

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
June 23, 2010

BOARD OF PUBLIC WORKS

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JUNE 23, 2010

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, JUNE 23, 2010**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, June 23, 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 1999
Maryland Consolidated Capital Bond Loan of 2000
Maryland Consolidated Capital Bond Loan of 2002
Maryland Consolidated Capital Bond Loan of 2003
Maryland Consolidated Capital Bond Loan of 2004
Maryland Consolidated Capital Bond Loan of 2005
Maryland Consolidated Capital Bond Loan of 2006
Maryland Consolidated Capital Bond Loan of 2007
Maryland Consolidated Capital Bond Loan of 2008
Maryland Consolidated Capital Bond Loan of 2009

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

JUNE 23, 2010

SECRETARY'S AGENDA

NORMAN E. ASTLE JR. (410) 841-5864
Astlene@mda.state.md.us

1. DEPARTMENT OF AGRICULTURE
Maryland Agricultural Cost-Share Program Grant Requests

Submission of a request by the Maryland Department of Agriculture for approval of 30 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Bond Loan of 2009 (Appropriation Number 09083): Capital Bond Loan of 2009.

Agreement #	Recipient	County	Amount
AT-2010-2094	DENNIS M. SIMMS	Charles	700
AT-2010-2142	PETER B. ORTHWEIN, JR.	Baltimore	17,600
CR-2010-2143	RICHARD A. SHULTIE, SR.	Caroline	10,100
MP-2010-1889	ALAN W. WINTERS	Frederick	5,100
MP-2010-2051	FRANCES WELLER	Frederick	4,200
MP-2010-2110	REBECCA A. STEM	Carroll	5,200
MP-2010-2125	GILBERT C. BREEDING	Carroll	12,700
MP-2010-2126	GILBERT C. BREEDING	Carroll	12,600
MP-2010-2127	GILBERT C. BREEDING	Carroll	6,700
MP-2010-2130	BYRON D. STAMBAUGH	Carroll	13,200
MP-2010-2131	BYRON D. STAMBAUGH	Carroll	5,800
MP-2010-2132	BYRON D. STAMBAUGH	Carroll	10,800
MP-2010-2138	RASCHE BROTHERS FARMS, INC.	Carroll	25,300
MP-2010-2139	RASCHE BROTHERS FARMS, INC.	Carroll	21,100
MP-2010-2145	GARVICK'S FARMS, INC	Carroll	800
MP-2010-2146	GARVICK'S FARMS, INC	Carroll	2,600
MP-2010-2147	GARVICK'S FARMS, INC	Carroll	2,600
MP-2010-2148	GARVICK'S FARMS, INC	Carroll	4,700
MP-2010-2149	GARVICK'S FARMS, INC	Carroll	2,600
MP-2010-2150	GARVICK'S FARMS, INC	Carroll	8,900
MP-2010-2152	GARVICK'S FARMS, INC	Carroll	500
MP-2010-2153	JOSEPH A. SCHWARTZBECK, JR	Carroll	20,000
NW-2010-2116	REBECCA A. CALLOWAY	Wicomico	19,300
NW-2010-2117-B	ROBERT L. HURLEY, JR.	Dorchester	23,100
NW-2010-2118	WILLIAM F. OUTTEN, JR	Dorchester	1,500
PA-2010-2081	ROBERT B. BELL	Howard	3,700
RS-2010-2065	COLLEEN A. CALLAHAN	Baltimore	7,800
RS-2010-2066	COLLEEN A. CALLAHAN	Baltimore	3,200
RS-2010-2084	LARRILAND FARM, INC.	Howard	2,400
SA-2010-2095	GEORGE B. HOPKINS	Kent	6,000

Total Submission Amount

260,800

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

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.

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

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

NORMAN ASTLE JR. (410) 841-5864
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2. DEPARTMENT OF AGRICULTURE
Maryland Agricultural Cost-Share Program Additional Funding Requests

Submission of a request by the Maryland Department of Agriculture for approval of **ADDITIONAL FUNDING** of 1 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2007 (Appropriation Number 07094): Capital Bond Loan of 2007.

Agreement #	Recipient	County	Amount \$
RS-2010-1800	SWEET ROCK STABLES, INC.	Carroll	167.99
Total Submission Amount :			167.99

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.

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

Funding Source: MCCBL of 2007: Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

NORMAN ASTLE JR. (410) 841-5864
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3. DEPARTMENT OF AGRICULTURE
Maryland Agricultural Cost-Share Program Additional Funding Requests

Submission of a request by the Maryland Department of Agriculture for approval of **ADDITIONAL FUNDING** of 1 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2008 (Appropriation Number 08066): Capital Bond Loan of 2008.

Agreement #	Recipient	County	Amount \$
AT-2010-1952	BAYVIEW FARMS	Kent	\$718.89
Total Submission Amount :			718.89

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.

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

Funding Source: MCCBL of 2008: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms. (LA15)*

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Gregory Bedward, 410-260-7335
gbedward@comp.state.md.us

**4. BOARD OF PUBLIC WORKS
*State Procurement Regulations***

Recommendation: That the Board of Public Works take final action to adopt amendments to the State Procurement Regulations clarifying requirements of the State's MBE Laws.

Background: The Board approved proposing the regulatory amendment at its March 24, 2010 meeting (Secretary's Agenda, Item 8). The proposal was published in the May 7, 2010 *Maryland Register*. No public comments were received.

Description: These amendments are necessary to align COMAR Title 21 with statute:

21.11.03 Minority Business Enterprise Policies

Chapter 293, Laws of 2009 required the Board of Public Works to adopt regulations that promote the use of certified minority businesses as prime contractors. The amendments 1) expand the scope of an agency's MBE goal-setting review to include awarding to MBEs as prime contractors; and 2) require agencies to describe outreach efforts to MBE prime contractors in the annual MBE report.

Action: The Board is requested to adopt the amendments as proposed.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

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

Submission of the Procurement Agency Activity Reports by:

Department of Public Safety and Correctional Services, April 2010

to the Board of Public Works in accordance with COMAR 21.02.01.05 (Procurement Regulations).

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

6. 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

10-0100 NORMAN MINETA/CLOVERLEA COMMUNITY ASSOC. – To extend a stone groin, emplace sand and replenish stone revetment; to replace breakwaters, stone armor and a stormwater pipe extension – Rhode River, Edgewater

BALTIMORE CITY

10-0516 WATERFRONT PARTNERSHIP OF BALTIMORE, INC. – To emplace 12 4'x4' floating island modules (attached to pilings) planted with wetland vegetation to assist in cleaning deleterious materials from tidal waters – Inner Harbor

CHARLES COUNTY

10-0369 FRANCIS CHIARAMONTE – To remove existing stone groins, to construct a stone revetment, breakwater, low profile sill, and marsh creation – Nanjemoy Creek, Welcome
 Emergency License (No. 09-1063EM) was issued on June 17, 2009, pursuant to §9-202(c)(2), Title 16 Environmental Article, to cover partial repairs. This authorization supersedes that emergency license.

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

**6. BOARD OF PUBLIC WORKS (cont'd)
*Wetlands Licenses***

DORCHESTER COUNTY

07-1529 JAY ROBINSON – To construct a timber deck over an existing stone revetment – Tedious Creek, Crocheron

TALBOT COUNTY

09-0822 TOWN OF OXFORD – To remove an existing bulkhead and groins and fill, grade, and plant marsh vegetation along an eroding shoreling – Tred Avon River at Town Park

08-0983 BULLI FARM INVESTMENTS LLC – To dredge a channel and basin – Little Neck Creek & Miles River, St. Michaels

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

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

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

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

CONSTRUCTION/CONTRACT	MES Project #10-05-27 Wastewater Treatment Plant Improvements	
AWARD	Callas Contractors, Inc. Hagerstown, MD	
CONTRACT DESCRIPTION	Construct a flow equalization tank at the head of the plant and perform piping modifications.	
CONTRACT TERM	180 calendar days	
CONTRACT AMOUNT	\$498,000.00	
PROCUREMENT METHOD	Competitive Sealed Bids	
BIDS		
Callas Contractors, Inc.	Hagerstown, Maryland	\$498,000.00
GRC General Contractor, Inc.	Zullinger, Pennsylvania	\$568,198.00
Total Environmental Concepts	Gaithersburg, Maryland	\$579,166.00
Stella May Contracting, Inc.	Edgewood, Maryland	\$593,653.00
JJID, Inc	Bear, Delaware	\$672,000.00
MBE PARTICIPATION	16.6%	

REMARKS: As a result of growing park attendance wastewater volumes are increasing. At times flows approach the treatment plant's maximum capacity. MES proposes to construct an equalization tank at the head of the plant to store excess wastewater flow and provide the capability to control the flow so as not to overload the plant.

Payment and performance bonds in the full amount of the award are required.

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

7. MARYLAND ENVIRONMENTAL SERVICE (cont'd)
Greenbrier State Park

FUND SOURCE	MCCBL of 2006: Maryland Environmental Service Infrastructure Improvement Fund
APPROPRIATION CODE	06065 (PCA# 10943)
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE	10-4178-1111

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

APPROVED

DISAPPROVED

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WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

8. **MARYLAND ENVIRONMENTAL SERVICE**
Springfield Hospital Center

CONSTRUCTION/CONTRACT	MES Project #10-05-12 Wastewater Collection System Rehabilitation	
AWARD	Am-Liner East, Inc. Berryville, VA	
CONTRACT DESCRIPTION	Rehabilitate sewer lines; install new sewer laterals, a new grinder pump system, and manhole liners; build a new storm drain inlet; install a new meter vault with appurtenances.	
CONTRACT TERM	270 calendar days	
CONTRACT AMOUNT	\$473,361.00	
PROCUREMENT METHOD	Competitive Sealed Bids	
BIDS		
Am-Liner East, Inc.	Berryville, Virginia	\$473,361.00
Humphrey & Son, Inc.	Laurel, Maryland	\$671,995.00
TRB Specialty Rehabilitation.	Gambrills, Maryland	\$690,127.50
Pleasants Construction, Inc.	Clarksburg, Maryland	\$807,545.80
MBE PARTICIPATION	40%	

REMARKS: The Springfield Hospital Center collection system is over 75 years old. The first phase of the project reconditioned or repaired the system's worst sections. This phase will repair the remaining sections.

Payment and performance bonds in the full amount of the award are required.

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

8. MARYLAND ENVIRONMENTAL SERVICE (cont'd)
Springfield Hospital Center

FUND SOURCE	MCCBL of 2003: Maryland Environmental Service Infrastructure Improvement Fund
	MCCBL of 2004: Maryland Environmental Service Infrastructure Improvement Fund
	MCCBL of 2005: Maryland Environmental Service Infrastructure Improvement Fund
APPROPRIATION CODE	03124 (PCA# 10904, \$3,746.21) 04083 (PCA# 10920, \$327,082.50) 05107 (PCA# 10931, \$142,532.29)
RESIDENT BUSINESS:	No
MD TAX CLEARANCE	10-4480-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contacts: Patricia Rynn Sylvester 410-514-7481 sylvester@dhcd.state.md.us
 John Maneval 410-514-7451 maneval@dhcd.state.md.us
 Brien O'Toole 410-514-7350 Otoole@dhcd.state.md.us

9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

BORROWER: Community Housing Associates, Inc.

PROJECT TITLE: Community Housing Associates -- Bailey I – 18 W. Read St.

AUTHORITY: Article 83B, Sections 2-1101 through 2-1110
 COMAR 05.05.05.01 through .27

Statutory Requirements:

- The Partnership Rental Housing Program provides financing for rental housing that will be occupied by individuals with incomes of 50% or less of the Statewide median income.
- Borrowers must:
 1. Be in good standing and qualified to do business in Maryland;
 2. Have the legal capacity and authorizations to incur the obligations;
 3. Not be debarred or suspended under COMAR 05.01.05;
 4. Demonstrate financial credibility and stability, the capability of achieving successful completion of the project and the ability to manage the project;
 5. Agree in writing to rent all units to lower-income households including one or more individuals with disabilities or special needs.
- Residents must contribute services to enhance or maintain the project or the community in which the project is located.
- Repayment of principal or interest is not required unless the project is sold or fails to serve low-income tenants.
- Developments must be financially self-sufficient so that they do not require further State assistance for long term occupancy.

AMOUNT: \$742,858

COLLATERAL: Deed of Trust

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

DESCRIPTION: Borrower intends to acquire and renovate a vacant office building into a 10-unit apartment building for persons with disabilities in Baltimore City's Mount Vernon district. The site is close to public transportation, major highways, shopping, community services and schools. Unit amenities include cable access, high speed internet access, combination washer/dryer units, and carpeting. The project will offer six parking spaces. The Housing Authority of Baltimore City will refer households based on the Bailey Consent Decree of 2004 waiting list. Households will have incomes at or below 50% of Statewide median income, and will be required to contribute to the community as determined by the Tenant Association. Community Housing Associates, Inc. will develop and manage the project. Brinton Building Services, Inc. of Baltimore City will be the contractor, and GBA-Architects, Inc. of Baltimore City is the design and supervising architect.

FUND SOURCE:

Source	Amount
DHCD Partnership Rental Housing Program -- MCCBL 2009	\$ 742,858
Maryland Department of Health and Mental Hygiene	\$ 1,066,405
Total	\$ 1,809,263

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

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP20091203-4973) on December 29, 2009.

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

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

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Sandy Johnson 410-767-7408
sjohnso5@dhr.state.md.us

10. DEPARTMENT OF HUMAN RESOURCES

CONTRACT: Emergency Backup Power Generators: Lease and Install
 DAO/STORM/10-001
 ADPICS NO. N00P0403664

ACTION: The agreement used to rent back-up generators did not conform to the State Procurement Law when DHR took this emergency action. DHR now requests the Board of Public Works to determine that the void emergency contract is voidable and to ratify it in accordance with State Finance and Procurement Article, §11-204(c), Annotated Code of Maryland.

PROCUREMENT METHOD: Emergency

BIDS: A&E Mechanical Services, Inc.
 1515 Bollinger Road, Westminster, MD 21157

AWARD: A&E Mechanical Services, Inc.

AMOUNT: \$182,326.00

AWARD DATE: February 5, 2010

TERM: February 5, 2010 – February 12, 2010

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General

APPROPRIATION CODE: N00G0012

REMARKS:

Basis for Emergency: Due to the blizzards predicted between February 6 and 12, 2010, Governor O'Malley issued Executive Order 01.01.2010.03, which ordered the Maryland Emergency Management Association to activate the State Emergency Operation Center on February 5. DHR was required to open two emergency shelters as temporary housing for residents that might be displaced due to flooding, power outages, or roof collapses. The shelter locations – University of Maryland College Park and University of Maryland, Baltimore County – were retrofitted to serve as State-operated shelters for citizens and travelers in need.

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

10. DEPARTMENT OF HUMAN RESOURCES (cont'd)

REMARKS: (cont'd)

Basis for Selection: On August 10, 2009, DHR, anticipating the need for generators to provide back-up power in case of this kind of emergency, entered into a Memorandum of Understanding with A&E Mechanical Services, Inc. A&E was not competitively selected but was recommended by MEMA as having the capability to immediately supply the equipment and services as needed. The price given for the service was included as part of the MOU and was determined to be fair and reasonable.

In February 2010, with the blizzards imminent, DHR determined that an emergency procurement was appropriate and used the MOU to provide the back-up generators. The MOU did not, however, constitute a lawful State procurement contract because it did not contain mandatory provisions (such as, an affirmation that the contractor had not been debarred, disclosures to the Secretary of State, and the nondiscrimination clause).

TAX COMPLIANCE NO.: 10-3858-0111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

11. MORGAN STATE UNIVERSITY
Operating Expenditure Reimbursements

DESCRIPTION: The University is requesting approval to transfer \$542,241.08 (Campus-Wide Utilities Upgrade) of qualifying expenditures from its operating budget to capital budget account MCCBL 09085. The expenditures to be reimbursed are summarized as follows:

<u>Vendor</u>	<u>Project</u>	<u>Date</u>	<u>Amount</u>
J. F. Fisher, Inc.	Chiller Plant	4/30/2009	\$ 10,000.00
Whiting Turner	Chiller Plant	4/20/2009	195,682.60
Whiting Turner	Chiller Plant	5/21/2009	90,000.00
Whiting Turner	Chiller Plant	7/06/2009	11,000.00
Washington International	Fuel Oil Tank	11/05/2009	173,496.60
Washington International	Fuel Oil Tank	11/05/2009	58,061.88
Cochran, Stephenson & Donkervoet, Inc.	Chiller Plant	3/02/2010	4,000.00

AMOUNT OF REQUEST: \$542,241.08

FUND SOURCE: *MCCBL of 2009: Campus-Wide Utility Upgrade, Item 085*

REMARKS: During the 2009 legislative session, the issue of \$5.3M of bonds (MCCBL 09085) was approved "to provide funds to complete the construction of a utility tunnel project on the Morgan State University campus and to reimburse the University for Utility Upgrades in the Morgan Commons and the Academic Quad". Of the total appropriation, \$3,424,783 was for the completion of the Utility Tunnel and \$1,839,217 was for the reimbursement to the University for operating dollars spent on specified capital projects.

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, Lt. Governor
John W. Gattuso, Secretary
Joseph P. Gill, Director

July 19, 2010

6.23.10

Sec 12

Ms. Sheila C. McDonald
Executive Secretary
State of Maryland
Board of Public Works
80 Calvert Street
Annapolis, MD 21401

RE: June 23, 2010 BPW Meeting - Secretary's Agenda Item 12

Dear Ms. McDonald:

As per our recent conversation, the Department has determined that it would benefit both DNR and local jurisdictions if the "Change Fund Source" referenced in the above referenced Agenda Item can be amended as follows:

CHANGE FUND SOURCE:

From:

Waterway Improvement Fund FY 2005	\$ 99,999.93
Waterway Improvement Fund FY 2006	\$ 513,894.24
Waterway Improvement Fund FY 2007	\$ 2,375,285.09
Waterway Improvement Fund FY 2008	\$ 2,619,199.53
Waterway Improvement Fund FY 2009	\$ 1,990,945.70
Waterway Improvement Fund FY 2010	\$ 143,675.51
Waterway Improvement Fund FY 2011	\$ 2,449,000.00

These changes in the Fund Source more accurately show how the GO Bonds will be expended by the Department. This is based on more recent information attained by the Department related to the projected expenditure rates for Waterway Improvement Fund Projects. This change will improve the rate of payments for Waterway Improvement Fund projects and will allow these projects to be completed in a more timely fashion.

It should be noted that all of the Waterway Improvement Fund Projects are bond eligible and will not include any loans or equipment. There is no change to the amount shown in the Agenda Item for the MCCBL of 2010, Item 57 of \$10,192,000.

I appreciate your assistance in this matter. Please contact me if you have any further questions at 410-260-8462 or at bgaudette@dnr.state.md.us. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Gaudette", with a long horizontal flourish extending to the right.

Robert Gaudette
Director, DNR Boating Services

cc: Frank Dawson, Asst. Secretary
Meredith Lathbury

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Jordan Loran 410-260-8907
jloran@dnr.state.md.us

13. DEPARTMENT OF NATURAL RESOURCES
Ocean Beach Maintenance Fund

Recommendation: That the Board of Public Works approve the substitution of \$3,401,000 in general obligation bond proceeds in place of that amount of Special Funds to fund, in part, the FY 2010 Ocean City Beach Replenishment Project: Local Cooperation Agreement for Performance Monitoring, Maintenance, and Periodic Nourishment.

Authority: The Budget Reconciliation and Financing Act of 2010 (Chapter 484 [2010 Maryland Laws]); § 8-1103 of the Natural Resources Article, Annotated Code of Maryland.

Description: Reference is made to Secretary's Item 9 (January 6, 2010) in which the Board of Public Works approved the expenditure of funds from the Ocean Beach Maintenance Fund to cover the non-federal share of costs for the planned 2010 periodic nourishment project. The approved source of funding included \$3,401,000 from the Ocean Beach Maintenance Fund. However, the 2010 General Assembly enacted the Budget Reconciliation and Financing Act which requires DNR to transfer \$3,401,000 from the Ocean Beach Maintenance Fund to the General Fund and, simultaneously, makes available \$3,401,000 in State general obligation bond proceeds for project expenditures.

CHANGE FUND SOURCE:

From:

Ocean Beach Maintenance PCA Code: I055 (Town of Ocean City)	\$1,700,500.00
Ocean Beach Maintenance PCA Code: I055 (Worcester County)	\$1,700,500.00

To:

MCCBL of 2010 Chapter 483, Item 18	\$3,401,000.00
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BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: R. Dean Kenderdine: 410-625-5601
dkenderdine@sra.state.md.us

14. MARYLAND STATE RETIREMENT AGENCY

Submission of a request by the Board of Trustees of the State Retirement and Pension System of Maryland, in accordance with State Personnel and Pensions Article, Section 21-115 (b)(2), for the reappointment of **BRIAN B. TOPPING**, as a public member of the Investment Committee of the Board for a three-year term beginning July 1, 2010.

Mr. Topping meets all of the requirements to serve as a public member. State Personnel and Pensions Article 21-115 (b)(2) provides that this appointment will be by the Board of Public Works for a term of three years.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Patti Konrad (410-260-7920)
pkonrad@treasurer.state.md.us

15. BONDS

The Treasurer recommends that the Board of Public Works adopt resolutions concerning the sale of State of Maryland General Obligation Bonds in book entry form only for the purpose of funding certain projects, and, if market conditions are favorable, refunding certain outstanding General Obligation Bonds; making certain determinations regarding the consolidation of loans, the methods of sale, and the structure of the Bonds; authorizing the publication of the required Summary Notices of Bond Sale; and obligating the State of Maryland to provide continuing disclosure as required under applicable securities regulations and to comply with applicable provisions of the Internal Revenue Code. The total that will be offered for sale is up to \$600,000,000*, consisting of up to \$500,000,000* of "new money" bonds for capital improvements, and up to \$100,000,000* of refunding bonds. Because the markets continue to be volatile, a lesser amount of refunding bonds or no refunding bonds may be sold. Final sizing of all series will occur on July 28, 2010.

- AMOUNT: Up to \$600,000,000*
- DENOMINATION: \$5,000 per bond, or integral multiples thereof
- MATURITIES: To be determined by the Treasurer, not to exceed 15 years
- TITLE: State and Local Facilities Loan of 2010, Second Series
- o Series A - \$200,000,000* Negotiated, Retail Sale
 - o Series B - \$130,000,000* Competitive
 - o Series C - \$110,000,000* Competitive, Build America Bonds
 - o Series D - \$ 49,760,000* Competitive, QSCBs (\$45,220,000*) and QZABs (\$4,540,000*)
 - o Series E - \$100,000,000* Competitive, Refunding
- FORM: As determined by the Treasurer, to include:
- o Series A – Tax-Exempt Bonds for Capital Improvements.
 - o Series B – Tax-Exempt Bonds for Capital Improvements.
 - o Series C – Taxable Build America Bonds for Capital Improvements with a direct subsidy of 35% of the interest from the US Treasury under authority of the American Recovery and Reinvestment Act of 2009.

* Preliminary, subject to change

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

15. BONDS (cont'd)

FORM: (cont'd)

- Series D – Taxable Qualified School Construction Bonds (QSCBs) and Taxable Qualified Zone Academy Bonds (QZABs) for the Public School Construction Program, issued under authority of the American Recovery and Reinvestment Act of 2009 with direct subsidies from the US Treasury under the Hiring Incentives to Restore Employment (HIRE) Act of 2010 in an amount equal to the lesser of 100% of the interest at the Tax Credit Rate established at pricing or 100% of the amount of interest payable on the bond.
- Series E – Tax-Exempt Refunding Bonds for interest savings.

METHODS AND TIMES OF SALE:

Series A – Up to \$200,000,000* - Negotiated Sale
Negotiated sale of bonds pursuant to State Finance and Procurement Article, §8-124, in maturities and amounts to be determined by the Treasurer, to the Retail Market during a Negotiated Sale Period to be determined by the Treasurer preceding the Competitive Sale, and subject to the approval of the Board on July 28, 2010.

Series B – Not less than \$130,000,000* - Competitive Sale
Public, Competitive Sale of \$130,000,000* plus the balance of Series A Bonds not sold, if any, during the Negotiated Sale Period, in maturities and amounts to be determined by the Treasurer, on Wednesday July 28, 2010, at 10:30 a.m., by electronic bid.

Series C – Up to \$110,000,000* - Competitive Sale
Public, Competitive Sale in maturities and amounts to be determined by the Treasurer on Wednesday July 28, 2010, at 11:00 a.m., by electronic bid.

Series D – Up to \$49,760,000* - Competitive Sale
Public, Competitive Sale in maturities and amounts to be determined by the Treasurer on Wednesday July 28, 2010, at 11:30 a.m., by electronic bid.

* Preliminary, subject to change

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

15. BONDS (cont'd)

Series E – Up to \$100,000,000*

Pursuant to State Finance and Procurement Article, Section 8-131, Public, Competitive sale of Refunding Bonds, in maturities and amounts to be determined by the Treasurer on Wednesday July 28, 2010, at 12:00 p.m., by electronic bid. In the event that then-existing market conditions are not favorable for a refunding, the refunding bonds subsequently may be offered for sale in a separate issue to be designated as the STATE OF MARYLAND GENERAL OBLIGATION BONDS 2010 REFUNDING SERIES, at a date and time to be determined by the Treasurer, on a negotiated basis to the retail and institutional markets, or on a public, competitive basis by electronic bid and subject to the approval of the Board.

SETTLEMENT: On or about August 10, 2010

USE OF PROCEEDS: Various State loans and installments, combined and consolidated; and refunding certain outstanding bonds.

PUBLICATIONS OF SUMMARY NOTICES OF BOND SALE: For the Second Series A Bonds (Negotiated Sale):
In such broadcast, electronic and print media as determined appropriate by the Treasurer.

For the Second Series B, C, D and E Bonds (Competitive Sales): In the *Bond Buyer* on a date to be determined by the Treasurer not later than Friday, July 16, 2010, and in such other electronic and print media as determined appropriate by the Treasurer.

* Preliminary, subject to change

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

APPROVED ✓

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

(REVISED)**BOARD OF PUBLIC WORKS****JUNE 23, 2010****SECRETARY'S AGENDA**

Contact: Patti Konrad (410)260-7920
pkonrad@treasurer.state.md.us

16. STATE TREASURER*June 2010 Tax-Exempt Equipment Lease Purchase Financing*

The State Treasurer recommends that the Board of Public Works approve the award of the June 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 June 2010 Tax-Exempt Equipment Lease-Purchase Financing will provide financing for \$984,082.65 in capital equipment.

TERM: June 23, 2010 through July 6, 2010.

PROCUREMENT METHOD: Competitive Sealed Bids

AWARD: TD Equipment Finance, Inc.

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

<u>Bidder's Name</u>	<u>Weighted Average Rate</u>
TD Equipment Finance, Inc.	2.13%
PNC Equipment Finance	2.23%
SunTrust Equipment Finance & Leasing Corp.	2.31%
Capital One, N.A.	3.01%

MBE GOAL: 0% (no subcontracting opportunities)

FUND SOURCES: Agency operating budgets

AMOUNT: \$984,082.65

REMARKS: The State Treasurer's Office issued an Invitation for Bids for financing on a consolidated basis \$984,082.65 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 mailed it to 37 firms known to be active in financing municipal leases. MBEs were encouraged to respond as prime bidders. This lease financing is expected to close no later than July 6, 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 three years and five years.

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

REMARKS: (cont'd)

As described in the October 21, 2009, Secretary's Agenda, Item 14, 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 use a long-term Master Lease. This Agenda Item represents the sixth such financing.

Following the June 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 \$77.4 million.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Charles C. Jackson 240-895-4412
ccjackson@smcm.edu

**17. ST. MARY'S COLLEGE OF MARYLAND
*Goodpaster Hall***

CONTRACT ID: West Facade Trellis Goodpaster Hall
St. Mary's College of Maryland IFB No. 4520

DESCRIPTION: Construction of West Façade Trellis

AWARD: Garcia's Handyman Services, Inc.
Mount Airy, MD

TERM: 6/23/10 – 8/15/10

AMOUNT: \$92,700.00

PROCUREMENT METHOD: Competitive Sealed Bid

BIDS:

Garcia's Handyman Services, Inc.	\$92,700.00
Rainbow Construction Corp.	\$122,000.00
South Bay Construction, LLC	\$138,000.00

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: None

REMARKS: This work was originally included in the Goodpaster Hall project but was removed after bid opening as part of value engineering. The Department of Budget and Management has approved the use of surplus construction contingency funds from the Goodpaster Hall project for the trellis construction.

FUND SOURCE: MCCBL 2004-020

APPROP. CODE: R14-622

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4710-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Frank Broccolina (410) 260-1295
frank.broccolina@mdcourts.gov

18. ADMINISTRATIVE OFFICE OF THE COURTS

Recommendation: That the Board of Public Works approve proposed revisions to court costs and charges for the circuit courts.

Authority: Courts and Judicial Proceedings Article, §7-202(a)(1), Maryland Code: "The State Court Administrator shall determine the amount of all court costs and charges for the circuit courts of the counties with the approval of the Board of Public Works."

Background: Reference is made to Secretary's Agenda Item 7 (July 7, 2004), in which the Board approved the most recent schedule of court costs and charges for the circuit courts. Changes are necessitated by two actions of the 2010 Maryland General Assembly.

- *Civil Cases - Maryland Legal Services Corporation Fund* (Chapter 486 [Md. Laws 2010]) amended Courts Article §7-202(d) to require the State Court Administrator to "assess a surcharge . . . that may not be more than \$55 per case [that] [s]hall be deposited into the Maryland Legal Services Corporation Fund." The surcharge formerly had been \$25. Chapter 486 is effective July 1, 2010.
- *Real Property - Residential Property Foreclosure Procedures - Foreclosure Mediation* (Chapter 485 [Md. Laws 2010]) requires that:
 - Orders to docket or complaints to foreclose a mortgage or deed of trust on residential property must be accompanied by a filing fee in the amount of \$300 in addition to any other filing fees required by law, and
 - Requests for foreclosure mediation in a foreclosure action on owner-occupied residential property must be accompanied by a filing fee of \$50.
 Chapter 485 is effective July 1, 2010.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Rio Woodard 410-767-4236
Rio.woodard@dgs.state.md.us

19. **DEPARTMENT OF NATURAL RESOURCES**
Program Open Space - Baltimore City Direct Grants

Recommendation: That the Board of Public Works approve the substitution of \$2,154,817.34 in general obligation bond proceeds for Special Funds in that amount to partially fund the FY 2010 Program Open Space for State land acquisition.

Authority: The Budget Reconciliation and Financing Act of 2010 (Chapter 484 [2010 Maryland Laws]); The Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483 [2010 Maryland Laws]); § 13-209 of the Tax - Property Article, Annotated Code of Maryland.

Description: The 2010 Budget Reconciliation and Financing Act requires DNR to transfer \$4,567,000 from Program Open Space Funds to the General Fund and, simultaneously, makes available \$2,967,000 in State general obligation bond proceeds for Stateside – Prior Funds Replacement. The balance of \$1,600,000 is expected to be appropriated in FY 2012.

Reference is made to Secretary's Item 2A (9/17/03), Secretary's Item 10A (12/15/04), Secretary's Item 7A (9/21/05) and Secretary's Item 9A (11/1/06) in which the Board of Public Works approved expending funds from Program Open Space - Baltimore City Direct Grant Funds for project development and planning at various parks and recreation facilities. The approved source of funding included \$6,000,000 from Baltimore City Direct Grant Funds of which \$2,154,817.34 remains unexpended. DNR seeks to substitute bond proceeds for this unexpended balance. This is the first substitution of the \$2,967,000 in general obligation bond proceeds authorized by the 2010 MCCBL. DNR will return at a future meeting for approval to encumber or expend the balance of \$812,182.66 authorized by the 2010 MCCBL for Prior Funds Replacement.

CHANGE FUND SOURCE:**From:**

Program Open Space 2004 Item 382	\$ 309,457.38
Program Open Space 2005 Item 388	\$ 491,173.15
Program Open Space 2006 Item 396	\$ 548,797.66
Program Open Space 2007 Item 414	\$ 805,389.15

To:

MCCBL of 2010 Chapter 483 [2010 Maryland Laws], Item 15	\$2,154,817.34
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BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

20. DEPARTMENT OF NATURAL RESOURCES*Program Open Space – Local Share*

Recommendation: That the Board of Public Works – to finance Program Open Space Local Share projects – approve the substitution of \$54,141,000 in general obligation bond proceeds (2010 MCCBL) for the like amount of real-estate transfer-tax special funds which the Board previously encumbered.

Authority: Budget Reconciliation and Financing Act of 2010, Chapter 484 [BRFA]; Maryland Consolidated Capital Bond Loan of 2010, Chapter 483 [MCCBL].

Description: The BRFA requires the Department of Natural Resources to transfer \$103,113,000 of previously appropriated and encumbered real estate transfer-tax capital funds from the Program Open Space Local Share to the General Fund. Simultaneously, the MCCBL makes available: (1) \$41,789,000 in general obligation bond proceeds as Local – Prior Funds Replacement; and (2) a new appropriation of \$12,352,000 in general obligation bond proceeds for Program Open Space – Local Allocation in FY 2011. The remaining \$61,324,000 to be replaced is preauthorized to be available from general obligation bond proceeds in FY 2012 and 2013.

Reference is made to various Secretary's Agenda Items from July 1, 1998 through January 24, 2010 in which the Board approved the encumbrance and expenditure of funds with which local and municipal governments acquire new parkland and recreation property and develop and maintain existing parkland. DNR recommends the Board approve the substitution of funds as described below.

Fund Source Changes:**From:**

Program Open Space Local FY1999 (81.20.04 Items 940-948)	\$ 152,801.29
Program Open Space Local FY2000 (81.20.04 Items 031-047)	\$ 39,854.96
Program Open Space Local FY2001 (81.20.04 Items 125-146)	\$ 1,475,372.86
Program Open Space Local FY2002 (81.20.04 Items 130-147)	\$ 651,302.14
Program Open Space Local FY2003 (81.20.04 Items 301-323)	\$ 1,299,401.03
Program Open Space Local FY2006 (81.20.04 Item 000)	\$ 9,294,747.35
Program Open Space Local FY2007 (81.20.04 Item 000)	\$35,871,808.67
Program Open Space Local FY2008 (81.20.04 Item 815)	<u>\$ 5,355,711.70</u>
	\$54,141,000.00

To:

MCCBL2010 Chap 483 FY2011 (89.22.49 Item 055 and 056)	\$54,141,000.00
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BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

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

21. DEPARTMENT OF NATURAL RESOURCES
Rural Legacy Program

Recommendation: That the Board of Public Works – to finance the Rural Legacy Program – approve the substitution of \$10,635,000 in general obligation bond proceeds (MCCBL 2010) for the like amount of real-estate transfer-tax special funds to fund programs which the Board previously encumbered.

Authority: Budget Reconciliation and Financing Act of 2010, Chapter 484 [BRFA]; Maryland Consolidated Capital Bond Loan of 2010, Chapter 483 [MCCBL].

Description: The BRFA requires the Department of Natural Resources to transfer \$10,635,000 of previously appropriated and encumbered real-estate transfer-tax capital funds from the Rural Legacy Program to the General Fund. Simultaneously, the MCCBL makes available \$16,953,500 in general obligation bond proceeds for the Rural Legacy Program to: (1) replace the transferred funds; and (2) provide a new appropriation of \$6,318,500 of general obligation bond proceeds for FY2011.

Reference is made to POS Agenda Item 6A (Oct. 4, 2006), Item 9A (April 2, 2008), and Item 10A (Jan. 7, 2009) in which the Board approved the encumbrance and expenditure of funds to acquire easements on environmentally-sensitive agricultural properties under the Rural Legacy Program. DNR recommends the Board approve the substitution of funds as described below.

Fund Source Changes:

From:

Rural Legacy FY2007 (81.20.04 Item 000)	\$ 2,030,813.43
Rural Legacy FY2008 (81.20.04 Item 003)	\$ 7,138,988.81
Rural Legacy FY2009 (81.20.04 Item 025)	\$ 1,465,197.76
	\$10,635,000.00

To:

MCCBL 2010 (89.22.49 Item 054)	\$10,635,000.00
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BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN
 WITH DISCUSSION WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

Contact: Elizabeth Hughes, 410-514-7604
ehughes@mdp.state.md.us

22. **BOARD OF PUBLIC WORKS**

Maryland Historical Trust Historic Preservation Loan Program Regulation: COMAR 34.04.02.07
Maryland Historical Trust Historic Preservation Grant Program Regulation: COMAR 34.04.01.08
African American Heritage Preservation Grant Program Regulations: COMAR 34.04.09

Recommendation: That the Board of Public Works approve regulatory proposals to ensure that the Board reviews all grants and loans of general-obligation bond proceeds, regardless of amount, in programs administered by the Maryland Historical Trust.

Authority: State Finance and Procurement Article, § 8-301 requires Board of Public Works approval of any contract to expend general obligation bond proceeds.

Background: Reference is made to Secretary's Agenda Items 3 and 4 (Dec. 6, 1989) and Secretary's Agenda Item 5 (June 9, 2010) in which the Board of Public Works approved regulations for the Maryland Historical Trust Historical Preservation Loan Program, the Maryland Historical Trust Historical Preservation Grant Program, and the African American Heritage Preservation Grant Program. The proposals delegated to the Maryland Historical Trust the authority to award general obligation bond proceeds in the amount of \$50,000 or less. However, the Board has directed MHT to align its programs with all other State general obligation bond programs that – in accordance with State Finance and Procurement Article, § 8-301 – must submit each general obligation bond funded contract to the Board regardless of dollar amount.

Action: Approval of this Item authorizes submission of the regulatory proposals to the Administrative, Executive, and Legislative Review Committee of the General Assembly, and subsequent publication for public comment in the *Maryland Register*.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 23, 2010

SECRETARY'S AGENDA

APPENDIX

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

Individual reports enclosed.

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

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

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 1**

DEPARTMENT OF TRANSPORTATION
State Highway Administration

CONTRACT TITLE: Blizzard February 2010

CONTRACT TYPE: Maintenance

DESCRIPTION: Rental of Heavy Equipment with Operators during 2010 Blizzards

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: February 5, 2010

AWARDS:	<u>Amount</u>	<u>Resident Business</u>	<u>Tax Compliance No.</u>
Haines & Kibblehouse Skipjack, PA	\$319,733.75	No	10-4040-1011
Ligon & Ligon, Inc. Baltimore, MD	\$90,315.00	Yes	10-4041-1111
CJ Miller, LLC Hampstead, MD	\$43,902.50	Yes	10-4037-1110
Alfredo Trucking (MBE/SBR) Jessup, MD	\$34,597.50	Yes	10-4240-0111
Strittmatter Equipment Masasses Park, VA	\$53,480.00	No	10-4042-1011
Patuxent Materials Jessup, MD	\$73,950.00	Yes	10-4031-1111
Gordon Hollingsworth Denton, MD	\$2,437.50	Yes	10-4032-1111

AMOUNT: \$618,416.25 (total for all vendors)

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

CONTRACT AWARD DATE: February 6, 2010

TERM: 2/6/10-2/28/10

MBE PARTICIPATION: 5% - One contractor is MBE

FUND SOURCE: 100% Special Funds

APPROPRIATION CODE: J02B0102

REMARKS:

Nature of Emergency: During sequential snowstorms and sustained blizzard conditions that created a state of emergency in February 2010, the State Highway Administration and assisting agencies determined they did not have the necessary haulers, heavy equipment and operators to respond. SHA was in need of heavy equipment of a size that is very uncommon in Maryland. The need for truckers, heavy equipment and operators constituted an emergency situation wherein work was necessary to "avoid or to mitigate serious damage to public health, safety, and welfare".

Basis for Selection The Maryland Emergency Management Agency identified vendors known to have significant quantities of equipment capable of meeting the State's needs. SHA contracted with the vendors to perform various activities such as transporting salt and clearing snow and debris from roadways. The vendors were reimbursed in accordance with prices that were determined to be fair and reasonable.

Reason for Late Report: The delay in reporting is due to the fact that the information needed for the report had to be compiled for many in-state and out-of-State vendors that worked.

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

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

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 2**

DEPARTMENT OF TRANSPORTATION
State Highway Administration

CONTRACT TITLE: Blizzard February 2010

CONTRACT TYPE: Maintenance

DESCRIPTION: Salt Transport during 2010 Blizzards

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: February 14, 2010

BIDS: \$105.00/hour for tri axle dump truck

AWARD:	Amount	Resident Business	Tax Compliance No.
Patuxent Materials Crofton, MD	49,743.75	Yes	10-4031-1111
CJ Miller Hampstead, MD	67,908.75	Yes	10-4037-1110
Gordon Hollingsworth Denton, MD	70,218.75	Yes	10-4032-1111
Reliable Contracting Millersville, MD	66,570.00	Yes	10-4034-1111
Alfredo Trucking- MBE/SBR Jessup, MD	\$157,788.75	Yes	10-4240-0111
MD Hauling, LLC- MBE Sykesville, MD	\$88,777.50	Yes	10-4036-0110
Barbies Recycling & Hauling - MBE Middle River, MD	\$64,865.85	Yes	10-4038-0001
RLO Contractors Dayton, MD	\$30,240.00	Yes	10-4033-1111
Romano Concrete Construction - MBE/SBR Laurel, MD	\$38,535.00	Yes	10-4035-0111

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

TOTAL AMOUNT: \$634,648.35 (total for all awards)

CONTRACT AWARD DATE: February 14, 2010

TERM: 2/14/10-2/28/10

MBE PARTICIPATION: 55%
Four firms are MBEs

FUND SOURCE: 100% Special Funds Budgeted to SHA
Appropriation Code:

REMARKS:

Nature of Emergency: To keep up with the demand for road salt needed at the 90+ SHA salt domes and barns, the Department of General Services purchased 47,700 tons of salt coming in on a barge. A sale condition was that the barge needed to be completely off-loaded onto a pier at the Rukert Marine Terminal in Baltimore and all salt transported by State or State-contracted forces.

Basis for Selection The contract required that the pier would be cleared of salt and available for other ships in five days. To comply, SHA determined that this procurement was needed allowing SHA to immediately contract with haulers to transport the salt from the Rukert Marine Terminal and deliver it to SHA facilities. These vendors were reimbursed in accordance with hauling prices typically paid under the terms of DGS standard contracts for similar work.

Reason for Late Report: The delay in reporting is due to the fact that the information needed for the report had to be compiled for many in-state and out-of-State vendors that worked.

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

Contact: Kirby Storms, 410.581.4234
kstorms@mail.mpt.org

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3

MARYLAND PUBLIC TELEVISION

CONTRACT ID: Master Control Server Online/Nearline System
R15B8200157

CONTRACT TYPE: Equipment

DESCRIPTION: Provide master control server online/nearline system. MPT's engineering staff installed the server/ archive system with a newer standard definition/high definition capable system with more storage capacity.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: April 2, 2008

BIDS	<u>Technical Ranking</u>	<u>Financial Ranking</u>	<u>Final Ranking</u>
Thomson Grass Valley Inc.	1	1/\$ 705,733.75	1
Omneon Inc.	2	2/\$ 903,202.10	2

AWARD: Thomson Grass Valley Inc.

AMOUNT: \$705,733.75

CONTRACT AWARD DATE: May 2, 2008

TERM: 30 days from placement of order

MBE PARTICIPATION: 0%

FUND SOURCE: State of Maryland Master Lease Program

BOARD OF PUBLICWORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3 (continued)**REMARKS:**

Nature of Emergency: At the time of this acquisition, Maryland Public Television was completing the digital conversion of its broadcast equipment. This acquisition provided MPT with new, manufacturer-supported server-based broadcast equipment to enhance MPT's high definition capabilities and also provide an archive system. The Master Control Server Online/Nearline System is an essential part of MPT's new high definition infrastructure. This equipment will allow MPT to receive and broadcast programming on all of MPT's media platforms. The contractor is responsible for training of MPT personnel on the new equipment.

The original server-based broadcast equipment (Pinnacle Media Stream servers) used for recording and playback of MPT's on-air programming was no longer maintained or supported by the manufacturer which created risks when the equipment failed and replacement parts were not available. Additionally, AMPEX Corporation, the provider of the then-existing AMPEX DST archive system was in Chapter 11 bankruptcy and its ability to maintain the system was in question.

MPT purchased the Base System (\$581,746.75) and Nearline Option 3 (\$123,987.00) from Thomson Grass Valley Inc. The total amount of the equipment acquired was \$705,733.75.

While planning the competitive sealed proposal procurement, MPT realized there was insufficient time to complete the procurement process and pay by the June 4th deadline. This deadline was the final submission date for Master Lease purchases for FY2008. MPT's failure to complete purchase of this equipment by June 4th would have caused a significant shortfall in its FY2009 and FY2010 budgets. In addition, failure to purchase this equipment would seriously damage the MPT's ability to broadcast programming on air and also to receive programming from the Public Broadcasting Service and other sources due to the lack of digital storage within its current Master Control Server system.

MPT's MBE Procurement Review Group set the MBE subcontracting goal at 0% because this contract consists of the delivery and training of the master control server equipment and it would compromise service, quality, and accountability if the contractor had to hire a subcontractor not authorized by the manufacturer

BOARD OF PUBLICWORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 3 (continued)**

REMARKS: (cont'd)

Basis for Selection: Proposals were solicited on *eMarylandMarketplace* from 33 vendors of which three were certified MBEs. Two proposals were received. Thomson Grass Valley Inc. was ranked first in technical ability. Thomason Grass Valley Inc. submitted the lowest priced responsive and responsible proposal.

Reason for Late Report: MPT's Procurement Officer at the time of this emergency procurement left State employment just as this purchase was made. While paperwork to document MPT's efforts was completed, it was not transmitted to the Board of Public Works for approval. During MPTs latest legislative audit, it was determined that this failure to report this acquisition needed to be rectified and thus, it was necessary to submit this Report at this time.

TAX COMPLIANCE NO: 10-4419-0000

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

Contact: BJ Said-Pompey (410) 339-5013
bjsaid-pompey@dpscs.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Maryland Correctional Institution - Hagerstown

CONTRACT TITLE: MCI-H Water Main Break – Laundry Facility
 APDICS NO. Q00P0406446

CONTRACT TYPE: Maintenance

DESCRIPTION: Materials, equipment, and labor to replace or refurbish flood damaged equipment at Maryland Correctional Institution - Hagerstown

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: May 3, 2010

BIDS:
 R. H. Lapp & Sons, Inc. \$50,000.00
 Cumberland, Maryland

AWARD: R. H. Lapp & Sons, Inc

AMOUNT: \$50,000.00

CONTRACT AWARD DATE: May 3, 2010

TERM: 5/3/10 – 5/31/10

MBE PARTICIPATION: 0%

BOARD OF PUBLIC WORKS

JUNE 23, 2010

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 4 (cont'd)

FUND SOURCE: 100% General Funds
Appropriation Code: 35.02.04.01 H1240.8120

REMARKS:
Nature of Emergency: Reference is made to February 24, 2010 in which the Board accepted a report of an emergency procurement in the amount of \$243,496.00 (Secretary's Agenda, Appendix 2). This is a modification to that emergency contract.

As originally reported, a water main break in the basement of the laundry facility at MCI-H resulted in a complete loss of various pieces of equipment critical to the daily operation of the facility. The entire basement including equipment and materials were submerged under water. During the repair additional deficiencies were discovered; R. H. Lapp Mechanical Contractors was asked to give a quotation for the additional work.

Basis for Selection: DPSCS selected R.H. Lapp & Sons, Inc. because it was on site working to restore services when additional problems were discovered.

TAX COMPLIANCE NO: 10-4369-1111

RESIDENT: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 23, 2010

SECRETARY'S AGENDA

Contact: Robert Feldt (410) 260-8529
rfeldt@dnr.state.md.us

ITEM 1A
SALE OF FOREST PRODUCTS:

Request approval of the following timber sale. See BPW Advisory 2005-2

PROJECT NAME: Savage River State Forest - Garrett County

SALES DESIGNATION: SR-08-10

AREA DESCRIPTION: 33 acres / Compartment # 70

DESCRIPTION: This sale involves a regeneration harvest of mature and defective trees on 32.7 acres and a deferment harvest of sugar maples and healthy oaks on the same area. The stand is overstocked and in decline. The portion to receive a regeneration harvest is severely damaged from gypsy moth defoliation and the subsequent ice storm. This sale includes 185,784 board feet of sawtimber and 187 cords and used the One-Step Method sales procedure. No bond money was used in the purchase of this land.

PROCUREMENT METHOD: Competitive Sealed Bid

BIDS RECEIVED:

Coastal Lumber Company	(WV)	\$61,325.00
Glotfelty Lumber Co., Inc	(MD)	\$47,050.00
Western Maryland Lumber, Inc.	(MD)	\$42,601.52
Sisler Lumber Co.	(MD)	\$35,500.00
Wood Products, Inc.	(MD)	\$34,236.00

AWARD: Coastal Lumber Company

AMOUNT: \$61,325.00

ESTIMATED VALUE: \$32,697.50

* Prices are on a \$/ton basis for: pine pulpwood, hardwood pulpwood, and sawtimber respectively.

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****June 23, 2010****SECRETARY'S AGENDA**

Contact: Robert Feldt (410) 260-8529
rfeldt@dnr.state.md.us

ITEM 2A

SALE OF FOREST PRODUCTS:

Request approval of the following timber sale. See BPW Advisory 2005-2

PROJECT NAME: Green Ridge State Forest - Allegany County

SALES DESIGNATION: GR-05-10

AREA DESCRIPTION: 38 acres / Compartment # 16

DESCRIPTION: This sale involves a variable retention harvest of mature oak forest on 38 acres. The stand is overstocked and in decline. This sale includes 265,159 board feet of sawtimber and 420 cords of hardwood pulp and used the One-Step Method sales procedure. No bond money was used in the purchase of this land.

PROCUREMENT METHOD: Competitive Sealed Bid

BIDS RECEIVED:

Roy Yonker	(MD)	\$68,500.00
Western Maryland Lumber, Inc.	(MD)	\$67,212.00
Cessna Brothers Logging	(MD)	\$66,251.00
Allegheny Wood Products, Inc.	(MD)	\$59,800.00
Coastal Lumber	(MD)	\$41,350.00

AWARD: Roy Yonker

AMOUNT: \$68,500.00

ESTIMATED VALUE: \$56,659.94

* Prices are on a \$/ton basis for: pine pulpwood, hardwood pulpwood, and sawtimber respectively.

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

June 23, 2010

Secretary's Agenda

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

ITEM 3A

RURAL LEGACY PROGRAM FUNDS:

MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2009:

Approval is requested to grant to the Land Preservation Trust, Inc. of Baltimore County \$550,013.43 for the following project from Rural Legacy Funds and MCCBL proceeds as noted.

PROJECT NAME: Piney Run Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$1,500,000 FY 2010 Grant for easement acquisitions in Baltimore County for the Piney Run Rural Legacy Area on the December 16, 2009 Program Open Space Agenda Item 10A.

PROJECT DESCRIPTION:

Fleischmann Property - \$550,013.43

Acquisition of this 81.854 acre conservation easement located in the Piney Run Rural Legacy Area of Baltimore County preserves agricultural and forest land. Water quality will be protected through permanent riparian buffers of streams on the property which feed into Prettyboy Reservoir, which flows into Gunpowder Falls, a tributary of the Chesapeake Bay. The easement will be held by the Land Preservation Trust, Inc. and the Maryland Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$507,854.96 - \$6,719.44 per acre

TOTAL OTHER COSTS: \$42,158.47

ADMINISTRATIVE: \$15,235.65

INCIDENTALS: \$19,305.00 (\$ 270.00 Title Insurance)
 (\$ 2,600.00 Other Title fees)
 (\$ 95.00 Recording fees)
 (\$16,340.00 Survey, Closing fees)

PROGRAM COMPLIANCE: \$7,617.82

PROGRAM OPEN SPACE - SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 23, 2010

Secretary's Agenda

ITEM 3A (con't)

AMOUNT REQUESTED: \$550,013.43

FUND SOURCE: Program 81.20.04 Item 025 \$186,994.09 (FY2009)
MCCBL of 2009: Rural Legacy Program
Program 89.22.45 Item 062 \$363,019.34 (FY2010)

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

June 23, 2010

Secretary's Agenda

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

ITEM 4A
RURAL LEGACY PROGRAM FUNDS:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2009:

Approval is requested to grant to The Nature Conservancy and The Conservation Fund \$514,267.60 for the following project from the Rural Legacy Funds and MCCBL proceeds as noted.

PROJECT NAME: Nanticoke River Rural Legacy Area

REFERENCE: The Board of Public Works authorized a \$1,000,000 FY 2009 grant on the January 7, 2009 Program Open Space Agenda Item 10A, a \$1,500,000 FY 2010 grant on the December 16, 2009 Program Open Space Agenda Item 10A, for easement acquisitions in Dorchester County.

PROJECT DESCRIPTION:

Sellers Farm - \$514,267.60

Acquisition of this 189.62 acre conservation easement in Dorchester County will improve water quality with forested buffers and protect valuable forest and farm land. The easement will be held by the Maryland Department of Natural Resources and the United States of America, Department of the Navy.

VALUE OF EASEMENT: Total easement value \$920,000.00 - \$4,851.81 per acre (The Department of the Navy is contributing \$460,000.00 pursuant to an Encroachment Protection Agreement with DNR, The Nature Conservancy, and The Conservation Fund.)

TOTAL OTHER COSTS: \$ 54,267.60

ADMINISTRATIVE: \$27,600.00
INCIDENTAL: \$26,667.60 (\$ 3,025.00 - Legal fees
\$ 5,200.00 - Appraisals
\$13,500.00 - Survey
\$ 2,967.60 - Title Work
\$ 1,975.00 - Environ. Assmt.)

AMOUNT REQUESTED: \$514,267.60

FUND SOURCE: Program 81.20.04 Item 025 \$ 27,600.00 (FY2009)

MCCBL of 2009: Rural Legacy Program
Program 89.22.45 Item 062 \$486,667.60 (FY2010)

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:** BJ Said-Pompey
410-339-5013
bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services (DPSCS)
MD Police and Correctional Training
Commissions (PCTC)

CONTRACT ID: DPSCS Q0010025;
PCTC Cafeteria Services
ADPICS No. Q00B1400009

CONTRACT DESCRIPTION: A combination of revenue generating (for DPSCS) and expense (for the Maryland Department of State Police) contract for cafeteria and student store services (dispensing food, non-alcoholic beverages and student supplies) for Law Enforcement Recruits at the Public Safety Education and Training Center in Sykesville, MD. (See Requesting Agency Remarks below.)

AWARD: Crystal Enterprises, Inc.
Glenn Dale, MD

TERM: 7/1/2010 – 6/30/2013 (w/2 one-year renewal options)

AMOUNT: \$576,000 Est. (3 Years; Base Contract Gross Sales; Revenue to the State would be \$2,880 at this level of sales)
\$192,000 Est. (1 Year; 1st Renewal Option Gross Sales; Revenue to the State would be \$960 at this level of sales)
\$192,000 Est. (1 Year; 2nd Renewal Option Gross Sales; Revenue to the State would be \$960 at this level of sales)
\$960,000 Est. Total Gross Sales (5 Years) (with \$4,800 estimated revenue to the State)

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

ITEM: 1-S (Cont.)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one acceptable proposal received

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE)

PERFORMANCE SECURITY: None

INCUMBENT: Black Tie Caterers
Baltimore, MD
(See Requesting Agency Remarks below)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on the *eMarylandMarketplace.com* website and the DPSCS websites. Copies of the RFP notice were directly sent to 10 prospective vendors, 6 of which were Maryland firms, and included 3 MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

A total of four proposals were received in response to the RFP. One proposal was deemed reasonably susceptible of being selected for award. Three proposals were found not reasonably susceptible of being selected for award based on the minimum requirements as stated in the RFP. Two offerors did not have the required two years experience of operating a government or corporate food service facility. One offeror did not have a current valid government agency (local Health Dept.) issued license to operate a government or corporate food service facility, issued within the last two years.

These minimum qualifications were included to prevent the situation that occurred with the last Contractor, Black Tie Caterers, who was "Terminated for Cause" due to insufficient funds to pay the State's commission and inadequate experience to support the contractual obligations. DPSCS had to conduct an emergency procurement for these services until this new full contract could be awarded. Crystal Enterprises, Inc. has been performing these services through an emergency award since 11/9/2009, in a satisfactory manner. This emergency contract did not have a commission payment. The emergency procurement was reported on the 1/6/2010 BPW Secretary's Agenda, Appendix 1.

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

ITEM: 1-S (Cont.)

This is a revenue-generating contract for DPSCS, which will be supported from gross sales with a percentage of sales returned to the State (0.5%). The basis for contract award was a combination of the highest commission percentage paid to the Department based on gross revenues from the total cafeteria operation and the lowest per person, per day meal bid price (see below). Crystal Enterprises, Inc. had the only acceptable offer with a commission rate of 0.5% and a three-meal per person per day price of \$28.00. The financial offer was considered fair and reasonable. Award is therefore recommended to Crystal Enterprises, Inc.

Monthly Meal Prices:		
<u>Price per Person per Day</u>	<u>Estimated # of Meals</u>	<u>Monthly Total</u>
Breakfast: \$ 6.00	640	\$ 3,840.00
Lunch: \$10.00	640	\$ 6,400.00
Dinner: \$12.00	480	\$ 5,760.00
Total: \$28.00		\$16,000.00 x 12 = \$192,000 / year

Monthly Commission Rate:
 $\$192,000 \times 0.5\% = \$960 / 12 = \$80.00$

The "per person per day" rate applies to the Maryland Department of State Police (MDSP) Cadets only as other authorized users will pay on an a la carte basis. MDSP will pay the contractor for services and DPSCS will receive the revenue in accordance with the terms of the contract.

Contract deliverables include operating a cafeteria for three meal periods daily and operating a student store for the purpose of dispensing food, non-alcoholic beverages, student supplies and other items as may be authorized by the Department. Hours of operation are weekdays minus State holidays from 7:00 AM to 5:30 PM.

The expected daily population served is expected to be 500 with highest usage expected at the mid-day meal. In addition to the MDSP Cadets, the expected users include students and visitors from the Springfield State Hospital and the local community college.

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

ITEM: 1-S (Cont.)

The MBE Procurement Review Group set a zero subcontracting goal for this contract. The MBE directory identified firms as potentially capable of performing the service on a prime contracting level. Historically, the number of offerors for these services has been low due to the location of the facility and the limited revenue opportunities from external patrons.

FUND SOURCE: 100% Revenue Generating (DPSCS);
100% General (MDSP)

APPROP. CODE: Q00G00.01 (DPSCS);
W00A01.02 (MDSP)

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE 10-4422-1111

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:** Rhonda Witte, RN
410-543-4086
rwitte@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Deer's Head Hospital Center

CONTRACT ID: DHMH/OPASS 11-10345;
Medical Administrative Management of Kidney
Dialysis Unit (KDU)-Deer's Head Hospital Center
ADPICS BPO No. M00B1400033

CONTRACT DESCRIPTION: Provide a Board Certified Physician with specialty training in the field of Nephrology to provide medical administrative services, as needed, for patients being treated for kidney disease in accordance with all applicable licensure, certification and accreditation standards. (Nephrology is the medical subspecialty that deals with the kidneys, especially their functions and diseases.)

AWARD: Peninsula Nephrology Associates, P.A.
Salisbury, MD

TERM: 7/1/2010 – 6/30/2015

AMOUNT: \$500,000

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None

PERFORMANCE SECURITY: None

INCUMBENT: Same

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

ITEM: 2-S (Cont.)

REQUESTING AGENCY REMARKS: Request for approval of a sole source contract to provide Nephrology administrative services, as needed, for patients being treated for kidney disease in accordance with all applicable licensure, certification and accreditation standards for Deer's Head Hospital Center (DHHC). The Medical Administrative Management of the Kidney Dialysis Unit located at DHHC has had numerous solicitations sent out and in 21 years, the above vendor has been the only one to respond each and every time. Special training in Nephrology is required for patients being treated for Kidney Disease including, but not limited to chronic hemodialysis.

The Kidney Dialysis Unit performs over 20,000 treatments per year, serving an approximate outpatient population of 144 patients and currently has an inpatient census of 82 patients.

The DHHC has no Nephrologists on staff and requires the services of a Board Certified Physician with specialty training in Nephrology to provide medical administrative services as needed for patients being treated for Kidney Disease including, but not limited to chronic hemodialysis (defined in COMAR Title 10, hemodialysis employed to substitute for the permanent loss of renal function and representing a long continuing, permanent undertaking unless supplemented by renal transplantation). These services will also qualify DHHC for certification by, including the following but not limited to, Medicare, Maryland Kidney Disease Commission, Joint Commission and private agencies. This certification will enable DHHC to receive payments from these outside agencies for the treatment of clients with kidney disease.

Peninsula Nephrology Associates, P.A., as Contractor, provides the Medical Director and two additional licensed Nephrology physicians to serve as the Nephrology Medical staff at DHHC. The Nephrology Medical staff are responsible for adhering to all regulations as set forth by the Center for Medicaid and State Operations under the End Stage Renal Disease Conditions for coverage, Office of Healthcare Quality Regulations as stated under COMAR 10.05.04 Freestanding Kidney Dialysis Centers, and Joint Commission Standards Hospital Accreditation. They are also responsible for, but not limited to: reviewing all lab work; changing and initiating all patient dialysis orders; participating in the Multi disciplinary Assessment and Plan of Care team meeting and updating, as necessary; signing verbal orders; being knowledgeable of the Quality Assessment & Performance Improvement (QAPI) goals and working to achieve those goals on all patients; complying with the facility policies and procedures; writing physician progress notes, with the minimum requirements of one monthly comprehensive note and three status notes; prescribing & refilling patient medications; providing patient referrals to specialists;

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

ITEM: 2-S (Cont.)

making rounds, as stated in the contract; responding to Emergencies, critical lab result response and changes in patient condition; dictating history and physicals on all patients, minimally on admission and annually; and consulting with DHHC Medical staff.

In addition, the Medical Director's responsibilities are, but are not limited to: participating in Quarterly Medical Executive Meetings held by DHHC; being accountable to the Governing body for the quality of medical care provided to patients; providing medical guidance in the provision of patient care; being ultimately responsible for the safety and quality of the water treatment system ensuring that it meets the Association for the Advancement of Medical Instruments (AAMI) Standards; being actively involved in the oversight of the facility patient care delivery and outcomes (attending and contributing during interdisciplinary meetings, participating in performance improvement plans, and being involved in the education of staff); leading the QAPI Program with monthly meetings - review of quality indicators; educating the facility medical staff of QAPI objectives; prioritizing improvement projects; communicating with the governing body; evaluating effectiveness of QAPI; approving the training program for Dialysis Technicians; being responsible for staff education, training, and performance (ensuring that staff members receive appropriate education and training to competently perform job responsibilities); and being involved in the development and periodic review and approval of patient care policies and procedures.

In addition, the Contractor is located 20 minutes from DHHC and 10 minutes from Peninsula Regional Medical Hospital.

There was no MBE participation goal established for this contract due to the limited opportunities for subcontracting these services.

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

ITEM: 2-S (Cont.)

FUND SOURCE: 100% Special (Renal Dialysis Collections)

APPROP. CODE: M00I04.02

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4282-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Michael Weinfield
410-767-5616
MWeinfield@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHHM)
Developmental Disabilities Administration
(DDA) / Behavioral Support Services

CONTRACT IDS: DHHM-OPASS - 11-10437; 11-10436;
Behavioral Services Contracts
ADPICS BPO Nos. M00B0400648 (Humanim);
M00B0400647 (The Chimes, Inc.)

CONTRACT DESCRIPTION: Two contracts to provide behavioral support services: Behavioral Assessment and Consultation, Crisis Intervention, Mobile Crisis Services, Temporary Augmentation of Staff, Training, Behavioral Respite, and Transitional Services, as needed to help developmentally disabled individuals with challenging behaviors and/or developmental disabilities. These services will support individuals living in DDA's Central Maryland Region.

AWARDS: Humanim
Columbia, MD

The Chimes, Inc.
Baltimore, MD

TERM: 7/1/2010 – 6/30/2013

AMOUNTS: \$6,445,757 (Humanim)
\$1,427,886 (The Chimes, Inc.)
\$7,873,643 Total (3 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one proposal was received per service cluster
(See Requesting Agency Remarks below)

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

ITEM: 3-S (Cont.)

MBE PARTICIPATION: 100% (Contractors are Maryland Certified MBEs)
5% Subcontracting goal
(See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENTS: Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was posted on *eMarylandMarketplace.com*. The notice was sent directly to two vendors (the incumbents), both of which are Maryland MBEs. The notice was also sent to the Governor's Office of Minority Affairs.

This contract is needed to provide behavioral support services to developmentally disabled individuals in Maryland who require program services pursuant to COMAR 10.22.05 and 10.22.10. Offerors were allowed to submit a proposal for all services or for one or more specific service clusters (see below). The Central Maryland Region is comprised of Baltimore City and Baltimore, Howard, Harford and Anne Arundel Counties.

There was only one response to each of the four service clusters in this RFP: Humanim responded to Clusters 1, 2, and 3; and The Chimes, Inc. (Chimes) responded to Cluster 4. The four service clusters are:

- Cluster 1 - Behavioral Assessment and Consultation, Crisis Intervention and Mobile Crisis Services;
- Cluster 2 - Temporary Augmentation of Staff;
- Cluster 3 - Training; and
- Cluster 4 - Behavioral Respite and Transitional Services.

As the incumbents, and based upon an evaluation of their current proposals, it was determined that Humanim would be capable of performing the duties of Clusters 1, 2, and 3 under the RFP, and Chimes would be capable of performing the duties of Cluster 4 under RFP. The recommended contractors are responsible and their prices have been deemed fair and reasonable. It was also determined that other prospective bidders had a reasonable opportunity to respond to the solicitation.

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

ITEM: 3-S (Cont.)

Even though, seven potential offerors attended the pre-proposal conference, no one submitted the "Notice to Vendors" for not responding to the solicitation. So, it is unknown why no other vendors responded to the RFP.

This Behavioral Support Services contract provides short-term intensive support services in the community to disabled individuals. These individuals have serious behavioral or psychiatric disorders that could otherwise require more costly services at a State residential center or inpatient hospital admission if the services were not available in the community. The contract will serve approximately 800 people for Clusters 1, 2 and 3 with Humanim and approximately 250 people for Cluster 4 with The Chimes.

Estimated award amounts are based upon past usage of all services from the previous contract.

An MBE participation goal of 5% has been established for this contract based upon historic levels of MBE participation achievement around 3 - 4%. It was determined that a 5% MBE goal was reasonable and obtainable with the identification of the areas to be subcontracted and the known MBE population.

FUND SOURCE: 90% General; 10% Federal
APPROP. CODE: M00M0102
RESIDENT BUSINESS: Yes, for both
MD TAX CLEARANCE: 10-4359-1111 (Humanim)
10-4358-1110 (The Chimes, Inc.)

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**

ITEM: 4-S (Cont.)

INCUMBENT: Market Decisions, LLC
Portland, ME

REQUESTING AGENCY REMARKS: A notice of availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*, and the DHMH and MHCC websites. MHCC verified that eMM notifications were sent to 132 prospective vendors, 85 of which were Maryland firms. E-mail notifications were also sent to 103 MBE vendors. A copy was also sent to the Governor's Office of Minority Affairs.

A total of six proposals were received in response to the RFP. All six were deemed reasonably susceptible of being selected for award, as indicated in the Attachment. Macro International (Macro) is recommended for award based upon its overall #1 ranking. Macro was ranked third technically and had the lowest price. Even though technical factors were given greater weight than financial factors in the overall award determination, it was determined that the technical differences between the IFC Macro and the #1 and #2 ranked technical offerors did not compensate for the 40% higher price of the #1 technical offeror and the 36% higher price of the #2 technical offeror.

Under the provisions of Health-General Article §19-135(d), the Maryland Health Care Commission must implement a system to comparatively evaluate the quality of care and performance of nursing facilities, that includes performance information from consumers and their families. Additionally, the Commission must annually report summary findings to nursing facilities, Marylanders, and other interested parties. The purpose of these activities is to improve the quality of care provided by nursing facilities by establishing a common set of performance measures and disseminating results to the public.

This contract will provide services needed to conduct annual surveys of care provided to over 25,000 long term residents and 30,000 short stay residents who are discharged to home, and produce reports of the results of the survey suitable for public dissemination. Specific activities provided under the contract include: acquiring lists of responsible parties and residents from each of the 236 licensed nursing facilities in Maryland; formatting, duplicating and mailing the survey; tabulation of responses, production of individual facility and statewide reports in an easy to understand format, and production of an analytic and methodological report. It is anticipated that as many as 30,000 surveys will be mailed to achieve the needed response rate. This number is less than the total number of residents due to duplication in long term and short term stays, as

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

ITEM: 4-S (Cont.)

well as multiple stays. About 10 - 15% of the residents do not meet the criteria for being surveyed, i.e. the resident died in the nursing home; the family is unknown or unable to be contacted; or the stay in the nursing home is too short.

The Maryland Health Care Commission Nursing Home Family Survey has been conducted for each of the last four years; a Short Stay Resident Survey was piloted in 2009. Survey results are incorporated into the web-based Maryland Long Term Care Guide at www.mhcc.maryland.gov/consumerinfo/. Prior to publishing the survey results the Guide received approximately 12,000 inquiries per year. Since posting the survey results, the Guide receives over 20,000 visits annually. Commission staff assists consumers without internet access to get the information they need from the Guide. The Maryland Nursing Home Experience of Care Survey has been nationally recognized at two consecutive Consumer Assessment of HealthCare Providers and Systems (CAHPS) national meetings sponsored by the federal Agency for Healthcare Research and Quality (AHRQ) because of: (1) its 58% response rate which far exceeds the national average; and, (2) the receptivity of the survey results by consumers and the industry. The survey serves as another tool for Marylanders in their performance of due diligence when choosing a nursing home. The survey is also a tool for nursing homes as they compare their performance to the competition and identify where they excel and where they need to improve. Public reporting of performance information has been shown to result in improvements in nursing home performance in national studies.

A 25% MBE Participation goal was established for this contract; however, the recommended awardee has committed to a 70% MBE participation goal.

FUND SOURCE: 100% Special (User Fees)
APPROP. CODE: M00R0101
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 10-4467-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-S (Cont.)

ATTACHMENT

BPW 6/23/2010

BIDS/PROPOSALS (Cont.):

<u>Offerors</u>	<u>Technical Rank</u>	<u>Financial Offer Base Term (3 Yrs.)</u>	<u>Financial Offer Option (1 Yr.)</u>	<u>Total Financial 4th Year Offer (Rank)</u>	<u>Overall Rank *</u>
Macro International Calverton, MD	3	\$492,053	\$170,727	\$662,780 (1)	1
Market Decisions Portland, ME	2	\$772,846	\$261,312	\$1,034,158 (4)	2
Synovate Falls Church, VA	1	\$818,548	\$278,997	\$1,097,454 (5)	3
Social Dynamics, LLC Gaithersburg, MD	5	\$599,686	\$215,151	\$814,837 (2)	4
Widener & Burrows Associates (WB&A) Crofton, MD	6	\$721,150	\$261,102	\$982,252 (3)	5
Edge Research Arlington, VA	4	\$1,537,282	\$543,628	\$2,080,920 (6)	6

Note: * Technical factors were given greater weight than financial factors in the overall award determination.

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

ITEM: 5-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and the DHMH *Procurement Opportunities* webpage. DHMH notified 37 registered small businesses of the solicitation, 20 of which are Maryland vendors and 11 are MBEs. The solicitation was also sent to the Governor's Office of Minority Affairs.

Three bids were received in response to the IFB. One bid failed to meet the technical requirements as described in the solicitation. Its bid was deemed non-responsive and returned with the financial bid unopened. The two remaining responsive bids from responsible bidders were opened. The price bid received from The Data Entry Company was lower and has been deemed fair and reasonable. Therefore, award is recommended to The Data Entry Company.

This is an Indefinite Quantity Contract with Firm Fixed Unit Prices. The estimated Award Amount is based upon the financial bid amount. The Bid Prices are based upon a model contained in the solicitation to allow for proper comparisons among bidders. The model was of firm fixed unit prices for each document type to be processed under the contract with an estimated number of records for each document.

This contract is to provide data entry services for DHMH's Public Health, Medical Assistance, Vital Records, and General Accounting programs. DHMH had been in negotiations with Maryland Works to determine if iScan/Humanim would be able to provide the required services and be awarded the new contract for data entry services. After extensive dialog, however, it was agreed that iScan/Humanim cannot match the price of the recommended awardee and has relinquished its preference for this contract. However, it would like to be considered for future contracts.

A 20% MBE participation goal has been established for this contract based upon the ability to subcontract some of the data entry services (limited due to State and federal security and confidentiality standards) and courier services.

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

ITEM: 5-S (Cont.)

FUND SOURCE: 51% General; 49% Federal

APPROP. CODE: M00A01.02; M00Q01.02

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4233-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BIDS/PROPOSALS (Cont.):

BIDDERS	YEAR 1	YEAR 2	YEAR 3	TOTAL
The Data Entry Company Bethesda, Maryland	\$445,600.00	\$450,673.50	\$457,633.50	\$1,353,907.00
Highland Data Services Company, Inc. Blue Grass, Virginia	\$532,110.00	\$532,110.00	\$532,110.00	\$1,596,330.00

Bid Prices are based upon a model contained in the solicitation to allow for proper comparisons among bidders. The model was of firm fixed unit prices for 16 different batches of documents to be processed under the contract. The solicitation bid page included the statement, "The Contract that results from this IFB shall be an Indefinite Quantity Contract with Firm Fixed Unit Prices, in accordance with COMAR 21.06.03.02 and 21.06.03.06."

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

SERVICES CONTRACT

ITEM: 6-S **Agency Contact:** Denise Shackelford
410-767-6116
shackelfordd@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Laboratories Administration

CONTRACT ID: DHMH/OPASS-11-10349;
Courier Services
ADPICS No. M00B1400029

CONTRACT DESCRIPTION: The Courier Services to provide daily scheduled pickup, transport and delivery of laboratory coolers, specimens, supplies, samples and mail between 201 W. Preston Street in Baltimore and Maryland local health departments and clinics.

AWARD: Stat Experts
Rockville, MD

TERM: 9/1/2010 - 8/31/2015

AMOUNT: \$568,750 (5 Years)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 20%

PERFORMANCE SECURITY: None

INCUMBENT: Rapid Response Delivery, Inc.
Baltimore, MD.

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

ITEM: 6-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and on the DHMH Procurement Web-site. The notification was sent directly to 38 vendors, of which 30 are Maryland firms, nine are MBEs and seven are small businesses. A copy was also sent to the Governor's Office of Minority Affairs.

There were 11 bids received in response to the IFB. All 11 were deemed to be responsive and the bidders are responsible. There are four separate regions of the State for these services. Bidders could submit bids for any or all of the four service regions of the State. Ten of the bidders bid for all four regions. One bidder bid for two regions. Per the terms of the IFB, a single award per region would be made, unless an individual bidder submitted a bid for all regions which was less than the aggregate of the lowest bid per region submitted by all other bidders. In that case a single, consolidated contract would be awarded to that overall lowest bidder. The one bidder's bid prices for the two individual regions were higher than the recommended awardee for those particular regions. All other bidders' bid prices were aggregated for an overall bid price. The recommended bidder, Stat Experts, had the lowest overall responsive bid for all regions and was a responsible bidder, so a single, consolidated contract is being awarded.

The contract provides courier services to pickup and deliver specimen coolers, mail, laboratory supplies and laboratory results at Health Departments, Clinics and the post office in Region A (Baltimore City Post Office & Clinics); Region B (Northeast Maryland); Region C (Southern Maryland Counties); and Region D (Howard County and Carroll County). The contract for the Eastern Shore and Western Maryland was awarded on the 2/14/2007 DBM BPW Agenda, Item 2-S.

The Contractor will begin each day's run, as specified by Region, by picking up from the Central Laboratory supplies, specimen collection containers, supporting data and mail which will be delivered to the clinics in the Region. The Contractor will stop at each site in the order shown on the schedule in the contract to drop off anything designated for that clinic and to collect items to be returned to the Central Laboratory.

This is an indefinite quantity contract with firm fixed unit prices. The total contract amount is based upon historic usage and formulated as part of the model in the bid price. The actual amount paid to the Contractor shall be calculated using the firm fixed unit prices specified on the bid sheet for the price per day for pickups and the actual number of days pickups were performed by the Contractor.

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

ITEM: 6-S (Cont.)

A 20% MBE Participation goal was established for this contract based upon the ability to subcontract drivers or dispatchers from the services to be provided.

FUND SOURCE: 100% General

APPROP. CODE: M00J02.01

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4283-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 6-S (Cont.)

ATTACHMENT

BIDS/PROPOSALS (Cont.)

BIDS *

REGIONS

Stat Experts	\$109,375	A
Rockville, MD	\$ 87,500	B
	\$284,375	C
	<u>\$ 87,500</u>	D
	\$568,750	
Central Delivery Service	\$ 75,770	A
Laurel, MD	\$120,000	B
	\$304,000	C
	<u>\$100,000</u>	D
	\$599,770	
Rapid Response Delivery	\$ 72,912.00	A
Baltimore, MD	\$133,005.00	B
	\$341,755.00	C
	<u>\$ 94,507.50</u>	D
	\$642,179.50	
Expedited Courier Group	\$ 82,837	A
Baltimore, MD	\$108,000	B
	\$410,250	C
	<u>\$106,000</u>	D
	\$707,087	
Falcon Express	\$128,897.26	A
Beltsville, MD	\$145,435.00	B
	\$357,535.00	C
	<u>\$101,425.00</u>	D
	\$733,292.26	
Jet Transportation	\$109,346.16	A
Jamesburg, NJ	\$154,453.75	B
	\$376,117.50	C
	<u>\$108,067.60</u>	D
	\$747,985.01	

ITEM: 6-S (Cont.) ATTACHMENT

BIDS/PROPOSALS (Cont.)	BIDS *	REGIONS
Stat Courier Hyattsville, MD	\$199,268.16	A
	\$178,737.50	B
	\$376,432.50	C
	<u>\$114,420.00</u>	D
	\$868,858.16	
Laser Ship Vienna, VA	\$ 19,000	A
	\$178,125	B
	\$531,250	C
	<u>\$200,000</u>	D
	\$928,375	
Reliable Delivery Services Hyattsville, MD	\$ 677,000	A
	\$ 375,000	B
	- No Bid -	C
	- No Bid -	D
	<u>\$1,052,000</u>	
Reliant LLC Bladensburg, MD	\$ 271,500	A
	\$ 158,250	B
	\$ 439,500	C
	<u>\$ 189,500</u>	D
	\$1,058,750	
Dads Delivery Baltimore, MD	\$ 178,310	A
	\$ 257,500	B
	\$ 515,000	C
	<u>\$ 132,500</u>	D
	\$1,083,310	

Note: * The bid prices were based upon a model for a fully-loaded firm fixed price per day per region times 250 days per year for each region. In addition, Region A has Saturday post office pickups for a firm fixed price per day times 52 Saturdays per year. The contract is for an indefinite quantity with firm fixed unit prices based upon the bid prices per region.

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

SERVICES CONTRACT

ITEM: 7-S **Agency Contact:** Steve Mason
410-724-3003
smason@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Clifton T. Perkins Hospital

CONTRACT ID: DHMH/OPASS - 10-10375;
On-site Mobile Imaging Services
ADPICS No. M00B1400034

CONTRACT DESCRIPTION: The On-site Mobile Imaging Services will provide the necessary equipment, supplies and personnel required to deliver on-site mobile diagnostic imaging services to include x-rays and ultrasound.

AWARD: Symphony Diagnostics Services No.1, Inc.
Sparks, MD

TERM: 7/1/2010 – 6/30/2013 (w/2 one-year Renewal Options)

AMOUNT: \$55,725 (3 Years; Base Contract)
\$18,575 (1 Year; 1st Renewal Option)
\$18,575 (1 Year; 2nd Renewal Option)
\$92,875 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: Only one bid received

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

MBE WAIVER: 3%

PERFORMANCE SECURITY: None

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

ITEM: 7-S (Cont.)

INCUMBENT: None

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were mailed directly to 13 vendors, of which 12 are Maryland firms and four are MBEs. A copy was also sent to the Governor's Office of Minority Affairs (GOMA).

The Clifton T. Perkins Hospital Center (CTPHC) received one bid that was responsive and responsible. The reason only one bid was received was because of the facility's location and the limited number of vendors that provide on-site mobile diagnostic imaging services.

The on-site mobile diagnostic imaging services eliminate the extensive resource requirements and security risks associated with transporting CTPHC patients outside of the facility; therefore, making on-site services less costly and less risky. The actual per procedure price of the service itself is comparable, and in some cases less expensive, than the prices charged by the general hospital imaging services currently being used. Resources required to have the services provided off-site generally include a van with a minimum of two security personnel and an average of six hours per trip. Each trip also presents a potential opportunity for escape by a patient who has committed a serious felony and has been court committed to the facility for evaluation or treatment.

This contract provides on-site mobile diagnostic imaging (x-ray and ultrasound) services for the patients at Clifton T. Perkins Hospital Center (CTPHC). CTPHC has an average daily inpatient population ranging from 206 to 215 patients and is accredited by The Joint Commission and is anticipated to rise to a range of 250 to 260 patients over the next two years. All x-rays and ultrasounds requested by CTPHC from the contractor are based on actual physicians order sheets and are required for the medical staff reviews, testing and services under this contract.

The "Total Base Contract Price" specified is based on model quantities and is used solely for price evaluation, comparison and selection for recommended award. The "Annual Estimated Number of x-rays" indicated are not a guarantee of any maximum or minimum quantities under the contract and may change at any time during the term of the contract. The actual amount to be paid to the contractor shall be calculated using the Firm Fixed Prices specified on the Bid Page (price per test) and the actual number and type of x-rays/ultrasounds performed by the Contractor.

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

ITEM: 7-S (Cont.)

A 3% MBE participation goal was established for this contract based upon the possibility of the prime contractor buying medical supplies used to perform the contract. Since this is a new service being procured at CTPHC, it was not specifically known what contract related activities could be subcontracted; nonetheless, a 3% MBE goal seemed attainable. However, a waiver was granted of this 3% goal (resulting in 0% MBE participation) because of evidence of a good faith effort by the recommended awardee to meet the goal and the subsequent agreement that there are no MBEs that can provide any part of the needed services. This was the fourth procurement for these services; the first two resulted in no bids being received. The third time, one bid was received and the bidder requested a waiver that was denied because of the absence of a good faith effort to meet the goal. This fourth time also resulted in one bid; however, the bidder made a good faith effort to try to achieve the MBE goal before requesting a waiver.

FUND SOURCE: 100% General
APPROP. CODE: M00L1001
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 10-4268-0111

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: 8-S **Agency Contact:** Darrell Nearon
410-767-6888
dnearon@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHHM)
Deputy Secretariat for Behavioral Health and
Disabilities Resident Grievance System

CONTRACT IDS: DHHM/OCPMP-10-10393;
Legal Assistance Provider
ADPICS NO: See Attachment 1

CONTRACT DESCRIPTION: Legal Assistance Services for residents at four of
the six Mental Hygiene Administration Facilities - in accordance with Coe Consent Decree &
COMAR 10.21.14. (See Requesting Agency Remarks below.)

AWARDS: See Attachment 1

TERM: 7/1/2010 – 6/30/2013 (w/2 one-year renewal
options)

AMOUNT: \$ 897,000 Est. Cum. (3 Years; Base Contract)
\$ 303,000 Est. Cum. (1 Year; 1st Renewal Option)
\$ 305,000 Est. Cum. (1 Year; 2nd Renewal Option)
\$1,505,000 Est. Cum. Total of 4 contracts (5 Years)
(See Attachment for each facility's total)

PROCUREMENT METHOD: Competitive Sealed Bidding
(Small Business Reserve)

BIDS OR PROPOSALS: See Attachment 2

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

INCUMBENTS: See Attachment 3

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

ITEM: 8-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and posted on the DHMH *Procurement Opportunities* web page. The notice of availability of the IFB was directly solicited to six Maryland vendors, of which three are MBEs.

Bidders were allowed to submit bids for one, some, or all of the six Mental Hygiene Administration facilities: Eastern Shore Hospital Center, Spring Grove Hospital Center, Springfield Hospital Center, Clifton T. Perkins Hospital Center, Regional Institute for Children and Adolescents (RICA) - Baltimore and RICA - Rockville.

A total of 17 bids were received in response to the IFB. Multiple bids were received for each facility, except for Eastern Shore Hospital Center (ESHC), which historically only receives one bid because of its location on Maryland's Eastern Shore. Board of Public Works (BPW) approval is requested for four out of the six contracts, three because the total contract amount, including options, exceeds \$200,000, and the fourth (ESHC) because there was only one response. Because of the contract amounts for RICA-Baltimore and RICA-Rockville and the fact that multiple bids were received for each, these contracts are being approved under DBM's delegated authority from the BPW.

The Legal Assistance Program implements the Coe Consent Decree and COMAR 10.21.14. The purpose of the program is to assure access to the justice system by providing residents with an internal rights program known as the Resident Grievance System and an external program of independent attorneys known as Legal Assistance Providers. The Program assists in enforcing established rights, helps residents obtain Federal/State benefits which may assist individuals in their return to the community, provides representation at Clinical Review Panel Administrative Appeals, conducts Legal Case Reviews, and recruits attorneys to help with other basic civil and legal problems.

There was no MBE participation goal established for this contract due to the limited opportunities for subcontracting these services, since the contract is for an attorney and reporting requirements are for a single form to be provided directly to the agency.

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

ITEM: 8-S (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: M00K0101

RESIDENT BUSINESS: Yes for all

MD TAX CLEARANCES: See Attachment 1

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 8-S (Cont.)

ATTACHMENT 2

BIDS OR PROPOSALS (Cont.):

Spring Grove Hospital Center:

BIDDERS	BASE TERM (3 YRS.)	OPTION #1 (1YR.)	OPTION #2 (1 YR.)	TOTAL BID PRICE
Terri Mason Baltimore, MD	\$240,000	\$80,000	\$80,000	\$400,000
Snee & Behre Baltimore, MD	\$273,000	\$95,000	\$96,000	\$464,000
Ria Rochvarg West Friendship, MD	\$301,500	\$103,500	\$105,000	\$510,000
Randall & Sonnier, LLC Baltimore, MD	\$2,082,000	\$714,000	\$750,000	\$3,546,000

Springfield Hospital Center:

BIDDERS	BASE TERM (3 YRS.)	OPTION #1 (1YR.)	OPTION #2 (1 YR.)	TOTAL BID PRICE
Terri Mason Baltimore, MD	\$240,000	\$80,000	\$80,000	\$400,000
Ria Rochvarg West Friendship, MD	\$301,500	\$103,500	\$105,000	\$510,000
Brenda Taylor, Taylor Law, LLC Westminster, MD	\$337,000	\$118,000	\$118,000	\$573,000
Randall & Sonnier, LLC Baltimore, MD	\$1,610,000	\$554,000	\$580,000	\$1,610,000

Clifton T. Perkins Hospital Center:

BIDDERS	BASE TERM (3 YRS.)	OPTION #1 (1YR.)	OPTION #2 (1 YR.)	TOTAL BID PRICE
Ria Rochvarg West Friendship, MD	\$310,500	\$106,500	\$108,000	\$525,000
Terri Mason Baltimore, MD	\$360,000	\$120,000	\$120,000	\$600,000
Randall & Sonnier, LLC Baltimore, MD	\$846,000	\$294,000	\$308,000	\$1,448,000

ITEM: 8-S (Cont.)

ATTACHMENT 3

INCUMBENTS (Cont.):

Spring Grove Hospital Center:

Ria Rochvarg
West Friendship, MD

Springfield Hospital Center:

Ria Rochvarg
West Friendship, MD

Clifton T. Perkins Hospital Center:

Terri Mason
Baltimore, MD

Eastern Shore Hospital Center:

Same - Jennings & Treff
Denton, MD

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

SERVICES CONTRACT

ITEM: 9-S **Agency Contact:** Sandy Johnson
410-767-7408
Sjohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Department of Human Resources (DHR)
Family Investment Administration (FIA)
Disability Services Operations

CONTRACT ID: FIA/MRT 11-001;
Medical Review Team Services
ADPICS BPO No. N00B0400513

CONTRACT DESCRIPTION: Contract to manage and monitor the services of a Medical Review Team (MRT). The MRT will review medical evidence and provide the Maryland State Review Team (SRT) with disability recommendations for persons applying for eligibility under the Aged, Blind, and Disabled (ABD) Medical Assistance program.

AWARD: Health Management Associates, Inc.
Baltimore, MD

TERM: 7/1/2010 – 11/30/2010

AMOUNT: \$441,533

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None

PERFORMANCE SECURITY: None

INCUMBENT: Same

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

ITEM: 9-S (Cont.)

REQUESTING AGENCY REMARKS: Request for approval of a sole source contract for Medical Review Team (MRT) services. Currently, these federally mandated MRT services are being provided by Health Management Associates, Inc. (HMA) under a contract that will expire on June 30, 2010. This sole source contract with HMA is necessary to ensure that mandated MRT services continue, uninterrupted until a new Department of Budget and Management (DBM) Statewide Medical Director & Occupational Medical Services Contract is awarded. DBM recently extended its contract for these services in order to complete the procurement incorporating the MRT services for DHR Family Investment Administration (FIA). (See the 2/24/2010 DBM BPW Agenda, Item 14-S-MOD, for a six month extension until 11/30/2010.)

It is anticipated that the new solicitation will be published soon and a new five year contract will be awarded to begin in December 2010. In the meantime, FIA is unable to solicit for a new five month contract in a timely manner and maintain the current level and accuracy of work for these services. This contract expiration date matches the DBM contract's expiration date, so the two contracts will end at the same time for the new contract to start.

HMA is the sole source provider due to their expert knowledge in both State and Federal disability determination regulations and documentation requirements. This Contractor is prepared to continue MRT services without interruption of services. The MRT network physicians are trained by HMA to apply the following two steps of the Social Security Administration's five-step sequential evaluation process for determining disability:

- Step 2 – What is the most that an individual can do despite the limitations of the impairments(s)?
- Step 3 – Does the individual's impairment(s) prevent the performance of past relevant work?

Customers benefit when the recommendation of the MRT physician is that they are disabled for at least 12 months. If determined disabled the customer is eligible to receive federal Medical Assistance through DHR. The sequential evaluation process is important because the State and/or HMA are able to equitably apply disability guidelines to all customers applying for Medical Assistance eligibility.

It is in the best interest of the State to approve this contract. HMA has the capability to maintain the continuity of MRT services essential for the state Review Team to remain compliant with federal mandates for determining disability.

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

ITEM: 9-S (Cont.)

No Minority Business Enterprise (MBE) goal was established for this contract. HMA subcontracts with a vendor to staff a network of physicians to provide the MRT services. Given the short timeframe of this contract and the fact that there was no MBE goal for the previous contract, it is impractical to change the existing arrangement to now establish a goal. However, there will be a 15% MBE participation goal under the soon to be issued DBM solicitation.

FUND SOURCE: 50% General; 50% Federal

APPROP. CODE: N00I0004

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4388-0111

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: 10-S **Agency Contact:** BJ Said-Pompey
410-339-5013
Bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety and Correctional Services (DPSCS)
Division of Correction (DOC)

CONTRACT ID: DPSCS Q0011003;
Threshold, Inc.
ADPICS No. Q00B1400005

CONTRACT DESCRIPTION: Contract for the continued operation of a 30-bed **Contractual Pre-Release Service** in Baltimore City. DPSCS' Division of Correction (DOC) operates institutions for adult male and female offenders throughout the State. As part of its operations, DOC contracts for **Contractual Pre-Release Service**, as permitted under the Annotated Code of Maryland, Correctional Services Article, Sections 11-301 through 11-320.

AWARD: Threshold, Inc.
Baltimore, MD

TERM: 7/1/2010 – 6/30/2011

AMOUNT: \$637,071

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE)

PERFORMANCE SECURITY: None

INCUMBENT: Same

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

ITEM: 10-S (Cont.)

REQUESTING AGENCY REMARKS: There are three Contractual Pre-Release Service facilities, previously called Community Adult Rehabilitation Centers (CARCs), Threshold, Inc. operates one; Dismas House, Inc. operates the second and the third is operated by Cecil County. Threshold, Inc. has operated this Contractual Pre-Release Service for many years. The purpose of a Contractual Pre-Release Service is to house and rehabilitate those individuals who have been convicted of crimes, but who, in the judgment of the courts and appropriate correctional personnel, can be best rehabilitated in community facilities without substantial danger to the community.

Threshold, Inc. is the sole source for operating this Contractual Pre-Release Service, in part, because the Secretary of the Department of Public Safety and Correctional Services has certified to the need for this Contractual Pre-Release Service under the Annotated Code of Maryland, Correctional Services Article, Section 11-306 and, in part, because it has the special zoning permit needed to operate in Baltimore City.

The cost of funding for this contract is as follows:
30 beds x \$58.18 per day x 365 day = \$637,071

This is the same per-diem rate as occurred in FY2008, FY2009 and FY2010.

FUND SOURCE: 100% General
APPROP. CODE: Q00B0601
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 10-4350-0110

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**

ITEM: 11-S (Cont.)

REQUESTING AGENCY REMARKS: There are three Contractual Pre-Release Service facilities, previously called Community Adult Rehabilitation Centers (CARCs), in the State. Dismas House, Inc. operates one; Threshold, Inc. operates another; and the third is operated by Cecil County. Dismas House, Inc. has operated this Contractual Pre-Release Service for many years. The purpose of a Contractual Pre-Release Service is to house and rehabilitate those individuals who have been convicted of crimes, but who, in the judgment of the courts and appropriate correctional personnel, can be best rehabilitated in community facilities without substantial danger to the community.

Dismas House, Inc. is the sole source for operating this Contractual Pre-Release Service, in part, because the Secretary of the Department of Public Safety and Correctional Services has certified to the need for this Contractual Pre-Release Service under the Annotated Code of Maryland, Correctional Services Article, Section 11-306 and, in part, because it has the special zoning permit needed to operate in Baltimore City.

The cost of funding for this contract is as follows:

45 beds x \$60.46 per day x 365 day - \$119,595 room/board recovery = \$873,461

This per-diem rate is the same as FY2010 and has only increased by \$0.01 from the per-diem in FY2008 and FY2009.

Due to the nature of the services to be provided there are no subcontracting opportunities, thus there is no MBE participation goal.

FUND SOURCE: 100% General

APPROP. CODE: Q00B0601

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4349-0110

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**

ITEM: 12-S (Cont.)

Huber and Associates

\$ 427,560 (2 Years; Base Contract)
\$ 217,080 (1 Year; 1st Renewal Option)
\$ 217,080 (1 Year; 2nd Renewal Option)
\$ 220,380 (1 Year; 3rd Renewal Option)
\$ 1,082,100 Total for Contract B (5 Years)

Community Based Treatment Service

\$ 204,585 (2 Years; Base Contract)
\$ 116,625 (1 Year; 1st Renewal Option)
\$ 126,180 (1 Year; 2nd Renewal Option)
\$ 134,085 (1 Year; 3rd Renewal Option)
\$ 581,475 Total for Contract C (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one offer per region

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

INCUMBENTS: None

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were mailed directly to 39 prospective vendors, all of which are Maryland firms and included 19 MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

The RFP sought specialized psychotherapeutic services for sexual offenders in seven regions of the State, identified below, which collectively comprised the entire State. Offerors could offer to provide services in any or all of the seven regions. Three proposals were received in response to the RFP. Each of the three proposals was for a different region of the State. There were no responses received in four of the seven regions. All three proposals were deemed to be reasonably susceptible of being selected for award. Each technical proposal was determined to meet all of the requirements in the RFP, and the offerors were determined to be responsible. Moreover, the prices were considered fair and reasonable, and it was determined that other potential offerors had a reasonable opportunity to respond to the solicitation.

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

ITEM: 12-S (Cont.)

Therefore, contract awards are recommended to each of the offerors: Eastern Shore Psychological Services for contract A (Region 1B); Hubert and Associates for contract B (Region 2); and Community Based Treatment Services for contract C (Region 4A).

Through these three contracts, the Department will provide specialized psychotherapeutic services and supervision of sexual offender inmates throughout the below identified regions of the State of Maryland. Specialized sexual offender assessment and treatment are essential elements of the containment approach to sexual offender management and will enable parole and probation agents to develop more appropriate supervision plans and implement more effective supervision strategies.

The seven regions are as follows:

1. **Region 1A** - Cecil, Harford, Kent, Queen Anne's and Kent
2. **Region 1B** - Caroline, Dorchester, Somerset, Talbot, Wicomico and Worcester
3. **Region 2** - Baltimore City and Baltimore County
4. **Region 3A** - Anne Arundel, Montgomery and Prince George's
5. **Region 3B** - Calvert, Charles and St. Mary's
6. **Region 4A** - Carroll, Frederick and Howard
7. **Region 4B** - Allegany, Garrett and Washington

In 2006, legislation mandated the use of collaborative containment teams for the supervision of sexual offenders, as well as authorizing the imposition of participation in specialized sexual offender treatment as a special condition of supervision in appropriate cases. In response to this legislation, the Department of Public Safety and Correctional Services (DPSCS), the Department of Corrections (DOC) and the Division of Parole and Probation (DPP) developed the containment approach to managing sexual offenders.

In the past, efforts to comply with special conditions imposed by the courts and the Maryland Parole Commission, Collaborative Offender Management/Enforced Treatment (COM/ET) agents have been referring offenders to various treatment providers throughout the State. These referrals are made through informal arrangements with the providers, but without a contract DPP has little control over the quality or degree of cooperation the providers will give to the DPSCS supervision policies and procedures.

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

ITEM: 12-S (Cont.)

The treatment providers working for the programs covered by the contracts will have to meet educational and clinical experience requirements. They will have to provide services and notifications within time frames established by DPP, and will have to provide specialized treatment in accordance with the guidance provided in the RFP.

The remaining four regions not covered by one of these contracts will continue to be served under the informal process of acquiring treatment providers through the agents' referrals, which have already been established. This was the second procurement for these services, as mentioned below, with no difference in responses between the first and second procurements. The Department will not attempt a third procurement to cover the remaining four regions.

There was no MBE participation goal established for these contracts based upon the determination that by dividing the State into seven separate regions, additional subcontracting was not attainable, and MBEs would have a better opportunity to submit proposals as prime contractors.

This is the second procurement for these services. A 10% MBE participation goal was set for each region under the first procurement. All three offerors under this first procurement requested full waivers of this goal. Because of procedural errors by the three offerors (their efforts to justify the waivers occurred after submitting proposals, instead of before), each of these waiver requests had to be rejected, leaving no vendor eligible to receive an award. However, in examining all aspects of the offerors' belated efforts to justify their waiver requests it was determined that there were no available certified MBEs to provide such services. Accordingly, for the second procurement no MBE participation goal was established. The responses from offerors were the same for both procurements.

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

ITEM: 12-S (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: Various

RESIDENT BUSINESS: Yes for all

MD TAX CLEARANCE: 10-4430-1110 (Eastern Shore Psychological)
10-4429-0000 (Community Based Treatment)
10-4596-0000 (Huber and Associates)

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: 13-S **Agency Contact:** Carol Kaiser
443-769-1021
ckaiser@collegesavingsmd.org

DEPARTMENT/PROGRAM: College Savings Plans of Maryland (CSPM)

CONTRACT ID: 10-01;
Actuarial Services
ADPICS No. R60B0400004

CONTRACT DESCRIPTION: Provide actuarial services for the College Savings Plans of Maryland (CSPM) to include developing actuarially based pricing alternatives for the Board's review, addressing issues related to the maintenance of the Trust, and providing periodic soundness evaluations certifying the actuarial soundness of the Trust. (The "Trust" is defined in the Requesting Agency Remarks below.)

AWARD: Richard M Kaye & Associates
Detroit, MI

TERM: 6/23/2010 - 6/22/2011 (w/2 two-year renewal options)

AMOUNT: \$ 49,749 (1 Year; Base Contract)
\$ 99,498 (2 Years; 1st Renewal Option)
\$ 99,498 (2 Years; 2nd Renewal Option)
\$248,745 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (see Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

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

ITEM: 13-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request For Proposals (RFP) was posted on *eMarylandMarketplace.com* and directly sent to 50 vendors. Of the 50 vendors directly solicited, 48 are MBEs and 40 of these are Maryland firms. In addition, a copy of this solicitation was provided to the Governor's Office of Minority Affairs.

Three proposals were received in response to the RFP. One proposal was determined to be unacceptable because it did not satisfy the technical requirements of the RFP. The two remaining proposals were evaluated. Richard M. Kaye & Associates received the overall #1 ranking with the higher ranked technical offer and higher price. Even though its price was slightly higher than the #2 ranked technical offeror, the \$18,225 difference in price did not outweigh the technical differences between the two offerors. Richard M. Kaye & Associates had greater breadth of knowledge and expertise, as well as exemplary performance recommendations from each of its current clients. In particular, Richard M. Kaye is an expert in the Section 529 prepaid tuition plans with more active states who are engaged in the current marketing of its plans. Therefore, award is recommended to Richard M. Kaye & Associates.

Given that a Section 529 prepaid tuition program has certain unique characteristics, the College Savings Plans of Maryland Board seeks to contract with an actuary who is knowledgeable in all phases of structuring and evaluating factors and circumstances relevant to the operation of a prepaid tuition program. The scope of the engagement shall include, but will not be limited to, the following:

- preparation of an annual actuarial evaluation of the Trust's soundness;
- preparation of an actuarial analysis leading to the annual pricing of the contracts to be offered in the Trust's annual enrollment periods; and
- providing advice to the Board as to the structure of prepaid tuition contracts which will be offered during the Trust's enrollment periods.

The renewal options included a CPI adjustment.

No MBE participation goal was established for these services based upon the limited opportunities for subcontracting. In addition, in previous procurements for actuarial services CSPM has been unsuccessful in obtaining responses from MBE firms as either the prime contractor or as MBE subcontractors.

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

ITEM: 13-S (Cont.)

FUND SOURCE: 100% Non Budgeted

APPROP. CODE: R60H0041

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4428-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 13-S (Cont.)

ATTACHMENT

BIDS OR PROPOSALS (Cont.)

<u>Offeror</u>	<u>Tech. Rank</u>	<u>Financial Base One Yr.</u>	<u>1st Option Financial 2nd/3rd Yr.</u>	<u>2nd Option Financial 4th/5th Yr.</u>	<u>Financial Total 5-Yr. (Rank)</u>	<u>Overall Rank*</u>
Richard M Kaye & Associates Detroit, MI	1	\$49,749	\$99,498	\$99,498	\$248,745 (2)	1
Actuarial Resources Corp. Atlanta, GA	2	\$45,200	\$90,400	\$94,920	\$230,520 (1)	2

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

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

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 14-S-MOD **Agency Contact:** Michael Weinfield
410-767-5616
mweinfield@dhhm.state.md.us

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

CONTRACT ID: DHHM/OCMP 07-9298;
Utilization Review Services
ADPICS Nos. COD07961; M00B1400077

CONTRACT APPROVED: 8/9/2006 DBM BPW Agenda Item 4-S

CONTRACTOR: APS Health Care
Baltimore, MD

CONTRACT DESCRIPTION: Contract to provide utilization review
services for individuals with developmental disabilities in Maryland.

OPTION DESCRIPTION: Approval request to exercise the second and
final one-year renewal option as contained in the original contract, and including the below
described new modification being added during Option #1.

MODIFICATION DESCRIPTION: Approval request to expand the performance
audit to include Individual Family Care (IFC) and Family and Individuals Support Services
(FISS); Request for approval to expand the level of need assessment to individuals who are
receiving residential, day and supported employment services using the Support Intensity Scale
(SIS). (See Requesting Agency Remarks below.)

TERM OF ORIGINAL CONTRACT: 9/1/2006-8/31/2009 (w/2 one-year
renewal options)

TERM OF MODIFICATION: 7/1/2010 - 8/31/2010

TERM OF OPTION/MODIFICATION: 9/1/2010 – 8/31/2011

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

ITEM: 14-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT: \$3,262,783 (3 Years)

AMOUNT OF OPTION/MODIFICATION: \$ 62,785 (2 Months – MOD/OPTION #1)
\$ 688,515 (1 Year – MOD/OPTION #2)
\$1,169,140 (1 Year – OPTION #2)
\$1,920,440 Total (1 Year; 2 Months)

PRIOR MODIFICATIONS/OPTIONS: \$1,129,940 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$6,313,163

OVERALL PERCENT +/- (THIS MOD): +23.03%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5%

REQUESTING AGENCY REMARKS: Request for approval to exercise the second and final one-year renewal option and to modify the contract to expand the performance audit to include Individual Family Care (IFC) and Family Support Services (FSS) and Individual Support Services (ISS) {collectively called Family and Individual Support Services (FISS)}, and to conduct level of need assessment using the Support Intensity Scale (SIS) to people who are receiving DDA services to: 1) ensure that individuals who are currently receiving IFC and FSS/ISS services are receiving the needed services at the levels funded, through objective, third-party performance auditing - this modification was required by the Legislative Audit; and 2) to ensure those rates of payment match the individuals' level of needs and allocations of resources are equitable.

APS Healthcare (APS) has been providing utilization review services for the Administration since the inception of the services in 2006. APS has provided the Administration with timely and quality services and accurate data that the Administration was able to use to determine the rates for certain services and to recoup funds for services that were not delivered. During the base contract years the Administration recouped a total of \$741,351 as a result of Community Supported Living Arrangements (CSLA) performance audits completed by this vendor. The Administration has provided much training and technical assistance to APS staff to ensure

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

ITEM: 14-S-MOD (Cont.)

timely, quality utilization review services. Therefore, it is in the best interest of the State to exercise the renewal option and modify the contract with APS.

FISS, IFC and CSLA are different models of services. FISS may include, but are not limited to, supports involving: (1) Budgeting; (2) Medication administration; (3) Counseling; and (4) Job coaching (COMAR 10.22.06.03). IFC refers to a private, single family residence which provides a home for up to three individuals with developmental disabilities, who are unrelated to the care provider (COMAR 10.22.01.01). CSLA refers to services to assist an individual in non-vocational activities necessary to enable that individual to live in the individual's own home, apartment, family home or rental unit with (1) no more than two other non-related recipients of these services; or (2) members of the same family regardless of their number (COMAR 10.22.01.01). Currently, only CSLA services receive performance audits. The Legislative Audit mentioned above requested that DDA also conduct performance audit on IFC and FISS to verify that the services were delivered at the levels funded.

The SIS, performed for DDA by The American Association on Intellectual Developmental Disabilities (AAIDD), is an assessment tool that is expected to be implemented statewide to establish a reliable benchmark and more accurately assess service needs and funding of current and future DDA clients.

FUND SOURCE:	50% General; 50% Federal
APPROP. CODE:	M00M0102
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-4085-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

OPT. #1	\$1,129,940	Exercise the 1 st of two one-year renewal options as contained in the original contract for the period of 9/1/2009 – 8/31/2010. Approved on the 7/22/2009 DBM BPW Agenda, Item 11-S-OPTION.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 15-S-MOD **Agency Contact:** Michael Weinfield
410-767-5616
MWeinfield@dhhm.state.md.us

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

CONTRACT ID: DHMH/OPASS# 07-9143 – 2;
Quality Assurance (QA) Surveys –
Ask Me! Project
ADPICS No. M00B1400030

CONTRACT APPROVED: 6/7/2006 DBM BPW Agenda item 4-S

CONTRACTOR: The Arc of Maryland
Annapolis, MD

CONTRACT DESCRIPTION: Contract to conduct annual Statewide DDA
Quality of Life Surveys. The surveys will assist DDA in monitoring the quality of service
provided to individuals with developmental disabilities by provider agencies.

OPTION/MODIFICATION DESCRIPTION: Approval request to exercise the second and
final one-year renewal option as contained in the original contract and to modify the contract to
include additional surveys and survey questions to address consumer opinion, as a result of the
closure of the Rosewood State Residential Center that was not included in the original contract.

TERM OF ORIGINAL CONTRACT: 7/1/2006-6/30/2009 (w/2 one-year renewal
options)

TERM OF OPTION/MODIFICATION: 7/1/2010 – 06/30/2011

AMOUNT OF ORIGINAL CONTRACT: \$1,394,370 (3 Years)

AMOUNT OF OPTION/MODIFICATION: \$537,626 (Option)
\$ 8,287 (Mod)
\$545,913 Total (1 Year)

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

ITEM: 15-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$512,025 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$2,452,308

OVERALL PERCENT +/- (THIS MOD): +0.59%

ORIGINAL PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 5%

REQUESTING AGENCY REMARKS: Request for approval to exercise the second and final one-year renewal option, as contained in the original Sole Source Contract for Quality Assurance (QA) Surveys and the Ask Me! Project. The Ask Me! Project puts people first. Interviewers who have disabilities ask other people with disabilities about their long-term quality of life using questions developed by self-advocates. The Ask Me! Project allows people with developmental disabilities to define quality of life for themselves.

The Ask Me! Project began in 1997 and developed through a four-year pilot study (FY1998 - FY2000). The Arc of Maryland, working with People on the Go and Bonham Research developed the interview instruments and procedures, hired and trained consumer interviewers, conducted the interviews, processed the data and produced the reports. During FY 2001, the project developed a new version of the Ask Me! Survey, reflecting recent research on the domains of quality of life which included both English and an American Sign Language version. This version continues to be used today. The Arc of Maryland has obtained copyright protection for this survey.

As noted by this brief history of the Ask Me! Project, it would require several years for another vendor to develop a quality of life consumer satisfaction survey that encompasses all the positive attributes of the Ask Me! Project. Currently, there is no other known vendor statewide, who can provide this same service.

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

ITEM: 15-S-MOD (Cont)

Additionally, DDA continues to work with the Maryland Disabilities Law Center to terminate the Settlement Agreement dated 8/16/1994 (to achieve proper standards of quality assurance for programs operated and/or licensed by DDA). It is a requirement of the settlement that DDA continue to implement a quality of life survey. Also, some of DDA's key outcome measures are tied to Ask Me! scores. If the instrument is changed, those measures become meaningless and progress cannot be assessed from year to year. Therefore, it would be in the best interest of individuals with developmental disabilities and the State of Maryland to continue with the current vendor and exercise the available one-year renewal option with the additional surveys and survey questions to address consumer opinion, as a result of the closure of the Rosewood Center.

FUND SOURCE: 66% General; 34% Federal
(Medicaid Reimbursable)

APPROP. CODE: M00M0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-3664-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 15-S-MOD (Cont.)

ATTACHMENT

57B
BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod. #1	\$512,025	Exercised the 1 st of two one-year renewal options as contained in the original contract for Quality of Life Surveys for the period of 7/1/2009 - 6/30/2010. Approved on the 5/20/2009 DBM BPW Agenda, Item 13-S-OPTION.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 16-S-MOD **Agency Contact:** Sharon Mattia
301-884-8171
smattia@charhall.org

DEPARTMENT/PROGRAM: Veterans Affairs (DVA)
Charlotte Hall Veterans Home (CHVH)

CONTRACT ID: CHVH-02-001;
Veterans Home Management Contract
ADPICS No. COD10987

CONTRACT APPROVED: 4/24/2002 DBM BPW Agenda Item 10-S

CONTRACTOR: Health Management Resources (HMR) –
Government Services, Inc.
dba HMR of Maryland LLC
Easley, SC

CONTRACT DESCRIPTION: Contract for the operation and management of the Charlotte Hall Veterans Home. Services will be provided in 12 functional areas: (1) administration; (2) nursing; (3) social services; (4) dietary; (5) facilities maintenance and plant operations; (6) housekeeping; (7) laundry; (8) physical therapy/rehabilitation; (9) activities/recreation; (10) admissions and marketing; (11) medical records; and (12) security.

MODIFICATION DESCRIPTION: Approval request to extend the current contract by three months, with three one-month renewal options, due to an appeal to the Maryland State Board of Contract Appeals of the denial of a protest filed by the non-selected offeror.

TERM OF ORIGINAL CONTRACT: 6/1/2002 – 6/30/2007 (w/ 1 two-year renewal option)

TERM OF MODIFICATION: 7/1/2010 - 9/30/2010 (w/ 3 one-month renewal options)

AMOUNT OF ORIGINAL CONTRACT: \$123,741,622 Est. (5 Years; 1 Month)

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

ITEM: 16-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$1,800,000 Est. (See Requesting Agency
Remarks below)

PRIOR MODIFICATIONS/OPTIONS: \$63,500,000 Est. (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$189,041,622 Est.

PERCENT +/- (THIS MODIFICATION): +1.50%

OVERALL PERCENT +/-: +15.60%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None (See Requesting Agency Remarks)

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract by three months, with three one-month renewal options, due to an appeal to the Maryland State Board of Contract Appeals (MSBCA) of the denial of a protest filed by the non-selected offeror.

DVA's Charlotte Hall Veterans Home ("Home") was established for the purpose of operating and managing a home for veterans of the State of Maryland. The Home is located at Charlotte Hall, St. Mary's County, Maryland and is licensed for 184 assisted living beds and 278 comprehensive care (nursing home) beds for a total of 462 beds. The Home is open to honorably discharged Maryland veterans who have served in the armed forces of the United States, and are of retirement age or are unable to work due to a disability recognized by the Veterans Administration or the Social Security Administration. The current total census is 412 residents.

HMR of Maryland LLC (HMR) has provided exemplary services during the course of this contract. They have successfully almost doubled the capacity of the assisted living beds from 100 beds to 184 beds. The management staff is very helpful and friendly with the residents and employees.

A timely protest of the award decision by the non-winning offeror was received on 7/21/2009, and a response denying the protest was issued on 8/11/2009. On 8/20/2009, a notice of appeal was filed with the Maryland State Board of Contract Appeal (MSBCA). At this time a

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

ITEM: 16-S-MOD (Cont.)

Confidentiality Agreement has been approved by all parties to the appeal (Dept. of Veterans Affairs, HMR, Mid-Atlantic Health, LLC & MSBCA). A hearing with the MSBCA has been scheduled for July 12 – 15, 2010. This three-month extension, with three one-month renewal options, is requested for approval to ensure enough time is allowed to complete the appeal process with the ability to allow time for a transition, if necessary. The contract extension includes:

- (1) a \$4.00 per day increase to Assisted Living rates, effective July 1, 2010;
- (2) a \$64,0304 monthly increase to the monthly Unrestricted Contribution (currently \$213,400) from July 1, 2010 through September 30, 2010, to cover an increase in the Quality Assessment tax and the unemployment taxes levied by the State of Maryland to assist with the shortfall in funds to pay benefits; and
- (3) if the State chooses to extend the term of the Contract for up to three additional one-month renewal options beyond September 30, 2010, the monthly increase to the Unrestricted Contribution shall be decreased by \$21,665 to \$42,369 per month from October 1, 2010 through December 31, 2010, in conjunction with the federal annual increase of the Veterans Affairs Nursing Home and Domiciliary Rates that will be effective October 1, 2010. These new daily rates will absorb the effects of the tax changes.

This increase is considered fair and reasonable since the Contractor has been operating under a contract extension since July 1, 2009 while the appeal process continues.

The monthly Unrestricted Contribution is required because Medicaid, Medicare, US Veterans Affairs stipends, and private pay residents' ability to pay, do not fully cover the cost to operate the Home. Accordingly, a fixed, flat fee is paid monthly to fill the gap from all other payment sources.

The MBE participation goal was originally established at 25%; however, a waiver was improperly granted after award of the contract. The Contractor has provided subcontracting opportunities to some MBEs, but it is not to the level of the goal and the Contractor was not aware that the waiver should not have been granted. Currently, HMR is achieving a 2.5% MBE goal for the entire contract.

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

ITEM: 16-S-MOD (Cont.)

FUND SOURCE: 22% General;
33% Federal (US Veterans Administration);
38% Non-Budgeted (Medicaid, Medicare);
7% Non-Budgeted (Resident Payments)

APPROP. CODE: D55P00

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4609-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 16-S-MOD (Cont.)

ATTACHMENT

BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod.#1	\$0	Modification to amend the payment terms of the contract to allow for the payment of an unrestricted contribution to the Contractor, and to require that the Contractor lease the beds of the Home from the State, effective 8/1/2002. Approved by DVA.
Opt. #1	\$46,000,000	Exercised the single two-year renewal option as contained in the original contract for the period 7/1/2007 through 6/30/2009. Approved on the 2/14/2007 DBM BPW Agenda, Item 16-S-Option.
Mod. #2	\$0	Modification to extend the current contract by one month in order to finalize the new procurement and award a new contract with two additional one-month renewal options for the period 7/1/2009 – 7/31/2009. Contractor was paid approximately \$2.5 million for services. Approved on the 6/17/2009 DBM BPW Agenda, Item 17-S-MOD.
Opt. #2	\$0	Exercised the two, one-month renewal options as contained in the previous modification in order to respond to the award protest for the period 8/1/2009 – 9/30/2009. Contractor was paid approximately \$5.0 million for services. Approved on the 7/22/2009 DBM BPW Agenda, Item 18-S-Option.
Mod. #3	\$ 1,500,000	Modification to extend the current contract by three months while protest/appeal process continues for the period 10/1/2009 – 12/31/2009. Contractor will be paid approximately \$8.0 million for services. Approved on the 9/16/2009 DBM BPW Agenda, Item 13-S-MOD.
Mod. #4	\$16,000,000	Modification to extend the current contract by six months while protest/appeal process continues for the period 1/1/2010 – 6/30/2010. Approved on the 12/2/2009 DBM BPW Agenda, Item 6-S-MOD.
Total	<u>\$63,500,000</u>	

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

SERVICES CONTRACT MODIFICATION

ITEM: 17-S-MOD **Agency Contact:** Celestine Knight,
410-767-1196
cknight@dat.state.md.us

DEPARTMENT/PROGRAM: Assessments & Taxation (SDAT)
Information Technology

CONTRACT ID: DAT 0022;
Document & Imaging Services
ADPICS CO No.: **COD16725**

CONTRACT APPROVED: 4/13/2005 DBM BPW Agenda Item 1-S

CONTRACTOR: iScan
(a division of Humanim, Inc.)
Columbia, MD

CONTRACT DESCRIPTION: Preference provider contract to provide
various document preparation and imaging services to meet SDAT Charter Unit Program needs.

MODIFICATION DESCRIPTION: Approval request to modify the existing
contract by extending the term by three months. (See Requesting Agency Remarks below.)

TERM OF ORIGINAL CONTRACT: 7/1/2005 – 6/30/2008 (w/2 one-year
renewal options)

TERM OF MODIFICATION/OPTION: 7/1/2010-9/30/2010 (3 Months)

AMOUNT OF ORIGINAL CONTRACT: \$550,553 (3 Years)

AMOUNT OF MODIFICATION: \$0 (See Requesting Agency Remarks)

PRIOR MODIFICATIONS / OPTIONS: \$595,086 (See Attachment)

REVISED CONTRACT AMOUNT: \$1,145,639

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

ITEM: 17-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): 0%

OVERALL PERCENT +/-: +36.23%

ORIGINAL PROCUREMENT METHOD: Preference Provider

MBE PARTICIPATION: 100% (Contractor is a MD Certified MBE)

REQUESTING AGENCY REMARKS: Approval request to extend the contract term by three months in order to complete the new preferred provider agreement with Maryland Works and receive the approved price rates from the Pricing and Selection Committee for the Employment Works Program.

New legislation enacted during the 2007 Session of the General Assembly requires the Department to accept filings for both Ground Rent Redemption and Homestead Tax Credit applications. The administration of the application process requires reliable storage with quick and accurate retrieval capability in a separate database that is only accessible by DAT personnel. To accomplish this goal, DAT must scan and index these applications for recordation in the newly created database. iScan performs these functions for DAT under the existing contract. In an effort to speed up the processing of over 1 million Homestead Credit applications by year 2012, iScan has suggested the use of a new software application that it believes will greatly increase DAT productivity. DAT also believes that the implementation of the above mentioned software application would increase productivity. However, DAT needs additional time to research and thoroughly test the software prior to the beginning of the new contract with iScan.

iScan will continue to provide services as a preference provider in accordance with COMAR 21.11.05 with no increase in current contract rates. No additional funding is needed for this three-month extension since SDAT has a remaining appropriation balance of \$106,086 and a credit balance from iScan of \$75,142. However, the amount of the payments to iScan during the extension period will be approximately \$73,370. (The credit balance being issued by iScan in June 2010 is based upon the annual review of scanned images being less than the established monthly billing/payment rate. The total number images billed for the year was 1,360,471 and the total number of images scanned was 602,292.)

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

ITEM: 17-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROPRIATION CODE: E50C0010.37003 & 38003
E50C0008.82003

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4284-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 17-S-MOD (Cont.)

ATTACHMENT

BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$0	Mod to Extend the term of the base contract from 7/1/2008 – 7/2/2008 to allow time to obtain BPW approval of the 1 st renewal option. Also, shortened the 1 st renewal option by 2 days, changing the option start date to 7/3/2008, while retaining the same 6/30/2009 option ending date. Approved by SDAT.
Option #1	\$192,988	Renewal option for first year renewal from 7/3/2008 - 6/30/2009. Approved on the 7/2/2008 DBM BPW Agenda, Item 3-S-MOD.
Mod#2	\$97,298	Increase funds for the first year renewal option period 7/3/2008 - 6/30/2009 to include document scanning and imaging services for Ground Rent Redemption filings and Homestead Credit Applications. Approved on the 7/2/2008 DBM BPW Agenda, Item 3-S-MOD.
Option #2	\$202,637	Renewal option for second year renewal option from 7/1/2009 - 6/30/2010. Approved on the 7/2/2008 DBM BPW Agenda, Item 3-S-MOD.
Mod#3	\$102,163	Increase funds for the second year renewal option period 7/1/2009 - 6/30/2010 to include document scanning and imaging services for Ground Rent Redemption filings and Homestead Credit Applications. Approved on the 7/2/2008 DBM BPW Agenda, Item 3-S-MOD.
Total	<u>\$595,086</u>	

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

**SERVICES CONTRACT MODIFICATION
AMERICAN RECOVERY & REINVESTMENT ACT**

ITEM: 18-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
SJohnso5@dhr.state.md.us

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

CONTRACT ID: CSEA/FIDM/07-001-A2;
Financial Institution Data Matching (FIDM)
Administrative Garnishment Services
ADPICS CO No. COD11862

CONTRACT APPROVED: 2/28/2007 DBM BPW Agenda Item 9-S

CONTRACTOR: Informatix, Inc.
San Francisco, CA

CONTRACT DESCRIPTION: Operate the financial institution data-
matching program to identify assets of obligor who are delinquent in child support payments.

MODIFICATION DESCRIPTION: Approval request to extend the current
contract for an additional three months to allow time for the completion of the procurement and
award of a new contract.

TERM OF ORIGINAL CONTRACT: 3/1/2007 – 6/30/2010

TERM OF MODIFICATION: 7/1/2010 – 9/30/2010

AMOUNT OF ORIGINAL CONTRACT: \$362,206

AMOUNT OF MODIFICATION: \$179,742

PRIOR MODIFICATIONS/OPTIONS: \$295,120 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$837,068

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

ITEM: 18-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): +49.6%

OVERALL PERCENT +/-: +131.1%

ORIGINAL PROCUREMENT METHOD: Intergovernmental Cooperative Purchasing Agreement

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract for an additional three months to allow time for the completion of the procurement and award of a new contract. This modification will continue the services of the current Financial Institution Data Matching (FIDM) Administrative Garnishment Services contract as authorized by the Annotated Code of Maryland, Family Law Articles §10-108.2, which authorizes Maryland to develop and operate the Financial Institution Data Match program, and §10-108.3 which authorizes DHR/CSEA to attach and seize funds for child support arrears from financial institutions.

The Maryland Child Support Enforcement Administration (CSEA) is part of an Alliance of 15 states that include Alaska, Arizona, Colorado, Illinois, Indiana, Maine, Maryland, Michigan, Montana, Nebraska, Nevada, North Dakota, Ohio, Texas and Wisconsin. The Alliance was created to enable each state to obtain the requested services using the economy of scale that reduces the cost of services for the Alliance participants. All participants pay the same rate thereby allowing the smaller states to benefit from the volume of the larger states.

The State of Michigan acted on behalf of the Alliance of 15 states as the Lead State for the Intergovernmental Cooperative Purchasing Procurement. In 2004, the State of Michigan Department of Management and Budget, Acquisition Services conducted a competitive procurement for these services. Tier Technologies, Inc., which was transferred to Informatix, Inc. in 2008, received the Michigan award. The Department of Human Resources (DHR)/CSEA was granted permission by the Department of Budget and Management (DBM), which is a primary procurement unit and the control agency for services, to enter into a contract with Tier Technologies, Inc./Informatix, Inc. in 2007 (this current contract).

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

ITEM: 18-S-MOD (Cont.)

On November 18, 2009, Michigan issued a RFP and subsequently awarded the contract as a result of this new solicitation to Informatix, Inc., the incumbent. CSEA was not prepared to provide Michigan with its State of Maryland documents, which were to be incorporated as part of the RFP. Michigan had advised that CSEA could furnish its addendum documents to the RFP later upon receipt of appropriate DHR legal approval. DHR/CSEA is in the process of seeking the approval from DBM to remain as a named participant in the new intergovernmental cooperative purchasing agreement for financial institution data matching services for multi-state alliances and to enter into a new contract with Informatix, Inc.

During this extension, Informatix, Inc. will continue to perform data matching between DHR/CSEA Child Support Enforcement Systems (CSES) and Maryland financial institutions to identify financial accounts held by delinquent child support obligors. The financial institutions subject to the FIDM are required to freeze or forward the assets held by the delinquent obligor in response to a notice of attachment/lien and levy from the DHR/CSEA.

It is in the best interest of the State of Maryland to modify the existing contract at this time to maintain services until the new contract can be finalized and approved. Informatix, Inc. has performed very well by securing over 180 agreements with Maryland financial institutions out of a possible 195. Informatix, Inc. has been diligent in maintaining these agreements and ensuring that the required data is provided in a timely manner. For the month of April 2010, Informatix, Inc. was able to garnish obligor accounts totaling \$65,510 that may be used to pay against \$579,399 in child support arrears.

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

ITEM: 18-S-MOD (Cont.)

FUND SOURCE: 66% Federal (ARRA);
34% Special (Incentive Funds)

APPROP. CODE: N00H0008

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4513-1001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 18-S-MOD (Cont.)

ATTACHMENT

BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

MOD #1	\$295,120	Modified the contract to to initiate the Administrative Garnishment Scope of Work option to produce and send lien notices to financial institutions. For the period from 8/27/2009 to 6/30/2010. Approved on the 8/26/2009 DBM BPW Agenda, Item 14-S-MOD.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 19-S-MOD **Agency Contact:** Joan Marshall
443-769-1024
jmarshall@collegesavingsmd.org

DEPARTMENT/PROGRAM: College Savings Plans of Maryland (CSPM)

CONTRACT ID: 05-01;
Maryland College Investment Plan
Manager
ADPICS CO No. COD11909

CONTRACT APPROVED: 2/1/2006 DBM BPW Agenda Item 5-S

CONTRACTOR: T. Rowe Price Associates, Inc.
Baltimore, MD

CONTRACT DESCRIPTION: Contract to manage the Maryland College Investment Plan. Services include financial services, account administration, marketing and customer service.

MODIFICATION DESCRIPTION: Approval request to modify the contract to reduce certain fees in the Maryland College Investment Plan.

TERM OF ORIGINAL CONTRACT: 7/1/2006 - 6/30/2013 (w/2 two-year renewal options)

TERM OF MODIFICATION 6/23/2010 - 6/30/2013

AMOUNT OF ORIGINAL CONTRACT: \$0.00 (7 Years)
(See Requesting Agency Remarks below)

AMOUNT OF MODIFICATION: \$0.00 (3 Years)
(See Requesting Agency Remarks below)

PRIOR MODIFICATIONS/OPTIONS: \$0.00 (See Attachment)

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

ITEM: 19-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$0.00 (See Requesting Agency Remarks)
PERCENT +/- (THIS MODIFICATION): N/A
OVERALL PERCENT +/-: N/A
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 2%
REQUESTING AGENCY REMARKS: Request for approval of a modification to reduce certain fees in the Maryland College Investment Plan.

There is no direct cost to the College Savings Plans of Maryland (Board) for this contract. According to the contract, T. Rowe Price will collect certain fees from account holders in the Maryland College Investment Plan (Plan) and use the revenues received from those fees to pay for all administrative, operating, investment, and marketing expenses associated with managing the Plan. T. Rowe Price has also agreed to pay a portion of the revenues received from account holders to the Board to cover certain administrative expenses incurred by the Board in its role of overseeing the management of the College Investment Plan.

The modification for which approval is requested impacts two fees in the Plan:

- 1- The Program Fee, which is charged to each Investment Option in the Plan, would be reduced from 0.28% per year of assets in each Investment Portfolio (or 0.25% once total assets in the Plan reach \$2 billion) to 0.20%. (As of April 2010 the total value of the assets being managed had almost reached the \$2 billion mark.)
- 2- The Annual Account Fee, which would be reduced from \$25.00 to \$20.00, with the same waiver conditions as are in the current Contract.

This modification is in the best interests of participants in the Plan because it will reduce the fees that they pay to participate, with a 20% reduction in two of the fees.

Because this modification simply reduces fees for the same product and quality of service, it would be neither appropriate nor helpful to conduct a new procurement at approximately halfway through the initial term of the contract.

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

ITEM: 19-S-MOD (Cont.)

FUND SOURCE: 100% Non-Budgeted

APPROP. CODE: R60H0041

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4542-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 19-S-MOD (Cont.)

ATTACHMENT

BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

MOD #1	\$0.00	Modification to allow State employees to save for college by making contributions to the Maryland College Investment Plan through payroll deductions for the period of 12/3/2008 – 6/30/2013. Approved on the 12/3/2008 DBM BPW Agenda Item 5-S-MOD.
MOD #2	\$0.00	Approval request to modify the contract to change the fee structure for one of the investment options in the plan for the period of 09/16/2009 – 6/30/2013. Approved on the 9/16/2009 DBM BPW Agenda Item 18-S-MOD.

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

SERVICES CONTRACT

ITEM: 20-S **Agency Contact:** Nancy Hevey
410-234-3819
heveyn@mdmildep.org

DEPARTMENT/PROGRAM: Military Department (MIL)
Maryland Emergency Management Agency
(MEMA) Communications Division

CONTRACT ID: WE-MIL-MEMA-10;
Weather Data Integration Services
ADPICS No. D50B0400008

CONTRACT DESCRIPTION: Request for retroactive approval of a contract for the purchase of weather data and related integration services to provide up-to-date weather information via a network of over 350 Maryland weather stations. The data will be used as part of a weather forecasting capability in accordance with emergency preparedness procedures to improve local, regional, and statewide capabilities when responding to toxic releases, storms, and other emergencies.

AWARD: AWS Convergence Technologies, Inc.
Gaithersburg, MD

TERM: 11/19/2004 - 6/30/2010 (Retroactive)
7/1/2010 - 6/30/2011 (Proactive)

AMOUNT: \$1,752,267 (5 Years; 8 Months - Retroactive)
\$ 250,000 (1 Year - Proactive)
\$2,002,267 Total (6 Years; 8 Months)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

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

ITEM: 20-S (Cont.)

INCUMBENT: Same (See Requesting Agency Remarks below)

REQUESTING AGENCY REMARKS: On May 19, 2004, the Board of Public Works (BPW) approved a sole source contract for weather data integration services with AWS Convergence Technologies, Inc. (AWS) (see Item 5-IT on the 5/19/2004 DBM BPW Agenda). This was the first contract for these services. At that time the contract was for a six month period with two one-year renewal options. The entire contract value was estimated at \$872,380, including the two one-year renewal options. The renewal options were \$328,800 and \$337,800, respectively. During the time period that this item was presented to the BPW for approval, the BPW granted DBM the authority to approve the unilateral exercise of the renewal options at the scheduled times as provided in the contract and DBM would report the option renewal on the DBM Procurement Agency Activity Report (PAAR). Unfortunately, after the BPW approved the contract, Maryland Emergency Management Agency (MEMA) never submitted the renewal options to DBM for approval. However, MEMA did continue the contract with AWS by exercising both renewal options. After the end of the second renewal option, AWS continued providing the weather data integration services, and MEMA continued to pay for services for the next three years and eight months without a contract.

In 2008, MEMA realized there was no contract and began contract negotiations to reduce the annual rates and increase the services being provided. The yearly price for services was around \$340,000. At this time, the Military Department (MIL) and MEMA are able to bring a new contract to begin 7/1/2010 at a lower price with additional systems and support. Therefore, MIL and MEMA are requesting retroactive approval of the contract services since 11/19/2004 and proactive approval of the new contract to begin on 7/1/2010. MIL and MEMA are working together to ensure this does not happen again through a shared data system for tracking contracts.

Through this contract weather data will be streamed through a proprietary network architecture, which is called the Weathernet System (Weathernet), operated by the recommended contractor, AWS Convergence Technologies, Inc. (AWS). Through Weathernet, the data is updated every two seconds, streaming live through its network. This continued service will provide a weather data resource that can, due to the density of weather sensors, distinguish a difference of wind speeds and directions from points as proximate as a few miles in Maryland's areas of highest population.

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

ITEM: 20-S (Cont.)

The sole source procurement method was chosen because AWS' Weathernet is unique in its density and timeliness and is a proprietary product of AWS. AWS is the only known source for this data with over 350 weather reporting stations in Maryland with an additional 500 weather stations within a 100 mile radius. The National Weather Service (NWS) operates approximately six weather stations that provide hourly updates.

This Contract provides for the purchase of weather data and related integration services. The data will be used as part of a weather forecasting capability to improve local, regional, and statewide capabilities to mitigate and manage terrorism attacks, hazardous materials and nuclear power plant events.

The Military Department's MEMA is responsible for coordinating the State's response to any major emergency or disaster. This includes supporting local governments as needed or requested, and coordinating assistance with the Federal Emergency Management Agency (FEMA) and other related Federal programs. Through mitigation efforts, MEMA strives to reduce or eliminate the impact of future disasters. MEMA's Communications Division maintains a comprehensive telecommunications network between the State Emergency Operations Center (EOC) and local governments, the Federal government, various weather services and other facilities.

Part of the weather forecasting capability includes a downwind forecasting tool used by emergency first-responders. The tool relies on certain weather plume modeling software. Weather plume modeling activities require timely weather data, of optimum accuracy, to be a reliable health and safety warning procedure. When the plume model is fed timely and accurate meteorological data (including wind speed direction, ambient temperature, dew point, and humidity levels), it predicts areas of a downwind hazard. This allows first-responders to appropriately notify citizens to go to a shelter or to evacuate these areas. Also, this system is able to tie in with the Emergency Management Mapping Application (EMMA), which is an interactive Web-based mapping tool that delivers the real-time information needed in emergencies like hurricanes, major transportation incidents and power outages.

Research of the directory of certified Minority Business Enterprises resulted in zero MBEs that provide the weather related services included in the work of this contract. Additionally, AWS reports that they provide all the services for this contract autonomously and do not utilize subcontractors at all.

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

ITEM: 20-S (Cont.)

FUND SOURCE: 100% Federal (State Homeland Security Grant
Program - SHSGP II)

APPROP. CODE: D50H01

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4125-1111

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**

ITEM: 21-GM (Cont.)

DBM REMARKS: The Secretary of Budget and Management has certified that funds are available for the new positions for which approval is requested. If the Board approves this request, 14.3 positions will have been approved within the Rule of 200 for FY 2010.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 22-GM Agency Contact: Daniel Friedman
410-946-5600
dfriedman@oag.state.md.us

DEPARTMENT: Office of the Attorney General

AMOUNT OF REQUEST: \$136,577

DESCRIPTION: The Office of the Attorney General (OAG) retained bankruptcy counsel to assist OAG in *In re Magna Entertainment Corp., et al.*, No. 09-10720(MFW), a Chapter 11 proceeding filed on March 5, 2009 in the United States Bankruptcy Court for the District of Delaware, and related matters. Venable LLP represented the State of Maryland and its entities, including the Maryland Racing Commission, in connection with the bankruptcy proceedings of Magna Entertainment Corp and its related entities. Legal services included: claims investigation; filing and arguing pleadings and motions; conducting discovery; handling pre-trial, trial, and post-trial proceedings; engaging in settlement discussions; and consultation and coordination with OAG. Venable LLP's services were necessary because the OAG has no bankruptcy counsel on staff and in order to preserve Maryland's rights and to protect Maryland's interest in retaining the Preakness, it was necessary to hire expert bankruptcy counsel in the bankruptcy proceedings.

FUND SOURCE: FY2010 Contingent Fund

APPROP. CODE: D05E0102

REQUESTING AGENCY REMARKS: The funding for this FY2010 deficiency amount is being requested from the FY2010 Contingent Fund. If approved, the funds will be transferred from the Contingent Fund to the Office of the Attorney General to fund its operational needs.

DBM REMARKS: The Secretary of Budget and Management has certified that funds are available from the FY2010 Contingent Fund.

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: 23-S-MOD **Agency Contact:** Brenda Rose
410-767-8787
RoseB@dhhmh.state.md.us

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

CONTRACT ID: DHMH-OPASS -09-10057;
Medical Documentation Review of Hospital
Claims paid by the Maryland Medical Care
Programs
ADPICS No. COD11943

CONTRACT APPROVED: 6/17/2009 DBM BPW Agenda, Item 8-S

CONTRACTOR: Health Compliance Associates, LLC
Columbus, OH
(Local office in Baltimore, MD)

CONTRACT DESCRIPTION: Revenue generating contract for Medical
Documentation Review of Hospital Claims paid by the Maryland Medical Care Program, to
recover erroneous payments to hospitals.

MODIFICATION DESCRIPTION: Approval request to modify the contract in
order to: (1) require the Contractor to compare data analysis from the Health Services Cost
Review Commission to Medicaid data for the purpose of identifying hospital overpayments; and
(2) address the contingency fee for overpayments and underpayments when the Contractor's
contingency fee cannot be collected from the out-of-state hospitals.

TERM OF ORIGINAL CONTRACT: 7/1/2009 – 6/30/2014

TERM OF MODIFICATION: 7/1/2010 – 6/30/2014

AMOUNT OF ORIGINAL CONTRACT: \$2,625,625 Est. (Commission) *

AMOUNT OF MODIFICATION: \$2,000,000 Est. (Commission) *

PRIOR MODIFICATIONS/OPTIONS: \$1,500,000 Est. (See Attachment)

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

ITEM: 23-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$6,125,625 Est. (Commission) *
(* See Requesting Agency Remarks below)

PERCENT +/- (THIS MODIFICATION): +76.17%

OVERALL PERCENT +/-: +133.30%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
(Small Business Reserve)

MBE PARTICIPATION: 15%

REQUESTING AGENCY REMARKS: Federal rules require State Medicaid programs to pay claims from out-of-state hospitals either according to what they would pay in their own state or what that out-of state Medicaid program would pay (host state rate). Since Maryland's Medicare waiver and the hospital rate setting system by Health Services Cost Review Commission (HSCRC) negates the ability to pay what would be paid in a Maryland hospital, the Program must pay the host state's rate. However, because the Maryland Medicaid Program is not able to implement this payment structure within its own claims payment system, it is necessary for payment to be made pursuant to a post payment review. This post payment review of out-of-state hospitals is part of the services in this Medical Documentation Review contract. As the Contractor began doing this work, two scenarios not anticipated by DHMH or the contract's original financial pricing emerged.

The first part of the modification request implements additional data analysis. The Program, working with Health Services Cost Review Commission (HSCRC), has determined that there may be ways to identify additional overpayments by comparing the more detailed data hospitals report to HSCRC for Medicaid claims with the claim files maintained by the Medicaid Program. The Contractor, under the current contract, analyzes the Medicaid claim data to determine the cases most likely to yield overpayment results in a medical record review. This modification would require the Contractor to compare the Medicaid claim data to the HSCRC data to determine more claims where overpayments likely occurred. The Contractor would be paid a 12% contingency fee, as stated in the current contract, for the recoveries identified through these data matches. These data matches would not require a full medical record review, but does not prevent the Contractor from conducting a full review, if warranted. In these circumstances, the claim would be handled through the medical documentation review process already in effect in the current contract. The commissions paid for this modification is estimated to be \$1.5 million.

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

ITEM: 23-S-MOD (Cont.)

The second part of the modification request addresses the contingency fee for out-of-state hospitals' (A) overpayments and (B) underpayments prior to October 2009, where the State cannot collect the contingency fee from the out-of-state hospital. In October 2009, the Program informed out-of-state hospitals that "The Maryland Medicaid Program will reimburse claims from out-of-state hospitals at the host state rate" pursuant to federal rule. The October 2009 notice precluded the Program from collecting a contingency fee from out-of-state hospitals for dates of services before October 1, 2009. Any overpayments for services after October 1, 2009, the Program will be able to charge the out-of-state hospital the contingency fee. The data collected for review dates back to 2004 and the Program has determined that the recoveries between 2004 and October 2009 would still provide a significant cost benefit to the State. This part (A) of the modification would allow DHMH to pay the Contractor's contingency fee for overpayments identified with part of the recoveries from the out of state hospitals. So, instead of the contingency fee being in addition to the recovery, the recovery would be reduced by the amount of the contingency fee. For these reviews, during the second year of the contract, the contingency fee is 5%; therefore for the out-of-state overpayment recoveries from 2004 – October 2009, the State would receive 95% of the overpayment recovery and the Contractor would receive 5% of the overpayment recovery.

Because the State is reviewing out-of-state hospital data for overpayments to the host state rate to comply with federal rules, the State also must review underpayments of the host state rate. This scenario was not anticipated in the original contract related to underpayments of out-of-state hospitals. In the case where the Program has underpaid the out-of-state hospital, an additional payment must be made by the Program to the hospital. In this situation, the Program would not be entitled to charge the hospital the Contractor's contingency fee since the recovery would be in their favor, not the State's. There is no underpayment for in-state hospitals. The work performed to identify overpayments and underpayments is the same for out-of-state hospitals. The data review for the underpayments is also for the period from 2004 – October 2009. For this part (B) of the modification, DHMH will pay the Contractor's contingency fee for the underpayment out of the overpayment recoveries for the same period of time. The contingency fee is 5% of the amount of underpayment identified from the 2004 – October 2009 data. The underpayments are nowhere near as many as the overpayments, but these underpayment contingency fees could account for up to 10% of the overpayment recoveries going to the Contractor and 90% of the overpayment recoveries going to the State. The amount of possible overpayments and underpayments is approximately \$5.0 million; therefore an estimated commission of \$500,000 would still give the State approximately \$4.5 million in total recoveries for this 2004 – October 2009 period.

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

ITEM: 23-S-MOD (Cont.)

It is the recommendation by DHMH that all of the 2004 - 2009 overpayment recoveries and underpayments be done at the same time so as to: (1) receive the overpayment recovery money faster and (2) account for the contingency fee payments paid by the State to the Contractor from the recoveries as a one time commission rate payment for overpayments and underpayments. After these recoveries are completed, the original contract language of the Contractor payments coming from the hospitals only would apply.

FUND SOURCE: 75% Revenue Generating (The 12% fixed commission rate paid to the contractor is paid by the hospitals being audited, in addition to the repayment to the State of payments determined to have been improperly billed.)
25% Special (Overpayment Recoveries)

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4532-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 23-S-MOD (Cont.)

ATTACHMENT

BPW 6/23/2010

PRIOR MODIFICATIONS/OPTIONS (Cont.):

MOD #1	\$1,500,000 Est.	Modified the contract to conduct additional cost containment audit activities. The additional reviews are professional claims audit, hospital one day stays and non-emergency treatments in the emergency room; in addition contract restrictions on the minimum amount of claims selected for review will be eliminated. For the period from 1/1/2010 to 6/30/2014. Approved on the 12/2/2009 DBM BPW Agenda, Item 8-S-MOD.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 24-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 #7
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: (1) extend five of the
six current contracts by six months until new contracts are in place; (2) increase the not-to-
exceed amounts for five of the six contracts to continue existing Inmate Health Care Services;
and (3) increase the rates for two of the contracts for the extension period.

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

TERM OF MODIFICATIONS: 7/1/2010 – 12/31/2010 (6 Months)

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

AMOUNT OF MODIFICATIONS: \$77,940,481 Cum. Total (See Attachment 1)

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

ITEM: 24-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$461,608,924 Cumulative Total
(See Attachments 1 & 2)

REVISED CONTRACT AMOUNTS: \$762,176,297 Cumulative Total
(See Attachments 1 & 2)

PERCENT +/- (THIS MODIFICATION): +35.01%

OVERALL PERCENT +/-: +43.84%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: See Attachment 1

REQUESTING AGENCY REMARKS: Request for approval to extend five of the six contracts for six months until a new procurement is completed and new contracts awarded. Also, additional funding is needed to increase the not-to-exceed amounts during this six month extension.

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

The sixth contract (F) for "Electronic Patient Health Records" is not part of this extension because these services are now being maintained within the Department with a new Electronic Medical Records contract for software maintenance with the proprietor of the product known as NextGen Electronic Patient Health Record (EHR) System (approved on the 5/5/2010 DoIT BPW Agenda, Item 1-IT).

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

ITEM: 24-S-MOD (Cont.)

The contracts for Dental Services (C) and Pharmacy Services (D) include an increase in rates for the six month extension period. The dental rates will increase by 4.84% and the pharmacy rates will increase by 11.43%.

The new Request for Proposals (RFP) was issued in January 2010 with proposals received on April 9, 2010. Currently the proposals are under evaluation and the additional six months are needed to complete the procurement, submit the recommended awardees to the BPW, and allow start-up time if new vendors are selected. The anticipated start time for the new contracts is September 1, 2010; however, the additional time is being requested in case there are any protests or unforeseen issues. If the new contracts are ready to be awarded prior to the end of the six months and the new contract rates or other components are better than what is contained in the current, extended contracts, the current contracts will be terminated for convenience.

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.

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: 24-S-MOD (Cont.)

ATTACHMENT I

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	Revised Total Contract Amount
(A) Correctional Medical Services, Inc. St. Louis, MO (Local Office in Hagerstown, MD) (Medical Care Services) ADPICS NO. COD12206 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	\$341,349,240
(B) MHM Correctional Services of MD., Inc. Vienna, VA (Mental Health Services) ADPICS NO. COD12197 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	\$60,645,789
(C) FCM-MTC Joint Venture, LLC Centerville, UT (Dental Services) ADPICS NO. COD12202 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	\$41,441,596
(D) Correct Rx Pharmacy Services Linthicum, MD (Pharmacy Services) ADPICS NO. COD12203 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	\$138,475,122
(E) Wexford Health Sources, Inc. Pittsburgh, PA (Utilization Mgt. Services) ADPICS NO. COD12204 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	\$172,482,702
(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)	\$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	\$762,176,297

Note: * This contract is not being extended with this modification #7; however, available funding is being reallocated for use to pay for part of the other five contracts.

ITEM: 24-S-MOD (Cont.)

ATTACHMENT 2

BPW 6/23/2010

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 in a non-material change 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.
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.
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.

ITEM: 24-S-MOD (Cont.)

ATTACHMENT 2

BPW 6/23/2010

PRIOR OPTIONS/MODIFICATIONS (Cont.):

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.
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\$461,608,924

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**

SERVICES CONTRACT MODIFICATION

ITEM: 25-S-MOD **Agency Contact:** Sandra Johnson
410-767-7408
sjohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Local Departments of Social Services Foster
Care Maintenance Payments Program

CONTRACTS ID: See Attachment 2 – A1, A2, A3;
Foster Care Maintenance Payments

CONTRACTS APPROVED: 6/25/2008 DBM BPW Agenda Item 4-S;
8/20/2008 DBM BPW Agenda Item 5-S;
5/20/2009 DBM BPW Agenda Item 9-S;
7/22/2009 DBM BPW Agenda Item 5-S

CONTRACTORS: See Attachment 2

CONTRACT DESCRIPTION: Approval request to provide Residential
Child Care (RCC), Child Placement Agency (CPA) and Non-Residential Child Care (NRCC)
services for a total of 5,614 clients. The two original agenda items were for the award of 178
separate contracts, 125 for RCC, 52 for CPA and 1 for NRCC. An additional RCC and CPA
were added approximately a year later for five clients and 24 clients, respectively.

MODIFICATION DESCRIPTION: Approval request to: (1) extend 94 RCC Contracts
for a period of six months; (2) extend 52 CPA Contracts for a period of one year; (3) extend the
one existing NRCC Contract in order to finalize the procurements and award new contracts for
these three types of residential child care and treatment foster care services; (4) modify some of
the contracts to increase or decrease the number of available child care beds; and (5) modify
three of the contracts that are now increasing the total number of beds to 25 or more to add a 5%
MBE Participation goal.

TERM OF ORIGINAL CONTRACTS: 7/1/2008 - 6/30/2009 (w/1 one-year renewal
option)

TERM OF MODIFICATIONS: 7/1/2010 - 12/31/2010 (RCC Contracts)
7/1/2010 - 6/30/2011 (CPA Contracts)
7/1/2010 - 6/30/2011 (NRCC Contract)

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

ITEM: 25-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACTS: \$341,829,853 (Total of all Contracts)

AMOUNT OF MODIFICATIONS: **\$228,878,270** Cum. Total of all Contracts
(See Attachment 2)

PRIOR MODIFICATIONS/OPTIONS: \$308,937,738 Cum. Total of all Contracts
(See Attachments 1 & 2)

REVISED TOTAL CONTRACT AMOUNT: **\$879,645,861** Grand Total of all Contracts

PERCENT +/- (THIS MODIFICATION): +66.96%

OVERALL PERCENT +/-: +64.53%

ORIGINAL PROCUREMENT METHOD: Non-Competitive Negotiated Procurement
of Human, Social or Educational Services

MBE PARTICIPATION: **12 of 147 Contractors are Certified MBEs**
5% Subcontracting (See Requesting Agency
Remarks)

REQUESTING AGENCY REMARKS: Request for approval to: (1) extend 94 RCC
Contracts for a period of six months; (2) extend 52 CPA Contracts for a period of one year; (3)
extend the one existing NRCC Contract in order to finalize the procurements and award new
contracts for these three types of residential child care and treatment foster care services; (4)
modify some of the contracts to increase or decrease the number of available child care beds; and
(5) modify three of the contracts that are now increasing the total number of beds to 25 or more
to add a 5% MBE Participation goal.

The Department is requesting a modification for these contracts in order to complete the new
procurements. This is the first time that the Department is conducting a Request for Proposals
(RFP) in order to secure the RCC Contracts. It took a significant amount of time to develop the
requirements and the scope of work for these services. In addition, the review of the proposals is
taking more time than originally estimated. Because of the focus on completing the competitive
procurement process for RCC Contracts, the CPA Contracts to be procured via the Non-
Competitive Negotiated Procurement of Human, Social or Educational Services have not been
completed yet. The additional time requested for these modifications should allow the
Department enough time to finalize and present all of the Contracts to the BPW for approval
within the six months or one year, depending on the type of contract. 144

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

ITEM: 25-S-MOD (Cont.)

While it is not possible to obtain a better price for these services within the current contract procurement process, the Department did seek to continue services with quality providers. In determining which of these contracts to modify, the Department established a quality rating system that included ratings on adherence to regulatory and contract requirements, as well as ratings from the Local Departments of Social Services that had experience with the providers. As a result, the Department chose not to include low-rated providers in this modification request.

COMAR 14.31.06.01 articulates the standards that must be met and maintained by residential child care programs for children and youth. These requirements are designed to protect the health, safety, and well being of children placed in residential child care programs.

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

CPA programs, previously called “treatment foster care”, are defined in COMAR 07.02.21.03B(17) as a 24-hour substitute care program, operated by a licensed child placement agency or local department of social services, for children with serious emotional, behavioral, medical, or psychological condition.

The following details the foster care services for the modifications:

<u>Type of Service</u>	<u># of Clients</u>	<u># of Contracts</u>	<u>Mod Amount</u>
RCC	1,880	94	\$ 71,068,938
CPA	3,321	52	\$157,247,551
NRCC	12	1	\$ 561,781
Total	5,213	147	\$228,878,270

The total amount of **\$228,878,270** for the modifications assumes that each bed purchased will be occupied by a child for the full six months or one year of the modification request. These are reimbursement contracts. The vendors are paid solely for the actual children placed with them, and then only for the actual number of days each child is with the vendor.

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

ITEM: 25-S-MOD (Cont.)

The amounts listed for the modifications (Mod #3) are actual amounts for the annual contract period versus the estimated amounts for the base period. In the past, there was a 6.5% adjustment added to the base amount of the contract because the Interagency Rates Committee (IRC) did not release the rates until late June. The IRC took a 1% reduction in January 2009 on all group home providers and then again in September 2009. There will not be a rate increase for FY 2010; therefore, all rates are actual rates for the contracts for this FY 2010 period.

The State Finance and Procurement article Section 13-106 and COMAR 21.14.01.04 (Non-Competitive Negotiated Procurement of Human, Social or Educational Services) provide for procuring certain human, social and educational services through a non-competitive negotiation process. The service providers in this request were obtained through this non-competitive negotiation process.

The Governor's Office For Children (GOC) is the single point of entry for private providers interested in supplying care under approved negotiated rates for youth of the various State agencies. These providers have rates that have been approved by the Interagency Rates Committee.

Procurement with these service providers has complied with the requirements for Non-Competitive Negotiated Procurement of Human, Social or Educational Services. In accordance with COMAR 21.14.01.04, below are reasons for this method of procurement:

1. The procurement is to obtain group foster care and therapeutic services for children and adolescents under a negotiated system adopted by regulation (COMAR 21.14.01.04(2) (b) and (c) (iii)).
2. The services are for residential and treatment foster care (now CPA) and the licensing standards are found in COMAR 07.02.11, 07.02.13, 07.02.21 and 07.02.23.
3. Neither DHR nor GOC has the facilities or personnel to provide these types of service for the 5,213 youth committed to DHR to be served under these contracts. Therefore, it is in the best interest of the State that DHR contract for these services.

Providers with 25 or more beds have a 5% MBE participation goal.

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

ITEM: 25-S-MOD (Cont.)

FUND SOURCE: 66% General; 34% Federal (Title IV-E)

APPROP. CODE: N00G0001

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: 25-S-MOD (Cont.) ATTACHMENT 1

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	(\$264,030)	Modification to (1) increase the number of child care beds for two providers for the period of 1/28/2009 – 6/30/2009; and (2) retroactively decrease the number of beds for one provider due to the closing of one of the provider’s programs for the period of 8/6/2008 – 6/30/2009. Approved on the 1/28/2009 DBM BPW Agenda, Item 6-S-MOD.
Option #1	\$317,228,833	Exercised the single one-year renewal options as contained in the contracts for the period of 7/1/2009 – 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda, Item 16-S-MOD.
Mod #2	(\$8,027,065)	In conjunction with the renewal options, modified the contracts with 25 or more beds to add a 5% MBE participation goal and increased or decreased some of the number of child care beds available. Approved on the 6/17/2009 DBM BPW Agenda, Item 16-S-MOD.
Total	<u>\$308,937,738</u>	

ITEM: 25-S-MOD (Cont.)

ATTACHMENT 2

100B
BPW 6/23/2010

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED REVISED # OF CHILD CARE BEDS	CONTRACT RENEWAL ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ²	RENEWAL OPTION AMOUNT ³	MOD #2 AMOUNT ¹	MOD #3 AMOUNT ¹	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/-
Residential Child Care													
SSA/RCC-09-003 (1) Akoma, Inc. ** Lanham, MD	6			(6)	0	\$437,160.00		\$423,030.00		\$0.00	\$860,190.00	0.00%	0.00%
SSA/RCC09-005-A2 All That Matters, Inc. Foundation Fort Washington, MD COD16135 10-3695-0111	6	8			14	\$627,528.00	\$286,283.00 (BPW approved)	\$1,361,122.00		\$673,764.00	\$2,948,697.00	107.37%	152.99%
SSA/RCC 09-007-A2 Aries Residential Services, Inc. Baltimore, MD COD16135 10-3699-0111	6				6	\$397,740.00		\$383,874.00		\$190,008.00	\$971,622.00	47.77%	47.77%
SSA/RCC 09-008-A3 Associated Catholic Charities, Inc. Timonium, MD COD15885 10-3700-0110	102	(8)		(10)	84	\$10,163,002.00	(\$1,099,794.00) (BPW approved)	\$8,879,366.00		\$4,395,432.00	\$22,338,006.00	43.25%	32.43%
SSA/RCC 09-009 (1) AT & T Counseling Consultants, Inc. Baltimore, MD	11		(11)		0	\$678,766.00			N/A		\$678,766.00	0.00%	0.00%
SSA/RCC 09-010-A2 Aunt Hattie's Place, Inc. ^ Baltimore, MD N00B0400524 10-3701-0110	18			8	26	\$1,401,048.00		\$1,355,778.00		\$934,752.00	\$3,691,578.00	66.72%	66.72%
SSA/RCC 09-012-A2 Bay Shore Services, Inc. * Salisbury, MD COD16135 10-3702-110	3				3	\$211,530.00		\$208,524.00		\$103,212.00	\$523,266.00	48.79%	48.79%
SSA/RCC 09-016-A2 Board of Child Care of the United Methodist Church, Inc. Baltimore, MD COD15769 10-3704-0110	136				136	\$12,000,838.00		\$11,623,398.00		\$5,753,460.00	\$29,377,696.00	47.94%	47.94%
SSA/RCC 09-017-A2 Boyz II Men Youth Program, Inc. Fort Washington, MD COD16135 10-3705-0111	6		(1)		5	\$383,988.00		\$370,044.00	(\$61,674.00)	\$152,640.00	\$844,998.00	39.75%	23.69%
SSA/RCC 09-018-A2 Brook Lane Health Services, Inc. Hagerstown, MD N00B0400035 CD016323 10-3956-0111	27			17	44	\$367,983.00		\$356,076.00		\$1,139,676.00	\$1,863,735.00	309.71%	309.71%

ITEM: 25-S-MOD (Cont.)

ATTACHMENT 2

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BPW 6/23/2010

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED REVISED # OF CHILD CARE BEDS	CONTRACT RENEWAL ORIGINAL CONTRACT AMOUNT ¹	RENEWAL OPTION AMOUNT ⁴	MOD #2 AMOUNT ¹	MOD #3 AMOUNT ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-021-A2 Center for Social Change, Inc.* Elkridge, MD COD16135 10-3788-0110	10				10	\$1,222,410.00	\$1,167,285.00		\$577,800.00	\$2,967,495.00	47.27%	47.27%
SSA/RCC/09-022-A2 Challengers Independent Living, Inc. Baltimore, MD COD16135 10-3832-0110	5		7		12	\$358,860.00	\$344,750.00	\$482,650.00	\$409,536.00	\$1,595,796.00	114.12%	248.62%
SSA/RCC 09-023-A2 Changing Lives at Home, Inc. Baltimore, MD COD16135 10-3790-0110	5				5	\$353,165.00	\$351,340.00		\$173,910.00	\$878,415.00	49.24%	49.24%
SSA/RCC 09-025-A2 Children's Resources, Inc. Hagerstown, MD COD15920 10-3791-0110	47				47	\$2,328,446.00	\$2,242,874.00		\$1,110,192.00	\$5,681,512.00	47.68%	47.68%
SSA/RCC 09-026-A2 CIS & H, Inc. Upper Marlboro, MD COD16135 10-3792-0011	12				12	\$1,079,196.00	\$1,103,352.00		\$522,792.00	\$2,705,340.00	48.44%	48.44%
SSA/RCC-09-028-A2 Compassion, Inc. Abingdon, MD COD16135 10-4633-0111	4		6		10	\$274,920.00	\$246,716.00	\$370,074.00	\$305,340.00	\$1,197,050.00	111.07%	245.68%
SSA/RCC-09-033-A2 Devine Interventions, Inc. Baltimore, MD COD16135 10-4711-0111	5				5	\$359,315.00	\$361,805.00		\$179,100.00	\$900,220.00	49.84%	49.84%
SSA/RCC 09-034-A2 Dream Keepers, Inc. Parkville, MD COD16135 10-3797-0110	15				15	\$1,031,715.00	\$990,900.00		\$490,140.00	\$2,512,755.00	47.51%	47.51%
SSA/RCC 09-035-A2 F&N Children's Youth Homes, Inc. Silver Spring, MD COD16135 10-4720-0101	5				5	\$315,795.00	\$324,715.00		\$160,740.00	\$801,250.00	50.90%	50.90%
SSA/RCC 09-036 (2) Family Solutions, Inc. Takoma Park, MD	8		(5)		0	\$380,440.00			N/A	\$380,440.00	0.00%	0.00%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED # REVISED # OF CHILD CARE BEDS	RENEWAL OPTION AMOUNT 1	MOD #1 AMOUNT 2	MOD #2 AMOUNT 3	MOD #3 AMOUNT 1	TOTAL REVISED CONTRACT AMOUNT 1	% +/- MOD #3	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-037-A2 First Metropolitan Facilities, Inc. Suitland, MD COD16135 10-3798-0111	21				21	\$1,552,566.00		\$1,467,024.00	\$726,210.00	\$3,745,800.00	46.77%	46.77%
SSA/RCC 09-039-A2 Franklin Group Homes, Inc. Randallstown, MD COD16135 Pending Tax Clearance ^^	20		(10)		10	\$1,576,960.00		\$1,529,200.00	(\$764,600.00)	\$3,098,520.00	48.00%	-0.48%
SSA/RCC 09-041 (3) Genesis Family Home for Youth, Inc. Baltimore, MD	8		(8)		0	\$679,712.00			N/A	\$679,712.00	0.00%	0.00%
SSA/RCC /09-042-A2 Goliven Group Home, Inc. Catonsville, MD COD16135 10-3799-0111	6				6	\$421,488.00		\$415,632.00	\$205,740.00	\$1,042,860.00	48.81%	48.81%
SSA/RCC 09-043 [2] Good Children In the Making, Inc. ** Bowie, MD	7			(7)	0	\$505,141.00		\$474,320.00	\$0.00	\$979,461.00	0.00%	0.00%
SSA/RCC 09-044 (4) Graceville Group Home, Inc. Baltimore, MD	8		(8)		0	\$534,056.00			N/A	\$534,056.00	0.00%	0.00%
SSA/RCC 09-045-A2 Great Esteem, Inc. Odenton, MD COD16135 10-4629-0010	8				8	\$550,224.00		\$531,816.00	\$263,232.00	\$1,345,272.00	47.84%	47.84%
SSA/RCC 09-046-A2 GUIDE Program, Inc.* Laurel, MD COD16135 10-3957-0110	12				12	\$1,186,272.00		\$1,102,740.00	\$545,832.00	\$2,834,844.00	46.01%	46.01%
SSA/RCC 09-047-A2 Hearts and Homes for Youth, Inc. Silver Spring, MD N00B0400017 COD16283 10-3839-0110	68				68	\$5,425,578.00		\$5,330,184.00	\$2,633,112.00	\$13,388,874.00	48.53%	48.53%
SSA/RCC 09-048-A2 Hebron Association For Community Services, Inc. Silver Spring, MD COD16135 10-3959-0111	10				10	\$648,800.00		\$603,110.00	\$351,780.00	\$1,603,690.00	54.22%	54.22%
SSA/RCC-09-050 [3] Holy Care Foundation, Inc. ** West Lanham, MD	22		(6)	(16)	0	\$2,107,984.00		\$1,949,124.00	(\$425,850.00)	\$3,631,258.00	0.00%	-20.20%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	ATTACHMENT 2		RENEWAL OPTION AMOUNT 4	MOD #2 AMOUNT 1	MOD #3 AMOUNT 1	TOTAL REVISED CONTRACT AMOUNT 1	% +/- MOD #3	OVERALL % +/-
					CONSOLIDATED REVISED # OF CHILD CARE BEDS	CONTRACT RENEWAL ORIGINAL CONTRACT AMOUNT 1						
Residential Child Care												
SSA/RCC 09-052 (5) Ideal Family Residential Services, Inc. Baltimore, MD	6		(6)		0	\$414,960.00			N/A	\$414,960.00	0.00%	0.00%
SSA/RCC 09-053 (6) Inclusive Residential Services, Inc. Baltimore, MD	6		(6)		0	\$434,580.00			N/A	\$434,580.00	0.00%	0.00%
SSA/RCC-09-055-A2 Inspiring Minds, Inc. Windsor Mill, MD COD16135 Pending Tax Clearance ^^	4				4	\$270,504.00	\$266,308.00		\$131,832.00	\$668,644.00	48.74%	48.74%
SSA/RCC 09-056-A2 JS Social Services, Inc. Odenton, MD COD16135 10-3960-0111	9				9	\$666,144.00	\$619,236.00		\$306,504.00	\$1,591,884.00	46.01%	46.01%
SSA/RCC 09-057-A2 Jumoke, Inc. Baltimore, MD COD16135 10-3841-0111	15				15	\$1,058,640.00	\$1,006,545.00		\$498,240.00	\$2,563,425.00	47.06%	47.06%
SSA/RCC 09-060-A2 Knowledge Empowers You To Succeed, Inc. Baltimore, MD COD16135 10-3962-0111	8				8	\$532,336.00	\$537,136.00		\$265,872.00	\$1,335,344.00	49.94%	49.94%
SSA/RCC 09-062-A2 Lifeline, Inc. Laurel, MD COD16135 Pending Tax Clearance ^^	9				9	\$1,155,951.00	\$1,303,515.00		\$645,246.00	\$3,104,712.00	55.82%	55.82%
SSA/RCC 09-069-A2 Maryland Sheriffs' Youth Ranch, Inc. Buckeystown, MD COD15934 10-3966-0110	28				28	\$1,984,724.00	\$1,920,660.00		\$950,712.00	\$4,856,096.00	47.90%	47.90%
SSA/RCC-09-071-A2 McJoy's Joy Covenant, Inc. Baltimore, MD COD16135 10-4691-0111	8				8	\$563,528.00	\$546,688.00		\$270,624.00	\$1,380,840.00	48.02%	48.02%
SSA/RCC 09-075-A2 Mosaic Community Services, Inc.* Timonium, MD COD15962 10-3968-0110	28				28	\$2,508,848.00	\$2,433,988.00		\$1,204,776.00	\$6,147,612.00	48.02%	48.02%
SSA/RCC 09-076-A2 Mumsey's Residential Care, Inc. Baltimore, MD COD16135 10-3969-0000	5				5	\$321,630.00	\$327,370.00		\$162,060.00	\$811,060.00	50.39%	50.39%

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ATTACHMENT 2

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED CONTRACT REVISED # OF CHILD CARE BEDS	RENEWAL ORIGINAL CONTRACT AMOUNT '1	RENEWAL OPTION AMOUNT '2	MOD #2 AMOUNT '3	MOD #3 AMOUNT '4	TOTAL REVISED CONTRACT AMOUNT '5	% +/- MOD #3	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-077 (4) My Sister's House, Inc. ** Temple Hills, MD	5			(5)	0	\$470,305.00	\$437,185.00		\$0.00	\$907,490.00	0.00%	0.00%
SSA/RCC 09-078-A2 National Center on Institutions and Alternatives, Inc. Baltimore, MD COD16135 10-3970-0110	15				15	\$1,448,595.00	\$1,346,580.00		\$666,540.00	\$3,461,715.00	46.01%	46.01%
SSA/RCC 09-079-A2 National Residential Services, Inc. Silver Spring, MD COD16135 10-3979-0111	14				14	\$958,048.00	\$956,102.00		\$473,256.00	\$2,387,406.00	49.40%	49.40%
SSA/RCC-09-080-A2 National Youth Ministries Alliance Bowie, MD COD16135 10-3980-0110	3				3	\$205,503.00	\$193,161.00		\$95,616.00	\$494,280.00	46.53%	46.53%
SSA/RCC 09-104 (7) Offsprings, Inc. Baltimore, MD	6		(6)		0	\$395,376.00			N/A	\$395,376.00	0.00%	0.00%
SSA/RCC 09-107 (5) REM Maryland, Inc. ** Baltimore, MD	28			(28)	0	\$2,834,768.00	\$2,826,852.00		\$0.00	\$5,661,620.00	0.00%	0.00%
SSA/RCC 09-108-A2 Rolling Vista Place, Inc. Baltimore, MD COD16135 10-4633-0111	8				8	\$561,296.00	\$532,616.00		\$263,664.00	\$1,357,576.00	46.97%	46.97%
SSA/RCC 09-110-A2 San Mar Children's Home, Inc. Boonsboro, MD COD15937 10-3856-0110	44		(7)		37	\$3,264,770.00	\$3,148,125.00	(\$519,155.00)	\$1,426,218.00	\$7,319,958.00	43.69%	27.78%
SSA/RCC 09-111-A2 Sarah's House, Inc. Baltimore, MD COD16135 10-4712-0110	10		1		11	\$682,560.00	\$736,470.00	\$73,647.00	\$401,016.00	\$1,893,693.00	58.75%	69.54%
SSA/RCC-09-112-A2 Second Chance Services Unlimited, Inc. Springdale, MD COD 16249 10-3986-0110	30				30	\$4,347,510.00	\$4,041,330.00		\$2,020,680.00	\$10,409,520.00	46.48%	46.48%
SSA/RCC 09-114 (8) Self Pride, Inc. Baltimore, MD	5		(5)		0	\$351,970.00			N/A	\$351,970.00	0.00%	0.00%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	ATTACHMENT 2 CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS					RENEWAL OPTION AMOUNT 1	MOD #2 AMOUNT 2	MOD # 3 AMOUNT 3	TOTAL REVISED CONTRACT AMOUNT 1	% +/- MOD #3	OVERALL % +/-		
	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	REVISED # OF CHILD CARE BEDS								
Residential Child Care													
SSA/RCC 09-116-A2 Shorehaven, Inc. Elkton, MD COD16135 10-4011-0111	20				20	\$1,710,960.00		\$2,121,180.00	\$1,050,000.00	\$4,882,140.00	61.37%	61.37%	
SSA/RCC 09-117-A2 House of the Good Shepherd of the City of Baltimore Baltimore, MD COD16135 10-4012-0110	41				41	\$1,894,651.00		\$2,701,572.00	\$1,008,108.00	\$5,604,331.00	53.21%	53.21%	
SSA/RCC 09-119-A2 Starflight Enterprises, Inc.* Elkridge, MD COD16135 10-4014-0011	32		(14)		18	\$2,308,160.00		\$2,508,864.00	(\$1,097,628.00)	\$698,544.00	\$4,417,940.00	30.26%	-17.29%
SSA/RCC /09-123-A2 The Arrow Project of Maryland Baltimore, MD COD15965 10-4018-0110	63				63	\$6,527,583.00		\$6,349,977.00		\$3,143,394.00	\$16,020,954.00	48.16%	48.16%
SSA/RCC-09-124 (9) The Boys Home Society of Baltimore, Inc. Baltimore, MD	18		(18)		0	\$1,141,002.00			N/A	\$1,141,002.00	0.00%	0.00%	
SSA/RCC 09-125-A2 The Brotherhood and Sisterhood International (BSI)/ Blacks and Whites Uniting Communities Silver Spring, MD COD16135 10-4017-0010	6				6	\$671,988.00		\$624,660.00		\$309,204.00	\$1,605,852.00	46.01%	46.01%
SSA/RCC 09-127-A2 The Children's Home, Inc. Catonsville, MD COD16004 10-3711-1110	80				80	\$7,017,200.00		\$6,638,000.00		\$3,279,504.00	\$16,934,704.00	46.74%	46.74%
SSA/RCC 09-129-A2 The Florence Crittenton Services of Baltimore, Inc. Baltimore, MD COD16013 10-3722-0110	58		(4)		54	\$3,281,564.00		\$3,280,560.00	(\$290,148.00)	\$1,509,882.00	\$7,781,858.00	46.01%	37.17%
SSA/RCC 09-130-A2 The Jentry McDonald Corporation Baltimore, MD COD16135 10-3723-0110	29		(14)		15	\$1,589,954.00		\$1,569,654.00	(\$757,764.00)	\$401,850.00	\$2,803,694.00	25.27%	-22.39%
SSA/RCC 09-132-A2 The Maryland Salem Children's Trust, Inc. Frostburg, MD COD16019 10-3724-0110	40				40	\$2,623,696.00		\$2,539,232.00		\$1,256,880.00	\$6,419,808.00	47.90%	47.90%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	ATTACHMENT 2 CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS		RENEWAL OPTION AMOUNT *	MOD #2 AMOUNT 1	MOD #3 AMOUNT 2	TOTAL REVISED CONTRACT AMOUNT 1	% +/- MOD #3	OVERALL % +/-	
				+/- # OF BEDS (W/MOD #3)	REVISED # OF CHILD CARE BEDS							ORIGINAL CONTRACT AMOUNT 1
Residential Child Care												
SSA/RCC 09-133-A2 The National Center for Children and Families, Inc. Bethesda, MD COD15912 10-3725-0110	40				40	\$2,078,200.00	\$2,011,060.00	\$995,400.00	\$5,084,660.00	47.90%	47.90%	
SSA/RCC 09-135-A2 The Place for Children, Inc. Owings Mills, MD COD16135 10-3726-0110	12				12	\$938,052.00	\$877,524.00	\$434,376.00	\$2,249,952.00	46.31%	46.31%	
SSA/RCC 09-136 (10) The Woodford House, Inc. Baltimore, MD	12		(12)		0	\$867,444.00		N/A	\$867,444.00	0.00%	0.00%	
SSA/RCC 09-138-A2 Transformations, Inc. Owings Mills, MD COD16135 10-3727-0111	10				10	\$819,860.00	\$793,370.00	\$392,700.00	\$2,005,930.00	47.90%	47.90%	
SSA/RCC 09-141-A2 Trivisions, Inc. Temple Hills, MD COD16135 10-4769-0010	14			(7)	7	\$920,990.00	\$474,341.00	\$234,780.00	\$1,630,111.00	25.49%	25.49%	
SSA/RCC 09-145-A2 United States Fellowship, Inc. Annapolis, MD COD16007 10-3730-0110	42			(28)	14	\$2,725,848.00	\$2,650,652.00	\$481,152.00	\$5,857,652.00	17.65%	17.65%	
SSA/RCC 09-146 (11) W.E. Youth Services, Inc. Baltimore, MD	5		(5)		0	\$288,735.00		N/A	\$288,735.00	0.00%	0.00%	
SSA/RCC 09-150-A2 Williams Life Center, Inc. Upper Marlboro, MD COD16135 10-3732-0110	16				16	\$1,156,416.00	\$1,138,496.00	\$563,520.00	\$2,858,432.00	48.73%	48.73%	
SSA/RCC 09-151-A2 Woodbourne Center, Inc. Baltimore, MD COD16024 10-3718-0110	60		(29)	1	32	\$5,918,865.00	\$5,710,800.00	(\$3,261,949.00)	\$1,187,520.00	\$9,555,236.00	20.06%	-35.05%
SSA/RCC 09-154-A2 Youth Enterprise Services, Inc. Baltimore, MD COD16135 10-3734-0110	22			(10)	12	\$1,573,330.00	\$818,772.00	\$405,288.00	\$2,797,390.00	25.76%	25.76%	
SSA/RCC 09-155-A2 Youth Vision, Inc. Lanham, MD COD16135 10-3735-0110	6				6	\$435,588.00	\$404,916.00	\$200,448.00	\$1,040,952.00	46.02%	46.02%	

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED CONTRACT REVISED # OF CHILD CARE BEDS	RENEWAL ORIGINAL CONTRACT AMOUNT ¹	RENEWAL OPTION AMOUNT ²	MOD #1 AMOUNT ³	MOD #2 AMOUNT ³	MOD #3 AMOUNT ³	TOTAL REVISED CONTRACT AMOUNT ³	% +/- MOD #3	OVERALL % +/-
Residential Child Care													
SSA/RCC 09-001 (12) A New World, Inc. Baltimore, MD	6		(6)		0	\$394,338.00				N/A	\$394,338.00	0.00%	0.00%
SSA/RCC 09-002-A2 Adventist HealthCare, Inc. ^ Rockville, MD COD16044 10-3694-0111	28				28	\$2,823,252.00	\$2,678,964.00			\$1,326,096.00	\$6,828,312.00	46.97%	46.97%
SSA/RCC 09-004-A2 All That Matter's, Inc. Suitland, MD COD16150 10-3695-0111	8				8	\$623,120.00	\$603,720.00			\$298,848.00	\$1,525,688.00	47.96%	47.96%
SSA/RCC 09-006-A2 Alternatives for Youth and Families, Inc. Charlotte Hall, MD COD16150 10-3825-0110	16			(10)	6	\$1,398,920.00	\$1,338,312.00			\$249,516.00	\$2,986,748.00	17.84%	17.84%
SSA/RCC 09-011 (13) B&B Youth Home, Inc. Hyattsville, MD	10		(10)		0	\$709,670.00				N/A	\$709,670.00	0.00%	0.00%
SSA/RCC 09-013 (14) Be Our Guest, Ltd. Pikesville, MD	9		(9)		0	\$919,450.00				N/A	\$919,450.00	0.00%	0.00%
SSA/RCC 09-014-A2 The Benedictine School for Exceptional Children, Inc. Ridgely, MD COD16150 10-3703-1110	95			3	98	\$2,283,927.00	\$2,133,445.00			\$1,159,563.00	\$5,576,935.00	50.77%	50.77%
SSA/RCC 09-015 (15) Bishop-Bursh Homecare, Inc. Clinton, MD	4		(4)		0	\$239,624.00				N/A	\$239,624.00	0.00%	0.00%
SSA/RCC 09-019-A2 Care With Class, Inc. Baltimore, MD COD16050 10-3786-0111	6				6	\$411,012.00	\$419,760.00			\$207,792.00	\$1,038,564.00	50.56%	50.56%
SSA/RCC 09-020-A2 Cedar Ridge Children's Home & School, Inc. Williamsport, MD COD16051 10-3787-0110	64			(10)	54	\$3,183,140.00	\$3,032,258.00			\$1,500,909.00	\$7,716,307.00	47.15%	47.15%
SSA/RCC 09-024 (16) CHEO Group Home For Boys, Inc. Baltimore, MD	24		(24)		0	\$1,760,508.00				N/A	\$1,760,508.00	0.00%	0.00%
SSA/RCC 09-027-A2 Comfort Homes, Inc. Blandensburg, MD COD16150 Pending Tax Clearance ^^	10		(4)		6	\$726,050.00	\$688,720.00		(\$275,488.00)	\$204,552.00	\$1,343,834.00	28.17%	-9.77%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	ATTACHMENT 2		RENEWAL OPTION AMOUNT 1	MOD #2 AMOUNT 2	MOD #3 AMOUNT 3	TOTAL REVISED CONTRACT AMOUNT 1	% +/- MOD #3	OVERALL % +/-
					CONSOLIDATED REVISED # OF CHILD CARE BEDS	RENEWAL ORIGINAL CONTRACT AMOUNT 1						
Residential Child Care												
SSA/RCC 09-029-A2 Creative Options, Inc. Middle River, MD COD16150 10-3793-0110	10				10	\$844,550.00	\$817,260.00		\$404,520.00	\$2,066,330.00	47.90%	47.90%
SSA/RCC 09-030-A2 Community Services for Autistic Adults and Children, Inc. Montgomery Village, MD COD16150 10-3794-0111	4				4	\$295,596.00	\$375,396.00		\$262,800.00	\$933,792.00	88.91%	88.91%
SSA/RCC 09-031-A2 Dahsi Paradise Home, Inc. Baltimore, MD COD16150 10-3795-0110	8				8	\$532,832.00	\$498,872.00		\$246,960.00	\$1,278,664.00	46.35%	46.35%
SSA/RCC 09-032-A2 Day By Day Residential Services, Inc. Owings Mills, MD COD16150 10-3796-0111	6				6	\$413,382.00	\$403,362.00		\$199,656.00	\$1,016,400.00	48.30%	48.30%
SSA/RCC 09-038 (17) For Youth Enterprise, Inc. Capitol Heights, MD	10		(10)		0	\$754,690.00			N/A	\$754,690.00	0.00%	0.00%
SSA/RCC 09-040 (18) Gallant Youth Resource, Inc. Parkville, MD	6		(6)		0	\$424,422.00			N/A	\$424,422.00	0.00%	0.00%
SSA/RCC 09-049 (19) Her Place, Inc. Baltimore, MD	4		(4)		0	\$290,636.00			N/A	\$290,636.00	0.00%	0.00%
SSA/RCC 09-054-A2 Inner County Outreach, Inc. Aberdeen, MD COD16150 10-4631-0110	12				12	\$802,332.00	\$740,904.00		\$366,768.00	\$1,910,004.00	45.71%	45.71%
SSA/RCC 09-058 (20) Kent Youth, Inc. Chesterstown, MD	7		(7)		0	\$497,868.00			N/A	\$497,868.00	0.00%	0.00%
SSA/RCC 09-059-A2 KHI Services, Inc. Germantown, MD COD16150 10-3961-0110	4				4	\$406,128.00	\$414,772.00		\$205,320.00	\$1,026,220.00	50.56%	50.56%
SSA/RCC 09-061-A2 Lazarus House, Inc. Catonsville, MD COD16150 Pending Tax Clearance ^^	5				5	\$354,085.00	\$351,870.00		\$174,180.00	\$880,135.00	49.19%	49.19%
SSA/RCC 09-063-A2 Linwood Center, Inc. Ellicott City, MD COD16150 10-3963-1110	8		3		11	\$535,136.00	\$605,936.00	\$227,223.00	\$416,604.00	\$1,784,899.00	77.85%	120.31%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED CONTRACT REVISED # OF CHILD CARE BEDS	RENEWAL OPTION AMOUNT ¹	RENEWAL OPTION AMOUNT ²	MOD #2 AMOUNT ²	MOD #3 AMOUNT ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-064 (21) Living On Our Own, Inc. Baltimore, MD	4	(4)			0	\$276,516.00			N/A	\$276,516.00	0.00%	0.00%
SSA/RCC 09-065-A2 Making A Great Individual Contribution, Inc. Baltimore, MD COD16150 10-3964-0010	13				13	\$756,275.00	\$888,446.00		\$439,764.00	\$2,084,485.00	58.15%	58.15%
SSA/RCC 09-066-A2 Maple Shade Youth & Family Services, Inc. * Mardela Springs, MD COD16150 10-3964-0010	20			(12)	8	\$2,062,687.00	\$1,395,933.00		\$363,072.00	\$3,821,692.00	17.60%	17.60%
SSA/RCC 09-067-A2 Marlene B. Vinson Home of New Beginnings, Inc. Randallstown, MD COD16150 10-3965-0110	16				16	\$1,120,024.00	\$1,081,108.00		\$535,128.00	\$2,736,260.00	47.78%	47.78%
SSA/RCC 09-068 (22) Mary Elizabeth Lange Center, Inc. Baltimore, MD	20	(20)			0	\$1,097,480.00			N/A	\$1,097,480.00	0.00%	0.00%
SSA/RCC 09-074 [6] Mom-Mom's Place, Inc. ** Baltimore, MD	6		6	(12)	0	\$390,648.00	\$400,482.00	\$400,482.00	\$0.00	\$1,191,612.00	0.00%	102.52%
SSA/RCC 09-103-A2 North American Family Institute, Inc. Danvers, MA COD16150 10-3981-0110	27		(15)		12	\$2,022,957.00	\$1,963,008.00	-\$1,090,560.00	\$431,856.00	\$3,327,261.00	21.35%	-32.56%
SSA/RCC 09-105-A2 Our Fortress Homes, Inc. Baltimore, MD COD16150 10-3982-0110	14				14	\$1,292,840.00	\$1,267,336.00		\$627,324.00	\$3,187,500.00	48.52%	48.52%
SSA/RCC 09-106-A2 Our House, Inc. Brookeville, MD COD16150 10-3983-0110	16				16	\$984,240.00	\$963,904.00		\$477,120.00	\$2,425,264.00	48.48%	48.48%
SSA/RCC 09-109 (23) Student Achievers Future Entrepreneurs, Inc. (SAFE) Baltimore, MD	15	(15)			0	\$1,052,925.00			N/A	\$1,052,925.00	0.00%	0.00%
SSA/RCC 09-113-A2 Second Family, Inc. Capitol Heights, MD COD16150 10-3988-1110	22				22	\$3,296,637.00	\$3,976,198.00		\$1,929,924.00	\$9,202,759.00	58.54%	58.54%
SSA/RCC 09-115-A2 Sheppard Pratt Health System, Inc. * Baltimore, MD COD16150 10-3988-1110	34	(14)			20	\$5,435,138.00	\$5,259,528.00	-\$3,093,840.00	\$1,531,440.00	\$9,132,266.00	28.18%	-28.75%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED CONTRACT REVISED # OF CHILD CARE BEDS	RENEWAL OPTION AMOUNT *	MOD #1 AMOUNT *	MOD #2 AMOUNT *	MOD #3 AMOUNT *	TOTAL REVISED CONTRACT AMOUNT *	% +/- MOD #3	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-118-A2 St Ann's Infant and Maternity Home Hyattsville, MD COD16065 10-4013-0110	44		(19)		25	\$2,689,988.00		-\$1,080,368.00	\$781,260.00	\$5,049,520.00	29.04%	-11.12%
SSA/RCC 09-120-A2 Starrs Group Home, Inc. Baltimore, MD COD16150 10-4632-0110	6				6	\$390,378.00			\$179,640.00	\$932,904.00	46.02%	46.02%
SSA/RCC 09-121-A2 Structures Youth Home, Inc. Dahlgreen, VA COD16150 10-4015-0100	15				15	\$957,255.00			\$440,460.00	\$2,287,560.00	46.01%	46.01%
SSA/RCC 09-122-A2 The ARC of the Central Chesapeake Region, Inc. * Annapolis, MD COD16150 10-4016-0110	9				9	\$834,501.00			\$402,102.00	\$2,048,952.00	48.18%	48.18%
SSA/RCC 09-126-A2 The Children's Guild, Inc. Baltimore, MD COD16150 10-3710-0110	24				24	\$2,363,496.00			\$1,140,768.00	\$5,808,984.00	48.27%	48.27%
SSA/RCC 09-131-A2 The KOBA Institute, Inc. Silver Spring, MD COD16150 Pending Tax Clearance ^^	32		(8)		24	\$2,838,144.00		(\$702,440.00)	\$1,043,136.00	\$5,988,600.00	36.75%	12.00%
SSA/RCC 09-134-A2 The Okojie Group, Inc. Baltimore, MD COD16150 10-4708-0110	6				6	\$409,254.00			\$195,120.00	\$998,526.00	47.68%	47.68%
SSA/RCC 09-137 (24) Three Springs, Inc. Oldtown, MD	8		(8)		0	\$207,072.00			N/A	\$207,072.00	0.00%	0.00%
SSA/RCC 09-139-A2 Trimir Home for Children and Families, Inc. Lanham, MD COD16150 10-3728-0110	13				13	\$902,538.00			\$427,986.00	\$2,195,167.00	47.42%	47.42%
SSA/RCC 09-142-A2 Tuf's Inc. t/a Tuttle's Place Baltimore, MD COD16074 10-3729-0110	26		16		42	\$1,830,842.00		\$1,125,792.00	\$1,462,860.00	\$6,248,906.00	79.90%	141.39%
SSA/RCC 09-143 (25) United Alternative Care Associates, Inc. Calverton, MD	6		(6)		0	\$375,624.00			N/A	\$375,624.00	0.00%	0.00%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	ATTACHMENT 2 CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS			RENEWAL OPTION AMOUNT ¹	MOD #2 AMOUNT ²	MOD #3 AMOUNT ³	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/-
					REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ¹						
Residential Child Care SSA/RCC 09-147-A2 ARC of Washington County, Inc. * Hagerstown, MD COD16150 10-4706-1110	22				22	\$1,802,656.00		\$1,730,484.00		\$856,560.00	\$4,389,700.00	47.52%	47.52%
SSA/RCC 09-148-A2 We Are The World, Inc. Baltimore, MD COD16150 10-4709-0110	6				6	\$415,050.00		\$401,082.00		\$198,540.00	\$1,014,672.00	47.84%	47.84%
SSA/RCC 09-149 (26) Where Angels Tremble, Inc. Upper Marlboro, MD	8		(8)		0	\$569,712.00				N/A	\$569,712.00	0.00%	0.00%
SSA/RCC 09-152-A2 YMCA Youth Center of Cumberland, MD Cumberland, MD COD16150 10-3733-1110	4				4	\$278,040.00		\$264,296.00		\$118,848.00	\$661,184.00	42.74%	42.74%
SSA/RCC 10-001 - A1 Tender Care, Inc. Salisbury, MD COD16408 10-4746-0110	5				5	\$345,820.00	N/A	N/A	N/A	\$171,180.00	\$517,000.00	49.50%	49.50%
Total Residential Child Care Contracts	2,349	0	(337)	(132)	1,880	\$180,108,663.00	(\$813,511.00)	\$159,513,359.00	(\$10,741,596.00)	\$71,068,938.00	\$399,135,853.00	39.46%	33.04%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	CONSOLIDATED REVISED # OF CHILD CARE BEDS	RENEWAL ORIGINAL CONTRACT AMOUNT 1	RENEWAL OPTION AMOUNT 2	MOD #2 AMOUNT 3	MOD #3 AMOUNT 4	TOTAL REVISED CONTRACT AMOUNT 5	% +/- MOD #3	OVERALL % +/-
Child Placement Agency												
SSA/CPA 09-005-A2 Board of Child Care of the United Methodist Church, Inc. Baltimore, MD COD15734 10-3704-0110	27				27	\$1,253,286.00	\$1,242,999.00		\$1,230,579.00	\$3,726,864.00	98.19%	98.19%
SSA/CPA 09-014-A2 Good Children in the Making, Inc. Bowie, MD COD16180 10-3837-0110	18				18	\$770,058.00	\$751,986.00		\$744,462.00	\$2,266,506.00	96.68%	96.68%
SSA/CPA 09-017-A2 Jewish Family Services, Inc. Baltimore, MD COD16180 10-3840-0110	9				9	\$402,570.00	\$386,640.00		\$382,770.00	\$1,171,980.00	95.08%	95.08%
SSA/CPA 09-018 -A2 Jumoke, Inc. ^ Baltimore, MD N00B0400525 10-3841-0111	15			20	35	\$647,295.00	\$631,845.00		\$1,419,880.00	\$2,699,020.00	219.36%	219.36%
SSA/CPA 09-021-A2 King Edwards, Inc. Baltimore, MD COD16180 10-3843-0110	30				30	\$1,372,410.00	\$1,287,600.00		\$1,274,730.00	\$3,934,740.00	92.88%	92.88%
SSA/CPA 09-024-A2 Mentor Maryland, Inc. Baltimore, MD COD15963 10-3845-0001	440				440	\$26,910,220.00	\$25,852,645.00		\$25,529,575.00	\$78,292,440.00	94.87%	94.87%
SSA/CPA 09-025-A2 Mosaic Community Services, Inc. Timonium, MD COD16180 10-3968-0110	12				12	\$531,384.00	\$514,260.00		\$509,112.00	\$1,554,756.00	95.81%	95.81%
SSA/CPA 09-026-A2 Neighbor to Family, Inc. Baltimore, MD COD15735 10-3847-0110	95				95	\$4,795,220.00	\$4,324,210.00		\$4,280,985.00	\$13,400,415.00	89.28%	89.28%
SSA/CPA 09-027-A2 New Pathways, Inc. Baltimore, MD COD16180 10-3848-0110	87		(5)		82	\$4,381,839.00	\$4,376,040.00	(\$221,000.00)	\$4,445,496.00	\$12,982,375.00	101.45%	96.41%
SSA/CPA 09-029 [7] Phillips Programs ** Annandale, VA	10			(10)	0	\$419,780.00	\$410,320.00		\$0.00	\$830,100.00	0.00%	0.00%
SSA/CPA 09-031-A2 Progressive Horizons, Inc. Baltimore, MD COD16073 10-3852-0110	30				30	\$999,990.00	\$944,790.00		\$935,340.00	\$2,880,120.00	93.53%	93.53%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	ATTACHMENT 2 CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS		RENEWAL OPTION AMOUNT ⁴	MOD #2 AMOUNT ²	MOD #3 AMOUNT ³	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/-
					REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹						
Child Placement Agency SSA/CPA 09-032-A2 Progressive Life Center, Inc. Washington, DC COD16293 10-3853-0110	66				66	\$3,124,110.00	\$3,033,426.00		\$3,003,132.00	\$9,160,668.00	96.13%	96.13%
SSA/CPA 09-033-A2 PSI Services III, Inc. Bethesda, MD COD15834 10-3854-0110	68		5		73	\$3,541,324.00	\$3,474,772.00	\$312,965.00	\$3,749,807.00	\$11,078,868.00	105.89%	114.72%
SSA/CPA 09-034-A2 Residential Care, Inc. Baltimore, MD COD15880 10-3855-0110	96				96	\$4,726,560.00	\$4,620,096.00		\$4,573,920.00	\$13,920,576.00	96.77%	96.77%
SSA/CPA 09-035-A2 San Mar Children's Home, Inc. Boonsboro, MD COD15917 10-3856-0110	35		5		40	\$1,524,460.00	\$1,421,350.00	\$203,050.00	\$1,608,160.00	\$4,757,020.00	105.49%	118.81%
SSA/CPA 09-038-A2 The ARC of Baltimore, Inc. Baltimore, MD COD15936 10-3707-0110	110			(55)	55	\$5,015,230.00	\$4,785,660.00		\$2,368,905.00	\$12,169,795.00	47.23%	47.23%
SSA/CPA 09-039-A2 The Arc Northern Chesapeake Region, Inc.* Aberdeen, MD COD15951 10-3708-0110	40				40	\$1,789,560.00	\$1,801,880.00		\$1,783,880.00	\$5,375,320.00	99.68%	99.68%
SSA/CPA-09-040-A2 The Arrow Project of Maryland Baltimore, MD COD15960 10-4018-0110	120				120	\$4,782,000.00	\$4,406,280.00		\$4,362,240.00	\$13,550,520.00	91.22%	91.22%
SSA/CPA 09-042-A2 The Children's Guild, Inc. Baltimore, MD COD15966 10-3710-0110	60				60	\$3,261,840.00	\$3,307,380.00		\$3,274,320.00	\$9,843,540.00	100.38%	100.38%
SSA/CPA 09-043-A2 The Children's Home, Inc. Catonville, MD COD16045 10-3711-1110	45		(5)		40	\$2,214,990.00	\$2,165,085.00	(\$240,565.00)	\$1,905,280.00	\$6,044,790.00	86.02%	75.16%
SSA/CPA 09-044-A2 The Martin Pollak Project, Inc.* Baltimore, MD COD16061 10-3712-0110	90	20			110	\$4,307,870.00	\$549,481.00 (BPW approved)	\$5,393,360.00	\$5,339,450.00	\$15,590,161.00	123.95%	136.70%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	ATTACHMENT 2 CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS			RENEWAL OPTION AMOUNT ¹	MOD #2 AMOUNT ¹	MOD #3 AMOUNT ¹	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/-
					REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ¹						
Child Placement Agency													
SSA/CPA 09-046-A2 The National Center for Children and Families Bethesda, MD COD15732 10-4627-0110	51				51	\$2,671,689.00		\$2,568,894.00		\$2,543,199.00	\$7,783,782.00	95.19%	95.19%
SSA/CPA 09-047-A2 Transition Living Services, Inc. Hyattsville, MD COD16180 10-3713-1110	25				25	\$956,625.00		\$898,250.00		\$889,275.00	\$2,744,150.00	92.96%	92.96%
SSA/CPA 09-048-A2 Umbrella Therapeutic Services, Inc. Lanham, MD COD16180 10-4674-0000	20				20	\$736,140.00		\$702,460.00		\$736,140.00	\$2,174,740.00	100.00%	100.00%
SSA/CPA 09-050-A2 WIN Family Services, Inc. Baltimore, MD COD16295 10-4673-0010	95				95	\$6,305,720.00		\$5,920,875.00		\$5,861,690.00	\$18,088,285.00	92.96%	92.96%
SSA/CPA 09-051-A2 Williams Life Center, Inc. Largo, MD COD15721 10-3732-0110	25			25	50	\$1,115,450.00		\$1,093,925.00		\$2,166,000.00	\$4,375,375.00	194.18%	194.18%
SSA/CPA 09-053-A2 Seraaj Family Homes, Inc. Montgomery, AL COD15978 10-3719-0110	30				30	\$1,373,010.00		\$1,350,270.00		\$1,336,770.00	\$4,060,050.00	97.36%	97.36%
SSA/CPA 09-054-A2 Between Friends, Inc. Baltimore, MD COD16401 Pending Tax Clearance ^^	30				30	\$1,306,470.00		\$1,306,470.00		\$1,293,420.00	\$3,906,360.00	99.00%	99.00%
SSA/CPA 09-001-A2 Alternatives for Youth and Families, Inc. Charlotte Hall, MD COD15731 10-3697-0110	40			(20)	20	\$1,767,011.00		\$1,758,314.00		\$832,588.00	\$4,357,913.00	47.12%	47.12%
SSA/CPA 09-002-A2 Associated Catholic Charities, Inc. Timonium, MD COD16006 10-3700-0110	105				105	\$5,074,932.00		\$4,995,201.00		\$4,945,286.00	\$15,015,419.00	97.45%	97.45%
SSA/CPA 09-003-A2 Baltimore Adolescent Treatment and Guidance Org. Inc. Baltimore, MD COD16158 10-3827-0110	24				24	\$1,188,648.00		\$1,133,808.00		\$1,122,480.00	\$3,444,936.00	94.43%	94.43%

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CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILDR CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	ATTACHMENT 2 CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS		RENEWAL OPTION AMOUNT ¹	MOD #2 AMOUNT ²	MOD #3 AMOUNT ³	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #3	OVERALL % +/- REVISED
				+/- # OF BEDS (W/MOD #3)	REVISED # OF CHILDR CARE BEDS						
Child Placement Agency											
SSA/CPA 09-004-A2 Baptist Family & Children's Services of Maryland, Inc. Columbia, MD COD15877 10-3828-0110	60				60	\$3,061,020.00	\$2,992,020.00	\$2,962,080.00	\$9,015,120.00	96.77%	96.77%
SSA/CPA 09-006-A2 Casey Family Services New Haven, CT COD15911 10-3830-0110	12		15		27	\$804,780.00	\$784,500.00	\$980,625.00	\$4,317,372.00	217.14%	338.99%
SSA/CPA 09-007-A2 Catholic Charities of the Archdiocese of Washington, DC ^ Washington, DC COD16158 10-3919-0010	24			24	48	\$894,312.00	\$978,360.00	\$968,568.00	\$2,841,240.00	108.30%	108.30%
SSA/CPA 09-008-A2 Center for Progressive Learning, Inc. Owings Mills, MD COD16158 10-3831-0110	22		(9)		13	\$607,246.00	\$634,488.00	-\$255,744.00	\$1,360,949.00	61.75%	19.63%
SSA/CPA 09-009-A2 Challengers Independent Living, Inc. Baltimore, MD COD16158 10-3832-0110	25				25	\$1,000,425.00	\$892,425.00	\$883,500.00	\$2,776,350.00	88.31%	88.31%
SSA/CPA 09-010-A2 CONCERN - Professional Services for Children Fleetwood, PA COD16260 10-3833-0110	85			(2)	85	\$4,007,605.00	\$3,864,625.00	\$3,803,383.00	\$11,675,613.00	94.90%	94.90%
SSA/CPA 09-011-A2 Contemporary Family Services, Inc. Hyattsville, MD COD15919 10-3834-0110	200		40		240	\$10,059,400.00	\$9,676,000.00	\$1,935,200.00	\$33,165,640.00	114.27%	133.51%
SSA/CPA 09-012-A2 Family & Children Services of Central Maryland Baltimore, MD COD15945 10-3835-0110	110			(69)	41	\$4,021,660.00	\$4,086,920.00	\$1,530,849.00	\$9,639,429.00	38.07%	38.07%
SSA/CPA 09-013-A2 Father Flanagan's Boys' Home, Inc. Washington, DC COD16158 10-3836-0000	10				10	\$458,520.00	\$446,550.00	\$442,080.00	\$1,347,150.00	96.41%	96.41%
SSA/CPA 09-015-A2 Foundations for Home and Community, Inc. Washington, DC COD16083 10-3838-0110	120				120	\$5,879,280.00	\$5,790,720.00	\$5,263,560.00	\$16,933,560.00	89.53%	89.53%

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116B
BPW 6/23/2010

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	REVISER # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT †	RENEWAL OPTION AMOUNT ‡	MOD #2 AMOUNT ‡	MOD #3 AMOUNT ‡	TOTAL REVISED CONTRACT AMOUNT †	% +/- MOD #3	OVERALL % +/- REVISED
Child Placement Agency												
SSA/CPA 09-016-A2 Hearts and Homes for Youth, Inc. Silver Spring, MD COD15846 10-3839-0110	62				62	\$3,162,580.00	\$3,237,312.00		\$3,162,822.00	\$9,562,714.00	100.01%	100.01%
SSA/CPA 09-019-A2 Kennedy Krieger Education and Community Services, Inc. Baltimore, MD COD15866 10-3948-1110	110				110	\$6,027,840.00	\$5,347,700.00		\$5,842,070.00	\$17,217,610.00	96.92%	96.92%
SSA/CPA 09-020-A2 KidsPeace National Centers of North America Schnecksville, PA COD15884 10-3842-0110	40			12	52	\$1,736,520.00	\$2,873,580.00		\$2,650,520.00	\$7,260,620.00	152.63%	152.63%
SSA/CPA 09-022 Maple Shade Youth and Family Services, Inc. * Mardela Springs, MD COD16158 10-3964-0010	20				20	\$925,600.00	\$886,820.00		\$877,960.00	\$2,690,380.00	94.85%	94.85%
SSA/CPA 09-028-A2 Phoenix Homes, Inc. Delphos, OH COD15901 10-3850-0110	30			20	50	\$1,484,760.00	\$1,393,980.00		\$2,300,050.00	\$5,178,790.00	154.91%	154.91%
SSA/CPA 09-030-A2 Pressley Ridge, Inc. Baltimore, MD COD16204 10-3831-0110	105				105	\$4,900,455.00	\$4,870,950.00		\$4,822,230.00	\$14,593,635.00	98.40%	98.40%
SSA/CPA 09-036-A2 Second Home, Inc. Towson, MD COD16251 10-4698-0110	35				35	\$1,679,020.00	\$1,641,185.00		\$1,624,770.00	\$4,944,975.00	96.77%	96.77%
SSA/CPA 09-037-A2 Sheridan Patterson Center for Holistic Family Svcs., Inc. Baltimore, MD COD15909 10-3706-0110	42				42	\$2,029,608.00	\$1,996,470.00		\$1,976,520.00	\$6,002,598.00	97.38%	97.38%
SSA/CPA 09-041-A2 The Children's Choice of Maryland, Inc. Philadelphia, PA COD15916 10-3709-0110	110				110	\$4,590,740.00	\$4,482,720.00		\$4,437,840.00	\$13,511,300.00	96.67%	96.67%
SSA/CPA 09-049-A2 Wellington, Incorporated Bowie, MD COD16158 10-3736-0110	10			10	20	\$435,930.00	\$428,100.00		\$847,640.00	\$1,711,670.00	194.44%	194.44%

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ITEM: 25-S-MOD (Cont.) CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	+/- # OF BEDS (W/MOD #3)	ATTACHMENT 2		RENEWAL OPTION AMOUNT ¹	MOD #2 AMOUNT ²	MOD #3 AMOUNT ²	TOTAL REVISED CONTRACT AMOUNT ¹	117B BPW 6/23/2010		
					CONSOLIDATED REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹					% +/- MOD #3	OVERALL % +/- REVISED	
Child Placement Agency													
SSA/CPA 09-052 Woodbourne Center, Inc. Baltimore, MD COD17102 Tax Status Pending ^^	78				78	\$3,092,778.00	\$2,987,166.00		\$2,957,292.00	\$9,037,236.00	95.62%	95.62%	
SSA/CPA-10-001-A1 Parker Therapeutic Services, Inc. Baltimore, MD COD16296 10-3849-0110	24			16	40	\$1,015,344.00	N/A	N/A	N/A	\$1,827,480.00	\$2,842,824.00	179.99%	179.99%
Total Child Placement Agency Contracts	3,282	20	46	(29)	3,321	\$161,143,114.00	\$549,481.00	\$157,153,682.00	\$2,714,531.00	\$157,247,551.00	\$478,808,359.00	97.58%	99.61%
Non-Residential Child Care													
SSA/NRCC-09-001-A2 The Chesapeake Center for Youth Development, Inc. Baltimore, MD COD16404 Pending Tax Clearance ^^	12				12	\$578,076.00	\$561,792.00		\$561,781.00	\$1,701,649.00	97.18%	97.18%	
Total Non-Residential Child Care Contracts	12	0	0	0	12	\$578,076.00	\$0.00	\$561,792.00	\$0.00	\$561,781.00	\$1,701,649.00	97.18%	97.18%
Total of Modification #1 approved by the BPW	3,335	20	0		3,355	\$213,300,434.00	(\$264,030.00)			\$213,036,404.00		-0.12%	
Grand Total All Contracts	5,643	20	(291)	(161)	5,213	\$341,829,853.00	(\$264,030.00)	\$317,228,833.00	(\$8,027,065.00)	\$228,878,270.00	\$879,645,861.00	66.96%	64.53%

Note: ¹ Amounts are estimated. ² Amounts are actual. * Certified MBE Contractors. **Contracts not being extended with this Modification. ^ Modifications to include a MBE 5% Participation Goal (All Contracts for 25 or more beds).
^^ There are clients currently located with these Providers; however, Providers will not be paid until the tax clearance issues are resolved. SSA verifies tax clearance status on a monthly basis.

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

GENERAL MISCELLANEOUS

ITEM: 26-GM **Agency Contact:** Robert Young
410-767-1826
ryoung@dat.state.md.us

DEPARTMENT: State Department of Assessments and Taxation
(SDAT)

AMOUNT OF REQUEST: \$78,658

DESCRIPTION: Approval request for an allotment of \$78,658 from the FY2010 Contingent Fund to provide funds for annual leave payout cost that was not anticipated at the time the FY2010 Budget was prepared and approved by the General Assembly.

FUND SOURCE: FY2010 Contingent Fund

APPROP. CODE: D05E0102

REQUESTING AGENCY REMARKS: Approval is requested for the transfer of General Funds in the amount of \$78,658 from the State's FY2010 Contingent Fund for the purpose of funding annual leave payout costs. The funds are necessary because of an unexpected retirement for nine employees. The amount requested was calculated based on the information below for each employee:

- Actual annual leave as of 6/29/10 equals 500.00 at a rate \$31.09 per hour equals a total amount of \$15,545.56.
- Actual annual leave as of 6/29/10 equals 388.2 at a rate \$23.72 per hour equals a total amount of \$9,207.18.
- Actual annual leave as of 6/29/10 equals 225.7 at a rate \$22.25 per hour equals a total amount of \$5,021.94.
- Actual annual leave as of 6/29/10 equals 500.00 at a rate \$31.69 per hour equals a total amount of \$15,844.94.
- Actual annual leave as of 6/29/10 equals 37.8 at a rate \$19.63 per hour equals a total amount of \$741.95.
- Actual annual leave as of 6/29/10 equals 473.8 at a rate \$33.19 per hour equals a total amount of \$15,725.24.
- Actual annual leave as of 6/29/10 equals 21.7 at a rate \$54.44 per hour equals a total amount of \$1,181.30.

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

ITEM: 26-GM (Cont.)

- Actual annual leave as of 6/29/10 equals 323.3 at a rate \$31.09 per hour equals a total amount of \$10,051.76.
- Actual annual leave as of 6/29/10 equals 345.5 at a rate \$15.45 per hour equals a total amount of \$5,338.12.

DBM REMARKS: The Secretary of Budget and Management has certified that funds are available from the FY2010 Contingent Fund.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

GENERAL MISCELLANEOUS

ITEM: 28-GM **Agency Contact:** Sharon K. Zacks
410-799-2900 x320
skzacks@mdsp.org

DEPARTMENT: Maryland Department of State Police (MDSP)

AMOUNT OF REQUEST: \$25,000

DESCRIPTION: On June 11, 2010, Trooper First Class Wesley Brown was shot and killed while working security detail at a restaurant in Forestville, Maryland. A \$25,000 reward has been established for information leading to the arrest and conviction of the assailant(s). The Governor and the Maryland Department of State Police, in consultation with Prince George's County Police and the Prince George's State's Attorney, will determine who is eligible to receive this money. If it is determined that no one is eligible to receive the reward, funds will be reverted back to the General Fund.

FUND SOURCE: FY2010 Contingent Fund

APPROP. CODE: D05E0102

REQUESTING AGENCY REMARKS: The funding for this FY2010 deficiency amount is being requested from the FY2010 Contingent Fund.

DBM REMARKS: The Secretary of Budget and Management has certified that funds are available from the FY2010 Contingent Fund.

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: 1-GM

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

INSTITUTION: University of Maryland, College Park

DESCRIPTION: Mechanical Insulation in Computer/Space Sciences Building (#224), Mechanical Room #5200

CONTRACT ID: Pipe Insulation Services On-Call
A-000998

PROCUREMENT METHOD: Task Order per On-Call Contract

AWARD: Free State Thermal Insulation, Inc.
215 Old Padonia Road, Cockeysville 21030

AMOUNT: \$37,450.00

REMARKS: In accordance with State Finance and Procurement Article Section 8-301, Annotated Code of Maryland, the Board of Public Works must approve the use of General Obligation Bond funding for the task order listed above. This Task Order was issued for work to be performed on an emergency basis to prevent moisture damage from condensation.

FUND SOURCE: MCCBL of 2008: *Asbestos Abatement Program. Provide funding to abate asbestos in various State facilities (Statewide). Item 012*

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4490-0111

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**

CONSTRUCTION CONTRACT

ITEM: 2-C

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Joint Quantum Institute Phase II
University of Maryland, College Park
RFP N0. 84110-B, Contract No. B-400080-K

CONTRACT DESCRIPTION: Labor, material, equipment, supervision and other resources to renovate the Second Floor Wing 1 & 2 of the Computer and Space Sciences Building (Building #224). The renovation will reconfigure and build out space for the Joint Quantum Institute faculty offices, conference room, and collaborative spaces. The HVAC system will be upgraded and modified to provide adequate ventilation and temperature control to the office space and support areas. New variable volume reheat air terminal units will be provided to complete the conversion of the HVAC system. Also included in the renovation will be new finishes, replaced and upgraded restrooms. The University's estimated cost for the project is \$1.2 million.

AWARD: Combined Services, Inc
Fairfax, VA 22030

TERM: 150 calendar days (6/23/10 -11/20/10)

AMOUNT: \$1,199,390

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:	<u>Technical</u>	<u>Price</u>
Combined Services, Inc. Fairfax, VA 22030	Acceptable	\$1,199,390
Harvey Cleary Builders Gaithersburg, MD 20877	Acceptable	\$1,379,500

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

ITEM: 2-C (continued)

PROPOSALS: (continued)

	<u>Technical</u>	<u>Price</u>
HITT Falls Church, VA 22042	Acceptable	\$1,380,708
Baltimore Contractors, Inc. Baltimore, MD 21237	Acceptable	\$1,449,000
KBE Building Corporation Columbia, MD	Acceptable	\$1,449,000
Coakley & Williams Construction, Inc. Baltimore, MD 21237	Acceptable	\$1,967,595

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: Payment and Performance bonds equal to the contract amount

REMARKS: This project was advertised on *eMarylandMarketPlace*. Seven proposals were received and evaluated on the basis of technical merit. All seven were determined to be technically acceptable and susceptible for award. Combined Services, Inc. is recommended for award as the lowest-priced, technically acceptable proposer. The price at award includes the base scope of work plus alternates 1 and 2. Combined Services is a certified MBE and will subcontract 66% of the work to certified MBEs, substantially exceeding the 25% goal established for this project.

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

FUND SOURCE: \$1,050,000 Federal (NIST) Funds
\$ 149,390 Plant Funds

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

ITEM: 2-C (continued)

APPROP CODE: N/A

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4551-0111

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**

CONSTRUCTION CONTRACT

ITEM: 3-C

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

INSTITUTION:

University of Maryland, College Park

CONTRACT ID:

Design/Build w/ Guaranteed Maximum Price (GMP)
Phase 9 Sorority Renovation Program
Contract No. B-400079K
Project No. 09-407-963-00

CONTRACT DESCRIPTION: Provide design and construction management services for the Phase 9 Sorority Renovation Program. Contractor will design and renovate two buildings #171 (10,500 GSF) and #176 (12,150 GSF). The two buildings were constructed in the early 1960s for use as sorority houses. No significant renovations have been undertaken since construction. The renovations will replace deteriorated building systems, provide code compliance, supply improved fire/life safety systems, and add air conditioning, campus data/telecom, and upgrade kitchen facilities. The buildings will be renovated using sustainable building concepts.

The scope of work will include all design, engineering and construction required for complete interior and exterior renovation of each building. Work includes demolition of the building interior along with asbestos and lead abatement; heating; air conditioning; plumbing; life safety; telecommunications; electric access control; electrical and emergency power systems; new windows, doors, floors, wall, and ceiling finishes; interior and exterior modifications for ADA compliance (including installing site ramps and chair lifts along with accessible bedroom and restroom/toilet facilities). Site work includes new site utilities, sidewalks, areaways, site railings, and planting. Estimated construction cost for this project is \$12.5 million.

AWARD:

Forrester Construction Company
Rockville, MD 20852

TERM:

24 months from design thru construction completion
(06/23/10 – 06/22/12)

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

ITEM: 3-C (continued)

AMOUNT: \$544,146 (Design / Pre- Construction Services Only)

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:	<u>Technical</u>	<u>Price</u>	<u>Total</u>	<u>Evaluated. Price</u>
Forrester Construction Company Rockville, MD 20852	52.52	40	92.92	\$1,596,837
The Whiting-Turner Contracting Company Bethesda, MD 20814	60.00	30.76	90.76	\$2,076,394
Clark Design/Build LLC Bethesda, MD 20814-6196	57.12	30.12	87.24	\$2,120,675
Hess Construction + Engineering Services Herndon, VA 20171-5505	52.78	28.69	81.47	\$2,225,974

MBE PARTICIPATION: 30%

PERFORMANCE BOND: Equal to contract amount

REMARKS: The Board previously approved the use of the design-build project delivery method for this project. (USM Item 10-GM [02/24/10]).

This project was advertised in *eMarylandMarketPlace*. Eight offerors submitted proposals. Four proposals were determined to be technically acceptable and susceptible for award. The Forrester Construction Company proposal received the highest overall rating, considering both technical and price factors. Forrester brings a strong, experienced, integrated design/build team to the project. The proposed design and construction management team has multi-story dormitory experience. The proposal demonstrated Forrester's understanding of the cost and schedule requirements for this project.

The evaluated price of \$1,596,837 includes design services (\$447,146); pre-construction phase CM fees (\$97,000); construction phase CM fees (\$301,456); and construction general conditions (\$751,235).

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

ITEM: 3-C (continued)

REMARKS: (continued) The University's estimate for the services included in the evaluated price was \$2,201,233. The initial award amount of \$544,146 is for design services and pre-construction CM services only. Forrester has committed to 32.8% MBE participation for this project. There is MBE participation in the initial pre-construction phase of the project. A contract modification for acceptance of the Guaranteed Maximum Price, currently projected for March 2011, will be presented to the Board for approval at a later date.

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

FUND SOURCE: USM Academic/Auxiliary Facility Revenue Bonds

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4582-1111

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**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 4-C MOD

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: H. J. Patterson Wing 2 Renovation
University of Maryland, College Park
Contract No. B-000338
Project No. 09-358-316-00

CONTRACT APPROVED: USM Item 1-C, 11/04/09

CONTRACTOR: Forrester Construction Company
Rockville, MD 20852-1792

CONTRACT DESCRIPTION: Construction management services for both pre-construction and construction phases, including actual construction for the renovation of a portion of the first and the entire third floor of Wing 2 to accommodate a total of six new labs, a computer teaching lab, lab prep rooms, and assorted offices. The existing wood frame roof over a segment of the third floor area will be replaced with a new structural steel frame with a built-up roof, the remaining area will be re-roofed. Mechanical, electrical, plumbing systems will be upgraded. The estimated construction cost for this project is \$3.6 million.

MODIFICATION DESCRIPTION: Incorporate the Guaranteed Maximum Price for the renovation. The GMP includes construction service fee, general conditions, and trade packages.

ORIGINAL CONTRACT TERM: Pre-construction Phase: 6½ months phase (11/05/09 – 05/25/10)
Construction Phase: 10 months from notice to proceed.

MODIFICATION TERM: Construction Phase: 10 months from notice to proceed
(06/23/10 – 04/23/11)

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

ITEM: 4-C MOD (continued)

AMOUNT OF ORIGINAL CONTRACT: \$ 21,600
MODIFICATIONS TO DATE \$ 258,392
AMOUNT OF MODIFICATION: \$3,438,138
REVISED CONTRACT AMOUNT: \$3,718,130
ORIGINAL PROCUREMENT METHOD: Task Order under On-Call CM program
MBE PARTICIPATION: 30%

PERFORMANCE SECURITY: Payment and Performance Bonds at 100% of contract amount

REMARKS: The contractor has submitted an acceptable GMP proposal. The University seeks Board approval to incorporate the GMP into the contract and proceed with the project.

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

FUND SOURCES: Plant Funds
APPROP CODE: R30B22
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 10-4582-111

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**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 5-C MOD

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

INSTITUTION: University of Maryland, Baltimore
for University of Maryland Baltimore County

CONTRACT ID: Construction Management at Risk Services for the
New Performing Arts & Humanities Facility at UMBC
RFP 06-960 BS

CONTRACT APPROVED: 02/28/2007 USM BPW Item 8-C
05/05/2010 USM BPW Item 5C

CONTRACTOR: Whiting-Turner Contracting Company

DESCRIPTION: Professional management and construction services during pre-construction and construction of the New Performing Arts & Humanities Facility at UMBC. The project includes the design and construction of a new 167,641 GSF multi-use performing arts and humanities facility and the expansion of the existing UMBC Central Utility Plant. This project will be constructed in two phases.

MODIFICATION DESCRIPTION: Award GMP #2 for Phase I of construction which includes spray installation; metal shingles/wall panels; roofing; caulking; spray fireproofing; traffic coating; furnish doors, frames and hardware; install doors, frames and hardware; overhead doors & shutters; aluminum entrances/storefronts/curtainwall/interior glass; polymer flooring; ceramic tile; carpet/VCT/ rubber; wood floor; painting; theater specialties; loading dock equipment; window treatments; seating; tele/data; security; landscaping and allowances.

MODIFIED CONTRACT TERM: Twenty-four months from construction notice to proceed
(Phase I)

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

ITEM: 5-C MOD (continued)

ORIGINAL CONTRACT AMOUNT: \$596,341 (Phase I pre-construction fees only)
AMOUNT OF MODIFICATION: \$ 8,791,925
PRIOR MODIFICATIONS: \$47,915,788
REVISED TOTAL CONTRACT AMOUNT: \$ 57,304,054
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 25%
PERFORMANCE BOND: 100% performance bond

REMARKS: This is a modification to Whiting-Turner's contract to award GMP #2 for Phase I of construction. The estimated construction cost for Phase I is \$60,200,000. Trade contract awards are based on low bid and MBE participation. There will be a minimum of one additional GMP for this project.

The contract has an MBE goal of 25%. Whiting-Turner has achieved 27.9% MBE for GMP 2. The total MBE achieved for the contract is 29.9%.

FUND SOURCE: MCCBL 2010: *Provide funds to complete design and construct a new performing arts and humanities facility. Item 052*

RESIDENT BUSINESS: Yes.

MD TAX CLEARANCE: 10-4570-1111

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**

CONSTRUCTION CONTRACT OPTION

ITEM: 6-C OPT

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On-Call Design/Build Contracting Services
RFP #85145MM

CONTRACT APPROVED:

USM Item 1-C (6/21/06)

CONTRACTORS:

Plano-Coudon, LLC
2101 Washington Blvd.
Baltimore, MD 21230

John W. Brawner Contracting Co., Inc.
6 North Park Drive
Hunt Valley, MD 21030

North Point Builders, Inc.
4210 North Point Blvd.
Baltimore, MD 21222

Rusky & Company Builders, Inc.
8477 Fort Smallwood Road
Pasadena, MD 21122

CONTRACT DESCRIPTION: On Call Design/Build contracting services for construction projects for the University System of Maryland institutions in the Baltimore region on an as needed "on call" basis.

ORIGINAL CONTRACT TERM: 7/1/2006 – 6/30/2007 (With 4 one-year renewal options)

OPTION TERM: 7/1/2010- 6/30/2011 (4th of four one-year renewal option)

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

ITEM: 6-C OPT (continued)

AMOUNT OF ORIGINAL CONTRACT: \$4,000,000 estimated annually
No single project will exceed \$500,000

AMOUNT OF OPTION: \$4,000,000 estimated annually

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

PERFORMANCE SECURITY: 100% performance bonds required for projects \$100,000 or greater.

REMARKS: This is the final renewal option for on call design/build services. Approval of this option is requested because this contract has been effective in meeting short lead-time projects requiring a quick response. Each contractor has a successful performance track record, including MBE compliance. The hourly rates of the option period remain unchanged from the initial contract rates. The University will be rotating among the awarded Design/Build Contractors commencing with the contractor who achieved the highest total score in this procurement. As projects come up, the work distribution will be handled as follows: The University will commence rotation with the highest awarded firm until \$200,000 in projects is reached or exceeded by a particular project. Once the dollar amount is reached with the on call contractor, the University will contact the next on call contractor on the list with the next project until another \$200,000 in projects is reached or exceeded by a particular project and so on. At the beginning of each renewal year, rotation will commence with the top ranked firm.

FUND SOURCE: Various Institutional Funds

RESIDENT BUSINESSES: Yes

MD TAX CLEARANCE: 10-4522-1111 (Plano-Coudon, LLC)
10-4523-1101 (J.W. Brawner, Inc.)
10-4524-1111 (North Point Builders, Inc.)
10-4525-0111 (Ruskey & Company Builders, Inc.)

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**

AMERICAN RECOVERY AND REINVESTMENT ACT

CONSTRUCTION CONTRACT

ITEM: 7-C

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

INSTITUTION: University of Maryland, Baltimore

CONTRACT ID: On-Call Construction Management at Risk Services for
UMB 7th Floor Bressler Research Building Stimulus
Project-Task Order Proposal #10-357 AF

CONTRACT APPROVED: USM Item 1-C (10/21/09)

CONTRACT DESCRIPTION: On-Call Stimulus Construction Manager to provide professional management and construction services during pre-construction and construction for renovations to the 21,000 gross square foot seventh floor of the Bressler Research Building at the University of Maryland, Baltimore. The principal objective of the renovation is to provide efficient and flexible research, office and conference room space for the School of Medicine.

AWARD: Henry H. Lewis LLC
d/b/a Lewis Contractors
55 Gwynns Mill Court
Owings Mills, MD

CONTRACT TERM: Twelve months from issuance of the design notice to proceed; and, nine months for the construction notice to proceed.

AMOUNT: \$3,750,000

PROCUREMENT METHOD: On-Call CM Task Order Proposals

PROPOSALS:

Lewis Contractors, Owings Mills	\$528,527
Gilbane, Laurel	\$559,393
Turner, Baltimore	\$562,320
Plano-Coudon, Baltimore	\$566,487
Oak Contracting, Baltimore	\$562,320
Whiting-Turner, Baltimore	\$759,397

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

ITEM: 7-C (continued)

MBE PARTICIPATION: 25%

PERFORMANCE BOND: 100% performance bond is required.

REMARKS: The project was competed among the six On Call Stimulus Construction Managers previously approved by BPW. Six proposals were received. The proposals were evaluated based on price which includes preconstruction phase fees, construction phase fees, general conditions and CM contingency. Award of this task order is recommended to Lewis Contractors the low price. If the task order amount needs to be increased or decreased by \$500,000 or more after Board approval, the University will return to the Board for approval to modify the task order.

The estimated construction cost for this project is \$3,750,000 which includes preconstruction fees, construction fees, general conditions, CM contingency and GMPs.

FUND SOURCE: NIH Grant (ARRA Stimulus Funds)

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4565-1011

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: 8-C MOD

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

INSTITUTION: University of Maryland Baltimore for
University of Baltimore

CONTRACT ID: Construction Management at Risk Services
for the University of Baltimore Law School
RFP 07-987 BS

CONTRACT APPROVED: USM Item 1-C (3/18/09)

DESCRIPTION: Professional management and construction services during pre-construction and construction of the University of Baltimore Law School. The project is to create a new 189,700 gross square foot facility in the Mount Royal district to replace the existing law school. The facility will house classrooms, labs, research areas, offices, study rooms, library, law clinics, lounges, meeting room and support facilities based upon space needs and projected enrollment growth.

MODIFICATION DESCRIPTION: Award GMP 1 for earthwork, owner and CM allowances, partial general conditions, partial CM contingency and partial CM fee.

AWARD: Whiting-Turner Contracting Company
300 East Joppa Road
Towson, MD 21286

TERM OF CONTRACT: 43 months from issuance of the Notice to Proceed.

ORIGINAL CONTRACT AMOUNT: \$982,714

MODIFICATION AMOUNT: \$5,703,243

PRIOR MODIFICATIONS: \$0

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 8-C MOD (continued)

REVISED TOTAL CONTRACT AMOUNT: \$6,685,957

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

PERFORMANCE BOND: 100% performance bond is required.

REMARKS: This is a modification to Whiting-Turner's contract to award GMP #1. The initial award was for pre-construction services only. The estimated construction cost for this project is \$84,000,000. The trade contract award for earthwork was based on low bid. Multiple GMP's are anticipated for this project. The contract has an MBE goal of 25%. Whiting-Turner has achieved 16% with this GMP.

FUND SOURCE: MCCBL 2010: Provide funds to construct a new law school building. Item 051

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4566-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

ARCHITECTURE/ENGINEERING SERVICES

ITEM: 9-AE **Agency Contact:** James Salt
301-445-1987
jsalt@usmd.edu
USM Rep: Joe Evans

INSTITUTION: University of Maryland, Baltimore
for Towson University

CONTRACT ID: A/E Services for the Public Safety Building
RFP 2008-40MM

CONTRACT DESCRIPTION: Architectural/engineering services for design and construction of a 2-story building (20,270 gsf) to support current and projected facility needs of the Office of Public Safety, which includes the Towson University Police Department, Electronic Security and Access Control, and Environmental Health and Safety. The project includes development of parking facilities for use of the Department of Public Safety and Facilities Management Department.

AWARD: Grimm + Parker Architects
11720 Beltsville Drive
Calverton, MD 20705

TERM OF CONTRACT: Twenty-four months from notice to proceed

AMOUNT: \$ 662,200.00

PROCUREMENT METHOD: USM Policies & Procedures for A/E Procurements

PROPOSALS:	<u>Ranking</u>	<u>Technical Score</u>
Grimm + Parker Architects Calverton, MD	1	85%
CS&D Baltimore, MD	2	84%
Whitman Requardt & Associates Baltimore, MD	3	82%
Marshall Craft Associates Baltimore, MD	4	82%

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

ITEM: 9-AE (continued)

MBE PARTICIPATION: 19.3%

PERFORMANCE SECURITY: Not Required

REMARKS: The solicitation was advertised in *eMaryland Market Place* and UMB Procurement Services eBid Board. Twenty firms responded to the solicitation. After review, the Qualification Committee recommended four firms as potentially eligible to provide the required services based upon the firm's qualifications. Oral presentations were conducted with these four firms and the Qualification Committee recommended the firm of Grimm + Parker Architects as the most qualified firm. The Grimm + Parker team demonstrated extensive relevant experience on public safety facilities and experience in higher education settings. Grimm + Parker is an integrated firm with expertise in LEED, and commitment to designing sustainable projects. Negotiations were conducted with the recommended firm. The price proposal derived was the result of a negotiated agreement with the University's Qualification Committee. The AE selection process inclusive of the fee negotiations was reviewed and approved by the University's Executive Review Group, which includes a public member. Approval is requested for all six design phases (Schematics through Post Construction).

FUND SOURCE: Plant Funds

APPROP. CODE: R30B21

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4351-0111

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 OPTION

ITEM: 10-C OPT

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

INSTITUTION: University of Maryland, Baltimore

CONTRACT ID: On-Call General Contracting Services
RFP #85963MM

CONTRACT APPROVED: 6/17/09 USM BPW Agenda Item 2-C.

CONTRACTORS: Emjay Engineering & Construction Co., Inc.
1706 Whitehead Road
Baltimore, MD 21207

Jeffrey Brown Contracting, LLC
400 E. Joppa Road, Suite 400
Towson, MD 21286

John W. Brawner Contracting Company, Inc.
6 North Park Drive, Suite 106
Hunt Valley, MD 21030

Hayes Construction Company
14307 Jarrettsville Pike
Phoenix, MD 21131

Plano-Coudon, LLC
2101 Washington Blvd.
Baltimore, MD 21230

North Point Builders, Inc.
4210 North Point Blvd.
Baltimore, MD 21222

Waverly Construction & Management Company, Inc.
1515 Sulphur Spring Road
Baltimore, MD 21227

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

ITEM: 10-C OPT (continued)

CONTRACT DESCRIPTION: On Call General Contracting services for construction projects for the University System of Maryland institutions in the Baltimore region on an as needed "on call" basis.

ORIGINAL CONTRACT TERM: 7/1/2009 – 6/30/2010 (with 4 one-year renewal options)

OPTION TERM: 7/1/2010 – 6/30/2011 (1st of four one-year renewal options)

AMOUNT OF ORIGINAL CONTRACT: \$7,000,000 estimated annually
No single project will exceed \$1,000,000

AMOUNT OF OPTION: \$7,000,000 estimated annually

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: 100% performance bond required if project \$100,000 or greater.

REMARKS: This renewal is the first renewal option for on call general contracting services. Approval of this option is requested because this contract has been effective in meeting short lead-time projects requiring a quick response. Each contractor has a successful performance track record, including MBE compliance. As projects arise, the University will may choose to rotate projects less than \$25,000 and will compete each project greater than \$25,000 among the seven awarded on-call general contracting firms. These firms will be required to utilize the fixed hourly rates as well as material mark-up, sub-contractor mark-up, and equipment rental mark-up they quoted as part of this procurement for the term of the contract. Hourly rates may increase in the renewal option terms based upon federal minimum wage increases and/or increases in the Consumer Price Index. The percentage mark-up for material, subcontractors, and equipment rental will remain the same in the renewal option terms.

FUND SOURCE: Various Institutional Funds

RESIDENT BUSINESSES: Yes

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

ITEM: 10-C OPT (continued)

MD TAX CLEARANCE:

- 10-4526-1111 Emjay Engineering & Construction
- 10-4527-0111 Jeffrey Brown Contracting
- 10-4523-1101 John W. Brawner Contracting
- 10-4528-1111 Hayes Construction
- 10-4522-1111 Plano-Coudon
- 10-4524-1111 North Point Builders
- 10-4567-1111 Waverly Construction & Management

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

ITEM: 11-C

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

INSTITUTION: University of Maryland, Baltimore
for Coppin State University

CONTRACT ID: Construction Management at Risk Services
for the Science and Technology Center
at Coppin State University

CONTRACT DESCRIPTION: Professional management and construction services during pre-construction and construction of the new Coppin State University Science & Technology Center. The 134,882 gsf building will house the Mathematics, Computer Science, and Natural Science departments; consolidate the Information Technology Division, and provide a campus data center as well as provide classrooms, specialized laboratories, and offices.

AWARD: Barton Malow
971 Corporate Boulevard, Linthicum

CONTRACT TERM: Twenty-seven months from pre-construction notice-to-proceed; and twenty-four months from construction Notice-to-Proceed.

AMOUNT: \$495,000

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:	<u>Technical Score</u>	<u>Price Score</u>	<u>Total Score</u>	<u>Price</u>
Barton Malow, Linthicum, MD	60	40	100	\$7,529,068
Gilbane, Baltimore, MD	56.62	39.81	96.42	\$7,565,598
Skanska, Baltimore, MD	56.32	37.81	94.13	\$7,966,188
Whiting Turner, Baltimore, MD	55.29	39.56	94.85	\$7,613,685
Turner Construction, Baltimore, MD	54.95	34.42	89.37	\$8,748,617

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

ITEM: 11-C (cont.)

MBE PARTICIPATION: 25%

PERFORMANCE BOND: 100% performance bond is required.

REMARKS: The solicitation was advertised in *eMaryland Marketplace* and distributed to the Office of Minority Affairs and to MBE associations. Nine proposals were received. These proposals were evaluated by a University evaluation committee. Five of the nine proposers achieved the required, minimum technical score and were invited to give oral presentations. All five firms were requested to submit a price proposal. Award is recommended to Barton Malow Construction Services, the highest rated firm for technical and for price. Barton Malow demonstrated a strong project team, a depth of experience with similar projects, and thorough understanding of the CSU Science and Technology project.

The estimated construction cost for this project is \$72,700,000. This Item recommends award for pre-construction services only. If the University and the Contractor agree to a Guaranteed Maximum Price for construction, the University will return to the Board with a recommendation to modify the contract to include the actual construction costs, which includes the CM's construction services fee.

FUND SOURCE: MCCBL 09: *Provide funds for site acquisition and preliminary design for the New Science and technology Center. Item 058*

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4406-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 12-GM

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

INSTITUTION:

Towson University

DESCRIPTION:

Uninterruptable Power Supply Devices for Liberal Arts (CLA)
Phase 1

AWARD:

Power Systems Engineering
Crestwood, IL 60445-4304

AMOUNT:

\$48,000.00

PROCUREMENT METHOD:

Competitive Sealed Bids

REMARKS:

Provide, deliver, install and configure uninterruptable power supply devices for CLA Building Phase 1.

REMARKS: In accordance with State Finance and Procurement Article Section 8-301, Annotated Code of Maryland, the Board of Public Works must approve the use of General Obligation Bond funding for this contract.

FUND SOURCE: MCCBL of 2008: *Provide funds to equip Phase I and to design Phase II of the new College of Liberal Arts Complex.* Item 044

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

ITEM: 13-C

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

INSTITUTION: Bowie State University

CONTRACT ID: Furnish and Install Synthetic Turf Field
CPA 2010-01

CONTRACT DESCRIPTION: Labor, material, equipment, supervision and other resources as required to remove the existing Bowie State University grass football field and replace with a newly manufactured Field Turf Duraspine 2.5" Monofilament Series Turf Field.

AWARD: Atlas Tracks, Inc.
Tualatin, OR 97062

TERM: 60 calendar days (6/24/10 -8/25/10)

AMOUNT: \$978,315.22

PROCUREMENT METHOD: Cooperative Purchasing Agreement:
Pennsylvania Education Joint Purchasing Council

MBE PARTICIPATION: 32%

PERFORMANCE SECURITY: Payment and Performance bonds equal to contract amount.

REMARKS: The University's grass field would need major repair to bring the playing surface up to minimal acceptable standards. It is estimated that the cost of the repairs would exceed \$100,000. The University believes that the best solution is to replace the grass field with a synthetic turf field. The University has chosen an intergovernmental cooperative purchasing agreement as the procurement method because it is the most efficient means to have the field completely installed and ready for play by the first home football game on September 21, 2010. The Pennsylvania Education Joint Purchasing Council contract was bid nationally and awarded solely to Atlas Tracks, Inc. The field that the University has selected is the same synthetic turf that is currently installed in 21 of the thirty-32 National Football League stadiums.

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

ITEM: 13-C (continued)

FUND SOURCE: MCCBL 2010: *Provide funds to design and construct a new turf field.* Item 047

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4538-1001

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: 14-C MOD

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

DEPARTMENT: University of Maryland, Baltimore County

CONTRACT ID: Design Build Contractor for the Patapsco Hall
Addition Project at UMBC
RFP #BC-20632-T
Contract # C-0932

CONTRACT APPROVED: USM Item 4-C (01/06/10)

CONTRACTOR: KBE Building Corporation
Columbia, MD

DESCRIPTION: Design, manage, and construct an addition to Patapsco Residential Hall for the fall 2011 semester and associated renovation work.

MODIFICATION DESCRIPTION: Award GMP #1 for trade work on the bathroom renovation and elevator addition work in the residence hall as well as the contractor's fee, general conditions and contingency. The trade work includes conveying systems with the associated site work, mechanical, electrical, concrete, masonry, curtain wall, and structural steel as well as the interior finish trades, toilet specialties and plumbing.

ORIGINAL CONTRACT TERM: January 11, 2010 through October 21, 2011

MODIFIED CONTRACT TERM: June 24, 2010 through August 1, 2011

ORIGINAL CONTRACT AMOUNT: \$1,030,048 (pre-construction costs only)

MODIFICATION AMOUNT: \$3,316,550

PRIOR MODIFICATIONS: None

TOTAL CONTRACT AMOUNT: \$4,346,598

MBE PARTICIPATION: 25%

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

ITEM: 14-C MOD (continued)

PERFORMANCE BOND: 100% performance bond is required.

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REMARKS: The trade contractor award is based on low responsive bid and MBE participation. The University anticipates submitting three additional GMPs for approval.

The estimated design and construction cost for this project is \$14,840,000. The contract has an MBE goal of 25%. This GMP represents MBE participation of 20%. The remainder of the MBE will be achieved through the additional GMPs.

FUND SOURCES: USM Academic/Auxiliary Facility Revenue Bonds (\$569,952)
Plant Funds (\$2,746,598)

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-3210-1111

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: Joe Evans

REAL PROPERTY: Acquisition by Purchase

ITEM: 15-RP

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center

PROPERTY: 1738 Thomas Avenue, Baltimore

GRANTOR: Alexander Wilkes and Rhonda Turner Wilkes

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

APPRAISED VALUE: Barry Woodley \$98,500.00
Michael Wilson \$135,000.00

FUND SOURCE: MCCBL 2008: *Provide funds to acquire a site for the Science and Technology Centers. (Item 047)*

PRICE: Acquisition: \$ 125,000.00
Relocation: \$ 170,000.00 *
Ground Rent: \$ 1,000.00 **
Total: \$ 296,000.00

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

**The owner will receive relocation assistance

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: Joe Evans

REAL PROPERTY: Acquisition by Purchase

ITEM: 16-RP

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center

PROPERTY: 1736 Thomas Avenue, Baltimore

GRANTOR: Winston Burton

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

APPRAISED VALUE:

Gregory Jones	\$78,500.00
Calvin Thomas	\$82,900.00

FUND SOURCE: MCCBL 2008: *Provide funds to acquire a site for the Science and Technology Centers.* (Item 047)

PRICE:

Acquisition:	\$ 80,000.00
Relocation:	\$ 52,500.00 *
Ground Rent:	\$ 1,500.00 **
Total:	\$ 134,400.00

*In addition, to obtain fee simple title to the property, the underlying ground rent will be redeemed.
**The owner will receive relocation assistance

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

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

ITEM: 2-IT

Agency Contact:

John Salmon (410) 260-7634
jsalmon@comp.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Comptroller
Information Technology Division

CONTRACT ID:

Mainframe Software Maintenance & Support
SS-10-08
ADPICS No. E00B0400066

CONTRACT DESCRIPTION: Continued maintenance of and technical support for numerous mainframe software products installed on the ADC's IBM z890 mainframe.

AWARD:

Compuware Corporation
Detroit, MI

TERM:

06/30/10 - 06/29/15

AMOUNT:

\$2,210,275

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None

PERFORMANCE SECURITY:

None

INCUMBENT:

Same

REQUESTING AGENCY REMARKS: The software products licensed from Compuware represent the operational basis of the ADC's mainframe system. Because of the proprietary nature of the software meaning that technical support is available only from it, there are no for sub-contracting opportunities.

FUND SOURCE:

100% Reimbursable (User Agencies)

APPROP. CODE:

E00A1001

RESIDENT BUSINESS:

N/A

MD TAX CLEARANCE:

10-3909-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

203

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

ITEM: 3-IT

Agency Contact:

Nancy Hevey (410) 234-3819
heveyn@mdmildep.org
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/ PROGRAM:

Military Department
Maryland Emergency Management Agency
Communications Division

CONTRACT ID:

Mapping Data Integration Services
GIS-MIL-MEMA-10
ADPICS No. D50B0400007

CONTRACT DESCRIPTION: RETROACTIVE: Provide ADC mapping data and related integration services to for comprehensive mapping information. The data provides mapping capability to improve local, regional, and Statewide response to toxic releases, storms, and other emergencies.

AWARD:

GIS Integrated Solutions, LLC.
Baltimore, MD

TERM:

11/01/2009 - 10/31/2014

PROCUREMENT METHOD:

Sole-Source

PERFORMANCE BOND:

None

INCUMBENT:

Same

AMOUNTS:

\$165,000 Est. (1 Year)
\$165,000 Est. (2 Year.)
\$165,000 Est. (3 Year.)
\$165,000 Est. (4 Year.)
\$165,000 Est. (5 Year.)
\$825,000 Est. Total (5 Years)

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

ITEM: 3-IT(cont.)

REQUESTING AGENCY REMARKS: The Board of Public Works approved the original contract on October 31, 2007 (DBM Item 5-IT). Due to personnel changes, the Military Department did not exercise the last one year renewal option (9-1-2009 to 10-31-2010) but continued to use the expired contract. In consideration of a five-year term going forward, the contractor reduced its annual price by \$10,000 per year for the five-year contract period.

This software license will provide unlimited digital access and unlimited desktop application to ADC mapping for the Maryland State Plane NAD83m. This information will allow MEMA managers to more accurately determine the location of the threatening event and expedite the arrival of first responders to the emergency.

Emergency responders have used the ADC map books for years. The ADC product is easy to use because the alphabetical indexing of streets, hospitals, schools and landmarks helps to pinpoint locations with quick reference alpha numeric grid mark codes. Through access to the digital maps, the emergency managers can provide the required code to the emergency responders via wireless email or phone lines. By offering the ADC digital maps, any local or State agency can view the entire State at the ADC map detail. Every county map book and every page in every book is stitched together into a single digital map. By using their computer, responders can zoom into an area and pan across jurisdiction boundaries without having to look up on the index for the correct page number and grid square. Finally, many 9-1-1 dispatchers transmit the ADC map coordinates along with the street address. This assists responders in locating incidents quickly.

The sole source contracting method was chosen because GIS Integrated Solutions, LLC is the single authorized reseller of the ADC maps in digital format.

FUND SOURCE: 100% Fed. (State Homeland Security Grant Program - SHSGP II)

APPROP. CODE: D50H01

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-1893-1101

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 4-IT

Agency Contact: Albert Annan
410-767-0114
aannan@msde.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Education

CONTRACT ID: E-learning Solutions
ADPICS No. R00B0400049

CONTRACT DESCRIPTION: Yearly subscription to software system that enables the Maryland Virtual Learning Opportunities program to offer on-line courses for students and educators in Maryland schools.

AWARD: D2L Ltd., a subsidiary of Desire2Learn Inc.
Baltimore, MD 21202

TERM: 7/1/2010 – 6/30/2011

AMOUNT: \$185,140 (1 Year)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

INCUMBENT: Same

REMARKS: Maryland Virtual Learning Opportunities is an agency of MSDE responsible for providing students and educators the ability to enhance the education experience through high quality, web-delivered courses and instructional support. This contract will enable MVLO to use D2L software to provide on-line student courses, high school assessment resources and professional development for students and teachers in Maryland schools.

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

ITEM: 4-IT (Cont.)

The Southern Regional Education Board is a non-profit, nonpartisan organization that works with leaders and policy makers in its 16 member states (Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia) to advance pre-K through post-secondary education and improve the social and economic life in the member states. SREB programs include:

- The largest school improvement network, *High Schools That Work* and *Making Middle Grades Work*
- The first fully integrated Web site for e-learners and adult learners
- The largest educational technology collaborative of state K-12 and postsecondary agencies
- The only regional council on collegiate nursing education, and many other innovative initiatives to help member states lead the nation in educational progress

In 2006, the Southern Regional Education Board competitively selected the D2L software for offering on-line courses as the standard software for use by its member states. As a SREB member, MSDE was represented on the multi-state evaluation team that selected D2L software as the standard bearer. The D2L software's salient features include tracking of user progress and communications tools that allow students and teachers to be geographically separated. Use of any other e-learning software will not only compromise the standards maintained by the SREB, but also may not guarantee the lower price enjoyed by member states due to the volume discount provided by the SREB contract with D2L. Due to the proprietary nature of the services to be provided there are no subcontracting opportunities.

FUND SOURCE: 14% Federal
86% Special

APPROP. CODE: R00M0081/\$25,000.00
R00K6101/\$69,000.00
R00K60M9/\$91,140.00

RESIDENT BUSINESS: Yes

MARYLAND TAX CLEARANCE: 10-4121-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 5-IT Agency Contact:
Thomas Booker (410) 767-6578
tbooker@dhhm.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene
Mental Hygiene Administration

CONTRACT ID: DHMH/OPASS 11-10419
ADPICS BPO No. M00B1400009

CONTRACT DESCRIPTION: Maintenance for the pharmacy tracking and drug interaction software modules of the Hospital Management Information System.

AWARD: Netsmart Technologies, Inc.
Great River, NY

TERM: 7/21/2010 – 7/20/2011

AMOUNT: \$181,740

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0%

PERFORMANCE SECURITY: No

INCUMBENT: Same

REQUESTING AGENCY REMARKS: The current MHA Pharmacy Tracking System (PTS) has been operational for over ten years. This code is needed to repair any problem that the system might experience. A breakdown of the PTS module could have major negative consequences for patient safety because one of the key functions provided is a function that electronically checks drug-to-drug interaction. Moreover, the Joint Commission requires electronic drug-to-drug interaction checking to maintain hospital accreditation. Loss of accreditation could lead to a loss of revenues from Medicare and Medicaid.

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

ITEM: 5-IT (Cont.)

REQUESTING AGENCY REMARKS: (cont'd)

AIMS/Netsmart is the application software developer and owns the source codes. Maintenance services provided by Netsmart have been responsive in terms of timeliness and knowledge of the software. Its support has been established in keeping the PTS module operational for daily drug dispensing and allowing DHMH to access pharmacy data files for reporting purposes and resolving user operation issues.

Due to proprietary nature of the services, there are no subcontracting opportunities.

In FY2009, an RFP was issued to replace the existing HMIS Census, Billing and Pharmacy modules with a more modern system that would include an Electronic Medical Record module. However, that procurement was not funded so the legacy HMIS system will continue to be used.

FUND SOURCE: 100% Gen.

APPROP. CODE: M00L0101

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4018-0010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 6-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: Information Technology

CONTRACT ID: PBX Equipment, Software, Services and
Maintenance
050B5800073
ADPICS No. 060B1400047

CONTRACT APPROVED: 3/2/2005 BPW Agenda Item 6-IT

CONTRACTOR: Verizon Select Services, Inc.
Atlanta, GA
(local office in Linthicum Heights, MD)

CONTRACT DESCRIPTION: Provide State agencies with equipment, software, services and maintenance to support their current networked NEC-brand phone systems and peripherals such as video conferencing equipment, security systems, voice mail, etc.

MODIFICATION DESCRIPTION: Extend contract term for one-year (both option terms have been previously exercised).

ORIGINAL CONTRACT TERM: 3/17/2005 – 6/30/2008 (w/2 one-year
renewal options)

MODIFICATION TERM: 7/1/2010 – 6/30/2011

AMOUNT OF ORIGINAL CONTRACT: \$30,000,000

AMOUNT OF MODIFICATION: \$10,000,000

PRIOR MODIFICATIONS/OPTIONS: \$22,750,000 (see page 11D)

REVISED TOTAL CONTRACT AMOUNT: \$62,750,000

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

ITEM: 6-IT-MOD (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 35%

REQUESTING AGENCY REMARKS: This contract provides State agency and participating local government agencies with a procurement vehicle to purchase the following equipment and services:

- Telephone equipment, software, and services for upgrades and/or additions to their existing networked NEC brand PBX telephone systems
- Maintenance for existing networked NEC brand PBX telephone systems and peripherals, including any upgrades and/or additions
- Engineering solutions support
- Video conferencing equipment
- Security system equipment
- Voice mail equipment
- Interactive voice response equipment
- Automatic call distributor equipment
- Monitor, manage, administer and report on their NEC brand PBX telephone systems
- Support for special projects that impact the PBX networks

Verizon Select Services has continued to provide reliable customer service throughout the term of the contract. The contract is widely used by State and local agencies. During the extended term, DoIT will process a procurement for a replacement contract.

FUND SOURCE: Various

APPROP. CODE: Various

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1667-1001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT 1

PRIOR MODIFICATIONS/OPTIONS:

Mod. #1	\$ 2,550,000	Modification of the contract to extend the termination date of the base term of the contract by about three and one-half months to align with the billing process established for the contract. DBM/BPW Agenda 10/1/2008; Item 6-IT-MOD.
Opt. #1	<u>\$10,200,000</u>	Exercised the option for the period 7/1/2008 through 6/30/2009. DBM/BPW Agenda 2/27/2008; Item 9-IT-MOD.
Opt. #2	<u>\$10,000,000</u>	Exercised the option for the period 7/1/2009 through 6/30/2010. DBM/BPW Agenda 6/17/09; Item 6-IT-MOD.
	\$22,750,000	Grand Total

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

ITEM: 7-IT-MOD

Agency Contact:

R. Dean Kenderdine (410) 625-5600
dkenderdine@sra.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

State Retirement Agency

CONTRACT ID:

Maryland Pension Administration System,
Step One: Modernizing Legacy Technology
(MPAS-1 Project)
ADPICS No: COD14061

CONTRACT APPROVED:

06/21/2006 DBM/BPW Item 14-IT

CONTRACTOR:

Saber Software, Inc.
Vancouver, WA

CONTRACT DESCRIPTION: Provide goods and services needed to define, design, develop, test, implement and support Step One of the Maryland Pension Administration System (MPAS-1 Project). The project goal is to recreate the Legacy Pension System (LPS) in an agile architecture through a reverse-engineering process.

MODIFICATION DESCRIPTION: This **RETROACTIVE CONTRACT AMENDMENT** will add \$424,466.13 to the contract amount and ratify 148 change requests that the Retirement Agency's Change Control Board approved between May 2009 and May 2010. These change requests were needed to synchronize MPAS-1 with LPS, as LPS has been modified during the development of MPAS-1, and were required to complete the MPAS-1 project expected to go live in July 2010. All funding for these change orders comes from the appropriated Contingency Reserve for the MPAS-1 project and is accommodated within the MPAS-1 project budget.

ORIGINAL CONTRACT TERM: 6/21/2006 – 8/20/2010 (50 months)

MODIFICATION TERM: Unchanged

AMOUNT OF ORIGINAL CONTRACT: \$10,209,273

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

ITEM: 7-IT-MOD (Cont.)

AMOUNT OF MODIFICATION: \$424,466.13
PRIOR MODIFICATIONS/OPTIONS: \$5,058,114
REVISED TOTAL CONTRACT AMOUNT: \$15,691,853.13
PERCENT +/- (THIS MODIFICATION): 4.2%
OVERALL PERCENT +/-: 53.7%
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 12.13%

REQUESTING AGENCY REMARKS: Since development of MPAS is in the final rounds of testing, it is not practical to competitively bid modifications to the system, nor could the agency hold Saber accountable for ultimate delivery if another party modified system software. Additions to scope primarily derive from changes required to be implemented in the Legacy Pension System, including changes in federal and State law, reporting requirements, and tax rates along with pension plan changes, which must be matched by the MPAS contractor. To complete the MPAS-1 project on schedule, the contractor has completed much of the work, which in turn has been incorporated into the Retirement Agency's regression and parallel testing of the new MPAS application before the anticipated go-live date.

FUND SOURCE: 100% Special (Pension Trust Fund)
APPROP. CODE: G20J01.02
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 10-4475-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 7-IT-MOD (Cont.)**ATTACHMENT 1**

Mod. #1 \$ 5,058,114 DBM/BPW Agenda 5/20/2009; Item 7-IT-MOD
Implements the agreement between the Retirement Agency and Saber Solutions, Inc. that: (1) settles and waives claims for certain changes and work done and for delay; (2) extends the contract term by 24 months, with a revised contract completion date of September 10, 2012; and (3) compensates Saber Solutions, Inc. for a number of approved change orders.

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

ITEM: 8-IT

Agency Contact: Robert Howells (410) 230-8789
rhowells@msla.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Maryland State Lottery Commission

CONTRACT ID: Video Lottery Terminals and Related Services Master
Contract 2009-12
ADPICS No. E75B0400016

CONTRACT APPROVED: DoIT Agenda 2-IT (April 7, 2010)

CONTRACT DESCRIPTION: Multiple-award master contracts with Video Lottery Terminal manufacturers to lease or purchase, install, implement, support and maintain VLTs at the facilities specified in the VLT Law.

TASK ORDER DESCRIPTION: Purchase and maintenance of 438 VLTs which represents the balance of the initial order for the Cecil County facility (Penn National Hollywood Casino, Perryville). The Board of Public Works earlier approved the purchase/lease and maintenance of 1,062 VLTs for the Cecil County facility as Item 5-IT (6/9/10).

PROCUREMENT METHOD: Task Order under Master Contracts

AWARD: Spielo Manufacturing, ULC

TERM: 6/24/2010 – 3/31/2015

AMOUNT: \$15,867,764

Total Purchase Amount	\$10,359,492
Total Maintenance (5 years)	\$5,508,272
<u>Total Amount</u>	<u>\$15,867,764</u>

Average purchase amount per VLT	\$23,652
Average maintenance amount per VLT per year for 5 years	\$2,515

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

ITEM: 8-IT (cont'd)

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: Yes

REMARKS: Reference is made to DoIT Item 2-IT (April 7, 2010) in which the Board of Public Works approved contracts with VLT manufacturers for the lease or purchase of VLTs at the various VLT facilities in Maryland as required by law. The Board required the Lottery to "return to the Board for approval of the initial order of VLT equipment/services for each facility opening."

The Cecil County/Penn National Facility operator and the Lottery Commission selected specific types of VLTs that are needed to open the facility from the list of approved master contractors. This order is in addition to the order previously approved (Item 5-IT [6/9/10]) and will complete the initial order of VLTs for this facility. The Lottery is purchasing all VLTs in this lot. All are new with a 90-day warranty.

The award amount is based upon the number of VLTs to be acquired; the method of acquisition (purchase); and the charges for maintenance and related services over the contract term.

FUND SOURCE: 100% Special (VLT Proceeds) and General

APPROP. CODE: E75D0002

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-3593-0000

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

APPROVED *

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

* - ITEM APPROVED 2-1. COMPTROLLER FRANCHOT VOTED "NO".

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION RELATED SERVICE

ITEM: 1-CS

STATE HIGHWAY ADMINISTRATION

CONTRACT NO. & TITLE: ASE2010-CRS
Automated Speed Enforcement & Monitoring Systems in
Construction Work Zones – Statewide
ADPICS NO. ASE2010-CRS

CONTRACT DESCRIPTION: State Highway Administration (SHA), Maryland State Police and the Maryland Transportation Authority Police are seeking a Contractor to provide automated speed enforcement (ASE) equipment, data collection services, citation processing, and payment processing for work zones located on limited access highways throughout Maryland utilizing vehicle speed monitoring and imaging equipment. The purpose of the project is to increase the safety of the traveling public and construction personnel in work zones by increasing public awareness and citing drivers exceeding posted work zone speed limits. Authority for this project was granted pursuant to Maryland Senate Bill 277 “Vehicle Laws - Speed Monitoring Systems - Statewide Authorization and Use in Highway Work Zones”, which was approved by the Governor and signed into law May 19, 2009.

AWARD: ACS State & Local Solutions Inc.
Germantown, MD

TERM OF CONTRACT: July 1, 2010 thru June 30, 2012
(with three (3) one (1) year options)

AMOUNT: \$8,049,600.00 NTE (initial term)
\$4,145,544.00 NTE (Renewal Option #1)
\$4,269,910.00 NTE (Renewal Option #2)
\$4,398,008.00 NTE (Renewal Option #3)
\$20,863,062.00 NTE (aggregate value including Renewal
Options)

PROCUREMENT METHOD: **Competitive Sealed Proposal**
(One Proposal Received)

MBE PARTICIPATION: 18%

REMARKS: Prior to a formal solicitation for Automated Speed Enforcement Services, SHA allowed vendors to demonstrate their equipment and capabilities to address speed enforcement. Six (6) vendors participated and provided demonstrations. The project was then advertised on eMaryland Marketplace. Five (5) vendors attended the preproposal conference. Only one (1) firm submitted a proposal in response to the formal Request for Proposal. SHA contacted the firms that participated in the demonstration to inquire as to why they did not submit proposals.

The responses are as follows:

1. Redflex Traffic Systems, Inc. - could not meet the legislative statute, which requires a work zone speed control system operator.
2. American Traffic Solutions, Inc. - declined by memo stating that the firm did not have resources due to other commitments.
3. Lasercraft, Inc. - could not meet the 60 day delivery specifications.
4. Optoraffic - could not meet the legislative statute, which requires a work zone speed control system operator.
5. Traffipax, Inc. – the firm is discontinuing its US operations

Based on the above information, SHA determined that other vendors did have a reasonable opportunity to respond and therefore proceeded with the evaluation of the single proposal submitted ACS.

The proposal was evaluated by a Technical Review Evaluation Team comprised of personnel from SHA, Maryland Transportation Authority Police and Maryland State Police, all of which are stakeholders in the project.

Based on the combination of a Technical Ranking of “Good” and a price that is considered fair and reasonable, SHA has determined that the single proposal submitted by ACS is overall advantageous to the State. SHA is recommending the award to ACS State & Local Solutions, Inc. for the initial two (2) year duration, for an amount not to exceed \$8,049,600, with costs for option year #1 not to exceed \$4,145,544, option year #2 not to exceed \$4,269,910 and for the final option year #3 not to exceed \$4,398,008. The total cost for the five year contract would not exceed \$20,863,062. It is understood that all costs for the option years will require separate individual BPW approvals.

The MBE Goal established for this contract was 15%, however the contractor will be exceeding the goal by 3.35%.

FUND SOURCE: Federal Funds and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 10-4672-1111

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 06/23/10

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 2-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: Blizzard February 2010

CONTRACT DESCRIPTION: Emergency Awards for Rental of Heavy Equipment with Operators during “State of Emergency” (2010 Blizzard).

NATURE OF REQUEST: Request to ratify five (5) emergency contracts awarded by SHA during the February 2010 blizzard State Finance and Procurement Article 11-204(c).

AWARD:

Butler Company Windsor, CT	\$238,910.00
Scott Lawn Yard, Inc. Sanborn, NY	\$557,850.00
Empire Landscaping Amherst, NY	\$215,214.64
David Bennett E. Templeton, MA	\$92,100.00
CSB Contractors Inc. Stony Point, NY	\$351,300.00

AMOUNT: \$1,455,374.64 (Total for all awards)

TERM OF CONTRACT: February 6, 2010 thru February 28, 2010

PROCUREMENT METHOD: **Emergency**

MBE PARTICIPATION: 0% (Emergency contracts for single element of work)

PERFORMANCE SECURITY: None

REMARKS: During sequential snowstorms and sustained blizzard conditions that created a “State of Emergency” in February 2010, it was determined that the State Highway Administration (SHA) and assisting agencies did not have the necessary haulers, heavy equipment and operators to respond to this historic storm. In fact, it became apparent that SHA was in need of heavy equipment of a size that is very uncommon in Maryland. In accordance with the Code of Maryland Regulations (COMAR) Title 21, Section 21.05.06 it was determined that this need for truckers, heavy equipment and operators constituted an emergency situation wherein work was necessary to “...avoid or to mitigate serious damage to public health, safety, and welfare...”

ITEM: 2-M (Continued)

BPW – 06/23/10

Basis for Selection: To respond to this emergency, the Maryland Emergency Management Agency (MEMA) identified vendors known to have significant quantities of equipment capable of meeting the State’s immediate needs. Many of the identified vendors were contracted by SHA to perform various activities such as transporting salt and clearing snow and debris from roadways. The vendors were reimbursed in accordance with prices that were determined to be fair and reasonable.

Due to the need to immediately respond to the situation, SHA awarded emergency contracts that were compliant with State Procurement Laws except for the requirement that contractors be registered to do business in the State of Maryland. Since these out of state vendors do not typically do business with the Maryland, the above listed contractors are not willing to now absorb the cost associated to with registering.

In accordance with the provisions set forth in State Finance and Procurement Article 11-204(c), SHA is requesting that the Board of Public Works ratify these contracts.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: N/A

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

APPROVED **DISAPPROVED** **DEFERRED** **WITHDRAWN**

WITH DISCUSSION **WITHOUT DISCUSSION**

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 3-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 477D71412
Install, Repair or Replace Traffic Barrier at Various Locations in Carroll, Frederick & Howard Counties (District 7)
ADPICS NO. 477D71412

CONTRACT DESCRIPTION: This Contract consists of installing, repairing and/or replacing traffic barrier at various locations in District 7.

AWARD: Penn Line Service, Inc.
Scottsdale, PA

AMOUNT: \$2,348,444.65 NTE

TERM OF CONTRACT: July 1, 2010 through June 30, 2012

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Penn Line Service, Inc. \$2,348,444.65
Scottsdale, PA

L. S. Lee, Inc. \$2,795,000.00
York, PA

Guardrails Etc, Inc. \$3,229,160.00
Baltimore, MD

MBE PARTICIPATION: 0% (single element of work)

PERFORMANCE SECURITY: Payment and 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 twenty (220) contractors were notified for this project on eMaryland Marketplace; Thirty four (34) of which were MDOT certified MBE's.

ITEM: 3-M (Continued)

BPW – 6/23/10

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: No

MD TAX CLEARANCE: 10-4539-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 4-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 581D71412
Repair of Sinkhole Areas by Grouting at Various Locations
in Carroll, Frederick & Howard Counties (District 7)
ADPICS NO. 581D71412

CONTRACT DESCRIPTION: This Contract consists of repairing sinkhole areas by grouting at various locations in District 7.

AWARD: Concrete Protection & Restoration, Inc.
Baltimore, MD

AMOUNT: \$827,550.00 NTE

TERM OF CONTRACT: July 1, 2010 through June 30, 2012

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Concrete Protection & Restoration, Inc. \$827,550.00
Baltimore, MD

MS Lumbee Contractors, LLC \$832,000.00
Baltimore, MD

Superior Grouting Services, Inc. \$893,350.00
Bladensburg, MD

Allied Contractors, Inc. \$1,013,550.00
Baltimore, MD

Coastal Drilling East, LLC \$1,070,300.00
Morgantown, WV

MBE PARTICIPATION: 0% (no subcontractable opportunities available)

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

ITEM: 4-M (Continued)

BPW – 6/23/10

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Three hundred twenty two (322) contractors were notified for this project on eMaryland Marketplace; Seventy nine (79) 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: 10-4541-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW -- 06/23/10

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Maintenance)

ITEM: 5-M-MOD

STATE HIGHWAY ADMINISTRATION

ORIGINAL CONTRACT NO. & TITLE: 4592131412
MD 100 Asset Management Contract in Howard
and Anne Arundel Counties
ADPICS NO. CO258201

ORIGINAL CONTRACT APPROVED: Item 7-M; DOT Agenda 6/6/07

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Bidding**

CONTRACTOR: VMS, Inc., d/b/a
Transfield Services North America,
Transportation Infrastructure
Richmond, VA

MODIFICATION: Modification No. 1 provides for a reduction of the scope of work on MD 100 from US 29 in Howard County to MD 177 in Anne Arundel County (including all ramps). This reduction will result in a corresponding reduction in the Contract Amount.

ORIGINAL TERM: 7/1/07 – 12/31/12

AMOUNT: (\$214,000.00) CREDIT

ORIGINAL CONTRACT AMOUNT: \$4,849,000.00

REVISED CONTRACT AMOUNT: \$4,635,000.00

PERCENTAGE DECREASE: 4.41%

ORIGINAL MBE PARTICIPATION: 20%

REMARKS: It is in the best interest of the State to modify the contract to allow for a reduction in the original scope of work related to landscaping, litter pick up, lighting and mowing along MD 100 in Howard and Anne Arundel Counties. The corresponding contract reduction will be \$214,000.00 and will constitute a 4.41% reduction in the overall contract value. This reduction is necessary to contain costs and will not impact safety or affect the original 20% MBE goal. This reduction will become effective July 1, 2010.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

ITEM: 5-M-MOD (Continued)

BPW – 06/23/10

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4578-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 5-M-MOD (Continued)

BPW - 06/23/10

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$4,849,000.00	7/1/07 - 12/31/12	Item 7-M; DOT Agenda 6/6/07	
Modification #1	(\$214,000.00)		6/23/10	reduction of the scope of work
Revised Amount	\$4,635,000.00			

John Thornton (410) 385-4850
jthornton@marylandports.com

BPW – 06/23/10

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

SERVICE CONTRACT

ITEM: 6-S

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 210126-S
 Planning and Economic Consulting
 ADPICS NO. P100062

CONTRACT DESCRIPTION: The contractor will provide planning and economic consulting services to the Maryland Port Administration (MPA).

AWARD: John C. Martin Associates, LLC
 Lancaster, PA

AMOUNT: \$1,500,000.00 NTE

TERM: Five years from notice to proceed

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

PROPOSALS:	<u>Technical Ranking</u>	<u>Financial Ranking</u>	<u>Evaluated Annual Price</u>	<u>Overall Ranking</u>
John C. Martin Associates, LLC Lancaster, PA	1	1	\$231,500.00	1
The Tioga Group, Inc. Philadelphia, PA	2	2	\$285,500.00	2
Sage Policy Group, Inc. Baltimore, MD	3	3	\$357,000.00	3

MBE PARTICIPATION: 15%

PERFORMANCE SECURITY: N/A

REMARKS: This Solicitation was advertised in eMaryland Marketplace, which sent notice of the solicitation directly to over 1,500 vendors. Six proposals were received. One proposal was submitted late and was returned unopened. Two proposals were rejected as not reasonably susceptible of being selected for award due to defective MBE documents.

ITEM: 6-S (Continued)

BPW – 06/23/10

The contractor will provide economic analyses; planning; market and cargo evaluations and studies; competitive port analyses; feasibility studies; economic impact evaluations; infrastructure, logistics, and transportation system evaluations; and similar services.

The evaluation committee ranked the selected offeror first on its technical proposal based on: vast experience in maritime and logistic analysis; a proven track record in providing similar services to the Port of Baltimore and other ports; considerable local knowledge; a comprehensive team with substantial recent maritime and Port of Baltimore experience; commodity-specific experience of several members of the offeror’s team; and excellent experience in providing economic impact analyses, feasibility studies, and analyses of competitive ports.

Offerors submitted hourly rates for various disciplines or categories of personnel to be provided. MPA evaluated prices by extending the unit prices offered over an estimated 2,000 man-hours per year, distributed among the listed disciplines, to arrive at an evaluated annual price for each offeror. The not-to-exceed value of \$1,500,000 is the amount budgeted over the five-year term of the contract for the services to be provided.

The selected offeror, John C. Martin Associates, LLC, is the incumbent contractor and has been successfully performing under the current contract.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	J03-D0002
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	10-4427-0000

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	230

John Thornton – 410-385-4840
jthornton@marylandports.com

BPW – 06/23/10

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

EQUIPMENT CONTRACT

ITEM: 7-E

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 290036-H
 Purchase of One Mobile Passenger Boarding Bridge
 ADPICS No. P100065

CONTRACT DESCRIPTION: Provide a mobile passenger boarding bridge (gangway) for the South Locust Point Cruise Terminal.

AWARD: TEAM Ports & Maritime, S.L.
 Barcelona, Spain

AMOUNT: \$2,895,637.00

TERM: 43 months from notice to proceed
 (7 months for fabrication, delivery, and testing
 and 3 years of warranty/maintenance)

PROCUREMENT METHOD: **Competitive Sealed Proposals**

PROPOSALS:	<u>Technical Ranking</u>	<u>Financial Offer</u>	<u>Overall Ranking</u>
TEAM Ports & Maritime, S.L. Barcelona, Spain	1	\$2,895,637.00	1
FMT Aircraft Gate Support Systems AB Trelleborg, Sweden	2	\$2,667,353.00	2

MBE PARTICIPATION: 0% (see remarks)

PERFORMANCE SECURITY: Letter of Credit for \$2,883,637.00

REMARKS: This Solicitation was advertised on eMaryland Marketplace. MPA directly solicited proposals from the two known world manufacturers of this equipment, TEAM Ports and Maritime, S.L. of Spain and FMT Aircraft Gate Support Systems AB of Sweden. Those firms submitted the only two proposals received.

ITEM:

7-E (Continued)

BPW – 06/23/10

This contract provides for furnishing all necessary materials and equipment to design, fabricate, deliver, erect, commission, test and provide a warranty for a mobile passenger boarding bridge with heating, ventilation and air condition (HVAC) for year round cruises from the Port of Baltimore.

As a result of MPA’s “Cruise Maryland” effort to develop the Port of Baltimore as a desirable port for vacation cruises, the cruise business has increased from 27 cruises and 89,840 passengers in 2008 to 81 cruises and 329,441 passengers in 2009. MPA estimates that the cruise business will increase to 115 cruises in 2011, providing significant added economic benefit to the Maryland economy. MPA received approximately \$5.7 million in revenue associated with cruises in 2009.

In order to maintain and increase this burgeoning cruise business, the Port of Baltimore must provide a first-rate gangway or boarding bridge for loading and unloading passengers from cruise ships of varying sizes. The new gangway must provide a high degree of mobility and flexibility; it must be mobile along the berth and it must be articulating in order to respond safely to minor ship movement at the berth. It must also be protected from the weather to accommodate cold weather cruising.

The TEAM design provides maximum flexibility to accommodate vessel door heights, vessel placement longitudinally along the pier, and clear-span working area under the gangway, while the FMT design provides for minimum flexibility. TEAM’s mobile walkway module and the boarding bridge are designed such both can be moved at the same time and with minimum staffing. With FMT’s design, the walkway module and the boarding bridge must be moved separately and the two components must be disconnected and reconnected in order to be moved.

A 0% MBE goal was established for this contract due to the fact that only two companies, TEAM and FMT, were identified as manufacturing this type of heavy equipment and there are no other subcontracting opportunities.

This Item was previously submitted and withdrawn as Item 9-E on the 2/24/10 DOT Agenda.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: JO3 D0002

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-4479-0000

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 – 06/23/10

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 8-RP MMC# 10-2262

STATE HIGHWAY ADMINISTRATION: Located on the west side of MD 13, approximately 100 feet north of Dogwood Drive, Wicomico County, Salisbury MD

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a easement, as described, which is excess to the needs of SHA.

The easement to be released consists of ± 0.059 acres and is being conveyed to the adjacent owner. This is a negotiated release of easement.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

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

CONSIDERATION: \$8,487.38 (Acquisition cost + simple interest + Administration fee)

APPRAISED VALUE: \$23,250.00 Neil S. Mengel, Staff Appraiser, Reviewed and approved by Ronald Hammond, Review Appraiser

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (g) (1)(ii) of the Transportation Article, Annotated Code of Maryland.

SHA is concurrently requesting permission to dispose and execution of the Deed.

The property was acquired in 1954 for drainage along U.S. RTE 13 - Salisbury to Fruitland. Salisbury University has requested that easement be released for construction of student housing on the property. SHA has determined that the easement is no longer needed in this area.

The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

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 -- 06/23/10

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 9-RP MMC# 10-2284

STATE HIGHWAY ADMINISTRATION: Located at the South side of Clifton Road at Alt. US40, just West of Frederick, Frederick County, Maryland

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of SHA.

The property to be conveyed consists of 0.210 acres and is being done at the request of the grantee to replace the Original Deed which was never recorded and subsequently lost.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: William R. Willard

CONSIDERATION: \$500.00 - Administrative fee

APPRAISED VALUE: N/A

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (f) 1 (ii) of the Transportation Article, Annotated Code of Maryland.

The property was conveyed by SHA to Mr. and Mrs. William Willard in 1967; however the Deed was never recorded. Mr. Willard has approached SHA and requested a Replacement Deed as the Original Deed was never recorded and subsequently lost.

SHA is concurrently requesting permission to dispose and execution of the Deed. The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

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 1-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 \$25,000.00.

A. Department of Public Safety and Correctional Services

Southern Maryland Pre-Release Unit
Charles County, MD

DESCRIPTION

This project provides mechanical and electrical engineering services and related architectural services to survey, evaluate and design the upgrade of shower area and adjacent drying areas ventilation system, HVAC unit, ductwork, valves, drains, lighting, tile work, floor, walls and alarm services at the Southern Maryland Pre-Release Unit, Charles County, MD.

REMARKS

An approved list of consultants was developed for DGS to provide mechanical and electrical engineering services for construction projects through the State's Small Business Reserve program. Under this process individual contract awards may not exceed \$25,000. Selected firms may be awarded more than one contract in rotation basis.

CONTRACT NO. & TITLE

Project No.: KR-110-100-001;
Repair Floors, Walls, Lighting, Ventilation,
Plumbing and Related Systems,
Housing/Dormitory Unit, Southern
Maryland Pre-Release, Charles County,
Maryland
ADPICS NO. 001B0400691

PROCUREMENT METHOD

Maryland Architectural and Engineering
Services Act

AWARD

M S Engineers, Inc.
Columbia, MD

AMOUNT

\$25,000.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 1-GM (Cont.)

FUND SOURCE

MCCBL 2009/Item 007 (Provide funds for the State capital Facilities renewal program-Statewide. DPSCS-SMPRU Renovate Shower rooms)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY SERVICES

ITEM 2-RP (Cont.)

Each of the nine (9) contracts awarded will be for a value Not To Exceed \$50,000.00 during the three-year term. The aggregate value of the overall contract award will not exceed \$450,000.00. The actual contract cost will depend on the number and contract price of the properties acquired during the term of the contact.

RESIDENT BUSINESS

Yes for all

TAX COMPLIANCE NOS.

- 10-4259-0110 The Fisher Law Group
- 10-4258-1111 Granite Title Assoc. Inc
- 10-4260-0000 Land Settlements, LLC
- 10-4238-0000 Law Office of Henry I. Louis
- 10-4251-1111 Miles & Stockbridge
- 10-4237-0111 Progressive Title Corp.
- 10-4252-0111 Property Title & Escrow
- 10-4254-0111 Wright, Constable & Skeen
- 10-4643-1011 Lakeside Title Co.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 3-RP (Cont.)

4. The Governor has requested that the Board of Public Works borrow money and incur special obligation indebtedness through a special loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 as provided in Chapter 419 of the Laws of Maryland 2009.

5. This action authorizes the Comptroller to advance funds needed to complete the transaction; requesting the use of bonds authorized under the Program Open Space Acquisition Opportunity Loan of 2009.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP (Cont.)

REMARKS
recommends approval of this reservation.

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



MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

OK
File
SMC
11-22-11

Alvin C. Collins
Secretary

RECEIVED
2011 FEB 22 AM 11:06
BOARD OF PUBLIC WORKS

February 18, 2011

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

SUBJECT: June 23, 2010 Board of Public Works Action Agenda

Dear Ms. McDonald:

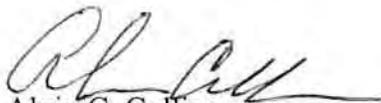
This is to advise you of the following change to the Board of Public Works Action Agenda Item previously approved by the Board of Public Works.

<u>BPW June 23, 2010</u>	FROM: \$1,390,000.00 – POS Land Acquisition
Item 6-RP	Opportunity Loan of 2009
Pages 12-14	
252.65 acres	TO: 1,361,360.00 – POS Land Acquisition
Towson Presbyterian Church	Opportunity Loan of 2009
Baltimore County	

Reason: To decrease real property acquisition price due to results of subsequent 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** 7-LL

DEPARTMENT OF NATURAL RESOURCES Carroll County
(Land and Property Management)

<u>Tenant</u>	Dana Lee Dembrow 1226 Canterbury Drive Sykesville, MD 21784		
<u>Property Location</u>	729 Klee Mill Road Sykesville, MD 21784		
<u>Space Type</u>	Residential Dwelling	<u>Lease Type</u>	New
<u>Duration</u>	Lifetime Residency	<u>Effective</u>	July 1, 2010
<u>Annual Rent</u>	\$1.00	<u>Acre(s)</u>	.45 ac. +/-
<u>Utilities Responsibility</u>	Tenant		
<u>Custodial Responsibility</u>	Tenant		
<u>Previous Board Action(s)</u>	N/A		

Reference The Maryland Resident Curatorship Program secures private funding and labor for the restoration and maintenance of historic properties owned by the Department of Natural Resources (DNR). The curator, in consideration of a life tenancy, pledges to restore the historic property and maintain it in good condition.

Special Conditions

1. The Tenant shall occupy and use the residence known as the Wachter House located on .45 ac. +/- as a single family residence. The structure is presently in need of significant restoration. Pursuant to the Curatorship Gift Agreement in the amount of \$210,000.00, the Tenant shall restore, rehabilitate, and renovate the structure during the time of the tenancy.
2. The Tenant shall be responsible for obtaining all permits, licenses, inspections and approvals required for its use and occupancy of the premises, and shall deliver to landlord copies of all necessary permits, licenses, inspections and approvals prior to taking any action requiring such permits, licenses, inspections and approvals.
3. The Tenant shall open premise to the public up to 3 to 5 days each year, as arranged in cooperation with the Landlord, once the restoration, rehabilitation and renovation have been completed.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE

ITEM 7-LL (Cont.)

- 4. The Tenant shall maintain at their expense, throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction, occurring within the premises or arising out of the use thereof by Tenant or their agents, employees, officers, subtenants, invitees, visitors and guests, under one or more policies of General Comprehensive Liability (GCL) insurance will have a minimum coverage of \$1,000,000.00 per occurrence, \$2,000,000.00 annual aggregate, and shall contain broad form GCL Endorsement or its equivalent.
- 5. The Tenant shall indemnify and hold harmless the State of Maryland and the Department of Natural Resources against any and all liability or claim of liability, including reasonable attorney’s fees, arising out of their use and occupancy, conduct, operation or management of the premise during the term.
- 6. This lease does not contain a termination for convenience clause.

Remarks

- 1. This project is part of the Department of Natural Resources’ Maryland Resident Curatorship Program.
- 2. The Clearing house conducted an intergovernmental review of the project under MD20080822-0877 and has recommended changing the use, and leasing the Wachter House at the Morgan Run Natural Environmental Area, as part of the Maryland Resident-Curatorship Program. It is further recommended that all construction, demolition, rehabilitation, and significant ground disturbance conform to the Secretary of the Interior’s Standards for the Treatment of Historic Properties, and be submitted to the Maryland Historical Trust for review as early as possible, and prior to the initiation of any work.
- 3. Dana L. Dembrow is an employee of the Maryland State Board of Contract Appeals. The State Ethics Commission determined, in an April 21, 2010 letter, that the provisions of the Public Ethics law do not prohibit Mr. Dembrow’s participation in the curatorship lease agreement with DNR.

Note: This item previously appeared on the DGS/BPW Agenda on 3-10-2010 as Item 11-LL and was withdrawn.

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**DEPARTMENT OF JUVENILE SERVICES** Baltimore City

Landlord 120 W. Fayette Street, LLP
100 N. Charles Street, Suite 1200
Baltimore, MD 21201

Property Location 120 W. Fayette Street
Floors 2-5
Baltimore, MD 21201

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	52,508
<u>Duration</u>	10 Years 3 months	<u>Effective</u>	July 1, 2010		
<u>Annual Rent</u>	\$1,008,206.11 Avg	<u>Sq. Ft. Rate</u>	\$19.20 Avg		
		<u>Previous Sq. Ft. Rate</u>	\$16.22		

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) Item 35-L dated 09/23/98; Item 9-L 10/20/04

Retro-Active Leases Board of Public Works is requested to retroactively approve the leasing of this space for the ten (10) month period that lapsed from August 1, 2009 to June 30, 2010 pursuant to the State Finance and Procurement Article 11-204(c).

Special Conditions

1. The lease contains escalations/de-escalations for utilities, janitorial services and real estate taxes.
2. The lease contains a termination for convenience clause.
3. The lease contains an option to renew for five (5) years.
4. The lease contains 69 use-in-common and five (5) reserved parking spaces at the rate of \$125.00 per space per month.

Remarks

1. This office has served as the agency's administrative headquarters and employee development center since 1999.
2. Through rigorous negotiations, the Department of General Services Office of Real Estate achieved six (6) months of rent abatement and substantial building renovations. In addition, the agency reduced the space by 3,065 net usable square feet.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 11-LT

- 3. The rental rate commences at \$18.00 per net usable square foot for years one (1) through five (5); \$19.80 for year six (6); \$20.10 for year seven (7); \$20.40 for year eight (8); \$20.70 for year nine (9); and \$21.01 for year 10.

- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works 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 12-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grants:

*Board of Directors of the YMCA of Central Maryland, Inc. (Baltimore County)
Catonsville YMCA (Western Family Branch)*

"For the renovation and expansion of, and the construction of an addition to the existing Western Family Branch YMCA building in Catonsville."

\$1,000,000.00 – encumber \$1,000,000.00

*Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005)
DGS Item 046*

\$500,000.00 – encumber \$296,900.00

*Capital Appropriation FY 2007 (Chapter 216, Acts of 2006)
DGS Item 021, (SL-038-060-038)*

MATCHING FUND 03/21/07 Agenda, Item 16-CGL; 02/27/08 Agenda, Item 7-CGL
(No matched required)

BACKGROUND

Total Project	\$6,000,000.00
05-046 (This Action)	\$1,000,000.00
06-021 (This Action)	\$ 296,900.00
06-021 (Prior Action)	\$ 203,100.00
08-G047 (Prior Action)	\$ 125,000.00
08-G146 (Prior Action)	\$ 200,000.00
Local Cost	\$4,175,000.00

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 13-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 Chesapeake Bay Floating Theatre, Inc. (Charles County)
Indian Head Center for the Arts*

*"For the design, repair, renovation and capital equipping of the upper floor of the
Indian Head Center for the Arts, located in Indian Head."*

\$23,600.30

*Maryland Consolidated Capital Bond Loan of 2008 (Chapter 336, Acts of 2008)
DGS Item G061, (SL-072-080-038)*

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, 2010. The Board of Directors of the Chesapeake Bay Floating Theatre, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$47,200.60 in eligible expenditures to meet the matching fund requirement. *Documents for certification of match were received by the Department of General Services prior to May 31, 2010.* Board of Public Works approval is also requested to reimburse the Board of Directors of the Chesapeake Bay Floating Theatre, Inc. \$23,600.30 for eligible expenditures.

<u>BACKGROUND</u>	Total Project	\$47,200.60
	08-G061 (This Action)	\$23,600.30
	Local Cost	\$23,600.30

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 14-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 Blind Industries & Services of Maryland, Inc.
(Wicomico County)*

Senior Training Center for the Blind

“For the planning, design, construction and capital equipping of the Senior Training Center, located in Salisbury.”

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2009 (Chapter 485, Acts of 2009)
DGS Item G146, (SL-029-090-038)*

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 Blind Industries & Services of Maryland, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$302,194.50 in eligible expenditures to meet the matching fund requirement. Board of Public Works approval is also requested to reimburse the Board of Directors of the Blind Industries & Services of Maryland, Inc. \$150,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$360,451.00
09-G146 (This Action)	\$150,000.00
Local Cost	\$210,451.00

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 15-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

Montgomery College – Germantown Campus

New Bioscience Education Center – Design and Construction

New 72,690 NASF/126,900 GSF biotechnology and science building which will provide a modern teaching facility which will help supply a biotechnology workforce for the Montgomery County area.

\$16,212,870.00

MCCBL 2009/Item 030 CC-01-MC06/07/09-397

MATCHING FUND Montgomery College – \$16,212,870.00

Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

<u>BACKGROUND</u>	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$35,562,999.00	\$17,781,500.00	\$17,781,499.00
This Action	\$32,425,740.00	\$16,212,870.00	\$16,212,870.00
Previous Action (24-CGL, 4/18/07)	\$ 3,137,259.00	\$ 1,568,630.00	\$ 1,568,629.00

REMARKS

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 06/02/92 and approved by BPW 06/17/92.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Montgomery Community College and signed by local authorities.
- (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

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Community Housing Associates, Inc.
2918-B Glenmore Avenue
Baltimore, MD 21214

PROJECT NO. AND TITLE

MHA-CB-03511-02
2301 North Charles Street
Baltimore, MD21218

DESCRIPTION

Board of Public Works approval is requested

for the following:

1. A State grant of \$247,987.00 to assist Community Housing Associates, Inc. (CHA), a nonprofit organization, in the cost of acquiring a vacant three-story masonry (brick) row house with basement at 2301 North Charles Street, Baltimore, Maryland 21218. CHA has a contract of sale to purchase this property for \$320,000.00 in fee simple. This building, with approximately 4,708 gross square feet of space, will be used to provide 7 studio apartment units for men and women with mental illness. Two appraisals were obtained for the property; both have been reviewed by the Department of General Services. The appraisals are as follows:

\$330,000.00 - Terry R. Dunkin

\$320,000.00 - Eugene Frahm

Based on these appraisals, the Department of General Services approved the fair market value of the real estate at \$320,000.00 in fee.

2. A Waiver of Priority and Subordination Agreement. Community Housing Associates, Inc. has a financing agreement in the form of a \$100,000.00 line of credit with Community Health Facilities Fund (CHFF) based on the condition that the State subordinate its right of recovery to the CHFF line of credit in the amount of \$100,000.00. This line of credit, to be secured by the North Charles Street property, is to be used to cover the acquisition costs of this property until permanent financing is secured. The line of credit will be terminated when the permanent financing is in place, or in March 2011, whichever comes first, at which time the State will no longer be subordinate to the \$100,000.00 line of credit.

Eligible project costs are \$330,650.00. This includes \$320,000.00 for acquisition; \$6,500.00 for appraisals; and \$4,150.00 for a Phase I Environment Report and building evaluation, both of which are required for due diligence. These costs will be funded as follows:

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**GENERAL MISCELLANEOUS****ITEM** 17-GM**REFERENCE** The Budget Reconciliation and Financing Act of 2010 (Chapter 484 [2010 Maryland Laws]); The Maryland Consolidated Capital Bond Loan of 2010 (Chapter 483 [2010 Maryland Laws]); § 13-209 of the Tax - Property Article, Annotated Code of Maryland.**DESCRIPTION** Board of Public Works approval is requested to substitute \$7,778,336.91 in bond proceeds for encumbered but unexpended Program Open Space balances.

The 2010 Budget Reconciliation and Financing Act requires DNR to transfer \$22,700,000 from Program Open Space Capital Development Funds to the General Fund and, simultaneously, makes available \$13,712,000 in State general obligation bond proceeds for the Natural Resources Development Fund (\$10,126,000), Critical Maintenance Program (\$3,436,000), and Dam Rehabilitation Program (\$150,000). An additional \$6,178,000 in general obligation bonds is expected to be appropriated in FY 2012 and FY 2013.

<u>AY</u>	<u>ITEM</u>	<u>PROJECT TITLE</u>	<u>ENC. BAL.</u>
00	274	Sassafras	\$ 7,471.61
02	352	Gunpowder Hammerman	\$ 5,839.28
02	356	Rocky Gap Bathhouse	\$ 79,177.42
02	357	Sassafras NRMA-Day Use Improvmts	\$ 141,854.58
03	381	South Mountain	\$ 18,446.91
05	387	Pocomoke River-Sewer Upgrade	\$ 72,598.16
06	393	S. Mt. Battlefield Museum	\$ 116,491.40
06	399	Rocky Gap	\$ 482,125.05
07	404	Madonna Ranger Station-Multi-Purpose	\$ 39,553.30
07	405	Pt. Lookout S.P.-Comfort Station	\$ 9,156.66
07	406	Ft. Fred. S.P.-Officers Strs	\$ 17,515.20

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

<u>ITEM</u>	17-GM (Cont)		
07	408	W.Md. Rail Trail-Phase IV	\$ 310,623.26
08	418	Dans Mt.-Access Rd. & Storage Bldg	\$ 10,760.64
08	419	Rocky Gap Bathhouse	\$ 453,058.47
08	420	Sandy Pt. S.P.-NRP Area 3	\$ 20,237.34
08	421	N.Pt. S.P.-Stone Revetment	\$ 40,740.00
08	422	Tuckahoe S.P.-U.C. Rail Trail Connect.	\$ 30,962.20
08	423	Cedarville Fish Hatchery-Pipe Repl	\$ 42,769.25
08	425	Deep Creek S.P.-Repl Bathhouse	\$ 14,612.06
08	426	Susquehanna S.P.-Bathhouse Renov	\$ 1,252.05
08	427	Janes Isl S.P.-Nature Center	\$ 76,191.63
08	428	Pt. Lookout S.P.-Admin. Bldg	\$ 27,961.00
08	429	Black Walnut Pt. NRMA-Shore Erosion	\$ 86,486.88
08	431	Pocomoke River-Milburn Bathhouse	\$ 23,171.85
08	437	Harriet Tubman Underground RR S.P.	\$ 67,653.18
09	442	Pocomoke River-Sewer Upgrade	<u>\$3,242,530.00</u>
TOTAL UNEXPENDED TRANSFERRED TO AND			\$5,439,239.38
ENCUMBERED UNDER MCCBL 2010/ITEM 011			
"NATURAL RESOURCES DEVELOPMENT FUND"			
02	343	Dam Rehabilitation Program	\$ 49,197.89
08	434	Dam Rehabilitation Program	<u>\$ 99,774.30</u>
TOTAL UNEXPENDED TRANSFERRED TO AND			\$ 148,972.19
ENCUMBERED UNDER MCCBL 2010/ITEM 017			
"DAM REHABILITATION PROGRAM"			
01	315	Critical Maintenance	\$ 19,903.60
03	370	Critical Maintenance	\$ 9,670.00
05	385	Critical Maintenance	\$ 13,626.80
06	391	Critical Maintenance	\$ 46,143.88
07	401	Critical Maintenance	\$ 152,927.03
08	417	Critical Maintenance	\$1,335,484.01
09	440	Critical Maintenance	\$ 341,943.03

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**GENERAL MISCELLANEOUS****ITEM** 17-GM (Cont)

06	397	Housing Assessments	\$ 100,313.11
06	398	Hurricane Isabel	<u>\$ 170,113.88</u>
TOTAL UNEXPENDED TRANSFERRED TO AND ENCUMBERED UNDER MCCBL 2010/ITEM 016 "CRITICAL MAINTENANCE PROGRAM"			\$2,190,125.34

TOTAL TRANSFERRED FROM POS TO AND ENCUMBERED UNDER MCCBL 2010			\$7,778,336.91
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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 June 23, 2010 was adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sheila C. McDonald". The signature is written in a cursive style with a large, prominent initial "S".

Sheila C. McDonald, Esq.
Executive Secretary

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