

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
December 1, 2010

BOARD OF PUBLIC WORKS
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DECEMBER 1, 2010

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, DECEMBER 1, 2010**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, December 1, 2010.

Board Members present:

The Honorable Martin O'Malley, Governor
The Honorable Nancy K. Kopp, Treasurer
The Honorable Peter Franchot, Comptroller

Also present:

Al Collins, Secretary, Department of General Services
T. Eloise Foster, Secretary, Department of Budget & Management

CONSTRUCTION:

General Construction Project Contingency Fund 1988
Maryland Consolidated Capital Bond Loan of 2002
Maryland Consolidated Capital Bond Loan of 2004
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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

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

DECEMBER 1, 2010

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 20 individual grants under the Maryland Agricultural Cost-Share Program.

A. Total submission amount: \$87,100.

Agreement #	Recipient	County	Amount
AT-2011-1870	AUBREY F. MATTINGLY	St. Mary's	22,000
AT-2011-1924	KAY FRANCES ROBBINS	Dorchester	1,500
AT-2011-1943	WILLIAM LINDNER, JR	Dorchester	700
AT-2011-1944	WILLIAM LINDNER, JR	Dorchester	3,300
AT-2011-1945	WILLIAM LINDNER, JR	Dorchester	1,200
AT-2011-1946	WILLIAM LINDNER, JR	Dorchester	5,300
AT-2011-1950	KRISTINA L. MORRIS	Harford	6,000
AT-2011-1951	KRISTINA L. MORRIS	Harford	10,200
AT-2011-1952	KRISTINA L. MORRIS	Harford	4,800
CR-2011-1921	JAMES PERCY COLLINS	Dorchester	1,900
CR-2011-1922	G. PHILIP JACKSON, SR	Dorchester	1,000
CR-2011-1923	RALPH W. JACKSON, JR	Dorchester	300
CR-2011-1948	MARK W. RANKIN	Dorchester	3,300
MP-2011-1750	MARTIN L. TRESSLER	Frederick	6,100
MP-2011-1751	MARTIN L. TRESSLER	Frederick	7,100
NW-2011-1925	HILMAR T. HELGASON	Dorchester	1,000
NW-2011-1934	ALBERT R. GRIFFITH	Dorchester	1,900
NW-2011-1942	GENE C. SPEAR	Dorchester	9,500

Fund Source: MCCBL of 2009/Item 09083: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

B. Total submission amount: \$16,000.

Agreement #	Recipient	County	Amount
NW-2011-1949-B	ALFRED R. WALLACH, SR	Dorchester	11,600
UP-2011-1879	MISTY MEADOW FARMS, INC	Washington	4,400

Fund Source: CBTF of 2011/Item 55103: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

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

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

DECEMBER 1, 2010

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
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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 1 individual grants under the Maryland Agricultural Cost-Share Program.

Total submission amount: \$1,933.97.

Agreement #	Recipient	County	Amount \$
LS-2010-1986	FOXBOROUGH NURSERY	Harford	1,766.27
MP-2010-2149	GARVICK'S FARMS, INC	Carroll	167.70

Fund Source: MCCBL of 2008/Item 08066: *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

DECEMBER 1, 2010

SECRETARY'S AGENDA

Norman Astle (410) 841-5864
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3. DEPARTMENT OF AGRICULTURE
Maryland Agricultural Cost-Share Program Reversion Requests

Recommendation: That the Board of Public Works approves the **REVERSION** of the remaining balances of 5 projects cancelled or completed in accordance with the guidelines of the Maryland Agricultural Cost-Share Program as listed below.

Total submission amount: \$17,600.

<u>Agreement #</u>	<u>Recipient</u>	<u>County</u>	<u>Amount \$</u>	<u>Status</u>
MP-2009-2516	ROBERT H. BURRIER	Frederick	3,700.00	Cancelled
MP-2009-2687	LONNIE W. LUTHER	Montgomery	3,100.00	Cancelled
MP-2009-2821	ERIC WASLI	Frederick	4,000.00	Cancelled
PB-2009-2845	WENDY K. WILSON	Howard	5,300.00	Cancelled
RS-2010-1809	ELMER B. DURHAM	Carroll	1,500.00	Cancelled

Fund Source: MCCBL of 2007/Item 07094: *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.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

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

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The 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.

ANNE ARUNDEL COUNTY

- 10-0816 To maintenance dredge a spur channel and provide for a 6-year dredging period – Duvall Creek, Annapolis
EUGENE SCHAEFER & LOIS TAKARA
- 10-0819 SUZANNE JUDGE, TRUSTEE
- 10-0823 KIMBERLY PROCTOR & BARBARA ZELLEY
- 10-0833 JAMES PHILLIPS & THANH DUCKETT
- 10-0832 MARILYNN KATATSKY
- 10-0836 GABRIEL PUSHKAS & CHARLOTTE SIMMONS
- 10-0841 ROBERT BRUCHEY & DEBORAH MITCHELL

- 10-0861 ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS
To replace and widen an existing bridge including installing new bridge piers – Magothy River, Magothy Bridge Road

- 10-0967 HOLLAND POINT CITIZENS ASSOCIATION – To remove riprap and replace with stone revetment – Chesapeake Bay, North Beach

- 08-0759 HARBORVIEW HOMEOWNERS ASSOCIATION – To maintenance dredge a marina basin – Back Creek, Annapolis

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

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

BOARD OF PUBLIC WORKS**DECEMBER 1, 2010****SECRETARY'S AGENDA**

Contact: Ellen Frketic 410-729-8307

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**5. MARYLAND ENVIRONMENTAL SERVICE
*St. Mary's College Water Distribution Improvements***

A/E CONTRACT MES Project #11-05-13
 Design, bidding & construction services

CONTRACT DESCRIPTION Design, bidding and construction-related services upgrade the water distribution system serving St. Mary's College of Maryland.

AWARD Watek Engineering Corporation, Silver Spring

TERM OF CONTRACT 18 months from notice to proceed

CONTRACT AMOUNT \$96,650.00

PROCUREMENT METHOD MES A/E Short List

MBE PARTICIPATION 8%

REMARKS: St. Mary's College of Maryland campus has grown with the addition of new student housing and other buildings. To maintain adequate water pressure in the system, new water mains must be installed; this will improve the reliability of the system to provide water throughout the campus.

FUND SOURCE MCCBL of 2004 : Maryland Environmental Service Infrastructure Improvement Fund

APPROPRIATION CODE 04083 (PCA 10921)

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 10-6040-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

Contact: Jordan Loran 410-260-8907
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**6. DEPARTMENT OF NATURAL RESOURCES
*Ocean Beach Maintenance Fund***

Project: Ocean City Beach Replenishment Project: Local Cooperation Agreement for Performance Monitoring and Maintenance

Authority: Chapter 606 of the Acts of 1986 authorizes the Board of Public Works to expend funds appropriated from the Ocean Beach Replenishment Fund.

Recommendation: That the Board of Public Works approve the expenditure of \$190,138 as follows:

Total estimated 2011 Monitoring costs:	\$276,800
Federal Funding	(146,704)
Less credit for reduced 2010 costs	<u>(48,958)</u>
AMOUNT OF REQUEST FOR 2011 MONITORING	\$ 81,138

AMOUNT OF REQUEST FOR MAINTENANCE	<u>\$109,000</u>
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TOTAL REQUEST	\$190,138
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Fund Sources:

Ocean Beach Maintenance PCA Code: I055 (Town of Ocean City)	\$ 47,534.50
Ocean Beach Maintenance PCA Code: I055 (Worcester County)	\$ 47,534.50
MCCBL 1990, Item 000 06.87.77.13.000 (State of Maryland)	\$ 54,500.00
MCCBL 2010, Item 18	\$ 40,569.00

Description: The Department of Natural Resources requests the Board of Public Works to approve the disbursement of funds from the Ocean Beach Maintenance Fund to maintain the Ocean City Beach Replenishment Project as required by the Local Cooperation Agreement, dated March 30, 1990, between the State of Maryland, the Local Sponsor, and the U.S. Army Corps of Engineers.

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

6. DEPARTMENT OF NATURAL RESOURCES (cont'd)
Ocean Beach Maintenance Fund

Monitoring: The monitoring program was developed in the General Design Memorandum to determine the project's performance and periodic renourishment and maintenance needs. Instrument surveys of the beach are completed in October and May to determine the condition of the project in relation to the design template. Bi-annual monitoring includes visual and instrument surveys of the beach, berm and dune, aerial photography, sediment sampling and wave data collection and analysis. Under the Local Cooperation Agreement, monitoring is cost-shared at the level of 53% federal and 47% non-federal. The non-federal portion is further cost-shared at the rate of 50% State, 25% County, and 25% Town of Ocean City. The U.S. Army Corps of Engineers will take the lead in conducting monitoring activities.

Maintenance: According to the Local Cooperation Agreement, upon completion of the initial construction phase, the local sponsor must maintain all project elements. Annual maintenance includes repairs to dune fencing, incidental dune repair, access ramps and cross-overs, bulkhead gates, coating and ramps, and planting. This Item is for that portion of the work completed by the Ocean City Department, of Public Works and emergency work needed to repair damage caused by some coastal storms. Maintenance costs are cost-shared at the rate of 50% State, 25% Worcester County, and 25% Town of Ocean City.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

Contact: Laurel Crawford (410) 260-8523
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7. **DEPARTMENT OF NATURAL RESOURCES**
Shoreline Conservation and Management Service

Approval by the Board of Public Works is requested to execute a Release of Lien, in accordance with the "Policy and Procedures for Shore Erosion Control Loan Projects," for the following projects. The contractual requirements between the Department of Natural Resources and the property owners have been satisfied.

<u>Project Number</u>	<u>Owner's Name</u>	<u>Project Description</u>	<u>County/District</u>	<u>Amount</u>
SEC 05-80	Perrin, Jack; Littleton, Debra; Goeke, Joseph; Callan, Frederick; Fratantuono, Dorothy	Stabilization of 1,032 feet of eroding shoreline	Calvert/ 29C	\$12,210.00 \$34,405.36 \$33,065.87 \$26,401.45 \$12,490.00
SEC 10-82	Hurt, Nikolaus; Hurt, Nokolaus and Jessica	Stabilization of 868 feet of eroding shoreline	Cecil/ 34B	\$32,074.91 \$60,008.91
SEC 02-84	Chamberlin, Roswell and Elizabeth	Stabilization of 162 feet of eroding shoreline	Anne Arundel/ 30	\$40,750.00
SEC 07-84	Kalafos, Paul and Barbara	Stabilization of 212 feet of eroding shoreline	Anne Arundel/ 30	\$61,297.00
SEC 09-84	Sutter, George and Karen	Stabilization of 449 feet of eroding shoreline	Queen Anne's/ 36	\$69,799.00
SEC 11-84	Algonquin Manor; Wheatley, Mark Haumersen, Marian Holdt, Donald Brooks, William	Stabilization of 880 feet of eroding shoreline	Dorchester/ 37B	\$21,141.00 \$25,200.00 \$38,040.00 \$38,140.00 \$29,559.00

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

7. DEPARTMENT OF NATURAL RESOURCES (Continued)
Shoreline Conservation and Management Service

<u>Project Number</u>	<u>Owner's Name</u>	<u>Project Description</u>	<u>County/District</u>	<u>Amount</u>
SEC 14-84	C & EE Corporation	Stabilization of 216 feet of eroding shoreline	Anne Arundel/ 31	\$51,547.00
SEC 17-84	Shelter Cove Yacht; Jackson, Woodlan	Stabilization of 753 feet of eroding shoreline	Cecil/ 34B	\$51,390.00 \$28,200.90
SEC 22-84	Stallings, Fern	Stabilization of 197 feet of eroding shoreline	Somerset/ 38A	\$49,992.00
SEC 6-84	Curtin, Sybil	Stabilization of 215 feet of eroding shoreline	Kent/ 36	\$45,700.00
SEC 07-85	Parrott, James and Colleen	Stabilization of 157 feet of eroding shoreline	Wicomico/ 38B	\$32,342.00
SEC 13-85	Cober, Donald and Miller, Mary	Stabilization of 279 feet of eroding shoreline	Talbot/ 37B	\$45,600.00
SEC 23-85	Atwell, William and Joan	Stabilization of 200 feet of eroding shoreline	Queen Anne's/ 36	\$31,397.00
SEC 35-85	Kocojo, Inc.	Stabilization of 113 feet of eroding shoreline	Somerset/ 38A	\$26,286.10
SEC 24-86	Schwemmer, John	Stabilization of 105 feet of eroding shoreline	Queen Anne's/ 36	\$35,331.50
SEC 04-01	Bryson, Audrey	Stabilization of 582 feet of eroding shoreline	Calvert/ 29C	\$20,000.00

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

Contact: Bernadette Benik (410-260-7080)
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8. **BONDS**

Taxable Qualified Zone Academy Bonds of 2010

Submission of a recommendation by the State Treasurer to adopt the resolutions concerning the sale of State of Maryland General Obligation Taxable Qualified Zone Academy Bonds of 2010 (QZABs), dated as of December 8, 2010, in the amount of \$4,543,000 (Bonds).

- Ratifying and approving:
 - (i) The resolutions authorizing the QZAB Sale adopted July 28, 2010.
 - (ii) The QZAB Request for Proposals (Term Sheet) dated November 9, 2010.
 - (iii) The award of the Bonds by the Treasurer to JPMorgan Chase Bank, N. A. on November 29, 2010.
- Ordering the issuance of the Bonds in the principal amount of \$4,543,000, to mature on December 1, 2025, and paying interest at the rate of 5.02%.
- The State of Maryland has elected to receive a subsidy payment from the United States Treasury Department for the Taxable Qualified Zone Academy Bonds of 2010 in an amount equal to the lesser of (i) 100% of the amount of interest payable on the 2010 QZABs, which is equal to 5.02%; or (ii) 100% of the amount of interest payable if interest was determined at the applicable Qualified Tax Credit Bond rate of 5.41% published by the United States Treasury Department on the sale date of November 29, 2010. Therefore the State shall receive a subsidy payment from the United States Treasury of 5.02%, which is equal to 100% of the interest payable on the Bonds.
- Directing the Interagency Committee on School Construction to monitor the administration of the Bonds and the Qualified Zone Academy Bonds Program.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

(REVISED)

BOARD OF PUBLIC WORKS

DECEMBER 1, 2010

SECRETARY'S AGENDA

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

9. **STATE TREASURER***December 2010 Tax-Exempt Equipment Lease-Purchase Financing*

The State Treasurer recommends that the Board of Public Works approve the award of the December 2010 Tax-Exempt Equipment Lease-Purchase Agreement for financing, on a consolidated basis under a lease-purchase financing arrangement, the acquisition of capital equipment by certain State agencies. This December 2010 Tax-Exempt Equipment Lease-Purchase Financing will provide financing for \$954,503.65 in capital equipment.

TERM: November 29, 2010 through December 10, 2010.

PROCUREMENT

METHOD: Competitive Sealed Bids

AWARD: SunTrust Equipment Finance & Leasing Corp.

BIDS: The award was based on the lowest weighted average rate submitted by the bidders.

<u>Bidder's Name</u>	<u>Weighted Average Rate</u>
SunTrust Equipment Finance & Leasing Corp.	1.947%
PNC Equipment Finance, LLC	1.957%
Chase Equipment Finance, Inc.	2.063%
Capital One Public Funding, LLC	2.160%

MBE GOAL: No subcontracting opportunities

FUND SOURCES: Agency operating budgets

AMOUNT: \$954,503.65

REMARKS: The State Treasurer's Office issued an Invitation for Bids for financing on a consolidated basis \$954,503.65 in capital equipment; published it on *eMarylandMarketplace*; posted on the websites for the National Association of State Treasurers and the State Treasurer's Office; and emailed to 30 firms known to be active in financing municipal leases. This Lease-Purchase financing is expected to close no later than December 10, 2010. The bids were evaluated and were weighted based on the actual amounts to be financed and the rates for the respective lease terms of 3 years and 5 years.

(REVISED)**BOARD OF PUBLIC WORKS****DECEMBER 1, 2010****SECRETARY'S AGENDA**

9. **STATE TREASURER** (cont'd)
December 2010 Tax-Exempt Equipment Lease-Purchase Financing

REMARKS: (cont'd)

As described in Secretary's Agenda Item 14 (10/21/09), because of market volatility, the State Treasurer's Office determined to solicit new equipment lease financing bids every two months based on actual equipment lease financing needs, rather than utilize a long-term Master Lease. This Agenda Item represents the eighth such financing.

Following the December 2010 Tax-Exempt Equipment Lease-Purchase financing, the remaining balance of the \$100 million originally approved by the Legislative Policy Committee and the Board for equipment lease financing will be approximately \$75.7 million.

[NOTE: This item will be revised prior to the December 1, 2010 meeting.]

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

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

ITEM 1A
PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit \$3,000.00 for the following **development** project located in **Worcester County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Bishopville Park - Playground Edging and Engineered Wood Fiber Installation
\$3,000.00 - POS #5848-23-214 - MD20101015-0973

Install playground edging and an engineered wood fiber safety surface for the park's existing swing set. Currently, the area below the swing set lacks adequate safety surfacing for the fall zone.

FUND SOURCE: Program 81.20.04 Item 123 \$3,000.00

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

Approved

Disapproved

Deferred Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

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

ITEM 2A
PROGRAM OPEN SPACE LOCAL SHARE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2004:

Approval is requested to commit \$10,339.87 for the following **development** project located in the **Town of Hampstead, Carroll County**. Funding will come from the Program Open Space Local Share that is allocated to the County and MCCBL proceeds as noted.

Melvin Miller Tennis and Basketball Courts - \$10,339.87 - POS #5729-6-305
MD20090721-1082

Reconstruct two tennis courts and one basketball court at Melvin Miller community park. In addition, fencing, ADA picnic tables, nets, and poles for the courts will be installed. Funds totaling \$26,248.00 were previously approved by the Board of Public Works on the Secretary's Agenda.

FUND SOURCE: MCCBL of 2004: Program Open Space, Local Capital Development
and Land Acquisition Grants, Carroll County
Program 89.22.30 Item 000 \$10,339.87

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

Approved Disapproved Deferred Withdrawn

With Discussion Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

ITEM 3A
 RURAL LEGACY PROGRAM FUNDS:
 MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2009:

Contact : Meredith Lathbury
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 410-260-8450

Approval is requested to grant to The Land Preservation Trust of Baltimore County \$652,375.80 for the following project from Rural Legacy Funds.

PROJECT NAME: Piney Run Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$1,000,000 FY 2011 Grant for easement acquisitions in Baltimore County for the Piney Run Rural Legacy Area on the September 1, 2010 Program Open Space Agenda Item 11A.

PROJECT DESCRIPTION:**George & Jill Cassels-Smith - \$652,375.80**

Acquisition of this 90.509-acre conservation easement located in the Piney Run Rural Legacy Area of Baltimore County preserves agricultural and forest land. Water quality will be preserved through the permanent protection of more than 4,300 feet of riparian buffers along unnamed streams which feed into Piney Run, then Western Run, before flowing into Loch Raven Reservoir. The easement includes historic structures and will be co-held by The Land Preservation Trust and the Maryland Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$620,451.64- \$6,855.14 per acre

TOTAL OTHER COSTS: \$ 31,924.16
 Administrative: \$18,613.55
 Incidental: \$ 4,003.84
 (\$ 3,493.84 Title Work
 \$ 325.00 Survey
 \$ 185.00 Recording fees)
 Compliance: \$ 9,306.77

AMOUNT REQUESTED: \$652,375.80

FUND SOURCE: MCCBL of 2009: Rural Legacy Program
 Program 89.22.45 Item 062 \$620,451.64 (FY 2010)
 Program 81.20.04 Item 025 \$ 31,924.16

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

Contact: Meredith Lathbury
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410-260-8450

ITEM 4A

PROGRAM OPEN SPACE (CREP) FUNDS:PROGRAM OPEN SPACE ACQUISITION OPPORTUNITY LOAN 2009:

Approval is requested to grant to the Eastern Shore Land Conservancy \$335,062.40 for the following project from Program Open Space (POS) Stateside Funds.

PROJECT NAME: George W. Legg, III and Daphne V. Legg Conservation Reserve Enhancement Program (CREP) easement, Dorchester County.

BACKGROUND: The Board of Public Works approved the CREP easement acquisition program on September 16, 2009 Program Open Space Agenda Item 9A and authorized the use of bond funds issued under the Program Open Space Land Acquisition Opportunity Loan Act of 2009 to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program* dated April 24, 2009. The land targeted for CREP easements meets the special bond requirements because it has extraordinary ecological value and will help provide clean air, clean water and wildlife habitat.

PROJECT DESCRIPTION:

Legg CREP Easement - \$335,062.40 Acquisition of this 86.41-acre CREP easement located in Dorchester County permanently protects water quality through riparian buffers along 2,700 feet of the Transquaking River, located within the Fishing Bay watershed. The easement will be co-held by the Eastern Shore Land Conservancy and the Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$315,130.56 - \$3,824.40 per acre (the easement will be purchased on 82.4 acres, and will also include 4.01 donated acres)

TOTAL OTHER COSTS: \$ 19,931.84

Administrative:	\$9,453.92
Incidental:	\$5,750.96
Compliance:	\$4,726.96

AMOUNT REQUESTED: \$335,062.40

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

ITEM 4A (cont'd)

CREP Targeting

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

Easement Valuation System

DNR uses an easement evaluation system based on (1) whether the property is located within a "Target Level 1" or "Target Level 2" county; (2) the width of the buffers and (3) the amount of land in the CREP contract that will be covered by the easement. The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

FUND SOURCE: Program 81.20.03 Item 447 \$ 19,931.84 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009
Program 89.22.45 Item 500 \$315,130.56 (FY 2010)

REMARKS:

This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property.

Board of Public Works Action: the above referenced item was

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

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

ITEM 5A

PROGRAM OPEN SPACE (CREP) FUNDS:PROGRAM OPEN SPACE ACQUISITION OPPORTUNITY LOAN 2009:

Approval is requested to grant to Queen Anne's County \$128,697.69 for the following project from Program Open Space (POS) Stateside Funds.

PROJECT NAME: Louise Puckett & Wanda Porter Conservation Reserve Enhancement Program (CREP) easement, Queen Anne's County.

BACKGROUND: The Board of Public Works approved the CREP easement acquisition program on September 16, 2009 Program Open Space Agenda Item 9A and authorized the use of bond funds issued under the Program Open Space Land Acquisition Opportunity Loan Act of 2009 to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program* dated April 24, 2009. The land targeted for CREP easements meets the special bond requirements because it has extraordinary ecological value and will help provide clean air, clean water and wildlife habitat.

PROJECT DESCRIPTION:

Puckett & Porter CREP Easement - \$128,697.69 Acquisition of this 31.274-acre CREP easement located in Queen Anne's County permanently protects water quality through riparian buffers along 1,719 feet of Beaver Dam Creek, a tributary to the Choptank River. The Choptank is a significant tributary to the Chesapeake Bay. The easement will be co-held by Queen Anne's County and the Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$123,501.00- \$3,949.00 per acre

TOTAL OTHER COSTS: \$ 5,196.69
 Administrative: \$ -0- (county paying)
 Incidental: \$3,346.69
 Compliance: \$1,850.00

AMOUNT REQUESTED: \$128,697.69

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

ITEM 5A (cont'd)

CREP Targeting

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

Easement Valuation System

DNR uses an easement evaluation system based on (1) whether the property is located within a "Target Level 1" or "Target Level 2" county; (2) the width of the buffers and (3) the amount of land in the CREP contract that will be covered by the easement. The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

FUND SOURCE: Program 81.20.03 Item 447 \$ 5,196.69 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009
Program 89.22.45 Item 500 \$123,501.00 (FY 2010)

REMARKS:

This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property.

Board of Public Works Action: the above referenced item was

<u>Approved</u>	Disapproved	Deferred	Withdrawn
	With Discussion	<u>Without Discussion</u>	

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

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

ITEM 6A

PROGRAM OPEN SPACE (CREP) FUNDS:PROGRAM OPEN SPACE ACQUISITION OPPORTUNITY LOAN 2009:

Approval is requested to grant to Queen Anne's County \$62,553.73 for the following project from Program Open Space (POS) Stateside Funds.

PROJECT NAME: Norman & Mary Massey Conservation Reserve Enhancement Program (CREP) easement, Queen Anne's County.

BACKGROUND: The Board of Public Works approved the CREP easement acquisition program on September 16, 2009 Program Open Space Agenda Item 9A and authorized the use of bond funds issued under the Program Open Space Land Acquisition Opportunity Loan Act of 2009 to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program* dated April 24, 2009. The land targeted for CREP easements meets the special bond requirements because it has extraordinary ecological value and will help provide clean air, clean water and wildlife habitat.

PROJECT DESCRIPTION:

Massey CREP Easement - \$62,553.73 Acquisition of this 17.271-acre CREP easement located in Queen Anne's County permanently protects water quality through riparian buffers along 1,175 feet of Wye Mills Pond, and adds significant buffer to nearby Golden Run, which feeds the pond. The easement will be co-held by Queen Anne's County and the Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$58,462.00- \$3,385.00 per acre

TOTAL OTHER COSTS: \$ 4,091.73
 Administrative: -0- (county paying)
 Incidental: \$ 3,241.73
 Compliance: \$ 850.00

AMOUNT REQUESTED: \$62,553.73

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

ITEM 6A (cont'd)

CREP Targeting

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

Easement Valuation System

DNR uses an easement evaluation system based on (1) whether the property is located within a "Target Level 1" or "Target Level 2" county; (2) the width of the buffers and (3) the amount of land in the CREP contract that will be covered by the easement. The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

FUND SOURCE: Program 81.20.03 Item 447 \$ 4,091.73 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009

Program 89.22.45 Item 500 \$58,462.00 (FY 2010)

REMARKS:

This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property.

Board of Public Works Action: the above referenced item was

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

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

ITEM 7A

PROGRAM OPEN SPACE (CREP) FUNDS:PROGRAM OPEN SPACE ACQUISITION OPPORTUNITY LOAN 2009:

Approval is requested to grant to Lower Shore Land Trust \$391,265.39 for the following project from Program Open Space (POS) Stateside Funds.

PROJECT NAME: Robert & Patricia Fisher (Where the Green Grass Grows LLC)
Conservation Reserve Enhancement Program (CREP) easement,
Wicomico County.

BACKGROUND: The Board of Public Works approved the CREP easement acquisition program on September 16, 2009 Program Open Space Agenda Item 9A and authorized the use of bond funds issued under the Program Open Space Land Acquisition Opportunity Loan Act of 2009 to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands as set forth in the *Revision to the Agreement Between the U.S. Department of Agriculture, the Commodity Credit Corporation, and the State of Maryland Concerning the Implementation of the Maryland Conservation Reserve Enhancement Program* dated April 24, 2009. The land targeted for CREP easements meets the special bond requirements because it has extraordinary ecological value and will help provide clean air, clean water and wildlife habitat.

PROJECT DESCRIPTION:

Fisher CREP Easement - \$391,265.39 Acquisition of this 107.3-acre CREP easement located in Wicomico County permanently protects water quality through riparian buffers along 12,100 feet of Wetipquin Creek and Wetipquin prong, both of which drain into the Nanticoke River. The easement will be co-held by the Lower Shore Land Trust and the Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$365,032.80- \$3,401.98 per acre

TOTAL OTHER COSTS: \$ 26,232.59
Administrative: \$10,950.99
Incidental: \$ 9,806.10
Compliance: \$ 5,475.50

AMOUNT REQUESTED: \$391,265.39

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

December 1, 2010

Secretary's Agenda

ITEM 7A (cont'd)

CREP Targeting

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

Easement Valuation System

DNR uses an easement evaluation system based on (1) whether the property is located within a "Target Level 1" or "Target Level 2" county; (2) the width of the buffers and (3) the amount of land in the CREP contract that will be covered by the easement. The program seeks to retain conservation practices beyond the 10- to 15-year contract period available under the federal CREP rental program. The easement acquires development rights and a portion of the agricultural production value beginning at the end of the federal contract term and continuing into perpetuity.

FUND SOURCE: Program 81.20.03 Item 447 \$ 26,232.59 (FY 2010)

Program Open Space Acquisition Opportunity Loan 2009
Program 89.22.45 Item 500 \$365,032.80 (FY 2010)

REMARKS:

This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property.

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:** Ken Smith
410-260-7807
ksmith@comp.state.md.us

DEPARTMENT/PROGRAM: Comptroller of Maryland (COMP)
Compliance Division

CONTRACT ID: OC-2011-01;
The Sale of Unclaimed Stock Certificates
ADPICS No. E00B1400033

CONTRACT DESCRIPTION: Provide services for the sale of unclaimed stock certificates on behalf of the Comptroller of Maryland, Compliance Division, Unclaimed Property Unit.

AWARD: ACS State & Local Solutions, Inc.
Fairfax, VA

TERM: 12/2/2010 - 10/31/2013 (w/1 two-year renewal option)

AMOUNT: \$285,000 Est. (3 Year; Base Contract)
\$190,000 Est. (2 Years; Renewal Option)
\$475,000 Est. Total (5 Years)
(See Requesting Agency Remarks below)

PROCUREMENT METHOD: Multi-Step Competitive Sealed Bidding

BIDS OR PROPOSALS: Only one bid received

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

MBE WAIVER: 25% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: \$200,000 Performance Bond

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

ITEM: 1-S (Cont.)

INCUMBENT: Same

REQUESTING AGENCY REMARKS: Notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* (eMM), posted on the Comptroller's Procurement Website, sent to the Governor's Office of Minority Affairs, and listed in the Comptroller of Maryland's contract brochure that was distributed at various procurement and MBE outreach events throughout the year. Via eMM, 82 prospective bidders received the solicitation notice. The Comptroller of Maryland directly emailed the IFB to 43 prospective bidders. Of them, 37 are MBE certified and 28 are Maryland firms.

Only one bid was received in response to this solicitation, from the incumbent, ACS State & Local Solutions, Inc., (ACS). The recommended vendor is responsible, and its bid meets the technical requirements set forth in the IFB. Moreover, the price has been deemed fair and reasonable, and it was determined that other prospective bidders had a reasonable opportunity to respond to the solicitation.

Vendors that replied to the Notice to Contractors form stated their reasons for not submitting a bid were as follows: other commitments precluded participation at this time; the subject of the contract is not something the contractor normally provides; bid/proposal requirements, other than specifications, are unreasonable or too risky; and inexperienced in the work/commodities required.

The Unclaimed Property Unit of the Comptroller of Maryland, Compliance Division, is responsible for the administration of the Maryland Uniform Disposition of Abandoned Property Act. The law is custodial in nature and requires that the Comptroller's office take possession of the property and attempt to locate the rightful owners. When all attempts fail in locating the owner of stock certificates, the Comptroller's Office moves forward with the sale of the unclaimed stocks.

ACS is the incumbent vendor so there is no transition period. ACS has the necessary licenses and resources to perform the contract. Services provided by ACS during the previous contract have been satisfactory to the program with courteous service being provided in a timely manner.

The Award Amount reflects the total estimated commission that ACS could receive, based upon the \$0.19 commission rate per share with an estimated 2,500,000 shares being sold for a total of \$475,000. This commission rate is 14% lower than the current rate of \$0.22 per share.

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

ITEM: 1-S (Cont)

The MBE participation goal established for this contract was 25%. ACS requested a full MBE Waiver, which was granted by the Comptroller's Office based upon the information provided by ACS in its waiver request documentation. ACS documented the following actions occurred to substantiate a waiver of the MBE goal:

- ACS researched the NAICS codes representing the applicable subcontracting services utilized in ACS solution, namely, Securities Broker/Dealer and Securities Custodian;
- ACS searched the MDOT directory of Certified MBE firms according to the appropriate NAICS codes and analyzed available information for the resulting suggested firms;
- ACS contacted eight of the 11 firms that were identified in the search to see if they could provide services; and
- ACS determined that the firms were not able to provide the services required for this contract. ACS provided documentation of correspondence with the MBEs supporting this determination.

The Comptroller's Office agreed with the documented determination provided by ACS. Therefore, there is no MBE participation goal for this contract.

FUND SOURCE: 100% Special (Unclaimed Property)
APPROP. CODE: E00A0501
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 10-5806-1111

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: 2-S **Agency Contact:** Christine A. Romans
410-767-3796
cromans@mtamaryland.com

DEPARTMENT/PROGRAM: Transportation (MDOT)
Maryland Transit Administration (MTA)
Office of Statewide Planning Division

CONTRACT ID: MTA-1286;
Rural and Small Urban Transportation Services
ADPICS No. J05B1400007

CONTRACT DESCRIPTION: On-call, task order based contract for the
completion of various rural and small urban transportation planning projects for the MTA Office
of Statewide Planning Division.

AWARD: KFH Group, Inc.
Bethesda, Maryland
(MDOT Certified MBE)

TERM: 12/6/2010 – 12/5/2013 (w/2 one-year renewal
options)

AMOUNT: \$2,563,547 (3 Years; Base Contract)
\$ 931,532 (1 Year; 1st Renewal Option)
\$ 972,945 (1 year; 2nd Renewal Option)
\$4,468,024 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE)
5% subcontracting goal
(See Requesting Agency Remarks below)

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

ITEM: 2-S (Cont.)

PERFORMANCE SECURITY: None

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A Notice of the Availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* (eMM) and *www.mta.maryland.gov*. The notice was sent to 330 prospective vendors via eMM and an additional 123 prospective vendors were sent the notice via a direct mail distribution. Of the 453 total prospective vendors notified, 84 are Maryland firms and 123 are certified minority and/or small businesses. A copy of the solicitation was also sent to the Governor's Office of Minority Affairs.

Three proposals were received in response to the RFP, however only two were deemed reasonably susceptible of being selected for award. The proposal from KFH Group, Inc. (KFH) was deemed to be technically superior, and its financial proposal was the lower priced. KFH demonstrated an exceptional understanding of the unique needs and characteristics of non-profit organizations and rural and small urban transit providers. The KFH team is a strong transit oriented team with a background in research and best practices within this area of need. In addition, the offeror was determined to be responsible, and the financial offer was the lower offer received and considered fair and reasonable. Therefore, award is recommended to KFH with the overall ranking of #1. In addition, KFH is a MDOT certified MBE.

This Contract provides for technical services necessary for the completion of various Rural and Small Urban Transportation Planning projects for MTA's Office of Statewide Planning Division, which provides overall project management and liaison services. MTA and the Statewide Planning Division:

- Manage over \$50 million in annual Federal and State grant funds, which support transportation services delivered by Locally Operated Transit Services (LOTS) and Human Services Transportation providers across the State;
- Provide technical and financial assistance to the 25 locally operated transit systems throughout the State to develop and fund annual projects and services;
- Act as the representative to all transportation operators receiving operating and capital funding from Federal and State sources; and
- Are responsible for intergovernmental affairs relations with transit operators and provide technical assistance, capital programming, training, planning, regulation and policy compliance and financial management and monitoring.

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

ITEM: 2-S (Cont.)

These locally operated transit systems offer a variety of services depending on their size and population of their service area, which defines whether they are considered rural or small urban systems. The rural areas have a population under 50,000 and the small urban areas have a population between 50,000 – 200,000. Some jurisdictions have an extensive fixed route service that operates on a regular route, while others offer demand response service that provides door-to-door transportation.

A task order will be issued to the consultant to establish and define the specific work products required for the task. The Consultant will be asked to submit technical and price responses for the given task (Transportation Development Planning, Transit Studies, State and Federal compliance, etc.). Based upon an evaluation of the consultant's response a task order may be issued to perform the specified work. The types of services and tasks to be provided under this contract will include transit development plans, triennial and compliance reviews, rural transit database reporting and staffing assistance.

In the event a task order(s) is issued but not completed prior to the expiration date of the contract, the contractor will continue with completion of the task order at no additional cost to the State. All terms, conditions and pricing shall remain the same and in full effect. The extension period may not exceed six months past the expiration date of the contract.

A 25.1% MBE participation goal was established for this contract, which is also part of the Federal Disadvantaged Business Enterprises (DBE) program. As part of DBE, a MBE prime contractor can include itself as a MBE subcontractor. Since KFH is a MDOT certified MBE, it has proposed to use itself for 75% of the MBE subcontracting goal and an additional 5% with other MBEs for a total of 80%.

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

ITEM: 2-S (Cont.)

FUND SOURCE: 80% Federal;
20% Special (Transportation Trust Fund)

APPROP. CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5238-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BIDS OR PROPOSALS (Cont.):

<u>Offerors</u>	<u>Technical Rank</u>	<u>3-Year Base</u>	<u>Option Year 1</u>	<u>Option Year 2</u>	<u>Total Financial Price (Rank)*</u>	<u>Overall Rank**</u>
KFH Group, Inc. Bethesda, MD	1	\$2,563,547	\$931,532	\$972,945	\$4,468,024 (1)	1
Jacobs Engineering Group, Inc. Baltimore, MD	2	\$2,762,871	\$974,338	\$1,004,025	\$4,741,234 (2)	2

Note: * The financial price was based upon a model of hourly rates for five different labor categories of work for an estimated number of hours to be worked in each labor category.

**Technical factors had more weight than financial factors in the overall award determination.

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

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Mark Leeds
410-767-1443
leedsm@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Health Services (OHS)
Long Term Care and Community Supports
Administration

CONTRACT ID: DHMH/OPASS-10-10387;
Utilization Control of Selected Hospital, Long Term
Care and Community Services Reimbursed by the
Maryland Medicaid Program
ADPICS No. M00B1400289

CONTRACT DESCRIPTION: Contract to provide utilization reviews in selected
hospitals, long-term care facilities, and community services reimbursed by the Maryland
Medicaid Program.

AWARD: Delmarva Foundation for Medical Care
Easton, MD

TERM: 2/1/2011 – 1/31/2014 (w/2 one-year Renewal
Options)

AMOUNT: \$13,767,905 (3 Years; Base Contract)
\$ 4,981,240 (1 Year; 1st Renewal Option)
\$ 5,191,370 (1 Year; 2nd Renewal Option)
\$ 23, 940,515 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment 1

MBE PARTICIPATION: 27.89% (See Requesting Agency Remarks below)

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

ITEM: 3-S (Cont.)

PERFORMANCE SECURITY: None

INCUMBENT: KePRO
Harrisburg, PA

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and posted on the DHMH websites. Notice of the solicitation was sent to 16 prospective vendors, three of which are Maryland firms, two are MBEs and Maryland firms, eight went to Quality Improvement Organizations in neighboring states and three to interested parties who previously requested information. A copy was also sent to the Governor's Office of Minority Affairs.

A total of five proposals were received in response to the RFP. (This was three more responses than the last time these services were solicited.) Three of the responses were eliminated as not being reasonably susceptible of being selected for award. Delmarva Foundation for Medical Care (Delmarva) was ranked higher technically and had a lower price than the other offeror. Therefore, Delmarva is recommended for award as having the more advantageous offer to the State with the overall ranking of #1.

This contract requires vendors to be a federally designated Quality Improvement Organization (QIO) or QIO-like entity, independent from the State Medicaid Agency and any provider that is potentially subject to audit. Additionally, this contract requires vendors to have a minimum of three years of experience in level of care determinations for long term care services and utilization control for both acute and long term care services.

This contract provides essential utilization control of selected hospital, long-term care and community services reimbursed by the Maryland Medicaid Program. The selected Utilization Control Agent (UCA) shall successfully deliver and be charged with the responsibility of conducting utilization control to ensure that: medical services are authorized only when medically necessary; medical services provided in a hospital on an inpatient basis are authorized only when such services cannot be effectively provided on an outpatient basis or more effectively and efficiently in a facility of a different type; medical services provided in a nursing facility, chronic hospital or in a community-based program are authorized only when an individual is appropriately determined to be medically eligible for those services; medical services provided to Medicaid recipients meet professionally recognized standards of quality; all

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

ITEM: 3-S (Cont.)

authorized medical services are provided in an effective and efficient manner; and abuses of utilization or payment are identified and reported to the Department.

The Office of Health Services (OHS), a unit of the Department of Health and Mental Hygiene of the State of Maryland, is charged with the task of meeting the statutory and regulatory requirements of the Federal Government for the performance of utilization control of selected hospital, long term care and community services reimbursed by the Maryland Medicaid Program.

A protest was received from the incumbent, KePRO, on 8/20/2010. DHMH denied the protest on 11/1/2010. The protest denial was not appealed before the 11/10/2010 appeal deadline, so the time for an appeal has now passed. Accordingly, DHMH requests approval for the award of the new contract.

A 25% MBE participation goal was established for this contract; however, the recommended vendor has committed to a 27.89% MBE participation goal.

FUND SOURCE: 75% Federal; 25% General

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5550-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 3-S (Cont.)

ATTACHMENT

12B
BPW 12/1/2010

BIDS OR PROPOSALS/AWARDS (Cont.):

<u>OFFERORS</u>	<u>TECH. RANK</u>	<u>FINANCIAL OFFER – 3 YEAR BASE CONTRACT</u>	<u>FINANCIAL OFFER – 1ST OPTION (1 Year)</u>	<u>FINANCIAL OFFER – 2ND OPTION (1 Year)</u>	<u>TOTAL FINANCIAL AMT/RANK (5 Years)</u>	<u>OVERALL RANK*</u>
Delmarva Foundation for Medical Care Easton, MD	1	\$13,767,904.67	\$4,981,240.41	\$5,191,369.50	\$23,940,514.58 (1)	1
Qualis Health Seattle, WA	2	\$21,651,256.40	\$7,910,374.40	\$7,941,739.45	\$37,503,370.25 (2)	2

Note: * Technical factors had greater weight than financial factors in the overall award determination. The Financial Offer was based upon a model. Each offeror had to propose a per review price for each of 10 types of reviews. Each proposed price was then multiplied by the corresponding estimate of the particular type of review the contractor would do each year to get a price per year for each type of review. The totals for each of the five years for each type of review were then combined to get the basis for financial comparison.

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

SERVICES CONTRACT

ITEM: 4-S **Agency Contract:** Sandy Johnson
410-767-7408
SJohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Department of Human Resources (DHR)
Child Support Enforcement Administration
(CSEA)

CONTRACT ID: CSEA/PR/11-001;
Privatization of Child Support Services in
Baltimore City
ADPICS BPO No. N00B1400209

CONTRACT DESCRIPTION: Provide child support services in Baltimore City to
ensure that non-custodial parents fulfill their obligations to provide financial and medical support
to their children.

AWARD: Policy Studies, Inc.
Denver, CO
(Local Office in Baltimore, MD)

TERM: 12/2/2010 – 2/28/2014 (w/2 one-year
renewal options)

AMOUNT: \$25,833,792 (3 Years; 3 Months; Base Contract)
\$ 7,733,718 (1 Year; 1st Renewal Option)
\$ 7,758,958 (1 Year; 2nd Renewal Option)
\$41,326,468 Total (5 Years; 3 Months)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 25.1% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: \$10,000 per incident (Fidelity Bond)

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

ITEM: 4-S (Cont.)

HIRING AGREEMENT ELIGIBLE: Yes

INCUMBENT: Same

REQUESTING AGENCY REMARKS: Notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryandMarketplace.com* (eMM) and the DHR web site. Via eMM, 1,644 potential Offerors were notified of the procurement opportunity, of which 338 are MBEs. Copies of the solicitation notice were directly mailed to five potential Offerors, of which two are Maryland firms and one is a MBE. A copy was also sent to the Governor's Office of Minority Affairs.

Three proposals were received in response to the RFP. As indicated in the Attachment, all of the proposals were deemed reasonably susceptible of being selected for award. Award is being recommended to Policy Studies, Inc. (PSI), the incumbent. PSI was ranked overall #1 with the highest technical offer and the lowest price. A Request for Debriefing was received from the two unsuccessful offerors. Both debriefings were held on 10/22/2010, and no protests were received.

The purpose of this contract is to manage and operate the Baltimore City Office of Child Support Enforcement (BCOCSE) program. These services include locating parents, establishing paternity and support orders, enforcing support orders, and case reviews for possible modification of support orders.

This work includes operating a child support enforcement program in a large urban setting. As of September 30, 2009, a total of 89,531 cases being handled by BCOCSE, of which 68,766 were Temporary Cash Assistance (TCA) customers and 20,765 were Non-TCA. This project is the largest of its kind in the nation and includes:

1. Intake: Collecting information necessary to proceed with the provision of requested child support services (i.e., name, address, social security number and employment information);
2. Location:
 - a. Determining the physical whereabouts of the noncustodial parent for the purpose of establishing paternity and/or a support order, or enforcing a child support court order; and

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

ITEM: 4-S (Cont.)

- b. Determining the whereabouts of the custodial parent for disbursement of child support payments;
3. Establishment:
 - a. Determining the legal parent of the child(ren) for whom child support is being requested; and
 - b. Determining the monthly child support obligation amount due based on the child support guidelines;
4. Enforcement: Compelling the noncustodial parent to comply with the child support order through the use of various enforcement measures (i.e. Driver's License Suspension, Profession License Suspension, Consumer Reporting, Tax Intercept, Lottery Intercept, Administrative Garnishment);
5. Medical Support: Health insurance coverage for the child that is accessible and is at a reasonable cost, or cash medical support for the child's medical expenses when health insurance is not available;
6. Decentralized Collections: Baltimore City is responsible for submitting all payments received either through their office or during court proceedings to the Maryland State Disbursement Unit. All payment processing procedures and transmittal procedures are to be performed by staff at the Baltimore City Office of Child Support Enforcement (OCSE). This includes collections, receipting for customers, verification of payment amounts, deposit and transmittal preparation, and daily accounting tasks;
7. Review and Adjustment: Determining whether a child support order is appropriate when considering the current material circumstances of the parties involved and, when appropriate, adjusting the order. Adjustments made to child support orders include: an increase or decrease to the support order amount; and/or adding a health insurance, cash medical support or wage withholding clause; and
8. Case Maintenance: Updating the case information in the Child Support Enforcement System (CSES) to reflect any changes made over time to the court order, accounts or demographic information, and updating/correcting the coding of a child support case in the CSES, so that the court order of support is properly reflected in the accounts and demographic information.

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

ITEM: 4-S (Cont.)

This contract includes a 90-day transition period. The current contract expires on 2/28/2011. The State will need time to assume certain functions from the Contractor, namely the duties to be carried out by the Court Unit, the Undisbursed Collections Unit and the Investigation Unit. This will include time to train State personnel to perform these functions. The Contractor is required to provide network connectivity and to install a new Interactive Voice Response (IVR) System. The Contractor may need to refresh and install computer equipment. The full three months transition period may or may not be needed. Full contract activities will commence on 3/1/2011.

A Fidelity Bond (also sometimes called Crime Insurance) covers any loss to the State due to any fraudulent or dishonest act on the part of the Contractor, and any officer, employee, subcontractor, or assignee of the Contractor.

A 25% MBE participation goal was established for this contract; however, the recommended vendor has committed to a 25.1% MBE participation goal.

FUND SOURCE: 66% Federal; 34% Special (Title IV-D) (State share of "Temporary Assistance for Needy Families" and/or "Temporary Cash Assistance Collections)

APPROP. CODE: N00H0008

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5803-1111

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

APPROVED DISAPPROVED

DEFERRED **WITHDRAWN**

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-S (Cont.)

ATTACHMENT

BIDS OR PROPOSALS/AWARDS (Cont.):

<u>OFFERORS</u>	<u>TECH RANK.</u>	<u>FINANCIAL OFFER 3 YEAR BASE CONTRACT</u>	<u>FINANCIAL OFFER 1ST OPTION (1 Year)</u>	<u>FINANCIAL OFFER 2ND OPTION (1 Year)</u>	<u>TOTAL FINANCIAL AMOUNT/RANK (5 Years)</u>	<u>OVERALL RANK*</u>
Policy Studies, Inc. Denver, CO	1	\$25,833,792	\$ 7,733,718	\$ 7,758,958	\$41,326,468(1)	1
Young Williams, PC Jacksonville, MS	2	\$30,064,187	\$10,039,624	\$10,191,890	\$50,295,701(3)	2
MAXIMUS, Inc Reston, VA	3	\$26,982,912	\$ 8,409,410	\$ 8,313,491	\$43,705,813(2)	3

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

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

SERVICES CONTRACT RENEWAL OPTION

ITEM: 5-S-OPTION **Agency Contact:** Christine A. Romans
410-767-3796
CRomans@mtamaryland.com

DEPARTMENT/PROGRAM: Maryland Transit Administration

CONTRACT ID: MTA-1211;
Advertising and Marketing Services
ADPICS No. J05B1400006

CONTRACT APPROVED: 12/12/2007 DBM BPW Agenda Item 2-S

CONTRACTOR: Integrated Designs, Inc.
Glen Burnie, MD

CONTRACT DESCRIPTION: Contract for advertising, marketing and associated services. The MTA's advertising and marketing strategy seeks to increase ridership, enhance the public's image of the MTA, and to collect data that can be used to help direct improvements in MTA operations.

OPTION DESCRIPTION: Approval request to exercise the first of two one-year renewal options as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 1/15/2008 - 1/14/2011 (w/2 one-year renewal options)

TERM OF OPTION: 1/15/2011 - 1/14/2012

AMOUNT OF ORIGINAL CONTRACT: \$4,000,000 (3 Years)

AMOUNT OF OPTION: \$1,330,000 (1 Year)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$5,330,000

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

ITEM: 5-S-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE); 25% Subcontracting goal

REQUESTING AGENCY REMARKS: Request for approval to exercise the first of two one-year renewal options as contained in the original contract. MTA has been extremely pleased with the overall performance of the Contractor, Integrated Designs, Inc. (Integrated). Integrated is a woman-owned minority business that provides a quality service at fixed hourly rates and is responsive to the needs of the MTA. MTA is confident that Integrated will continue to perform the services provided by this contract with a continued high degree of professionalism.

Integrated has consistently exemplified a high level of professionalism and flexibility when executing and completing all work products and assignments issued by the MTA. This was especially true when the MTA Office of Marketing had limited personnel and resource options. For example, many of the initial tasks that were defined in the original scope of work required the use of MBE subcontractors who could perform writing, research, web design and meeting facilitation. However, in early 2008, the marketing and communications offices were combined into one department. This reorganization provided the marketing office with in-house personnel who had skill sets which then precluded the need for many of the services originally planned for assignment to the existing MBE subcontractors. At the same time, the agency began to focus on areas of communications and marketing, such as media production and purchasing (i.e. media buys), which had previously been underutilized.

The use of "media buys" is a distinct area of service that should not have been included in the original MBE subcontracting goal because there were no certified minority subcontractors to consider. In addition, since the award of this contract, media buys have been determined to be a "pass-through" expense and have not been part of the MBE goal determination of newer advertising and marketing contracts. However, Integrated still actively sought the services of additional MBE subcontractors to supplement the work which could not be assigned to the original MBE subcontractors due to the nature of the specific tasks.

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

ITEM: 5-S-OPTION (Cont.)

Integrated has continually recognized and responded to the evolving scope of media related marketing initiatives on behalf of the MTA. Recognizing Integrated's capabilities, the MTA has planned and reserved specific work assignments for the remainder of the base contract term and the renewal option year, if approved, which include developing new multimedia campaigns designed to educate, interest and garner support for public transit. The MTA also plans to redesign its website, launch additional public outreach events and host community forums which should more fully utilize the advertising and marketing services of the current MBE subcontractors.

MTA believes exercising the renewal is in the best interest of the State because, as stated above, Integrated's overall performance has been more than satisfactory to MTA. In addition, Integrated has agreed to a 5% reduction (approximately \$7,000) in the labor hour rates for this renewal option #1 by maintaining the current labor hour rates that were agreed upon for Year 3 of the base contract term.

FUND SOURCE:	100% Special (Transportation Trust Funds)
APPROP. CODE:	J05H0101
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-5253-1111

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 RENEWAL OPTION / MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Diane Herr
410-767-4248
HerrD@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Health Services (OHS)

CONTRACT ID: DHMH-OPASS 08-9750, 08-9751,
08-9752, 08-9753;
Rare and Expensive Case Management
(REM) Program
ADPICS No. M00B1400334

CONTRACT APPROVED: 12/12/2007 DBM BPW Agenda Item 6-S

CONTRACTORS: See Attachment #1

CONTRACT DESCRIPTION: Contract approval for case management services in the Rare and Expensive (REM) Case Management program which is part of Maryland's HealthChoice program, a comprehensive Medicaid managed care program operated by DHMH.

OPTION / MODIFICATION DESCRIPTION: Approval request to (1) exercise the first of two one-year renewal options as contained in the original contract; (2) add additional funds to the renewal option due to an increase in Medicaid enrollment throughout the State with an associated increased enrollment in the REM program; and (3) decrease the payment rates for the renewal option.

TERM OF ORIGINAL CONTRACT: 1/1/2008 – 12/31/2010 (w/2 one-year renewal options)

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

AMOUNT OF ORIGINAL CONTRACT: \$21,900,000 (3 Years)

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

ITEM: 6-S-MOD (Cont.)

AMOUNT OF OPTION / MODIFICATION: \$7,300,000 (Renewal Option)
\$1,100,000 (Mod for increased enrollment)
\$ (400,000) (Mod for decreased rates)
\$8,000,000 Total (1 Year)

PRIOR MODIFICATIONS: \$1,894,928 (See Attachment #2)

REVISED TOTAL CONTRACT AMOUNT: \$31,794,928

PERCENT +/- (THIS MODIFICATION): +3.20%

OVERALL PERCENT +/-: +11.85%

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to (1) exercise the first of two one-year renewal options as contained in the original contract; (2) add additional funds to the renewal option due to an increase in Medicaid enrollment throughout the State with an associated increased enrollment in the REM program; and (3) decrease the payment rates for the renewal option.

The DHMH Office of Health Services (OHS) is charged with the task of contracting for medical case management services provided to medically fragile children and adults in the Rare and Expensive (REM) Case Management Program. The REM Program is part of Maryland's "HealthChoice" program, a comprehensive Medicaid managed care program operated by DHMH under the authority of Maryland Medicaid Section 1115 Health Care Reform Demonstration (No. 11-W-00099/3). REM case management services are provided to over 3700 Medicaid recipients with specific medical diagnoses.

Due to an increase in Medicaid enrollment throughout the State, there has also been an increase in enrollment in the REM Program. Therefore, additional funds are needed to continue these vital services for the State. In addition, DHMH was able to reduce the Contractors' reimbursement rates by 5% during the renewal option period beginning on 1/1/2011.

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

ITEM: 6-S-MOD (Cont.)

It is in the best interest of the State to continue these services with the current Contractors by exercising the renewal option and modifying the contract for the renewal option period because the Contractors consistently exceed all contractual requirements and expectations in the delivery of REM case management services. The Contractors have proven to be exceptional partners with DHMH by supporting the goals of DHMH and demonstrating cooperation and flexibility as needed to adjust or respond to unexpected issues. DHMH has been extremely satisfied with the medical case management services provided by the REM case management Contractors. By approving this action, the REM case management services will continue to be provided to some of the most medically fragile Medicaid children and adults in the State.

FUND SOURCE: 50% General; 50% Federal
APPROP. CODE: M00Q0103
RESIDENT BUSINESS: Yes for all
MD TAX CLEARANCE: See Attachment #2

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 6-S-MOD (Cont.)

ATTACHMENT #1

BPW 12/1/2010

CONTRACT IDs & MD TAX CLEARANCE NUMBERS (Cont):

- 1) The Coordinating Center for Home & Community Care, Inc.
Millersville, MD
DHMH-OPASS-08-9750
MD Tax Clearance #: 10-5772-0110
- 2) Integrated Healthcare Auditing and Services, Inc. (IHAS)
Laurel, MD
DHMH-OPASS-08-9751
MD Tax Clearance #: 10-5769-0111
- 3) Integra Health Management
(Formerly known as Senior Connections)
Owings Mills, MD
DHMH-OPASS-08-9752
MD Tax Clearance #: 10-5770-0111
- 4) Medical Management and Rehabilitation Services, Inc.
Baltimore, MD
DHMH-OPASS-08-9753
MD Tax Clearance #: 10-5771-1111

ITEM: 6-S-MOD (Cont.)**ATTACHMENT #2**

BPW 12/1/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$1,894,928	Mod to increase funds due to an increase in Medicaid enrollment throughout the State with an associated increased enrollment in the REM program for the period 10/1/2010 – 12/31/2010. Approved on the 9/22/2010 DBM BPW Agenda, Item 8-S-MOD.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Athos Alexandrou
410-767-5369
AlexandrouA@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHHM)
Office of Systems, Operations and
Pharmacy (OSOP)

CONTRACT ID: OPASS-07-9030;
DHHM Point of Sale (POS) Prospective
Drug Utilization Review & Rebate Program
ADPICS CO No. COD43866

CONTRACT APPROVED: 5/17/2006 DBW BPW Item 7-S

CONTRACTOR: ACS State Healthcare, LLC
Dallas, TX
(Local office in Baltimore, MD)

CONTRACT DESCRIPTION: Contract to continue ongoing development,
operation and management of Maryland's Point-of-Sale (POS) Pharmacy System for Medicaid
enrollees and other specified Department program enrollees.

MODIFICATION DESCRIPTION: Approval request to implement the changes
relating to collection and reporting of drug manufacturer rebates associated with the Health Care
Reform legislation, specifically the Affordable Care Act enacted on March 23, 2010. (See
Requesting Agency Remarks below.)

TERM OF ORIGINAL CONTRACT: 8/1/2006 – 7/31/2009 (w/2 two-year
renewal options)

TERM OF MODIFICATION: 12/2/2010 – 7/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$10,076,159 (3 Year Base)

AMOUNT OF MODIFICATION: \$1,048,316 (8 Months)

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

ITEM: 7-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$7,328,319 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$18,452,784

PERCENT +/- (THIS MODIFICATION): +10.40%

OVERALL PERCENT +/-: +17.17%

MBE PARTICIPATION: 17%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REQUESTING AGENCY REMARKS: Approval request to implement the changes relating to collection and reporting of drug manufacturer rebates associated with the Health Care Reform legislation, specifically the Affordable Care Act enacted on March 23, 2010. The Maryland Pharmacy Program must comply with several of the provisions. To implement these provisions, a contract modification must be executed to enable the Maryland Pharmacy Point of Sale contractor to execute the necessary system and staffing changes. In addition, a second item is included in this modification that provides for an audit of the Maryland AIDS Drug Assistance Program as required by Maryland Legislative Auditors.

This Contract is to: (1) design, implement, administer, manage and maintain a Point of Sale (POS) electronic claims capturing, management and adjudication network in conjunction with administering a drug utilization review system to continue the State of Maryland's compliance with Federal requirements (Omnibus Budget Reconciliation Act – OBRA 90); and (2) design and administer a recipient eligibility determination system for the Primary Adult Care Program.

As a result of Health Care Reform legislation, specifically the Affordable Care Act enacted on March 23, 2010, changes to the administration of the pharmacy point of sale contract are required. These changes relate primarily to the collection and reporting of drug manufacturer rebates. The legislation provides for extending rebates to covered outpatient drugs dispensed to Managed Care Organization (MCO)/HealthChoice enrollees; increased rebate percentages for covered outpatient drugs dispensed to Medicaid patients and the rebate offset associated with the increase in the rebate percentages.

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

ITEM: 7-S-MOD (Cont.)

Due to the intermittent release of implementation guidelines from the Centers for Medicare and Medicaid Services (CMS), the above-referenced changes will be implemented in two phases. Phase I includes the invoicing and collecting of rebates from drug manufacturers for covered outpatient drugs dispensed to MCO/HealthChoice enrollees and is covered by this modification. Phase II will include the increase in rebate percentages and the rebate offset associated with the increase in the rebate percentages and will result in a future modification.

It is in the State's interest to proceed with this modification in lieu of a new procurement for these services. The contractor currently performs the tasks referenced in this modification. The current modification simply extends the coverage to all HealthChoice enrollees, whereas previously, collection of drug manufacturer rebates was applied to a limited number of HealthChoice enrollees.

FUND SOURCE:	55% Federal; 45% General
APPROP. CODE:	M00F02.03; M00Q01.03
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-5768-0010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 7-S-MOD (Cont.)

ATTACHMENT

BPW 12/1/2010

PRIOR MODIFICATIONS/OPTIONS: (Cont.)

Mod #1	\$ 156,500	Modification to extend the transition period and receive final transition files from the incumbent vendor and change the contract term of the subsequent renewal options. For the period from 1/7/2007 to 7/31/2009. Approved on the 12/6/2006 DBM BPW Agenda, Item 7-S-MOD.
Mod #2	\$ 524,781	Modification to allow the vendor to make necessary changes to the recipient eligibility determination system for implementation of the Medicaid expansion. For the period from 1/20/2009 to 7/31/2009. Approved on the 1/7/2009 DBM BPW Agenda, Item 5-S-MOD.
Option #1	\$6,647,038	Exercised the first of two two-year renewal options as contained in the original contract in conjunction with Mod #1 that changed the contract beginning and ending dates for the period of 8/1/2009 to 7/31/2011. Approved on the 6/17/2009 DBM BPW Agenda, Item 12-S-OPTION.
Total	<u>\$7,328,319</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 8-S-MOD **Agency Contact:** Michael Weinfield
410-767-5616
MWeinfield@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Developmental Disabilities Administration
(DDA)

CONTRACT ID: DHMH-OPASS 06-9002;
Eligibility Assessment and Resource
Coordination Services for the Central
Maryland Region
ADPICS No. COD32902

CONTRACT APPROVED: 10/19/2005 DBM BPW Agenda Item 2-S

CONTRACTOR: Service Coordination, Inc.
Frederick, MD

CONTRACT DESCRIPTION: Contract to provide Eligibility Assessment
and Resource Coordination services to eligible individuals or potentially eligible individuals in
the Central Maryland Region. These services will support individuals with intellectual
disabilities and other developmental disabilities who reside in the DDA – Central Region
(Baltimore City and Anne Arundel, Baltimore, Harford, and Howard Counties).

MODIFICATION DESCRIPTION: Approval request to extend the current
contract for six months with an option to extend the contract for an additional three months to
allow time for the development and implementation of regulations to convert to a fee for service
payment system.

TERM OF ORIGINAL CONTRACT: 1/1/2006 – 12/31/2008 (w/2 one-year
renewal options)

TERM OF MODIFICATION: 1/1/2011 – 6/30/2011(w/1 three-month
renewal option)

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

ITEM: 8-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT: \$38,055,000 (3 Years)

AMOUNT OF MODIFICATION: \$6,380,888 (6 Months; Extension Mod)
\$3,190,443 (3 Months; Mod Option)
\$9,571,331 Total (9 Months)

PRIOR MODIFICATIONS/OPTIONS: \$29,156,250 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$76,782,581

PERCENT +/- (THIS MODIFICATION): +25.15%

OVERALL PERCENT +/-: +29.26%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 3%

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract by six months with an option to extend the term for an additional three months. It is the intention of the Developmental Disabilities Administration (DDA) to fund resource coordination services as a fee for service with the selection of the providers and the rates being published in regulation. The current contract expires on 12/31/2010, and is in the final one-year renewal option. This modification will extend the term of the contract until minimally 6/30/2011 and maximally 9/30/2011 in order to provide continuity of the provision of eligibility determinations and coordination of services for individuals with intellectual disabilities and other developmental disabilities. Approval of this action will give DDA the flexibility of extending the contract for up to a total of nine months.

During this six to nine month extension, DDA will develop regulations that deal with the selection of the providers and the establishment of the rates. Establishing these two processes in regulation would render this activity exempt from future procurements. In addition to the regulations, DDA will be developing the deliverables and outcomes for clients, provide training, and license the new providers. DDA is in the process of hiring an individual to coordinate this effort through the University of Maryland.

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

ITEM: 8-S-MOD (Cont.)

Services for Central Maryland are provided by Service Coordination, Inc. The work performed by this provider can not be duplicated by a State agency because the service of Eligibility Assessment and Resource Coordination provides DDA with the necessary information concerning whether a potential individual is eligible for service, and what service will best satisfy the need. The Resource Coordination function provides DDA clients with support and advice concerning needed services and needed changes in services. As Service Coordination, Inc. does not provide direct support, it functions as an impartial advisor to clients, with no conflict of interest in the work it performs.

FUND SOURCE:	60% General; 40% Federal (Medicaid Reimbursable)
APPROP. CODE:	M00M0102
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-4852-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 8-S-MOD (Cont.)

ATTACHMENT

BPW 12/1/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod # 1	\$2,275,725	Mod for the addition of 1,543 clients for the period of 11/1/2008 - 12/31/2008. (Part of this increase is due to the closing of Rosewood Center.) Approved on the 10/15/2008 DBM BPW Agenda, Item 12-S-MOD.
Option #1	\$14,830,000	Exercised the first of two one-year renewal options as contained in the original contract for the period of 1/1/2009 - 12/31/2009. Approved on the 10/15/2008 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$(711,250)	Mod for a 15% reduction in services by changing the unit cost and number of individuals served for the last three months of Option #1 for the period of 10/1/2009 - 12/31/2009. Approved on the 12/16/2009 DBM BPW Agenda, Item 6-S-MOD.
Option #2	\$12,761,775	Exercised the second and final one-year renewal option as contained in the original contract for the period of 1/1/2010 - 12/31/2010. Approved on the 12/16/2009 DBM BPW Agenda, Item 6-S-MOD.
Total	<u>\$29,156,250</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 9-S-MOD **Agency Contact:** Michael Weinfield
410-767-5616
MWeinfield@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health & Mental Hygiene (DHMH)
Developmental Disabilities Administration
(DDA)

CONTRACT ID: DHMH OPASS-06-8984;
Eligibility Assessment & Resource
Coordination Services for the Western
Maryland Region
ADPICS No. COD32851

CONTRACT APPROVED: 10/19/2005 DBM BPW Agenda Item 2-S

CONTRACTOR: Service Coordination, Inc.
Frederick, MD

CONTRACT DESCRIPTION: Contract to provide Eligibility Assessment
and Resource Coordination services to eligible individuals or potentially eligible individuals with
intellectual disabilities and other developmental disabilities. The contract is for individuals who
reside in the DDA – Western Region, which encompasses Garrett, Allegany, Washington,
Frederick and Carroll counties.

MODIFICATION DESCRIPTION: Approval request to extend the current
contract for six months with an option to extend the contract for an additional three months to
allow time for the development and implementation of regulations to convert to a fee for service
payment system.

TERM OF ORIGINAL CONTRACT: 1/1/2006 – 12/31/2008 (w/2 one- year
renewal options)

TERM OF MODIFICATION: 1/1/2011 – 6/30/2011(w/1 three-month
renewal option)

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

ITEM: 9-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT: \$10,620,000 (3 Years)

AMOUNT OF MODIFICATION: \$1,798,913 (6 Months; Extension Mod)
\$ 899,456 (3 Months; Mod Option)
\$2,698,369 Total (9 Months)

PRIOR MODIFICATIONS/OPTIONS: \$8,307,129 See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$21,625,498

PERCENT +/- (THIS MODIFICATION): +25.41%

OVERALL PERCENT +/-: +29.81%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 3%

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract by six months with an option to extend the term for an additional three months. It is the intention of the Developmental Disabilities Administration (DDA) to fund resource coordination services as a fee for service with the selection of the providers and the rates being published in regulation. The current contract expires on 12/31/2010, and is in the final one-year renewal option. This modification will extend the term of the contract until minimally 6/30/2011 and maximally 9/30/2011 in order to provide continuity of the provision of eligibility determinations and coordination of services for individuals with intellectual disabilities and other developmental disabilities. Approval of this action will give DDA the flexibility of extending the contract for up to a total of nine months.

During this six to nine month extension, DDA will develop regulations that deal with the selection of the providers and the establishment of the rates. Establishing these two processes in regulation would render this activity exempt from future procurements. In addition to the regulations, DDA will be developing the deliverables and outcomes for clients, provide training, and license the new providers. DDA is in the process of hiring an individual to coordinate this effort through the University of Maryland.

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

ITEM: 9-S-MOD (Cont.)

Services for Western Maryland are provided by Service Coordination, Inc. The work performed by this provider can not be duplicated by a State agency because the service of Eligibility Assessment and Resource Coordination provides DDA with the necessary information concerning whether a potential individual is eligible for service, and what service will best satisfy the need. The Resource Coordination function provides DDA clients with support and advice concerning needed services and needed changes in services. As Service Coordination, Inc. does not provide direct support, it functions as an impartial advisor to clients, with no conflict of interest in the work it performs.

FUND SOURCE: 60% General, 40% Federal
(Medicaid Reimbursable)

APPROP. CODE: M00M0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4852-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 9-S-MOD (Cont.)

ATTACHMENT

BPW 12/1/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$645,804	Mod for the addition of 428 clients for the period of 11/1/2008 - 12/31/2008. Approved on the 10/15/2008 DBM BPW Agenda, Item 12-S-MOD.
Option #1	\$4,242,000	Exercised the first of two one-year renewal options as contained in the original contract for the period of 1/1/2009 - 12/31/2009. Approved on the 10/15/2008 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$(178,500)	Mod for a 15% reduction in services by changing the unit cost and number of individuals served for the last three months of Option #1 for the period of 10/1/2009 - 12/31/2009. Approved on the 12/16/2009 DBM BPW Agenda, Item 6-S-MOD.
Option #2	\$3,597,825	Exercised the second and final one-year renewal option as contained in the original contract for the period of 1/1/2010 - 12/31/2010. Approved on the 12/16/2009 DBM BPW Agenda, Item 6-S-MOD.
Total	<u>\$8,307,129</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 10-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: COD45491

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 eight months in order to complete the procurement for a new contract.

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

TERM OF MODIFICATION: 1/1/2011 – 8/31/2011

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

AMOUNT OF MODIFICATION: \$1,004,397 Est. (8 Months)

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

ITEM: 10-S-MOD (Cont.)

PRIOR MODS AND OPTIONS: \$9,193,080 Est. (See Attachment)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REVISED TOTAL CONTRACT AMOUNT: \$14,563,761 Est.

PERCENTAGE +/- (MODIFICATION: 23%

OVERALL PERCENTAGE +/-: 234%

MBE PARTICIPATION: None

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract for eight months to continue to provide day care services at the Annapolis Child Care Center, Tawes Complex and the Community Place Child Care Center in Crownsville in order to allow time for DGS to complete the procurement for a new contract. DGS anticipates having a new contract award recommendation to the BPW by 7/27/2011.

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. DGS has not received a complaint or concern regarding any aspect of their performance. The vendor has provided several letters of compliments from parents expressing the love and care their children have received from Play and Learn. In several cases, the children were enrolled for several years and graduated to Kindergarten. The 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 four years have shown the Centers to be in compliance with all operating requirements.

The Centers offer safe, high quality services that are affordable and convenient to State employees as well as to 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 90 to 100 children from infant to school age.

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

ITEM: 10-S-MOD (Cont.)

The services provided include day care, Preschool, before and/or after Kindergarden care, before and/or after School care, and Kindergarden at the Crownsville Center.

Although the original contract had no MBE participation goal, during the second renewal option Play Centers, Inc. stated that the centers would make a good faith effort to purchase toys, games, supplies, and food from minority-owned businesses in the State of Maryland. They have also made efforts to subcontract with a minority-owned business for janitorial services, trash collection, building improvements and maintenance, utility maintenance, fire extinguisher services, 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 the parents. An additional surcharge for maintenance is billed to non-State employees.

FUND SOURCE:	100% Special (User Fees)
APPROP. CODE:	N/A
RESIDENT BUSINESS:	Yes
MD TAX COMPLIANCE:	10-5913-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 10-S-MOD (Cont.)

ATTACHMENT

BPW 12/1/2010

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod. #1	\$ 153,504	Adjustment for additional services for part-time and drop-in Day care other than infants, for the period 3/1/2002 – 12/31/2004. Approved 2/27/2002, on DBM BPW Agenda Item 4-S-MOD.
Opt. #1	\$4,519,788	Exercise Option 1 of the two, three year renewal options for the period 1/1/2005 – 12/31/2007. Approved 2/2/2005, on DBM BPW Agenda Item 9-S.
Opt. #2	\$4,519,788	Exercise Option 2 of the two, three year renewal options for the period 1/1/2008 – 12/31/2010. Approved 10/31/2007, on DBM BPW Agenda Item 6-S-Option.
Total	<u>\$9,193,080</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 11-S-MOD **Agency Contact:** BJ Said-Pompey
410-339-5013
bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of Inmate Health Services
Inmate Health Care Program

CONTRACT IDS: Inmate Health Care Services – MOD #8
DPSCS Q0005057A-F (See Attachment 1);
ADPICS No. (See Attachment 1)

CONTRACTS APPROVED: 6/1/2005 DBM BPW Agenda Items 14-S;
15-S; 16-S; 17-S; 18-S; 19-S.

CONTRACTORS: See Attachment 1

CONTRACT DESCRIPTION: Six contracts to implement statewide
primary and infirmary care services for inmates in the custody of the Department of Public
Safety and Correctional Services (see Requesting Agency Remarks below).

MODIFICATION DESCRIPTION: Approval request to increase the not-to-
exceed amounts of the contracts in order to continue the existing Inmate Health Care Services
contracts through the end of the contract terms.

TERM OF ORIGINAL CONTRACTS: 6/2/2005 – 6/30/2007 (W/3 one-year
renewal options)

TERM OF MODIFICATIONS: 12/1/2010 – 12/31/2010

AMOUNT OF ORIGINAL CONTRACTS: \$222,626,892 (2 Years; Cumulative Total)
(See Attachment 1)

AMOUNT OF MODIFICATIONS: \$13,873,749 Cum. Total (See Attachment 1)

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

ITEM: 11-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$539,549,405 Cumulative Total
(See Attachments 1 & 2)

REVISED CONTRACT AMOUNTS: \$776,050,046 Cumulative Total
(See Attachments 1 & 2)

PERCENT +/- (THIS MODIFICATION): +6.23%

OVERALL PERCENT +/-: +50.08%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: See Attachment 1

REQUESTING AGENCY REMARKS: Request for approval to increase the not-to-exceed amounts to cover the inmate health care services contracts until the end of the contract terms, 12/31/2010. The new Request for Proposals (RFP) were issued in January 2010 with proposals received on 4/9/2010. The anticipated start date for the new contracts is 1/1/2011. In order to continue services until the new contracts are awarded, the not-to-exceed amounts for the current contracts need to be adjusted. The funding for the contracts has already been budgeted; however, the contracts contain not-to-exceed amounts and the BPW approval is needed to increase the authorized spending amounts.

Three of the new contracts were withdrawn from the 11/3/2010 DBM BPW Agenda (Items 3-S, 4-S and 5-S) to allow time for DPSCS to respond to protests on the Mental Health Services Contract (Item 3-S) and the Medical Health Services Contract (Item 4-S). DPSCS received three protests on these two contracts and anticipates having the responses completed and the new contract awards back on the 12/15/2010 DBM BPW Agenda.

It is important to note these contracts were designed to improve the level of care over the prior contracts in response to the U.S. Department of Justice standards and decrees to reach generally accepted community standards and to provide for continuity and consistency of care in all DPSCS facilities. The level of care has consistently progressed to community standards and is meeting the requirements of the contract.

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

ITEM: 11-S-MOD (Cont.)

There are six contracts or modules to provide inmate medical care throughout the State's correctional system. Through these six contracts, the Department has administered and monitored an Inmate Health Services System that provides routine, specialty, inpatient and emergency care services to the Baltimore City pretrial and Maryland's sentenced populations. These modules create a comprehensive, patient centered/case management health care delivery system for DPSCS. The six contracts are summarized as follows:

- A. Comprehensive primary and infirmory medical services
- B. Primary psychiatric care and mental health infirmory care services
- C. Dental services
- D. Pharmacy Services
- E. Utilization management services for inpatient hospital and infirmory care
- F. Electronic patient health record and tele-medical system to support and track health care services for inmates.

FUND SOURCE: 100% General

APPROP. CODE: Various

RESIDENT BUSINESS: Yes (A & D); No (B, C & E)
(See Attachment 1)

MD TAX CLEARANCE: See Attachment 1

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 11-S-MOD (Cont.)

ATTACHMENT 1

Renewal Information Contract IDS: Q0005057A-F

Vendor	Original Contract Amount	Mod #1	Mod #2	Mod #3	Mod #4	1 st Renewal Option (1 Year)	Mod #5	2 nd Renewal Option (1 Year)	Mod #6	3rd Renewal Option (1 Year)	Mod #7	Mod #8	Revised Total Contract Amount
(A) Correctional Medical Services, Inc. St. Louis, MO (Local Office in Hagerstown, MD) (Medical Care Services) ADPICS NO. COD45280 MBE PARTICIPATION: 20% MD Tax Clearance: 10-4543-0111	\$125,638,937	N/A	\$0	(\$13,079,482)	\$0	\$62,956,839	(\$2,200,000)	\$65,530,886	(\$1,363,025)	\$68,163,848	\$35,701,237	\$340,000	\$341,689,240
(B) MHM Correctional Services of MD., Inc. Vienna, VA (Mental Health Services) ADPICS NO. COD45281 MBE PARTICIPATION: 10% MD Tax Clearance: 10-4611-1111	\$22,495,152	\$0	\$0	(\$3,289,895)	\$0	\$10,959,034	\$100,000	\$11,737,365	(\$136,263)	\$12,205,834	\$6,574,562	\$596,243	\$61,242,032
(C) FCM-MTC Joint Venture, LLC Centerville, UT (Dental Services) ADPICS NO. COD45282 MBE PARTICIPATION: 30% MD Tax Clearance: 10-4544-0000	\$17,340,240	N/A	\$0	(\$3,322,253)	\$0	\$8,648,030	(\$1,250,000)	\$7,768,705	\$130,813	\$8,009,535	\$4,116,526	\$302,378	\$41,743,974
(D) Correct Rx Pharmacy Services Linthicum, MD (Pharmacy Services) ADPICS NO. COD45283 MBE PARTICIPATION: 20% MD Tax Clearance: 10-4545-1111	\$31,958,458	N/A	\$0	\$7,804,432	\$0	\$24,131,340	\$1,950,000	\$27,219,572	\$1,096,685	\$28,063,380	\$16,251,255	\$1,722,669	\$140,197,791
(E) Wexford Health Sources, Inc. Pittsburgh, PA (Utilization Mgt. Services) ADPICS NO. COD45284 MBE PARTICIPATION: 5% MD Tax Clearance: 10-4546-0000	\$21,967,007	N/A	\$0	\$31,552,919	\$0	\$32,082,440	\$1,550,000	\$34,562,156	\$196,790	\$35,039,489	\$15,531,901	\$10,912,459	\$183,395,161
(F) Correctional Medical Services, Inc. * St. Louis, MO (Local Office in Hagerstown, MD) (Electronic Patient Records Services) ADPICS NO. COD16920 MBE PARTICIPATION: 50% MD Tax Clearance: N/A	\$3,227,098	N/A	\$0	\$4,206	\$0	\$1,641,253	(\$150,000)	\$1,639,324	\$75,000	\$1,579,967	(\$235,000)	\$0	\$7,781,848
GRAND TOTAL OF ALL 6 CONTRACTS:	\$222,626,892	\$0	\$0	\$19,669,927	\$0	\$140,418,936	\$0	\$148,458,008	\$0	\$153,062,053	\$77,940,481	\$13,873,749	\$776,050,046

Note: * This contract is not being extended with this modification #8; however, available funding is being reallocated for use to pay for part of the other five contracts.

ITEM: 11-S-MOD (Cont.)

ATTACHMENT 2

BPW 12/1/2010

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	\$0	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 - 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda, Item 12-S-MOD.
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2006 - 6/30/2007.
Mod #3	\$19,669,927	Mod to clarify portions of the Statement of Work & increasing or reducing the original amount of the not to exceed limits for the period 5/12/2007 - 6/30/2007. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Option #1	\$140,418,936	Exercised the first Renewal Options on the Contracts for one year for the period 7/1/2007 - 6/30/2008. Approved on the 6/6/2007 DBM BPW Agenda, Item 26-S-MOD.
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2007 - 6/30/2008. Approved by DPSCS.
Mod #5	\$0	Mod to clarify portions of the Statement of Work in a non-material change increasing or reducing the not to exceed amount for the period 6/1/2008 - 6/30/2008. Approved on the 7/16/2008 DBM BPW Agenda, Item 9-S-MOD.
Option #2	\$148,458,008	Exercised the second Renewal Options on the Contract for one year for the period 7/1/2008 - 6/30/2009. Approved on the 6/11/2008 DBM BPW Agenda, Item 14-S-OPTION.

ITEM: 11-S-MOD (Cont.)

ATTACHMENT 2

BPW 12/1/2010

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #6	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 6/17/2009 - 6/30/2009. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Option #3	\$153,062,053	Exercised the third Renewal Options on the Contract for one year for the period 7/1/2009 - 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda, Item 15-S-MOD.
Mod #7	\$77,940,481	Mod to extend the current inmate health services Contracts for six months for the period of 7/1/2010 to 12/31/2010. Approved on the 6/23/2010 DBM BPW Agenda, Item 24-S-MOD.
	<u>\$539,549,405</u>	Cumulative Total for all 6 Contracts (See Attachment 1 for the breakdown of the previous actions.)

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

GENERAL MISCELLANEOUS

ITEM: 12-GM **Agency Contact:** Dr. John M. DeBoy
410-767-6100
deboyj@dhmh.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

PROGRAM: Laboratories Administration

FUND SOURCE: 100% Federal (U.S. Food & Drug Administration)

APPROP. CODES: M00J02.01 & M00F02.03

AMOUNT OF REQUEST: N/A

DESCRIPTION: Approval request to create two new positions pursuant to §7-236, State Finance and Procurement Article, and Section 36 of Senate Bill 140 (the Budget Bill for FY 2011). This provision enables the Board of Public Works to authorize the creation of up to 100 positions (Rule of 100) within the Executive Branch. The provision also stipulates that the numerical limitation does not apply to positions entirely supported by funds from federal or other non-State sources, with the condition that the positions must be abolished when the specific funding is no longer available. The two requested positions are supported entirely with federal funds and therefore do not count against the 100 positions the Board of Public Works is able to create in FY 2011.

<u>Qty.</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
1	PH Lab Scientist Gen I	14/Base @	\$35,865 = \$35,865
1	Sanitarian V	17/Base @	\$42,891 = \$42,891
2	Total		\$78,756

REQUESTING AGENCY REMARKS: Approval of this Item will create two positions in the Department of Health and Mental Hygiene (DHMH) outside the Rule of 100, which will be abolished when the funds are no longer available.

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

ITEM: 12-GM (Cont.)

The above positions will carry out essential functions, based upon the receipt of federal funds by the U.S. Food and Drug Administration – Food Emergency Response Network (FERN). The FERN Radiological Health Laboratories – Food Safety and Security Project is currently funded through 6/30/2011, at which time the State will receive its final funding award with authorization to spend that award through fiscal year 2015.

Two new positions will be assigned duties related to establishing national and State surveillance targets for food defense to monitor radiological contamination in food and agricultural commodities and establishing a database of exposure and ingestion pathways of both domestic and imported products. One position will be responsible for the development, validation and implementation of all analytical methods and testing of real samples that require the use of alpha, beta and gamma spectroscopic instruments purchased by FDA; and one position will collect environmental food and agricultural samples and conduct statistical analysis in support of providing and maintaining an active radiological food defense surveillance and monitoring program.

DBM REMARKS: The Secretaries of DBM and DHMH have certified that funds are available for the new positions for which approval is requested outside the Rule of 100. If the Board approves this request, 34 positions will have been approved outside the Rule of 100 for FY 2011.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



MARYLAND
DEPARTMENT OF
BUDGET & MANAGEMENT

DBM
12-GM
12.1.2010

MARTIN O'MALLEY
Governor

ANTHONY BROWN
Lieutenant Governor

June 31, 2011

Ms. Sheila C. McDonald, Esq.
Executive Secretary
Board of Public Works
80 Calvert Street, Room 117
Annapolis, MD 21401

Dear Ms. McDonald,

The purpose of this letter is to request the correction of errors on Items 12-GM in the DBM Secretary's Agenda for the 12/1/2010 Board of Public Works (BPW) and 6-GM in the DBM Secretary's Agenda for the 5/18/2011 BPW.

Whenever an agenda item is presented on the DBM Secretary's Agenda, DBM validates the information provided by the submitting agency for accuracy. These two items were requesting approval of new positions (PINS) outside the Rule of 100. DBM maintains a recap of all PIN requests for the fiscal year to correctly reflect the total number of PINS being approved by the BPW in the DBM Remarks in the agenda items. Unfortunately, the last PIN request approved by the BPW prior to the 12/1/2010 BPW meeting had the PIN quantity for PINS outside the Rule of 100 entered incorrectly on the recap, which was not realized until the recap was being updated for the draft agenda for the 6/15/2011 BPW meeting.

The information pertaining to the approval requests for the PINS in these two agenda items are accurate. Only the total number of PINS approved for FY2011 in the DBM Remarks was incorrect. The attached edited agenda item pages show the "For the Record" corrections to the agenda items in yellow for easy identification.

If you would like any other documentation, I would be pleased to provide it.

I apologize for the additional work these errors have caused for you and your staff.

Sincerely,



T. Eloise Foster
Secretary

T. ELOISE FOSTER
Secretary

DAVID C. ROMANS
Deputy Secretary

BOARD OF PUBLIC WORKS

2011 MAY 32 PM 2:23

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

ITEM: 12-GM (Cont.)

The above positions will carry out essential functions, based upon the receipt of federal funds by the U.S. Food and Drug Administration – Food Emergency Response Network (FERN). The FERN Radiological Health Laboratories – Food Safety and Security Project is currently funded through 6/30/2011, at which time the State will receive its final funding award with authorization to spend that award through fiscal year 2015.

Two new positions will be assigned duties related to establishing national and State surveillance targets for food defense to monitor radiological contamination in food and agricultural commodities and establishing a database of exposure and ingestion pathways of both domestic and imported products. One position will be responsible for the development, validation and implementation of all analytical methods and testing of real samples that require the use of alpha, beta and gamma spectroscopic instruments purchased by FDA; and one position will collect environmental food and agricultural samples and conduct statistical analysis in support of providing and maintaining an active radiological food defense surveillance and monitoring program.

DBM REMARKS: The Secretaries of DBM and DHMH have certified that funds are available for the new positions for which approval is requested outside the Rule of 100. If the Board approves this request, 34 positions will have been approved outside the Rule of 100 for FY 2011.

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 MODIFICATION

ITEM: 13-S-MOD **Agency Contact:** Margaret Embardino
410-767-4483
membardi@dbm.state.md.us

DEPARTMENT/PROGRAM: Budget & Management (DBM)
Office of Personnel Services & Benefits

CONTRACT ID: F10R5200145; F10B5200051;
State Medical Director & Occupational
Medical Services for Maryland State
Agencies
ADPICS No. COD43662

CONTRACT APPROVED: 5/11/2005 DBM BPW Agenda Item 3-S

CONTRACTORS: Concentra Medical Centers
Elkridge, MD

CONTRACT DESCRIPTION: Contract to provide State agencies with a comprehensive network of professional medical services for the proper management of the medical aspects of the State's 50,000-member workforce. The contract provides for up to 20 services on a Statewide basis, as well as two other services that apply specifically to Maryland Department of Transportation agencies.

MODIFICATION DESCRIPTION: Approval request to extend the term of the contract by approximately six months in order to complete the procurement.

TERM OF ORIGINAL CONTRACT: 6/1/2005 - 5/31/2010 (w/6 one-month renewal options)

TERM OF MODIFICATION: 12/4/2010 – 5/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$7,702,500 NTE (5 Years)

AMOUNT OF MODIFICATION: \$1,350,000 (Approx. 6 Months)

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

ITEM: 13-S-MOD (Cont.)

PRIOR MODIFICATIONS: \$1,522,500 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$10,575,000

PROCUREMENT METHOD: Competitive Sealed Proposals

PERCENT +/- (THIS MOD): +17.53%

OVERALL PERCENT +/-: +24.31%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 15%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract by extending the term of the contract and increasing the NTE amount of the contract for the extension. This contract provides occupational medical services for applicants and employees in all State agencies for up to 22 services. All 22 services are available during normal working hours and on a limited basis on weekends and evenings. Certain services are also available on a 24-hour-a-day, 7-day-a-week basis. The services range from pre-employment physicals to drug and alcohol tests for commercial drivers governed by US Department of Transportation regulations. Agencies are under no obligation to use the services under this contract. They can elect to use one, all or none of the services, as their respective needs dictate. As agencies use the services under the contract, they are billed directly by the contractor.

Since the start of the contract in 2005, between 83 and 89 different State agencies have consistently used some of the services, with the majority of agencies using the contract on a monthly basis. Based upon the usage of the services for this contract and the Consumer Price Index (CPI) increases over the last four years, payments made to Concentra Medical Centers (Concentra) now average over \$200,000 per month and has peaked as high as \$250,000. Therefore, to allow for the possibility of the higher amount of usage, this modification is for \$1,350,000. This modification is needed to ensure the continuation of these vital services to the State until a new contract can be awarded and in place, which is expected to be 6/1/2011. Concentra has provided occupational medical services for State agencies for the past nine years, and has done so in a professional and efficient manner.

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

ITEM: 13-S-MOD (Cont.)

A Request for Proposals for a new contract was issued 8/16/2010. The Pre-Proposal Conference was held on 9/8/2010. Proposals were received 10/14/2010 and are currently being evaluated. A six month extension is requested to permit the evaluation of the offers to be completed and a new contract to be submitted to the BPW for approval.

FUND SOURCE:	Various
APPROP. CODE:	Various
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-5820-0111

Note: This Item appeared as Item 6-S-MOD on the 11/17/2010 DBM BPW Agenda and was withdrawn.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 13-S-MOD **ATTACHMENT**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$ 500,000	Modified the contract by increasing the NTE amount on the base contract term for the period of 3/1/2010 – 5/31/2010. Approved on 2/24/2010 DBM BPW Agenda, Item 14-S-MOD.
Option #1	\$1,000,000	Exercise all six available one-month renewal options as contained in the original contract for the period of 6/1/2010 – 11/30/2010. Approved on 2/24/2010 DBM BPW Agenda, Item 14-S-MOD.
Mod #2	\$ 22,500	Modification to extend the contract by three days in order to submit a longer extension to the BPW for approval for the period of 12/1/2010 – 12/3/2010. Approved by DBM.
Total	<u>\$1,522,500</u>	

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

CONSTRUCTION

ITEM: 1-C

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

INSTITUTION: University of Maryland, Baltimore

CONTRACT ID: On Call Interior Demolition and Hazardous Materials Abatement for the University of Maryland institutions in the Baltimore Region. BID# 86348JK

DESCRIPTION: Furnish all labor, materials, equipment, and supervision necessary for abatement construction projects on an "on call" basis for the Offices of Facilities Management at the University System of Maryland institutions in the Baltimore Region.

AWARD:

Asbestos Specialists, Inc.
PO Box 368
Linthicum Heights, MD 21090-0368
LVI Services, Inc.
8005 Cessna Avenue
Gaithersburg, MD 20879

Barco Enterprises, Inc.
PO Box 0074
11200 Pulaski Highway
White Marsh, MD 21162

Marcor Environmental
3900 Vero Road
Baltimore, MD 21227

TERM OF CONTRACT: 12/1/2010 – 11/30/2011 w/four (4) one-year renewal options.

AMOUNT: \$2,000,000 (annual estimate)
No single project to exceed \$500,000

PROCUREMENT METHOD: Competitive Sealed Proposals

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

ITEM: 1-C (continued.)

BIDS OR PROPOSALS:	Technical Score	Price Score	Total Score	Price (based on sample jobs)
Asbestos Specialists, Inc. Linthicum Heights, MD	60	40	100	\$116,200.00
LVI Services, Inc. Gaithersburg, MD	55.6	37.3	92.9	\$124,355.00
Barco Enterprises, Inc. White Marsh, MD	55.2	32.7	87.9	\$142,189.80
Marcor Environmental, LP Baltimore, MD	52.6	26.5	79.1	\$175,234.00

MBE PARTICIPATION: 15% on Task Orders up to \$50,000
25% on Task Orders exceeding \$50,000

PERFORMANCE BOND: Bond required for task order over \$100,000

REMARKS: The solicitation was advertised in *eMarylandMarketplace*. Ten proposals were received and evaluated by an Evaluation and Selection Committee which included representatives from the University's Procurement Services and Facilities Management offices. After review by the Evaluation Committee, five firms achieved the required technical score. After oral presentations, four firms achieved the minimum technical score on the second phase technical evaluation and were requested to submit price proposals. The award is recommended to all four contractors. As projects arise, the University will compete each project among the four awarded On-Call Interior Demolition and Hazardous Materials Abatement contracting firms.

FUND SOURCE: Various Institutional Funds

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE:	10-5938-0110	Asbestos Specialists, Inc.
	10-5938-1111	LVI Environmental Services, Inc.
	10-5940-0111	Barco Enterprises, Inc.
	10-5941-1111	Marcor Environmental, LP

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**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 2-C MOD

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

INSTITUTION: University of Maryland, Baltimore for Towson University

CONTRACT ID: Construction Management at Risk Services for the Towson University West Village Parking Garage. Project #2008-58

CONTRACT APPROVED: USM BPW Item 1-C (11/18/2009)
USM BPW Item 5-C Mod (06/09/2010)
USM BPW Item 5-C Mod (08/11/2010)
USM BPW Item 1-C Mod ((11/03/2010)

CONTRACTOR: Donley's, LLC
Richmond, VA 23236

CONTRACT DESCRIPTION: Professional management and construction services during pre-construction and construction of the Towson University West Village Parking Garage. The project consists of a new parking facility with a minimum of 1,500 total spaces, and to implement road and pedestrian extensions and intersection improvements to support the current and future growth at the Towson campus west of Osler Drive, known as the West Village Precinct.

MODIFICATION DESCRIPTION: Award GMP 4 for rough carpentry, plumbing and HVAC.

ORIGINAL TERM OF CONTRACT: Eighteen months from construction notice to proceed.

ORIGINAL CONTRACT AMOUNT: \$80,000 (pre-construction only)

AMOUNT OF MODIFICATION: \$790,848

AMOUNT OF PRIOR MODIFICATIONS: \$14,988,374

REVISED TOTAL CONTRACT AMOUNT: \$15,859,222

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

ITEM: 2-C MOD (continued)

MBE PARTICIPATION: 25%

PERFORMANCE BOND: 100% performance bond is required.

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REMARKS: This is a modification of Donley's contract to award GMP #4 for rough carpentry, plumbing and HVAC. There will be one addition GMP for the remainder of the trades. The estimated construction cost for this project is \$27,200,000. The contract has an MBE goal of 25%. This GMP represents MBE participation of 24%. Total MBE participation to date is 23.2%.

FUND SOURCE: USM Academic/Auxiliary Facility Revenue Bond

RESIDENT BUSINESS: No

TAX COMPLIANCE NO: 10-5996-0010

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: 3-GM

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

Recommendation: In accordance with State Finance and Procurement Article Section 8-301, Annotated Code of Maryland, the Board of Public Works is requested to approve the use of General Obligation Bond funding for the following contract totaling: \$73,500.00

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

University of Maryland, College Park

Art Library, Art-Sociology Building

Contract #A-151813 – Provide and Install one (1) Wheelchair Lift

Description:	Wheelchair Lift Installation
Procurement Method:	Simplified Procurement, Competitive
Award:	Combined Services, Inc. Fairfax, VA
SBR:	Yes
Amount:	\$73,500.00
Fund Source:	MCCBL of 2010: <i>ADA Art Sociology Bldg. Wheelchair Lift (Access Maryland)</i> . Line 008
Tax Compliance No.	10-5999-0111
Resident Business:	No

BOARD OF PUBLIC WORKS

APPROVED ~~DISAPPROVED~~
WITH DISCUSSION

THE ABOVE REFERENCED ITEM WAS:

~~DEFERRED~~ ~~WITHDRAWN~~
WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 4-RP

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

INSTITUTION: Coppin State University

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

PROPERTY: 1608 Thomas Avenue, Baltimore

GRANTOR: Coppin State College Development Foundation, Inc.

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 & Mitchell LLC \$21,000.00
Cassidy, Turley \$20,500.00

FUND SOURCE: MCCBL 2009: *Provide funds to acquire a site for the new Science and Technology Center.* Item 058.

PRICE: Acquisition: \$ 19,000.00
Ground Rent: \$ 1,500.00 *
Relocation \$ 0.00
Total: \$ 20,500.00

*In addition, to obtain fee simple title, the underlying ground rent will be redeemed.

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

APPROVED **DISAPPROVED**
WITH DISCUSSION

THE ABOVE REFERENCED ITEM WAS:

DEFERRED **WITHDRAWN**
WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 5-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: 1648 N. Warwick Avenue, Baltimore

GRANTOR: Marsha Palmer

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

APPRAISED VALUE: Cassidy Turley \$65,000.00
Lipman, Frizzell & Mitchell LLC \$73,000.00

FUND SOURCE: MCCBL of 2008: *Provide funds to acquire a site for the new Science and Technology Center.* Item 058

PRICE: Acquisition: \$ 73,000.00
Relocation: \$ 78,110.00 *
Ground Rent: \$ 1,500.00 **
Total: \$152,610.00

* The owner will receive relocation assistance.

** In addition, to obtain fee simple title to the property, the underlying ground rent will be redeemed.

REMARKS: This is property 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 - 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

REAL PROPERTY

ITEM: 6-RP

INSTITUTION: Coppin State University

DESCRIPTION: CORRECTION to: Relocation funds to assist the tenant's relocation.

AMOUNT: \$72,500.00

ACQUISITION APPROVED: USM Item 12-RP (9/22/10)

PROPERTY: 1660 N. Warwick Avenue, Baltimore

GRANTOR: Smittie Enterprises

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

FUND SOURCE: MCCBL 2009: *Provide funds to acquire a site for the new Science and Technology Center.* Item 058.

REMARKS: Reference is made to the Board of Public Works approval of the University's recommendation to acquire this property for \$189,000 in support of the construction of the Science and Technology Centers. USM Item 12-RP (9/22/10). The total amount approved comprised the purchase price (the lower of the two appraisals) as well as funds for reimbursing relocation expenses. However, the University inadvertently omitted certain relocation expenses from its recommendation to the Board. The property lessee, Larry Griffin, operated a tavern. The Item should have included the following reimbursable relocation costs in the recommendation:

Additional relocation expenses:

\$ 2,500.00	new business search funds
\$ 60,000.00	installing business equipment, supplies and materials
<u>\$ 10,000.00</u>	permits, utility connections and business signs
\$ 72,500.00	

BOARD OF PUBLIC WORKS - THE ABOVE REFERENCED ITEM WAS:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION			WITHOUT DISCUSSION

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

ITEM: 1-IT OPTION

Agency Contact:

Ronald Brothers (410) 585-3100

rbrothers@dpscs.state.md.us

Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT: Public Safety & Correctional Services

CONTRACT ID: State of Washington and Western State Contracting Alliance
Contract #14600
Electronic Monitoring Q00B1400006

CONTRACTOR: Pro Tech Monitoring, Inc.
Odessa, FL

CONTRACT DESCRIPTION: Provide Global Positioning Services satellite monitoring including the lease of electronic monitoring, services, and GPS products.

OPTION DESCRIPTION: Exercise the third and fourth of four, 6-month renewal options

ORIGINAL CONTRACT TERM: 10/01/2008 – 1/2/2010

OPTION TERM 01/03/2011 – 01/02/2012

ORIGINAL CONTRACT AMOUNT: \$175,000

OPTION AMOUNT: \$478,000

PRIOR MODIFICATIONS/OPTIONS: \$930,093.50 (See Page 3D)

REVISED TOTAL CONTRACT AMOUNT: \$1,583,093.50

ORIGINAL PROCUREMENT METHOD: Intergovernmental Cooperative Purchase

MBE PARTICIPATION: None

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

ITEM: 1-IT-OPTION (Cont.)

REMARKS: Public Safety's Division of Parole and Probation first assigned offenders to GPS monitoring in January 2009. Monitoring is defined as a method for sending and receiving status information between a remote monitoring center and an individual. The service includes tracking the electronic monitoring by satellite.

GPS tracking is used to supervise high-risk violent and sexual offenders to monitor their movements and activities in the community and restrict access to victims. GPS is an important tool in the risk reduction and containment strategy for the supervision of high-risk offenders. The majority of sexual and violent offenders are assigned to caseloads – usually with a lower offender-to-agent ratio than a general caseload – supervised by specially trained agents. Agents may coordinate with treatment providers and law enforcement to develop and implement appropriate case management plans of which GPS tracking is a part.

Since the agreement was implemented, Pro Tech Monitoring, Inc. has: provided training for agents and management staff, including refresher training as needed; provided user-friendly software and timely management reports; responded to technical questions and issues that are a part of any new initiative; and worked with the Division to address operational concerns as they arise. The pricing provided through the Western State Contracting Alliance cooperative purchasing agreements provides competitive pricing to participants in the agreements. Pro Tech Monitoring, Inc. has experience tracking over 100,000 offenders and has continually improved and stabilized its system in order to meet the constantly evolving demands of specialized and focused supervision. The company has consistently provided excellent service throughout the contract and DPSCS/ITCS recommends that the contract be renewed for another six month term.

FUND SOURCE: 100% General Funds
APPROP. CODE: Q00A0102
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 10-5845-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 1-IT-OPTION (Cont.)

ATTACHMENT

PRIOR ACTIONS/MODIFICATIONS/OPTIONS (Cont):

Contract Approved	\$175,000	9/18/2008 - DPSCS approval authority (contract amount less than \$200,000)
Mod. #1	\$ 15,000	Increase funding to procure additional GPS equipment and services for additional offenders.
Mod. #2	\$286,781	Increase funding to procure additional GPS equipment and services for additional offenders. DoIT Item 1-IT (2/18/2009).
Option #1	\$350,000	Increase funding to renew for six months. DoIT Item 1-IT (12/16/2009)
Option #2	<u>\$278,312.50</u>	Increase funding to renew for six months DoIT Item 2-IT (06/09/2010)
Total	\$930,093.50	

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

ITEM: 2-IT-OPTION

Agency Contact:

Michael Haifley(410) 767-4429
Michael.Haifley@dgs.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Department of General Services

CONTRACT ID:

Annual Maintenance for *eMarylandMarketplace.com*
ADPICS No. 001B1400313

CONTRACT APPROVED:

DBM Agenda Item 5-IT (12/20/2006)

CONTRACTOR:

Deloitte Consulting, LLP, Pittsburgh, PA
(formally BearingPoint, Inc.)

CONTRACT DESCRIPTION: Acquisition of an Internet-based procurement system (now known as *eMarylandMarketplace.com*) including a continuing maintenance service agreement and selected system enhancements.

OPTION DESCRIPTION: Continue existing maintenance service agreement by exercising second of two 1-year renewal options for *eMarylandMarketplace.com*.

ORIGINAL CONTRACT TERM: 1/1/2007 – 12/31/2009 (w/ two 1-year options)

OPTION TERM: 1/1/2011 – 12/31/2011

ORIGINAL CONTRACT AMOUNT: \$1,651,800.00

OPTION AMOUNT: \$316,800.00

PRIOR MODIFICATIONS/OPTIONS: \$316,800.00 (12/16/09 Item 9-IT-Opt)

REVISED TOTAL CONTRACT AMOUNT: \$2,285,400.00

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

ITEM: 2-IT-OPTION (cont'd)

ORIGINAL PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

REMARKS: This contract provides DGS with a continuing maintenance service agreement for *eMarylandMarketplace*. *eMarylandMarketplace* is a customized, proprietary, web-based procurement system used by State, local, and municipal public buying organizations. The *eMarylandMarketplace* portal provides interactive bidding, allowing public sector buyers to post solicitations, receive responses and post award notices online.

At the time the original contract was awarded, BearingPoint, Inc. was the contractor. BearingPoint, Inc. claimed bankruptcy and effective April 2009, assigned all assets to Deloitte Consulting, LLP.

FUND SOURCES: 100 % Reimbursable Funds

RESIDENT BUSINESSES: No

TAX COMPLIANCE NO: 10-5890-1111

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: 3-IT Mod

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:

Information Technology

CONTRACT ID:

IBI Maintenance Contract
DBM-0215-IBI
COD46862

CONTRACT APPROVED:

DBM Item 11-IT (6/19/2002)

CONTRACTOR:

Information Builders, Inc., Baltimore

CONTRACT DESCRIPTION: Maintenance of various mainframe software products supplied by Information Builders, Inc., which are used by State agencies to generate ad-hoc queries against various Financial Management Information System (FMIS) accounting and procurement databases or to support internal operations using FMIS or other agency financial data.

MODIFICATION:

Retroactive request to add funds.

ORIGINAL CONTRACT TERM:

6/30/02-6/30/07

MODIFICATION TERM:

5/19/2010-6/30/2011

ORIGINAL CONTRACT AMOUNT:

\$3,800,000

AMOUNT MODIFICATION:

\$3,000,000

PRIOR MODIFICATIONS/OPTIONS:

\$1,900,000 (See Page 8D)

REVISED TOTAL CONTRACT AMOUNT:

\$8,700,000

ORIGINAL PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

0%

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

ITEM: 3-IT Mod (Cont.)

REMARKS: DoIT and other State agencies use a variety of Information Builders, Inc. products as an integral part of the operations of FMIS (eight software products). IBI provides FOCUS, the primary enterprise software used by DBM and other State agencies. FOCUS is a proprietary programming language and has been the standard IBI software used to create ad-hoc reports against FMIS accounting and procurement data for the past eight years. This contract includes maintenance, training, and support for internal operations on FMIS or other agency financials.

The FOCUS proprietary software is a major source of information used by agencies Statewide to provide information for StateStat. This software provides data and reports on performance-measurement and management tools to make the government more accountable and more efficient. Based on the continuing demand and forecasted usage by state agencies, DoIT is requesting this increase.

Reference is made to the Board's approval of an option year in the amount of \$700,000 to begin May 19, 2010. (DoIT Item 5-IT-Opt.) DoIT's recommendation of that amount – though based on annual spending history – underestimated the amount needed by approximately \$3,000,000. DOIT has been reviewing master contracts to ensure that ADPICS controls are set to avoid purchase orders against master contracts from exceeding the contract ceiling. Review of the IBI contract revealed that the ADPIC controls were not set appropriately which had allowed \$1,900,000 in purchase orders to be processed over the contract ceiling. Once this error was discovered, DoIT halted all new purchase orders submitted against this contract. DoIT further found that for the past several years, agencies have spent roughly \$1,500,000 to \$2,000,000 per year on this contract. Therefore, in addition to the \$1,900,000 needed to cover purchase orders processed in error, an additional \$1,100,00 is needed to allow purchase orders on hold to be processed and provides enough of a ceiling for additional spending planned for the remainder of FY 2011. Agency funds are used to pay for these requirements and are included in annual agency budgets.

FUND SOURCE	Agency Funds
APPROP. CODES:	Agency Funds
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-4102-1011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 3-IT Mod (Cont.)

ATTACHMENT

MOD \$1,200,000

Modification to reduce rates, extend the base period of the contract three years and add 5 one-year renewal options. DBM Item 14-IT MOD (12-15-2004).

Option #1 \$ 700,000

DoIT Item 5-IT-Opt (5-19-2010)

\$1,900,000

Grand Total

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

ITEM: 4-IT

Agency Contact:

Stacia L. Cropper (410)-260-6347
stacia.cropper@doit.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Information Technology

DESCRIPTION: Contracts necessary to complete key projects begun under CATS I.

CONTRACT ID:

Office of the Comptroller
Modernized Integrated Tax System (Math Tech)
ADPICS No. E00B1400029

Department of Information Technology
Statewide Personnel System (Advanced)
ADPICS No. F50B0400046

Department of Maryland State Police
E-911 (Kimball)
ADPICS No. W00B1400020

Department of Information Technology
Central Collections Unit (CCU) Project (Blue Collar)
ADPICS No. F50B0400047

CONTRACTORS:

Math Tech, Inc.
Cranbury, NJ
Advanced Software Systems, Inc.
Sterling, VA
L. Robert Kimball & Assoc.
State College, PA

Blue Collar Objects, LLC
Fairfax, VA

TERM:

1/1/11-6/30/13 (Math Tech)
1/1/11-6/30/15 (Advanced)
12/29/10-12/31/13 (Kimball)
1/1/11-6/30/14 (Blue Collar)

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

ITEM: 4-IT (cont'd)

CONTRACT AMOUNT: \$ 836,929.00 (Math Tech)
\$2,364,252.80 (Advanced)
\$ 487,220.90 (Kimball)
\$1,718,303.28 (Blue Collar)
\$5,406,705.98

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

REMARKS: Reference is made to DBM Item 8-IT (12/14/05) in which the Board of Public Works approved multiple contracts known as CATS I (Consulting and Technical Services). Further reference is made to the successor contract CATS II approved by the Board as DoIT Item (5/20/2009). Most CATS I task orders that had to be re-competed under CATS II or alternative vehicles have been completed, with the rest under way in various stages of completion. However, the Board approved DoIT's recommendation to extend CATS I for one year to allow sufficient time to complete procurements processes and transitions that were slowed by an overall drain on procurement and evaluator resources Statewide. DoIT Item 2-IT Mod (11/3/2010).

DoIT now recommends that the Board approve the award of sole-source contracts due to the need for continuity to complete key projects. Because these requirements are needed beyond the one year extension available for CATS I projects, DoIT used the sole source procurement method. The **four** contractors were originally selected competitively as part of the CATS I procurement. These contracts are for key project management and senior level project personnel. No MBE goal was established because the procurements are for specific key personnel.

FUND SOURCE: Agency Funds

APPROP. CODE: Agency Funds

RESIDENT BUSINESS: No (**all four**)

MD TAX CLEARANCE: 10-6047-0011 (Math Tech)
10-6044-0111 (Advanced)
10-6001-0111 (Kimball)
10-6045-0000 (Blue Collar)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: MTA-1333
Relocation of the Police Monitoring Facility
ADPICS NO. MTA1333

CONTRACT DESCRIPTION: This contract will relocate all of the existing Police Monitoring Facility computer systems, hardware, and software including cabinets, consoles, servers, and displays.

AWARD: ARINC, Incorporated
Annapolis, MD

TERM: 180 Calendar Days

AMOUNT: \$ 2,645,400.97

PROCUREMENT METHOD: Sole Source

DBE PARTICIPATION: 20%

PERFORMANCE SECURITY: 100% of the award amount

REMARKS: The Maryland Transit Administration (MTA) Police Monitoring Facility (PMF) is being relocated to 4601 Mount Hope Drive, Baltimore, Maryland because the MTA is required to vacate the current PMF at 1600 Wabash Avenue so a new Federal office complex can be constructed. The Board of Public Works has previously approved the lease of the new facility to house the MTA Transit Police Northern District and the PMF (Approved August 11, 2010, Item 16-LT).

As part of its efforts ensure safe and secure transit system for MTA customers and the general public, the MTA has installed cameras at key Metro, Light Rail, and MARC stations as well as other transit facilities using federal funding. The feed from this system of cameras is transmitted to the PMF currently located at 1600 Wabash Avenue where it can be viewed live or via recording. The current PMF contains all the necessary system control software, storage, display consoles, and specialized forensic software required to manage the entire camera system. The PMF requires significant wiring, temperature control, and access limits because of its highly technical and specialized capabilities. The PMF is staffed by trained operators and supervisors, under the control of the MTA Transit Police.

Due to safety and security nature and functions of the PMF, the relocation will require operating parallel systems during the move to ensure no down-time in monitoring the security of MTA transit facilities and to minimize any issues with connectivity that may arise at the new facility. ARINC installed the original proprietary software and it is the only entity that can move and install the system at the new facility.

ITEM: 1-C (Continued)

BPW – 12/01/10

In addition they are the only entity that can test and commission the system at the new facility after the move.

The proposed contract with ARINC, Inc. has been negotiated per COMAR 21.05.05 Sole Source Procurement. Proceeding with the sole source procurement is in the best interest of the State given the proprietary nature of the system that is being moved.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5969-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

Christine A. Romans (410) 767-3796
 cromans@mta.maryland.gov

BPW – 12/01/10

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT: American Recovery & Reinvestment Act (ARRA)

ITEM: 2-C

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T-1181-0140
 Northwest Bus Division Heating, Ventilation,
 Fire Protection and Trench Drain Updates
 ADPICS NO. T11810140

CONTRACT DESCRIPTION: This contract is for all necessary material, labor, tools, equipment, supervision, mobilization, demobilization, demolition, hauling, proper disposal, testing, and other considerations required for the completion of Northwest Bus Division Heating, Ventilation, Fire Protection and Trench Drain Updates.

AWARD: J. F. Fischer, Incorporated
 Baltimore, Maryland

TERM: 330 Calendar Days

AMOUNT: \$4,688,000.00

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

J. F. Fischer, Inc. Baltimore, MD	\$4,688,000.00
Denver-Elek, Inc. Baltimore, MD	\$4,880,000.00
Advance Fire Protection Systems, LLC Glen Burnie, MD	\$4,886,595.00
RWC Contracting Corporation Baltimore, MD	\$4,994,000.00

DBE PARTICIPATION: 25%

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

ITEM: 2-C (Continued)

BPW – 12/01/10

REMARKS: The Engineer's Estimate for this contract was \$4,824,000.00.

This Solicitation was advertised in eMarylandMarketplace and on MTA's Web Site. Ninety-Seven (97) firms received the bid packages and Seventy-two (72) were Maryland firms. Four (4) bids were received.

This project consist of the following work at the MTA Northwest Bus Division, 4401 Mount Hope Drive, Baltimore Maryland: heating and ventilation upgrades in the Northwest Bus Division Bus Storage Building, fire protection upgrades in the Northwest Bus Division Bus Storage Building, fire protection upgrades in the Northwest Bus Maintenance Building, floor trench drain replacement in the Northwest Bus Division Bus Storage Building.

The estimated number of jobs that will be retained/created from this contract is two to three (2-3).

FUND SOURCE: 100% 0550 Funds

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5614-1111

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

APPROVED **DISAPPROVED**
WITH DISCUSSION

DEFERRED **WITHDRAWN**
WITHOUT DISCUSSION

Robert P. Gay 410-545-0433
rgay@sha.state.md.us

BPW -- 12/01/10

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 3-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: AX1376A14
 Machinery & Structural Repairs on Bridges, Statewide
 ADPICS NO. AX1376A14

CONTRACT DESCRIPTION: This Contract consists of machinery & structural repairs on Bridges, Statewide.

AWARD: Covington Machine & Welding, Inc.
 Annapolis, MD

AMOUNT: \$6,194,100.00 NTE

TERM OF CONTRACT: December 15, 2010 through December 31, 2012

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Covington Machine & Welding, Inc. \$6,194,100.00
 Annapolis, MD

Haris Design & Construction Co. \$6,197,650.00
 Rockville, MD

MBE PARTICIPATION: 3%

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Two-hundred thirty one (231) contractors were notified for this project on eMaryland Marketplace; Fifty eight (58) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

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.

The MBE Goal established for this contract was 2%, however the Contractor is exceeding the goal by 1.2%.

ITEM: 3-M (Continued)

BPW – 12/01/10

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5749-1011

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

APPROVED
WITH DISCUSSION

DISAPPROVED

DEFERRED
WITHOUT DISCUSSION

WITHDRAWN

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 4-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 415D71412
Install, Remove & Replace Miscellaneous Concrete and
Drainage Work at Various Locations in Carroll, Frederick
& Howard Counties (District 7)
ADPICS NO. 415D71412

CONTRACT DESCRIPTION: This Contract consists of the installation, removal and
replacement of concrete and drainage work at various locations in District 7.

AWARD: Brawner Builders, Inc.
Hunt Valley, MD

AMOUNT: \$1,809,327.00 NTE

TERM OF CONTRACT: December 15, 2010 through December 31, 2012

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Brawner Builders, Inc. \$1,809,327.00
Hunt Valley, MD

Ardent Co., LLC \$1,883,000.00
McLean, VA

Concrete General, Inc. \$1,998,700.00
Gaithersburg, MD

J & P Excavating Co., Inc. \$1,999,900.00
Adamstown, MD

Romano Concrete, Inc. \$2,064,082.50
Laurel, MD

General Paving & Contacting, Inc. \$2,174,875.00
Baltimore, MD

ITEM: 4-M (Continued)

BPW – 12/01/10

BIDS (Cont'd):

Civil Construction, LLC Cheverly, MD	\$2,274,250.00
Ross Contracting, Inc. Mt. Airy, MD	\$2,304,665.00
Arthur Construction Co., Inc. Dulles, VA	\$2,621,650.00

MBE PARTICIPATION: 10%

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Two-hundred thirty five (235) contractors were notified for this project on eMaryland Marketplace; Eighty-nine (89) of which were MDOT certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

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.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-5963-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

Robert Gay (410) 545-0433
rgay@sha.state.md.us

BPW -- 12/1/10

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION (Maintenance)

ITEM: 5-M-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID:

Security Services for SHA HQ Complex,
Located at 707 N. Calvert Street, Baltimore, MD
ADPICS NO. CO265112

ORIGINAL CONTRACT APPROVED: Item 12-M, DOT Agenda 11/17/2005

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: Trinity Protection Services, Inc.
Largo, MD

MODIFICATION: Modification No. 1 provides additional funding and allows SHA time to resolve Contractor's responsibility issues on the subsequent bid that will replace this contract.

AMOUNT: \$107,860.80 NTE

ORIGINAL CONTRACT AMOUNT: \$1,877,159.00

REVISED CONTRACT AMOUNT: \$3,147,210.60

TERM: 12/13/05 – 12/12/08 (Original)
12/13/08 – 12/12/09 (Renewal Option No. 1)
12/13/09 – 12/12/10 (Renewal Option No. 2)
12/13/10 – 03/06/11 (Modification No. 1)

PERCENTAGE INCREASE: 5.7%

MBE PARTICIPATION: 100%

REMARKS: This contract provides for trained, experienced, uniformed, armed & unarmed personnel at the State Highway Administration Headquarters Complex located at 707 N. Calvert St. and 211 E. Madison St., Baltimore, MD. This contractor has satisfactorily performed all required duties during the term of this contract.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101/J02B0102

ITEM: 5-M-MOD (Continued)

BPW – 12/01/10

TAX COMPLIANCE NO:

10-6092-1111

RESIDENT BUSINESS:

Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

RENEWAL OPTION

ITEM: 6-S-OPT

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-SV-08-001
Commercial Facilities and Business Planning Services at
BWI Thurgood Marshall/Martin State Airports
ADPICS NO. CO265057

ORIGINAL CONTRACT APPROVED: Item 7-S, DOT Agenda 01/02/08

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Proposals**

MODIFICATION: Exercise the renewal option for a period of one (1) year from January 18, 2011 through January 17, 2012.

CONTRACTOR:

Jacobs Consultancy, Inc. (Contract A)
Burlingame, CA

Simat, Helliesen & Eichner, Inc. (Contract B)
Cambridge, MA

HNTB Corporation (Contract C)
Arlington, VA

AMOUNT: \$0.00

ORIGINAL CONTRACT AMOUNT: \$2,000,000.00

REVISED CONTRACT AMOUNT: \$2,000,000.00

PERCENTAGE INCREASE: 0%

ORIGINAL TERM: 01/18/08 – 01/17/11
01/18/11 – 01/17/12 (Renewal Option No. 1)

ORIGINAL MBE PARTICIPATION: 20%

RENEWAL MBE PARTICIPATION: 20%

ITEM: 6-S-OPT (Continued)

BPW -12 /01/10

REMARKS: This contract is necessary to provide consultant services in real estate appraisals, assistance in preparation and award analysis for concession solicitations, commercial facilities planning & development of cost estimates/schedules and analysis and preparation for rates and charges.

The renewal option is for one (1) year and is consistent with the scope of the original contract. The funds remaining on the original contract are sufficient to fund the one (1) year renewal option. Renewal of this contract is beneficial to the State of Maryland as it provides a significant cost savings since the contract rates will remain the same as 2008 (when the contract was originally bid).

The three consulting firms continue to provide an acceptable level of service in regard to quality of service and cost effectiveness. The performance by all three companies under this contract has been excellent. The work product is of a high caliber and adds significant value to the Office of Commercial Management's contract negotiations and document preparation. All three companies are very responsive and provide the requested work product on a timely basis.

FUND SOURCE:	100% Special Funds Budgeted to MAA	
APPROPRIATION CODE:	J06I0003	
RESIDENT BUSINESSES:	No	
MD TAX CLEARANCE:	Jacobs Consultancy, Inc.	10-4592-0011
	Simat, Helliesen & Eichner, Inc.	10-6054-0111
	HNTB Corporation	10-4591-1110

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

ITEM: 6-S-OPT (Continued)

BPW -12 /01/10

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,000,000.00	01/18/08 – 01/17/11	1/2/08 Item 7-S	
Renewal Option No. 1	\$0.00	01/18/11-01/17/12		as provided in original contract
Revised Amount	\$2,000,000.00			

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

BPW – 12/1/10

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL/MISCELLANEOUS:

ITEM: 7-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-11-006

NATURE OF REQUEST: A concession contract granting the non-exclusive right to establish and operate an On-Airport Rental Auto Concession at Martin State Airport (MTN Airport).

CONTRACTOR: Enterprise RAC Company of Baltimore, LLC
d/b/a Enterprise Rent-A-Car

REVENUE: The MAA will receive ten percent (10%) of gross revenues derived from Concessionaire’s operation of the On-Airport Rental Auto Concession at MTN Airport. Estimated revenues to the MAA over the four (4) year contract term is \$120,000.

DURATION: January 1, 2011 through December 31, 2014

ACDBE PARTICIPATION: 0%

REMARKS: The Invitation for Bids (IFB) was advertised in various local publications, on eMM and the MAA issued fifty-two (52) direct mail notices to firms having rental car businesses or expressed interest in the concession. Two (2) IFB specifications were sold with only one (1) sealed bid received. The MAA in the IFB scope of work required the selected contractor to conduct its own processing of car rentals and provide staff on site during all business hours in the performance of the concession contract and not by MAA staff, which was requested during the IFB process.

The Concession requires an adequate number of popular model automobiles including luxury vehicles, not more than three (3) model years old to meet the reasonable requirements of users of MTN Airport. The Concessionaire will have on-site staff to handle every stage of the car rental process. The concession will bring value and service to MTN Airport customers and the surrounding community which the concession will also serve.

MAA recommends award of Enterprise RAC Company of Baltimore, LLC d/b/a Enterprise Rent-A-Car. The concession fee of ten percent (10%) is two percent (2%) higher than the concession fee under the existing contract.

MD TAX CLEARANCE: 10-5734-1110

RESIDENT BUSINESS: Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	112

Suzette Moore - (410) 859-7792
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BPW – 12/01/10
 REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

GENERAL/MISCELLANEOUS:

ITEM: 8-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID MAA-LC-11-010

NATURE OF REQUEST: A concession contract granting the exclusive right to operate and manage the BWI Marshall Rail Station Garage and Public Automobile Parking Facilities at BWI Marshall.

CONTRACTOR: Maryland Parking Limited Partnership
 Parking Management, Inc. – General Partner and
 Limited Partner
 Tyroc Parking Management, LLC – Limited Partner

REVENUE: The MAA will receive the greater of a fixed Minimum Monthly Guarantee (MMG) or the bid percentage of gross revenues to operate the BWI Marshall public automobile parking facilities. The MTA will receive a separate payment from Contractor based on the bid percentage of gross revenues to operate the BWI Marshall Rail Station Garage.

Concessionaire shall pay MAA on a monthly basis, the greater of a fixed minimum monthly guarantee (MMG) in the amount of three million four hundred thousand dollars (\$3.4M) or eighty-eight and fifty-four/one hundredths percent (88.54%) of gross revenues derived from the operation of the BWI Marshall public automobile parking facilities.

In the first contract year, MAA will receive \$40.8M (the MMG is \$3.4M) In each of the following three (3) contract years, the MMG is 85% of the previous year's operating fee or \$3.4M, whichever amount is greater on a monthly basis.

The Concessionaire will pay the MTA the same operating fee of Eighty-Eight and Fifty-Four/One Hundredths Percent (88.54%) of gross revenues derived from operation at the BWI Marshall Rail Station Parking Garage. There is no MMG established for the MTA's BWI Marshall Rail Station Garage.

Estimated MAA concession fee revenue from all BWI Marshall public automobile parking facilities over the four (4) year contract term is \$314M.

DURATION: January 1, 2011 through December 31, 2014

ACDBE PARTICIPATION: 25%

ITEM: 8-GM (continued)

BPW – 12/01/10
REVISED

REMARKS: This contract provides for the operation and management of the Airport's public parking facilities, including the Hourly Garage, Daily Garage, Express Parking Lot, Long Term Parking Lots, and Overflow Lots. The Contract includes operation and management of the BWI Marshall Rail Station Garage. The BWI Marshall Rail Station Garage facilities were constructed by MTA. 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 disposal of State property under State Finance and Procurement Article, section 10-305.

The Invitation for Bids (IFB) was advertised in local publications, on eMM and the MAA issued one hundred eighty-seven (187) direct mail notices to firms having public parking businesses in the Maryland and District of Columbia metropolitan areas. Seven (7) direct mail notices were sent to certified DBE firms found to match those services in the scope of work. Twenty-three (23) IFB specifications were sold with only one (1) sealed bid received.

One firm specifically stated the reasons for not bidding were: 1) bonding requirements were extremely high; 2) the DBE/Community Service Provider (Maintenance) Component; 3) the Agreement and IFB response requirements; 4) the financial structure created undo risk. A second firm stated the financial guarantee requirement was unreasonable. A third firm's reason was the future snowfall difficult to estimate and price job.

The Awardee is a Maryland limited partnership organized under the laws of the State of Maryland in 1996.

Tyroc Parking Management, LLC, formerly Tyroc Construction, LLC (Tyroc) is a District of Columbia corporation and an Airport Concession Disadvantaged Business Enterprise (ACDBE) certified by MDOT. Tyroc will participate by generating at least twenty-five percent (25%) in the concession gross revenues by having sole and complete responsibility to operate the Daily Garage at BWI Marshall.

MAA recommends award of the Contract to Maryland Parking Limited Partnership, the incumbent Contractor, based on the excellent service the Contractor has provided at BWI Marshall in the past 13 years and a higher financial offer than the current percentage paid to MAA. The concession fee of 88.54% under the new Contract is nearly 1.0% higher than the concession fee under the existing contract (87.78%) and will result in an increase in MAA's share of the gross revenues collected by the Contractor.

MD TAX CLEARANCE: 10-5735-0110

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Chris Patusky (410) 865-1236
cpatusky@mdot.state.md.us

BPW-- 12/01/10
 REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

GENERAL/MISCELLANEOUS: State Center Phase I Parking Garage – Baltimore City

ITEM: 9-GM

THE SECRETARY'S OFFICE

DESCRIPTION: In accordance with provisions of the Transportation Article, Section 2-103(h), Annotated Code of Maryland, the Board of Public Works approval is requested for:

1. A Lease of a 928-space parking garage between the Maryland Department of Transportation (MDOT) and the Maryland Economic Development Corporation (MEDCO);
2. A Shared Parking Agreement between MDOT and State Center LLC that governs the use of the garage. The parking garage that MEDCO will develop and then lease to MDOT is essential for both meeting Phase I parking requirements, and freeing up other parcels in State Center so that they can be redeveloped in future phases; **and**
3. An Insurance Agreement that requires MDOT to fund appropriate insurance coverage carried by MEDCO on the State Center Phase I Parking Garage beginning after the completion of the garage construction. MDOT may elect to use the self-insurance coverage available to it under State law and fund only those coverages not provided for by self-insurance.

PROPERTY LOCATION: 900 North Eutaw Street
 Baltimore, MD 21201

BACKGROUND: The Board of Public Works, (BPW) on June 3, 2009, BPW Item 6-RP, approved a Master Development Agreement (“MDA”) on behalf of the Department of General Services (“DGS”) with acknowledgement by the Maryland Department of Transportation (“MDOT”), Department of the Military (“MD”) and Department of Labor, Licensing and Regulation (“DLLR”), to grant development rights over the 21.8 ± acre parcel in the City of Baltimore known as State Center to State Center, LCC, a limited liability corporation (“Developer”).

The MDA was fully executed by all parties, and the BPW, and became effective June 15, 2009. Following approval of the MDA, and the development of the Preliminary Development Plan (“PDP”) of the Approved Concept Plan, the parties determined that the demand for parking at and in the vicinity of the first phase of the redevelopment project – the contemplated complex of governmental and private office, residential, and retail buildings on Parcel G, Parcel I and future phases at State Center require the construction of a parking garage for governmental and private use.

To facilitate the parking garage DGS and MDOT entered into a Garage Ground Lease approved by the BPW on July 28, 2010 to provide for the development and construction of a 900-1,000 spaces garage and all appurtenant garage and project improvement for its operation for the use of employees and officials of the State and the general public by MDOT.

ITEM: 9-GM (Continued)

BPW – 12/01/10

REVISED

BACKGROUND: (cont'd) MEDCO will on behalf of the State and the Project, finance, construct, operate, repair and maintain the Garage, or to secure some or all of the foregoing services from one or more third parties, for the term of this Garage Ground Lease. The Garage and the First Phase will remain contingent upon the Developer obtaining financing for the First Phase of redevelopment. The State will have no liability to Developer for failure to start or complete the Garage. If Developer fails to commence construction of improvements after the Garage is complete, the State may remove Developer from the Project and find a replacement Developer. MDOT and Developer will negotiate a shared use operating agreement for the completed Garage that shall include State access to no less than 550 spaces.

NATURE OF REQUEST: This Lease from MEDCO grants to MDOT a leasehold interest in an underground parking garage in Baltimore City, Maryland. The Shared Parking Use Agreement governs the use of the garage.

The granting of this leasehold interest is in connection with MEDCO's issuance of its Lease Revenue Bonds Series 2010 (MDOT State Center Garage) in an amount not to exceed \$35 million. The Bonds will finance the construction of a garage under Parcel G office use of the State Center project.

The garage, when completed, will consist of three levels of underground parking with at least 928 spaces.

AMOUNT: MDOT is required to pay base rentals semi-annually equal to the amount of principal of and interest on MEDCO's bonds as the same become due. The lease payments are not determined until the bonds are sold. Bonds of approximately \$33 million are expected to be sold. MDOT will pay all taxes, fees or charges, if any, which may be imposed upon the leasehold premises. In addition, MDOT is required to pay subsidies for operating expenses of the garage.

TERM: The term is twenty-two years commencing on the date of closing for the MEDCO bonds. MDOT will become the owner of the garage at the termination of the lease.

USE OF THE FACILITY: As long as the State is a tenant in the "Parcel G" first office tower, it will be guaranteed the lease of 550 parking spaces. The balance of the garage will be used for other public purposes such as office and retail parking. State Center LLC reserves the right to dedicate parking spaces to Parcel G residential units out of the balance of spaces.

The State will have 24-hour access to 50 spaces to accommodate State vehicles. The State will share its use of the 500 remaining spaces with the general public after core working hours (i.e., 7:00 PM). Should the State ever permanently vacate the Parcel G office tower, the State would continue to have rights to 250-spaces unless State Center LLC elects to supply convenient replacement parking or purchases the spaces for Fair Market Value.

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 1-M

DEPARTMENT OF HUMAN RESOURCES Frederick County Dept. of Social Services
Frederick, MD

CONTRACT NO. AND TITLE Unarmed Uniformed Guard Services
ADPICS NO. 001B1400283

DESCRIPTION Approval is requested for a contract to
provide unarmed uniformed guard services at the Department of Human Resources, Frederick
County Department of Social Services.

PROCUREMENT METHOD Competitive Sealed Bidding
(Small Business Reserve)

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
Graham Security Services, Glen Burnie, MD	\$252,914.56
Elite People Protective Services, Inc., Baltimore, MD	\$259,760.00
Twenty-Nine Sixteen Protective Guard Service, Lutherville, MD	\$265,749.76
SIG Investigations, Inc., Baltimore, MD	\$275,040.00
I.W.G. Protection Agency, Inc., Baltimore, MD	\$305,355.52
Hamm & Associates, LLC, Baltimore, MD	\$378,944.00

AWARD Graham Security Services
Glen Burnie, MD

AMOUNT \$252,914.56 (3 Years)

TERM 1/1/2011-12/31/2013

MBE PARTICIPATION 10%

PERFORMANCE BOND 100% of full contract amount

REMARKS A notice of the availability of the Invitation
For Bids (IFB) was advertised and bid on *eMarylandmarketplace.com* and the *DGS Bid Board*.
This solicitation was advertised as a Small Business Procurement (SBR) with a 10% MBE goal.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 1-M (Cont.)

Six responsive and responsible bids were received. The recommended awardee, Graham Security Services has been found responsive and responsible and has confirmed their bid.

The contract allows for labor, equipment and supplies necessary to perform the uniformed unarmed guard service for the DHR, Frederick County Department of Social Services in strict conformance with the methods and conditions specified in the solicitation.

FUND SOURCE

DHR Frederick County Operating Funds:

- N00 11 G5000 0819 71000
- N00 11 G0010 0819 71000
- N00 11 G3010 0819 71000
- N00 11 G4100 0819 71000
- N00 11 G6010 0819 71000
- N00 11 G4830 0819 71000
- N00 12 G5000 0819 71000
- N00 12 G0010 0819 71000
- N00 12 G3010 0819 71000
- N00 12 G4100 0819 71000
- N00 12 G6010 0819 71000
- N00 12 G4830 0819 71000
- N00 13 G5000 0819 71000
- N00 13 G0010 0819 71000
- N00 13 G3010 0819 71000
- N00 13 G4100 0819 71000
- N00 13 G6010 0819 71000
- N00 13 G4830 0819 71000
- N00 14 G5000 0819 71000
- N00 14 G0010 0819 71000
- N00 14 G3010 0819 71000
- N00 14 G4100 0819 71000
- N00 14 G6010 0819 71000
- N00 14 G4830 0819 71000

RESIDENT BUSINESS

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 1-M (Cont.)

TAX COMPLIANCE NO.

10-5240-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M

DEPARTMENT OF GENERAL SERVICES 300 West Preston Street
Baltimore, MD

CONTRACT NO. AND TITLE Project No. BB-524-080-001
Elevator Modernization
ADPICS NO. 001B1400357

DESCRIPTION Approval for a contract that provides for the modernization or upgrading of three elevator systems that includes complete elevator system upgrades including control systems, motors, hydraulic system, hoist-way equipment, hall stations, elevator cab upgrades including finishes and all cabling.

PROCUREMENT METHOD Competitive Sealed Bidding

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
Delaware Elevator Inc. Upper Marlboro, MD	\$ 890,081.00
Elcon Enterprises, Inc. Upper Marlboro, MD	\$ 999,405.00
Apex Service, Inc. ~ Washington, DC	\$1,033,000.00

AWARD Delaware Elevator, Inc.
Upper Marlboro, MD

AMOUNT \$890,081.00

TERM 300 Calendar Days

MBE PARTICIPATION 30%

PERFORMANCE BOND 100% of full contract amount

REMARKS Included in the work listed in the description above is electrical, emergency power, elevator machine room HVAC system for alarm upgrades to meet present day Building and Life Safety codes as well as ADA requirements.

Elevator systems were partially upgraded nineteen years ago. Due to the amount of usage and difficulty in obtaining replacement parts the amount of downtime has increased over the past years. The amount of service callbacks has increased to keep elevators operational.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.)

Reliability has decreased due to the age and wear of the equipment.

FUND SOURCE

MCCBL 2009/Item 007 DGS (Capital
Facilities Renewal) - \$877,289.00
H00 12 33351 0812 - \$12,792.00
Yes *see attached

RESIDENT BUSINESS

MD TAX CLEARANCE

10-5619-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Martin O'Malley
Governor
Anthony G. Brown
Governor



MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

Alvin C. Collins
Secretary

January 10, 2012

Sheila McDonald, Esq.
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, Maryland 21401-1991

SUBJECT: Changes to the December 1, 2010, September 21, 2011, October 19, 2011, and December 21, 2011 Board of Public Works Action Agenda

Dear Ms. McDonald:

This is to advise you of the following changes to the Board of Public Works Action Agenda Items previously approved by the Board of Public Works.

BPW December 1, 2010 FROM:\$ 890,081.00 – MCCBL 2009 Item 007
Item 2-M
Pages 4-5 TO:\$ 877,289.00 – MCCBL 2009 Item 007
Elevator Modernization 12,792.00 – H00 12 33351 0812
300 W. Preston Street

Reason: Maintenance costs not covered utilizing capital funds.

BPW September 21, 2011 FROM:\$ 2,103,866.50 - 615 09501 AY 09
Item 9 RP 1,494,843.27 – L00 A11.11 State SF12
Pages 19-22 853,475.99 – L00 A11.11 County SF12
Maryland Agricultural Land
Preservation Easements TO:\$ 2,103,866.50 – 615 09501
Maryland Agricultural Land 1,272,261.30 – 615 10075
Preservation Foundation 1,076,057.96 – L00 A11.11

REMARKS: L00 A11.11 includes \$853,475.99 county funds

:

Reason: Incorrect coding assignment for State and County Funds



Ms. Sheila McDonald, Esq.
Page 2

<u>BPW October 19, 2011</u>	FROM:\$ 2,337,778.23 – 615 09501 AY09
Item 7-RP	3,376,745.72 – L00 A11.11 State SF12
Pages 14-20	2,605,243.89 – L00 A11.11 County SF12
Agricultural Land Preservation Easements	TO:\$ 2,337,429.75 – 615 09501
Maryland Agricultural Land Preservation Foundation	2,076,043.55 – 615 10075 3,905,713.74 – L00 A11.11

REMARKS: L00 A11.11 includes \$2,605,011.57 county funds

Reason: Incorrect coding assignment for State and County Funds. Also, decrease in total due to reduction of value of the Anders property (Queen Anne's County).

<u>BPW December 21, 2011</u>	FROM:\$	348.48 – 615 09501 AY 09
Item 7-RP		1,974,891.28 - 615 10075 AY10
Pages 13-16		1,302,699.39 – L00 10460 AY12
Agricultural Land Preservation Easements		1,276,971.09 – L00 A11.11 County SF 12
Maryland Agricultural Land Preservation Foundation	TO:\$	348.48 – 615 09501 1,974,891.28 – 615 10075 2,579,670.48 – L00 A11.11

REMARKS: L00 A11.11 includes \$1,276,971.09 county funds

Reason: Incorrect coding assignment for State and County Funds.

Thank you for your attention to this matter. If you need further information, please call me at (410) 767-4960 or have a member of your staff contact Rio Woodard, Administrator, Capital Projects Accounting, at (410) 767-4236.

Sincerely yours,



Alvin C. Collins
Secretary

cc: The Honorable Martin O'Malley
The Honorable Peter Franchot
The Honorable Nancy K. Kopp

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

Maryland Correctional Institute for Women
Jessup, MD

CONTRACT NO. AND TITLE

Project No.: KW-474-110-001;
Replace Hot Water Boilers in
Administration Building
ADPICS NO. 001B1400356

DESCRIPTION

Approval requested for a contract to provide all labor, materials, and supplies required to furnish and install a fully operational heating and hot water boiler system and associated pumps, piping and controls.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

TOTAL BID

J.F. Fischer, Inc. Baltimore, MD	\$245,600.00
RLS Heating , A/C & Refrigeration. Baltimore, MD	\$249,958.00
EMCOR Services Combustioner Rockville, MD	\$259,900.00
James P. Kruger & Associates, Inc. Ellicott City, MD	\$266,732.00
M & M Welding and Fabricators, Inc. Gaithersburg, MD	\$278,000.00
American Combustion Industries Brentwood, MD	\$289,700.00
Heer Brothers, Inc. Baltimore, MD	\$316,181.00
Hot & Cold Corp. Clinton, MD	\$321,554.00
East Coast Welding Glen Burnie, MD	\$352,951.00

AWARD

J.F. Fischer, Inc.
Baltimore, MD

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 3-M (Cont.)**AMOUNT** \$245,600.00**TERM** 120 Calendar Days**MBE PARTICIPATION** 25%**PERFORMANCE BOND** 100% of Full Contract Amount

REMARKS This solicitation was advertised and bid on eMaryland Marketplace (eMM). Nine (9) responsive and responsible bids were received.

The A/E estimate for this project is \$240,000.00. Additional funds have been obtained to procure this project.

The existing hot water boiler is over twenty years old and constantly breaks down. This project will provide a reliable and fully operational hot water boiler system. The new boiler will carry a manufacturers' ten-year warranty on all cast iron parts against factory or workmanship defects. Burner manufacturer will provide labor and parts for any factory or workmanship defects for the first three years from date of start up.

This work includes: Removal of existing cast iron sectional hot water boiler, burner and associated hot water/gas piping connections; four hot water circulating pumps and two expansion tanks. Provide and install one cast iron sectional hot water boiler with gas burner and new breeching duct connection to existing chimney; four heating hot water circulating pumps, piping, valves and fittings; two custom expansion tanks; main hot water supply/return header; ATC controls and electrical power for new heating boiler, hot water pumps, motorized dampers as well as chemical treatment pumps as needed.

The procurement officer has evaluated the bid documents and has determined that the contractor has submitted the lowest responsive and responsible bid. The contractor has verified his bid and understands the scope of work for this project.

FUND SOURCE MCCBL 2008/Item 010 (Provide Funds for Capital Facilities Renewal Program)

RESIDENT BUSINESS Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M (Cont.)

TAX COMPLIANCE NO. 10-5620-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

DEPARTMENT OF GENERAL SERVICES

Silver Spring District Court Multi-Service
Center (DCMSC)
Silver Spring, MD

CONTRACT NO. AND TITLE

Unarmed Uniformed Guard Services
ADPICS NO. 001B1400291

DESCRIPTION

Approval is requested for a contract to provide unarmed uniformed guard services at the Silver Spring DCMSC, located in Silver Spring, MD.

PROCUREMENT METHOD

Competitive Sealed Bidding
(Small Business Reserve)

BIDS OR PROPOSALS

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
Phoenix Technologies LLC, Lorton, VA	\$382,809.60
BTI Security, Silver Spring, MD	\$402,488.64
Triad Security Services, Inc., Silver Spring, MD	\$407,361.60
2916 Protective Guard Service, Lutherville, MD	\$417,251.52
MSW, Inc., Temple Hills, MD	\$423,072.00
Graham Security Services, Glen Burnie, MD	\$424,699.20
I.W.G. Protection Agency, Inc., Baltimore, MD	\$461,416.32
Assured Protection Agency, Towson, MD	\$513,388.80

AWARD

Phoenix Technologies LLC,
Lorton, VA

AMOUNT

\$382,809.60 (3 Years)

TERM

1/1/2011 – 12/31/2013

MBE PARTICIPATION

10%

PERFORMANCE BOND

100% of full contract amount

HIRING AGREEMENT ELIGIBLE

Yes (1)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

REMARKS This solicitation was advertised as Small Business Reserve Procurement with 10% of Minority Business Enterprise Goal and bid on *eMaryland Marketplace*. Notice of availability was also posted on the *DGS Bid Board*. Nine bids and one, no-bid, were received on July 20, 2010.

The recommended awardee, Phoenix Technologies LLC., has been found to be responsive and responsible and has confirmed their bid.

FUND SOURCE H00 33591 0823 (DGS Operating Funds)

TAX COMPLIANCE NO. 10-5304-0001

RESIDENT BUSINESS Yes

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 PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Maryland Correctional Institution for
Women (MCI-W)
192 Bed Housing Unit

CONTRACT NO. AND TITLE

Project No. KW-550-070-001 (2nd Rebid);
Replace Door Control Panels & Related
Operational Equipment
ADPICS NO. 001B1400358

DESCRIPTION

Approval requested to provide all construction services: labor, equipment, materials, coordination, scheduling, testing and all services necessary and reasonably incidental to install a fully operational door control panel system, door locking mechanisms and related operational equipment.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Only one bid received

AWARD

Pinnacle Integrated Systems, Inc.
Exton, PA

AMOUNT

\$139,100.00

TERM

180 Calendar Days

MBE PARTICIPATION

10%

PERFORMANCE BOND

100% of full contract amount

REMARKS

This was the third solicitation attempt for this project. A notice of Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. As part of the Department's outreach efforts to enhance business participation, direct mail advertisements were forwarded to various business and trade organizations and to the bidders from the previous two solicitation attempts. Only one (1) bid was received, and the bid was found to be responsive and responsible. Thus considering that other prospective bidders had an opportunity to respond to this project solicitation, we are recommending award. The Government Estimate is \$160,000.00.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

FUND SOURCE

MCCBL 2008/Item 010 (Capital Facilities
Renewal Program)

RESIDENT BUSINESS

No

MD TAX CLEARANCE

10-5561-0001

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 of the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$439,087.60 (12 Items)

A. Department of General Services

William Donald Schaefer Tower
6 St. Paul Street, Baltimore

DESCRIPTION

This project provides architectural and engineering design and construction administration services for replacement of the existing fire alarm system.

REMARKS

Indefinite Quantity Contract (IQC) DGS-08-004-IQC was developed for DGS to provide mechanical/electrical engineering services for multiple construction projects with fees \$200,000 or less. Under this agreement individual contract awards may not exceed \$200,000. Selected firms may be awarded more than one contract; however, the total amount for contracts awarded to any one firm may not exceed \$500,000.00. The expiration date of this contract (DGS-08-004-IQC) is July 06, 2012.

CONTRACT NO. & TITLE

Project No. BB-600-115-001;
Replace Fire Alarm

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

AWARD

Mueller Associates, Inc.
Baltimore, MD

AMOUNT

\$98,764.96

MBE PARTICIPATION

27.6%

FUND SOURCE

Item 007, MCCBL 2009 (Provide Funds For The State Capital Facilities Renewal Program -Statewide)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

B. Department of Agriculture

50 Harry S Truman Pkwy.
Annapolis, MD 21401

DESCRIPTION

This project provides for the labor, equipment, permits, testing and materials for the replacement of a new containment pump and new monitoring system for the fuel dispensing system as defined in the contract specifications.

REMARKS

The estimate for this project was \$30,000.00 and the project duration is 45 calendar days. This Small Business Reserve solicitation was advertised and bid on eMaryland Marketplace.

CONTRACT NO. AND TITLE

Project No. SW-000-110-101;
Replacement of Pump and Monitoring System for the fuel dispensing system.

PROCUREMENT METHOD

Competitive Sealed Bidding (SBR)

AWARD

Maryland Pump & Tank
Baltimore, MD

AMOUNT

\$19,552.04

FUND SOURCE

MCCBL 2009/Item 007 (Provide funds to upgrade state-owned Gasoline/Fuel Oil Tanks- Statewide).

C. Department of General Services

DESCRIPTION

In accordance with provisions of the State Finance and Procurement Article, Section 12-202, Annotated Code of Maryland, Board of Public Works approval is requested for the following construction inspection expenditures related to the capital improvement project identified below:

REMARKS

This is an anticipated amount for construction inspection services, subject to necessary extensions, in the event the construction takes longer than expected to complete. Construction inspection services are required to ensure compliance with the requirements of the construction contract.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

<u>Project Description</u>	<u>Amount</u>	<u>Fund Source</u>
Project No. – TA-000-052-001 Inspection Services for Public Safety Training Center Rifle Range Fix Carroll County, Maryland	\$49,670.80	Item 024 MCCBL 2009 “Provide Funds to design and remediate the rifle range for the Firearms Training Training Center at PSTC”
TOTAL	\$49,670.80	

D. Department of General Services

Springfield Hospital Center
Sykesville, MD

DESCRIPTION

To prepare, furnish and install ADA Compliance Entrance Door Operators with Pads, raise Existing Landing for New ADA Ramp, 2 New ADA Parking Spaces and New (approx. 200' long x 12' wide) Asphalt Driveway over existing 8' wide concrete walkway for any/all staff and/or visitors with special needs.

REMARKS

Nine Bids were received through the DGS *eMaryland Marketplace* (eMM) website for Small Business Reserve (Category III). Work schedule will be in coordination with any/all current ongoing/proposed building activities.

CONTRACT NO. AND TITLE

Project No. DGS # S-000-090-001;
ADA Ramp & Improvements
To Central Conference Center

PROCUREMENT METHOD

Competitive Sealed Bid (SBR)

AWARD

MRC Construction Corporation
Crofton, MD

AMOUNT

\$45,383.00

FUND SOURCE

\$ 4,000.00 MCCBL 07/Item 032
\$41,383.00 MCCBL10/Item 008 (Provide
funds to design & construct handicap
accessibility modifications at state-owned
facilities statewide)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

E. Department of General Services

Borgerding District Court Multi-Service Ctr.
(DCMSC) Baltimore, MD

CONTRACT NO. AND TITLE

ADA Signage;

DESCRIPTION

The contractor is to supply ADA signs to the Borgerding District Court/Multi Service Center in Baltimore Maryland.

REMARKS

This contract is for the purchase only of ADA signage for the Borgerding DCMSC in Baltimore MD. Since the project is for supply only, there are no MBE sub-contracting opportunities.

PROCUREMENT METHOD

Preference Purchase

AWARD

Maryland Correctional Enterprises (MCE)
Jessup, MD

AMOUNT

\$625.75

FUND SOURCE

MCCBL 2006/Item 007 (Provide funds to design and construct handicapped accessibility modifications at state-owned facilities-statewide)

F. Department of General Services

John R. Hargreaves District Court Multi-Service Ctr. (DCMSC) Denton, MD

DESCRIPTION

John R. Hargreaves DCMSC in Denton, MD.

The contractor is to supply ADA signs to the

REMARKS

This contract is for the purchase only of ADA signage for the John R. Hargreaves DCMSC in Denton, MD. Since the project is for supply only, there are no MBE sub-contracting opportunities.

CONTRACT NO. AND TITLE

ADA Signage;

PROCUREMENT METHOD

Preference Purchase

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

AWARD Maryland Correctional Enterprises (MCE)
Jessup, MD

AMOUNT \$1,108.50

FUND SOURCES \$ 78.84 MCCBL 2006/Item 007
\$1,029.66 MCCBL 2010/Item 008
(Provide funds to design and construct
handicapped accessibility modifications at
state-owned facilities-statewide)

G. Department of General Services

Arbutus District Court Multi-Service Ctr.
(DCMSC) Catonsville, MD

CONTRACT NO. AND TITLE

ADA Signage

DESCRIPTION

Arbutus DCMSC in Catonsville, MD.

The contractor is to supply ADA signs to the

PROCUREMENT METHOD

Preference Purchase

AWARD

Maryland Correctional Enterprises (MCE)
Jessup, MD

AMOUNT

\$576.75

REMARKS

ADA signage for the Arbutus DCMSC in Denton, MD. Since the project is for supply only, there are no MBE sub-contracting opportunities.

This contract is for the purchase only of

FUND SOURCE

MCCBL 2010/Item 008 (Provide funds to
design and construct handicapped
accessibility modifications at state-owned
facilities-statewide)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

H. Department of General Services

Ellicott City District Court Multi-Svc. Ctr.
(DCMSC) Ellicott City, MD

DESCRIPTION

Ellicott City DCMSC in Ellicott City, MD.

The contractor is to supply ADA signs to the

REMARKS

ADA signage for the Ellicott City DCMSC in Ellicott City, MD. Since the project is for supply only, there are no MBE sub-contracting opportunities.

This contract is for the purchase only of

CONTRACT NO. AND TITLE

ADA Signage

PROCUREMENT METHOD

Preference Purchase

AWARD

Maryland Correctional Enterprises (MCE)
Jessup, MD

AMOUNT

\$1,448.25

FUND SOURCE

MCCBL 2010/Item 008 (Provide funds to design and construct handicapped accessibility modifications at state-owned facilities (statewide))

I. Department of General Services

Glen Burnie District Court Multi-Svc. Ctr.
(DCMSC) Glen Burnie, MD

DESCRIPTION

Glen Burnie DCMSC in Glen Burnie, Maryland.

The contractor is to supply ADA signs to the

REMARKS

ADA signage for the Glen Burnie DCMSC in Glen Burnie, MD. Since the project is for supply only, there are no MBE sub-contracting opportunities.

This contract is for the purchase only of

CONTRACT NO. AND TITLE

ADA Signage

PROCUREMENT METHOD

Preference Purchase

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

<u>ITEM</u>	6-GM (Cont.)
<u>AWARD</u>	Maryland Correctional Enterprises (MCE) Jessup, MD
<u>AMOUNT</u>	\$1,507.75
<u>FUND SOURCE</u>	MCCBL 2010/Item 008 (Provide funds to design and construct handicapped accessibility modifications at state-owned facilities (statewide)
J. Department of General Services	45 Calvert St. Building Annapolis, MD
<u>DESCRIPTION</u>	This project provides for supplying all materials, equipment, labor, to complete the installation of an automatic ADA door at the front entrance of the 45 Calvert St. Building.
<u>REMARKS</u>	This project is required to provide ADA access to the facility. It is a 10 Calendar Day project.
<u>CONTRACT NO. AND TITLE</u>	Project No. BA-450-110-001; Installation of ADA Doors 45 Calvert St. Building Annapolis, MD
<u>PROCUREMENT METHOD</u>	Small Procurement
<u>AWARD</u>	Colonial Lock Supply Co. Newington, VA
<u>AMOUNT</u>	\$10,720.80
<u>FUND SOURCE</u>	MCCBL 2009 Item 004 \$2,873.36 MCCBL 2010 Item 008 \$7,847.44 (ADA Funding)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

K. Department of General Services

Nancy S. Grasmick Building
Baltimore, MD

DESCRIPTION

This scope of work provides design and construction administration services for the replacement of the existing cooling tower and its associated remote sump with a roof mounted cooling tower with integral sump.

REMARKS

An approved list of consultants was developed for DGS to provide mechanical, electrical services for construction projects through the State's Small Business Reserve program. Under this process individual contract awards may not exceed \$25,000.00. Selected firms may be awarded more than one contract in rotation basis.

CONTRACT NO. & TITLE

Project No. BB-801-110-001;
Replace Cooling Tower & Remove Up Tank

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

AWARD

Spears/Votta & Associates, Inc.
Baltimore, MD

AMOUNT

\$24,885.00

FUND SOURCE

MCCBL 2010/Item 010 (Provide Funds for the State Capitol Facilities Renewal/Program)

L. Department of Natural Resources

Fort Frederick State Park
Western Maryland rail Trail Phase IV
P-012-070-010 Gaithersburg, MD
(Washington & Allegany Counties)

DESCRIPTION

This action will encumber funds to allow payments to be made to the National Park Service (NPS) for the preparation of an Environmental Assessment for the extension of the Western Maryland Rail Trail in agreement with a Memorandum of Understanding with the Department of Natural Resources dated June 22, 2010.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM (Cont.)

This phase of the Rail Trail project will provide the final 4.5 mile Maryland segment from Pearre Station in Washington County to the Potomac River crossing at Little Orleans in Allegany County. The completed trail will then extend 27 miles from its origin at Big Pool. The NPS is tasked with preparing the environmental assessment study for the entire trail extension on the Western Maryland Railroad right-of-way from Pearre Station to Paw Paw, West Virginia. The requested funds represent Maryland’s share of the assessment.

REMARKS

In accordance with the National Environmental Policy Act, Section 106 of the National Historic Preservation Act, the NPS is the lead agency on development of compliance documents for the conversion of the Western Maryland Railroad right-of-way into a recreational trail.

AMOUNT

\$142,000.00

FUND SOURCE

MCCBL 2010/Item 011 (Provide funds to design, construct, and equip Capital Development Projects on Department of Natural Resources property. Various locations)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 7-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval of 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 \$41,702.00 (includes items 1 and 2).

The two fund sources for any particular item will be designated as either:
MCCBL FY2009 Item 18 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public facilities on State-Owned property) or
MCCBL FY 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

1. Gunpowder State Park, Days Cove Environmental Education Center
White Marsh, MD (Baltimore County)

DESCRIPTION

Contract to perform on-site Sewage Disposal System Upgrade at the Days Cove Environmental Education Center at Gunpowder State Park.

REMARKS

The work for this project includes excavation and installation of a new distribution box (if needed) new piping from the septic tank to distribution box as needed and a new 1,350 gallon system capacity combined septic tank and OSDS reduction unit.

CONTRACT NO. & TITLE

Project No. P-000-111-210

PROCUREMENT METHOD

Small Procurement

AWARD

Earl E. Preston Jr., Inc.
Fallston, MD

AMOUNT

\$13,296.00

FUND SOURCE

MCCBL FY2010 Item 16

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS**ITEM** 8-GM**MARYLAND SCHOOL FOR THE DEAF**Hessian Barracks, Frederick Campus
Frederick, MD**CONTRACT NO. AND TITLE**Roofing Shingles, Custom
ADPICS No. 001P1100072**DESCRIPTION**The contractor is to supply custom
handmade roofing shingles to the Maryland School for the Deaf, Frederick MD. Installation is
not included in this procurement.**PROCUREMENT METHOD**

Exempt

BIDS OR PROPOSALSTo the Line Timber Frames Inc,
Constantia, NY**AMOUNT**
\$302,125.00**AWARD**To the Line Timber Frames Inc
Constantia, NY**TERM**

365 Days

AMOUNT

\$302,125.00

MBE PARTICIPATION

None (See Remarks Below)

PERFORMANCE BOND

None

REMARKS

This contract is for the purchase only of roofing shingles for the Hessian Barracks which serves as the Maryland School for the Deaf Museum on the Frederick Campus. Since the Barracks is listed on the National Register of Historic Places, the Maryland Historical Trust has determined that it is of paramount importance that the shingles be replaced with historically accurate replicas of the original material. Therefore, the shingles must be hand split and hand finished red oak. The contractor is an historic preservation specialist capable of producing the required shingles. Since the procurement is for the renovation of a structure that was built during the 18th century, the procurement is exempt from State Procurement Law and Regulations under State Finance and Procurement Article, section 11-203(a)(1)(xviii).

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 8-GM (Cont.)

There is no opportunity for MBE participation since the procurement requires a single element of work.

FUND SOURCE

\$151,062.50 - Capital Account MCCBL 2008/Item 010
(Provide Funds for the State Capital
Facilities Renewal Program-Statewide)

RESIDENT BUSINESS

*\$151,062.50 - MD School for Deaf Federal Grant
Funds*
No

TAX COMPLIANCE NO.

10-5676-0000

** see
attachment*

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Martin O'Malley
Governor

Anthony G. Brown
Governor



Alvin C. Collins
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

OK file

October 3, 2011

Ms. Sheila McDonald
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, Maryland 21401-1991

SUBJECT: Changes to the December 1, 210, September 21, 2011 Board of Public Works Action Agenda items previously approved by the Board of Public Works.:

Dear Ms. McDonald:

This is to advise you of the following changes to the Board of Public Works Action Agenda Item previously approved by the Board of Public Works.

<u>BPW December 1, 2010</u>	FROM:\$ 302,125.00 – MCCBL 2008/ Item 010
<u>Item 8-GM</u>	
<u>Pages 24-25</u>	TO:\$ 151,062.50 – MCCBL 2008/Item 010
<u>Roofing Shingles Custom</u>	151,062.50 – Md. School for Deaf Federal Grant
<u>Hessian Barracks</u>	Funds
<u>Frederick Campus</u>	
<u>Frederick Maryland</u>	

Reason: To utilize available Federal Grant funds.

<u>BPW September 21, 2011</u>	FROM:\$ 65,555.17
<u>Item 6-GM</u>	
<u>Page 14</u>	65,555.17 – MCCBL 2010/Item 906
<u>Telephone Communication</u>	
<u>System</u>	TO:\$ 65,555.71
<u>Hagerstown State Police Barrack</u>	
<u>Hagerstown, Maryland</u>	52,015.96 – MCCBL 2010/Item 906
	13,539.75 – MD State Police Operating Funds

Reason: Clerical error on contract amount. Also, portion of contract not eligible for capital funding.

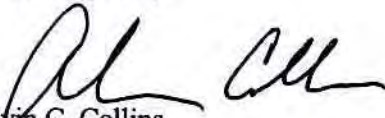
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2011 OCT 31 PM 3:49
BOARD OF PUBLIC WORKS



Ms. Sheila McDonald
Page 2

Thank you for your attention to this matter. If you need further information, please call me at (410-)767-4960 or have a member of your staff contact Rio Woodard, Administrator, Capital Projects Accounting at (410) 767-4236.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Alvin C. Collins', written over a horizontal line.

Alvin C. Collins
Secretary

cc: The Honorable Martin O'Malley
The Honorable Peter Franchot
The Honorable Nancy K. Kopp

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 9-RP

DEPARTMENT OF NATURAL RESOURCES Dolores J. Black and Morgan Jay Crossney,
and Glenda H. Brewer
Wicomico County, 322.582 ± acres
File #00-4210; POS # 4139

REFERENCE

Approval is requested to accept an Agreement of Sale on behalf of Program Open Space to purchase a 322.582± acre parcel located in the southwestern corner of Wicomico County, near the mouth of the Wicomico River, and contiguous with Ellis Bay Wildlife Management Area. The property consists of 15 parcels of land that include a mosaic of maturing upland and wetland forest. The forested bottomlands of the Wicomico River support numerous species including the Delmarva fox squirrel, and bald eagle and serve as important stopover and nesting habitats for neotropical migrants, waterfowl and shorebirds,

The property lies in close proximity and provides buffer to Tangier Sound. Tangier Sound supports a large variety of waterfowl and is especially important to the American Black Duck, one of the few waterfowl species that nest in Maryland. This area also supports some of the largest concentrations of Heron, Egret and Ibis in Maryland, with very high numbers of these nesters in the area. The large expanses of tidal emergent wetlands from the mouth of the Wicomico to Tangier Sound also support American Oyster Catcher, Black Skimmer, and Black Rail, uncommon residents of the Maryland portion of the Chesapeake Bay.

Acquisition of this property will provide buffer to these wetland complexes, as well as providing and expand hunting and outdoor recreational opportunities to Ellis Bay Wildlife Management Area. The parcel is located within the Target Ecological Area (TEA) and the Nanticoke-Wicomico Focus Area, and has received an ecological ranking of 79 under the Program Open Space Targeting System. Title will be vested in the Department of Natural Resources. The Attorney Generals Office has approved the Agreement of Sale. Title and transfer documents are subject to legal review.

GRANTORDolores J. Black and Morgan Jay Crossney,
and Glenda H. Brewer**GRANTEE**

Department of Natural Resources (DNR)

PROPERTY

322.582 acres (unimproved)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP (Cont.)

PRICE \$522,905.42* (\$1,800/acre)
(Discounted Sale)

*The sales price represents an adjusted price based upon the recommended per acre value of \$1,800.00 /acre and a final land survey indicting the property contains 322.582 acres, plus a negotiated discount from the recommended value (adjusted value \$580,647.60) to the State of Maryland of \$57,742.60 or 9.94%.

APPRAISED VALUES

\$630,000.00 (\$1,698/acre-370.96 acres)-6/23/2010 – Bruce D. DiCinto - Fee Appraiser – Reviewed by Darryl Andrews

\$668,000.00 (1,800/acre-370.96 acres)-(6/15/2010) - William R. McCain - Fee Appraiser – Reviewed by Darryl Andrews

FUND SOURCE

*\$522,257.02 * see attachment*
~~\$522,905.42~~ POS Opportunity Loan 2009
Item 500, 89.22.45,

REMARKS

recommends approval of this acquisition.

The Department of Natural Resources

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Martin O'Malley
Governor

Anthony G. Brown
Governor



OK

Alvin C. Collins
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

September 20,, 2011

Ms. Sheila McDonald
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, Maryland 21401-1991

RECEIVED
2011 SEP 22 AM 11:38
BOARD OF PUBLIC WORKS

SUBJECT: Changes to the September 22, 2010, December 1, 2010, December 15, 2010 Board of Public Works Action Agenda items previously approved by the Board of Public Works

Dear Ms. McDonald:

This is to advise you of the following changes to the Board of Public Works Action Agenda Item previously approved by the Board of Public Works.

<u>BPW September 22, 2010</u>	FROM: \$ 5,240,850.00 - POS Opportunity Loan 2009/Item 500
Item 7-RP	89.22.45
Pages 16-18	
Girl Scouts Council of Central Maryland Inc.	TO: \$5,195,372.47 - POS Opportunity Loan 2009/Item 500
	89.22.45

Reason: To decrease real property acquisition price due to results of subsequent survey.

<u>BPW December 1, 2010</u>	FROM: \$ 522,905.42 - POS Opportunity Loan 2009 Item 500
Item 9-RP	89.22.45
Pages 26-27	
Dolores J. Black and Morgan Jay Crossney, and Glenda H. Brewer	TO: \$ 522,257.02 - POS Opportunity Loan 2009 Item 500
Wicomico County	89.22.45

Reason: To decrease real property acquisition price due to results of subsequent survey



Ms. Sheila McDonald
Page 2

BPW December 15, 2011
Item 11-RP
Pages 21-23
Mowbray-Nagel Farm
The Nature Conservancy

FROM:\$ 420,000.00 – POS Opportunity Loan 2009/Item
500 89.22.45
37,450.00 - POS FY 2010/Item 445 81.20.03
TO:\$ 420,000.00 – POS Opportunity Loan 2009/Item
500 89.22.45
36,071.75 – POS FY 2010/Item 445 81.20.03

Reason: Reimbursable expenses to Nature Conservancy was less than anticipated for land survey

Thank you for your attention to this matter. If you need further information, please call me at (410-)767-4960 or have a member of your staff contact Rio Woodard, Administrator, Capital Projects Accounting at (410) 767-4236.

Sincerely yours,



Alvin C. Collins
Secretary

cc: The Honorable Martin O'Malley
The Honorable Peter Franchot
The Honorable Nancy K. Kopp

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 10-LL**DEPARTMENT OF NATURAL RESOURCES** Allegany County
(Land and Property Management)**Tenant** Allegany County Government
701 Kelly Road
Cumberland, MD 21502**Property Location** Green Ridge State Forest
Maryland Route 144
Flintstone, MD 21530

<u>Space Type</u>	Land	<u>Lease Type</u>	New	<u>Acres</u>	.30 +/- ac.
<u>Duration</u>	15 Years	<u>Effective</u>	12/15/2010		
<u>Annual Rent</u>	\$1.00				
<u>Utilities Responsibility</u>			Tenant		
<u>Custodial Responsibility</u>			Tenant		
<u>Previous Board Action(s)</u>			8/9/1995 – Item 31-L		

Special Conditions

1. The Tenant has utilized this property since 1995 as a county refuse and recycling center. The new lease will provide for the continuation of this operation. This recycling center is open to the general public and consists of portable recycling containers, a portable office shed and restroom facilities.
2. This Lease does not contain any renewal options.
3. The Tenant shall defend, indemnify and hold harmless the State of Maryland and the Department of Natural Resources arising out of the use, occupancy, conduct, operation or management of the Premises during the Term by the Tenant.
4. The Tenant at its sole option, may elect to self insure under the insurance requirement and provide evidence that they are covered.
5. The Tenant is responsible for all maintenance.
6. The Tenant shall maintain the premises in a neat and orderly condition.

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** 11-LT (Revised)**MARYLAND DEPARTMENT OF TRANSPORTATION**Maryland Transit Administration (MTA)
Baltimore City

Landlord 901, LLC
c/o David S. Brown Enterprises, Ltd.
100 Painters Mill Road, Suite 900
Owings Mills, MD 21117

Property Location Symphony Center Building
1040 Park Avenue, Suite 306
Baltimore, MD 21201

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	8,180
<u>Duration</u>	3 Years	<u>Effective</u>	12/10/2010		
<u>Annual Rent</u>	\$147,240.00	<u>Square Foot Rate</u>	\$18.00		
		<u>Eff. Sq. Ft. Rate</u>	\$19.50		

Utilities Responsibility Tenant
Custodial Responsibility Landlord
Previous Board Actions 6/18/03-17-L (MDOT Agenda)

Retro-Active Leases Board of Public Works approval is requested to retro-actively approve the leasing of this space for the 2 years and 3 months and 9 days period that lapsed from September 1, 2008 through November 31, 2010 pursuant to the State Finance and Procurement Article 11-204 (c) (1). **Total funds for retro-active approval is \$296,729.50**

Fund Source 100% Special PCA 04640 J05 H0104 Aobj 1361

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes and janitorial services.
2. The lease provides 104 use-in-common parking spaces at no cost.

Remarks

1. MTA has occupied this space since September, 2003. The space is used as a base of operations for the MTA police which provides police presence and support for both subway and light rail systems on a 24/7 365 day schedule.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 11-LT (Cont.)

2. The lease contains a termination for convenience clause.

3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. 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** 12-LT (Revised)**DEPARTMENT OF JUVENILE SERVICES**

<u>Landlord</u>	Daniel J. Schwaninger 6410 Landing Neck Rd Easton, MD 21601		
<u>Property Location</u>	600 Dover Rd Easton, MD 21601		
<u>Space Type</u>	Office	<u>Lease Type</u>	New
<u>Duration</u>	1 Year	<u>Effective</u>	12/15/2010
<u>Annual Rent</u>	\$38,178.00	<u>Square Foot Rate</u>	\$12.60
		<u>Previous Sq. Ft. Rate</u>	\$12.00
		<u>Effective Sq. Ft. Rate</u>	\$16.20
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$15.60
<u>Utilities Responsibility</u>	Tenant		
<u>Custodial Responsibility</u>	Tenant		
<u>Previous Board Action(s)</u>	1/16/05 Item 12-L, 3/27/02 Item 18-L, 12/15/99 Item 17-L		
<u>Fund Source</u>	V00 J0102 - General Fund 100%		

Board of Public Works is requested to retroactively approve the leasing of this space for the four (4) month and 14 day period that lapsed and from August 1, 2010 to December 14, 2010 pursuant to the State Finance and Procurement Article 11-204(c)(1). Total funds for retro-active approval is \$11,278.30

Special Conditions

1. This lease contains escalations/de-escalations for real estate taxes.
2. The lease incorporates seven (7) reserved and ample use-in-common parking spaces free of charge.

Remarks

1. This space has been used since February, 2000 to provide counseling and follow-up services for pre-adjudicated and adjudicated youths by Department of Juvenile Services.
2. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT (Cont.)

- 3. This space was acquired by sole source in accordance with the DGS Space Management Manual Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. 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** 13-LT-OPT**JUDICIARY OF MARYLAND**

Commissioner's Office-Central Booking
Station
Bel Air, MD (Harford County)

Landlord

Harford County, MD
A body Corporate and Politic of the State of Maryland
45 South Main St.
Bel Air, MD 21014

Property Location

Harford County Adult Detention Center
1030 North Rock Spring Ave.
Bel Air, MD 21014

<u>Space Type</u>	Commissioner's Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	1,219
<u>Duration</u>	10 Years	<u>Effective</u>	12/1/2010		
<u>Annual Rent</u>	\$9,264.48	<u>Square Foot Rate</u>	\$7.60 not to exceed \$10.00		
		<u>Prev. Sq. Ft. Rate</u>	\$2.60		

Utilities Responsibility
Custodial Responsibility
Previous Board Actions

Landlord
Landlord
9/20/00 – 18-L

Fund Source

100% General COO 11 PCA 00004 01 AOBJ 1301

Special Conditions

1. The lease incorporates use-in-common parking spaces.
2. The lease contains one (1) option renewal term of five (5) years.
3. The rental rate is based on the cost of the building operations and maintenance. In anticipation of increased operational and maintenance costs over the lease term, a rental rate cap of not to exceed \$10.00 per square foot was established.

Remarks

1. The Commissioner's Office has occupied this space since June 2000. The Commissioner is a judicial officer who provides administrative services for the intake: issuing charging documents, summonses and warrants; setting and accepting bonds or determining conditions of pre-trial release for arrested persons. Commissioner's office is open for service on 24/7 365 day schedule.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT-OPT (Cont.)

2. The lease contains a termination for convenience clause.
3. The lease provides for the right of the Tenant to audit the Landlord's records.

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** 14-LT-OPT**DEPARTMENT OF AGRICULTURE**State Animal Health Laboratory
Frederick, MD (Frederick County)**Landlord**Board of County Commissioners of Frederick County
Winchester Hall
12 E. Church St.
Frederick, MD 21701**Property Location**1840 Rosemont Ave
Frederick, MD 21701**Space Type** Offices
Duration 15 Years
Annual Rent \$38,400.00**Lease Type** Renewal
Effective 12/2/2010
Square Foot Rate \$4.52
Prev Square Foot Rate \$4.52**Square Feet** 8,500**Utilities Responsibility**
Custodial Responsibility
Previous Board ActionsLandlord
Landlord
11/29/1995 – 20-L**Fund Source**

100% General L00A14.02 PCA 4210 0705

History

The State Animal Health Laboratory was part of a group of laboratories run by University of Maryland throughout the State (Oakland, Hagerstown, Bel Air, College Park, Frederick, Centreville, Baltimore City and Salisbury). All but 5 of the labs were closed. The Frederick lab is centrally located. Clients come from the surrounding counties (Montgomery, Washington, Carroll and Howard). The State of Maryland participated in the cost of construction of the Frederick laboratory by contributing 50 % of the A/E and construction cost of \$1,298,097.50. The State of Maryland paid for its contribution through this lease by paying \$3,200.00 per month over 15 years of the lease term. The payments continue based on cost of Operation and Maintenance of the building. The amounts to be paid will be credited against actual O&M costs.

Special Conditions

The lease provides 12 parking spaces to accommodate State pickup trucks, vans and employees' personal vehicles at no cost.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT-OPT (Cont.)

Remarks

1. This space has been used by the State Animal Health Laboratory since November 1995. It is responsible for enforcement of regulations related to animal and poultry health, for execution of State-Federal cooperative disease eradication and other programs. The lab provides inspections at shows, fairs, exhibitions and auction markets. Provides certification of health for interstate shipment. Performs poultry testing. Provides drug residue testing.

2. At the end of the fiscal year, Frederick County reconciles payments with true actual O&M costs and submits to the State of Maryland for payment or credit.

3. 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

CAPITAL GRANTS AND LOANS

ITEM 15-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 the Academy of Success, Inc. (Baltimore City)

Academy of Success Empowerment Center

"For the acquisition, design, repair, renovation and capital equipping of the Academy of Success Empowerment Center, located in Baltimore City."

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)

DGS Item G103, SL-051-050-038

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 Academy of Success, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$200,000.00 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Directors of the Academy of Success, Inc. \$100,000.00 for eligible expenditures.

<u>BACKGROUND</u>	Total Project	\$1,367,500.00
	10-G103 (This Action)	\$ 100,000.00
	09-G119 (Prior Action)	\$ 50,000.00
	05- 051 (Prior Action)	\$ 100,000.00
	05-G001 (Prior Action)	\$ 200,000.00
	Local Cost	\$ 917,500.00

(Prior Actions: 2/24/10 Agenda, Item 6-CGL; 6/20/07 Agenda, Item 20-CGL(A); 3/21/07 Agenda, Item 16-CGL(G))

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 15-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 16-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:

*County Commissioners of Washington County
(Washington County)
Devil's Backbone Dam*

*"To assist in the design and construction of repairs to the Devil's Backbone Dam."
\$550,000.00*

*Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483, Acts of 2010)
DGS Item G013, (SL-007-100-038)*

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 County Commissioners of Washington County have submitted documentation that they have appropriated \$570,000.00 in their General Funds to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$1,540,000.00
	10-G013 (This Action)	\$ 550,000.00
	Local Cost	\$ 990,000.00

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 17-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 the Y of Central Maryland, Inc.
(Baltimore City)*

Druid Hill Family Center Y Revitalization

*"For the construction, repair, and renovation of the Druid Hill Family Center Y,
located in Baltimore City."*

\$65,000.00

*Maryland Consolidated Capital Bond Loan of 2010 (LSI - Chapter 483, Acts of 2010)
DGS Item G029, (SL-011-100-038)*

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 Board of Directors of the Y of Central Maryland, Inc. has submitted evidence in the form of invoices and canceled checks that it has \$65,615.18 in expenditures to meet the matching fund requirement for this project.

<u>BACKGROUND</u>	Total Project	\$138,990.92
	10-G029 (This Action)	\$ 65,000.00
	Local Cost	\$ 73,990.92

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 18-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 Trustees of Imagination Stage, Inc.
(Montgomery County)*

Imagination Stage

"For the planning, design, construction, reconstruction, repair, and capital equipping of Imagination Stage, located in Bethesda."

\$150,000.00

Maryland Consolidated Capital Bond Loan of 2009 (LHI - Chapter 485, Acts of 2009 and as amended by Chapter 372, Acts of 2010)

DGS Item G065

\$125,000.00

Maryland Consolidated Capital Bond Loan of 2009 (LSI - Chapter 485, Acts of 2009 and as amended by Chapter 372, Acts of 2010)

DGS Item G118, (SL-030-080-038)

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 Trustees of Imagination Stage, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$1,331,027.62 in prior eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Trustees of Imagination Stage, Inc. \$275,000.00 for eligible expenditures

BACKGROUND

Total Project	\$11,257,999.00
09-G065 (This Action)	\$ 150,000.00 (Match)
09-G118 (This Action)	\$ 125,000.00 (Match)
08-G166 (Prior Action)	\$ 200,000.00 (Match)
07-G058 (Prior Action)	\$ 150,000.00 (Match)
05-G072 (Prior Action)	\$ 175,000.00 (Match)
05-G071 (Prior Action)	\$ 100,000.00 (Match)
04-G053 (Prior Action)	\$ 100,000.00 (Match)
03-G332 (Prior Action)	\$ 300,000.00 (Match)
01-G000 (Prior Action)	\$ 150,000.00 (Match)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL (Cont.)

<u>BACKGROUND (Cont.)</u>	00-040 (Prior Action)	\$ 1,500,000.00 (Non-Match)
	99-017 (Prior Action)	\$ 750,000.00 (Non-Match)
	97-G000 (Prior Action)	\$ 75,000.00 (Match)
	Local Cost	\$ 7,482,999.00

(Prior Actions: 04/24/02 Agenda, Item 22-CGL; 09/22/04 Agenda, Item 26-CGL; 04/19/06 Agenda, Items 29-CGL and 30-CGL; 02/13/08 Agenda, Item 13-CGL; 10/07/09 Agenda, Item 22-CGL)

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The 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 19-CGL

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

*Maryland-National Capital Park and Planning Commission (Montgomery County)
King Farm Dairy MOOseum*

*"For the design, construction, repair, renovation, reconstruction and capital equipping
of the King Farm Dairy MOOseum, located in Germantown"*

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2006 (Chapter 46, Acts of 2006)
DGS Item G078, SL-092-060-038*

MATCHING FUND 4/18/07 Agenda, Item 18-CGL.C

<u>BACKGROUND</u>	Total Project	\$300,000.00
	06-G078 (This Action)	\$150,000.00
	Local Cost	\$150,000.00

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 20-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 CHI Centers, Inc.

(Montgomery County)

MacDonald Knolls Center

"For the repair, renovation, reconstruction, and capital equipping of the MacDonald Knolls Center, located in Silver Spring".

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2009 (LHI - Chapter 485, Acts of 2009)
DGS Item G066*

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2007(LHI - Chapter 488, Acts of 2007 and as amended by Chapter 707, Acts of 2009 and further amended by Chapter 372, Acts of 2010), DGS Item G062

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2007(LSI - Chapter 488, Acts of 2007 and as amended by Chapter 707, Acts of 2009 and further amended by Chapter 372, Acts of 2010), DGS Item G149

\$200,000.00

Maryland Consolidated Capital Bond Loan of 2004 (LCIL - Chapter 432, Acts of 2004 and as amended by Chapter 707, Acts of 2009 and further amended by Chapter 372, Acts of 2010), DGS Item G105

\$175,000.00 - Non-Match

Maryland Consolidated Capital Bond Loan of 2002 (Chapter 290, Acts of 2002 and as amended by Chapter 707, Acts of 2009, DGS Item 154, (SL-072-050-038)

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 for all the grants except for 2009 which is no later than June 1, 2011. The Board of Directors has submitted documentation that is has \$1,839,625.31 in financial institutions to meet the matching fund requirements for this project. The grantee has utilized a total of \$1,525,000.00 for all their matching grants.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL (Cont.)

History: The amendment (Chapter 707, Acts of 2009) revised the grants by changing the grantee from Board of Directors of Victory Youth Center, Inc. to CHI Centers, Inc. and the facility from Wheaton Multi-Service Center to MacDonald Knolls Center.

BACKGROUND

Total Project	\$3,225,000.00
09-G066 (This Action)	\$ 100,000.00 (Match)
08-G167 (Prior Action)	\$ 250,000.00 (Match)
08-G080 (Prior Action)	\$ 175,000.00 (Match)
07-G149 (This Action)	\$ 100,000.00 (Match)
07-G144 (Prior Action)	\$ 100,000.00 (Match)
07-G063 (Prior Action)	\$ 150,000.00 (Match)
07-G062 (This Action)	\$ 100,000.00 (Match)
05-G087 (Prior Action)	\$ 150,000.00 (Match)
05-G086 (Prior Action)	\$ 200,000.00 (Match)
04-G105 (This Action)	\$ 200,000.00 (Match)
02-154 (This Action)	\$ 175,000.00 (Non-Match)
Local	\$1,525,000.00

(Prior Actions: 10/07/09 Agenda, Item 25-CGL; 04/01/09 Agenda, Item 14-CGL)

REMARKS

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

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 21-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:

*County Executive and County Council of Howard County
(Howard County)*

Robinson Nature Center

“For the planning, design, site improvements, construction, and capital equipping of the Robinson Nature Center, located in Columbia.”

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2009 (LHI - Chapter 485, Acts of 2009)
DGS Item G063, (SL-065-070-038)*

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 June 1, 2011. The County Executive and County Council of Howard County have submitted documentation that they have appropriated \$12,655,000.00 in prior Fiscal Years of their Capital Budget to meet the matching fund requirement for this project. The grantee has utilized a total of \$800,000.00 of the appropriation for this grant and 07 and 08 grants.

BACKGROUND

Total Project	\$18,281,000.00
09-G063 (This Action)	\$ 150,000.00
08-G159 (Prior Action)	\$ 50,000.00
08-G072 (Prior Action)	\$ 250,000.00
07-G137 (Prior Action)	\$ 350,000.00
Local Cost	\$17,481,000.00

REMARKS

(1) The grant agreement has been modified with the following: 15. **Indemnification:** *To the extent permitted by law (including Courts and Judicial Proceedings Article, §5-301 et seq. (the Local Government Tort Claims Act); Article 25, §1A; and Courts and Judicial Proceedings Article §5-509; Annotated Code of Maryland, as amended from time to time), and subject to the availability of appropriations, the grantee...*

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-CGL (Cont.)

(4) 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 22-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 the Women's Industrial Exchange (Baltimore City)
Women's Industrial Exchange
"For the construction, repair, renovation, and capital equipping of the Women's Industrial Exchange, located in Baltimore City
\$125,000.00
Maryland Consolidated Capital Bond Loan of 2009 (Chapter 485, Acts of 2009)
DGS Item G102, (SL-045-090-038)

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, 2011. The Board of Directors of the Women's Industrial Exchange is utilizing value of property to meet their matching fund requirement for this project. The Department of General Services, Real Estate Office, has reviewed the appraisal for 333 North Charles Street, Baltimore, Maryland and has accepted a value of \$600,000.00.

<u>BACKGROUND</u>	Total Project	\$ 1,725,000.00
	09-G102 (This Action)	\$ 125,000.00
	Local Cost	\$ 1,600,000.00

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 23-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Main Street Housing, Inc.
1521 South Edgewood Street
Baltimore, MD 21227

PROJECT NO. AND TITLE

MHA-CB-20907-01
Acquisition of 7 Winslow Court
Annapolis, MD 21403

REFERENCE

On November 3, 2010, DHMH brought before the Board of Public Works Item 17-CGL as a Supplemental for the above Project No. and Title for Main Street Housing, Inc.

DESCRIPTION

Approval is requested for an additional State grant of \$11,887.00 to assist Main Street Housing, Inc., and a percent change in the Fund Source.

REMARKS

This request includes 2 adjustments to the original item, including the additional funds as listed in the description and percentage in the funding sources as listed below.

FUND SOURCE

\$60,000.00 (28.57%) – Applicant’s Share
Department of Housing and Community
Development Deferred Payment Loan

\$150,000.00 (71.43%) – State’s Share
Maryland Consolidated Capital Bond
Loan 2009, Community Health Facilities
Funds

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDAREAL PROPERTYITEM 24-RPDEPARTMENT OF GENERAL SERVICESState Center LLC.
State Center Complex
21.8± Acres
Baltimore CityREFERENCE

The Board of Public Works (“BPW”) is hereby requested to approve a Reciprocal Easement and Operating Agreement (“REOA”) for the State Center redevelopment project (“Project”).

BACKGROUND

The State Center Master Development Agreement (“MDA”), as amended, called for the phased redevelopment of the State Center complex which consists of approximate 21.8 +/- acres of property located in the City of Baltimore, Maryland (“State Center”).

Following approval of the MDA, the parties commenced preparation and negotiation of the first phase of redevelopment of the Project (“First Phase”) which was determined to be Parcel G and Parcel I-2 as those parcels are identified in Approved Concept Plan of the MDA. On July 28, 2010 the BPW approved the First Phase of redevelopment and ground leased Parcel G and I-2 to the Developer (“Ground Leases”). The Ground Leases could be split into several separate Ground Leases in order to allow for the various development activities and uses planned for the site (“Components”). The BPW also approved the ground lease of the subsurface area of Parcel G from DGS to MDOT (“Garage Ground Lease”) in order for MDOT to finance and cause the construction of a State garage (“Garage”). The BPW also approved leased space in Developer’s to-be-completed buildings on both Parcel G and I-2 for the Department of Health and Mental Hygiene (“DHMH”), Department of Planning (“MDP”), and Maryland Transit Authority (“MTA”)(collectively “Occupancy Leases”).

The Ground Leases called for the granting of cross easements for ingress, egress, and operations of the contemplated improvements on each Component (and the Garage on Parcel G), to be granted by and amongst the various entities with an interest in those to-be-completed improvements (“Reciprocal Easement and Operating Agreement”, and, “REOA”).

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 24-RP (Cont.)

RECIPROCAL EASEMENT AND OPERATING AGREEMENT

1. The Agreement is amongst DGS, MDOT, MEDCO (with regard to the Garage), and Developer entities State Center Center Parcel G Master Tenant LLC and State Center Parcel I Master Tenant LLC.
2. The REOA grants the parties easements for traffic, pedestrian access to common areas, construction and support, utility and service lines, the right to perform restoration, maintenance and management of common areas, and site construction activities.
3. The easements shall benefit and burden each Component and parcel G and I-2 until all Component (or Garage) leases have terminated on the respective parcel. The easements will automatically terminated when all appurtenant leases are terminated.
3. The REOA contains provisions for the safe exercise of any easement rights and no action is to be taken without the reasonable consent of the parcel or Component owner.
4. The REOA calls for the establishment of a Common Area Maintenance (“CAM”) Agreement to set forth the common area expense allocations for the private owners. The State may be requested to enter into the CAM Agreement but any such participation would remain subject to General Assembly appropriations for the same.
5. The REOA sets out certain minimum maintenance and operation, insurance, and damage/destruction repair for parcels that are subject to the easements.
6. The REOA anticipates amendment to its terms as future phases of development occur and additional uses are added.
7. The State is indemnified for activities exercised by the Developer or its affiliates under any easement granted by the REOA.

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 25-LL-MOD

DEPARTMENT OF GENERAL SERVICES

Tenant Maryland Department of Transportation (MDOT)
7201 Corporate Center Drive
P.O. Box 548
Hanover, MD 21076

Property Location A Portion of Parcel G
900 North Eutaw Street
Baltimore, MD 21201

Space Type Garage Land Lease **Lease Type** Modification **Acres** 2 Acres
Duration 50 Years **Effective** August 1, 2010 Below Grade
Annual Rent \$1.00

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

Background The Board of Public Works, (BPW) on July 28, 2010 BPW Item 11-LL, approved a Garage Ground Lease (“GGL”) from the Department of General Services (“DGS”) to the Maryland Department of Transportation (“MDOT”) for the construction of a parking garage to service the State Center project.

Subsequent to the execution of the Garage Lease, DGS and MDOT agreed that the Maryland Economic Development Corporation (“MEDCO”) would assist MDOT in the financing and development of the Garage. Accordingly, DGS will have no responsibility for the construction or operation of the Garage and the parties believe that the indemnity obligations of DGS to MDOT contained in the Garage Lease should be amended.

With this amendment, DGS and MDOT will now, to the extent permitted by law and subject to appropriation, indemnify and save one another harmless from their respective activities on the property.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDATENANT LEASEITEM 26-LTMARYLAND DEPARTMENT OF PLANNING
MARYLAND DEPARTMENT OF TRANSPORTATION(Mass Transit Administration)
Baltimore CityLandlordPSP Phase I Parcel G Office LLC
3430 2nd Street, Suite 320
Baltimore, MD 21225Property LocationState Center
Parcel I-2History

On July 28, 2010, as Item 12-LT on the Department of General Services Action Agenda, the Board of Public Works approved three (3) leases for two (2) buildings to be constructed in the State Center Redevelopment Project. The Board of Public Works is now requested to approve the following modifications to those leases:

1. The anticipated commencement date has been modified to from January 1, 2014 to August 1, 2012.
2. The Department of General Services General Performance Standards and Specifications for the State of Maryland Leased Facilities over 5,000 net usable square feet have been modified to be the equivalent to rentable square feet as defined, calculated, measured, and/or verified in accordance with ANSI/BOMA Z65.1-1996 Standard Method for Measuring Floor Areas in Office Buildings. In addition, the sections on building design, mechanical systems, energy management, heating, cooling and ventilation and lighting have been modified to reflect the desire for LEED rating system certification to achieve compliance with energy goals.
3. Exhibit 6, Section 16 – Lessee's Expenses is modified to reflect that the Tenant shall share in any and all credits, offsets and deductions, including but not limited to Payments in Lieu of Taxes Agreements, Enterprise Zone Tax Credits, Brownfield Property Tax Credits and any other similar or related credits, offsets or deductions.

 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** 27-LT**DEPARTMENT OF INFORMATION TECHNOLOGY**

Baltimore City

Landlord PSP Phase I Parcel G Office LLC
3430 2nd Street, Suite 320
Baltimore, MD 21225**Property Location** State Center - Parcel G
901 N. Eutaw Street
Baltimore, Maryland 21201

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	10,000
<u>Duration</u>	20 Years	<u>Effective</u>	June 1, 2014		
<u>Annual Rent</u>	\$322,725. Average	<u>Effective Rate</u>	\$32.27 Average		

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Action(s)</u>	N/A

Special Conditions

The lease is a triple net lease with a base rental rate of \$25.85 per net usable square foot. The annual rent is subject to an increase equal to 15% every five years resulting in the average annual base rent of \$322,725 over the 20 year term.

The Tenant shall pay to the Landlord in addition to the base rent its pro-rata share of all reasonable and directly related costs and expenses incurred by the Landlord for the operation and maintenance of the buildings. This Expense Payment is estimated at \$9.80 (in 2009 dollars) per net usable square foot per annum.

The Tenant shall pay to the Landlord a property management fee not to exceed 3.5% of Rent for on-site management of the project.

Due to Landlord's anticipated use of bond financing, the leases may not be terminated for convenience or for default. The only termination rights are for non-appropriation of funds and material casualty consisting of an event of casualty which affects more than 30% of the leased premises or renders the Building substantially unfit for occupancy. Also due to Landlord's funding, Tenant will be required to subordinate its rights to any lender however may not be disturbed in its occupancy.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 27-LT (Cont.)

The buildings will be certified under the U.S. Green Buildings Council Leadership in Energy and Environmental Design (LEED) rating system regarding sustainability and/or carbon reduction targets. The Landlords sustainability practice shall address whole building operations and maintenance, including chemical use, indoor air quality, energy efficiency, water efficiency, lighting, recycling programs and exterior maintenance. The buildings will achieve at least a LEED Silver for the core and shell of the buildings, a LEED Silver CI for the interiors and a LEED Silver ND for the campus.

The lease does not contain a termination for convenience clause.

Remarks

The Department of Information Technology has responsibility for information technology matters across state agencies to streamline business processes across state government, achieve cost-savings through economies of scale, and coordinate initiatives related to security, disaster recovery and continuity of operations. DOIT coordinates purchases and manages all telecommunications devices and systems utilized by state agencies. DOIT will centrally host the IT and telecom functions of the agencies within State Center.

The State Center Redevelopment Project is the first Transit Oriented Development in Baltimore City. State Center has access to three (3) modes of public transportation and is surrounded by educational, medical and cultural facilities as well as multiple diverse communities. These leases will launch this walk-able community which will be comprised of office, retail, residential and civic amenities.

There will be four 20 year lease agreements between PSP Phase I Parcel G Office LLC and PSP Phase I Parcel I Office LLC, Landlords and both affiliates of State Center, LLC the Developer under the State Center Master Development Agreement (MDA), Landlord., and the State of Maryland, Tenant, to the use of the Department of Health and Mental Hygiene (DMHM), Maryland Department of Planning (DOP) and Maryland Department of Transportation, Mass Transit Administration (MDOT/MTA) and Department of Information Technology (DOIT).

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-MOD**DEPARTMENT OF HEALTH AND MENTAL HYGIENE**

Baltimore City

Landlord PSP Phase I Parcel G Office LLC
3430 2nd Street, Suite 320
Baltimore, MD 21225

Property Location 901 N. Eutaw Street
Baltimore MD 21201

<u>Space Type</u>	Office	<u>Lease Type</u>	Modification	<u>Square Feet</u>	380,000
<u>Duration</u>	20 Years	<u>Effective</u>	October 1, 2013		
<u>Annual Rent</u>	\$9,823,000	<u>Square Foot Rate</u>	\$25.85 subject to 15% increases every 5 years		

Utilities Responsibility Tenant
Custodial Responsibility Tenant
Previous Board Action(s) Item 12-L – 07/28/2010

History On July 28, 2010, as Item 12-LT on the Department of General Services Action Agenda, the Board of Public Works approved three (3) leases for two (2) buildings to be constructed in the State Center Redevelopment Project.

In addition to technical clarifications within the lease, the Board of Public Works is now requested to approve the following modifications to this lease:

- The Department of General Services General Performance Standards and Specifications for the State of Maryland Leased Facilities over 5,000 net usable square feet have been modified to be the equivalent to rentable square feet as defined, calculated, measured, and/or verified in accordance with ANSI/BOMA Z65.1-1996 Standard Method for Measuring Floor Areas in Office Buildings. In addition, the sections on building design, mechanical systems, energy management, heating, cooling and ventilation and lighting have been modified to reflect the desire for LEED rating system certification and to achieve compliance with energy goals.
- The demised premises have been increased from 375,000 net usable square feet to 380,000 net usable square footage to accommodate a 5,000 square foot conference facility increasing the annual rent by \$129,250 for the first five (5) years; subject to 15% increase every 5 years. The estimated annual expenses payment and management fee will also increase proportionately to the square foot increase.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 28-LT-MOD (Cont.)

- 3. The commencement date has been modified from January 1, 2014 to October 1, 2013.
- 4. Exhibit 6, Section 16 – Lessee’s Expenses is modified to reflect that the Tenant shall share in any and all credits, offsets and deductions, including but not limited to Payments in Lieu of Taxes Agreements, Enterprise Zone Tax Credits, Brownfield Property Tax Credits and any other similar or related credits, offsets or deductions.

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 December 1, 2010 was adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sheila McDonald". The signature is written in a cursive style with a large initial "S" and "M".

Sheila C. McDonald, Esq.
Executive Secretary

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