high value to the businesses purchasing them, based on efficiency, time savings and/or content.</p> <p>Some types of fees included:</p> <p>Convenience: Paying a fee for the convenience of purchasing a product or service online or over a smart phone (similar to TicketMaster)</p> <p>Subscription: Paying a fixed amount for regular access to or delivery of a product or service (e.g., monthly download of driver records)</p>	20%
Time and Materials	<p>Maryland has added this category in the event that the eGov Board identifies a product or service that Maryland would like NIC to provide that does not fit into the other two categories. This category carries a 30% MBE goal.</p> <p>In this case, State funds will be expended to develop a new product or to provide a service. The agency requesting this Work Order will need to provide a funding source to support the paid work.</p>	Not applicable to other state contracts

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

ITEM: 3-IT (Cont.)

DoIT will manage the eGov Master Contract, but services will be solicited by individual State agencies, depending upon their needs. This contract may also be used by counties, municipalities, and other non-State governments or agencies.

One proposal was received in response to the RFP, and was deemed reasonably susceptible of being recommended for award. No Bid responses were received from two firms that attended the pre-proposal conference stating reasons of no guarantee of work orders, exceptions to the State's terms and conditions, inexperience, no guarantee of return on hosting services in a timely manner, and the lack of a mandatory use by State agencies.

NICUSA, Inc. was recommended for award based on its demonstrated strengths of having the experience, capability, a clear understanding and methodology to perform these services, having excellent references for providing hosting and managed services, applications development and framework models, and its demonstrated ability to address service needs throughout the State efficiently and effectively. The evaluation committee determined that the proposal submitted by NICUSA, Inc. will provide the best value to the State.

The Offeror has committed to the MBE subcontracting goal of 30% for the aggregate of all Time and Materials Work Order Agreements under the Master Contract. The State will assess the potential for additional MBE subcontractor participation for each work order request issued.

FUND SOURCE: Various Agencies

APPROP. CODE Various Agencies

RESIDENT BUSINESSES: No

MD TAX CLEARANCES: 11-1508-0101

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 4-IT

Agency Contact:

Elliot Schlanger (410-260-2994)
Elliot.Schlanger@doit.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Department of Information Technology

CONTRACT ID:

ESRI Enterprise License Agreement
ADPICS BPO No. 060B2490012

CONTRACT DESCRIPTION:
services

Acquire Esri software products, maintenance, support

AWARD:

Environmental Systems Research Institute (Esri)
Redlands, CA

TERM:

09/01/2011 – 08/31/2014
Three-year base contract with two 1-year renewal
options

AMOUNT:

Base	\$2,130,000
Option #1	\$767,000
Option #2	\$805,000
Total	\$3,702,000

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None

PERFORMANCE SECURITY:

None

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

ITEM: 4-IT (Cont.)

INCUMBENT: None

REQUESTING AGENCY REMARKS: Esri, is the sole source provider of all U.S. domestic Enterprise License Agreements (ELA) for the software contemplated in the contract, and is the only source that can grant the right to copy and deploy Esri software as well as offer manufacturer proprietary software maintenance and support under an ELA.

Geographic Information Systems (GIS) technology has rapidly become a strategic and core business enabler for state government, while serving as an invaluable analytical and communications tool deployed by state agencies in conjunction their interactions with other state resources and external constituents. Mapping products are becoming increasingly more integrated in the StateStat process, as well as in publicly-consumable applications developed in conjunction with the Maryland.gov web portal. Today, scores of live, dynamic maps can be readily accessed on the State's official website (e.g., AgPrint, GreenPrint, GrowthPrint, Stream Health, Recovery, Budget, Energy, Broadband, PlanMaryland, VisitMaryland, etc.).

Virtually all State GIS applications are built upon Esri technology platforms and products. Esri has evolved to become the State's de facto GIS standard. By standardizing on Esri GIS, the State's numerous agencies and business partners are able to keep the geospatial train on the same gauge of track, thereby securing the benefits of consolidation, interoperability and cost efficiency.

Historically, Maryland has not optimized its cost benefit potential in the GIS marketplace. Purchasing practice in this area has been typically agency-siloed, on-demand and uncoordinated. This has also created ancillary issues ranging from the preservation of outdated and obsolete GIS software products on one end, to the inability to obtain necessary support and maintenance for newer products on the other end. In addition, the haphazard buying patterns have not typically offered the best price discounts.

In response to these opportunities and issues, Esri and the State have worked together to forge an ELA that provides for widespread GIS software use and support across State agencies. The advantages of the ELA are numerous: lower unit cost of Esri software; fixed predictable overall costs over the life of the agreement; flexibility to deploy Esri software products when and where needed; streamlined procurement processes; increased leverage for achieving statewide GIS standards and interoperability; offer of GIS to agencies that may otherwise not afford to implement; and, the continuous support of the geospatial data and mapping requirements driven by agency and administration initiatives.

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

ITEM: 4-IT (Cont.)

After numerous iterations, the final price of the Esri ELA was negotiated to a level approximately equivalent to current spend for Esri products and support, notwithstanding a nominal annual price escalation permitted during the life of the contract. The major cost benefit of the ELA is its offer of unlimited usage of Esri mainstream software products, upgrades, maintenance and support for a fixed price. This arrangement not only economically facilitates the anticipated uptick in GIS usage within the primary GIS agencies, but it encourages utilization in the smaller or current non-GIS user agencies who now have a much more attractive cost entry point. The upshot is that an increasing level of deployment of Esri technology throughout State government will result in lower unit cost of each product and/or instance.

Under the proposed contract, the State will acquire only Esri software products, maintenance and support services that are unique and proprietary to the vendor and not available from an alternate source. Esri, as owner and manufacturer, is the sole source provider of all U.S. domestic ELAs for the software contemplated in the contract, and is the only source that can grant the right to copy and deploy Esri software as well as offer manufacturer proprietary software maintenance and support under an ELA. The State definition of "sole source" applies.

There are 56 state agencies and entities named in the Esri ELA with the option to add others. The fixed contract cost will be distributed to each agency in a proportion to its level of license consumption. DoIT will be responsible for Esri ELA contract administration, management and oversight.

For Fiscal Year 2012, funds are being moved from all of the agencies currently paying for Esri products into DoIT for payment of this contract. Beginning in FY2013, funds will be budgeted in the DoIT Reimbursable program for this purpose, as is done with telecommunications and networkMaryland™ costs.

FUND SOURCE:	Reimbursable Funds
APPROP. CODE:	B0401
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	11-1877-1011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 5-IT MOD

Agency Contact:

Elliot Schlanger (410-260-2994)
elliott.schlanger@doit.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Department of Information Technology

CONTRACT ID:

Two-Way Radio Equipment, Consoles and Services
ADPICS Nos. 050B8800003, 060B9800015
COD58778

CONTRACT DESCRIPTION:

Multiple awards, indefinite quantity, purchase order requests for proposals (PORFP) based Master Contract to provide mobile radio equipment; communications consoles and associated equipment; and installation, repair and preventive maintenance services.

MODIFICATION DESCRIPTION:

Add funds

CONTRACTORS:

See Page 17D

ORIGINAL CONTRACT TERM:

1/1/08 – 12/31/12

MODIFICATION TERM:

8/11/11 – 12/31/12

AMOUNT OF ORIGINAL CONTRACT:

\$15,000,000

PRIOR MODIFICATIONS:

\$6,000,000 (Item 2-IT-Mod [4/6/11])

AMOUNT OF MODIFICATION:

\$12,100,000

REVISED TOTAL CONTRACT AMOUNT:

\$33,100,000

PERCENT +/- (THIS MODIFICATION):

+ 58%

OVERALL PERCENT +/-:

+121%

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

ITEM: 5-IT MOD

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25% for Functional Area III

REQUESTING AGENCY REMARKS: Reference is made to DoIT Item 2-IT-Mod (4/6/11) in which the Board of Public approved the recommendation of DoIT to increase the ceiling spending level for this contract by \$6,000,000. DoIT developed this recommendation based on the past spending history of the agencies that use this contract. Since that time, agencies have spent the majority of the amount requested on maintenance for existing radios and related equipment. Before submitting this recommendation to further increase the ceiling, DoIT queried agencies with radio systems for forecasts of anticipated spending for the remainder of this fiscal year. Those forecasts are as follows. To these forecasted amounts, DoIT is suggesting an additional \$1M for unanticipated requirements:

State Highways	\$100,000
Natural Resources	\$1,000,000
State Police	Up to \$8,000,000
Aviation Administration	Up to \$2,000,000
Unanticipated	<u>\$1,000,000</u>

Total Increase **\$12,100,000**

Agency appropriated funds are used for purchases off this master contract and are included in requesting agency's budget in various programs.

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

ITEM: 5-IT MOD

.....
Master Contract Background:

The 21 qualified offerors were deemed responsible and are recommended for award to receive a Master Contract. Of these 21 recommended contractors, 15 are Maryland resident businesses, four are Small Businesses and two are MBEs (see Attachment 2).

This Master Contract encompasses the following three functional areas:

Functional Area I – Two-Way Radio Equipment

Functional Area II – Communications Consoles and Associated Equipment

Functional Area III – Installation, Repair and Preventive Maintenance Services

This Master Contract is structured to be adaptable to rapidly changing technology by allowing Master Contractors the option to add additional manufacturers' product lines throughout the term of the Master Contract, as they become authorized to sell those lines.

There is a second level of competition through a Purchase Order Request for Proposals (PORFP) process for all two-way radio equipment, communications consoles and installation/repair/maintenance services offered under this contract. A PORFP is sent to all Master Contractors awarded a Master Contract within the appropriate functional area who are authorized to provide the equipment and/or services for the requested manufacturer(s) product line.

In addition, selected PORFPs can be designated as Small Business Reserve (SBR) competitions. For SBR designated PORFPs, each Master Contractor that is a small business will be able to compete within its approved functional area.

This procurement vehicle was designed to provide State agencies with a wide selection of Master Contractors who offer an extensive variety of two-way radio equipment. As a result of the awards from this solicitation, State agencies will obtain mobile radio equipment; communications consoles and associated equipment; and installation, repair and preventive maintenance services quickly and efficiently by issuing PORFPs specific to agencies' needs. This contracting vehicle is also available to Maryland local and County government jurisdictions.

MBE subcontracting goals of 25% will be applied to each individual PORFP for Functional Area III. An MBE goal was only applied to Functional Area III because the other two functional areas involve purely the provision of hardware, which does not afford any subcontracting opportunities.

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

ITEM: 5-IT MOD

FUND SOURCE: Various

APPROP. CODE: Various

RESIDENT BUSINESSES: See Page 17D

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

	Contractors	City	State	Maryland Resident Business		MBE	SBR
				Yes	No		
1	ACG Systems, Inc.	Annapolis	MD	X			
2	ARINC, Incorporated	Annapolis	MD	X			
3	Nu-Vision Technologies, LLC d/b/a Black Box Network Services	Amityville	NY		X		
4	Comm-Lease, Inc. d/b/a CL Technologies	Owings Mills	MD	X		X	X
5	Communications Electronics, Inc.	Timonium	MD	X			
6	DiDonato Consulting Services, Inc.	Annapolis	MD	X			X
7	EF Johnson Co.	Irving	TX		X		
8	General Dynamics Information Technology, Inc.	Needham	MA		X		
9	ICOM America, Inc.	Bellevue	WA		X		
10	Intellect Corporation	Baltimore	MD	X		X	
11	M/A-COM, Inc.	Lynchburg	VA		X		
12	Mills Communications, Inc.	Westminster	MD	X			
13	Motorola, Inc.	Columbia	MD	X			
14	MTC Communications Inc.	Gaithersburg	MD	X			
15	Pelican Mobile Computers, Inc.	Glen Burnie	MD	X			
16	Procom Corporation	Annapolis Junction	MD	X			X
17	Skyline Network Engineering, LLC	Eldersburg	MD	X			
18	Televate, LLC	McLean	VA		X		
19	Teltronic, Inc.	Beltsville	MD	X			
20	Two-Way Radio Service, Inc.	Cumberland	MD	X			
21	Wireless Communications, Inc.	Baltimore	MD	X			
TOTALS				15	6	2	3

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

AMERICAN RECOVERY AND REINVESTMENT ACT

ITEM: 6-IT**Agency Contact:**

Elliot Schlanger (410) 260-2994

E.Schlanger@doit.state.md.us

Robert Krysiak (410-260-7179)

Robert.Krysiak@doit.state.md.us**DEPARTMENT/PROGRAM:**

Information Technology

CONTRACT ID:

Fiber Optic Cable

ADPICS No. 060B1400069

CONTRACT DESCRIPTION: Provide approximately 72 miles of fiber optic cable to DoIT's Networks Division.

AWARD:Martelecom, LLCMillersville, MD**TERM:**

8/10/2011-8/09/2013

AMOUNT:

\$198,940.00

PROCUREMENT METHOD:Competitive Sealed Bidding
Single Bid Received**MBE PARTICIPATION:**100%

REQUESTING AGENCY REMARKS: The State was awarded a federal grant to extend middle-mile broadband infrastructure in the 23 counties, the City of Baltimore, and the City of Annapolis through implementation of the One Maryland Broadband Network (OMBN). The federal grant is from through the U.S. Department of Commerce's Broadband Technology Opportunities Program. The OMBN will use the grant funds to install approximately 1,294 miles of fiber optic cable, much of it in rural and underserved communities throughout the State, to bring Internet access to more than 1,000 community institutions and link together three independent broadband networks. Expanding broadband is crucial to help to create jobs, improve public safety, increase educational opportunities, improve health care delivery, and improve infrastructure for the Defense Base Realignment and Closure.

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

ITEM: 6-IT (cont'd)

Reference is made to DoIT Item 7-IT (June 15, 2011) in which the Board approved the award of a contract to OFS Fitel, LLC for the required fiber optic cabling. However, OFS Fitel, LLC could not make delivery by the dates the State required to meet the federal grant construction deadlines.

DoIT determined to issue this procurement to enable the State to start the fiber optic cable installation sooner. A notice of the availability of the Invitation for Bid was advertised on *eMarylandMarketplace.com* and on DoIT's website. In addition, the IFB was sent directly to 3 prospective vendors, all Original Equipment Manufacturers. Martelecom, LLC, a MBE, was the only bidder.

This procurement enables the State to quickly obtain approximately 72 miles of cable and be able to start the project approximately two months sooner than by waiting for OFS Fitel's fiber optic cable. It is important to receive these materials as soon as possible to meet the grant's August 2013 construction deadline.

FUND SOURCE	100% Federal
APPROP. CODES:	B0410
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	11-1896-1111

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

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

Suzette Moore (410) 859-7792
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BPW – 08/10/11
REVISED

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-11-008 A, B & C
Comprehensive Interior/Exterior Modification at
BWI Thurgood Marshall and Martin State Airports
ADPICS NO: MAACO11008

CONTRACT DESCRIPTION: This multiple award contract provides for on-call interior/exterior modifications to buildings and other facilities at BWI Thurgood Marshall and Martin State Airports. Work under this contract includes, but is not limited to carpentry, masonry, plumbing, electrical, asbestos removal, painting, roofing, finishes, floor covering, and power equipment operation.

AWARDS:

Mid-Atlantic General Contractors, Inc. Beltsville, MD	Contract A
Baltimore Contractors, Inc. Baltimore, MD	Contract B
M. Stancliff Construction Co. Seabrook, MD	Contract C

AMOUNT: \$10,000,000 NTE

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS: Representative Bids

Mid-Atlantic General Contractors, Inc. Beltsville, MD	\$631,390
Baltimore Contractors, Inc. Baltimore, MD	\$711,052
M. Stancliff Construction Co. Seabrook, MD	\$783,250
Waverly Construction & Management Co., Inc. Baltimore, MD	\$813,747

ITEM: 1-C (Continued)

**BPW – 08/10/11
REVISED**

BIDS (Cont'd):

Representative Bids

Hayes Construction Company Phoenix, MD	\$816,714
Benaka, Inc. Ellicott City, MD	\$828,438
Suffolk Construction Co., Inc. Falls Church, VA	\$832,992
Southern Improvement Co., Inc. Hunt Valley, MD	\$944,287

TERM: Thirty-Six (36) months from Notice to Proceed

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: A Performance/Payment Bond in the amount of \$5,000,000 exists for each contract.

REMARKS: The Engineer's Estimate is \$849,004:

This Solicitation was advertised on eMM and on the MAA Website. The solicitation was sent to the Governor's Office of Minority Affairs and four (4) minority business associations on June 20, 2011. There were ten (10) direct solicitations sent to Minority Business Firms on June 22, 2011. Twenty-Eight (28) sets of specifications were sold and nine (9) firms submitted bids. The award is being recommended to the three (3) responsible bidders with the lowest responsive bids based on the aggregate total of five (5) tasks consistent with the contract basis of award language.

In an effort to promote competition and control costs, after award contractors will be required to compete on specific individual tasks. Each task will be competed and the tasks will be assigned on a low bid basis. MAA reserves the right to award any task to one of the successful contractors when a specific expertise is required or when the continuation of a prior task is required.

The contract amount is based on the final budget amount. None of the contractors has a guaranteed minimum or maximum amount, except for the overall budget limitation. The total awards issued under this contract will not exceed \$10 million.

The ninth lowest bidder, Southern Improvement Company, Inc. (Southern) filed a bid protest on July 19, 2011 challenging the bids of the eight other bidders. MAA issued the procurement officer's decision denying Southern's protest on July 28, 2011. On August 5, 2011, Southern filed a timely appeal to the Maryland State Board of Contract Appeals.

In accordance COMAR 21.10.02.11 A, MAA seeks to have this item approved while Southern's appeal is pending. This is necessary to protect substantial state interests.

ITEM: 1-C (Continued)

BPW - 08/10/11
REVISED

MAA under separate design and construction contracts will undertake the B/C connector project. This project will expand and modify the existing terminal between Concourse B and C creating a continuous airside connector for Concourse A, B and C. Approval of this Comprehensive interior/exterior contract is necessary to complete the construction of a new security checkpoint at lower level Concourse A and the relocation of MAA offices.

The new security checkpoint at lower level A will add screening capacity, efficiency and increase throughput for passengers. In addition, this project will mitigate anticipated delays as a result of airline consolidations. It is scheduled to be constructed and operational for use by November 2011. The relocation of MAA office space is scheduled to begin in October 1, 2011 and relocation and construction will have staggered start and completion dates. This construction must be completed by March 1, 2012, in order to allow commencement of the B/C connector project. Thus, it is critical that this contract be approved in the face of the pending appeal.

FUND SOURCE:	100% Special Funds Budgeted to MAA	
APPROPRIATION CODE:	J06I0003	
MD TAX CLEARANCES:	Mid-Atlantic General Contractors, Inc.	11-1846-0011
	Baltimore Contractors, Inc.	11-1184-1111
	M. Stancliff Construction Co.	11-1845-1111
RESIDENT BUSINESSES:	Yes	

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

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

Angelo Perseghin (410) 385-4833
aperseghin@marylandports.com

BPW -- 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 2-C

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 511921
 Comprehensive Paving Agency-Wide
 ADPICS NO. P511921

CONTRACT DESCRIPTION: This contract will provide the MPA with various aspects of paving work to be performed on an as-needed basis.

AWARD: Gray & Sons, Inc.
 Timonium, Maryland

AMOUNT: \$3,264,885

TERM: 730 Calendar Days from NTP

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Gray & Sons, Inc. Timonium, MD	\$3,264,885
P. Flanigan & Sons, Inc. Baltimore, MD	\$3,277,161
M. Luis Construction Co, Inc. Baltimore, MD	\$3,576,675
Ross Contracting Co. Mt. Airy, MD	\$4,707,585

MBE PARTICIPATION: 16%

PERFORMANCE SECURITY: Performance and Payment Bond at 100% of the Contract Amount

REMARKS: The Engineer's Estimate for this contract was \$3,594,293.

This Solicitation was advertised on eMaryland Marketplace. Eleven (11) contractors received bid packages; ten (10) were Maryland firms. Four (4) responsive and responsible bids were received.

ITEM: 2-C (Continued)

BPW – 08/10/11

The work to be performed under this contract consists of the following: furnishing of all supervision, labor, materials, equipment, tools and all associated work necessary, but not limited to: asphalt paving; removal and patching of asphalt and concrete pavements; pavement milling; joint and crack sealing; bituminous asphalt overlays; slurry seal coating; adjustment and reconstruction of manholes and inlets; removal and/or installation of concrete curbs, gutters, and sidewalks; pavement markings; maintenance of traffic; sediment and erosion control; trenching; excavation and grading, and all related work agency-wide.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03D0002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1748-1111

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

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

130

James L. Knighton (410) 767-0820
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BPW – 08/10/11
REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Construction)

ITEM: 3-C-MOD

MARYLAND TRANSIT ADMINISTRATION

CONTRACT NO. & TITLE: T-0212-0340
 Rehabilitation of Five Grade Crossings – Eastern
 Shore
 ADPICS NO. CO275266

ORIGINAL CONTRACT APPROVED: Item 2-C, DOT Agenda 10/07/09

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MODIFICATION: Change Order No. 4 is the final settlement of changes, claims and bid quantities.
 The estimated quantities are adjusted to reflect actual quantities used in the contract.

CONTRACTOR: Amtrac Railroad Contractors of Maryland Inc.
 Hagerstown, Maryland

AMOUNT: \$45,144

ORIGINAL CONTRACT AMOUNT: \$696,305

REVISED CONTRACT AMOUNT: \$741,449

PERCENTAGE INCREASE: 6%

TERM: 180 calendar days from NTP (Original)
 63 Calendar Days (Change Order No. 4)

ORIGINAL DBE PARTICIPATION: 100%

REMARKS: The Maryland Transit Administration (MTA) is requesting Board of Public Works (BPW) approval for this modification, in order to bring the original estimated bid quantities into conformity with the actual quantities used. The final bid quantity will establish a new contract value for reference during final close-out procedures. This contract was for the rehabilitation of a five (5) at-grade crossings of public roadways on the Maryland and Delaware Railroad (MDDE) located on the Eastern Shore of Maryland.

Amtrac Railroad Contractors of Maryland Inc. is a Certified Minority Business Enterprise.

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

ITEM: 3-C-MOD (Continued)

BPW – 08/10/11
[REVISED]

APPROPRIATION CODE:

J05H0105

MD TAX CLEARANCE:

11-1358-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$696,305	180 Calendar Days	10/07/09 Item 2-C	
			5/21/10 Change Order No. 1 - time extension to allow for payment of invoices only.	
			07/07/10 Change Order No. 2 - time extension to allow for payment of invoices only.	
			07/23/10 Change Order No. 3- time extension to allow for payment of invoices only.	
Modification #4	\$45,144	+63 Calendar Days	08/10/11	Final adjustments to the plan quantity; estimates do not match; no cost time extension.
Revised Amount	\$741,449			

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BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Construction)

ITEM: 4-C-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-0435-0240
 MARC Halethorpe Parking Lot Expansion
 ADPICS NO. T04350240

ORIGINAL CONTRACT APPROVED: Item 5-C, DOT Agenda 06/19/02

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MODIFICATION: This Modification No. 4 is the final bid quantity adjustment to this contract. The quantities were adjusted to conform to the actual quantities placed and/or used in this contract.

CONTRACTOR: Jeffrey Stack, Inc. T/A
 JSI Paving & Construction
 Springfield, VA

AMOUNT: (\$228,612)

ORIGINAL CONTRACT AMOUNT: \$1,759,122

REVISED CONTRACT AMOUNT: \$2,060,951

PERCENTAGE INCREASE/DECREASE:	24.91%	(Modification No. 1)
	2.46%	(Modification No. 2)
	2.00%	(Modification No. 3)
	-13.00%	(Modification No. 4)
	16.37%	(Overall)

TERM: 06/19/02 – 06/18/03 (Original)

ORIGINAL MBE PARTICIPATION: 20%

REMARKS: The Maryland Transit Administration (MTA) is requesting Board of Public Works (BPW) approval for this modification, in order to bring the original estimated bid quantities into conformity with the actual quantities used in performing the work under the contract. The final bid quantity establishes a new contract value for reference during the final close-out process. Board approval of this item will allow MTA to close out this contract, for which the work was completed in 2004. Final close-out was delayed due to a lengthy series of negotiations with the contractor which were ultimately resolved through a mediation process recommended by the Office of

ITEM:

4-C-MOD

BPW – 08/10/11

the Attorney General. This contract was for the construction of a parking lot expansion adjacent to the existing commuter parking facility at the MARC Halethorpe Station in Baltimore County, Maryland. MTA has not been able to obtain a tax clearance number for the Contractor after many attempts to contact the contractor directly and through legal representatives. As far as MTA has been able to determine, the Contractor is not conducting any business in the State and neither MTA nor the Contractor's legal representatives have been able to contact the Contractor's principal officer. As part of its efforts to close out this contract, MTA has worked with staff in the Comptroller's Office and with BPW staff to determine an appropriate course of action. Accordingly, in light of the circumstances in this specific case, MTA respectfully requests that the Board waive its policy of requiring a tax clearance number for JSI Paving & Construction. This will allow MTA to close out the contract, which cannot occur without Board approval.

FUND SOURCE:

20% Special Funds Budgeted to MTA
80% Federal Funds Budgeted to MTA

APPROPRIATION CODE:

J05H0105

RESIDENT BUSINESS:

No

TAX CLEARANCE NO.:

N/A (See Agency Remarks)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

135

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$1,759,121.80	One Year	06/19/02 Item 5-C	
Modification #1	\$438,240.00	+20 Days	06/18/03 Item 4-C-MOD	Unsuitable materials below sub-grade
Modification #2	\$43,200.00	Unchanged	07/09/03 DCAR	Quantity increase for Item 021-Excavation
Modification #3	\$49,000.00	+477 Days	07/27/10 DCAR	Final settlement of Claims/Changes
Modification #4	(\$228,612)		8/10/11	Final bid quantity adjustments
Revised Amount	\$2,060,951			

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

BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 5-AE

MARYLAND AVIATION ADMINISTRATION

CONTRACT IDS: MAA-AE-10-001
 Comprehensive Terminal Design Services at BWI
 Thurgood Marshall Airport
 ADPICS NOS. MAAAE10001

CONTRACT DESCRIPTION: This contract provides for Comprehensive Terminal Design Services at BWI Thurgood Marshall Airport. For example, the design of the B/C Connector which includes the expansion and modification of the existing terminal between Concourses B and C, widening of a portion of Concourse C, utility improvements and aircraft apron improvements. This project creates a continuous airside connection between Concourses A, B, and C provided by the B/C connector enhancing flexibility and capacity to support changing airline alliances. The resulting improvements will also expand the combined capacity of the passenger security screening checkpoints and allow load balancing between the Concourses.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on August 4, 2011.

AWARD: AECOM/SOM JV
 Baltimore, MD

AMOUNT: \$10,000,000

TERM: Seven (7) Years (ending August 10, 2018)

MBE PARTICIPATION: 19%

PROPOSALS:	Technical Proposal Rating (Max 2500)	Technical Ranking	NTE Price
AECOM/SOM JV Baltimore, MD	2201	1	\$10,000,000
URS Corporation Hunt Valley, MD	2013	2	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace, and on the MAA website. A total of two (2) airport consultant firms submitted Technical Proposals for this project and both are Maryland firms.

ITEM: 5-AE (Continued)

BPW- 08/10/11

The Design may include improvements to: Passenger and Baggage Screening to increase capacity and meet Transportation Security Administration (TSA) standards and requirements; Corridors and building areas to meet life-safety codes and improve circulation; baggage handling systems; hold rooms and aircraft apron at the Terminal Apron Interface. The design will include: Site Preparation; Foundation Systems; Structural Systems; Architectural; Mechanical Systems; Electrical Systems; Conveying Systems; Sustainability; Interior and Exterior Signs and Graphics; Passenger Boarding Devices; Building Systems (i.e. Flight Information Display, Paging, Controlled Access Security System, Closed Circuit T.V. System, Building Management System, etc.).

The seven (7) year term of the contract is necessary to complete all three project phases, preliminary engineering thru construction services for any task assigned.

The MBE goal established for this contract was 17%, however the Contractor will be exceeding the goal by 2%.

This Contract includes a provision authorizing an extension for a reasonable, limited, and defined time to spend funds remaining on the contract as provided in Board Advisory 1995-1.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	J06I0003
MD TAX CLEARANCE:	11-1841-1101
RESIDENT BUSINESS:	Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

138

Suzette Moore – 410-859-7792
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BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 6-AE

MARYLAND AVIATION ADMINISTRATION

CONTRACT IDS: MAA-AE-12-001
 Comprehensive Design Services at BWI Thurgood
 Marshall, Martin State and Other Regional Airports
 ADPICS NO. MAAAE12001

CONTRACT DESCRIPTION: This is the first of four (4) task-order contracts for consultant services to perform aviation-related, on-call design services for projects at BWI Thurgood Marshall (BWI), Martin State (MTN) and Other Regional Airports.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on August 4, 2011.

AWARD: URS Corporation
 Hunt Valley, MD

AMOUNTS: \$11,000,000

TERM: Seven (7) Years (ending September 16, 2018)

DBE PARTICIPATION: 25%

PROPOSALS:	<u>Technical Proposal Rating (Max 1300)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
URS Corporation Hunt Valley, MD	1065	1	\$11,000,000 (Contract A)
Johnson, Mirmiran & Thompson Sparks, MD	1037	2	MAA-AE-12-002 (Contract B)
Michael Baker Jr., Inc. Linthicum, MD	1020	3	MAA-AE-12-003 (Contract C)
TranSystems Corporation Philadelphia, PA	966	4	MAA-AE-12-006 (Contract D)

ITEM: 6-AE (Continued)

BPW -- 08/10/11

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace, and on the MAA and SHA websites. A total of four (4) airport facilities design consultant firms submitted Technical Proposals for this project, three (3) of which are Maryland firms.

The services provided under these comprehensive design contracts include program management architectural and engineering studies/reports, engineering plans, specifications, bidding documents and assistance, presentations, and/or construction review. The seven (7) year term of the contract is necessary to complete all three project phases, preliminary engineering thru construction services for any task assigned. The remaining three (3) contracts are anticipated to be presented to TPSSB on September 1, 2011 and Board of Public Works on September 7, 2011.

Examples of BWI projects during the contract term include: Electrical Substation South Terminal AB, North Cargo Parking and Air Cargo Drive Reconstruction, Expand Central Utility Plant (2 Chillers, Secondary CW Loop), Skybridge to Concourse C, and Comprehensive Interior/Exterior Design Support.

A portion of the costs of services performed under these contracts may be eligible for recovery from future federal grants, and charges to the airlines.

The MBE goal established for this contract was 18%, however the Contractor will be exceeding the goal by 7%.

This contract includes a provision authorizing an extension for a reasonable, limited, and defined time to spend funds remaining on the contract as provided in Board Advisory 1995-1.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	J06I0003
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	11-1903-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

140

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

BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 7-AE

MARYLAND AVIATION ADMINISTRATION

CONTRACT IDS: MAA-AE-12-004
 Comprehensive Professional Program Management
 Services at BWI Thurgood Marshall and Martin
 State Airports
 ADPICS NO. MAAAE12004

CONTRACT DESCRIPTION: This Contract provides for the oversight of design and construction of BWI Thurgood Marshall's Runway Safety Area, Pavement Management, Standards Compliance Improvements Program and other airfield/airside improvements.

PROCUREMENT METHOD: Maryland Architectural and Engineering
Services Act; recommendation approved by the
 Transportation Professional Services Selection
 Board on August 4, 2011.
 (One Proposal Received)

AWARD: Johnson, Mirmiran and Thompson, Inc.
 Sparks, MD

AMOUNT: \$9,000,000

TERM: Eight (8) Years (ending August 10, 2019)

MBE PARTICIPATION: 22%

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace, and on the MAA website. The direct solicitation was sent to potential offerors on May 4, 2011, as well as spoke to the community at the ACEC Conference. JMT was the only firm to submit a response. The Consultant Screening Committee (CSC) reviewed the EOI for the project and agreed that JMT met the technical requirements for the project. Therefore, the CSC recommends award to JMT to perform the project services required under the subject contract.

The services may include: Program Management for MAA initiatives; supervision and management of Project planning, environmental, design, procurement, and construction phases for airside/airfield projects and building and landside projects. The consultant will also support MAA in monitoring Capital Improvement Projects cost estimates and schedules; development of program budget, finance, and cash flow analysis and reports; conducting value engineering/peer reviews, constructability reviews and construction document reviews; setting up project/program website; providing cost

ITEM: 7-AE (Continued)

BPW -- 08/10/11

estimating and scheduling services; program phasing and funding analysis; providing surveying and geotechnical investigations; providing graphic design and CAD support; preparing and conducting presentations; and performing miscellaneous studies and investigations.

The eight (8) year term of the contract is necessary to provide oversight of all three project phases, preliminary engineering thru construction services, for all tasks related to the RSA program.

The Department of Transportation Appropriations Act for fiscal year 2006 requires that the Federal Aviation Administration (FAA) report annually on its progress toward improving Runway Safety Areas (RSAs). The act also requires commercial airport sponsors to ensure that their RSAs comply with FAA design standards by 2015.

The MBE goal established for this contract was 18%, however the Contractor will be exceeding the goal by 4%.

This Contract includes a provision authorizing an extension for a reasonable, limited, and defined time to spend funds remaining on the contract as provided in Board Advisory 1995-1.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	J06I0003
MD TAX CLEARANCE:	11-1843-1111
RESIDENT BUSINESSES:	Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Sandra E. Clifford (410) 537-1047
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BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ ENGINEERING SERVICES

ITEM: 8-AE

MARYLAND TRANSPORTATION AUTHORITY

CONTRACT ID: MDTA 2010-02 A
 Comprehensive Preliminary and Final Engineering
 Design Services

DESCRIPTION: This is the last of four (4) task order based contracts, which will provide comprehensive preliminary and final engineering design services.

PROCUREMENT METHOD: **Maryland and Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on June 2, 2011.

AWARD: STV Inc. / PB Americas III, JV
 Baltimore, Maryland

TERM: Six (6) years (ending June 2017)

AMOUNT: \$11,000,000

MBE PARTICIPATION: 25%

PROPOSALS:

	Technical Proposal <u>Rating</u>	Technical <u>Rating</u>	NTE <u>Price</u>
STV Inc. / PB Americas III, JV Baltimore, MD	4747	1	\$11,000,000 (Contract A)
Rummel, Klepper & Kahl, LLP Baltimore, MD	4528	2	BPW Approval 07/27/11 (Contract B)
Whitman, Requardt & Associates, LLP/ AECOM Technical Services, Inc. / Ammann & Whitney Consulting Engineers, PC, Tri-Venture Baltimore, MD	4493	3	BPW Approval 07/27/11 (Contract C)

ITEM: 8-AE (Continued)

BPW -- 08/10/11

PROPOSALS (Cont'd):

	Technical Proposal Rating	Technical Rating	NTE Price
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	4437	4	BPW Approval 07/27/11 (Contract D)
WBCM / WMA / WSA, Tri-Venture Towson, MD	4366	6	N/A
G&O / McCormick Taylor/ Hardesty & Hanover, Tri-Venture Baltimore, MD	4335	7	N/A
KCI / Gannett Fleming, JV Sparks, MD	4156	8	N/A

REMARKS: This Solicitation was advertised in The Daily Record and eMaryland Marketplace. A total of eight (8) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms. Price proposals were solicited and received from the top four (4) ranked firms. The four (4) firms that were not selected were debriefed.

The Consultant shall perform preliminary and final design services associated with the preparation of construction contract plans and documents. This work shall include, but not be limited to: structural analysis, design, and rehabilitation of complex and routine bridge structures, small structures, sign structures, noise walls, retaining walls, tunnels, and buildings; highway design, including major highway and interchange widening and reconstruction (including elevated structures); development of maintenance of traffic for projects, toll plaza and truck inspection station design and reconstruction; design of signing, lighting, and signalization; utility design; landscape design; noise analysis and mitigation; hydrology and hydraulics; environmental engineering including permits, storm water management, sediment and erosion control; wetland identification and mitigation; survey services; geotechnical engineering and drilling services; various mechanical and electrical engineering services related to bridge and highway projects; condition and construction inspection and "Phase V" services, value engineering, and supplemental staffing as required. The Consultant may be required to perform Program Management as a General Engineering Consultant (GEC) for the Maryland Transportation Authority. This would include large (mega) surface transportation projects that are currently underway.

We further note that in accordance with BPW Advisory No. 1995-01 the original contracts contain a provision authorizing no-cost extensions.

FUND SOURCE: 100% Toll Revenue

APPROPRIATION CODE: 29.10.02.01

MD TAX CLEARANCE: 11-1560-1111

ITEM: 8-AE (Continued)

BPW – 08/10/11

RESIDENT BUSINESS:

Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

145

Cheryl Hill 410-545-0402
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BPW -- 8/10/11
REVISED

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 9-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 440D31413
 Repair / Replacement of Inlets, Headwalls and Pipe
 Culverts at Various Locations in Montgomery & Prince
 George's Counties
 ADPICS NO. 440D31413

CONTRACT DESCRIPTION: This Contract consists of the repair / replacement of inlets,
 headwalls & pipe culverts at various locations in Montgomery & Prince George's Counties.

AWARD: Brawner Builders, Inc.
 Hunt Valley, MD

AMOUNT: \$2,172,350.00 NTE

TERM OF CONTRACT: August 22, 2011 through June 30, 2013

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Brawner Builders, Inc. Hunt Valley, MD	\$2,172,350.00
Omni Excavators, Inc. Bladensburg, MD	\$2,378,240.00
Fort Myer Construction Corp. Washington, DC	\$2,724,915.00
A & M Concrete Corporation Dulles, VA	\$2,766,610.00

MBE PARTICIPATION: 15%

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

ITEM: 9-M (Continued)**BPW – 8/10/11
REVISED**

REMARKS: The Solicitation was advertised on eMaryland Marketplace and on the SHA website. One hundred twenty six (126) contractors were notified for this project on eMaryland Marketplace; Twenty five (25) of which were MDOT certified MBE's.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on contract as provided in Board Advisory 1995-1.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 11-1402-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 10-M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-11-013
 Noise Monitoring and Analysis System Maintenance and
 Support at Baltimore Washington International Thurgood
 Marshall Airport
 ADPICS NO. MAAMC11013

CONTRACT DESCRIPTION: This contract provides for continuing maintenance and support for the BWI Noise Monitoring and Analysis System consisting of a fully integrated system to manage and analyze acoustical data, aircraft flight track data, and noise complaint data in support of MAA's BWI Noise Abatement Program. This contract includes on-going maintenance of the System software, databases, equipment calibration of the noise monitoring acoustical equipment, software upgrades and staff training.

AWARD: ITT Corporation
 Herndon, VA

TERM OF CONTRACT: 10/01/11 – 09/30/14 Three (3) Years from NTP
 with one (1) two (2) year renewal option

AMOUNT: \$ 506,771 NTE (3 Years)
 \$ 344,604 NTE (cost of two-year option incl. 2% CPI)
 \$ 851,375 NTE (aggregate value including two-year
 renewal option)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0% (proprietary software)

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

REMARKS: The Noise Monitoring and Analysis System provides the necessary noise data to monitor and analyze aircraft noise consistent with federal and State noise compatibility programs. The System utilizes noise monitors installed at various locations in surrounding communities as well as Flight Track data from the Federal Aviation Administration (FAA) Air Traffic control Tower. The System data is used as the basis for the BWI Airport Noise Zone.

ITEM: 10-M (Continued)

BPW – 08/10/11

The maintenance contracts for this System have been procured as Sole Source contract since ITT (formerly known as ERA Systems and BAE Systems) is the only manufacturer qualified to provide the necessary maintenance and support to ensure compatibility of acoustical equipment, replacement part, and adequate software support and training for this System developed for BWI.

In accordance with COMAR 21.05.05.02.A.(2), a sole source procurement is needed due to the proprietary nature of the unique components of the System, built specifically for BWI.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

MD TAX CLEARANCE: 11-1812-1111

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 11-M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-11-039
 Equipment and Vehicle Painting Services at Baltimore
 Washington International Thurgood Marshall and Martin
 State Airports
 ADPICS NO. MAAMC11039

CONTRACT DESCRIPTION: This contract provides painting services for vehicles and equipment owned by the Maryland Aviation Administration at BWI Thurgood Marshall (BWI Marshall) and Martin State (MTN) Airports.

AWARD: Herman Born and Sons, Inc.
 Baltimore, MD

TERM OF CONTRACT: 10/01/11 – 09/30/14 Three (3) Years from NTP
 with one (1) two (2) year renewal option

AMOUNT: \$ 250,050 NTE (3 Years)
 \$ 170,034 NTE (cost of two-year option incl. 2% CPI)
 \$ 420,084 NTE (aggregate value including two-year
 renewal option)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Herman Born and Sons, Inc. Baltimore, MD	\$250,050
Advance Collision, LLC Beltsville, MD	\$282,600
J & A Body Shop Baltimore, MD	\$282,600
Middleton and Meads Company Baltimore, MD	\$295,200

MBE PARTICIPATION: 0% (single element of work)

ITEM: 11-M (Continued)**BPW – 08/10/11**

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and on the MAA website. The Solicitation was sent to the Governor's Office of Minority Affairs and four (4) minority business associations on May 3, 2011. A total of five (5) firms purchased plans and specifications. Three (3) bids were received.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I00002

MD TAX CLEARANCE: 11-1813-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

151

James L. Knighton – 410-767-0820
jknighton@mta.maryland.gov

BPW—08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONTRACT MODIFICATION (Maintenance)

ITEM: 12-M-MOD

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T-1096
 Elevator and Escalator Maintenance
 ADPICS NO. CO275118

ORIGINAL CONTRACT APPROVED: Item 4-M, DOT Agenda 11/30/05

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MODIFICATION: Change Order No. 1 increases the contract amount and extends the contract duration for 366 calendar days (leap year) to continue to provide preventive maintenance on forty-five (45) elevators, one (1) wheelchair lift and eighty-one (81) escalators at the various Metro, MARC and Maintenance locations.

CONTRACTOR: Schindler Elevator Corporation
 Beltsville, MD

AMOUNT: \$4,692,371.00

CURRENT CONTRACT AMOUNT: \$23,554,343.00

REVISED CONTRACT AMOUNT: \$28,246,714.00

PERCENTAGE INCREASE: 20% (C.O. #2)

TERM: 1,825 Calendar Days (Original)
 242 Calendar Days (C.O. #1)
 366 Calendar Days (C.O. #2)

ORIGINAL MBE PARTICIPATION 20%

REMARKS: This Change Order is to provide personnel, equipment and material to perform preventive maintenance on forty-five (45) elevators, one (1) wheelchair lift and eighty-one (81) escalators at the various Metro, MARC and Maintenance locations. The work involved preventative maintenance coverage of all MTA elevators for a period of one (1) year from the date of notice to proceed. MTA has an aggressive maintenance plan to preserve the integrity, function and safety of all vertical transportation equipment. For each type of unit (escalator or elevator) the maintenance plan incorporates five (5) types of inspections with varying frequencies. The basic activities occur bi-weekly and constitute visual inspection and light cleaning. The most laborious occurs annually and involves the

ITEM: 12-M-MOD (Continued)**BPW – 08/10/11**

removal of steps, lubrication of chains, etc. Unfortunately, due to the nature of the industry, these units undergo a lot of abuse. Whether due to operator error, weather related issues, and/or vandalism, the equipment periodically requires service repairs above routine maintenance measures.

The existing contract expires August 31, 2011. The MTA is requesting a 366 calendar day extension to August 31, 2012 to allow time for the procurement of a replacement contract. The new contract solicitation was advertised on October 6, 2010, and three proposals were received on February, 15, 2011, in response to the RFP. Best and Final Offers (BAFOs) were received on May 19, 2011 and have been evaluated. The Schindler Elevator Corporation (Schindler) has been selected for award; however, to ensure that the due process rights of all other bidders on the new contract are met and that critical elevator and escalator maintenance activities continue, the MTA is requesting additional time to complete the procurement process. If no other issues arise such as bid protests or other delays, the MTA intends to terminate this 1 year (366 day) extension contract early.

FUND SOURCE:	100% Special Funds Budgeted to MTA
APPROPRIATION CODE:	J05H0105
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	11-1912-0000

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

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

ATTACHMENT I

	Amount	Term	BPW/DCAR Date
Original Contract	\$17,320,124	(01/01/06 – 12/31/10)	BPW 11/30/05
Modification #1	\$6,234,219	(01/01/11 – 08/31/11)	BPW 10/20/10
Modification #2	\$4,692,371	(09/01/11 – 08/31/12)	BPW 08/10/11
Revised Amount	\$28,246,714		

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BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION (Maintenance)

ITEM: 13-M-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T80000265A
 MARC Rail Stations Snow and Ice Removal
 Maintenance Services
 ADPICS NO. CO269768

ORIGINAL CONTRACT APPROVED: Item 15-M, DOT-Agenda 11/19/2008

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: Clover Leaf, Inc.
 Sliver Spring, Maryland

MODIFICATION: Change Order No. 1 provides the Penn Line and Greenbelt MARC Rail Stations with Snow and Ice Removal Maintenance Services through April 19, 2012, and increases the contract value to ensure on-going services.

AMOUNT: \$50,000

ORIGINAL CONTRACT AMOUNT: \$160,444

REVISED CONTRACT AMOUNT: \$210,440

TERM: 11/20/08 – 11/19/11 (Original)
 11/20/11– 04/19/12 (Change Order No. 1)

PERCENTAGE INCREASE: 31%

ORIGINAL MBE PARTICIPATION: 0%

REMARKS: This Contract provides for snow removal and ice abatement activities at MARC Rail stations. The Contractor is responsible for clearing train platforms, parking lots, aerial structures and stairways of snow and ice to allow for safe travel for MTA passengers. The Contractor provides all equipment and staff. The Contractor requires special training to ensure they do not move snow onto tracks and that they operate safely around the track areas during snow removal operations.

Currently the MTA has seven (7) snow removal contracts for stations along three MARC Train lines; Brunswick, Camden and Penn. This contract provides for snow removal at Penn Line stations including Silver Spring and Greenbelt stations.

ITEM: 13-M-MOD (Continued)**BPW – 08/10/11**

The MTA is seeking to reorganize all current MARC system snow removal contracts to allow sufficient time to procure new contracts that will better manage snow removal activities. The overall goal is to extend existing contracts for snow removal as follows: a ten-month extension on one contract, five month extensions on four contracts (including T-8000-0265A), and a two-month extension on one contract. MTA will also terminate one contract early. This is being done so that all the MARC snow contracts can be reorganized into two contracts per train line, with six new contracts ending on the same date – April 19, 2012. One contract, which is currently set to expire November 2012, will not be extended. The MTA considered extending this contract for a shorter period of time, but it is not efficient or safe for snow removal contracts to expire during or just prior to the winter season.

Ultimately, MTA anticipates that snow removal services on the Brunswick and Camden Line will be handled under the third party operator agreement so those new contracts will likely be terminated early – leaving only two contracts – Penn Line North and Penn Line South in place and expiring at the same time. The April 2012 expiration date will allow MTA sufficient time to issue new solicitations for these services.

FUND SOURCE:	100% Special Funds Budgeted to MTA
APPROPRIATION CODE:	J05H0105
TAX COMPLIANCE NO:	11-0819-0111
RESIDENT BUSINESS:	Yes

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

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

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$160,440	11/20/08- 11/19/11	11/19/08	Extension is needed to reorganize the expiration dates also stations and have a new contract in place
Modification #1	\$ 50,000	11/20/11- 4/19/12	8/10/11	
Revised Amount	\$210,440			

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BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

RENEWAL OPTION (Maintenance)

ITEM: 14-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-09-001
 Consolidated Mechanical Systems and Plane Mate
 Operations, Repair and Maintenance at BWI
 Thurgood Marshall and Martin State Airports
 ADPICS NO. CO274898

ORIGINAL CONTRACT APPROVED: Item 8-M, DOT Agenda 07/16/08

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposal

CONTRACTOR: Signature Flight Support Corporation
 Baltimore, MD

MODIFICATION: Exercise the Renewal Option No. 1 for a period of two (2) years from October 1, 2011 through September 30, 2013.

AMOUNT: \$7,191,309

ORIGINAL CONTRACT AMOUNT: \$10,730,163

REVISED CONTRACT AMOUNT: \$17,323,316

PERCENTAGE INCREASE: 67% (Renewal Option No.1)
 61% (Overall)

TERM: 10/01/08 – 09/30/10 (Original)
 07/01/09 – 09/30/11 (Amendment No. 1)
 12/17/09 – 09/30/11 (Amendment No. 2)
 10/01/11 – 09/30/13 (Renewal No. 1)

ORIGINAL MBE PARTICIPATION: 22%

RENEWAL MBE PARTICIPATION: 21.7%

REMARKS: This contract provides for labor, equipment, experience and technical expertise to maintain approximately 400 mechanical equipment/systems at BWI Marshall, to include passenger loading bridges, inbound and outbound baggage claim conveyors, vestibule and other automatic door systems, power gates, and Plane Mate operations and maintenance.

ITEM: 14-M-OPT (Continued)**BPW – 08/10/11**

Signature Flight Support Corporation has met the terms and conditions of this contract and has performed above standard operations over the past three (3) years to meet MAA's time table. Additionally, Signature provides superior customer service and is very knowledgeable in all facets of their contract with MAA.

This action represents the exercising of a two-year renewal option with the contractor that was provided for in the original contract.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	J06I00002
MD TAX CLEARANCE:	11-1824-1111
RESIDENT BUSINESS:	Yes

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

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

159

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$10,730,163	10/01/08 - 09/30/10	07/16/08 Item 8-M	
Amendment No. 1	(\$598,156)	07/01/09 - 09/30/11		Reduced the scope of work
Amendment No. 2	\$0	12/17/09 - 09/30/11		Revised MBE Goal based on the new contract value
Renewal Option No. 1	\$7,191,309	10/01/11- 09/30/13		As provided for in original contract
Revised Amount	\$17,323,316			

Mike Miller (410) 385-4747
mmiller@marylandports.com

BPW -- 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE

ITEM: 15-LL

MARYLAND PORT ADMINISTRATION

TENANT: Living Classrooms Foundation, Inc.
 802 South Caroline Street
 Baltimore, MD 21231

PROPERTY LOCATION: Masonville Cove Environmental Education Center

SPACE TYPE: Land and Office Space

DURATION: Ten (10) Years (effective upon Board Approval)

ANNUAL RENT: Ten Dollars (\$10.00)

UTILITIES RESPONSIBILITY: MPA

CUSTODIAL RESPONSIBILITY: MPA

SPECIAL CONDITIONS: The Maryland Port Administration ("MPA") is developing a dredged material containment facility ("DMCF") on the Patapsco River at Masonville Cove, on the north side of Brooklyn in Baltimore City. As part of the mitigation and community enhancement program to offset the DMCF's environmental impact, working with Maryland Environmental Service ("MES"), MPA has built the Masonville Cove Environmental Education Center (the "Center") to serve the Brooklyn and Curtis Bay communities in particular and the Baltimore region in general. Living Classrooms Foundation, Inc. (LCF) will conduct programs at the Center to foster appreciation of the ecological relationship between the Masonville Cove, the Patapsco River and the Chesapeake Bay.

LCF has entered into a ten-year lease with MPA, at an annual rent of \$10.00. There is 181 square feet of office space, 791 square feet of classroom space, 72 square foot of storage space and certain land surrounding the Education Center. LCF will share the Center's common areas with Brooklyn and Curtis Bay Coalition, Inc. and possibly other organizations, at MPA's discretion. MPA will provide utilities and, through MES, maintenance and janitorial services. LCF will provide indemnity and insurance. The parties anticipate that, as environmental rehabilitation of the cove proceeds, the lease's premises will expand to permit use of more land surrounding the Center for environmental study and experience.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

161

Mike Miller (410) 385-4747
mmiller@marylandports.com

BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE

ITEM: 16-LL

MARYLAND PORT ADMINISTRATION

TENANT: Brooklyn and Curtis Bay Coalition, Inc.
 304 Washburn Avenue
 Baltimore, MD 21225

PROPERTY LOCATION: Masonville Cove Environmental Education Center

SPACE TYPE: Land and Office Space

DURATION: Ten (10) Years (effective upon Board Approval)

ANNUAL RENT: Ten Dollars (\$10.00)

CUSTODIAL RESPONSIBILITY: MPA

SPECIAL CONDITIONS: The Maryland Port Administration ("MPA") is developing a dredged material containment facility ("DMCF") on the Patapsco River at Masonville Cove, on the north side of Brooklyn in Baltimore City. As part of the mitigation and community enhancement program to offset the DMCF's environmental impact, working with Maryland Environmental Service ("MES"), MPA has built the Masonville Cove Environmental Education Center (the "Center") to serve the Brooklyn and Curtis Bay communities in particular and the Baltimore region in general. The Brooklyn and Curtis Bay Coalition, Inc. ("Baybrook") will conduct programs at the Center to foster appreciation of the ecological relationship between the Masonville Cove, the Patapsco River and the Chesapeake Bay.

Baybrook has entered into a ten-year lease with MPA, at an annual rent of \$10.00. There is 106 square feet of office space and certain land surrounding the Education Center. Baybrook will have exclusive use of an office in the Center and will share the Center's common areas with the Living Classrooms Foundation, Inc. and possibly other organizations, at MPA's discretion. MPA will provide utilities and, through MES, maintenance and janitorial services. Baybrook will provide telephone and internet service and indemnity and insurance. The parties anticipate that, as environmental rehabilitation of the cove proceeds, the lease's premises will expand to permit use of more land surrounding the Center for environmental study and experience.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

162

George G. Fabula, Jr. (410) 767-3908
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BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY ACQUISITION

ITEM 17-RP

MARYLAND TRANSIT ADMINISTRATION: Charlotte Hall Park and Ride Project
 St. Mary's County, Maryland

REFERENCE: Approval is requested for the purchase in fee simple of 11.3655 acres of land, more or less, a perpetual drainage easement containing 0.0633 of an acre of land, more or less, a second perpetual drainage easement containing 0.0963 of an acre of land, more or less, and a temporary construction easement containing 0.0817 of an acre of land, more or less, for use in connection with the construction of the Charlotte Hall Park & Ride Project.

SPECIAL CONDITIONS: None

OWNER: Burch Properties, LLC

PROPERTY: Tax Map 1, Grid 23, Part of Parcel 42, Fifth
 Election District, St. Mary's County

CONSIDERATION: \$1,535,000

APPRAISED VALUE: \$1,591,000 Isabelle Gatewood, fee appraiser
 Reviewed and approved by Paul Mazelis, SHA
 Review Appraiser.

\$1,497,740 Thomas B. Herbert, fee appraiser
 Reviewed and approved by Paul Mazelis, SHA
 Review Appraiser.

The appraisals were also approved by the
 Federal Transit Administration (FTA).

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

APPROPRIATION CODE: J05H0105

REMARKS: The subject property is required for the construction of MTA's Charlotte Hall Park & Ride Project located in St. Mary's County, Maryland. The purchase price was agreed upon through negotiations with the owner and this is the only property acquisition needed for this project.

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

APPROVED

DISSAPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

June Hornick (410) 865-1039
jhornick@mdot.state.md.us

BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 18-GM

THE SECRETARY'S OFFICE

NATURE OF REQUEST: Submission of a request by the Department of Transportation (the "Department"), made by the Secretary of Transportation, for the adoption of resolutions authorizing the issuance and sale by the Department of its Consolidated Transportation Bonds, Series 2011 in an amount not exceeding \$200,000,000, at a public sale to occur between September 12, 2011 and January 31, 2012, as determined by the Secretary, taking into account then current market conditions, such Bonds being authorized by Subtitle 2 of Title 3 of the Transportation Article of the Annotated Code of Maryland.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

164

June Hornick (410-865-1039)
jhornick@mdot.state.md.us

BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS

ITEM: 19-GM

THE SECRETARY'S OFFICE

NATURE OF REQUEST: Submission of a request by the Department of Transportation (the "Department"), made by the Secretary of Transportation, for the adoption of resolutions authorizing the issuance and sale by the Department of its Consolidated Transportation Bonds, Refunding Series 2011 in an amount not exceeding \$175,000,000 to be issued to refund certain outstanding bonds of the Department, at a public sale to occur between September 12, 2011 and January 31, 2012, as determined by the Secretary, taking into account then current market conditions and the affect of market conditions on interest savings of the refunding, such Bonds being authorized by Subtitle 2 of Title 3 of the Transportation Article of the Annotated Code of Maryland.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

165

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

BPW - 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

GENERAL/MISCELLANEOUS:

ITEM: 20-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID MAA-LC-12-005

NATURE OF REQUEST: Approval for a concession contract granting the non-exclusive right to establish, operate and manage luxury vehicle ground transportation services at BWI Marshall Airport

CONTRACTOR: Shuttle Express, Inc. d/b/a ExecuCar

REVENUE: Concessionaire shall pay monthly Nine Percent (9%) of gross revenues derived from Concessionaire's inbound and outbound ground transportation operation at the Airport. Estimated total revenue to MAA over the Contract term is \$209,030

DURATION: Four (4) years and eleven (11) months; from October 1, 2011 through August 31, 2016

ACDBE PARTICIPATION: 19%

REMARKS: This contract provides for the operation and management of BWI Marshall's luxury vehicle ground transportation concession. This type of revenue-producing contract at a transportation facility is exempt from the State Procurement Law. See State Finance and Procurement Article, Section 11-202(3); COMAR 21.01.03.03.B(1)(d). However, the agreement must be approved by the Board of Public Works because the agreement constitutes a use of State property under State Finance and Procurement Article, Section 10-305.

The Invitation for Bids (IFB) was advertised in local publications, on eMaryland Marketplace and MAA issued 110 direct mail notices to firms having a luxury vehicle ground transportation business in the Maryland and District of Columbia metropolitan areas. Nine (9) IFB specifications were sold with three (3) bids received on August 4, 2010.

Two (2) of the three (3) bidders failed to conform to the requirements of the IFB and submitted their revised technical submissions after the scheduled time sealed bids were to be received. Therefore, the two (2) bids were found unacceptable and rejected, one being the incumbent contractor. The one remaining bid was reviewed and it was determined that Shuttle Express, Inc. d/b/a ExecuCar met all of the requirements of the IFB.

ITEM: 20-GM (continued)**BPW – 08/10/11**

MAA recommends award of the Contract to Shuttle Express, Inc. d/b/a ExecuCar. The concession fee of Nine Percent (9%) for both inbound and outbound trips under the new Contract is projected to generate \$40,875 in the first contract year and represents an increase of 50.5% for the first contract year over revenues MAA would have received under the current contract terms.

MD TAX CLEARANCE: 11-1322-0001

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

167

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

RENEWAL OPTION (General Miscellaneous)

ITEM: 21-GM-OPT

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: MTA-1115A
Paratransit Services
ADPICS NO. CO274878

ORIGINAL CONTRACT APPROVED: Item 14-GM, DOT Agenda 08/20/08

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposal

CONTRACTOR: Veolia Transportation Services, Incorporated
Baltimore, Maryland

MODIFICATION: Modification No. 1 exercises two, six-month option renewals for a one-year period to ensure continued services for the MTA Mobility Division.

AMOUNT: \$24,000,000

ORIGINAL CONTRACT AMOUNT: \$65,512,557

REVISED CONTRACT AMOUNT: \$89,512,577

PERCENTAGE INCREASE: 36% (Modification No. 1)

TERM: 09/01/08 – 08/31/11 (Original)
09/21/09 – 11/20/09 (Modification No. 0) (Taxi only)
09/01/11 – 08/31/12 (Modification No. 1)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: MTA's Mobility operates seven days per week, 24 hours per day, serving the same geographic area served by the MTA fixed-route system as required by American with Disabilities Act (ADA). This includes all areas of the City of Baltimore, portions of Baltimore and Anne Arundel Counties which are located inside of Baltimore Beltway (I-695), and within a three quarter mile radius of the Baltimore Metro Heavy Rail System, the Central Light Rail Line and MTA Fixed-Route Bus Services. The Contractor are required to provide door to door services, pick up and drop off passengers, using MTA's vehicles anywhere within these areas.

The Contractor is to provide facilities, vehicle maintenance, operators, back-up operators, pull out supervision, management oversight of direct vehicle operation, as well as all other support necessary to transport riders in accordance with the MTA's Mobility Division.

MTA reserves the right to modify its service area at any time during the term of this contract.

Trip must be requested by 5:00 pm on the day prior to service, and may be scheduled up to 7 days in advance. On an average weekday, the MTA Mobility service provides approximately 4,300 trips. Peak periods are 6 a.m. to 11 a.m. and 2 p.m. to 5 p.m., with the highest morning peak hours from 7 a.m. to 9 a.m. and the highest afternoon peak hours from 2 p.m. to 4 p.m.

By exercising this one year option renewal MTA authorizes Veolia Transportation, Inc. to provide the necessary services and ensures the continued compatibility of existing equipment, software and training for the MTA's Mobility Services. The vendor is meeting MTA's expectations under the contract, with consistent on-time performance while providing approximately 1,700 trips per day. The increase in cost for the additional year is based on the contract provision allowing the vendor to increase rates no more than CPI plus 5%. Due to a projected increase in Mobility service demand, Veolia's price for the option period includes a higher level of service (i.e., more trips) than Veolia currently provides. This is the primary reason the price for the option renewal exceeds the increase in CPI. The MTA advertised a new contract for Mobility services on June 30, 2011.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0102

TAX COMPLIANCE NO: 11-1071-1111

RESIDENT BUSINESS: ☒ Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$65,512,557	09/01/08- 08/31/11	08/20/08	
Modification #0	\$ 195,000	09/21/09- 11/20/09	07/27/11	Provide 25 dedicated taxi runs total eight hours daily (Taxi only)
Modification # 1	\$24,000,000	09/01/11- 08/31/12	08/10/11	Two six months option renewal for a one (1) yr. period
Revised Amount	\$89,512,577			

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

RENEWAL OPTION (General Miscellaneous)

ITEM: 22-GM-OPT

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: MTA-1115B
Paratransit Services
ADPICS NO. CO274879

ORIGINAL CONTRACT APPROVED: Item 14-GM, DOT Agenda 08/20/08

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposal

CONTRACTOR: MV Transportation, Incorporated
Fairfield, CA

MODIFICATION: Modification No. 1 exercises two six-month option renewals for a one-year period to ensure on-going continued services for the MTA Mobility Division.

AMOUNT: \$24,000,000

ORIGINAL CONTRACT AMOUNT: \$58,267,747

REVISED CONTRACT AMOUNT: \$82,267,747

PERCENTAGE INCREASE: 29%

TERM: 09/01/08 – 08/31/11 (Original)
09/01/11 – 11/30/12 (Modification No. 1)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: MTA's Mobility operates seven days per week, 24 hours per day, serving the same geographic area, which is served by the MTA fixed-route system as required by American with Disabilities Act (ADA). This includes all areas of the City of Baltimore, portions of Baltimore and Anne Arundel Counties which are located inside of Baltimore Beltway (I-695), and within a three quarter mile radius of the Baltimore Metro Heavy Rail System, the Central Light Rail Line and MTA Fixed-Route Bus Services. The Contractor are required to provide door to door services, pick up and drop off passengers, using MTA's vehicles anywhere within these areas.

The Contractor is to provide facilities, vehicle maintenance, operators, back-up operators, pull out supervision, management oversight of direct vehicle operation, as well as all other support necessary to transport riders in accordance with the MTA's Mobility Division.

MTA reserves the right to modify its service area at any time during the term of this contract. Trip must be requested by 5:00 pm on the day prior to service, and may be scheduled up to 7 days in advance. On an average weekday, the MTA Mobility service provides approximately 4,300 trips. Peak periods are 6 a.m. to 11 a.m. and 2 p.m. to 5 p.m., with the highest morning peak hours from 7 a.m. to 9 a.m. and the highest afternoon peak hours from 2 p.m. to 4 p.m.

By exercising this one year option renewal MTA authorizes MV Transportation, Inc. to provide the necessary services and ensures the continued compatibility of existing equipment, software and training for the MTA's Mobility Services. The vendor is performing meeting MTA's expectations under the contract, with consistent on-time performance while providing approximately 1,700 trips per day.. The increase in cost for the additional year is based on the contract provision allowing the vendor to increase rates no more than CPI plus 5%. Due to a projected increase in Mobility service demand, MV's price for the option period includes a higher level of service (i.e., more trips) than MV currently provides. This is the primary reason the price for the option renewal exceeds the increase in CPI. The MTA advertised a new contract for Mobility services on June 30, 2011.

FUND SOURCE:	100% Special Funds Budgeted to MTA
APPROPRIATION CODE:	J05H0102
TAX COMPLIANCE NO:	11-1071-1111
RESIDENT BUSINESS:	No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$58,267,747	09/01/08- 08/31/11	08/20/08	
Modification #1	\$24,000,000	09/01/11- 11/30/12	07/27/11	Two six months Option Renewal For One (1) yr period
Revised Amount	\$82,267,747			

Cheryl Hill (410) 545-0402
chill@sha.state.md.us

BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 23-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2010-05 D
 Plat Preparation and Metes and Bounds Survey
 Services, Statewide
 ADPICS NO. SBSCS1005D

CONTRACT DESCRIPTION: This is the first of six (6) open-end task order contracts to provide highway related metes and bounds surveying and right-of-way plat preparation services, Statewide.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on August 4, 2011.

AWARD: KCI Technologies, Inc.
 Sparks, Maryland

AMOUNT: \$2,000,000

TERM: Six (6) Years (ending July 1, 2017)

DBE PARTICIPATION: 21%

PROPOSALS:	<u>Technical Proposal Rating (Max 670)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Johnson, Mirmiran & Thompson Sparks, MD	463	1	Contract A
Wallace, Montgomery & Associates Towson, MD	451	2	Contract B
The Wilson T. Ballard Company Owings Mills, MD	440	3	Contract C
KCI Technologies, Inc. Sparks, MD	433	4	\$2,000,000 Contract D
STV Incorporated Baltimore, MD	430	5	Contract E
Century Engineering, Inc. Hunt Valley, MD	405	6	Contract F

ITEM: 23-AE (Continued)

BPW – 08/10/11

PROPOSALS (Cont'd):	Technical Proposal Rating (Max 670)	Technical Ranking	NTE Price
A.Morton Thomas & Associates Rockville, MD	397	7	N/A
URS Corporation Hunt Valley, MD	385	8	N/A
Whitman, Requardt & Associates Baltimore, MD	385	9	N/A
Rummel, Klepper & Kahl, LLP Baltimore, MD	382	10	N/A
AB Consultants, Inc. Lanham, MD	379	11	N/A
Greenman-Pedersen, Inc./ Whitney, Bailey, Cox & Magnani Annapolis Junction, MD	365	12	N/A
EBA Engineering, Inc. Baltimore, MD	339	13	N/A
George W. Stephens, Jr., & Associates, Inc. Belcamp, MD	300	14	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and on the SHA website. A total of fourteen (14) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms.

The Consultant shall perform right-of-way plat preparation and metes and bounds field surveys. The assignments may include both activities.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board Advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 11-1691-1110

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

175

Cheryl Hill (410) 545-0402
chill@sha.state.md.us

BPW – 08/10/11

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 24-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2010-16 A and H
Bridge Inspection, Evaluation and Rating Services,
Statewide
ADPICS NOS. SBCS1016A & SBCS1016H

CONTRACT DESCRIPTION: This are two (2) of eight (8) open-end task order contracts to provide bridge condition inspection, evaluation and rating services for State, County and local bridges , Statewide.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act; for Projects A and H recommendation approved by the Transportation Professional Services Selection Board on August 4, 2011.

AWARD:

Wallace, Montgomery & Associates, LLP
Towson, Maryland

Nolan Associates, Inc./
Whitney, Bailey, Cox & Magnani, LLC Contract H
Ellicott City, Maryland

AMOUNT: \$3,000,000 (each)

TERM: Five (5) Years (ending August 1, 2016)

DBE PARTICIPATION: 23%

PROPOSALS:	Technical Proposal	Technical	NTE
	Rating (Max 710)	<u>Ranking</u>	<u>Price</u>

Wallace, Montgomery & Associates, LLP	571	1	\$3,000,000
Towson, MD			Contract A

Johnson, Mirmiran & Thompson, Inc./			
Rummel, Klepper & Kahl, LLP	566	2	Contract B
Sparks, MD			

ITEM: 24-AE (Continued)

BPW – 08/10/11

PROPOSALS (Cont'd):	Technical Proposal Rating (Max 710)	Technical Ranking	NTE Price
The Wilson T. Ballard Company Owings Mills, MD	565	3	Contract C
Whitman, Requardt & Associates, LLP Baltimore, MD	554	4	Contract D BPW Approval 7/27/11
URS Corporation Hunt Valley, MD	553	5	Contract E
Northeast Engineering, Inc./ Gannett Fleming, Inc. Baltimore, MD	552	6	Contract F BPW Approval 7/27/11
Kennedy, Porter & Associates, Inc./ Greenhorne & O'Mara, Inc. Baltimore, MD	546	7	Contract G
Nolan Associates, Inc./ Whitney, Bailey , Cox & Magnani, LLC Ellicott City, MD	545	8	\$3,000,000 Contract H
Amman & Whitney Consulting Engineering/ Alpha Construction & Engineering Baltimore, MD	539	9	N/A
KCI Technologies, Inc./ Pennoni Associates, Inc. Sparks, MD	536	10	N/A
STV Incorporated Baltimore, MD	520	11	N/A
Century Engineering, Inc. Hunt Valley, MD	515	12	N/A
The LPA Group Owings Mills, MD	514	13	N/A
Dewberry & Davis, LLC/ Jacobs Engineering Group, Inc. Baltimore, MD	503	14	N/A

ITEM: 24-AE (Continued)

BPW – 08/10/11

PROPOSALS (Cont'd):	Technical Proposal Rating (Max 710)	Technical Ranking	NTE Price
PB Americas, Inc./ Hardesty & Hanover, LLP Baltimore, MD	474	15	N/A
AI Engineers, Inc. Middletown, CT	421	16	N/A
McLaren Engineering Group West Nyack, NY	419	17	N/A
Infrastructure Engineers, Inc. Glen Allen, VA	366	18	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and on the SHA website. A total of eighteen (18) engineering consultant firms submitted technical proposals for this project, of which fifteen are (15) Maryland firms.

The Consultant shall perform detailed inspection and evaluation of assigned State, County and local jurisdiction bridges and prepare ratings for these structures, all in accordance with the National Bridge Inspection Program; provide engineering analysis to determine operating and inventory load ratings for existing bridge structures; and prepare reports for each structure.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board Advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: Wallace, Montgomery & Associates, LLP 11-1639-1111
Nolan Associates, Inc./
Whitney, Bailey, Cox & Magnani, LLC [11-1947-0111]

RESIDENT BUSINESSES: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Sandra E. Clifford – (410) 537-7814
sc Clifford1@mdta.state.md.us

BPW – 08/10/11

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (General/Miscellaneous)

ITEM: 25-GM-MOD

MARYLAND TRANSPORTATION AUTHORITY: Electronic Toll Collection-Next Generation, (ETC-NG) System

CONTRACT ID: MA-549-000-006
 MDTA Electronic Toll System Replacement and Operation

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

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

CONTRACTOR: ACS State and Local Solutions
 Baltimore, MD

MODIFICATION: Modification No. 14 provides for the contractor to install loop wire conduit/stub-up, passing through the roadway surface and continuing on to the distribution man-hole and to install brackets to be used to mount the vehicle separator over each travel lane at the gantry. This work includes drilling through the roadway surface, installing and connecting the conduit to the design builder installed sub-out conduits from the manholes.

DURATION: November 30, 2005 to December 7, 2013, with two (2), two-year renewal options.

AMOUNT: \$101,200 NTE

ORIGINAL CONTRACT AMOUNT: \$183,986,635

REVISED CONTRACT AMOUNT: \$233,090,761

PERCENTAGE INCREASE: .055% (MOD No. 14)
 26.689% (Overall)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: The work for Modification No.14 is necessary because the conduits / stub-ups and brackets that need to be in place at the ICC gantries (by others) for ACS to install and test the toll revenue collection system, will not be available as planned when ACS starts the installation of the system. In order to meet the scheduled opening date for Contracts B & C (11/11/11), ACS is being asked to provide the labor, equipment and materials to install the conduits / stub-ups and brackets required for the installation of a fully functional toll collection system.

This Item was previously submitted and withdrawn as Item 19-GM-MOD from the 6/15/11 DOT Agenda.

ITEM: 25-GM-MOD (Continued)

BPW -- 08/10/11

FUND SOURCE:

100% Toll Revenue

APPROPRIATION CODE:

29.10.02.01

MD TAX CLEARANCE:

11-1379-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
ORIGINAL CONTRACT	\$183,986,652	11/30/05 – 12/7/13	DOT Agenda 10/19/05	
MODIFICATION #1	\$374,383.00	Same	DOT Agenda 6/6/07	Computer Room Design & Installation
MODIFICATION #2	\$22,638.70	Same	9/26/07	Revised Money Handling Process
MODIFICATION #3	\$46,210,613.89	Same	DOT Agenda 8/22/07	Open Road Tolling for ICC & I-95 ETL Projects
MODIFICATION #4	\$1,147,600.00	Same	DOT Agenda 11/14/07	Revised Types & Number of Lanes
MODIFICATION #5	\$43,803.00	Same	7/24/08	Additional Stop-in Center Equipment
MODIFICATION #6	\$8,765.52	Same	7/24/08	MDTA Logo on Toll Receipts
MODIFICATION #7	\$17,488.98	Same	12/4/08	Install LED Lights on Lane Gate Arms
MODIFICATION #8	\$149,436.56	Same	DOT Agenda 4/1/09	Engineering & Technical Support – FMT FFL
MODIFICATION #9	\$52,318.35	Same	DOT Agenda 4/1/09	Gate Override Switch
MODIFICATION #10	\$170,838.42	Same	DOT Agenda 7/1/09	WPL Gates/HWN Toll Booths

ATTACHMENT I (CONTINUED)

MODIFICATION #11	\$335,022.88	Same	DOT Agenda 12/2/09	ORT Vehicle Classification
MODIFICATION #12	\$220,000.00	Same	DOT Agenda 11/3/10	Drop Down Frames
MODIFICATION #13	\$250,000.00 Not to Exceed	Same	DOT Agenda 4/6/11 Additional	ICC Work
MODIFICATION #14	\$102,000.00 Not to Exceed	Same	DOT Agenda 6/15/11	Increased Scope

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C

**MARYLAND DEPARTMENT OF
THE ENVIRONMENT**

Bureau of Mines
Allegany County

CONTRACT NO. AND TITLE

Project No. F-001-110-004;
Buffalo 422 Water Treatment Improvements
ADPICS NO. 001B2400078

DESCRIPTION

Approval requested for the upgrade of existing water treatment facilities at an abandoned mine site in Allegany County to bring the site up to the newly adapted EPA Clean Up standards and neutralize the acid containing water prior to discharge into Jackson Run and Georges Creek. DGS is requesting the approval of a single bid received award to avoid the continued dispensing of contamination into the local water systems.

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

Only One Bid Received

AWARD

Pine Mountain Coal Company, Inc.
Frostburg, MD.

AMOUNT

\$99,982.00

TERM

90 Calendar Days

MBE PARTICIPATION

10%

PERFORMANCE BOND

100% of full contract amount

REMARKS

A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. On 6/9/2011 one bid was received from Pine Mountain Coal Company of Frostburg, Maryland. Pine Mountain's bid meets the solicitation's 10% MBE goal as affirmed by the DGS MBE Office on 6/24/11. The recommended awardee is based within five miles of the project site and has performed successfully on prior projects with DGS and the Bureau of Mines.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C (Cont.)

DGS, as the procurement agent for the Bureau of Mines, annually procures mine reclamation for 5-6 projects. Most of these projects are less than the \$200,000.00 BPW threshold and with the funding being mine reclamation funds operating funds, they are not submitted for Board approval. Most of the work on these projects is limited to specific elements of mine reclamation, sludge removal, recapture of water run-off, and capping of the mines. Only a few firms respond to the solicitation and most are smaller firms, located in the western portion of Maryland. The last two projects completed by our offices received responses from only two firms.

A survey of potential bidders indicated that they were otherwise committed or were too short on manpower to undertake the work at this time.

The government estimate was \$68,000.00. The difference between the estimate and bid cost is attributable to the fact that the cost for removal of significant sludge deposits from existing settling ponds was inadvertently omitted from the estimate. With this cost accounted for, the bid amount is considered fair and reasonable, and is within available funding.

The project site is located approximately 1.5 miles southeast of Lonaconing. Buffalo 422 is a forfeited mine site that underwent reclamation work in 2008.

As stated in the description above, it has been found that the existing water treatment system that neutralizes acid mine run-off before discharging into Jackson Run and Georges Creek is not meeting newly adapted EPA discharge requirements. This project will upgrade the treatment facilities to bring the site within compliance standards.

FUND SOURCE

U00.A06.12.68535.03.0899.6181
(Bituminous Coal Open Pit Mining
Reclamation Fund)

RESIDENT BUSINESS

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C (Cont.)

TAX COMPLIANCE NO.

11-1635-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 2-C-MOD

MARYLAND DEPARTMENT OF
STATE POLICE

Barrack "O"
Hagerstown, MD

CONTRACT NO. AND TITLE

Project No. PO-183-040-001;
Construct New Barrack "O" and
Garage/Communications Building
ADPICS NO. COD91038

ORIGINAL CONTRACT APPROVED

6/9/2010 DGS/BPW Agenda Item 1-C

CONTRACTOR

Manekin Construction, LLC.
Columbia, MD

CONTRACT DESCRIPTION

Construct a new 25,755 SF State Police Barracks "O" and a 5,027 SF Garage with Backup Data Center, and replace existing fuel dispensing systems with above grade tanks and the addition of ethanol as a fuel choice. Storm water management pond will be expanded and brought to more stringent current environmental codes.

MODIFICATION DESCRIPTION

This change order covers the cost to furnish and install, as part of the data center addition construction, 40 Dell Data racks and the appropriate power systems to power the equipment that will be placed in the Data center.

TERM OF ORIGINAL CONTRACT

548 calendar days

TERM OF MODIFICATION

Same

AMOUNT OF ORIGINAL CONTRACT

\$10,071,338.00

AMOUNT OF MODIFICATION

\$135,414.00

PRIOR MODIFICATIONS/OPTIONS

\$753,479.00

REVISED TOTAL CONTRACT AMOUNT

\$10,960,231.00

PERCENT +/- (THIS MODIFICATION)

1.34%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 2-C-MOD (Cont.)

OVERALL PERCENT 8.82%

<u>ORIGINAL PROCUREMENT METHOD</u>	Competitive Sealed Proposals
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ORIGINAL MBE PARTICIPATION 25%

REMARKS The back-up Data Center was provided as an allowance to the overall contract and was to be designed and constructed within the new Barrack "O" building. Since the design was not part of the original overall project, but an allowance, the data racks could not be included into bid of the general construction contract. Equipment funding was included in the overall budget with DMSP to provide the listing of equipment needed to outfit the Barrack and data center. DMSP determined the layout and placing of the racks and this change order will include them in the construction of the new building and data center.

<u>FUND SOURCE</u>	
	MCCBL 2010/Item 906 (Provide funds to Design, Construct, and equip a new Hagerstwon Barrack and Garage)

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 11-1897-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 3-AE

DEPARTMENT OF GENERAL SERVICES

Statewide

CONTRACT NO. AND TITLE

Project No.: DGS-10-023-IQC;
Professional Services Agreement to Provide
Engineering Services for Measurement and
Verification of Energy Savings for the
Maryland Department of General Services
for Multiple Energy performance Contracts
with Fees Less than \$200,000.00
ADPICS NO. See below

DESCRIPTION

Approval is requested for an Indefinite Quantity Contract (IQC) Agreement to provide engineering services for measurement and verification of energy savings to the DGS 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 \$200,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total number of projects awarded to any firm may not exceed \$500,000.00.

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

BIDS OR PROPOSALS

Entech Engineering, Inc., Reading, PA
Johnson, Mirmiran & Thompson, Sparks, MD
EBL Engineers, LLC., Baltimore, MD

<u>Qualification & Project</u>	<u>Contract</u>
<u>Tech Scores</u> <u>Limit</u>	<u>Limit</u>
106.5/89%	\$200,000.00 \$500,000.00
102.2/85%	\$200,000.00 \$500,000.00
86.4/72%	N/A N/A

AWARDS

Entech Engineering, Inc.
Reading, PA
Johnson, Mirmiran & Thompson
Sparks, MD

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 3-AE (Cont.)

AMOUNT

\$ 500,000.00 NTE x 2 firms/base-term
\$ 500,000.00 NTE x 2 firms/renewal option
\$1,000,000.00 NTE x2 firms/Sub-total
\$2,000,000.00 NTE. Total (4 Years)

TERM

8/18/2011-8/17/2013 (W/1 two-year renewal option)

MBE PARTICIPATION

25%

REMARKS

At the 6/7/2011, public meeting of the General Professional Services Selection Board, the Chairman of the Qualification Committee reported that two of the three firms which submitted responsive technical proposals achieved the minimum qualifying score of 85% and were potentially eligible to provide the required services. The Committee asked the Board to authorize the request of price proposals from the two selected firms.

Each firm had structured its team to meet the State's established MBE goal which will be set for each project based upon the proposed fee and services required for the project.

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 awarded under the proposed agreement shall be negotiated and the contract will be approved and executed by the State individually. Projects 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: the firm is unable to perform the assignment; the hours or fees proposed by the firm for services needed cannot successfully be negotiated to an amount the State considers fair and reasonable; 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 assignment to another firm would tend to balance to a greater extent, among firms on the IQC list being used, the fees paid or payable for work assignments previously issued.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 3-AE (Cont.)

At the 7/6/2011, public meeting of the General Professional Services Selection Board, the Chairman of the Negotiation Committee certified to the General Board that the negotiations were conducted in accordance with the regulations governing the Negotiation Committee and that the price proposals were determined to be fair, competitive, and reasonable.

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.

The Negotiation Committee's recommendation was approved by the General Professional Services Selection Board on 7/6/2011, and is recommended to the BPW for approval.

FUND SOURCE

Various

RESIDENT BUSINESSES

Yes and No

TAX COMPLIANCE AND ADPICS NOS.

<u>Awardee</u>	<u>Tax Compliance Nos.</u>	<u>ADPICS Nos.</u>
Entech Engineering, Inc.	11-1799-0010	001B2400085
Johnson, Mirmiran & Thompson	11-1801-1111	001B2400086

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 4-AE (REVISED)

DEPARTMENT OF GENERAL SERVICES

Statewide

CONTRACT NO. AND TITLE

Project No. DGS-11-018-IQC;
Professional Services Agreement to Provide
Architectural and Engineering Services for
Construction Scheduling and Claims
Analysis for Multiple Construction Projects
with Fees \$300,000.00 or Less
ADPICS NO. See below

DESCRIPTION

Approval is requested for Indefinite
Quantity Contract (IQC) agreement to provide architectural and engineering services for
construction scheduling and claims analysis to DGS 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 \$300,000.00; however, the selected firms may be
awarded more than one project. The aggregate fee for the total number of projects awarded to
any firm may not exceed \$500,000.00.

PROCUREMENT METHOD

Maryland Architectural and Engineering
Services Act

BIDS OR PROPOSALS

	<u>Qualification & Tech Scores</u>	<u>Project Limit</u>	<u>Contract Limit</u>
Alpha Corporation, Baltimore, MD	124.5/89%	\$300,000.00	\$500,000.00
Hill International, Inc., Aberdeen, MD	121.5/87%	\$300,000.00	\$500,000.00
KCI Technologies, Inc., Sparks, MD	121.3/87%	\$300,000.00	\$500,000.00
Johnson, Mirmiran & Thompson, Sparks, MD	111.1/79%	N/A	N/A
ATCS, P.L.C., Annapolis, MD	109.4/78%	N/A	N/A
ARCADIS U.S., Inc., Columbia, MD	104.9/75%	N/A	N/A
Warner Construction, Inc., Rockville, MD	101.7/73%	N/A	N/A
Buchart-Horn, Inc., Baltimore, MD	90.7/65%	N/A	N/A
Exponent, Alexandria, VA	89.3/64%	N/A	N/A
Prime Engineering, Inc., Owings Mills, MD	77.8/56%	N/A	N/A

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 4-AE (Cont.) 2nd (Revision)

AWARDS

Alpha Corporation, Baltimore, MD
Hill International, Inc., Aberdeen, MD
KCI Technologies, Inc., Sparks, MD

AMOUNT

\$1,500,000.00 NTE base term
\$1,500,000.00 NTE renewal option
\$3,000,000.00 NTE. Total (4 Years)

TERM

8/18/2011-8/17/2013 (W/1 two-year renewal option)

MBE PARTICIPATION

25%

REMARKS

At the 5/3/2011, public meeting of the General Professional Services Selection Board, the Chairman of the Qualification Committee reported that three of the ten firms which submitted responsive technical proposals achieved the minimum qualifying score of 85% and were potentially eligible to provide the required services. The Committee asked the Board to authorize the request of price proposals from the three selected firms. Based on the requirements in the RFP, three firms met the minimum qualifications and we negotiated with the 3 highest rated firms.

Each firm has structured its team to meet the State's established MBE goal which will be set for each project based upon the proposed fee, scope of work and services required for the project.

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 awarded under the proposed agreement shall be negotiated and the contract will be approved and executed by the State individually. Projects 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: the firm is unable to perform the assignment; the hours or fees proposed by the firm for services needed cannot successfully be negotiated to an amount the State considers fair and reasonable; another firm has special experience or qualifications, including geographic proximity to the site

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 4-AE (Cont.)

for which services are needed, that make it in the best interest of the State to give the assignment to another firm, or assignment to another firm would tend to balance to a greater extent, among firms on the IQC list being used, the fees paid or payable for work assignments previously issued.

At the 7/6/2011, public meeting of the General Professional Services Selection Board, the Chairman of the Negotiation Committee certified to the General Board that the negotiations were conducted in accordance with the regulations governing the Negotiation Committee and that the price proposals were determined to be fair, competitive, and reasonable.

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.

The Negotiation Committee's recommendation was approved by the General Professional Services Selection Board on 7/6/2011, and is recommended to the BPW for approval.

FUND SOURCE

Various

RESIDENT BUSINESSES

Yes

TAX COMPLIANCE AND ADPICS NOS.

<u>Awardee</u>	<u>Tax Compliance Nos.</u>	<u>ADPICS Nos.</u>
Alpha Corporation,.	11-1768-1111	001B2400082
Hill International, Inc.	11-1769-0111	001B2400083
KCI Technologies, Inc	11-1767-1110	001B2400084

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M

DEPARTMENT OF GENERAL SERVICES

Rockville District Court and Multi-Service
Center (DC/MSC)
Rockville, MD

CONTRACT NO. AND TITLE

Project No. 001IT818453;
Unarmed Uniformed Guard Services at
Rockville DC/MSC
ADPICS NO. 001B2400043

CONTRACT DISCRIPTION

unarmed uniform guard services for the Rockville District Court/Multi-Service Center.

PROCUREMENT METHOD

Competitive Sealed Bids
(Small Business Reserve)

BIDS OR PROPOSALS

Twenty-Nine Sixteen Protective Guard Services
Lutherville, MD
Alexander Security Consultants, LLC,
Brandywine, MD
BTI Security Silver, Spring, MD
Securemedy, Inc. Waldorf, MD
Dunbar Guard Services Baltimore, MD

AMOUNT

\$520,248.00
\$533,736.00
\$553,056.00
\$569,496.00
\$606,564.00

AWARD

Twenty-Nine Sixteen Protective Guard
Services
Lutherville, MD
(MDOT certified MBE #11-317; SBR # 10-
7147)

TERM

9/1/2011-8/30/2014.

AMOUNT

\$520,248.00 (3 years)

MBE PARTICIPATION

100% (5% sub-goal)

PERFORMANCE BOND

N/A

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

<u>HIRING AGREEMENT ELIGIBLE</u>	Yes (1)
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REMARKS A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. This solicitation was advertised as a Small Business Reserve Procurement. Approximately two hundred thirty-seven (237) vendors received notification of this solicitation directly from *eMaryland Marketplac.com*. Along with the one 100% MBE participation obtained, five percent (5%) will be subcontracted to a certified MBE.

DGS received five (5) responses to this solicitation. One (1) firm was SBR certified and four (4) firms were SBR/MBE certified.

This contract is for 24-hour per day unarmed uniformed guard services, 7 days a week, 365 days a year including all State holidays. The recommended awardee is responsible for the security both inside the facility as well as the grounds surrounding the facility.

The recommended awardee, Twenty-Nine Sixteen Protective Guard Services has confirmed its bid.

FUND SOURCE H00 12-15 3363 0823
(DGS Operating Funds)

RESIDENT BUSINESS Yes

TAX COMPLIANCE NO. 11-1735-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$99,350.00 (1 item).

The two fund sources for any particular item will be designated as either:
 MCCBL 2009/Item 18 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public facilities on State-Owned property) or
 MCCBL 2010/Item 016 (Provide funds to construct capital improvements such as planned Maintenance and repair projects at public use facilities on State-Owned property)

Department of Natural Resources

A. Martinak State Park
 Denton, MD

DESCRIPTION

Approval for a contract for the installation and complete seven (7) OSDS Nutrient Reduction Systems at Martinak State Park located at Denton, MD.

REMARKS

The contract duration is 60 calendar days. Sufficient funds are available. There is a 5% MBE sub-goal for this contract..

CONTRACT NO. AND TITLE

Project No. P-000-111-910;
 Install Sewage Upgrades

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

Gateway Construction, Inc.
 Dover, DE

AMOUNT

\$99,350.00

TERM

60 Calendar days

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS**ITEM** 6-GM (Cont.)**MBE PARTICIPATION**

5%

FUND SOURCE

MCCBL 2010 ITEM 016

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 7-RP

DEPARTMENT OF NATURAL RESOURCES Myrtle Grove WMA
 Charles County, MD
 File #00-8457

REFERENCE

Approval is requested to grant a Confirmatory Easement to Charles County consisting of 3.7419 acres +/- for the purpose of a sanitary sewer line. In February 1976 the Department of Natural Resources agreed subject to Board of Public Works approval, to grant an easement to the Charles County Sanitary District, Inc. for a fifty foot (50') wide sanitary sewer line and executed a deed of easement. Existing records find no record of approval or execution of the deed of easement by the BPW. The sewer was installed and has been operated and maintained by the County for over 30 years.

The Confirmatory Easement Agreement has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

OWNERSHIP

The State of Maryland, to the use of the Department of Natural Resources

GRANTEE

The County Commissioners of Charles County, Maryland

PROPERTY

3.7419 acres +/- in Easement

PRICE

No consideration

APPRAISED VALUES

\$1,950.00 - 2/19/10 - Franc X. Korber - Fee Appraiser
 \$4,700.00 - 4/3/10 - Melville E. Peters - Fee Appraiser

REMARKS

1. The Department of Natural Resources agrees with this transaction.
2. Board approval is requested to make an exception to the 1 year appraisal policy requirement for this project. The transaction was finalized in early 2011, but due to delays in coordinating the Confirmatory Easement agreement the project is now being presented to the BPW. Additionally, the easement is being conveyed for no consideration since the sanitary sewer has been operated and maintained by Charles County for over 30 years.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 7-RP (Cont.)

3. The Clearinghouse conducted an intergovernmental review of the project under MD20100901-0898 and has recommended to grant a confirmatory deed of easement for an existing 50' sanitary sewer line of 3.7419 acres +/- across the land of Myrtle Grove Wildlife Management Area to the County Commissioners of Charles County. The Charles County Commissioners desire to execute the confirmatory deed of easement as a formal conveyance of easement rights and obligations with respect to the existing sewer line.
4. The final Easement Plat lists a total easement area of 3.7419 acres +/-.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 8-RP

DEPARTMENT OF NATURAL RESOURCES Myrtle Grove WMA
Charles County, MD
File #00-8458

REFERENCE

Approval is requested to grant an easement to CPV Maryland, LLC. ("CPV") consisting of 8.0296 +/- acres for the purpose of installing, maintaining, repairing, etc. a reclaimed water line. CPV plans to construct a natural gas power plant in St. Charles which will produce electricity for the Washington Metropolitan area power grid. The reclaimed water line will be used to supply cooling water to the power plant. It is agreed that CPV will assign the easement to Charles County once the reclaimed water line is completed and operational.

The Easement Agreement has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

OWNERSHIP

The State of Maryland, to the use of the
Department of Natural Resources

GRANTEE

CPV Maryland, LLC

PROPERTY

8.0296 acres +/- in Easement

PRICE

\$5,500.00 (Easement Fee)

APPRAISED VALUES

\$2,400.00 - 2/19/10 - Franc X. Korber - Fee Appraiser

\$5,400.00 - 4/03/10 - Melville E. Peters - Fee Appraiser

REMARKS

1. The Department of Natural Resources agrees with this transaction.
2. Board approval is requested to make an exception to the 1 year appraisal policy requirement for this project. The transaction was finalized in early 2011, but due to delays in coordinating the Easement agreement the project is now being presented to the Board of Public Works.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 8-RP (Cont.)

3. The Clearinghouse conducted an intergovernmental review of the project under MD20100831-0889 and has recommended to grant an easement of 8.0296 acres +/- across the land of Myrtle Grove Wildlife Management Area to CPV for a reclaimed water line. CPV plans to construct a natural gas power plant in St. Charles that will produce electricity for the Washington Metropolitan area power grid.
4. The final Easement Plats list a total easement area of 8.0296 acres +/-.

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP

MILITARY DEPARTMENT

Leonardtown Armory
 2.7 acres improved
 St. Mary's County
 File # 00-8242

DESCRIPTION

Approval is requested to transfer the Leonardtown Armory, located at 23250 Hollywood Road in Leonardtown to St. Mary's County, subject to a perpetual historic preservation easement.

GRANTOR

The State of Maryland, to the use of the Military Department

GRANTEE

St. Mary's County

PROPERTY

2.7 acres with 23,230 sq ft building

PRICE

No consideration

APPRAISED VALUES

\$1,825,000.00 (6/16/09) Isabelle Gatewood - Fee Appraiser Reviewed by Rollin Westholm

\$ 975,000.00 (5/12/09) Thomas Weigand - Fee Appraiser Reviewed by Rollin Westholm

SPECIAL CONDITION

Prior to settlement, a Historic Preservation easement will be placed on the property.

REMARKS

1. The BPW previously declared this armory surplus to the State at its meeting on 11/5/08, as Item 11-RP. St. Mary's County has leased the armory from the State for over 25 years, and has completed repairs, upgrades and maintenance totaling \$1.2 million from the County's operating budget. The Armory has housed a library facility for the County since 1984. The Agreement of Sale has been approved by the Office of the Attorney General. Title and transfer documents are subject to legal review.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP (Cont.)

2. The Clearinghouse conducted an intergovernmental review of the project under MD20080702-0704 and has recommended declaring the property surplus and transferring it to St. Mary's County subject to a perpetual historic preservation easement to the Maryland Historic Trust.
3. The Military Department recommends this transfer.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 10-RP

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

Spring Grove Hospital Center (SGHC)
 Valley Rd, Catonsville, MD
 Baltimore County
 5,868 square feet or 0.135 acre +/-
 File # 00-8421

REFERENCE

Reference is made to the Department of General Services agenda of 6/17/2009, Item 16-RP, wherein the Board of Public Works declared surplus unimproved land totaling 5,868 sq ft or 0.135 acre +/- along Valley Rd with the intent to sell the land to Baltimore County. Board approval is now requested for the Agreement of Sale to Baltimore County for transfer of 5,868 square feet or 0.135 acre +/- of land. The subject property is adjacent to two (2) small bridges that pass over a stream. Baltimore County seeks to acquire the property in order to perform stream restoration, preventative maintenance on the bridges, and road expansion. The Agreement of Sale has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

OWNERSHIP

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

GRANTEE

Baltimore County

PROPERTY

5,868 sq feet or 0.135 acre +/- unimproved

PRICE

\$18,000.00

APPRAISED VALUES

\$18,000.00 – Stephen H. Muller – (11/1/10) Fee Appraiser

REMARKS

1. The Department of Health and Mental Hygiene agrees with this transaction.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20090206-0112 and has recommended to declare the 5,868 sq. ft. +/- of land along Valley Road at Spring Grove Hospital Center surplus to the State of Maryland, and to offer to sell the property to Baltimore County.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 10-RP (Cont.)

3. The final plat lists the area of the acquisition totaling 5,868 sq. ft.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REAL PROPERTY

ITEM 11-RP

Doncaster State Forest
MD Route 6, Rawlings Rd
Charles County, MD
File #00-4231

REFERENCE Approval is requested to grant an ingress / egress easement to Cary and Lisa Hansel for access to their residential property. The Hansel property is currently landlocked by DNR lands with access only available through Doncaster Forest. The easement shall run from the Hansel property over the existing fifteen foot (15') wide roadway known as Rawlings Rd, through Doncaster Forest to Port Tobacco Rd. Access to the easement shall be through a locked gate along Port Tobacco Road. The easement is 2,395.20 feet by 15 feet wide, totaling 35,928 sq. ft.

The Easement Agreement has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

The State of Maryland, to the use of the
Department of Natural Resources

Cary Hansel and Lisa Hansel

35,928 square feet in easement

\$1,413.00 (Easement fee)

\$413.00 – 11/05/10 – Isabelle Gatewood – Fee Appraiser

1. The Department of Natural Resources agrees with this transaction.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20100510-0367, and concluded that all MIRC requirements had been met. Clearinghouse did not issue a formal recommendation for this project since it falls under State Finance & Procurement 10-305 (b) (1) (ii), as the sale of an access easement.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 11-RP (Cont.)

3. The final Easement Plat lists the access easement totaling 35,928 square feet.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 12-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
File No. 05-90-23
(Caroline County)

REFERENCE

Reference is made to Item 7- RP of this Department's Agenda of 8/1/07, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement on 135.4 acres for \$352,040.00. Purchase of the easement was completed on 10/23/07. Actual consideration paid was \$343,285.80.

The Maryland State Highway Administration (hereinafter "SHA") has determined that it needs to acquire certain fee interests and permanent easements for the public purpose of repair to a bridge over the Choptank River on Md. Route 287 (Sandtown Road) at Jarrell Road in Caroline County. SHA determined that the bridge is too narrow and is unsafe for truck traffic. SHA reported that several fatalities have occurred on or near this bridge. A wider span is to be constructed to make the bridge more structurally sound as well as safer for traffic flow. Board of Public Works Approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release a 0.0521 acre of land from the operation and effect of the above referenced agricultural preservation easement as permitted by Agriculture Article Section 2-515 Annotated Code of Maryland.

The SHA will reimburse MALPF for the released acreage according to the formula set forth in the Agriculture Article. The total compensation due to the Foundation is \$135.21, and that amount will be deposited in the MALPF Fund.

RELEASOR:

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

RELEASEES

Janet L. Hignutt and Maryland State
Highway Administration (SHA)

PROPERTY:

0.0521 acres

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 12-RP (Cont.)**CONSIDERATION:** \$135.21

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 13-RP**DEPARTMENT OF AGRICULTURE**

Maryland Agricultural Land Preservation
Foundation (MALPF)
File # 07-91-18
Cecil County, MD

REFERENCE

Reference is made to Item 14-RP of this Department's Agenda of 11/29/2000, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement over 159.80 acres of land and one existing dwelling for \$206,440.00, or \$1,300.00 per acre. A survey performed subsequent to the Board of Public Works approval revealed only 124.967 acres of land and one existing dwelling, and therefore the total purchase price was reduced prorated to \$161,157.10. Purchase of the easement was completed on 10/10/2003.

At the time of the easement acquisition, two 1 acre parcels were permitted to be excluded from the Easement. The landowner has determined that the location of one of the 1 acre parcels is insufficient to build a house and permit a septic drain field because of a steep ravine that bisects the one-acre-parcel. Board approval is requested to re-locate the 1 acre excluded parcel by amending the Deed of Easement to place the original excluded one acre parcel under the Deed of Easement in exchange for a one-acre building envelope which can not be sub-divided, located slightly to the north of the original excluded acreage.

The MALPF Board of Trustees has approved the transaction by determining that the exchange will have a positive effect on the agricultural operation of the farm since the building envelope will not be permitted to be sold off from the middle of the farm. The attached Exhibits A and B show the location of the original excluded 1 acre parcel, outlined in blue and the location of the proposed building envelope, outlined in pink.

GRANTOR

Caroline DuPont-Prickett

GRANTEE

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

PROPERTY:

1.00 acres (relocation)

CONSIDERATION:

Even exchange

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 13-RP (Cont.)

REMARKS

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item.
2. Costs associated with this exchange will be paid by the landowners.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 14-RP**DEPARTMENT OF AGRICULTURE**

Maryland Agricultural Land Preservation
Foundation (MALPF)
File No. 06-80-06A (Carroll County)

REFERENCE

Reference is made to Item 48-RP of this Department's Agenda of 9/3/81, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement on 144.9 acres of land for \$93,500.00. Purchase of the easement was completed on 10/29/81.

The Maryland State Highway Administration (SHA) has determined that it needs to acquire certain fee interests and permanent easements for the public purpose of replacement of a bridge over the Monocacy River and realignment of the MD Route 140 approach roadway on both sides of the bridge in Carroll County. SHA determined that the bridge is structurally deficient. A wider span is to be constructed to make the bridge more structurally sound and will also accommodate bicyclists. Board approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release a 0.1283 acre of land from the operation and effect of the above referenced agricultural preservation easement as permitted by Agriculture Article Section 2-515 Annotated Code of Maryland.

SHA will reimburse MALPF for the released acreage according to the formula set forth in the Agriculture Article. The total compensation due to the Foundation is \$82.77, and that amount will be deposited in the MALPF Fund.

RELEASOR

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

RELEASEES:

Michael and Bernadette Wilson and
Maryland State Highway Administration

PROPERTY:

0.1283 acres

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 14-RP (Cont.)

CONSIDERATION: \$82.77

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 15-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
File # 03-08-90-06
Baltimore County, MD

REFERENCE

Reference is made to Item 20-RP of the Board of Public Works Agenda of 3/6/1991, wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an Agricultural Preservation Easement on 123.47 acres of land, more or less, (hereinafter "the farm") for \$617,350.00 from Daniel B. Brewster and Judy Lynn Brewster. Upon examination of title, the land was found to have 122.49 acres, and the purchase price was reduced pro rata to \$612,450.00. Purchase of the Easement was completed on 10/23/1991.

DESCRIPTION

Board approval is requested for the release of one acre of land surrounding the Bedford lot from the MALPF Easement and accepts a two acre parcel of land plus the additional "orphaned land" land in exchange for the land released.

History

Prior to the sale of the Easement to MALPF, the Brewsters decided to withhold a one acre parcel of land for the benefit of their daughter, Krista Bedford. This one acre parcel was described in the Deed of Easement document as being withheld from the Easement. Shortly after the recording of the Easement to MALPF, however, the Brewsters executed a Corrective Deed to re-configure the lot, without permission of MALPF, in violation of the Easement. The reconfigured lot was still one acre, but encompassed some of the land encumbered by the Easement, while leaving another part of the original lot unencumbered by the Easement. In addition, during the time of the Brewsters' ownership of the farm, they permitted Ms. Bedford and her husband to expand accessory improvements of their residence beyond the boundary lines of their lot onto the farm, again without MALPF permission.

The current owner of the farm, Zastaria, LLC, and Mr. & Mrs. Bedford have been involved in litigation over the encroachments. They have reached a proposed settlement, however, with input from MALPF. Zastaria, LLC will convey enough land to Mr. & Mrs. Bedford to cure the encroachments (1 acre, more or less), so that the Bedford lot does not exceed the 2.0 acre limitation for child lots. Zastaria will also purchase a lot of land from Mr. & Mrs. Bedford, which lot is contiguous to the farm (2 acres, more or less), and then amend the MALPF Deed of Easement to encumber the new lot being added to the farm and encumber the other part of the original Bedford lot left "orphaned" by the reconfiguration of the Bedford lot in 1991.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 15-RP (Cont.)

REMARKS:

1. Both parcels of land are of the same class of soils.
2. The exchanged acreage is not buildable.
3. The Maryland Agricultural Land Preservation Foundation recommends approval of this item. In addition, the MALPF Easement will gain more acreage than will be released, and it is configured such that it will enhance the agricultural operation of the farm. The exchange will also cure the residential accessory encroachments on the farm.
4. Costs associated with this matter will be paid by Mr. & Mrs. Bedford.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 16-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
Foundation (MALPF)
File No. 10-81-07 (Frederick County)

REFERENCE

Reference is made to Item 15-RP of this Department's Agenda of 7/11/2007, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement on 107.08 acres for \$2,110,289.10. Purchase of the easement was completed on 2/6/2008.

The Maryland State Highway Administration (hereinafter "SHA") has determined that it needs to acquire certain fee interests and permanent easements for the public purpose of intersection improvements at Maryland Route 351 (Ballenger Creek Pike) and Elmer Derr Road in Frederick County. Frederick County requested an upgrade of the intersection to handle current and future traffic trends. SHA determined that a traffic roundabout would be preferable over a fully signalized intersection in terms of cost and would require less land in right of way takings. BPW approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release a 0.568 acre of land from the operation and effect of the above referenced agricultural preservation easement as permitted by Agriculture Article Section 2-515 Annotated Code of Maryland.

The SHA will reimburse MALPF for the released acreage according to the formula set forth in the Agriculture Article. The total compensation due to the Foundation is \$11,216.58. The MALPF Fund will retain 88% of that amount and will remit county matching funds (12%) back to Frederick County in accordance with the ratio for which the easement was originally purchased.

RELEASOR

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

RELEASEES

Patricia P. Zimmerman and Maryland State
Highway Administration

PROPERTY

0.568 acres

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 16-RP (Cont.)

CONSIDERATION

\$11,216.58

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 17-LL-MOD

DEPARTMENT OF NATURAL RESOURCES Land and Property Management
 (Prince George's County)

Tenant Maryland National Capital Park and Planning Commission
 6600 Kenilworth Ave.
 Riverdale, MD 20737

Property Location Patuxent River NRMA
 Prince George's County

<u>Space Type</u> Land	<u>Type</u> Modification/Amendment
<u>Duration</u> 5 years	<u>Effective</u> 9/1/2011
<u>Annual Rent</u> N/A	

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

History DNR and the Maryland National Capital Park and Planning Commission ("Commission") entered into an Agreement of Lease dated 2/14/1990 and was approved by the BPW on 9/27/1989 as Item 17A-RP to allow the Commission to occupy and use the lands consisting of 430.3 acres for the purpose of developing and operating a recreation area open to the general public in Prince George's County.

Now, the Department of Natural Resources and the Commission desire to amend the Lease to include agricultural uses and allow the Commission to sublease such agricultural lands to farmers through the competitive bid process.

Special Conditions

1. Subtenant shall personally use the Agricultural Land for crop farming purposes only.
2. Subtenant shall submit to MNCPPC a list of all chemicals intended to be used on the Agricultural Land.
3. Subtenant shall not apply any organic additives to the soil of the Agricultural Land.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 17-LL-MOD (Cont.)

4. Upon thirty (30) days prior written notice to Subtenant, Commission may withdraw any acreage of the Premise from this Sublease if Commission determine the said acreage is needed for wildlife protection, forestry or agricultural research, erosion control, park facilities, or any other public use of purpose.
5. Upon termination of this Sublease for any reason, Subtenant shall provide a suitable sod cover for the Premises.

Remarks

1. This Sublease shall automatically terminate if the Lease Agreement between the Commission and the Maryland Department of Natural Resources is terminated for any reason.
2. Rental payments received for the sublease will be used for the continued operation and maintenance on the premises.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 18-LT

MARYLAND STATE DEPARTMENT OF EDUCATION

Division of Rehabilitation Services
 Allegany County

Landlord

Mayor and City Council of Cumberland
 c/o George Street Garage
 10 S. George St.
 Cumberland, MD 21501

Property Location

George Street Garage
 10 S. George St.
 Cumberland, MD 21501

Space Type Garage Parking
Duration 5 Year
Annual Rent \$1,980.00

<u>Lease Type</u>	New	<u>Number of Spaces</u>
<u>Effective</u>	8/16/2011	3
<u>Rate Per Space Per Month</u>	\$55.00	
<u>Prev. Rate Per Space Per Month</u>	\$55.00	

Utilities Responsibility
Custodial Responsibility
Previous Board Action(s)

Landlord
 Landlord
 5/2/2001 Item 7-LT

Fund Source

100% Fed. MSDE Program 21 PCA U1501 fund code 5681

Retro-Active Leases

Since 11/1/2007 the rental rate increased from \$40.00/space/month to \$55.00/space/month without approval from the Board of Public Works. Board approval is requested to retro-actively approve the leasing of this space for a period of 3 years and 9 months and 15 days period from 11/1/2007 to 8/15/2011 that lapsed pursuant to the State Finance and Procurement Article 11-204 (c) (1). Total funds for the retro-active period is \$2,046.77.

Remarks

1. These spaces have been used by employees of the Maryland Department of Education (MSDE), Division of Rehabilitation Services under a month-to-month lease agreement. In accordance with agency request, a long term was negotiated for 5 years with an option to renew for another 5 year term.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 18-LT (Cont.)

2. The rental rate will remain at \$55.00/space/month through the 5 year lease term.
3. The lease contains a termination for convenience clause.
4. The agencies are in compliance with the 1:2 ratio established for this area.
5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 19-LT

OFFICE OF THE PUBLIC DEFENDER

Baltimore County Office of the Public
 Defender
 Towson, MD (Baltimore County)

Landlord

200 Washington Avenue, LLC
 8601 LaSalle Rd, Suite 204
 Towson, MD 21286

Property Location

200 W. Towsontowne Boulevard
 Towson, MD 21204

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	17,004
<u>Duration</u>	10 Years	<u>Effective</u>	4/1/2012		
<u>Annual Rent</u>	\$353,173.08 (Avg.)	<u>Square Foot Rate</u>	\$20.77 (Avg.)		

Utilities Responsibility

Lessor

Custodial Responsibility

Lessor

Fund Source

100% Gen. C80B002 20811 1301 0001

Special Conditions

1. The lease provides 38 use-in common parking spaces free of charge.
2. The lease contains escalations for real estate taxes, utilities and custodial services.
3. The lease provides for one (1) renewal option for a five (5) year term.

Remarks

1. This space will house the District 8 office of the Baltimore County Office of the Public Defender. The Public Defender has seen an increase of applicants between fiscal years 2005 through 2010 from 15,447 to 20,704. Due to the caseload increase the agency has needed to acquire additional space which their current location was not able to accommodate.
2. The net usable square foot rental rate will be \$19.25 for years one (1) through five (5) and \$22.94 for years six (6) through ten (10). The first 2 months of the first lease year shall be abated resulting in a 10 year average rate of \$20.77. The 2 months rent abatement achieves a savings of \$54,555.00.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 19-LT (Cont.)

3. This lease contains a termination for convenience clause.
4. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland the above space request was advertised in the Jeffersonian, *E-Maryland Marketplace.com* and the DGS website. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES ACTION AGENDA

TENANT LEASE

ITEM 20-LT-OPT

MARYLAND STATE DEPARTMENT OF EDUCATION
WORKERS' COMPENSATION COMMISSION
PUBLIC SCHOOL CONSTRUCTION PROGRAM
(Baltimore City)

Landlord Greenwald & Co., Inc.
250 West Pratt St., Suite 850
Baltimore, MD 21201

Property Location 210-218 W. Baltimore St.
Baltimore, MD 21201

<u>Space Type</u>	Garage Parking	<u>Lease Type</u>	Renewal	<u>Number of Spaces</u>	
<u>Duration</u>	1 Year	<u>Effective</u>	8/16/2011	MSDE	107
<u>Annual Rent</u>	\$219,120.00	<u>Rate Per Space Per Month</u>	\$110.00	WCC	52
		<u>Prev. Rate Per Space Per Month</u>	\$110.00	PSCP	7
				Total	166

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Action(s)</u>	08/11/10 Item 21-LT-OPT; 02/14/07 Item 11-LT; 3/30/05 Item 5-L; 3/190/03 Item 11-L.

Fund Source MSDE & PSCP 100% Fed. R00B5762 Obj. 07
WCC 100% Gen. C98 03 10000 11003 0705 0705

Remarks

1. These spaces have been used by employees of the Maryland Department of Education (MSDE), Workers' Compensation Commission (WCC) and Public School Construction Program (PSCP) since May, 1989. MSDE and PSCP office space is at 200 W. Baltimore St. WCC office space is at 10 E. Baltimore St.
2. The rental rate remains the same at \$110.00/space/month.
3. The lease contains a termination for convenience clause.
4. The agencies are in compliance with the 1:3 ratio established for this area.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 20-LT-OPT (Cont.)

5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 21-LT-OPT

DEPARTMENT OF ASSESSMENT AND TAXATION

Cambridge, MD
 (Dorchester County)

Landlord

County Council of Dorchester County
 501 Court Lane, Room 108
 Cambridge, MD 21613

Property Location

501 Court Lane, Room 204
 Cambridge, MD 21613

Space Type Office
Duration 2 Years
Annual Rent \$19,824.00

Lease Type Renewal Option **Square Feet** 2,478
Effective 8/27/2011
Square Foot Rate \$8.00
Previous Sq. Ft. Rate \$7.50

Utilities Responsibility
Custodial Responsibility

Landlord
 Landlord

Previous Board Action(s)

2/18/09-Item 14-LT, 2/15/06-Item 12-L, 5/21/03-Item 17-L
 6/19/1996-Item 41-L, 08/08/1990-Item 53-L

Fund Source

100% Gen. E50C00.02.25901.1301

Remarks

During an internal audit of the file and verified by the Dorchester County Council, an error in the agenda item has been identified. The February 18, 2009 Action Agenda Item 14-LT identifies the square footage as 2,599. In fact, the square footage should have stated 2,478. The Board of Public Works is also requested to approve the revision in addition to this renewal.

Special Conditions

1. The Department of Assessment and Taxation has been in its current location for 21 years. The space is used to assist homeowners in Dorchester County with real property tax assessments and the assessment appeal process, as well as to assess all real property accounts within Dorchester County.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 21-LT-OPT (Cont.)

2. The lease contains a termination for convenience clause.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 22-LT-OPT

DEPARTMENT OF HUMAN RESOURCES

Charles County Department of Social Services
 La Plata, MD
 (Charles County)

Landlord/Owner

Berkshire Properties LLC
 c/o Baldus Real Estate
 P.O. Box 1068
 La Plata, MD 20646

Property Location

200 Kent Ave
 La Plata, MD 20646

Space Type Office

Duration 10 Years

Annual Rent \$1,002,102.25 avg.

Prev. Square Foot Rate \$16.83

Lease Type Renewal

Effective 8/16/2011

Square Foot Rate \$16.75 avg.

Square Feet 59,827

Utilities Responsibility

Lessor

Custodial Responsibility

Lessor

Previous Board Action(s)

01/13/99 - 15-L

Fund Source

<u>Sub-Program</u>	<u>Sub-Program</u>	<u>Square Object</u>	<u>Cost per PCA Feet</u>	<u>Contract Square Foot</u>	<u>Amount</u>
N00G0002	7b18	1351	G0010 16,098	\$16.83	\$ 270,929.00
N00G0003	7c18	1351	G3010 27,044	\$16.83	\$ 455,151.00
N00G0004	7d18	1351	G4100 5,151	\$16.83	\$ 86,691.00
N00G0005	7e18	1351	G5000 8,371	\$16.83	\$ 140,884.00
N00G0006	7f18	1351	G6010 7,717	\$16.83	\$ 130,045.00
			64,381		\$1,083,700.00

Special Conditions

1. The Lease contains escalations/de-escalations for real estate taxes, utilities and cleaning.
2. The Lease incorporates 228 reserved parking spaces.
3. The Lease contains 2 renewal options for 5 years each.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 22-LT-OPT (Cont.)

Remarks

1. This space has been used since 2001 as administrative and client contact offices for the Charles County Department of Social Services
2. The rental rate for years 1 through 5 is \$16.00 per net usable square foot and increases to \$17.50 in years 6 through 10.
3. Through negotiations the Department of General Services Office of Real Estate secured a rental cost savings of \$1,550,040.00 for the term of the lease by reducing the stated renewal rental rate by \$1.22 per net usable square foot (\$17.97 to \$16.75 avg.), and by reducing the leased area by 4,564 net usable square feet (64,391 to 59,827).
4. The Lease contains a termination for convenience clause.
5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

Board of Directors of Hospice of Charles County, Inc. (Charles County)

Hospice House

"For the acquisition, planning, design, construction, and capital equipping of a residential hospice house, located in Waldorf."

\$150,000.00

Maryland Consolidated Capital Bond Loan of 2010 (LHI - Chapter 483, Acts of 2010)

DGS Item G122 (SL-052-080-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2012. The Board of Directors of Hospice of Charles County, Inc. has submitted evidence in the form of a canceled check and invoice that it has \$182,203.68 in eligible expenditures to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$2,200,001.00
10-G122 (This Action)	\$ 150,000.00
10-G043 (Future Action)	\$ 45,000.00
09-G059 (Prior Action)	\$ 105,000.00
09-G110 (Prior Action)	\$ 145,000.00
08-G060 (Prior Action)	\$ 100,000.00
Local Cost	\$1,655,001.00

(Prior Actions: 01/05/11 Agenda, Item 10-CGL and 4/7/10 Agenda, Item 11-CGL)

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

*Mayor and Town Council of the Town of Chesapeake Beach (Calvert County)
 Kellam's Field*

"For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of Kellam's Field, located in Chesapeake Beach."

\$125,000.00

Maryland Consolidated Capital Bond Loan of 2010 (LSI - Chapter 483, Acts of 2010 and as amended by Chapter 396, Acts of 2011)

DGS Item G041 (SL-028-100-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2012. The Mayor and Town Council of the Town of Chesapeake Beach has submitted documentation that it has \$1,796,357.50 in a financial institution and \$41,804.08 of in-kind contributions for a total of \$1,838,161.58 to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$500,000.00
10-G041 (This Action)	\$125,000.00
10-G120 (Future Action)	\$125,000.00
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 Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreements, and authorize that funds be encumbered for the following grants:

Board of Directors of Waldorf Lions Foundation (Charles County)

Lions Camp Merrick

"For the renovation of the septic system at Camp Merrick, located in Nanjemoy."

\$102,500.00

Maryland Consolidated Capital Bond Loan of 2008 (LSI - Chapter 336, Acts of 2008 and as amended by Chapter 396, Acts of 2011)

DGS Item G062

\$48,000.00

Maryland Consolidated Capital Bond Loan of 2008 (LHI - Chapter 336, Acts of 2008 and as amended by Chapter 396, Acts of 2011)

DGS Item G151, (SL-059-070-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than December 1, 2012. The Board of Directors of the Waldorf Lions Foundation is utilizing the value of property to meet the matching fund requirement. The Department of General Services, Real Estate Office, reviewed the appraisal for 3650 Riverside Road in Waldorf and has accepted a value of \$2,594,000.00.

BACKGROUND

Total Project	\$601,000.00
08-G062 (This Action)	\$102,500.00
08-G151 (This Action)	\$ 48,000.00
07-G126 (Prior Action)	\$150,000.00
Local Cost	\$300,500.00

(Prior Action: 05/06/09 Agenda, Item 23-CGL)

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 26-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into grant agreements, and authorize that funds be encumbered for the following grants:

Board of Directors of the Residential Continuum, Inc. (Montgomery County)

RCI Group Home Renovations

"For the renovation, reconstruction and capital equipping of group homes for autistic individuals, located in Montgomery Village."

\$25,000.00

Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)

DGS Item G136

\$75,000.00

Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)

DGS Item G066, SL-018-090-038

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2012. The Board of Directors of the Residential Continuum, Inc. has submitted documentation that it has in excess of \$100,000.00 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$260,000.00
10-G136 (This Action)	\$ 25,000.00
10-G066 (This Action)	\$ 75,000.00
09-G124 (Prior Action)	\$ 30,000.00
Local Cost	\$130,000.00

(Prior Action: 2/24/10 Agenda, Item 17-CGL)

REMARKS

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 26-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 27-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

Mayor and City Council of the City of Bowie (Prince George's County)

South Bowie Boys and Girls Club Concession Stand

"For the design and construction of a concession stand to be operated by the South Bowie Boys and Girls Club, located in Bowie."

\$50,000.00 - match of \$25,000.00

Maryland Consolidated Capital Bond Loan of 2009 (LHI - Chapter 485, Acts of 2009 and as amended by Chapter 396, Acts of 2011)

DGS Item G073 (SL-067-090-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the BPW to certify a matching fund no later than 6/1/2012. The Mayor and City Council of the City of Bowie have submitted documentation that they have \$25,000.00 cash on hand to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$568,729.00
09-G073 (This Action)	\$ 50,000.00
Local Cost	\$518,729.00

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 28-LT

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Public Health Laboratory
 Baltimore City

Landlord Maryland Economic Development Corporation
 100 North Charles Street, Suite 630
 Baltimore, MD 21201

Property Location Science + Technology Park at Johns Hopkins
 1770 Ashland Avenue
 Baltimore, MD 21205

<u>Space Type</u>	Laboratory	<u>Lease Type</u>	New	<u>Square Feet</u>	234,000 +/-
<u>Duration</u>	20 Years	<u>Effective</u>	8/15/2011		
<u>Annual Base Rent</u>	\$15,300,000.00	<u>Square Foot Rate</u>	\$65.38		

<u>Utilities Responsibility</u>	Tenant
<u>Custodial Responsibility</u>	Tenant
<u>Previous Board Action(s)</u>	2-GM 12/16/2009

Fund Source 100% General

Background/History Reference is made to Item 2-GM of the Department of General Services Action Agenda of 12/16//2009 wherein the Board of Public Works approved a three year Interagency Agreement to facilitate the development of a new state-of-the-art Public Health Laboratory in the Science + Technology Park @ Johns Hopkins in East Baltimore. This agreement activated the use of \$6.45 million in pre-development funds appropriated by the Maryland General Assembly for the preparation of preliminary plans to construct the new lab.

The Board of Public Works is now requested to approve an occupancy lease with an initial term of twenty (20) years between the State of Maryland to the use of the Department of Health and Mental Hygiene (DHMH) as Tenant and Maryland Economic Development Corporation (MEDCO) as Landlord. DHMH's lease will be used by MEDCO to facilitate the sale of MEDCO tax exempt bonds for the purposes of constructing and equipping the new Public Health Laboratory.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 28-LT (Cont.)**Special Conditions**

MEDCO shall cause to be constructed a five (5) story 234,000 gross square foot building designed to the LEED Silver Certification criteria. The project will meet State and City MBE/WBE requirements. Total project costs are estimated at \$165,000,000.00 including the land acquisition and preparation costs but not including capitalized interest costs.

MEDCO shall issue and sell Series 2011 bonds in the approximate aggregate principal amount of \$186 million, not to exceed \$200 million, for an anticipated term of 20 years, at an estimated interest cost of 4.59% (as of February 2011). Closing on the bonds is expected to occur as early as October, 2011. Interest will be paid with bond proceeds commencing on bond issuance with DHMH's rent commencing approximately June 1, 2014 or with completion of the facility and DHMH taking occupancy. MEDCO's final bond maturity is expected to occur on or about October 1, 2031.

Bond closing and closing on the property are expected to occur simultaneously. The schedule currently anticipates the award of the construction contract on or about September 30, 2011; the completion and commission of the lab on or about February 21, 2014; and full occupancy and operation on or about April 27, 2014.

DHMH shall have the option to renew this Lease, beyond the initial term, for one (1) additional twenty (20) year period and for three (3) separate but immediately consecutive additional ten (10) year periods. After the bonds are paid in full, MEDCO will cease charging Base Rent for the property and DHMH will only be responsible for Additional Rent consisting of primarily standard operating costs and reserves. Base Rent and Additional Rent will remain contingent upon sufficient appropriations and the lease is terminable for failure to appropriate, acts of condemnation, and/or in the event of a casualty.

Additional Rent will be all operating costs to keep and maintain the facility, including property management fees, infrastructure use fees, and a fee to MEDCO of \$100,000.00 per year during construction, reducing to \$50,000.00 per year once construction is complete. Additional rent will include an Operating reserve fund of \$0.45 per square foot increased annually by 3% to be held by bond trustee and Repair and Replacement fund of \$3.00 per square foot increased annually by 3% to be held by Trustee. Both the operating reserve and the repair and replacement reserve are for the use by DHMH and if unused during DHMH's tenancy, would revert to State.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**TENANT LEASE****ITEM** 28-LT (Cont.)

Although DHMH has negotiated an option to purchase the facility for an amount equal to the bonds outstanding at the time of the purchase, plus other incidental costs, the facility is anticipated to remain under the ownership and control of MEDCO for the facility's functional life and tenancy by DHMH.

During the period of construction, MEDCO shall cause the contractor or others to maintain, as a cost of the Project, (i) Builder's Risk Insurance; (ii) commercial general liability insurance; (iii) business automobile insurance; (iv) umbrella liability insurance; (v) workers compensation and employer's liability insurance; and (vi) environmental impairment liability insurance. MEDCO anticipates that the insurance may be handled via a Contractor Controlled Insurance Program (CCIP). Following completion, DHMH will carry hazard insurance or self insurance with respect to the facility in the amounts customarily maintained for such a facility.

Pursuant to the provisions of State Finance and Procurement Article, Section 12-204(d), the Capital Debt Affordability Committee has certified to the Governor and the General Assembly that the total amount of new State debt to be incurred by the lease may prudently be authorized. Pursuant to the provisions of State Finance and Procurement Article, Section 11-203(a)(2)(ii) this lease is exempt from Division II of the State Finance and Procurement Article.

Except for acts of gross negligence, DHMH shall indemnify the Landlord and the Trustee for its use of the facility to the extent permitted under the Maryland Torts Claim Act and subject to appropriation.

Note: This item previously appeared on the DGS/BPW Agenda on 7-27-2011 as Item 13-LT and was withdrawn.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

There being no further business, the meeting of August 10, 2011 was adjourned.

Respectfully submitted,

A handwritten signature in black ink, reading "Sheila McDonald". The signature is written in a cursive, flowing style with a large initial 'S'.

Sheila C. McDonald, Esq.
Executive Secretary

INDEX
AUGUST 10, 2011

Agriculture, Department of	
Agricultural Cost Share Program.....	4-6
Agricultural Land Preservation Foundation	208-217
Assessments & Taxation, Department of	226
Aviation Administration.....	126,137-142,148-151,158,166
Budget & Management, Department of	76,82
Coppin State University	105
Education, Department of.....	63,220
Environment, Department of	9-18,59,183
Environmental Service, Maryland.....	19
General Services, Department of	45,68,188-195
Capital Grants and Loans	
Hospice House (Charles)	230
Kellam's Field (Calvert)	232
Lions Camp Merrick	233
RCI Group Home Renovations (Montgomery)	235
South Bowie Boys and Girls Club Concession Stand (Prince George's).....	237
Health & Mental Hygiene, Department of.....	78,238
Hospital Centers, State	
Spring Grove Hospital Center.....	204
Highway Administration.....	146,174-178
Housing & Community Development.....	20-28,54
Human Resources, Department of	50
Social Services Administration	73,228
Information Technology, Department of.....	109-125
Maryland Transit Administration	80,131-136,152-157,163,168-173
Maryland, University System of	
Coppin State University	105
Maryland, University of	
Baltimore Campus.....	86,89
College Park Campus	87,91
Eastern Shore Campus	93
University College	96
Salisbury State University	103,106
Military Department.....	202
Morgan State University	32-35
Natural Resources, Department of	39,42-44,196-201,206,218
Planning, Department of	
Historical Trust	29
Port Administration	129,161-162

INDEX
AUGUST 10, 2011

Public Defender, Office of the	222
Public Safety & Correctional Services, Department of	107
Public Works, Board of	
Public School Construction, IAC	37,224
Wetlands Administration	7-8
Salisbury State University	103,106
Social Services Administration	73,228
Spring Grove Hospital Center	204
Stadium Authority, Maryland	31,36
State Police, Department of	186
Transportation, Department of	164-165
Aviation Administration	126,137-142,148-151,158,166
Highway Administration	146,174-178
Maryland Transit Administration	80,131-136,152-157,163,168-173
Port Administration	129,161-162
Transportation Authority, Maryland	143,179
Wetlands Administration	7-8
Worker's Compensation Commission	224