

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
May 19, 2010

BOARD OF PUBLIC WORKS

TABLE OF CONTENTS

MAY 19, 2010

I. ITEMS SUBMITTED ON THE SECRETARY'S AGENDA

Department of Agriculture	
Agricultural Cost Share Program	4-5
Board of Public Works	
Procurement Agency Activity Reports	6
Wetlands Licenses	7
Department of Education	8-12
Department of the Environment	13-24
Public School Construction Program	25-32
Department of Housing & Community Development	33-34
Morgan State University	35-36
Department of Natural Resources	37-38
Department of Public Safety and Correctional Services	39-44
APPENDIX	----
SUPPLEMENT A - Program Open Space	----
SUPPLEMENT B - Budget & Management	45-88
SUPPLEMENT C - University System of Maryland	89-109
SUPPLEMENT D - Department of Information Technology	110-123

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

A/E Contracts	124-131
Service Contracts	132-134
Real Property	135-137
General Miscellaneous	138-143
Construction Contracts	144-145

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

Energy Performance Modification	146-147
A/E Service Contract Option	148-150
Maintenance Contracts	151-155
Equipment	156-157
General/Miscellaneous	158-164
Real Property	165-174
Leases	175-190
Capital Grants and Loans	191-197
Equipment	198-201

INDEX	203-204
-------------	---------

**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, MAY 19, 2010**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, May 19, 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

MAY 19, 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 27 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the 2010 Chesapeake Bay Trust Fund (Appropriation Number 55103): Chesapeake Bay Trust Fund of 2010.

Agreement #	Recipient	County	Amount
AT-2010-1879	WILLIAM R. MATTINGLY	St. Mary's	4,800
AT-2010-1880	WILLIAM R. MATTINGLY	St. Mary's	7,700
AT-2010-1956	HARBORVIEW FARMS	Kent	900
AT-2010-1982-P	HARBORVIEW FARMS	Kent	1,500
AT-2010-2026	GLEN E. RUSSELL	St. Mary's	5,600
CH-2009-3237	PETER B. STIFEL	Talbot	3,300
CH-2010-1957	HARBORVIEW FARMS	Kent	900
CR-2010-1980	TERRY P. DETRICH	Talbot	2,900
CR-2010-2031	MARY C. NABB	Dorchester	10,400
MP-2010-1861	DOUGLAS M. HAWKER	Frederick	7,700
MP-2010-1955	MARK M. BUTLER	Frederick	3,900
MP-2010-2036	CHRISTOPHER T. LANGKAM	Carroll	16,200
NW-2010-2030-B	ALTON L. HOFFMAN, III	Dorchester	30,800
NW-2010-2052	WAYNE R. PETERSON	Dorchester	4,400
PR-2010-2032	HILAL A. EL-BAF	Wicomico	4,900
PR-2010-2033-B	RICHARD E. BLEVINS	Worcester	35,000
RS-2010-1992	M & H CORPORATION	Howard	1,300
RS-2010-1993	M & H CORPORATION	Howard	2,300
RS-2010-1994	M & H CORPORATION	Howard	1,000
RS-2010-2008	RICKY M. BAUER	Howard	3,400
RS-2010-2019	ALLEN W. CLOSE	Baltimore	2,800
RS-2010-2020	ALLEN W. CLOSE	Baltimore	2,400
RS-2010-2021	ALLEN W. CLOSE	Baltimore	8,800
RS-2010-2035	DAVID H. CAPLE	Carroll	5,700
RS-2010-2063	LARRILAND FARM, INC.	Howard	8,000
SA-2010-1958	HARBORVIEW FARMS	Kent	1,900
UP-2010-1995	WINDY ROCK EQUINE RESCUE	Washington	14,400

Total Submission Amount

192,900

BOARD OF PUBLIC WORKS

MAY 19, 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" is a program allowing persons to seek State cost-sharing funds for projects that will reduce agriculturally related non-point sources of water pollution. Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

Funding Source: The Chesapeake Bay Trust Fund of 2010 provides a source of funds for the cost-share program. Under this appropriation "\$980,000 may be used by the Board of Public Works to provide grants for the projects to control agriculturally related non-point sources of pollution."

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**MAY 19, 2010****SECRETARY'S AGENDA**

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

2. BOARD OF PUBLIC WORKS
Procurement Agency Activity Report

Submission of the Procurement Agency Activity Reports by:

- A. Department of Budget and Management, March 2010
- B. Department of Public Safety & Correctional Services, March 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

MAY 19, 2010

SECRETARY'S AGENDA

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

3. BOARD OF PUBLIC WORKS *Wetlands Licenses*

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

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

ANNE ARUNDEL COUNTY

10-0435 PIRATES COVE MARINA QUAY FAMILY LLC/GALESVILLE HARBOR YACHT YARD LLC – To maintenance dredge two combined marina areas and provide for a six-year maintenance dredging period – West River, Galesville

TALBOT COUNTY

10-0239 CENTAUR FARM/ELSELORE PRETZLER – To fill, grade and plant marsh vegetation and a sand containment sill along an eroding shoreline and emplace two stone sills – Miles River, Easton

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

4. DEPARTMENT OF EDUCATION

Recommendation: That the Board of Public Works approve the State Department of Education making 12 fiscal year 2011 grants totaling \$5,050,000 as follows.

Authority: Maryland Consolidated Capital Bond Loan 2010
 County Library Capital Project Grant Program
 Education Article, Section 23-510, Annotated Code of Maryland

Purpose: The capital grants are made to county public library systems through the County Library Capital Project Grant Program to support projects that address the library needs in the State. The grants: must be matched, may not exceed 50% of the project cost, and may not be less than \$20,000.

<u>GRANTEE</u>	<u>LIBRARY PROJECT</u>	<u>AMOUNT</u>
Baltimore Co.	<i>Sollers Point Library:</i> construct a new 25,000 sq. ft. multi-purpose center that will include a 5,000 sq. ft. library.	\$500,000
Baltimore Co.	<i>Towson Library:</i> install new lower shelving to maintain energy efficiency and create four rooms for tutoring and private study.	\$110,000
Carroll Co.	<i>Eldersburg Library:</i> replace furniture and 25 yr. old carpet to complete renovation partially funded in FY2010.	\$85,000
Carroll Co.	<i>North Carroll Library:</i> expand entrance lanes to three and exit lanes to two to ease congestion, repave parking lot, and make other improvements for public safety and increase ADA access.	\$125,000
Frederick Co.	<i>Walkersville Branch:</i> construct 15,000 sq. ft. library to replace existing 2,000 sq. ft. library to better serve population of 29,354.	\$450,000

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

4. DEPARTMENT OF EDUCATION (cont'd)

<u>GRANTEE</u>	<u>LIBRARY PROJECT</u>	<u>AMOUNT</u>
Howard Co.	<i>Miller Branch</i> : construct 63,800 sq. ft. library to serve Ellicott City and also to house the library and archives of the Howard County Historical Society.	\$500,000
Prince Georges Co.	<i>Spaulding Branch</i> : renovate the 25 year old library to include energy efficient lighting, recarpeting, refurbishing meeting rooms and staff lounge kitchen, upgrading fire alarm systems and acquisition of ADA compliant desks.	\$400,000
Montgomery Co.	<i>Gaithersburg Library</i> : renovate and expand the 29 yr. old busiest full service library from 33,726 to 61,471 sq. ft. to enhance programs.	\$600,000
Montgomery Co.	<i>Silver Spring Library</i> : construct 64,000 sq. ft. library to replace existing 13,600 sq. ft. within a multi-purpose building.	\$250,000
St. Mary's Co.	<i>Leonardtown Library</i> : complete the design of 39,000 sq. ft. new library to replace the existing 16,000 sq. ft library rendered functionally inadequate.	\$765,000
Talbot Co.	<i>Easton Main Library</i> : renovate and expand 31 year old Talbot County Free Library from 18,000 sq. ft. to 28,000 sq. ft.	\$765,000
Washington Co.	<i>Main Library, Hagerstown</i> : renovate and expand the Washington County Free Library which shares space with the Western Maryland Regional Library.	\$500,000

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

4. DEPARTMENT OF EDUCATION (cont'd)*Fund Source*

Maryland Consolidated Capital Bond Loan 2011	
County Library Capital Project Grant Program	\$5,050,000

County Matching Funds:

Baltimore Co.- <i>Sollers Point</i>	\$ 500,000
Baltimore Co.- <i>Towson</i>	\$ 111,000
Carroll Co. - <i>Eldersburg</i>	\$ 85,000
Carroll Co.- <i>North Carroll</i>	\$ 129,000
Frederick Co.- <i>Walkersville</i>	\$ 4,422,625
Howard Co.- <i>Miller</i>	\$ 1,950,000
Prince Georges Co.- <i>Spaulding</i>	\$ 400,000
Montgomery Co.- <i>Gaithersburg</i>	\$12,040,000
Montgomery Co.- <i>Silver Spring</i>	\$12,206,000
Saint Mary's Co.- <i>Leonardtown</i>	\$ 962,000
Talbot Co.- <i>Easton</i>	\$ 6,532,000
Washington Co.- <i>Hagerstown</i>	<u>\$ 3,660,000</u>
Total Local Share	\$42,997,625

REMARKS: The FY 2011 grants include \$50,000 in rescinded grant funds from FY 2010 Library Capital Projects Grant Program that Cecil County did not match and therefore forfeited. Consistent with COMAR 13A.05.04.08H, the funds are being re-granted for projects in fiscal year 2011.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

5. DEPARTMENT OF EDUCATION

Recommendation: That the Board of Public Works approve:

- (1) The Maryland State Department of Education and the Western Maryland regional resource center entering into a Memorandum of Understanding that provides for MSDE to fund, and the Western Maryland regional resource center to supervise, Washington County's renovation of the Western Maryland Regional Library in Hagerstown; and
- (2) Encumbering general obligation bond proceeds (MCCBL 2010) in the amount of \$2,500,000 for this project.

Background: The State library network comprises 24 public library systems, the State Library Resource Center, and three regional resource centers (one of the latter three being the Western Maryland Regional Library). Regional resource centers furnish books, information, and other material and service resources that individual member libraries cannot adequately provide. The Western Maryland Regional Library – serving the Allegany, Garrett, and Washington county libraries – shares a facility with the Washington County Free Library in Hagerstown.

The Western Maryland Regional Library, built over 40 years ago, is unable to meet the burgeoning population's demands and needs major repairs to address code-related programmatic and physical deficiencies. Through the Maryland Capital Consolidated Loan Acts, the State has agreed to fund a project to renovate and expand this regional resource center from 2,908 to 5,946 gross square feet. The total project cost is \$10,000,000. Reference is made to Secretary's Agenda Item 6 (6/17/09) in which the Board encumbered \$5,000,000 of MCCBL 2009 funds for this project. The 2010 MCCBL appropriates another \$2,500,000 (this Item); the remaining \$2,500,000 will be requested in the 2011 MCCBL.

The Department of General Services has determined that it cannot serve as the construction manager for this project. Because the Western Maryland Regional Library is located in the Central Library of Washington County Free Library, MSDE, the Western Maryland Regional Library, and Washington County are combining the State work with other projects for the Central Library. Washington County will competitively bid and award the combined project. Washington County will manage the contract to ensure

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

5. DEPARTMENT OF EDUCATION

Background (cont'd): uniformity, efficiency and economy. This is consistent with the enabling statute for regional resource centers that authorizes counties, in coalitions of three or more, to request MSDE to establish a regional resource center that one county will be designated to administer. See Section 23-202, Education Article, Annotated Code of Maryland.

Fund Source: Maryland Consolidated Capital Bond Loan of 2010: *Provide funds to design, construct, and equip renovations and an addition to the Western Maryland Regional Library, provided that . . . work may commence on this project prior to appropriation of all the funds necessary to complete this project.*

Project Costs:	WMRL
This Action	\$2,500,000
Total Project:	\$10,000,000
Previous Actions	\$5,000,000
To be requested in FY 2011	\$ 2,500,000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

6. MARYLAND DEPARTMENT OF THE ENVIRONMENT

A. Submission of a request by the Maryland Department of the Environment for approval of capital construction grants totaling \$2,800,986 for the following projects, which will be funded from proceeds of various general obligation bonds:

1. Grant Increase – Bowman's Addition Water - \$192,774
 Recipient: Allegany County, Legislative District 1B
 Project No. WSG 18.01
 \$190,000 - MCCBL 2009 – Water Supply Financial Assistance Program – 09076
 \$2,774 – MCCBL 2008 – Water Supply Financial Assistance Program - 08058
2. Grant Increase – Cambridge Combined Sewer Separation, Phase V - \$1,000,000
 Recipient: City of Cambridge in Dorchester County, Legislative District 37
 Project No. SWQH 20.10
 MCCBL 2009 – Chesapeake Water Quality Project Funds, Supplemental Assistance - 09073
3. New Grant – Booze Creek Stream Restoration (Phase I) - \$458,212
 Recipient: Montgomery County, Legislative District 16
 Project No. ~~SCE 02.17~~ *SCE 16.17* * see attachment
 \$389,728 – MCCBL 2009 – Chesapeake Bay Water Quality Project Funds, Small Creek and Estuaries Restoration – 09074
 \$68,484 – MCCBL 2007 – Chesapeake Bay Water Quality Project Funds, Small Creek and Estuaries Restoration – 07085
4. Further Funding – Emmitsburg WWTP BNR/ENR Upgrade - \$650,000
 Recipient: Town of Emmitsburg in Frederick County, Legislative District 4A
 \$500,000 - MCCBL 2009 – Chesapeake Bay Water Quality Project Funds, Biological Nutrient Removal - 09072, NR 06.11
 \$150,000 - MCCBL 2009 – Chesapeake Bay Water Quality Project Funds, Supplemental Assistance Program– 09073, SWQH 18.11



MARYLAND DEPARTMENT OF THE ENVIRONMENT

1800 Washington Boulevard • Baltimore MD 21230

410-537-3000 • 1-800-633-6101

Martin O'Malley
Governor

Anthony G. Brown
Lieutenant Governor

Shari T. Wilson
Secretary

Robert M. Summers, Ph.D.
Deputy Secretary

Sec 6 - 5/19/10

July 30, 2010

Ms. Sheila McDonald
Executive Secretary
Board of Public Works
80 Calvert Street
Louis L. Goldstein Treasury Building, Room 117
Annapolis MD 21401

RECEIVED
2010 JUL 35 PM 12:00
BOARD OF PUBLIC WORKS

Dear Ms. McDonald:

This letter is to notify the Board of Public Works (BPW) of a correction to the project number for the Booze Creek Stream Restoration Phase 1 project. The Board approved grant funds totaling \$458,212 for this project (Secretary's Agenda, item 6.3) at the May 19, 2010 BPW meeting. The project number on this agenda item, listed as SCE 02.17, is incorrect. The correct project number is SCE 16.17. The Maryland Department of Environment has made the clerical corrections to this agenda item, and a copy of the corrected item is enclosed.

Thank you for your assistance with this item. Please contact me or Cheryl Reilly on 410-537-4155 if you have any questions or would like additional information.

Sincerely,

Terri Wilson
Director
Office of Budget and Infrastructure Financing

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

5. New Grant – Chesterville Forest Wastewater Collection System - \$500,000

Recipient: Kent County, Legislative District 36

Project No. SWQH 19.15

MCCBL 2009 – Chesapeake Bay Water Quality Project Funds, Supplemental Assistance Program - 09073

B. Request that the Board of Public Works approve the TRANSFER of funds within MDE as indicated below. This action is part of MDE's efforts, in working with the Board of Public Works and the Legislative Budget Committees to eliminate older bond funds in an expeditious manner. The fund transfer is solely a transfer of funds between bond years and does not include project increases, scope changes, or any other project change.

Grantee/Project	BPW Approval Date	Original Fund Source	New Fund Source	Amount
1. Delmar WWTP BNR/ENR Upgrade Wicomico County Supplemental Assistance Program Project No. SWQH 10.23 Legislative District 38B	05/11/05	MCCBL 2004	MCCBL 2009	\$181,150.00
2. Westernport Combined Sewer Overflow Elimination Allegany County Supplemental Assistance Program Project No. SWQH 19.01 Legislative District 1A	02/24/10	MCCBL 2009	MCCBL 2004	\$181,150.00

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

C. Request to REVERT unneeded funds in the amount of \$924,209.44 within the Maryland Department of the Environment. These projects have been either canceled or completed and have been closed out. The reverted funds will be used for future projects, subject to Board approval.

Project Name	Project #	Program*	Recipient	County	MCCBL	Source	Amount
Frostburg WTP Filter Upgrade Ph 2	WSG 22.01	WS	City of Frostburg Allegany County	Allegany	2008	08058	\$ 2,774.00
Bowie WWTP ENR Upgrade	NR 06.16	BNR	City of Bowie	Prince George's	2003	03119	\$ 7,202.44
Conococheague WWTP ENR Upgrade	NR 04.22	BNR	Washington Co.	Washington	2003	03119	\$131,250.00
Chesapeake Beach WWTP BNR Upgrade	NR 02.05	BNR	Town of Chesapeake Beach	Calvert	2003	03119	\$ 13,600.00
Delmar WWTP BNR/ENR Upgrade	NR 04.23	BNR	Town of Delmar	Wicomico	2004	04078	\$328,000.00
Region II (St. Michaels) WWTP BNR/ENR Upgrade	NR 01.21	BNR	Talbot Co.	Talbot	2005	05102	\$ 17,898.00
Carnation Drive	SW 27.17	SW	City of Rockville	Montgomery	2005	05105	\$211,888.00
Chestertown BNR/ENR	NR 01.15	BNR	Chestertown	Kent	2006	06060	\$186,875.00
Ridgedale Reservoir	WSG 21.01	WS	City of Cumberland	Allegany	2008	08058	\$24,722.00

WS = Water Supply Program

BNR = Biological Nutrient Removal Cost-Share Program

SW = Stormwater Program

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

D. Recommendation that the Board of Public Works reduce the State's spending authority in the amount of \$274,881.18 as shown for the following capital projects. These projects have either been completed or will use paygo funds.

Project Name	Program	County	MCCBL	Source	Amount
Dwyer Site	Hazardous Substance Cleanup	Cecil	2004 Item UA01(C)	04077	\$147,495.96
Skipjack Site	Hazardous Substance Cleanup	Caroline	2004 Item UA01(C)	04077	\$15,410.42
Chemical Metals Site	Hazardous Substance Cleanup	Baltimore City	2004 Item UA01(C)	04077	\$3,625.59
Dwyer Site	Hazardous Substance Cleanup	Cecil	2005 Item UA01(C)	05101	\$108,349.21

Since taxable bonds have already been issued for these projects, the State Treasurer's Office recommends using the unspent proceeds to finance the below-listed program, and to reduce the debt authorization for the following loan, as authorized by State Finance and Procurement Article, §§8-126 and 8-129:

MCCBL of 2009
 Department of Housing and Community Development
 Item SA25 (C)
 Homeownership Programs \$2,800,000

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

7. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant** funding up to \$400,000 to the City of Cambridge for the **Cambridge Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) Upgrade** project in the Dorchester County. The source of these grant funds is the Bay Restoration Fund. (Legislative District 37B).

Project Description: The project involves planning, design and construction of the Enhanced Nutrient Removal (ENR) facilities at the existing 8.0 million gallons per day (mgd) Cambridge Wastewater Treatment Plant (WWTP) to achieve effluent concentration goals of 3 mg/l for Total Nitrogen (TN) and 0.3 mg/l for Total Phosphorous (TP).

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 01.10 (this action)	\$ 400,000
Bay Restoration Fund Grant BR-NR 01.10 (previously approved 11/02/05)	\$ 100,000
Bay Restoration Fund Grant (future)	\$6,954,500
Local Funding	<u>\$1,316,160</u>
TOTAL ESTIMATED PROJECT COST:	\$8,770,660

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as MDE determines.

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

8. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$65,625 to Prince George's County for the **Laurel High School Low Impact Development (LID) Demonstration** project in Prince George's County (Legislative District 27A). The source of funds is the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund.

Project Description: The Laurel High School LID Demonstration project is part of a larger ecosystem restoration project to demonstrate the use of LID techniques to manage stormwater runoff and reduce nonpoint pollutants to streams, rivers and lakes in the Upper Patuxent watershed. The project will reduce stormwater pollution from a 3.55 acre drainage area comprising approximately 81% impervious surface through the construction of rain gardens and a weeping bioretention facility, as well as the use of bayscaping and rain barrels.

Project Funding Sources:

Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund (TF 02.16) (this action)	\$ 65,625
U.S. Environmental Protection Agency	\$ 168,750
Local Share	\$ 65,625
TOTAL ESTIMATED COST:	\$ 300,000

Authority: Section 9-1605.3 of the Environment Article, Maryland Code, known as the Chesapeake and Atlantic Coastal Bays Nonpoint Source Fund.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

9. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant funding** to Baltimore City for the **Patapsco Wastewater Treatment Plant Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) SC852** project in Baltimore City. The project involves multiple sources of funding which are being provided over several years based on project schedule. (Legislative District 46)

A. Grant Increase up to - \$2,547,000 Bay Restoration Fund (BR-NR 02.03)

B. Grant Increase - \$8,807,209 - Chesapeake Bay Water Quality Projects - Biological Nutrient Removal (NR 08.03) MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

Project Description: The project consists of the upgrade and expansion of the existing 73 million gallons per day (mgd) Patapsco Wastewater Treatment Plant (WWTP). The WWTP upgrade involves the planning, design and construction of BNR and ENR facilities to achieve annual average Total Nitrogen (TN) concentrations of 4.0 mg/l, a TN concentration of 3 mg/l from May to October, and Total Phosphorous (TP) concentration of 0.3 mg/l based on average flows of 81 mgd. This project also involves expansion of plant capacity from 73 mgd to the design capacity of 81 mgd identified in the City's Comprehensive Wastewater Facility Master Plan of 2002. This action will primarily fund the work related to contract (SC852), which is the denitrification filters and related work. There are two other construction contracts to be bid (future) that are associated with this project.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 02.03 (this action)	\$ 2,547,000
Bay Restoration Fund Grant BR-NR 02.03 (most recent action 11/18/09)	\$ 77,000,000
Biological Nutrient Removal NR 08.03 MCCBL 2003-03119 (this action)	\$ 152,052
Biological Nutrient Removal NR 08.03 MCCBL 2004-04078 (this action)	\$ 328,000
Biological Nutrient Removal NR 08.03 MCCBL 2005-05102 (this action)	\$ 298,489
Biological Nutrient Removal NR 08.03 MCCBL 2006-06060 (this action)	\$ 186,875
Biological Nutrient Removal NR 08.03 MCCBL 2009-09072 (this action)	\$ 7,841,793
Biological Nutrient Removal NR 08.03 (most recent action 6/17/09)	\$ 25,652,873
ARRA Baltimore City Principal Forgiveness Loan (most recent action 3/24/10)	\$ 6,000,000
ARRA Baltimore City Water Quality Loan (most recent action 3/24/10)	\$ 3,000,000
ARRA Baltimore County Water Quality Loan (most recent action 3/24/10)	\$ 9,000,000
Water Quality Loan – Baltimore County (previously approved 11/18/09)	\$ 4,000,000
Local Share	<u>\$ 13,051,318</u>
Estimated Subtotal SC 852	\$149,058,400

Estimated Cost Future Contracts	\$242,138,000
TOTAL ESTIMATED BNR/ENR PROJECT COST:	<u>\$391,196,400</u>

BOARD OF PUBLIC WORKS**MAY 19, 2010****SECRETARY'S AGENDA****9. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**

The Bay Restoration Funds may be expended using multi-year appropriations based on project schedule. Bay Restoration Funds will be used only for eligible ENR costs, as determined by the Department.

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

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

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

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

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

10. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant funding** up to \$1,400,000 to St. Mary's County Metropolitan Commission for the **Marlay-Taylor Water Reclamation Facility (WRF) Enhanced Nutrient Removal (ENR) Upgrade** project in St. Mary's County. (Legislative District 29C)

Project Description: The proposed project entails the planning and design of Enhanced Nutrient Removal (ENR) facilities at the existing 6 million gallons per day (mgd) Marlay-Taylor Water Reclamation Facility (WRF). The project is currently in the design phase, which includes detailing of new facilities and modifications to the existing required facilities at the WRF to achieve effluent goals of Total Nitrogen of 3 mg/l and Total Phosphorous of 0.3 mg/l. The purpose of the project is to reduce nutrients discharged to the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 02.19 (this action)	\$1,400,000
Bay Restoration Fund Grant BR-NR 02.19 (previously approved 5/21/08)	\$ 200,000
Local Funding	<u>\$1,106,000</u>
TOTAL ESTIMATED PLANNING AND DESIGN COST:	\$2,706,000

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department.

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

May 19, 2010

SECRETARY'S AGENDA

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

11. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant** funding up to \$3,024,000 to the City of Pocomoke for the **Pocomoke Wastewater Treatment Plant (WWTP) Enhanced Nutrient Removal (ENR) Upgrade** project in Worcester County. The project involves multiple sources of funding which are being provided over several years based on project schedule. The source of these grant funds is the Bay Restoration Fund. (Legislative District 38B).

Project Description: The proposed project involves planning, design and construction for the Enhanced Nutrient Removal (ENR) facilities at the existing 1.47 mgd Pocomoke Wastewater Treatment Plant (WWTP). Upon completion of the ENR upgrade, the Pocomoke WWTP will be capable of achieving effluent quality with annual average nutrient goals of 3 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorous.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 01.24 (this action)	\$3,024,000
Bay Restoration Fund Grant BR-NR 01.24 (previously approved 10/15/08)	\$ 200,000
ARRA Stimulus Grant (previously approved 9/16/09)	\$ 500,000
Local	\$ 252,750
TOTAL ESTIMATED PROJECT COST:	<u>\$3,976,750</u>

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department.

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

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

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

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

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

12. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further grant funding** up to \$1,100,000 to the Town of Snow Hill for the **Snow Hill Wastewater Treatment Plant (WWTP) Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) Upgrade** project in Worcester County. The project involves multiple sources of funding which are being provided over several years based on project schedule. (Legislative District 38B)

A. New Grant up to – \$400,000 Bay Restoration Fund Grant (BR-NR 02.24).

B. New Grant - \$200,000 Chesapeake Bay Water Quality Project Funds-Supplemental Assistance Program (SWQH 14.24). MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

C. Grant Increase - \$500,000 Chesapeake Bay Water Quality Project Funds-Biological Nutrient Removal (NR 01.24). MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

Project Description: This project entails the planning, design and construction phases for BNR and ENR at the existing 0.50 mgd Snow Hill WWTP. Upon completion of the ENR upgrade, the Snow Hill WWTP will be capable of achieving effluent quality with annual average nutrient goals of 3 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorous.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 02.24 (this action)	\$ 400,000
Bay Restoration Fund Grant (future)	\$ 3,562,000
SWQH Grant 14.24 MCCBL 2009-09073 (this action)	\$ 200,000
Biological Nutrient Removal NR 01.24 MCCBL 2009-09072 (this action)	\$ 500,000
Biological Nutrient Removal Grant NR 01.24 (previously approved 01/26/05)	\$ 49,631
Biological Nutrient Removal Grant (future)	\$ 2,936,369
Local Share	<u>\$ 6,367,220</u>
TOTAL ESTIMATED PROJECT COST:	\$14,015,220

BOARD OF PUBLIC WORKS**MAY 19, 2010****SECRETARY'S AGENDA****12. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**

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

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

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

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

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

13. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM:**
Public School Construction Capital Improvement Program – Fiscal Year 2011

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the State School Construction Program for the Fiscal Year 2011. The Interagency Committee is recommending a total Statewide program in the amount of \$263.7 million.

The proposed \$263.7 million program comprises:

- Approximately \$187.5 million previously approved by the Board of Public Works (Secretary's Agenda Item 1, Jan. 20, 2010); and
- Additional recommendations for specific projects in the approximate amount of \$76.2 million.

The recommended FY 2011 Capital Improvement Program will be funded by \$250 million from a proposed new bond authorization and \$13.7 million in reverted funds from the Statewide Contingency Account.

Background: The Interagency Committee has considered each local school system's capital improvement school construction program request submitted for Fiscal Year 2011. After evaluation including discussion among local representatives and Interagency Committee staff, the Interagency Committee recommends the Fiscal Year 2011 Program to the Board of Public Works. The program reflects local priorities, while recognizing projects that address the mandates of the Bridge to Excellence in Education Act, urgent major projects that require a high level of State commitment to move forward, the high school science classroom initiative, and the highest priority systemic renovation projects. The program also includes planning approval for a number of major projects and for projects that will address Bridge to Excellence requirements for full-day kindergarten and for pre-kindergarten for disadvantaged four-year olds. Planning approvals have been recommended in accordance with the *Regulations for the Administration of the Public School Construction Program*.

Authority: Section 5-301 of the Education Article, Maryland Code and COMAR 23.03.02.03D.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

14. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM *Aging Schools Program*

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the following allocations for each school system for the Aging School Program for Fiscal Year 2011. FY 2011 funding for the Program is \$6,065,327.

Background: The Aging Schools Program, administered by the Interagency Committee, funds capital improvements, repairs, maintenance, and deferred maintenance of existing school buildings. The allocations are based on the school district's proportion of pre-1970s building area that has not been renovated. For FY 2011, each LEA's funding level is equal to the LEA's proportional share of the FY 2010 funding level of \$6,108,986.

The recommended allocations for each school system are consistent with the allocations approved in the FY 2011 budget with two exceptions. For FY 2011, the General Assembly stipulated that \$1,000,000 of the total FY 2011 allocation of Qualified Zone Academy Bond program funds is to be applied to the Aging Schools Program. The QZAB funds were initially apportioned according to the standard methodology for QZAB distributions, which takes into account both the school district's proportion of pre-1970s building area that has not been renovated and the district's proportion of students in the Free and Reduced Price Meal program. Four school districts in Maryland have no schools that qualify for QZAB funds.

Based on past history showing that not all systems that are eligible for QZAB funds have submitted applications, the school systems eligible for FY 2011 QZABs were asked if they intended to use the QZAB portion of their total Aging Schools Program allocation. Because Harford County Public Schools and Somerset County Public Schools indicated that they will not participate in the QZAB portion of the funding, this portion has been deducted from the total statutory amount allocated to each of these LEAs. This results in a reduction of \$43,673 in the total allocation of the ASP/QZAB funds. These funds have been re-distributed within the separate QZAB program (Companion Item 15 on today's Agenda.)

Fund Sources: Fiscal Year 2011 \$5,109,000 funding [State General Obligation Bonds]
Fiscal Year 2011 \$956,327 funding [Qualified Zone Academy Bonds]

Authority: Education Article, Section 5-206(2)(ii); COMAR 23.03.02.03.19.

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

14. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
Aging Schools Program (cont'd)

Allocations: The proposed allocations for FY 2011 are:

<u>LEA</u>	FY 2011 ASP <u>Allocations</u>	FY 2011 ASP/QZAB <u>Allocations</u>	FY 2011 Total <u>Allocations</u>
Allegany	81,092	16,699	97,791
Anne Arundel	419,626	86,412	506,038
Baltimore City	1,149,053	238,871	1,387,924
Baltimore County	724,942	149,285	874,227
Calvert	38,292	0 ¹	38,292
Caroline	41,522	8,551	50,073
Carroll	137,261	0 ¹	137,261
Cecil	79,627	16,397	96,024
Charles	41,522	8,551	50,073
Dorchester	31,753	6,539	38,292
Frederick	151,437	31,185	182,622
Garrett	31,753	6,539	38,292
Harford	180,259	0 ²	180,259
Howard	72,787	14,989	87,776
Kent	31,753	6,539	38,292
Montgomery	499,741	102,910	602,651
Prince George's	1,002,901	206,525	1,209,426
Queen Anne's	50,073	0 ¹	50,073
St. Mary's	41,522	8,551	50,073
Somerset	31,753	0 ²	31,753
Talbot	38,292	0 ¹	38,292
Washington	111,867	23,037	134,904
Wicomico	88,419	18,208	106,627
Worcester	31,753	6,539	38,292
Totals	<u>\$5,109,000</u>	<u>\$956,327</u>	<u>\$6,065,327</u>

¹ No schools are eligible for QZAB funds

² Declined QZAB portion of total ASP allocation

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

Contact: David Lever 410-767-0742
 dlever@msde.state.md.us

15. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
FY 2011 Qualified Zone Academy Bond Program

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the following allocations to each school system for the FY 2011 Qualified Zone Academy Bond (QZAB) Program.

Background: The Qualified Zone Academy Bond Program, administered by the Interagency Committee, funds capital improvements, repairs, maintenance, and deferred maintenance of existing school buildings. The program has been extended as part of the federal Tax Extenders and Alternative Minimum Tax Relief Act of 2008 (Public Law 110-343).

Funding for Fiscal Year 2011 is \$4,196,673, comprising:

- new authorization amount of \$4,196,673 (balance remaining after deducting \$956,327 from the total authorization of \$4,543,000 to fund a portion of the Aging Schools Program)
- reallocation of a contingency balance amount of \$557,800
- QZAB interest earnings of \$52,200

Allocations: The recommended allocations are based on each school district's proportion of pre-1970 building area that has not been renovated and its percentage of students eligible for free or reduced price meals.

<u>LEA</u>	<u>QZAB Allocation</u>
Allegany	61,301
Anne Arundel	320,588
Baltimore City	1,070,129
Baltimore County	602,715
Calvert ¹	-
Caroline	27,449
Carroll ¹	-
Cecil	64,603
Charles	77,449
Dorchester	28,461
Frederick	125,815
Garrett	28,461
Harford ²	-
Howard	76,011
Kent	26,461

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

15. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM** (cont'd)
FY 2011 Qualified Zone Academy Bond Program

Montgomery	480,090
Prince George's	968,475
Queen Anne's ¹	-
St. Mary's	38,449
Somerset ²	-
Talbot ¹	-
Washington	95,963
Wicomico	75,792
Worcester	28,461
Total	<u>\$4,196,673</u>

¹ LEA has no school facilities that qualify for QZAB funds

² LEA declined QZAB allocation

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

16. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Amendment to the FY 2010 Public School Construction Capital Improvement Program

Anne Arundel

Frederick

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve amendments to the Fiscal Year 2010 Capital Improvement Program as described below.

Authority: The Maryland Consolidated Capital Bond Loan of 2009 (Chapter 485, Maryland Laws at page 7) specifies that if school construction funds provided to a county in the fiscal year 2010 Capital Improvement Program cannot be allocated to, or used for, eligible projects within two years of the initial authorization, the county may opt to have the funds: (1) applied to another eligible project in the FY 2010 CIP; or (2) reverted to and maintained in the contingency fund for eligible projects in the county in the FY 2010 CIP. See also COMAR 23.03.02.03E (After Board "approval of the final State capital improvement program, the program may be revised only upon . . . approval by the Board of Public Works").

Specific Requests: Reference is made to Secretary's Agenda Item 15 (May 6, 2009) in which the Board of Public Works approved the final State School Construction Capital Improvement Program for Fiscal Year 2010. The following school systems could not use FY 2010 funds as originally allocated; the IAC recommends those funds that were reverted to and maintained in the contingency fund be applied to the following eligible projects in the fiscal year 2010 CIP.

Anne Arundel County Public Schools

Northeast High: renovation/addition	\$44,944
-------------------------------------	----------

Frederick County Public Schools

Brunswick Middle: RTU replacement	\$450,894
-----------------------------------	-----------

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

17. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**

*Amendment to the FY 2010 Public School Construction Capital Improvement Program
 Kent County*

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve an amendment to the Fiscal Year 2010 Capital Improvement Program. The amendment will: (1) rescind funding in the amount of \$388,000 for two systemic renovation projects in Kent County; and (2) transfer the funds to the Statewide Contingency Account for use in the FY 2011 Public School Construction Capital Improvement Program.

Authority: The Maryland Consolidated Capital Bond Loan of 2009 (Chapter 488, Maryland Laws at page 8) states: "any school construction funds allocated to a county that are not encumbered within two years of the initial authorization shall revert to the contingency fund established in Section 5-301 of the Education Article." Funds for a project approved in the FY 2010 CIP revert to the Statewide contingency account if the project is not encumbered, that is, if it is not approved for contract award by a local board by May 31, 2011. See also COMAR 23.03.02.03E (After Board "approval of the final State capital improvement program, the program may be revised only upon . . . approval by the Board of Public Works").

Specific Request: In the FY 2010 CIP, the Board of Public Works approved funding for Kent County Public Schools in the amount of \$191,000 for the Garnett Elementary School PSC #14.006.10C and \$197,000 for the Chestertown Middle School PSC #14.003.10C systemic renovation elevator projects. The Kent County Commissioners have stated in writing that local funding support for these projects will not be provided in the FY 2010 or FY 2011 capital budgets. Without local funding support, these projects cannot be under contract by May 31, 2011. Rather than wait for the automatic cancellation of the FY 2010 funding on May 31, 2011, the Interagency Committee recommends that these funds be put to current use in the FY 2011 CIP by transferring them to the Statewide Contingency Account.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

18. **STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**
Disposal of Surplus Relocatable Unit

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

Background: One of the State-owned relocatable buildings in Harford County has been found to be no longer useful.

School Name**ID#**

Deerfield Elementary

#38425-38426

Harford County Public Schools requests that this unit be moved as soon as possible. The IAC finds that no other school system in the State needs the unit. On April 30, 2010, the Interagency Committee approved the disposal of this unit.

Authority: COMAR 23.03.02.16H. As per the *Public School Construction Program Administration Regulations*, the Board of Public Works must declare the property surplus in order to allow disposal to proceed.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

19. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing deeds of trust on seven properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program.

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

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

A. Loan Recipient: JASON L. HARBER
 Location: 12000 Susan Lane Lusby, MD 20657(Calvert County)
 Original Loan: \$5,000
 Current Balance: \$2,500
 Type: Second Mortgage
 Reason: Underemployment

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

B. Loan Recipient: LILLIAN M. WARREN
 Location: 4017 Balfern Avenue, Baltimore, MD 21213 (Baltimore City)
 Original Loan: \$3,500
 Current Balance: \$3,500
 Type: Second Mortgage
 Reason: Unemployment

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

C. Loan Recipient: CHARLES JOHN & MARATELL KELLY-JOHN
 Location: 12131 Dove Circle, Laurel, MD 20708 (Prince George's County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Borrowers separated

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

19. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

D. Loan Recipient: ALICIA HELM
 Location: 9418 Nicklaus Lane, #47, Laurel, MD 20708 (Prince George's County)
 Original Loan: \$5,000
 Current Balance: \$2,500
 Type: Second Mortgage
 Reason: Mismanagement

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

E. Loan Recipient: SHAMARA ROBERTSON
 Location: 206 Woodland Green Way, Aberdeen, MD 21001 (Harford Co.)
 Original Loan: \$7,500
 Current Balance: \$5,250
 Type: Second Mortgage
 Reason: Separated

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

F. Loan Recipient: LAVONNE TORRENCE
 Location: 6805 Wildrose Court District Heights, MD 20747
 (Prince George's County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Unemployment

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

G. Loan Recipient CHANNEL D. SUMPTER
 Location: 1500 Gleneagle Road, Baltimore, MD 21239 (Baltimore City)
 Original Loan: \$10,000
 Current Balance: \$10,000
 Type: Second Mortgage
 Reason: Reduction in income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

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

20. **MORGAN STATE UNIVERSITY*****Lillie Carroll Jackson Museum Historic Renovation/Restoration***

CONTRACT: Lillie Carroll Jackson Museum Historic
 Renovation/Restoration
 Project No. DCM 06076-CO

AWARD: Commercial Interiors, Inc
 7464 New Ridge Road, Suite 5
 Hanover, MD 21076

DESCRIPTION: Historic preservation and restoration to the interior and exterior of a four-story Victorian town house of approx. 5,700 GSF located at 1320 Eutaw Place, Bolton Hill, Baltimore. Work includes new roof, removal/abatement of lead paint and asbestos, refinishing wood floors, new elevator, exterior brick cleaning and repointing, plaster work, window restoration, electrical, mechanical and plumbing upgrades, etc.

TERM: 365 calendars days from Notice To Proceed

AMOUNT: \$1,339,500.00

PROCUREMENT METHOD: Multi-Step Competitive Bid

<u>BIDDERS</u>	<u>LUMP SUM BID PRICE</u>
Commercial Interiors	\$1,339,500.00
Tech Contracting Co., Inc.	\$1,647,963.00
G. W. Management Services	\$1,697,000.00
Progressive Contracting Co.	\$2,019,152.00
Gardiner & Gardiner	\$2,348,362.00

MBE PARTICIPATION: 100%

PERFORMANCE BOND: Performance and Payment Bonds at 100% of the contract amount.

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

20. MORGAN STATE UNIVERSITY (cont'd) *Lillie Carroll Jackson Museum Historic Renovation/Restoration*

REMARKS: The State of Maryland transferred ownership of the Lillie Carroll Jackson Museum to Morgan State University in 1996. The Museum is located in Baltimore's Bolton Hill at 1320 Eutaw Place. Lillie Carroll Jackson, a Baltimore native and Baltimore-branch NAACP president, was known as the "Mother of Freedom" because of her legal actions opening classrooms to those who had been denied admittance on the basis of race. The building was constructed in the 1890's and is on the National Register of Historic Places. The University intends to create a functional, maintainable, safe and historically restored museum to serve the public for decades.

Seven firms were pre-qualified and were invited to submit bids. Only five firms submitted bids. Commercial Interiors provided the lowest bid. No alternates were selected and no allowances were identified in the contract amount.

The MBE goal for this project is 30% and the contractor plans to meet the MBE goal. Commercial Interiors, Inc. is also a MBE firm. The value of the MBE subcontracts is \$418,245. Commercial intends on hiring approximately 10-15 trade contractors with all but 1 or 2 from Maryland. Commercial Interiors anticipates an average of 10-15 persons on site throughout the project, with the majority of them from Maryland.

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

FUND SOURCE: MCCBL of 2009: *Provide funds to renovate the Lillie Carroll Jackson Museum, Item 89*

MD TAX CLEARANCE: 10-4192-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

Contact: Laurel Crawford (410) 260-8523
lcrawford@dnr.state.md.us

21. **DEPARTMENT OF NATURAL RESOURCES**
Shoreline Conservation and Management Service

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

The Department recommends approval to execute the following Release of Lien:

<u>Project Number</u>	<u>Owner's Name</u>	<u>Project Description</u>	<u>County/District</u>	<u>Amount</u>
SEC 10-88	Mitchell, Edward F. and Suzanne S.	Stabilization of 200 feet of eroding shoreline	Queen Anne's 36	\$60,600

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED**BOARD OF PUBLIC WORKS****MAY 19, 2010****SECRETARY'S AGENDA**

Contact: Laurel Crawford (410) 260-8523

lcrawford@dnr.state.md.us**22. DEPARTMENT OF NATURAL RESOURCES*****Shoreline Conservation and Management Service***

Recommendation: That the Board of Public Works, in accordance with the *Policy and Procedure for Shore Erosion Control Capital and Loan Projects*, approve modified loan agreement and the disbursement of special funds for the following shore erosion control project:

Loan Recipient: ANNE ARUNDEL COUNTY
Project Name/No.: Columbia Beach SECD / SEC 03-07
Location: Robinson Road, DePriest Drive, Al Jones Drive, and Franklin Point, Chesapeake Bay
 Columbia Beach, Anne Arundel County, Maryland
Length/Type 1,440 linear feet of stone reinforcement, 286 linear feet of stone revetment, and 2,346 linear feet of stone sill and marsh grass planting
Original Loan Approval: August 22, 2007, BPW Secretary's Agenda, Item 9
Original Loan Amount: \$247,000.00
Modification Amount: \$857,460.00
Final Loan Amount: \$1,104,460.00
Loan Term: 20 Years
Fund Source:

FY07 Waterway Improvement Fund \$247,000 (03.30.01.05.11) (previously approved)

FY08 Waterway Improvement Fund \$274,460 (03.30.01.05.11)

FY09 Waterway Improvement Fund \$352,267.59(03.30.01.05.11)

FY05 Revolving Loan Fund \$116,000 (03.30.01.05.11)

FY08 Revolving Loan Fund \$114,732.41 (03.30.01.05.11)

Authority: Section 8-1005, Natural Resources Article, Annotated Code of Maryland

Remarks: The increase in project cost and increase in the loan amount is due to an increase in the scope of the work during construction. The original Board-approved amount facilitated project design and provided initial construction funding. This item provides the balance of the funds needed for construction.

DNR will provide technical and financial assistance to Anne Arundel County for the design and construction. The county will pay an administrative fee for DNR services. This loan is interest-free. The county will pledge its full faith and credit to repay the loan. The loan agreement will be recorded in the county Land Records. DNR will collect the yearly installments and deposit them in the Shore Erosion Control Revolving Loan Fund.

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

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

23. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

AUTHORITY: State Finance and Procurement Article, Annotated Code of Maryland, §8-301 requires Board of Public Works approval of all contracts to expend general obligation bond proceeds.

- A. Eastern Correctional Institution, Annex**
 Shower Ceiling Improvements/KO-000-040-C02
 Adpics No. 603B0400015

Description	Provide stainless steel shower ceiling and appurtenances in two shower rooms including heat and ventilation, grills and light fixtures.
Procurement Method	Competitive Sealed Bidding
Award	Sens Mechanical Inc.
Amount	\$26,828.00
Fund Source	MCCBL of 2003: Eastern Correctional Institution – Annex, 140 Bed Minimum Security Housing Unit, Item 063
Tax Compliance No.	10-4271-0001
Resident Business	Yes

- B. Patuxent Institution, Jessup**
 Ware Wash Ventilation Improvements/KD-000-040-C06
 Adpics No. 603B0400014

Description	Provide new roof fan, fan curb with ½" security bars and provide corresponding power.
Procurement Method	Competitive Sealed Bidding
Award	Towson Mechanical Inc.
Amount	\$ 26,921.00
Fund Source	MCCBL of 2003: Kitchen Dining Hall/Perimeter Security, Item 066
Tax Compliance No.	10-4185-0111
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

MAY 19, 2010

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

24. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Maryland Correctional Training Center (MCTC) – Hagerstown

CONTRACT NO. AND TITLE	KA-000-080-C01 Replacement of Steam Distribution System ADPICS NO. COD08301
ORIGINAL CONTRACT APPROVED	BPW Agenda 06/03/09, Item 13
ORIGINAL PROCUREMENT METHOD	Competitive Sealed Bidding (COMAR 21.05.02)
CONTRACTOR	Madison Mechanical Inc. Marriottsville, Maryland

DESCRIPTION OF ORIGINAL CONTRACT: Phased construction of on-site and within the existing and new mechanical rooms to replace 4,000 linear feet of existing 40 year old underground steam supply and condensate return piping; construction of six underground mechanical room additions; replacement of steam pressure reducing stations, pumps and hot water generators.

MODIFICATION Change Order No. 2 is for revising H-Pile placement design and installation due to differing site conditions.

MODIFICATION AMOUNT	\$ 88,846.00 (with 38 days non-compensable time extension)
ORIGINAL CONTRACT AMOUNT	\$ 7,146,900.00
OPTION AMOUNT	\$ 1,050,000.00
ADJUSTED CONTRACT AMOUNT	\$ 8,196,900.00
CHANGE ORDERS PREVIOUSLY APPROVED	\$ 1,629.00
REVISED CONTRACT AMOUNT	\$ 8,287,375.00
% OF THIS CO TO CONTRACT AWARD	1.08%
% OF CUMULATIVE COs TO ADJUSTED CONTRACT AWARD	1.10%

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

24. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)
Maryland Correctional Training Center (MCTC) – Hagerstown

FUND SOURCE MCCBL of 2007:
 Site Utilities and Housing Unit's Window and
 Heating System Replacement,
 Item 060

PERFORMANCE BOND 100%

MBE PARTICIPATION 0%: Change Order
 15%: Overall

REMARKS: This project is to replace the existing more than 40 years old deteriorated and leaking underground steam supply and condensate return piping, manholes, condensate return pumps, domestic hot water generators and pressure reducing stations. The work also includes construction of six underground and one above ground mechanical rooms. Replacement of steam distribution system is required to avoid significant energy losses and to reduce maintenance cost.

This Change Order will revise and install shoring piles due to rocks encountered during installation of underground Mechanical Room at the existing Gymnasium Building. The piles are required to provide lateral support for both the existing Gymnasium Building and ensuring safe construction of the Mechanical Room.

TAX COMPLIANCE NO. 10-4276-1110

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

MAY 19, 2010

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

25. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Jessup Correctional Complex

CONTRACT AND TITLE	Energy Performance Contract, Phase II Jessup Correctional Complex Contract No. KJJ-000-091-EP1 Adpics No. 603B0400013		
ORIGINAL INDEFINITE DELIVERY CONTRACT	Phase I: Indefinite Delivery Contract (DGS-06-EPC-IDC-5.0): Agreement to Provide Energy Services for the Development and Implementation of Energy Performance Projects (DGS Item 1-EP [4/18/2007] as modified (DGS Item 1-EP-MOD [11/14/2007])).		
ORIGINAL PHASE ONE APPROVED	Public Safety Procurement Review Board 8/6/2008		
CONTRACTOR	NORESKO, LLC		
AMOUNT	\$17,989,476		
PERFORMANCE BOND	\$13,970,000 (capital cost, including Phase I Study)		
MBE PARTICIPATION	40.37%		
FUND SOURCE	\$13,920,000	Energy Performance Contract Lease Purchase Agreement	
	\$ 385,000	MCCBL2009, Item 007 DGS Facilities Renewal Program	
	\$ 3,684,476	DPSCS Operating Budget (Over 14 years from Utilities Savings)	
	<u>\$17,989,476</u>	Total	

The entire cost carried by the DPSCS operating budget is realized from the utility and operating savings.

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

25. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd) *Jessup Correctional Complex, Jessup, Maryland*

REMARKS This energy performance project will implement energy conservation and facility improvements that will significantly improve the environmental comfort at the Jessup Correctional Complex Buildings and result in savings.

Reference is made to DGS Item 1-EP (4/18/07) in which the Board of Public Works approved the award of Indefinite Delivery Contracts to Energy Service Companies to provide energy audit, engineering, construction, financing, and maintenance services to develop and implement comprehensive energy efficiency and guaranteed savings programs at State facilities on an as-needed basis. These agreements are available for use by all State agencies.

Using the process DGS set forth, DPSCS awarded a Phase I task order to NORESKO, one of the IDC contractors. NORESKO developed a comprehensive energy efficiency and guaranteed savings program to assist DPSCS to reduce energy consumption through installing capital equipment and implementing maintenance services. A detailed engineering study was completed, including specific recommendations, equipment layouts, preliminary specifications, construction cost, yearly maintenance costs, and guaranteed energy and energy related savings.

DPSCS found NORESKO's plan acceptable; therefore, DPSCS is recommending awarding the Phase II work to implement the Phase I plan to NORESKO. Phase II requires the vendor to furnish detailed engineering, design, construction, start-up, training, maintenance services, measurement and verification of energy consumption and guaranteed energy savings for the approved program.

DPSCS, in coordination with DGS, negotiated final capital and maintenance costs which costs represent fair market value for these services. Project costs will be funded through guaranteed energy-related-costs and DPSCS Funds.

The Maryland Energy Administration supports the recommendations of the Phase II award to NORESKO.

RESIDENT BUSINESS Yes

TAX COMPLIANCE NO. 10-4248-0001

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

MAY 19, 2010

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

26. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

REFERENCE: Capital Projects Unencumbered Balances

DESCRIPTION: In accordance with State Finance and Procurement Article 8-129, Board of Public Works approval is requested to transfer unencumbered balances in the amount of \$47,011.24 from capital funds for the Department of Public Safety and Correctional Services completed capital projects to the Construction Contingency Fund. The Department of General Services and Department of Budget and Management (Office of Capital Budgeting) have reviewed the recommendation and concur of the transfer of \$47,011.24

MCCBL of 2003: Eastern Correctional Institution – Annex, 140 Bed Minimum Security Housing Unit, Item 063	\$ 22,216.76
--	--------------

MCCBL of 2003: Patuxent Institution, Fire Safety Improvements, Item 065	\$ 24,794.48
--	--------------

Total \$ 47,011.24

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:** Casey Brown
410-767-1266
cmb@ooa.state.md.us

DEPARTMENT/PROGRAM: Department of Aging (MDOA)
Congregate Housing Services Program (CHSP, or
Program)

CONTRACT ID: See Attachment

CONTRACT DESCRIPTION: Four contracts to provide congregate housing services, consisting of meals, housekeeping and personal assistance to 225 eligible residents living in 10 various senior housing facilities in Maryland that are certified by the Department to provide such services. These services are for seniors, who as a result of chronic health conditions or age-related disabilities depend on others for daily help with their routine activities.

AWARDS: See Attachment

TERM: 7/1/2010 – 6/30/2011

AMOUNT: \$683,000 Grand Total (See Attachment)

PROCUREMENT METHOD: Sole Source (Continuity of Care)

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENTS: Same

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

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: The Sole Source procurement was deemed appropriate for these services under COMAR 21.14.01.06C in order to provide continuity of care. The Program, which was established by the General Assembly in 1976, provides support to services to seniors who, as a result of chronic health conditions or age-related disabilities, depend on others for daily help with routine activities. The Maryland Department of Aging (MDOA) contracts with private management companies, housing authorities, and non-profit organizations to provide Congregate Housing Services (CHS) to eligible elderly residents of senior housing apartment buildings certified by the Department to provide such services. **Standard services** are traditional fixed services that are provided to all eligible elderly residents regardless of the specific need; whereas, **Individualized services** are customized and tailored to the specific needs of the eligible elderly resident.

MDOA's Congregate Housing Services Program (CHSP) promotes independent living in senior housing by providing a package of services consisting of meals, housekeeping, personal assistance and service management to residents who are 62 years of age and older and who require temporary or periodic assistance with daily living activities.

CHSP provides a State subsidy to low-income seniors who lack sufficient resources to pay for the full cost of the service. The amount of the subsidy depends upon the actual income of each client in the congregate housing program. Under a sliding scale arrangement, clients pay a specified portion of their monthly income directly to the congregate housing Contractors. The Department then pays the Contractors the difference between the amount each client pays and the maximum contract amount.

Due to the nature and scope of services provided by the CHSP, the availability of services must be ensured for recipients who, without these services, may be at risk of relocating to a nursing home or other health-related institution in order to receive needed services.

Because these contracts are for State subsidies, there are no subcontracting opportunities; thus there is no MBE participation goal.

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

ITEM: 1-S (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: D26A07.01

RESIDENT BUSINESS: Yes for all

MD TAX CLEARANCE: See Attachment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 1-S (Cont.)

ATTACHMENT

BPW 5/19/2010

BIDS OR PROPOSALS: (Cont.)

Vendor Name ADPICS No. MD Tax Clearance	Number of Residents	Award/ Contract Amount
Associated Catholic Charities, Inc. Baltimore, MD Individualized - CHSP (Arundel Woods, Basilica Place, Friendship Station, Friendship Village, Trinity House) ADPICS NO. D26B0400014 MD TAX ID 10-4093-0110	73	\$260,000
Associated Catholic Charities, Inc. Baltimore, MD Standard - CHSP (DePaul House, St. Joachim, & St. Luke's Place) ADPICS NO. D26B0400015 MD TAX ID 10-4093-0110	60	\$115,000
National Capital B'nai B'rith Assisted Housing Silver Spring, MD Standard - CHSP (Homecrest House III) ADPICS NO. D26B0400016 MD TAX ID 10-4095-0110	42	\$162,000
MAC, Inc. Salisbury, MD Individualized - CHSP (Pine Bluff Village) ADPICS NO. D26B0400017 MD TAX ID 10-4094-0110	50	\$146,000
TOTAL	225	\$683,000

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

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Mark Leeds
410-767-1443
leedsm@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Health Services (OHS)
Long Term Care and Community Supports
Administration
Money Follows the Person Demonstration (MFP)

CONTRACT ID: DHMH/OPASS-11-10376;
Fiscal Intermediary Services for the
Office of Health Services
ADPICS No. M00B0400617

CONTRACT DESCRIPTION: The Fiscal Intermediary services will provide a full scope of employee payroll services to the Living at Home Waiver participants who are the employer of record for their non-agency attendant care service providers. Under the contract self-employed personal care providers may also receive various services. (See Requesting Agency Remarks below.)

AWARD: Administrative Services, Incorporated
Bethesda, MD

TERM: 6/1/2010 – 5/31/2013 (w/2 one-year Renewal Options)

AMOUNT: \$1,623,540 (3 Years; Base Contract)
\$ 574,086 (1 Year; 1st Renewal Option)
\$ 591,476 (1 Year; 2nd Renewal Option)
\$2,789,102 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment 1

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

ITEM: 2-S (Cont.)

MBE PARTICIPATION: 10% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Public Partnerships, LLC
Boston, MA

REQUESTING AGENCY REMARKS: On 3/4/2010, the Request for Proposals (RFP) was advertised on *eMaryland Marketplace.com*. The Department sent the notification directly to 87 vendors, of which 76 are Maryland firms, 52 are MBE firms and five are small businesses. A copy was also sent to the Governor's Office of Minority Affairs (GOMA).

There were four responses to the RFP. Two of the responses were eliminated, due to not being technically capable of providing the required services. Of the remaining two offerors, Administrative Services, Inc. (ASI) is recommended for award as providing the best value to the State with its overall higher ranking. ASI was ranked number one technically and had a lower price.

This contract provides essential fiscal intermediary services for two classes of healthcare providers through multiple programs operated by the Department of Health and Mental Hygiene in the Office of Health Services (OHS). These programs provide personal care services to vulnerable, disabled adults in Maryland. Ultimately, the provision of these services decreases ongoing Medicaid costs by reducing or preventing institutional care. The first class of healthcare providers is the Living At Home (LAH) Waiver non-agency attendant care providers. LAH Waiver consumer attendant care providers are considered to be employees of the participant they service. They require full W-2 federal and state income tax service, including employee and employer withholding taxes, Federal Unemployment Tax Act (FUTA) and State Unemployment Tax Act (SUTA) payment, as well as Workers' Compensation insurance coverage and related remittances and reporting.

The second class of health care providers is the independent contractor, hereinafter called the "self-employed" independent personal care providers of the Medical Assistance Personal Care Services Program (MAPCSP) and the Home- and Community-Based Services Waiver for Older Adults (WOA) Program. MAPCSP and WOA providers are self-employed independent contractors and, by the authority of Health-General, Article, §15-132.1, Ann. Code of Md., the Department is required to "...provide voluntary withholding of federal income taxes under the

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

ITEM: 2-S (Cont.)

Internal Revenue Code and State Income Taxes under Title 10 of the Tax – General Article for Self-Employed Providers” (including state income tax withholding in accordance with interstate income tax reciprocity agreements with MD/DC/PA/VA/WV). The terms independent contractor and self-employed are interchangeable in meeting Federal income and State income taxpayer standards, as well as DHMH programmatic standards. The MAPCSP and WOA providers, therefore, require federal and state voluntary estimated tax withholdings.

The third function of the fiscal intermediary contractor will be to complete voluntary withholding and payment of organizational dues on behalf of the non-agency healthcare providers in the Living at Home Waiver Program and the independent, self-employed providers working through the Medical Assistance Personal Care Services Program and the Waiver for Older Adults.

A 10% MBE Participation goal was established for this contract based upon the limited ability to subcontract core services; therefore ancillary services, such as production of the customer satisfaction survey and outreach or office supply purchases, will be subcontracted.

FUND SOURCE: 50% General; 50% Federal

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4126-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 2-S (Cont.)

ATTACHMENT

BIDS OR PROPOSALS/AWARDS (Cont.):

<u>OFFERORS</u>	<u>TECH. RANK</u>	<u>FINANCIAL OFFER – 3 YEAR BASE CONTRACT</u>	<u>FINANCIAL OFFER – 1ST OPTION (1 Year)</u>	<u>FINANCIAL OFFER – 2ND OPTION (1 Year)</u>	<u>TOTAL FINANCIAL AMT/RANK (5 Years)</u>	<u>OVERALL RANK*</u>
Administrative Services, Inc. Bethesda, MD	1	\$1,623,540	\$574,086	\$591,476	\$2,789,102	1
Public Partnerships, LLC Boston, MA	2	\$2,697,062	\$971,883	\$1,010,758	\$4,679,703	2

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

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT

ITEM:	3-S	Agency Contact: Sandra Johnson 410-767-7408 Sjohnso5@dhr.state.md.us
DEPARTMENT/PROGRAM:	Human Resources (DHR) Harford County Department of Social Services (HADSS)	
CONTRACT ID:	HADSS/SSA/10-007; ADPICS No. N00B0400488	
CONTRACT DESCRIPTION:	Request for retroactive approval of a contract to acquire the services of a practicing Maryland licensed attorney to represent the Agency before the Harford County Courts, with a focus on representing the Harford County Department of Social Services (HADSS) in child welfare cases.	
AWARD:	Bolton & Kearney, PA Aberdeen, MD	
TERM:	1/1/2010 - 12/31/2010 (w/1 one-year renewal option)	
AMOUNT:	\$165,000 (1 Year; Base Contract) <u>\$172,800</u> (1 Year; Renewal Option) \$337,800 Total (2 Years)	
PROCUREMENT METHOD:	Sole Source	
BIDS OR PROPOSALS:	N/A	
MBE PARTICIPATION:	5% (See Requesting Agency Remarks below)	
PERFORMANCE SECURITY:	None	
INCUMBENT:	Same (See Requesting Agency Remarks below)	

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

ITEM: 3-S (Cont.)

REQUESTING AGENCY REMARKS: Request for retroactive approval of a contract to provide legal representation in the courts of Harford County in accordance with Human Services Article, §3-601 of the Annotated Code of Maryland. These services include, but are not limited to, child welfare services, including terminations of parental rights (TPR) hearings, emergency shelter hearings, adjudicatory hearings, regularly scheduled hearings to review a child's continued placement in an out-of-home placement and all scheduled Court appearances for biological parents who participate in the Family Recovery Court.

These services were awarded to Bolton & Kearney, P.A. through a competitive procurement on October 4, 2006 (DBM BPW Agenda Item 3-S). The two-year contract (1/1/2007 – 12/31/2009) contained two one-year renewal options. Due to extenuating circumstances the renewal option was not exercised by DHR/HADSS prior to the end of the base contract term; however the Contractor continued to provide services for HADSS. When DHR realized the omission, DBM was notified immediately and advised DHR to enter into a sole-source contract with Bolton & Kearney, P.A., since the original contract has expired and due to the vital nature of these services, cannot lapse.

The amount of funding requested for the one-year base term and the one-year renewal option is the same amount as requested for the two renewal options available on the original contract.

Bolton & Kearney, P.A. devotes an average of 30 - 40 hours per week handling these child welfare services matters. Bolton & Kearney, P.A. has represented HADSS for over 20 years in a professional, proficient, attentive and accommodating manner. All services have been provided in accordance with the terms of the contract, and HADSS is satisfied with the performance of Bolton & Kearney, P.A.

The original contract contained a 5% MBE Participation goal, which is being continued for this sole source contract. The MBE goal was established based upon the limited subcontracting opportunities available for these services. The services being subcontracted include computer consulting (to include hardware and software purchases), and the purchase of office and stationary supplies.

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

ITEM: 3-S (Cont.)

FUND SOURCE: 71.1% General; 28.9% Federal

APPROP. CODE: N00G0003

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-3937-0111

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: 4-S **Agency Contact:** Susan Scotto
410-537-3116
sscotto@mde.state.md.us

DEPARTMENT/PROGRAM: Department of the Environment (MDE)
Department-wide

CONTRACT ID: Scientific, Technical and Administrative Support
ADPICS BPO No. U00B0400046

CONTRACT DESCRIPTION: Provide assistance in eleven functional areas: 1. Air Quality; 2. Toxicology; 3. Meteorology; 4. Water and Wastewater Permits Program; 5. Planning and Regulatory Review; Dispute Resolution; 6. Accounting Services; 7. Financial Accounting Services; 8. Human Resources; 9. Contract Management; 10. Preparation of Reports; and 11. Training. Services are to be performed only when required and as requested by the Department.

AWARDS: See Attachment 1

TERM: 6/10/2010 – 6/9/2013 (3 Years)

AMOUNT: \$600,000 (NTE)

PROCUREMENT METHOD: Competitive Sealed Proposals
(Small Business Reserve)

BIDS OR PROPOSALS: See Attachment 2

MBE PARTICIPATION: 7 of 12 Contractors are Maryland Certified MBEs
(See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

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

ITEM: 4-S (Cont.)

REQUESTING AGENCY REMARKS: A Request for Proposals (RFP) was published on *eMarylandMarketplace.com*. This notice reached 2,451 vendors. Of these, 1,593 are Maryland businesses, and 515 are Minority Business Enterprises (MBEs). In addition, the notice was published on the MDE website, and a copy was provided to the Governor's Office of Minority Affairs.

The solicitation was divided into eleven Functional Areas. Offerors were permitted to submit proposals in one or more Functional Area. The Functional Areas (FA) are as follows:

1. Air Quality, which includes the following sub-functions, that could each be proposed separately:
 - a. Air Quality Modeling,
 - b. Dispersion Modeling,
 - c. Photochemical Modeling,
 - d. Statistical Modeling,
 - e. Technical Studies/Research, and
 - f. Air Quality Sampling;
2. Toxicology;
3. Meteorology, which includes the following sub-functions, that could each be proposed separately:
 - a. AQI Forecasting,
 - b. Instrumentation Audit, and
 - c. Economic Modeling and Forecasting;
4. Water and Wastewater Permits Program;
5. Planning and Regulatory Review: Dispute Resolution;
6. Accounting Services, which includes the following sub-functions, that could each be proposed separately:
 - a. Fiscal Services,
 - b. Contract, Audit Management and Training,
 - c. Payment Disbursement Reviews, and
 - d. MBE/WBE/DBE Compliance Reviews;
7. Financial Accounting Services, which includes the following sub-functions, that could each be proposed separately:
 - a. Financial Accounting Services,
 - b. Auditing Services, and
 - c. Credit and Financial Statement Analysis;

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

ITEM: 4-S (Cont.)

8. Human Resources Consulting, which includes the following sub-functions, that could each be proposed separately:
 - a. Recruiting Support,
 - b. Employee/Employer Relations,
 - c. Human Resource Technical Assistance, and
 - d. Professional Coaching and Leadership Development;
9. Contract Management;
10. Preparation of Reports; and
11. Training.

Eighteen Offerors submitted responses to the RFP. One offeror was rejected for not submitting proper documentation, leaving 17 Offerors representing 29 offers to the 11 Functional Areas. Of these 17, five Offerors (representing nine offers) were determined to be not reasonably susceptible of being selected for award. Offerors submitted proposals for one or more Functional Area. Awards are recommended to all remaining technically qualified offerors, according to Functional Area (See Attachment 2) as follows:

For Functional Area 1, three Offerors submitted proposals to four different tasks with no overlap. (No proposals were received for two of the tasks.) All technical offers were acceptable, and the Offerors were determined to be responsible. The financial offers were considered fair and reasonable; therefore, award is recommended to all three Offerors: BAE Urban Economics, Inc., Liberty Environmental, Inc. and Meszler Engineering Services.

For Functional Areas 3, one offer was received for one of the tasks – Instrumentation Audit, and two offers received for a second task – Economic Modeling and Forecasting. (No proposals were received for the remaining task – AQI Forecasting.) For task one, the single technical offer was deemed to be acceptable, and the Offeror was determined to be responsible. The financial offer was considered fair and reasonable, and it was determined that other potential Offerors had a reasonable opportunity to respond to the solicitation. Award is therefore recommended to Liberty Environmental, Inc. For the second task, award is recommended to both Offerors. The second ranked technical Offeror had the lower price by \$15.00/hour. Based upon the RFP, the right of first refusal will be given to the Offeror with the lowest price, so even though BAE Urban Economics, Inc. is #2 technically, its overall ranking is #1 with the lower price. Meszler Engineering Services will be given work after the #1 overall ranked Offeror.

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

ITEM: 4-S (Cont.)

For Functional Areas 4, only one offer was received. The single technical offer was deemed to be acceptable, and the Offeror was determined to be responsible. The financial offer was considered fair and reasonable, and it was determined that other potential Offerors had a reasonable opportunity to respond to the solicitation. Award is therefore recommended to Chesapeake Environmental Management, Inc.

For Functional Areas 6 and 7, three proposals were received for Accounting Services (FA 6), and four proposals were received for Financial Accounting Services (FA 7). However, for FA 7 one Offeror was rejected on technical grounds, leaving three Offerors for Financial Accounting Services. The qualified Offerors were ranked technically and financially for each Functional Area. Award is recommended to all four Offerors (CLM Consultants, Daniel Eke & Associates, PC, W.P. Tax & Accounting Group and Rufus Ingram) representing the six separate offers. The highest ranked technical Offerors for each FA also had the lowest price for each FA and are therefore given the right of first refusal for accepting work under this contract for each Functional Area. The second ranked technical Offerors had the second lowest prices and will be given the opportunity for work under this contract if the #1 Offerors turn down an assignment. The third ranked technical Offeror with the highest price will be given the last opportunity to receive work under this contract after Offerors #1 and #2 for each Functional Area.

For Functional Areas 8 and 9, only one acceptable offer was received for each area. Functional Area 8 received seven offers, and six Offerors were rejected on technical grounds. Functional Area 9 received two offers, and one Offeror was rejected on technical grounds. Each of these single technically qualified Offerors was determined to be responsible; and the financial offers were considered fair and reasonable. Award is therefore recommended to each of these Offerors: PRM Consulting Group and Daniel Eke & Associates, PC.

For Functional Area 10, two proposals were received and evaluated. Award is recommended to both Offerors. The higher ranked technical Offeror, Kogan, LLC, was also lower in price and was ranked #1 overall. Therefore, the #1 Offeror will receive the right of first refusal for accepting any work under this contract for this functional area. The second ranked Offeror, Global Environmental Consulting, Inc. would receive work after the #1 overall ranked Offeror.

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

ITEM: 4-S (Cont.)

For Functional Area 11, three proposals were received. One Offeror was rejected on technical grounds. Of the two remaining technically qualified offers, award is recommended to both Offerors. The second ranked technical Offeror had the lower price by \$50.00/hour. Based upon the RFP, the right of first refusal will be given to the Offeror with the lowest price, so even though Tait Environmental Services, Inc. is #2 technically, its overall ranking is #1 with the lower price. Global Environmental Consulting, Inc. will be given work after the #1 overall ranked Offeror.

For Functional Areas 2 and 5, no proposals were received in response to the RFP, so no awards will be made for these two Functional Areas.

The MDE Office of Fair Practices approved no MBE goal for this procurement, since there are no subcontracting opportunities, and the procurement was established as a Small Business Reserve procurement, meaning only small businesses can receive awards. Minority businesses were encouraged to participate as Prime Contractors and seven of the 12 Contractors recommended for award are MDOT certified MBEs. Also, one Contractor is a Disabled Veteran-owned business.

FUND SOURCE:	100% Federal
APPROP. CODE:	U00.A01-07
RESIDENT BUSINESSES:	See Attachment 1
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: 4-S (Cont.)

ATTACHMENT 1

17B
BPW 5/19/2010

AWARDEES	MD TAX CLEARANCE	RESIDENT BUSINESS
BAE Urban Economics, Inc. * Emeryville, CA	10-4019-0111	No
Chesapeake Environmental Management, Inc. * Bel Air, MD	10-4020-0111	Yes
CLM Consultants * Severna Park, MD	10-4021-1000	Yes
Daniel Eke and Associates, PC * Silver Spring, MD	10-4022-0111	Yes
Global Environmental Consulting, Inc. ** Mesa, AZ	10-4023-0000	No
Kogan, LLC * Baltimore, MD	10-4024-1111	Yes
Liberty Environmental, Inc. Reading, PA	10-4173-0000	No
Meszler Engineering Services Abingdon, MD	10-4025-0000	Yes
PRM Consulting Group Washington, DC (Local office in Bethesda, MD)	10-4105-0000	Yes
Rufus Ingram, PA * Baltimore, MD	10-4226-0011	Yes
Tait Environmental Services, Inc. Santa Ana, CA (Local Office in Cockeysville, MD)	10-4026-0110	Yes
W.P. Tax and Accounting Group * Owings Mills, MD	10-4064-0111	Yes

Note: * MBE; ** Disabled Veteran-Owned Business

ITEM: 4-S (Cont.)

ATTACHMENT 2

18B
BPW 5/19/2010

BIDS OR PROPOSALS (Cont.):

FUNCTIONAL AREA 1 – Air Quality

All offerors proposed to different tasks within this Functional Area, so awards are recommended to all offerors. No offers were received for Photochemical Modeling and Statistic Modeling.

<u>Offerors</u>	<u>Task Areas</u>	<u>Price</u>
BAE Urban Economics, Inc.	Technical Studies/Research	\$145.00/hour
Liberty Environmental, Inc.	Dispersion Modeling & Air Quality Sampling	\$75.00/hour \$70.00/hour
Meszler Engineering Services	Air Quality Modeling	\$160.00/hour

FUNCTIONAL AREA 3 – Meteorology

Only one offer was received for the Instrumentation Audit task of this Functional Area. Two offers were received for Economic Modeling and Forecasting. No offers were received for AQI Forecasting.

<u>Offeror</u>	<u>Task Area</u>	<u>Price</u>
Liberty Environmental, Inc.	Instrumentation Audit	\$85.00/hour

Task Area - Economic Modeling and Forecasting

Offerors	Technical Ranking	Financial Price / Ranking	Overall Ranking
BAE Urban Economics, Inc.	2	\$145.00/hour / 1	1
Meszler Engineering Services	1	\$160.00/hour / 2	2

FUNCTIONAL AREA 4 – Water and Wastewater Permits Program

Only one offer was received for this Functional Area.

<u>Offeror</u>	<u>Price</u>
Chesapeake Environmental Management, Inc.	\$96.55/hour

FUNCTIONAL AREA 6 – Accounting Services*Proposals were received for all tasks of this Functional Area.*

Offerors	Technical Ranking	Financial Price / Ranking	Overall Ranking
CLM Consultants	1	\$49.00/hour / 1	1
Daniel Eke & Associates, PC	2	\$65.00/hour / 2	2
Rufus Ingram	3	\$73.75/hour / 3	3

FUNCTIONAL AREA 7 – Financial Accounting Services*Proposals were received for all tasks of this Functional Area. One offeror was rejected on technical grounds.*

Offerors	Technical Ranking	Financial Price / Ranking	Overall Ranking
Daniel Eke & Associates, PC	1	\$71.00/hour / 1	1
W.P. Tax & Accounting Group	2	\$82.26/hour / 2	2
Rufus Ingram	3	\$90.00/hour / 3	3

FUNCTIONAL AREA 8 – Human Resources Consulting*Six offerors were rejected on technical grounds.***Offeror**

PRM Consulting Group

Price

\$162.50/hour

FUNCTIONAL AREA 9 – Contract Management*One offeror was rejected on technical grounds.***Offeror**

Daniel Eke & Associates, PC

Price

\$65.00/hour

FUNCTIONAL AREA 10 – Preparation of Reports

Offerors	Technical Ranking	Financial Price / Ranking	Overall Ranking
Kogan, LLC	1	\$105.00/hour / 1	1
Global Environmental Consulting, Inc.	2	\$200.00/hour / 2	2

FUNCTIONAL AREA 11 – Training

One offeror was rejected on technical grounds.

Offerors	Technical Ranking	Financial Price / Ranking	Overall Ranking
Tait Environmental Services, Inc.	2	\$150.00/hour / 1	1
Global Environmental Consulting, Inc.	1	\$200.00/hour / 2	2

No offers were received for two Functional Areas: #2 – Toxicology and #5 – Planning and Regulatory Review: Dispute Resolution.

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

SERVICES CONTRACT RENEWAL OPTION

ITEM:	5-S-OPTION	Agency Contact: Robert Howells 410-230-8789 rhowells@msla.state.md.us
DEPARTMENT/PROGRAM:		State Lottery Agency (MSLA) Information Technology Division
CONTRACT ID:		On-Line Gaming System 2005-11 ADPICS No. E75B0400022
CONTRACT APPROVED:		10/19/2005 DBM BPW Agenda Item 1-S
CONTRACTOR:		Scientific Games International, Inc. Alpharetta, GA
CONTRACT DESCRIPTION:	Contract to provide the design, development, implementation, lease, operation and maintenance of a Lottery On-Line Gaming System, including a Central Site System, Retailer Terminals, Software, and a satellite based Telecommunications Network to connect the Retailer Terminals to the Central Site System.	
OPTION DESCRIPTION:	Approval request to exercise the single five-year renewal option as contained in the original contract.	
TERM OF ORIGINAL CONTRACT:	10/26/2005 - 6/26/2011 (w/1 five-year renewal option)	
TERM OF OPTION:	6/27/2011 – 6/26/2016	
AMOUNT OF ORIGINAL CONTRACT:	\$81,000,000 Est. NTE (5 Years)	
AMOUNT OF OPTION:	\$99,000,000 Est. NTE (5 Years)	
PRIOR MODIFICATIONS/OPTIONS:	\$86,050 (See Attachment)	
REVISED TOTAL CONTRACT AMOUNT:	\$180,086,050 Est. NTE	

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

ITEM: 5-S-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 15%

REQUESTING AGENCY REMARKS: The contract establishes a firm-fixed percentage of total net sales that is paid to the contractor for operation of the Gaming System, and a firm fixed unit price per retailer location that is paid to the contractor for operation of the satellite telecommunications network.

The Lottery reviewed the contract, surveyed the market and met with the Contractor to assess whether it would be more advantageous to exercise the renewal option or solicit a new contract. The Lottery determined that it is in the best interest of the State to exercise the renewal option. A survey of the market indicates that comparable services would most likely cost more if a new procurement was done at this time. The Renewal Option is being exercised now to allow time for technical enhancements to be accomplished and be fully operational prior to the start of the renewal period, as required in the contract.

The Contract base rate for operation of the system, which is among the lowest rates in the country for similar lottery operations, will continue during the renewal period. The fee for operation of the satellite network is also very favorable. The Contractor shall upgrade the entire inventory of Lottery Retailer terminals to the latest technology.

In addition to the favorable price structure contained in the Renewal Option, the Contractor will provide the following three value-added technical enhancements:

- (1) The Lottery In Motion™ Point-of-Sale Digital Advertising system at Retailer locations;
- (2) A Retailer Sales Improvement Program; and
- (3) Replacement of existing tablet-type laptop computers with new computers for the Cole Systems' OrderPad Enterprise™ system, which is an essential part of Retailer Management for all of the Lottery Sales Representatives and sales management staff. This system provides mobile capability for the automated tracking of sales, inventory, and management functions at each location, as well as the capability to print reports and point-of-sale advertising material, as needed.

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

ITEM: 5-S-OPTION (Cont.)

Plus, the Contractor will provide as an available option the Lottery In-Site™ on demand business reporting software, which is an executive information system that provides a real-time portal into the transaction engines and data warehouse of the Lottery's On-Line Gaming central computer system and provides tools in a graphical screen environment. If Lottery utilizes this option, the Contractor would be compensated based on a percentage of sales.

The Lottery will reduce the required total number of Player Activated Terminals (PATs) that were to be provided under the Contract from 2,000 to 500. PATs look similar to the Instant Ticket Vending Machines (ITVMs), but have a video screen display terminal that is operated by a player with no need for assistance from a Retailer. Players have to use the video touch screen to search for the tickets they want to purchase. PATs sell both on-line games (pick-3, pick-4, etc.) and Instant Tickets. These are different from the ITVMs that sell only Instant Tickets from windows that display the actual tickets, like a soda or candy machine. The Lottery has about 450 PATs in the field. Players don't seem to use the PATs; they either use the ITVMs or just go to the Retail counter and buy tickets from the Retailer in the store.

If the Lottery were to purchase the three value-added technical enhancements separately, it would cost approximately \$12.9 million for the five-year period. With the off-set savings of the elimination of 1,500 PATs, which is approximately \$9.2 million, the net value of these three enhancements is approximately \$3.7 million for the five-year renewal option period. Above and beyond the cost savings to the Lottery, it is anticipated that these enhancements will contribute significantly to increase sales and revenue, which are estimated to be approximately \$45.5 million for the five-year period.

The Contractor has provided satisfactory service during the base Contract term and the quality of services provided is believed to be a significant contributor to the increase in both on-line and instant ticket sales and revenue.

This is the only Renewal Option available on this Contract and the Lottery anticipates that it will have a continuing need for these services. A solicitation for a replacement On-Line Gaming System contract will be issued in the first quarter of 2015 in order to allow sufficient time for the necessary conversion period of approximately nine months.

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

ITEM: 5-S-OPTION (Cont.)

FUND SOURCE: 100% Special. (Lottery Proceeds)

APPROP. CODE: E75D0001

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-3592-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 5-S-OPTION (Cont.) ATTACHMENT

25B
BPW 5/19/2010

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod #1 \$86,050

Increased the NTE amount to incorporate the Agent Administration Unit and Security Unit into the Retailer Management System for the period 2/15/2008 – 6/26/2011. Approved on 2/13/2008 DBM BPW Agenda, Item 8-S-MOD.

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

SERVICES CONTRACT RENEWAL OPTION

ITEM: 6-S-OPTION **Agency Contact:** Elise Green-Watford
410-767-5454
EGreen-Watford@dhhmh.state.md.us

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

CONTRACT ID: OPASS 06-8749-5;
Enrollment Broker Services
ADPICS No. M00B1400002

CONTRACT APPROVED: 8/10/2005 DBM BPW Agenda Item 15-S

CONTRACTOR: Policy Studies, Inc.
Denver, CO
(Local office Baltimore, MD)

CONTRACT DESCRIPTION: Contract to provide Statewide outreach, education and enrollment services to HealthChoice and Maryland Children's Health Program enrollees in order to ensure the availability of and access to appropriate health care services (see requesting agency remarks below).

OPTION DESCRIPTION: Approval request to exercise the third and final one-year renewal option as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 8/11/2005 - 6/30/2008 (w/3 one-year renewal options)

TERM OF OPTION: 7/1/2010 – 6/30/2011

AMOUNT OF ORIGINAL CONTRACT: \$20,767,825 Est. (3 Years)

AMOUNT OF OPTION: \$8,540,640 Est. (1 Year)

PRIOR MODIFICATIONS/OPTIONS: \$19,065,889 (See Attachment)

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

ITEM: 6-S-OPTION (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$48,374,354 Est.

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to exercise the third and final one-year renewal option as contained in the original contract. This renewal option is recommended because Policy Studies, Inc. (PSI) has successfully maintained and exceeded their contractual obligation with the State of Maryland. The enrollment broker, PSI, has consistently provided superior customer service to the over 690,000 citizens of Maryland who currently receive health care services through their Medicaid coverage.

This HealthChoice enrollment services contract continues to be the centerpiece of the HealthChoice program in terms of recipient outreach, education, enrollment, primary care provider selection, transfers in and out of managed care organizations, and annual right to change opportunities. The Enrollment Broker will continue to provide excellent customer service to recipients by contacting and educating enrollees about their managed care opportunities, assisting HealthChoice beneficiaries in choosing and enrolling (Voluntary Enrollment – VE) into a managed care organization (MCO), assisting enrollees in selecting a Primary Care Provider (PCP), and assisting enrollees and members in accessing and effectively using their MCO and PCP in order to ensure the availability of and access to appropriate health by nature of this contract.

The enrollment broker, PSI, continues to utilize a sophisticated enrollment information system and a highly efficient telephone system and telephone call center to meet the needs of Maryland Medicaid recipients.

In addition to performing services for HealthChoice, the Maryland Children's Health Program and the Primary Adult Care (PAC) Program, PSI will continue to perform Enrollment Broker/Benefit Consultant Services, as well as allowing recipients moving between HealthChoice and PAC to remain with the same MCO with an opt-out provision that was mandated by House Bill 367, Acts of 2007 that provides continuity of care for Medicaid recipients.

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

ITEM: 6-S-OPTION (Cont.)

The PAC population continues to be very transient, and it is difficult to provide any outreach as they move or have incorrect contact information in the system. Nevertheless, PSI consistently manages to achieve above a 90% "Voluntary Enrollment Rate" (VER) for both PAC and HealthChoice, instead of the 80% required by the contract. Recipients that do not voluntarily choose a MCO within 28 days of eligibility will be auto-assigned by the Enrollment Broker. However, voluntary enrollment is desirable since it has been determined that recipients who voluntarily enroll into a MCO are more likely to access health care from the PCP they choose. Accordingly, the 90% VER is a very positive outcome. The phone call abandonment rate continues to remain steady at less than 4% with both programs, which is exceptional compared to the contractually permitted abandonment rate of up to 7%. This low abandonment rate indicates prompt answering of calls, which presumably translates into good customer service.

PSI has provided consistent service to the Health Choice program since the inception of the contract. There have been no outstanding complaints about the service of this vendor. PSI is accurate and meets all deadlines in a timely manner. As verified by contract monitoring, the enrollment broker has continued to display satisfactory customer service for the recipient of the Maryland Medicaid program. This enables members to effectively use their MCO and PCP in order to ensure the availability of and access to appropriate health care services.

Failure to exercise this option renewal would interrupt satisfactory service and will take a significant amount of time for re-competing, reviewing of responses and awarding the winning contract.

FUND SOURCE:	48% General; 52% Federal
APPROP. CODE:	M00Q0103
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-3807-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod #1	\$2,553,998 (Base Contract) \$1,197,013 (1 Year; 1 st Renewal Opt.) \$1,203,788 (1 Year; 2 nd Renewal Opt.) <u>\$1,260,238</u> (1 Year; 3 rd Renewal Opt.) \$6,215,037	Modification request to add additional services to the existing base contract period and to three available renewal option periods to accommodate the State's new Primary Adult Care (PAC) Program. This includes increase in funding for all periods. Effective 5/1/2006 - 6/30/2008. Approved on the 4/19/2006 DBM BPW Agenda Item 10-S-MOD.
Mod #2	\$127,374 (Base Contract) \$ 58,235 (1 Year; 1 st Renewal Opt.) \$ 59,982 (1 Year; 2 nd Renewal Opt.) <u>\$ 61,781</u> (1 Year; 3 rd Renewal Opt.) \$307,372 Total (3 Years, 8.5 Months)	Modification request to add additional services to the existing base contract period and to three available renewal option periods to accommodate mandated legislation. This includes an increase in funding for all Periods. Effective 10/18/2007 - 6/30/2008. Approved on the 10/17/2007 DBM BPW Agenda Item 12-S-MOD.
Opt. #1	\$8,084,684	Exercised the first of three renewal options as contained in the original contract. Effective 7/1/2008 – 6/30/2009. Approved on the 5/21/2008 DBM BPW Agenda Item 20-S-OPTION.
Opt. #2	\$8,299,833	Exercised the second of three renewal options as contained in the original contract. Effective 7/1/2009 – 6/30/2010. Approved on the 6/17/2009 DBM BPW Agenda Item 13-S-OPTION.
	<hr/> \$19,065,889	Total for Base Contract Mods and Options #1 and #2.

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

GENERAL MISCELLANEOUS

ITEM: 7-GM **Agency Contact:** Ivey Gilliam
410-767-1077
ilg@ooa.state.md.us

DEPARTMENT/PROGRAM: Maryland Department of Aging (MDoA)

FUND SOURCE: 100% Federal

APPROP. CODE: D26A0701

AMOUNT: \$18,227

DESCRIPTION: Approval request to create 0.3 new position pursuant to §7-236, State Finance and Procurement Article and Chapter 484, HB 100, Acts of 2009 (the Budget Bill for FY 2010). This provision enables the Board of Public Works to authorize the creation of up to 200 positions within the Executive Branch.

<u>Qty</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries & Wages</u>
0.3	Human Services Specialist V Aging	16/Step 16	\$18,227

REQUESTING AGENCY REMARKS: Approval of this Item will create 0.3 positions in the Maryland Department of Aging. This will increase a current 0.7 FTE position (PIN 002406) to 1.0 FTE.

A full-time position is needed to plan, develop, and implement new community-based long term care programs, such as the Nursing Home Diversion Program and the Person-Centered Hospital Discharge Initiative.

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM: 7-GM (Cont.)

DBM REMARKS: The Secretaries of the Department of Budget and Management and the Maryland Department of Aging have certified that funds are available for the new partial position for which approval is requested within the Rule of 200. If the Board approves this request, 4.3 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: 8-GM

Agency Contact: Steve Brooks

410-767-0010

steve.brooks@msde.state.md.us

DEPARTMENT/PROGRAM:

Maryland State Department of Education (MSDE)

FUND SOURCE:

52% General Funds

39% Federal Funds

9% Special Funds

APPROP. CODE:

R00A01

AMOUNT OF REQUEST:

N/A

DESCRIPTION:

Approval request to create two new positions

pursuant to §7-236, State Finance and Procurement Article and Chapter 484, HB 100, Acts of 2009 (the Budget Bill for FY 2010). This provision enables the Board of Public Works to authorize the creation of up to 200 positions within the Executive Branch.

<u>Qty</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries & Wages</u>
1	Education Program Specialist I	21/15	\$ 82,514
1	Education Program Specialist II	22/15	\$ 88,030
2	Total		\$170,544

REQUESTING AGENCY REMARKS: Approval of this Item will create a position in the Division of Student, Family, and School Support, and a position in the Division of Certification and Accreditation. The individuals will manage a number of programs such as school safety and violence prevention, school discipline, and teacher credentialing.

Both positions will be filled with existing loaned educators on contract with MSDE from Local Education Agencies (LEAs). During the 2009 and 2010 Legislative Sessions, the General Assembly requested that MSDE closely examine its use of loaned educators and the number of these costly contracts. MSDE has identified potential candidates consistent with this recommendation for additional positions.

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

ITEM: 8-GM (Cont.)

Funds allocated in the FY 2010 working appropriation for the loaned educator contracts will be used to support the new positions.

DBM REMARKS: The Secretary of the Department of Budget and Management and the State Superintendent of Schools have certified that funds are available for the new positions for which approval is requested. If the Board approves this request and the other PIN request on this agenda, 6.3 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: 9-GM **Agency Contact:** William Brockman, AAG
410-576-7055
wbrockman@oag.state.md.us

DEPARTMENT: Office of the Comptroller

AMOUNT OF REQUEST: \$200,000

FUND SOURCE: FY2010 Office of Comptroller funds

APPROP. CODE: E00A0401

DESCRIPTION: Pursuant to Md. Code Ann., State Gov't §§ 12-405 and 12-501, this is a request for approval of a settlement of all claims for attorney's fees in *TFWS, Inc. v. Franchot* (U.S. Dist. Ct. Case No. 99-2008), in which the plaintiff prevailed in its suit to enjoin the State's alcoholic beverage pricing regulations.

REQUESTING AGENCY REMARKS: Plaintiffs filed this lawsuit in 1999 against the Comptroller alleging that Maryland's regulation of the control and distribution of alcoholic beverages violated federal antitrust laws.

After extensive litigation, in 2009, the United States Court of Appeals for the Fourth Circuit affirmed a district court's ruling against the State, and the plaintiff filed a petition seeking to recover attorney's fees of approximately \$830,000. Under the terms of the settlement, the State agreed not file a petition for a writ of certiorari in the Supreme Court and to pay \$200,000 to resolve all claims for attorneys fees, and in exchange the plaintiff agreed to accept the payment and to make a \$200,000 donation to a State program engaged in efforts to combat the effects of alcohol abuse. The Attorney General concludes that the proposed settlement is in the State's best interest.

If this settlement is approved a check for \$200,000 should be made payable to "Murphy & Shaffer, LLC", and mailed to William F. Brockman, Assistant Attorney General, Office of the Attorney General, 200 St. Paul Place, Baltimore, Maryland, 21202.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

GENERAL MISCELLANEOUS

ITEM: 10-GM **Agency Contact:** Bart Thomas, Assist. Secretary
410-767-4214
bart.thomas@dgs.state.md.us

DEPARTMENT/PROGRAM: Department of General Services (DGS) and
Department of Health and Mental Hygiene
(DHMH)

AMOUNT OF REQUEST: \$420,000 payable to the State

FUND SOURCE: N/A

APPROP. CODE: N/A

DESCRIPTION: Request for approval of a settlement agreement between DGS and DHMH (as Releasors) and Baltimore Gas and Electric Company (BGE) and General Electric Company (GE) (as Releasees), whereby BGE and GE agree to pay the State of Maryland – DGS a monetary settlement to Case No. 24-C-09-001033, *DHMH & DGS, State of Maryland v. BGE & GE*.

REQUESTING AGENCY REMARKS: This case stems from a fire that occurred at the electrical substation of the Springfield Hospital Center ("SHC") in Sykesville, Maryland on April 6, 2005. As a result of the fire, the State sustained damages. The Department of General Services ("DGS") was overseeing the construction at the electrical distribution system at SHC, and the equipment was to be owned and used by the Department of Health and Mental Hygiene ("DHMH").

Plaintiffs DGS and DHMH filed a lawsuit in Baltimore City Circuit Court against BGE and GE alleging negligence and strict liability, and a trial is scheduled for June 14, 2010.

On March 25, 2010, the parties participated in a mediation with retired Judge Howard Chasanow. As a result of the mediation, the parties agreed to a settlement in which the Defendants will pay a total of \$420,000 in return for dismissal of the lawsuit. This settlement has been approved by DGS, DHMH, and the Office of the Attorney General.

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**

SERVICE CONTRACT

ITEM: 11-S **Agency Contact:** Cindy Hawkins
410-260-8154
Chawkins@dnr.state.md.us

DEPARTMENT/PROGRAM: Department of Natural Resources (DNR)
Maryland Park Service
Maryland Civic Justice Corps

CONTRACT ID: Maryland Civic Justice Corps School Bus Rental
ADPICS NO. K00B0400153

CONTRACT DESCRIPTION: Vehicle Leasing Contract to provide eight standard size rental school buses and drivers for the Maryland Civic Justice Corps as part of the Governor's initiative to use conservation services as a means to engage at-risk and court-involved youth.

AWARD: Woodlawn Motor Coach
Baltimore, MD

TERM: 6/28/2010 – 7/30/2010

AMOUNT: \$57,600 (24 days)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Chesapeake Charter, Inc.
Annapolis, MD

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

ITEM: 11-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Copies of the solicitation notice were mailed directly to 12 prospective vendors, all of which are Maryland firms, and included one MBE. A copy was also sent to the Governor's Office of Minority Affairs.

Four bids were received in response to the IFB, the 2nd IFB issued for this service. (See below for information on the 1st IFB). All bids were deemed to be responsive. The lowest bid was received from Woodlawn Motor Coach. It was determined that Woodlawn Motor Coach was responsible and is therefore recommended for award.

Initially, an IFB was issued 3/15/2010 for 16 buses and drivers and a longer contract duration, with a bid due date of 4/5/2010. Three bids were received in response to this IFB by the due date. However, one of the three bids was deemed to be non-responsive due to errors in the completion of the bid form. A second bidder also had an error in completing the bid form, but it was determined that the intended bid price could be discerned from the bid form, so this price was corrected by the Department. The third bidder completed the bid form correctly.

However, in reviewing the acceptability of the bids, as described above, it was determined that aspects of the bid form construction and instructions contributed to two bidders completing the form incorrectly, one fatally so. Because of this circumstance, the fact that it had now been determined that only 8 buses were needed/affordable and the duration of need was reduced, and due to the desire to clarify other aspects of the IFB, with the approval of DBM the bids from the first IFB were rejected and the IFB was cancelled. Thereafter, changes were made to the IFB in terms of contract duration, bus quantities, the bid form, and the wording of various sections, and the IFB was re-issued. The results of the 2nd IFB are described in this Item.

This program is part of the Governor's initiative to use conservation service as a means to engage at-risk and court-involved youth in meaningful experiences in nature to reduce recidivism rates, provide opportunities for skills training, empowerment and employment and restore natural and recreational resources in State Parks and the Chesapeake Bay. The Civic Justice Corps program was established in 2008 offering 200 Baltimore City youth the opportunity to work in Maryland State Parks. In 2009 the program expanded including Harford, Prince Georges, and Worcester counties.

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

ITEM: 11-S (Cont.)

The purpose of this contract is for eight school buses and drivers to transport the youth from their communities to the Patapsco Valley State Park (4 buses) or the Gunpowder Falls State Park (4 buses) for the less than five week program. It is projected that up to 28 youth, plus 1 adult supervisor must be transported on each bus, each day of the program.

No MBE participation goal was established for this contract due to the limited number of MBEs available to provide this service and the limited time period of the service.

FUND SOURCE:	100% Special (Program Open Space Funds)
APPROP. CODE:	K00A0401
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-4381-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 11-S (Cont.)**ATTACHMENT**

BPW 5/19/2010

BIDS OR PROPOSALS (Cont.):

<u>BIDDERS</u>	<u>BID PRICE</u>	<u>EXTENDED BID PRICE*</u>
Woodlawn Motor Coach Baltimore, MD	\$300.00 per day/bus	\$57,600
Huber II, Inc. Glen Burnie, MD	\$340.00 per day/bus	\$65,280
Chesapeake Charter, Inc. Annapolis, MD	\$377.00 per day/bus	\$72,384
Longergans Charter Service Millersville, MD	\$384.00 per day/bus	\$73,728

* The Extended Bid Price is calculated by multiplying the per day, per bus price times 8 buses, times the 24 days for which transportation is required.

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

SERVICE CONTRACT

ITEM: 12-S **Agency Contact:** Cindy Hawkins
410-260-8154
chawkins@dnr.state.md.us

DEPARTMENT/PROGRAM: Department of Natural Resources (DNR)
Maryland Park Service

CONTRACT ID: Maryland Civic Justice Corps Van Rental
ADPICS NO. K00B0400175 (Hertz),
K00B0400177 (Enterprise)

CONTRACT DESCRIPTION Vehicle Leasing Contract to provide 70 Full-size Passenger Vans, 20 Mini Vans and one Full-Size Sedan for the Maryland Civic Justice Corps as part of the Governor's initiative to use conservation services as a means to engage at-risk and court-involved youth.

AWARDS: See Attachment

TERM: 6/14/2010 – 8/6/2010

AMOUNT: \$259,763.22 Total (54 Days)
(See Attachment)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Enterprise Leasing Company of Baltimore
Linthicum, MD

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

ITEM: 12-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Copies of the solicitation notice were mailed directly to fourteen prospective vendors, nine of which are Maryland firms and included one MBE. A copy was also sent to the Governor's Office of Minority Affairs.

Three bids were received in response to the IFB, which was the 2nd IFB issued to lease the required vehicles (see information about the 1st IFB, below). All bids were deemed to be responsive. The lowest bid for 70 full-size Passenger Vans was Hertz Equipment Rental Corporation of Baltimore, MD the lowest bid for 20 mini-vans was received from Enterprise Leasing Company of Baltimore; and while the lowest bid for 1 full-size sedan was received from Nextcar Leasing of Laurel, Maryland, the specifications said this single vehicle would not be awarded by itself. Instead it was stated that the award would be made to the bidder with the lowest sedan lease price that received an award for one of the other vehicle types (full-size or mini vans). Since Nextcar Leasing did not receive any other award, the sedan award is being made to Hertz, which quoted a lower sedan price than Enterprise. (See more information on the sedan award below.)

By the requirements of the IFB, vendors could offer to provide either or both full-size and mini vans in increments of 10 vans. In other words, bidders could offer from 10 to 70 full-size vans, in increments of quantities of 10 (10, 20, 30, 40, 50, 60 or all 70), and either 10 or 20 mini vans. Any bidder offering either van type in any increment amount was also required to quote a price for the single sedan needed. The IFB said that the award would be made to a single bidder, or multiple bidders, as follows.

If a single bidder proposed to provide all vehicles needed, and was the lowest bidder for all vehicles, this bidder would receive the award to provide all vehicles. But if one bidder was lowest in price for one type of van, but not the other type (e.g., full-size but not mini), or the lowest priced bidder did not offer to provide all the vehicles needed of either van type, award would be made to the lowest priced vendor for all the vans it offered to provide (in increments of 10 vans), and one or more other bidders would receive awards in the order of their bid price until the number of vehicles required was satisfied. i.e., if the lowest priced bidder for full-size vans only offered 20 vans, it would receive the award for the lease of 20 full-size vans. If the 2nd lowest bidder also offered only 20 full-size vans, it also would receive an award for the lease of 20 full-size vans. Then the 3rd lowest priced bidder would receive the award for the remaining 30 full-size vans needed if it offered at least this number of full-size vans. However, the

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

ITEM: 12-S (Cont.)

specifications also stated that although all bidders were required to offer to provide the single sedan needed, an award would not be made for the sedan only. Instead, award would be made to the bidder receiving an award to provide some number of vans of either type that offered the sedan at the lowest price among the bidders receiving some award for vans. This requirement was made both to encourage bidders to offer lower prices for the sedan and to avoid making an award to a vendor for only one vehicle.

The above award procedure was specified in this solicitation because of the unsatisfactory results from the first IFB to obtain these vehicles. The initial IFB was issued March 15, 2010, with a bid due date of April 5, 2010. The initial IFB was for quantities of up to 150 full-size vans, 20 mini vans and a single sedan, and anticipated a single award to one bidder to provide all vehicles. Only one vendor responded to this IFB, but for only 40 full-size vans, plus the 20 mini vans and the sedan. But, because the IFB required a response for the total vehicle quantity required, this single bid was deemed non-responsive, and no award was made. Thereafter, the IFB was revised to permit bidders to offer fewer than all required vehicles, in increments of 10 vans, as described above. Moreover, by this time it was determined that the Department did not need/could not afford 150 full-size vans. Accordingly, in addition to allowing bids for 10 or more vans, in increments of 10 vans, the overall required number of full-size vans was reduced to 70. The quantities of 20 mini vans and the single sedan remained the same as in the 3/15/2010 IFB.

This program is part of the Governor's initiative to use conservation service as a means to engage at-risk and court-involved youth in meaningful experiences in nature to reduce recidivism rates, provide opportunities for skills training, empowerment and employment and restore natural and recreational resources in State Parks and the Chesapeake Bay. The Civic Justice Corps program was established in 2008 offering 200 Baltimore City youth the opportunity to work in Maryland State Parks. In 2009 the program expanded including Harford, Prince Georges, and Worcester counties.

The purpose of this contract is to have the 70 full-size Passenger Vans, 20 Mini Vans and one Full-Size Sedan available to transport the youth within various State parks to the specific project site where each crew will work. The vans are driven by the project leaders and will also be used to transport supplies before and after the six week program for the youth. All vehicles will be operated by Department employees, or by non-Department employees, who are responsible adults 21 or older.

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

ITEM: 12-S (Cont.)

The only deliverable under the contracts included in this Item, is the lease of the vehicles themselves. The selected vendors will provide no other goods or services than the provision of the vehicles by the required date, with the vehicles being returned when they are no longer required. Between these dates, the only requirement of the vendor is to repair or replace a vehicle that isn't operating properly, which hopefully will not be needed. In addition, there is only one MBE available to provide this service, which was sent the IFB, and a very limited time period (no more than 54 days) during which the vehicles will be leased. For all these reasons no MBE goal was established.

FUND SOURCE: 100% Special (Program Open Space Funds)

APPROP. CODE: K00A0401

RESIDENT BUSINESS: See Attachment

MD TAX CLEARANCE: See Attachment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 12-S (Cont.)

ATTACHMENT

BPW 5/19/2010

AWARDS / AMOUNT (Cont.):

AWARDEES	QTY. / TYPE OF VEHICLE	AWARD AMOUNT	MD TAX CLEARANCE	RESIDENT BUSINESS
ENTERPRISE Baltimore, MD	20 mini vans	\$43,966.80	10-4411-1110	Yes
HERTZ Baltimore, MD	70 full-size vans, and 1 full-size sedan	\$214,212.60 and \$ 1,583.82 \$215,795.42 Total	10-4404-1111	Yes
TOTAL		\$259,763.22		

BIDS OR PROPOSALS (Cont.):

BIDDERS	QUANTITY OF VEHICLES	TYPE OF VEHICLES	BID PRICE *
NEXTCAR	1	Full size sedan	(28.57/day) 1,542.78
NEXTCAR	20	Mini-vans	(42.85/day) 46,278.00
NEXTCAR	20	Passenger Vans	(71.42/day) 77,133.60
ENTERPRISE	1	Full size sedan	(30.71/day) 1,658.34
ENTERPRISE	20**	Mini-vans	(40.71/day) 43,966.80
ENTERPRISE	40	Passenger Vans	(62.50/day) 135,000.00
HERTZ	1**	Full size sedan	(29.33/day) 1,583.82
HERTZ	20	Mini-vans	(46.67/day) 50,403.60
HERTZ	70**	Passenger Vans	(56.67/day) 214,212.60

Note: * The Bid Price was based upon a fixed daily rate for each type of vehicle requested times 10 units for the two different vans and 1 unit for the sedan times the 54 days needed. The Bidders also had to list the number of Full-size Passenger Vans or Mini Vans that they could provide.

** Award is requested for these bidders for these quantities+

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

SERVICE CONTRACT RENEWAL OPTION

ITEM: 1-S OPT

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

Management and Operation of the Student Dental Clinics
RFP 84912-PH

CONTRACT DESCRIPTION: Continue management and operation of Dental School student clinics by the tax-exempt faculty practice group, the University of Maryland Faculty Dental Service Plan, P.A. as directed by the USM Board of Regents.

CONTRACT APPROVED:

USM Agenda Item 1-S (5/11/2005)

CONTRACTOR:

U.M. FDSP, P.A.
650 West Baltimore St.
Baltimore, MD 21201

CONTRACT TERM:

June 1, 2010 - May 31, 2011. This is the fifth and final one-year renewal option.

AMOUNT:

\$8,502,000.00

ORIGINAL PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

5%

PERFORMANCE SECURITY:

N/A

REMARKS: The USM Board of Regents has directed the award of this since the inception of U.M. FDSP, P.A. in 1985. Daily services include providing non-faculty support (dental assistants, hygienists, sterilization staff, clerical staff, etc.) for meeting patient clinical needs, scheduling patient visits, collecting fees charged to patients for services provided at the clinic and providing materials for the operations. The reason for the contract renewal is to meet the ongoing need to provide the management and operation of the Dental School Student Clinics. The renewal option was approved by the USM Board of Regents on 4/16/10. Most of the contract amount is in salaries and fringe benefits, however, a 5% MBE subcontract goal has been established so that supplies will be obtained from MBEs.

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

ITEM: 1-S OPT (continued)

FUND SOURCE: Current Unrestricted Funds

APPROP. CODE: R30B21

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-3607-0110

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

SERVICES CONTRACT RENEWAL OPTION

ITEM: 2-S OPT

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

INSTITUTION: University of Maryland, Baltimore

CONTRACT ID: Federal Consultant, RFP 85093TW

CONTRACT DESCRIPTION: *RETROACTIVE APPROVAL REQUESTED* of government relations firm to represent the University on the federal level.

CONTRACTOR: Van Scoyoc Associates
Washington, DC 20001

CONTRACT TERM: 2/3/06 -12/31/10

AMOUNT: \$726,000

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 0%

PERFORMANCE SECURITY: N/A

REMARKS: UMB sought to engage a professional government relations firm to build upon activities and relationships with Congress and federal agencies to further UMB's interest in key areas. The contractor works closely with UMB's Office for Government and Community Affairs to direct, monitor, and provide reports/updates regarding UMB's federal legislative agenda. This opportunity was advertised in the *Maryland Contract Weekly* and posted on UMB's eBid Board. Two proposals were received in response to the solicitation and were evaluated by University Evaluation and Selection Committee. The evaluation committee found one proposal not reasonably susceptible for award for failure to meet mandatory requirements. The proposal from Van Scoyoc Associates was evaluated and found to meet the requirements of the solicitation document.

The initial contract term ran from 2/3/2006 through 12/31/2006 with four 1-year renewal options. Because the initial term was under UMB's threshold amount for Board of Public Works approval, UMB did not present the contract to the Board for approval. However, BPW Advisory 1995-1 requires agencies to calculate Board threshold by determining the combined cost of the initial term with the option terms. Reference is made to the February 2010 Audit Report of

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

ITEM: 2-S (continued)

REMARKS (cont'd):

UMB in which the Legislative Auditor found that UMB should have submitted certain service contracts to the Board for review. In that Report, UMB responded, "UMB will report the service contract. . . . In the future, UMB will comply with applicable procurement regulations."

FUND SOURCE:	Current Unrestricted Funds
APPROP CODE:	R30B21
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	10-4201-0010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

GENERAL MISCELLANEOUS

ITEM: 3-GM

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

REFERENCE: In accordance with provisions of the State Finance and Procurement Article, Annotated Code of Maryland, §8-301, Board of Public Works approval of the use of general obligation bond funding proceeds for the following 8 contracts totaling \$162,658.91.

A. University Of Maryland, College Park
Wye Research and Education Center, Queenstown
K000280 – On-Call Hazmat Abatement

Description: Asbestos abatement
Procurement Method: Task Order per On-Call Contract
Award: Retro Environmental, Inc.
Amount: \$799.00
Fund Source: MCCBL of 2008: *Asbestos Abatement Program. Provide funding to abate asbestos in various State facilities (Statewide).* Item 012
Tax Compliance No.: 10-3991-0111
Resident Business: Yes

B. University Of Maryland, College Park
Lower Eastern Shore Research & Education Center
K000280 – On-Call Hazmat Abatement

Description: Asbestos abatement
Procurement Method: Task Order per On-Call Contract
Award: Retro Environmental, Inc.
Amount: \$7,212.40
Fund Source: MCCBL of 2008: *Asbestos Abatement Program. Provide funding to abate asbestos in various State facilities (Statewide).* Item 012
Tax Compliance No.: 10-3991-0111
Resident Business: Yes

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

ITEM: 3-GM (continued)

C. University Of Maryland, College Park
Main Administration Building Phase I & II
E002430– On-Call Industrial Hygiene Services

Description: Industrial Hygiene Services
Procurement Method: Task Order per On-Call Contract
Award: Tidewater, Inc.
Amount: \$6,499.00
Fund Source: MCCBL of 2008: *Asbestos Abatement Program. Provide funding to abate asbestos in various State facilities (Statewide).* Item 012
Tax Compliance No.: 10-3665-0111
Resident Business: Yes

D. University Of Maryland, College Park
Main Administration Building, Phase I
K-000286 On-call Hazmat Abatement

Description: Asbestos abatement
Procurement Method: Task Order per On-Call Contract
Award: LVI Environmental Services, Inc.
Amount: \$9,455.50
Fund Source: MCCBL of 2008: *Asbestos Abatement Program. Provide funding to abate asbestos in various State facilities (Statewide).* Item 012
Tax Compliance No.: 10-3992-1111
Resident Business: Yes

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

ITEM: 3-GM (continued)

E. University Of Maryland, College Park
Main Administration Building, Phase II
K-000286 On-call Hazmat Abatement

Description: Asbestos abatement
Procurement Method: Task Order per On-Call Contract
Award: LVI Environmental Services, Inc.
Amount: \$55,010.51
Fund Source: MCCBL of 2008: *Asbestos Abatement Program. Provide funding to abate asbestos in various State facilities (Statewide).* Item 012
Tax Compliance No.: 10-3992-1111
Resident Business: Yes

F. Towson University
Liberal Arts Phase 1, Room 1113

Description: Systems furniture, chairs and cabinets
Procurement Method: Preference Provider
Award: Maryland Correctional Enterprises
Amount: \$8,740.50
Fund Source: MCCBL of 2008: *Provide fund to equip Phase I and to design Phase II of the new College of Liberal Arts Complex.* Item 044
Tax Compliance No.: n/a
Resident Business: Yes

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

ITEM: 3-GM (continued)

G. Salisbury University
Teacher Education and Technology Complex
Purchase Order #100000090

Description: Security System for TETC
Procurement Method: Intergovernmental Cooperative Purchasing:
GSA Schedule 70-Contract #07F-0396M
Award: Simplex Grinnell
Amount: \$56,412.00
Fund Source: MCCBL of 2007: *Provide fund to supplement previous appropriations to construct a new Teacher Education and Technology Complex and funds to equip this complex.* Item 068
Tax Compliance No.: 10-4228-1111
Resident Business: No

H. Salisbury University
Teacher Education and Technology Complex
Purchase Order #14792

Description: Server and Storage Array Component of Security System for TETC
Procurement Method: Intergovernmental Cooperative Purchasing: MEEC USM 2007-12
Award: Dell Marketing LP
Amount: \$18,530.00
Fund Source: MCCBL of 2007: *Provide fund to supplement previous appropriations to construct a new Teacher Education and Technology Complex and funds to equip this complex.* Item 068
Tax Compliance No.: 10-4231-1000
Resident Business: No

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: 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:

Construction Management at Risk Services
Physical Sciences Complex (PSC) – Phase I
University of Maryland, College Park
Contract No. F-136491-K
Project No. 07-259-379-00

CONTRACT APPROVED:

Pre-Construction Services (USM Item 1-C,
12/12/2007)

CONTRACTOR:

Gilbane Building Company
Laurel, MD 20707

CONTRACT DESCRIPTION: Construction management services for both pre-construction (design) and construction phases of the Physical Sciences Complex, a 144,400 GSF/75,100 NASF building that will include state-of-the-art research labs, offices, conference rooms, lounge and other support space. The building will be connected to the existing Computer and Space Sciences Building. This project is the first phase of a three-phase plan to construct a Physical Sciences Complex to house the Departments of Physics and Astronomy, and the Institute for Physical Science and Technology. The contract includes a commissioning agent during preconstruction to facilitate LEED certification and will include means, methods, and materials necessary for a sustainable design supported by the project budget. The estimated construction cost for this project is \$72 million.

MODIFICATION DESCRIPTION: To incorporate Guaranteed Maximum Price (GMP) No. 1 into the contract to commence construction to include site utilities, demolition, site mechanical, masonry, general carpentry, doors and hardware, and electrical work.

TERM OF ORIGINAL CONTRACT:

25 month preconstruction phase
(12/12/2007 – 01/13/2010) and
30 month construction phase
(01/2010 – 07/2012)

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

ITEM: 4-C MOD (continued)

TERM OF MODIFICATION:	Construction Phase: 30 months (06/01/2010 – 11/30/2012)
AMOUNT OF ORIGINAL CONTRACT:	\$ 40,000 (Pre-Construction Svcs)
AMOUNT OF THIS MODIFICATION:	\$ 18,974,534 (GMP 1)
PRIOR MODIFICATIONS/OPTIONS:	\$ 638,754 (Pre-Construction Svcs)
REVISED TOTAL CONTRACT AMOUNT:	\$ 19,653,288
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals
MBE PARTICIPATION:	25% (See Remarks)
PERFORMANCE SECURITY:	Payment and performance bonds at 100% of contract modification amount

REMARKS: Gilbane Building Company performed pre-construction services concurrent with completion of design. Gilbane has now submitted an acceptable Guaranteed Maximum Price Proposal and the University seeks Board approval to modify the contract to incorporate the GMP#1 into the contract and proceed with construction.

The project is being split into two GMP packages because of the existing utility infrastructure that is required to be relocated, and the duration of those relocation activities (four months), which must be completed before most of the Physical Sciences Complex can effectively begin. By splitting the GMP, the demolition, site utilities and electrical contractors can begin work to relocate the utilities ahead of the finalization of the remainder of the GMP. GMP#2, for the balance of the construction, will be submitted to the Board for separate approval.

UMCP's Facilities Management/ Department of Capital Projects will manage the work with procurement support from the Department of Procurement and Supply.

FUND SOURCE: NOTE: This contract will not be executed until June 1, 2010.
MCCBL of 2010 – *Physical Sciences Complex. Provide funds to construct phase 1 of a new physical sciences complex to provide modern laboratory and office space for the Department of Physics, the Department of Astronomy, and the Institute for Physical Sciences and Technology (Prince Georges County).*

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

ITEM: 4-C MOD (continued)

RESIDENT BUSINESS:

Yes

MD TAX CLEARANCE:

10-4181-0111

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**

SERVICE CONTRACT

ITEM: 5-S

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

INSTITUTION: University of Maryland University College

CONTRACT NO. & TITLE: Parking Management Services, RFP 90848

DESCRIPTION: Professional parking management services for UMUC's Adelphi garage and seven surface lots.

AWARD: Penn Parking, Inc.
7257 Parkway Drive
Suite 100
Hanover, MD 21076

TERM OF CONTRACT: July 1, 2010 through June 30, 2015. UMUC may – at its sole option – renew the contract for a period not to exceed five years (could be as few as one year).

NOTE: The University is hereby seeking approval to award the initial term as well as approval to award the renewal options without returning to the Board of Public Works.

AMOUNT: \$4,566,409 estimated expenditures for the initial term and the 5-year renewal period.

PROCUREMENT METHOD: Competitive Sealed Proposal

BIDS OR PROPOSALS:	Tech Ranking	Financial Ranking	Evaluated Price	Initial Term	Overall Ranking
Penn Parking Hanover, MD	1	2	\$4,566,409	\$2,144,327	1
Mid Atlantic Parking (MAPS) Alexandria, VA	3	1	\$3,708,537	\$1,749,647	2
Standard Parking Baltimore, MD	2	3	\$6,226,701	\$2,622,863	3

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

ITEM: 5-S (continued)

MBE PARTICIPATION: 100% (Penn Parking is a MDOT Certified MBE)

SECURITY: None

REMARKS: This is a self-support program with the cost of the contract paid by parking fees. The solicitation was advertised in *eMaryland Market Place* as well as on UMUC's Electronic Bid Board. Twelve firms responded to the solicitation. One of the proposals was considered non-responsive. The remaining eleven proposals were evaluated by a University Evaluation Committee which included representatives from the University's offices of Procurement and Facilities/Operations. Four firms were shortlisted and interviewed by the committee. A second phase technical evaluation was then conducted resulting in three of the four firms being requested to submit price proposals. Discussions were held with all three firms to review the initial price proposals. As a result of these discussions, the University requested a Best and Final price from all three firms. The University recommends award to the firm who was ranked highest technically and provided the second lowest price.

FUND SOURCE: Current Unrestricted Funds

APPROP. CODE: R30B30

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4175-1111

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**

REAL PROPERTY: Acquisition by Purchase

ITEM: 6-RP

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

INSTITUTION: University of Maryland Center for Environmental Science

PROPERTY: 170 Farren Ave and 168 Williams Street, Solomons, Calvert County

GRANTOR: Emily Northam

GRANTEE: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution University of Maryland Center for Environmental Science

APPRAISED VALUE:	Margaret Heeney	\$750,000.00 (both parcels)
	James Hooper	\$656,000.00 (both parcels)

FUND SOURCE: Plant Funds

APPROP. CODE: R30B34

PRICE: \$ 745,000.00 (both parcels)

REMARKS: Last year, the long-time owner of 170 Farren Avenue and 168 Williams Street, property located contiguous with the UMCES Chesapeake Biological Laboratory campus, died and willed the property to his daughter Emily Northam. The property comprises two contiguous parcels of land totaling 0.6 acres improved with a 960 sf residence that includes a two story enclosed porch plus a 480 sf garage that sit between and contiguous with the University. Mr. Northam wished this property be sold to the University and his daughter wishes to fulfill her father's request. An appraisal conducted by the estate valued the two parcels at \$800,000.00. Ms. Northam offered to sell the property below the estate's appraised market value and within the University's two independent appraised values.

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

ITEM: 6-RP (continued)

REMARKS: (continued)

UMCES intends to use the property, as is, for the short term. The residence is in good condition and can be easily maintained. As the property is adjacent to the Truitt Laboratory, the open space can be used for a staging area during the replacement of that facility, for which planning funds are anticipated in FY 2012. In the long-term, the property is an ideal location for the University's proposed Information and Communications Services Building. Planning funds are anticipated in FY 2015. This location would provide a centralized academic resource for both students and researchers, and a secure facility for the University's IT infrastructure.

These two parcels represent a genuine opportunity for the University in that the availability of land for its future growth and development is rare. Additionally, because the property is zoned for commercial development and is located within the center of the campus, if not purchased by the University it could be developed for uses incompatible with the academic mission of UMCES. This alternative would also raise security concerns for the campus.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 7-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase for the proposed Science and Technology Center

PROPERTY: 2533 W. North Avenue, Baltimore City

GRANTOR: Wayne Ondee Davis

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

APPRAISED VALUE:	Colliers Pinkard	\$105,000.00
	Lipman, Frizzell and Mitchell	\$100,000.00

FUND SOURCE: *MCCBL of 2008: Provide funds to acquire a site for the new Science and Technology Center. Item 047*

PRICE:	Acquisition:	\$105,000.00
	Relocation:	\$ 35,658.00
	Ground Rent:	<u>\$ 1,600.00 *</u>
	Total	\$142,258.00

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

REMARKS: This is property being purchased to support 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**

REAL PROPERTY: Acquisition by Purchase

ITEM: 8-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center

PROPERTY: 1637 Thomas Avenue, Baltimore City

GRANTOR: Rhonda R. Brown, P.C.

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	\$34,000.00
	Michael Wilson	\$35,000.00

FUND SOURCE: *MCCBL of 2008: Provide funds to acquire a site for the new Science and Technology Center. Item 047*

PRICE:	Acquisition:	\$ 35,000.00
	Ground Rent:	\$ 1,500.00 *
	Total:	\$ 36,500.00

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 9-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center

PROPERTY: 1814 N. Warwick Avenue, Baltimore City

GRANTOR: Leonard Heath

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

APPRAISED VALUE:	Colliers Pinkard	\$11,200.00
	Lipman, Frizzell and Mitchell	\$14,000.00

FUND SOURCE: *MCCBL of 2008: Provide funds to acquire a site for the new Science and Technology Center. Item 047*

PRICE:	Acquisition:	\$ 11,200.00
	Ground Rent:	\$ 1,400.00 *
	Total:	\$ 12,600.00

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 10-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase property for the proposed Science and Technology Center

PROPERTY: 2525 W. North Avenue, Baltimore City

GRANTOR: Norma J. Goodwin and Phyllis A. Anderson

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

APPRAISED VALUE:	Colliers Pinkard	\$115,000.00
	Lipman, Frizzell and Mitchell	\$108,000.00

FUND SOURCE: *MCCBL of 2008: Provide funds to acquire a site for the new Science and Technology Center. Item 047*

PRICE: Acquisition: \$ 108,000.00

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 11-RP

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

INSTITUTION: Coppin State University

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

PROPERTY: 1716 Thomas Avenue, Baltimore, City.

GRANTOR: Robert D. Duval, Jr.

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

APPRAISED VALUE:	Concord Appraisal Group, Inc.	\$47,000.00
	Woodley Appraisal Group, Inc.	\$40,067.00

FUND SOURCE: *MCCBL of 2008: Provide funds to acquire a site for the new Science and Technology Center. Item 047*

PRICE:	Acquisition	\$ 44,067.00
	Ground Rent	\$ 934.00 *
	Relocation	\$ 27,014.40 **
	Total	\$ 72,015.40

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

**The tenant will receive relocation assistance.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 12-RP

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

INSTITUTION: Coppin State University

DESCRIPTION: Purchase of property for proposed Science and Technology Center

PROPERTY: 1726 Thomas Avenue, Baltimore City

GRANTOR: Joseph M. Melton and Isetta G. Melton

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

APPRAISED VALUE:	Concord Appraisal Group, Inc.	\$48,000.00
	Woodley Appraisal Group, Inc.	\$48,000.00

FUND SOURCE: *MCCBL of 2008: Provide funds to acquire a site for the new Science and Technology Center. Item 047*

PRICE:	Acquisition	\$ 48,000.00
	Ground Rent	\$ 1,600.00
	Relocation	\$ 27,014.40
	Total	\$ 76,614.40

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

**The tenant will receive relocation assistance.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 1-IT Option

Agency Contact:

Sandy Johnson (410) 767-7408
Sjohnso5@dhr.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Human Resources
Office of Technology for Human Services

CONTRACT ID:

Outsourcing of Application, Hosting, Maintenance
and Enhancement Services
OTHS/OTHS-06-001-A7;
ADPICS NO. N00B0400493

CONTRACT APPROVED:

6/21/2006 DBM BPW Agenda Item 15-IT

CONTRACTOR:

ACS State and Local Solutions, Inc.
Baltimore, MD

CONTRACT DESCRIPTION: Support DHR's mainframe and server operations as well as provide computer application maintenance and enhancements for DHR's mission critical computer systems. Contract allows also for disaster recovery service.

OPTION DESCRIPTION: Exercise the first of two 6-month options to allow uninterrupted services pending the approval of a new multi-year contract (Item 2-IT on today's Agenda).

TERM OF OPTION:

7/01/2010 – 12/31/2010

AMOUNT OF ORIGINAL CONTRACT:

\$110,012,744.00

AMOUNT OF OPTION:

\$9,339,000.00

PRIOR MODIFICATIONS/OPTIONS:

\$47,360,436.68 (see Attachment)

REVISED TOTAL CONTRACT AMOUNT:

\$166,712,180.68

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

ITEM: 1-IT Option (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposal

MBE PARTICIPATION: 25%

REMARKS: As a companion Item on today's Agenda (DoIT 2-IT), the Department of Human Resources is recommending a new application maintenance and enhancement contract. A transition period from this incumbent contract to the new contract with a broader scope of services is necessary. Exercising the option period in the incumbent contract will provide for ongoing maintenance and operations support of DHR's systems during the transition period. This includes all necessary hardware, software, licenses, and communications that support these systems. The option period will assure continuity of operations. Without this extension, DHR's ability to convey reliable services to the approximately 760,000+ citizens depending upon assistance and support is imperiled.

FUND SOURCE: 43% General
57% Federal (Title IV-D; Title IV-E; Title XIX; TANF; FS)

APPROP. CODES: N00F0002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4074-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 1-IT Option (cont'd)

ATTACHMENT

5/19/2010

Mod #1	\$828,065.00	Contract modified to add the Child Care Administration Tracking System (CCATS) Hosting to the existing combined outsourcing contract. Period of Mod 7/1/2006 – 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda Item 14-IT-MOD.
Mod #2	\$1,745,448.00	Contract modified to address the backlog of federal and state mandated requirements to enhance and maintain the Child Support Enforcement Administration's mission-critical system. Period of Mod 1/25/2007 – 10/31/2007. Approved on the 1/24/2007 DBM BPW Agenda Item 4-IT-MOD.
Mod #3	\$7,809,326.00	Contract modified to incorporate system enhancements to the Client Information System (CIS), MD CHESSIE, Cottage Applications and Hosting Services. Period of Mod 7/1/2007 – 6/30/2009. Approved on the 6/20/2007 DBM BPW Agenda Item 24-IT-MOD.
Mod #4	\$3,467,370.00	Contract modified to incorporate system application maintenance and enhancements for the Child Support Enforcement System (CSES) and the Maryland Children's Electronic Social Services Information Exchange System (MD CHESSIE), and to make an administrative change in the contract due to rate schedule change. Period of Mod 3/13/2008 – 6/30/2009. Approved on the 3/12/2008 DBM BPW Agenda Item 11-IT-MOD.
Mod #5	\$1,915,107.00	Contract modified to include enhancements to the Client Automated Resource and Eligibility System (CARES) and the Service and Access Information Link (SAIL), eliminating the current On-Demand Payment and re-allocating funds set aside for the On-Demand Payment to the enhancement of MD CHESSIE, and enhancing MD CHESSIE Program Assignment that interfaces with CIS, CSES, and CARES. Period of Mod 6/26/08 – 6/30/09. Approved on the 6/28/2008 DBM BPW Agenda Item 19-IT-MOD.

Mod #6 \$31,595,120.00

Contract modified for three (3) separate changes to the current contract, as follows: (1) Extend the current contract for the period of one year (June 18, 2009 through June 17, 2010). (2) Remove data center and hosting services from the scope of the current contract. (3) Add \$12,917,120 to complete large-scale system enhancements to DHR's critical applications: the Client Automated Resource and Eligibility System (CARES), the Child Support Enforcement System (CSES) and Maryland's Children's Electronic Social Services Information Exchange (MD CHESSIE). 4) Add two six month options. Period of Mod 6/18/09 – 6/30/10. Approved on the 5/20/09 DBM BPW Agenda Item 6-IT-MOD.

Total: \$47,360,436.68

SUPPLEMENTAL D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA

ITEM: 2-IT

Agency Contact:
Sandy Johnson (410) 767-7408
SJohnso5@dhr.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Human Resources
Office of Technology for Human Services

CONTRACT ID: Application Maintenance/Operations and Enhancement Services
OTHS/OTHS-10-005; ADPICS NO. N00B9200391

CONTRACT DESCRIPTION: Technical and subject matter experts to operate, maintain, modify, and enhance DHR's mainframe, non-mainframe, and Web-based information systems.

AWARD:

ACS State & Local Solutions, Inc.
Washington DC
(Local Office in Baltimore MD)

TERM:

06/15/2010 – 12/31/2015
(w/2 two-year renewal options)

AMOUNT:

\$125,374,543	(5 Year; Base Contract)
\$ 51,524,486	(2 Year; 1 st Renewal Opt.)
<u>\$ 53,050,971</u>	(2 Year; 2 nd Renewal Opt.)
\$229,950,000	(Total 9 Years)

PROCUREMENT METHOD:

Competitive Sealed Proposals

BIDS OR PROPOSALS:

See attached

MBE PARTICIPATION:

26%

PERFORMANCE SECURITY:

Fidelity Bond – \$5,000,000.00
Performance Bond – \$5,000,000.00

HIRING AGREEMENT ELIGIBLE:

Yes

INCUMBENT:

ACS State & Local Solutions, Inc.
Washington DC

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

ITEM: 2-IT (Cont.)

REMARKS:

Scope of Work: This contract will assist DHR to provide 24x7x365 system operation and maintenance, application security, as well as continuity of operations, disaster recovery, and other services including Help Desk Level II and User Acceptance Testing support, site support, infrastructure support and data and transmission security. This contract includes Level I maintenance services and Level II support services. Level II support services consist of system changes, enhancements, modifications, or new developments that exceed 500 hours. Services for Level II may be performed on a task order basis not-to-exceed \$10,000,000 annually depending upon the availability of funding. This contract also includes requirements for standardization and process improvements to evolve DHR to Capability Maturity Model Integration Level 3, work model consisting of best practices for system and software development and maintenance that will improve overall productivity as well as facilitate enhanced performance reporting.

Solicitation. A notice of the availability of the Request for Proposals was advertised on *eMarylandMarketplace.com* and on DHR's Web site. A copy of the notice was sent to the Governor's Office of Minority Affairs. A notice of the availability of the RFP was sent directly to 460 MBEs. Three proposals were received; two were deemed reasonably susceptible of being selected for award.

The proposal submitted by ACS State and Local Solutions, Inc., was ranked the more advantageous offer considering both technical and financial criteria. The approaches and strategies ACS developed met and in many instances exceeded the requirements outlined in the RFP. In its proposed solution, ACS demonstrated a deep understanding of DHR's current challenges, future direction, and long-term strategies. The proposal reflects a strong emphasis on quality deliverables and work products, measuring for performance, exceeding customer expectations, and delivering results. ACS conceived an innovative, low-cost technical solution to meet DHR's needs.

Accenture LLP filed two protests which were both denied by DHR. The first protest was filed on December 15, 2008 and the second on April 30, 2009. DHR responded to the first protest on January 8, 2009 and the second protest response was mailed on June 22, 2009. Accenture appealed both decisions to the Maryland State Board of Contract Appeals. The MSBCA rejected and denied Accenture's appeals on March 26, 2010 (MSBCA Docket Nos. MSBCA 2640 and 2669).

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

ITEM: 2-IT (Cont.)

FUND SOURCE: 63% Fed.; 37% Gen.
(Temporary Assistance to Needy Families, Food Stamps, Title IV-E, Title IV-D, Title IXX)

APPROP. CODES: N00F0004

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4074-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BIDS OR PROPOSALS:

	Technical Rank	Base Contract 5 Years	1 st Option 2 Years	2 nd Option 2 Years	Total
ACS State & Local Solutions, Inc. Washington DC	1	\$ 75,374,543	\$ 31,524,486	\$33,050,971	\$139,950,000
Level II Services		<u>* 50,000,000</u>	<u>* 20,000,000</u>	<u>* \$20,000,000</u>	<u>\$ 90,000,000</u>
		\$125,374,543	\$51,524,486	\$53,050,971	\$229,950,000 (1)
Northrop Grumman Information Technology, Inc. Chantilly VA	2	\$ 95,245,339.56	\$ 35,117,608.24	\$35,100,960.81	\$165,463,908.61
Level II Services		<u>* 50,000,000</u>	<u>* 20,000,000</u>	<u>* \$20,000,000</u>	<u>\$ 90,000,000</u>
		\$145,245,339.56	\$55,117,608.24	\$55,100,960.81	\$255,463,908.61(2)

Overall Rank:

(1) ACS State & Local Solutions, Inc.

(2)Northrop Grumman Information Technology, Inc.

* **Note:** Technical factors had greater weight than financial factors in the overall ranking determination. Agenda includes a Not to Exceed \$10,000,000 Annual amount for Level II services to be performed on a Task Order Basis depending upon the availability of funding

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

ITEM: 3-IT MOD

Agency Contact:

Sandy Johnson(410) 767-7408

Sjohnson5@dhr.state.md.us

Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Department of Human Resources
Office of Technology for Human Resources

CONTRACT ID:

Electronic Benefits Transfer System

OTHS/EBT -06-002A1

ADPICS CO NO. COD05670

CONTRACT APPROVED:

DBM Item 8-IT (4/18/2007)

CONTRACTOR:

ACS State & Local Solutions, Inc.
Washington, DC

CONTRACT DESCRIPTION: Implement, operate and maintain a Web-based Electronic Benefits Transfer System for the Public Assistance and Food Stamp Benefits Programs. The system supports the electronic distribution of cash and food stamp benefits with a debit card.

MODIFICATION DESCRIPTION: Add funds for both the Supplemental Nutrition Assistance Program Disaster Plan and to offset the unexpected rise in Supplemental Nutrition Assistance Program caseload due to the current economic climate.

TERM OF ORIGINAL CONTRACT:

5/1/ 2007 – 2/28/2011
(w/2 two-year renewal options)

TERM OF MODIFICATION:

6/16/2010 – 2/28/2011

AMOUNT OF ORIGINAL CONTRACT:

\$6,325,421.72

AMOUNT OF MODIFICATION:

\$2,921,958.30

PRIOR MODIFICATIONS/OPTIONS:

-0-

REVISED TOTAL CONTRACT AMOUNT:

\$9,247,380.02

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

ITEM: 3-IT MOD

PERCENT +/- (THIS MODIFICATION): 46.2%
OVERALL PERCENT +/-: 46.2%
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 14.6%

REMARKS: Request to modify the Electronic Benefit Transfer (EBT) services contract with two changes. The first is to add a Disaster Plan. The USDA Food and Nutrition Service require each state to have a SNAP Disaster Plan in place. This plan will allow for the EBT vendor to assist DHR in responding to disasters that threaten the availability of essential food for Maryland's citizens. The plan will streamline the process of offering customers Food Stamp benefits should the federal government declare a disaster. The plan will also provide the ability to track all USDA-required information for reporting disaster benefits. The second change is to add necessary funds due to the unexpected rise in caseloads caused by the current economic situation. As the recession deepened, more than 10,000 Marylanders applied for monthly and received SNAP benefits. Without this modification, DHR will not be federally compliant.

FUND SOURCE: 52% Federal 48% General
APPROP. CODE: N00F0004
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 10-4074-1111

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:

Charles Bristow (410) 865-1040
cbristow@mdot.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Transportation

CONTRACT ID: IBM Mainframe Software Licenses and Related Support Services
OTTS-11-001; ADPICS No. J01B1400001

CONTRACT DESCRIPTION: Maintenance, support and license renewal for IBM mainframe operating system software.

AWARD: IBM Corporation, Baltimore, MD

TERM: 07/01/2010 - 06/30/2011

AMOUNT: \$1,330,496.20 (1 Year)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

INCUMBENT: Same

REMARKS: This contract provides for the continuation of maintenance and renewal of license for the essential IBM mainframe operating system and related software products currently installed on the IBM mainframe processor located at the Glen Burnie Data Center. The software license agreement is critical to MDOT's ability to fulfill its responsibility as the central data processing center for all of MDOT including the Maryland Transportation Authority.

IBM is the sole owner of the proprietary operating system software and its subsystems installed on the existing IBM mainframe processor; therefore, there is no other available source for the maintenance software. Due to the proprietary nature of the services, there are no subcontracting opportunities and therefore no MBE goal.

FUND SOURCE: Special - 100% (Transportation Trust Fund)

APPROP. CODE: J01A0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4075-1111

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 Option

Agency Contact:

Elliot Schlanger (410) 260-2994

ESchlanger@doit.state.md.us

Robert Krysiak (410-260-7179)

Robert.Krysiak@doit.state.md.us

DEPARTMENT/PROGRAM:

Information Technology

CONTRACT ID:

IBI Maintenance Contract

DBM-0215-IBI

CONTRACT APPROVED:

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

CONTRACTOR:

Information Builders, Inc.

Baltimore, MD

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

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

ORIGINAL CONTRACT TERM:

6/30/02-6/30/07

OPTION TERM:

7/1/2010-6/30/2011

AMOUNT OF ORIGINAL CONTRACT:

\$3,800,000

AMOUNT OF OPTION:

\$700,000

PRIOR MODIFICATIONS/OPTIONS:

See attachment 1

REVISED TOTAL CONTRACT AMOUNT:

\$5,700,000

ORIGINAL PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

0%

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

ITEM: 5-IT Option (cont'd)

REMARKS: DBM and other State agencies use eight software products from Information Builders, Inc. as an integral part of the operations of FMIS. The primary IBI enterprise proprietary software is a product called FOCUS which is a proprietary programming language and has been the standard IBI software used to create ad-hoc reports against FMIS accounting and procurement data for the past 16 years. This contract includes maintenance, training, and support for internal operations on FMIS or other agency financial.

FUND SOURCE	59% Gen.; 41% Various (Other Agencies)
APPROP. CODES:	F50B0403 and Various Agencies
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-4102-1011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

PRIOR MODIFICATIONS/OPTIONS

MOD	\$1,200,000	Modification to reduce rates, extend the base period of the contract three years and add 5 one-year renewal options. Approved by the BPW on 12-15-2004 DBM Item 14-IT MOD.
-----	-------------	--

<u>\$1,200,000</u>	Grand Total
--------------------	-------------

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 1-AE

MARYLAND TRANSIT ADMINISTRATION

CONTRACT IDS: MTA-1999 D, E & F
 On-Call Structural Engineering Services
 ADPICS NOS. TMTA1199D, TMTA1199E,
 TMTA1199F

CONTRACT DESCRIPTION: MTA is presenting the last three (3) of six (6) task order contracts that will provide structural engineering support services to the Track and Structural Preservation Engineering Division.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on May 6, 2010.

AWARDS:

Jacobs Engineering Group, Inc./
 Greenhorne & O'Mara, Inc. – J.V.
 Baltimore, MD Contract D

Whitney Bailey Cox & Magnani, LLC/
 AECOM USA, Inc. – Joint Venture
 Baltimore, MD Contract E

Wallace, Montgomery & Associates, LLP
 Towson, MD Contract F

TERM: Five (5) Years (ending May 2015)

AMOUNTS: \$5,000,000.00 – Contract D
 \$3,000,000.00 each – Contracts E&F

ITEM:**1-AE (Continued)****BPW--05/19/10****PROPOSALS:**

	<u>Technical Proposal Rating (Max=1740)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Gannett Fleming, Inc./KCI Technologies, Inc. – Joint Venture Baltimore, MD	763	1	\$5,000,000.00 Contract A BPW Approval 4/21/10
Rummel, Klepper & Kahl, LLP Baltimore, MD	752	2	\$5,000,000.00 Contract B BPW Approval 4/21/10
The Wilson T. Ballard Company Owings Mills, MD	723	3	\$5,000,000.00 Contract C BPW Approval 4/21/10
Jacobs Engineering Group, Inc./Greenhorne & O'Mara, Inc. – Joint Venture Baltimore, MD	714	4	\$5,000,000.00 Contract D
Whitney Bailey Cox & Magnani, LLC/ AECOM USA, Inc. – Joint Venture Baltimore, MD	702	5	\$3,000,000.00 Contract E
Wallace Montgomery & Associates, LLP Towson, MD	694	6	\$3,000,000.00 Contract F
URS Corporation Hunt Valley, MD	682	7	N/A
Whitman, Requardt & Associates, LLP Baltimore, MD	668	8	N/A
STV Incorporated Baltimore, MD	666	9	N/A
Johnson, Mirmiran & Thompson Sparks, MD	650	10	N/A

DBE PARTICIPATION:

25%

PERFORMANCE SECURITY:

N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace, and on the SHA and MTA Web Sites. A total of ten (10) engineering consultant firms were sent Request for Proposals for these services. All are Maryland firms. Ten (10) technical proposals were received.

ITEM:**1-AE (Continued)****BPW--05/19/10**

The Consultants will perform structural engineering services for a variety of projects related to light rail, heavy rail, commuter rail and bus facilities. Project tasks may include, but are not limited to the following: assessing the performance of certain MTA facilities to determine if modifications or rehabilitation/repairs are necessary; design of facility modifications, including alterations, improvements and rehabilitation of aerial structures, bridges, buildings and other miscellaneous work; performing in-depth inspection and evaluation of existing structures; preparation of reports and recommendations for related services such as schedules review; field inspection; testing of concrete, soils, aggregate, etc.; field inspection of aerial structure/bridges; provide data required for computerized inventory program and updating data base and other related services as required.

In Contract F, in addition to the firms used to fulfill the MBE participation goal (25%), the prime has committed to use an additional MBE firm, EBA Engineering, Inc. in an area of service where this MBE firm graduated from the program.

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

FUND SOURCE:	Federal and Special Funds Budgeted to MTA
APPROPRIATION CODE:	J05H0105
RESIDENT BUSINESSES:	Yes
MD TAX CLEARANCE:	Jacobs Engineering Group, Inc. 10-3388-1111 Greenhorne & O'Mara, Inc. – J.V. Whitney, Bailey, Cox & Magnani, 10-3456-1111 LLC/AECOM USA, Inc. – J.V. Wallace, Montgomery & Associates, 10-3657-1111 LLP

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

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION****126**

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

BPW – 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 2-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2006-14 B
 Materials Engineering & Testing Services, Statewide
 ADPICS NO.: SBCS0614B

CONTRACT DESCRIPTION: This is the last of two (2) open-end task order contracts to provide materials engineering and testing services, Statewide.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on May 6, 2010.

AWARD: The Robert B. Balter Company
 Owings Mills, MD

AMOUNT: \$1,000,000.00

TERM: Four (4) Years (ending May 20, 2014)

MBE PARTICIPATION: 21%

PROPOSALS:

	<u>Technical Proposal Rating (Max 720)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
EBA Engineering, Inc. Baltimore, MD	488	1	Contract A BPW Approval 5/20/09
The Robert B. Balter Company Owings Mills, MD	483	2	\$1,000,000.00 Contract B
MACTEC Engineering & Consulting Beltsville, MD	471	3	N/A
KCI Technologies, Inc. Sparks, MD	466	4	N/A

ITEM: 2-AE (Continued)

BPW – 05/19/10

PROPOSALS (Cont'd):

	<u>Technical Proposal Rating (Max 720)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Specialized Engineering Ijamsville, MD	413	5	N/A
Hillis-Carnes Engineering Associates, Inc. Annapolis, MD	408	6	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA Web Page. A total of six (6) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms.

Provide various materials and testing services which may include but not be limited to: construction materials and technician quality assurance; laboratory and field testing of construction materials; provide non-destructive field materials testing; develop and implement Materials Management Systems; review and certify metal and pre-cast concrete manufacturing processes at fabrication facilities; field testing of concrete for existing bridge structure condition evaluations; develop material specifications for highway construction materials; train and certify technicians for construction material quality control/quality assurance; development of performances, warranties, and incentive specifications to ensure material quality and performance and other related services.

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 10-3950-1111

RESIDENT BUSINESS: Yes

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 – 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 3-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2009-03 G & H
 Bridge Design Services, Statewide
 ADPICS NO(s): SBSC0903G and SBSC0903H

CONTRACT DESCRIPTION: These are two (2) of ten (10) open-end contracts to provide various engineering and design services for bridges and incidental structures, Statewide. Project assignments will be for State, County and local jurisdiction bridges.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on May 6, 2010.

AWARD:

Whitney, Bailey, Cox & Magnani, LLC/
 AECOM USA, Inc. Contract G
 Baltimore, Maryland

Brudis & Associates, Inc. Contract H
 Columbia, Maryland

AMOUNT: \$4,000,000.00

TERM: Five (5) Years (ending May 20, 2015)

DBE PARTICIPATION: 25%

PROPOSALS:	<u>Technical Proposal Rating (Max 710)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Wallace, Montgomery & Associates, LLP Towson, MD	505	1	Contract A
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	504	2	Contract B

ITEM: 3-AE (Continued)		BPW – 05/19/10	
PROPOSALS:	Technical Proposal Rating (Max 710)	Technical Ranking	NTE Price
Rummel, Klepper & Kahl, LLP Baltimore, MD	478	3	Contract C
Whitman, Requardt & Associates, LLP Baltimore, MD	477	4	Contract D
The Wilson T. Ballard Company Owings Mills, MD	455	5	Contract E
KCI Technologies, Inc./ Gannett Fleming, Inc. Sparks, MD	453	6	Contract F
Whitney, Bailey, Cox & Magnani, LLC / AECOM USA, Inc. Baltimore, MD	447	7	\$4,000,000.00
Brudis & Associates, Inc. Columbia, MD	444	8	\$4,000,000.00
URS Corporation Hunt Valley, MD	442	9	Contract I
Nolan Associates, Inc. Ellicott City, MD	437	10	Contract J
Greenhorne & O'Mara, Inc. Laurel, MD	433	11	N/A
Michael Baker Jr. Inc. / Kennedy, Porter & Associates, Inc. Linthicum, MD	428	12	N/A
Century Engineering, Inc. Hunt Valley, MD	428	13	N/A
Jacobs Engineering Group, Inc./ Wilbur Smith Associates Baltimore, MD	421	14	N/A
STV Incorporated/PB Americas, Inc. Baltimore, MD	418	15	N/A
T.Y. Lin International Alexandria, VA	398	16	N/A

ITEM: 3-AE (Continued)

BPW – 05/19/10

PROPOSALS:	Technical Proposal Rating (Max 710)	Technical Ranking	NTE Price
TranSystems Langhorne, PA	395	17	N/A
Dewberry & Davis LLC Baltimore, MD	395	18	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA Web Page. A total of eighteen (18) engineering consultant firms submitted technical proposals for this project, sixteen (16) of which are Maryland firms.

The Consultant shall perform all facets of engineering and design services as it relates to the design of new bridges and/or modification/rehabilitation of existing bridges and incidental structures; development and review of designs, details and contract documents which may include structures, approach roadway work, traffic control plans, lighting and signalization. The scope of work may include new or replacement structures, deck replacement on bridges, box culverts, retaining walls, moveable bridges and bridge widening.

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

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: Whitney, Bailey, Cox & Magnani, LLC/
AECOM USA, Inc 10-4216-1111
Brudis & Associates, Inc. 10-4172-0111

RESIDENT BUSINESSES: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

131

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

BPW – 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

SERVICE CONTRACT

ITEM: 4-S-OPT

MARYLAND AVIATION ADMINISTRATION

ORIGINAL CONTRACT NO & TITLE: MAA-SV-06-004
 Installations and Maintenance of 800 MHz
 Radio Communication System at BWI
 ADPICS NO: CO248798

ORIGINAL CONTRACT APPROVED: Item 7-S, DOT Agenda 06/01/05

ORIGINAL PROCUREMENT METHOD: **Sole Source**
 Pursuant to COMAR 21.05.02.A1&2

CONTRACTOR: Motorola, Inc.
 Sunrise, FL

MODIFICATION: Exercise the renewal option for a period of two (2) years from June 1, 2010 through June 30, 2012.

AMOUNT: \$858,000.00

ORIGINAL CONTRACT AMOUNT: \$3,906,658.00

REVISED CONTRACT AMOUNT: \$5,111,733.00

PERCENTAGE INCREASE: 22%

TERM: 06/11/05 - 04/30/10 (Original)
 05/01/10-5/31/10 (Modification No. 4)
 06/01/10 – 06/30/12 (Renewal Option No. 1)

ORIGINAL MBE PARTICIPATION: 0%

RENEWAL MBE PARTICIPATION: 0%

REMARKS: This work is a continuation of a maintenance contract on the BWI digital trunked radio system. This system provides emergency communications for all “first responders” at BWI including Fire, Emergency Medical Services, Airport Police, Security, Operations and other emergency response personnel during declared airport emergencies.

This action represents the exercising of a two-year renewal option with the manufacturer that was provided for in the original contract.

ITEM: 4-S-OPT (Continued)**BPW – 05/19/10**

This Item was previously submitted and withdrawn as Item 6-S-OPT on the 5/5/10 DOT Agenda.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO6I0002

MD TAX CLEARANCE: 10-3623-1111

RESIDENT BUSINESS: No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

133

ITEM:

4-S-OPT (Continued)

BPW – 05/19/10

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$3,906,658.00	06/11/05-04/30/10	06/01/05	
Modification #1	\$0.00	09/19/06-10/18/06	DCAR 2/19/06	extend installation period to 10/18/06
Modification #2	0.00	10/11/06-04/30/07	DCAR 2/18/06	extend installation period to 4/30/07
Modification #3	\$347,075.00	03/5/08-04/30/10	03/12/08	2-channel expansion
Modification #4	\$0.00	05/1/10-5/31/10	DCAR 2/17/10	extend maintenance term to 5/31/10
Renewal Option No. 1	\$858,000.00	06/01/10-06/30/12	5/19/10	renew maintenance agreement
Revised Amount	\$5,111,733.00			

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 5-RP MMC# 09-1038

STATE HIGHWAY ADMINISTRATION: Located on the southwest quadrant of MD 27 intersection with Park Avenue and Twin Arch Road, Carroll County, MD

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 ± 0.1863 acres and is being conveyed to the sole adjacent property owner. This conveyance was conditioned upon the ability of SHA to grant a perpetual easement to the Town of Mount Airy prior to completion of the conveyance to the Grantee. Both conveyances are included in the Action Item. The BPW is being asked to approve the conveyance to the Town of Mt. Airy for the nominal consideration of \$1.00 and the conveyance to named Grantee.

SPECIAL CONDITIONS: The property being conveyed subject to a slope easement and conditioned upon acceptance by the Town of Mt. Airy of a utility access traversing the property. The property will be encumbered by this perpetual easement.

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Retirement Trust of Michael J. O'Brien

CONSIDERATION: \$13,750.00 (includes a \$2,500 administrative fee)

APPRAISED VALUE: \$11,250.00, Bruce Dumler, Fee Appraiser.
Reviewed and approved by Ron Hammond, Review Appraiser.

REMARKS: Approval of conveyance is requested in accordance with Section 8-309 (F)(1)(ii) of the Transportation Article, Annotated Code of Maryland.

The subject property is not capable of an independent use because of its size and zoning. The grantee submitted a negotiated bid which was 100% of the appraised value of the property and agreed to pay an administrative fee of \$2500.00 imposed by SHA. The deed of easement to Mount Airy is to be recorded in advance of this deed.

SHA is concurrently requesting permission to dispose of property and execution of the deed and the conveyance to the Town of Mount Airy.

Both Deeds have 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 – 05/19/10

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 6-RP MMC# 09-2227

STATE HIGHWAY ADMINISTRATION: Located on the west side of MD 355 between Twinbrook Parkway and Wootton Parkway in Montgomery County.

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of the easement, as described.

The easement to be conveyed to the Grantee consists of \pm 0.14 acres is being conveyed to the adjoining owner in exchange for an easement consisting of \pm 0.43 acres.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Woodmont Country Club, Inc.

CONSIDERATION: Perpetual Easement to be conveyed to SHA

APPRAISED VALUE: **Easement to be conveyed to Grantee**
 \$99,550, Melville Peters, fee appraiser. Reviewed and Selected by Ronald Hammond, Review Appraiser.

Easement to be conveyed to SHA
 \$301,440, Melville Peters, fee appraiser. Reviewed and Selected by Ronald Hammond, Review Appraiser.

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (f)(1)(ii) of the Transportation Article of the State Procurement Article of the Annotated Code of Maryland.

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

136

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

BPW – 05/19/10

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 7-RP

MMC# 09-2243

STATE HIGHWAY ADMINISTRATION:

The former WB&A railroad right-of-way running from Odenton to Crownsville, Anne Arundel Co.

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of the property, as described. The property consists of \pm 21.96 acres and is being conveyed to Anne Arundel County for the South Shore Trail Project.

SPECIAL CONDITIONS:

Subject to a reverter clause maintaining public use.

GRANTOR:

State of Maryland, State Highway Administration

GRANTEE:

Anne Arundel County, Maryland

CONSIDERATION:

\$20,616.86 (Acquisition Cost + Interest)

APPRAISED VALUE:

\$1,807,350, Stephen Muller, fee appraiser.
 Reviewed by J. Michael Jones, Review Appraiser,
 Approved by William T. Caffrey, Jr., Chief of SHA
 Appraisal Review Division and Joseph M. Miklochik,
 Director ORE (one appraisal, one review)

REMARKS: Approval of conveyance is requested in accordance with Section 8-309(g)(2)(ii) of the Transportation Article, Annotated Code of Maryland which allows SHA to convey the land for the lesser of: appraised value or the consideration originally paid plus simple interest and administrative costs. This property was acquired from the WB&A Realty Corp in 1941.

The Budget and Taxation Committee and House Appropriations Committee were contacted. In accordance with State Finance and Procurement, Section 10-305. Legislative Notice was given on March 10, 2010 and the 45-day notice period expired on April 28, 2010.

STATE CLEARINGHOUSE: The Clearinghouse conducted and intergovernmental review of the project under MD20100319-0204 and has recommended to convey \pm 2.749 miles of former railroad bed corridor to Anne Arundel County. Anne Arundel County expressed an interest in acquiring the property for the purpose of developing/expanding the South Shore (hiker-biker) Trail in this corridor that runs from the Crownsville area to the Odenton area.

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

W. Stanley Lane – 410-767-3355
Slane1@mtamaryland.com

BPW -- 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 8-GM

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T8000-0313A
 Commuter Bus Service between Calvert County, Maryland
 and Washington, D. C. – Line No. 902
 ADPICS No.: T80000313A

CONTRACT DESCRIPTION: The purpose of this contract is to provide commuter bus services for the MTA between Calvert County points in St. Leonard, Calvert County Fairgrounds, Sunderland Park & Ride and Dunkirk Park & Ride and Washington, D. C. via one route. Line 902 provides for thirty-five (35) one-way trips per day. There are seventeen (17) trips in the morning and eighteen (18) trips in the afternoon.

AWARDS: Keller Transportation, Inc.
 Waldorf, MD

TERM: June 18, 2010 through June 30, 2015

AMOUNT: \$16,558,431.01 (includes estimated fuel surcharges of
 \$220,000.00)

PROCUREMENT METHOD: **Competitive Sealed Bidding
 (Multi-Step)**

BIDS:

Keller Transportation, Inc. \$16,338,431.01
 Waldorf, Maryland

Gold Lines, Inc. \$17,340,730.00
 Tuxedo, Maryland

Dillon's Bus Service, Inc. \$18,723,350.22
 Hanover, Maryland

MBE PARTICIPATION: 5%

PERFORMANCE SECURITY: A Performance Bond in the amount of 10% of the contract amount is in place.

ITEM: 8-GM (Continued)**BPW – 05/19/10**

REMARKS: This Solicitation was advertised on eMarylandMarketplace and on the MTA website on January 14, 2010. Three (3) technical proposals were received in response to our Invitation for Bid for lines 902 and 904. It was specified in the IFB that the MTA reserved the right to award multiple contracts as a result of the bids received. All firms were found responsive and responsible.

The procurement method used was a Multi Step Invitation for Bid as provided under the Code of Maryland Regulation (COMAR) 21.05.02.17.

The overall contract value is estimated at \$16,558,431.01, which includes \$220,000.00 for fuel surcharges. The MTA will lease three (3) buses to Keller Transportation, Inc.

The Prime Contractor is a resident business under the guidelines of BPW Advisory P-003-95.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0106

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 10-4156-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

139

W. Stanley Lane – 410-767-3355
Slanel@mtamaryland.com

BPW -- 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 9-GM

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T8000-0313B
 Commuter Bus Service between Anne Arundel
 and Calvert Counties, Maryland and Washington, D. C. –
 Line No. 904
 ADPICS No.: T80000313B

CONTRACT DESCRIPTION: The purpose of this contract is to provide commuter bus services for the MTA between Calvert County at North Beach; Anne Arundel County points in Pindell Park & Ride, Bristol Park & Ride, Wayson's Corner Park & Ride; and Prince George's County at the Equestrian Center and Washington, D. C. via one route. Line 904 provides for twenty-nine (29) one-way trips per day. There are fourteen (14) trips in the morning and fifteen (15) trips in the afternoon.

AWARDS: Gold Line, Inc.
 Tuxedo, MD

TERM: June 18, 2010 through June 30, 2015

AMOUNT: \$12,185,377.00 (includes estimated fuel surcharges
 of \$220,000.00)

PROCUREMENT METHOD: **Competitive Sealed Bidding
 (Multi-Step)**

BIDS:

Gold Line, Inc. \$11,965,377.00
 Tuxedo, Maryland

Keller Transportation, Inc. \$14,039,428.96
 Waldorf, Maryland

Dillon's Bus Service, Inc. \$14,472,939.04
 Hanover, Maryland

MBE PARTICIPATION: 9%

PERFORMANCE SECURITY: A Performance Bond in the amount of 10% of the contract
 amount is in place

ITEM: 9-GM (Continued)**BPW – 05/19/10**

REMARKS: This Solicitation was advertised on eMaryland Marketplace and on the MTA website on January 14, 2010. In response, three technical proposals were received in response to our Invitation for Bid for lines 902 and 904. It was specified in the IFB that the MTA reserved the right award multiple contracts as a result of the bids received. The three firms were found responsive and responsible.

The procurement method used was a Multi Step Invitation for Bid as provided under the Code of Maryland Regulation (COMAR) 21.05.02.17.

The overall contract value is estimated at \$12,185,377.00, which includes \$220,000.00 for fuel surcharges. The MTA will lease three (3) buses to Gold Line, Inc.

The MBE goal established for this contract was 5%, however, the Contractor is exceeding the goal by 4.4%.

The Prime Contractor is a resident business under the guidelines of BPW Advisory P-003-95.

FUND SOURCE:	100% Special Funds Budgeted to MTA
APPROPRIATION CODE:	J05H0106
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	10-4153-0111

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

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

W. Stanley Lane – 410-767-3355
Slane1@mtamaryland.com

BPW -- 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

GENERAL/MISCELLANEOUS CONTRACT

ITEM: 10-GM

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T8000-0314
 Procurement of Forty One Low Floor Hybrid Diesel
 Electric Transit Buses
 ADPICS No.: T80000314

CONTRACT DESCRIPTION: This contract provides for the manufacture and delivery of forty-one (41) Low Floor Hybrid Diesel Electric Transit Buses.

AWARDS: New Flyer of America, Inc.
 Winnipeg, Manitoba, Canada

TERM: One (1) year from Notice to Proceed

AMOUNT: \$25,994,898.06

PROCUREMENT METHOD: Intergovernmental Cooperative Purchase
 (Washington Metropolitan Transit Authority
 (WMATA))

DBE PARTICIPATION: 0% (see remarks)

PERFORMANCE SECURITY: 5% Performance Bond

REMARKS: MTA will purchase 41 low floor hybrid diesel electric buses from New Flyer of America by piggybacking on a contract between the WMATA and New Flyer. The MTA's contract with New Flyer has been negotiated per COMAR 21.05.09, Intergovernmental Cooperative Purchasing.

Utilizing this procurement method will allow the MTA to realize savings in time and money in acquiring the hybrid diesel electric buses. Developing a new solicitation could take the MTA up to two years to prepare specifications, advertise, and award. The buses meet all Federal Transit Administration (FTA) requirements. In addition the contract with WMATA contains all required Federal clauses and meets the requirements of the FTA's Best Practices Manual for piggyback contracts.

The DBE goal established for this contract was approved by FTA. Although the vendors approved by the FTA are not certified DBE firms in Maryland, the DBE participation is 11% of the estimated contract value.

ITEM: 10-GM (Continued)**BPW – 05/19/10**

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

APPROPRIATION CODE: JO5 H0105

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 10-3534-0011

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

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

Angelo Perseghin (410) 631-1171
aperseghin@marylandports.com

BPW – 05/19/10

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 11-C

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 511803
 Remove Two (2) Cranes
 South Locust Point Marine Terminal
 ADPICS NO.: P511803

CONTRACT DESCRIPTION: This contract provides for the removal of two container cranes from South Locust Point Marine Terminal.

AWARD: Richard E. Pierson Construction Co., Inc.
 Pilesgrove, NJ

AMOUNT: \$283,230.00

TERM: 60 Work Days from Notice to Proceed

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Richard E. Pierson Construction Co., Inc. Pilesgrove, NJ	\$283,230.00
Cianbro Construction Pittsfield, ME	\$472,568.07
D.H. Griffin Wrecking Co., Inc. Wilmington, NC	\$521,620.00
McLean Contracting Co. Glen Burnie, MD	\$528,022.00
Marine Technologies, Inc. Baltimore, MD	\$700,000.00

MBE PARTICIPATION: 8%

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

ITEM: 11-C (Continued)

BPW – 05/19/10

REMARKS: The Engineer's Estimate for this contract was \$517,326.00. The reason the discrepancy between the bid amount and engineer's estimate is the engineer's estimate did not include the scrap steel value.

This Solicitation was advertised in eMaryland Marketplace. Fifteen (15) contractors received bid packages; eight (8) were Maryland firms. Five (5) responsive and responsible bids were received.

Work includes mobilization and demobilization of equipment, personnel and materials necessary to remove cranes and appurtenances, traffic control and coordination with terminal operations personnel. The work shall also include removal of three (3) existing electrical transformers along with associated wiring. The cranes shall be disassembled to the minimum extent possible on site, and transported off-site. Cranes contain some lead paint, and may contain asbestos and/or PCB's in on-board electrical transformers, or other hazardous materials. Additional testing will be done on the cranes to further define presence or absence of hazardous materials.

The Contractor, Richard E. Pierson Construction Co., Inc., confirmed its bid in a telephone conversation with the Procurement Officer on April 13, 2010.

A 5% MBE goal was established for this contract. The contractor is exceeding this goal by 3%.

This Item was previously submitted and withdrawn as Item 2-C on the 5/5/10 DOT Agenda.

FUND SOURCE:	100% Special Budgeted to MPA
APPROPRIATION CODE:	J03D00002
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	10-4121-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II CONTRACT MODIFICATION

ITEM 1-EP-MOD (Cont.)

ORIGINAL PROCUREMENT METHOD

Competitive Sealed Proposal (DGS-03-EPC-IDC-4.0: Agreement to Provide Energy Services for the Development and Implementation of Energy Performance Projects with Phase I Fees \$200,000 or less)

REMARKS

This work is requested by Spring Grove Hospital Center to fully maintain its recently installed boilers at the four (4) "Red Brick" buildings area for a 13-year maintenance contract period. The above mentioned boilers were installed as part decentralized plan to abandon the old centralized steam plant with its deteriorating piping system.

Maintenance Service was not included in the Phase II purchase of equipment because of an oversight. There have been no price increases since the time of the equipment purchase.

FUND SOURCE

\$434,758.00 (SGHC Operating Budget over 13 years)

RESIDENT BUSINESS

Yes

MD TAX CLEARANCE

10-3451-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 2-AE-OPTION

DEPARTMENT OF GENERAL SERVICES

CONTRACT NO. AND TITLE

Project No. DGS-08-004-IQC;
Professional Services Agreement
to Provide Mechanical, Electrical
and Plumbing Engineering Services
to the Department of General Services
for Multiple Construction Projects
with Fees Less than \$200,000
and Greater Than \$25,000
ADPICS NO.
001B1400008, Kibart, Inc.
001B1400009, M S Engineers, Inc.
001B1400010, Mueller Associates, Inc.
001B1400011, Gipe Associates, Inc.
001B1400012, Sidhu Associates, Inc.
001B1400013, SchlengerPitz & Assoc. Inc.

ORIGINAL CONTRACT APPROVED

7/2/2008 DGS/BPW Item 1-AE

ORIGINAL PROCUREMENT METHOD

Maryland Architectural and Engineering
Services Act

CONTRACTORS

	<u>Project Limit</u>	<u>Contract Limit</u>
Kibart, Inc. - Towson, MD	\$200,000.00	\$500,000.00
M S Engineers, Inc. - Columbia, MD	\$200,000.00	\$500,000.00
Mueller Associates, Inc. - Baltimore, MD	\$200,000.00	\$500,000.00
Gipe Associates, Inc. - Baltimore, MD	\$200,000.00	\$500,000.00
Sidhu Associates, Inc. - Hunt Valley, MD	\$200,000.00	\$500,000.00
SchlengerPitz & Associates, Inc. - Timonium, MD	\$200,000.00	\$500,000.00

DESCRIPTION

The State is exercising its sole renewal option on this Indefinite Quantity Contract to provide mechanical, electrical and plumbing engineering services for multiple construction projects for a period of two (2) years beginning July 7, 2010 through July 6, 2012 in accordance with the original terms, conditions, and limits.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 2-AE-OPTION (Cont.)

Individual projects awarded under this contract may not exceed \$200,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00.

TERM OF ORIGINAL CONTRACT 7/7/2008-7/6/2010 (W/1 two-year renewal option)

TERM OF OPTION 7/7/2010-7/6/2012

AMOUNT OF ORIGINAL CONTRACT \$500,000.00 Contract Limit Per Firm

AMOUNT OF OPTION \$500,000.00 Contract Limit Per Firm

PRIOR MODIFICATIONS/OPTIONS None

ORIGINAL MBE PARTICIPATION 25% on each task order \$50,000.00 or greater

REMARKS A contractual agreement of this nature is necessary to enable the State to fulfill its ongoing mechanical, electrical and plumbing engineering services responsibility in a cost effective and timely manner.

All six (6) firms have agreed to provide the required services for the two-year renewal period at the current billing rates. Based on the initial two-year term's awards of \$889,669.66, forgoing the 1% escalation amount would result in an estimated savings of \$8,896.70. As the performance of all six (6) firms has been satisfactory and the number of firms is adequate to meet the projected work load over the next 2 years, it is in the best interest of the State to renew this option.

FUND SOURCES Various Accounts

RESIDENT BUSINESS Yes for all.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 2-AE-OPTION (Cont.)

TAX COMPLIANCE NO.

10-3924-0111, Kibart, Inc.
10-3926-0111, M S Engineers, Inc.
10-3925-0111, Mueller Associates, Inc.
10-3927-0111, Gipe Associates, Inc.
10-3928-1111, Sidhu Associates, Inc.
10-3933-0111, SchlengerPitz & Associates, Inc.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF NATURAL RESOURCES Pocomoke River State Park
Worcester County

<u>CONTRACT NO. AND TITLE</u>	Project No. P-018-101-010; Resurface Camp Loops ADPICS NO. 001B0400648
--------------------------------------	--

<p><u>DESCRIPTION</u></p>	<p>This project consists of the Contractor providing all labor, equipment, materials, supplies, insurance, etc., necessary to resurface camp loop roads. Contract includes base bid and alternate.</p>
----------------------------------	--

PROCUREMENT METHOD Competitive Sealed Bidding

BIDS OR PROPOSALS

Image Asphalt Maintenance
Pasadena, MD
JJID, Inc.
Bead, DE
American Paving Corporation
Salisbury, MD
George & Lynch, Inc.
Dover, DE

AMOUNT

\$224,785.00
\$284,385.31
\$286,124.80
\$340,918.75

AWARD

Image Asphalt Maintenance
Pasadena, MD
(Certified SBR)

<u>AMOUNT</u>	\$224,785.00
----------------------	--------------

TERM 60 Calendar Days

MBE PARTICIPATION 20%

PERFORMANCE BOND	100% of Full Contract Amount
-------------------------	------------------------------

REMARKS

REMARKS This solicitation was advertised and bid on eMaryland Marketplace (eMM). Notice of Availability was also posted on the DGS Bid Board.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M (Cont.)

The project estimate was \$182,050.00. This project was included on the FY-09 POS maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and four vendors attended the prebid. Four vendors bid on the project with zero vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid.

FUND SOURCE

MCCBL 09/Item 018 (Provide funds to contract improvements such as planned maintenance and repair projects at public use facilities on State owned property.”

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

10-3971-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

DEPARTMENT OF GENERAL SERVICES

Tawes State Office Complex
 580 Taylor Avenue
 Annapolis, MD

CONTRACT NO. AND TITLE

Janitorial Services;
 ADPICS NO. 001B0400613

DESCRIPTION

Board of Public Works approval is requested for a contract to provide janitorial services for the Department of General Services, Annapolis Public Buildings and Grounds, Tawes State Office Complex located at 580 Taylor Avenue, (approximately 190,000 net cleanable sq. ft.) with no Add Alternates. The contract term will be for a period of three (3) years.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

AMOUNT

Dazser-Bal Corporation	\$210,816.00
Glen Burnie, MD	
Clean City LLC.	\$281,250.00
Washington, MD	
Readyclean Industrial Services, Inc.	\$298,647.00
Baltimore, MD	
Acclaim USA, Inc.	\$309,600.00
St Leonard, MD	
Cleaning To Perfection Full Facility Services	\$359,998.20
Suitland, MD	
A&L Cleaning, LLC	\$400,572.00
Oxon Hill, MD	
Acme Management, Inc.-	\$404,676.00
Clinton, MD	
Art of Moving & Living Inc.	\$419,940.00
Sliver Spring, MD	
KIK Commercial Cleaning, LLC-	\$458,280.00
Arnold, MD	
East West Inc.	\$459,942.48
Falls Church, VA	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

BIDS OR PROPOSALS (Cont.)

AMOUNT

Best Building Services, Inc. Bowie, MD	\$497,250.00
A Plus Maintenance Takoma Park, MD	\$500,766.12
Do-It-All Cleaning Services, Inc. Silver Spring, MD	\$649,000.08
Aquafree Facilities Services, Inc. Gaithersburg, MD	\$651,600.00
Altro Janitorial and Maintenance Service Upper Marlboro, MD	\$844,812.00
MSJC, Inc. Dba Anago of Baltimore Glen Burnie, MD	\$887,364.00

AWARD

Dazser-Bal Corporation
Glen Burnie, MD
(Certified SBR)

TERM

6/1/2010-5/31/2013

AMOUNT

\$210,816.00 (3 Years)

MBE PARTICIPATION

5%

HIRING AGREEMENT ELIGIBLE

Yes (1)

REMARKS

A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. Sixteen (16) bids were received. The lowest bidder and recommended contractor, Dazser-Bal Corporation, has confirmed their bid price. Housekeeping supplies in support of this contract are to be purchased from Blind Industries and Services of Maryland (BISM) to the extent they are available.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 4-M (Cont.)**FUND SOURCES**

DGS Operating Funds
H00 10 33151 0813
H00 11 33151 0813
H00 12 33151 0813
H00 13 33151 0813

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

10-3509-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 5-E

MARYLAND PUBLIC TELEVISION

Maryland Public Television (MPT)
Owings Mills, MD

CONTRACT NO. AND TITLE

Back-Up Generator;
ADPICS NO.001P0100185

DESCRIPTION

Approval requested for a contract to supply and install a back up generator and transfer switch at the Maryland Public Television (MPT) facility located in Owings Mills.

PROCUREMENT METHOD

Competitive Sealed Bid

BIDS OR PROPOSALS

Amber Enterprises Inc,
Owings Mills, MD
OnSite 360 LLC.
Hunt Valley, MD
Reliance Data
Pinehurst, NC
Curtis Engine & Equip Inc
Baltimore, MD

AMOUNT

\$490,000.00
\$498,000.00
\$534,830.00
\$833,000.00

AWARD

Amber Enterprises Inc
Owings Mills, MD
(MDOT certified MBE #05-229)

AMOUNT

\$490,000.00

MBE PARTICIPATION

100% (with a 5% sub-goal)

PERFORMANCE BOND

N/A

REMARKS

A notice of availability of a Invitation for Bids (IFB) was posted on DGS's Web Site, Bid Board and *eMaryland Marketplace.com*. There was a 5% MBE subcontracting goal because a large portion of the cost of the project is for the generator itself with very little labor involved and no required demolition or removal of existing equipment.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 5-E (Cont.)

The recommended awardee met the MBE goal by subcontracting 5% to an MDOT Certified MBE Contractor. In addition, the awardee is also an MDOT certified contractor.

This contract is for the supply and installation of a back up generator and transfer switch to support the entire broadcasting operation at the Owings Mills location as part of the MEMA initiative to disseminate information. in the case of a complete power outage.

FUND SOURCE

MCCBL 2003, Item 039 (Provide funds to purchase and install a back-up power supply system at the Owings Mills headquarters in Baltimore County)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

10-4167-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 6-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval of the use of General Obligation Bond funding for the contract(s) noted below in the total amount of \$292,389.46.

A. Department of Public Safety and Correctional Services

Roxbury Correctional Institute
Hagerstown, MD

DESCRIPTION

Board of Public Works approval is requested for the purchase, delivery of eighty one roof top exhaust fans and seven roof top supply fans for a total of eight-eight fans for the Roxbury Correctional Institution. The equipment will be used to replace existing outdated equipment that is constantly malfunctioning and not economically repairable.

REMARKS

This contract is for the purchase and delivery only of eighty-eight roof top fans to the Roxbury Correctional Institution. The contract was advertised on the DGS Bid Board and electronically on eMarylandmarketplace.com. Ninety-five vendors were solicited directly to include forty-one certified SBR's and five certified MBE's. The award will be made to CRW Mechanical, Inc which was deemed to be a responsive and responsible contractor.

CONTRACT NO. & TITLE

Project No.KE-000-100-001;
Exhaust and Supply Fans
ADPICS NO. 001P0100170

PROCUREMENT METHOD

Competitive Sealed Bids

AWARD

CRW Mechanical, Inc.
Lanham, MD

AMOUNT

\$113,300.00

FUND SOURCE

MCCBL 2009/Item 007 (DPSCS-RCI
Replace Exhaust & Ventilation Fans)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 6-GM (Cont.)

B. Department of Natural Resources

Assateague State Park
 Worcester County

DESCRIPTION

The Contractor shall provide all labor, equipment, materials, supplies, supervision, insurance, etc., necessary in performing all operations in connection with removing/replacing dune fencing, repairing dune cross-overs, and re-establishing dune vegetation in the areas specified herein.

REMARKS

The project estimate was \$141,020.00. This project was included on the FY-09 POS maintenance program, and was in the priority schedule within the budgeted funding. DNR prepared the specifications and nine vendors attended the prebid conference. Five vendors bid on the project with four vendors under the project estimate. The awarded vendor was evaluated and confirmed his bid. 25% MBE participation was provided in the documentation and was approved

CONTRACT NO. AND TITLE

Project No. P-054-102-010;
 Dune Vegetation & Fence Maintenance

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Ecological Restoration and Management
 Timonium, MD

AMOUNT

\$95,356.96

FUND SOURCE

MCCBL 2009/Item 018 (Provide funds to construct capital improvements such as planned maintenance and repair projects at public use facilities on State-owned property-Statewide.)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 6-GM (Cont.)

* **C. Maryland Public Television (MPT)** ————— Owings Mills, MD

DESCRIPTION ————— In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, to relocate a storage shelter at the Urbana Site. This relocation is related to Digital conversion work. This will enable DGS to pay MPT invoices received from J. G. Contracting.

REMARKS ————— The relocation of this storage shelter is an adjunct project associated with finalizing the Statewide Digital Conversion requirement.

CONTRACT NO. AND TITLE ————— MPT Requisition R15R04000104;
 ————— Urbana Site Shelter Relocation
 ————— Statewide Digital Interconnect System

AWARD ————— J.G. Contracting
 ————— Timonium, MD

AMOUNT ————— \$29,540.00

FUND SOURCE ————— MCCBL 2004/Item 031 (Provide funds to purchase and install a statewide Digital interconnection network system.)

D. Maryland Public Television (MPT) ————— Owings Mills, MD

DESCRIPTION ————— In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, to purchase and install a fiber optics system. This system is related to Digital conversion work. This will enable DGS to pay MPT invoices received from Professional Products, Inc.

REMARKS ————— The Evertz Fiber Optic System was procured through DoIT's "CATS-II" Statewide Procurement List.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 6-GM (Cont.)

CONTRACT NO. AND TITLE

MPT Requisition R15R04000103;
 Evertz Fiber Optic System
 Statewide Digital Interconnect System

AWARD

Professional Products, Inc.
 Gaithersburg, MD

AMOUNT

\$19,142.50

FUND SOURCE

MCCBL 2000/Item 067 (Provide funds to
 purchase and install a statewide Digital
 interconnection network system)

E. Maryland Public Television (MPT)

Owings Mills, MD

DESCRIPTION

In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, to erect tower lighting at the Urbana Site. This relocation is related to Digital conversion work. This will enable DGS to pay MPT invoices received from Communications Electronics, Inc.

REMARKS

This project was procured through DoIT's "CATS-II" Statewide Procurement List.

CONTRACT NO. AND TITLE

MPT Requisition R15R04000105;
 Tower Lighting Statewide Digital
 Interconnect System

AWARD

Communications Electronics, Inc.
 Timonium, MD

AMOUNT

\$35,050.00

FUND SOURCE

MCCBL2000/Item 067 (Provide funds to
 purchase and install a statewide Digital
 interconnection network system)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 6-GM (Cont.)

F. Maryland Public Television (MPT)

Annapolis, MD

DESCRIPTION

In accordance with provisions of State Finance and Procurement Article, Section 12-202 Annotated Code of Maryland, BPW approval is requested to encumber funds for MPT, for the replacement of waveguide output equipment at the Annapolis transmitter site related to Digital conversion work. This will enable DGS to pay MPT invoices received from Thompson Communication Inc.

REMARKS

The installation of this equipment is conjunction with finalizing the Statewide Digital Conversion requirement. The equipment will increase power at eh WMPT – Annapolis transmitter site in order to reach the maximized power levels granted by the FCC. The testing will be performed by MPT technicians.

CONTRACT NO. AND TITLE

MPT Requisition R15R0400082;
Waveguide Output Replacement Equipment
Statewide Digital Interconnect System

AWARD

Thompson Communication Inc.
Southwick MA

AMOUNT

\$12,172.00

FUND SOURCE

MCCBL 1999/ Item 057 (Provide funds to purchase and install a statewide Digital interconnection network system)

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

APPROVED *

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

* - Item was approved with the exception of Item C. (Maryland Public Television/J. G. Contracting) which was **WITHDRAWN**.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 7-GM

REFERENCE

Maryland Department of State Police
Hagerstown Barrack 'O'
Washington County, MD

DESCRIPTION

Approval is requested for a temporary exception for one (1) year in the termination of Maryland Consolidation Capital Bond Loan (MCCBL) funds authorized under Chapter 204, Acts of 2003, MCCBL Item 045, to provide funds to prepare detailed plans for the construction of a new Hagerstown Barrack and Garage/Communications Building for the Maryland Department of State Police (MDSP). The authorization amount was \$985,000.00 of which \$51,727.68 remains unencumbered. MDSP has been notified by the Maryland State Treasurer that these funds will expire on June 1, 2010.

Approval of this time extension is being requested in accordance with Finance and Procurement Article 8-128 which states "Except to the extent that money authorized by an enabling act for a State project or program has been encumbered by the Board, an authorization of State debt shall automatically terminate 7 years after the date of the authorization unless, ... in an emergency, the Board unanimously grants a temporary exception for 1 year".

At the time design funds were initially authorized in 2003, the project completion schedule was consistent with the time line anticipated for a major capital budget initiative, approximately 4-5 years, from program approval through design start and construction completion which also included purchasing capital equipment.

The capital facility program was approved July 28, 2003 and the A/E services design contract was approved by the Board January 7, 2004, for phases 1-6 design, in the amount of \$605,065.00. The design was completed in July 2006. However, due to budget constraints, funding for construction was not authorized until FY 2010.

Bids were scheduled for April 2010. Because of the delay between the completion of design and the construction funding authorization, additional fees modifications must be considered for an extension of the phase 5-6 services for both the primary A/E and the contracted commissioning agent. This was due to escalation costs beyond their originally negotiated contract agreement.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 7-GM (Cont.)

This will not allow adequate time for the design tasks to be completed and brought before the Board prior to the 6/1/10 expiration deadline necessitating this request for an exception. This temporary exception will allow the MDSP to expend the remaining funds to complete the project design.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 8-RP (Cont.)

FUND SOURCES

\$1,866,056.00 POS Opportunity Loan
 2009/Item 500, 89.22.45
 \$12,000.00 POS 2010/Item 445

SPECIAL CONDITIONS

1. Approval is requested for reimbursement of the following expenses to The Nature Conservancy (TNC) totaling \$66,056.00

\$ 8,500.00 Appraisals
 \$54,000.00 Administrative Fee
 \$ 2,300.00 Phase I Environmental
 \$ 1,031.00 Interest
 \$ 225.00 Title Work
 \$66,056.00 Total

2. The Nature Conservancy shall remove two dilapidated hunting shacks on the property prior to the State taking title to the property.

REMARKS

1. The Department of Natural Resources recommends approval of this acquisition.
2. This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 79 under the Program Open Space Target ecological scoring system.
3. 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 in Chapter 419 of the Laws of Maryland 2009.
4. 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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 8-RP (Cont.)

5. Pursuant to Section 5-903(f) (iii) of the Natural Resources Article, Annotated Code of Maryland; Board approval is also requested for the use of up to \$12,000.00 in POS funds, to protect water quality by implementing environmental improvements.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 9-RP (Cont.)

\$315,000.00 – (4/3/09) – David E. Cadell – Fee Appraiser
 Reviewed by Darryl Andrews

\$290,000.00 - (4/21/09) – Lou Ann Cline – Fee Appraiser
 Reviewed by Darryl Andrews

FUND SOURCE

Program Open Space Opportunity Loan
 2009 89.22.45, Item 500, \$200,000.00

REMARKS

1. The Department of Natural Resources recommends approval of this acquisition.
- 2 This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 109 under the Program Open Space Target ecological scoring system.
- 3 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.
- 4 This action authorizes the Comptroller to establish a spending authorization and 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 10-RP (Cont.)

3 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.

4 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.

5 The sellers retained hunting rights to the portion of the property north of Sturges Creek, under a lease agreement. The State will take title to the property subject a hunting lease, redrafted to DNR standard terms, which will conclude in the spring of 2011 (2 years remaining on the original TNC/owner lease agreement).

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 11-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land Preservation
 Foundation ("MALPF")
 File # 06-81-07A-D
 Carroll County, MD

REFERENCE

Reference is made to Item 20-RP of the Board of Public Works Agenda of October 19, 1994, wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an Agricultural Preservation Easement ("the Easement") on 328.15 acres of land for \$648,300.00 from George and Viola Brooks. Purchase of the Easement was completed on June 9, 1995. By its Board meeting of April 28, 1998, the MALPF Board of Trustees approved an agricultural subdivision of 1.069 acres from the Brooks' farm so that it could be used to enhance the maintenance of a storm water management pond for the use of the adjacent Lippy farm.

Request is being made of the Board of Public Works to permit a .246 acre parcel of the 1.069 acre parcel now owned by Lippy Brothers, Inc. to be conveyed to Baltimore Gas and Electric Company (BGE) for its use in building an electrical substation. In exchange for the release of the .246 acre parcel (Parcel A) to BGE, Lippy Brothers, Inc. shall place a different .246 acre parcel (Parcel B) under Easement. Both Parcel A and Parcel B are currently wooded and are of the same class of soils. A plat depicting the proposed exchange is attached hereto.

This request is made to accommodate BGE and avoid formal condemnation proceedings. BGE will be acquiring a total of 1.32 acres from Lippy Brothers, Inc., of which .25 acres is under Easement, and 1.07 acres is not under Easement.

RELEASOR

The State of Maryland, to the use of the Department of Agriculture on behalf of the Maryland Agricultural Land Preservation Foundation

RELEASEE

Lippy Brothers, Inc.

PROPERTY

.246 acres

GRANTOR

Lippy Brothers, Inc.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 11-RP (Cont.)**GRANTEE**

The State of Maryland, to the use of the
Department of Agriculture on behalf of the
Maryland Agricultural Land Preservation
Foundation

PROPERTY .

.246 acres

CONSIDERATION

Even Exchange

REMARKS:

1. The Maryland Agricultural Land Preservation Foundation recommends approval of this item as it will have no impact on agricultural operations, and it will avoid the need for costly condemnation proceedings.
2. Costs associated with this exchange will be paid by Lippy Brothers, Inc. and/or BGE.

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT

JUDICIARY OF MARYLAND
(District Court)

Annapolis
Anne Arundel County, MD

Landlord/Owner Annapolis Commerce Park Limited Partnership
c/o The Bernstein Companies
3299 K Street N.W., Suite 700
Washington, DC 20007

Property Location 2012 & 2012A Industrial Drive
Annapolis, MD 21401

<u>Space Type</u>	Storage	<u>Lease Type</u>	Additional Space	<u>Square Feet</u>	5,800
<u>Duration</u>	4 Years 3 months	<u>Effective</u>	June 1, 2010		
<u>Annual Rent</u>	\$87,522.00	<u>Square Foot Rate</u>	\$15.09		
		<u>Eff. Square Foot Rate</u>	\$17.09		

Utilities Responsibility Tenant
Custodial Responsibility Tenant

Previous Board Action(s) 07/29/1987 - 34-L; 07/11/1990 - 43-L; 03/06/1991 – 47-L;
03/04/1992 – 9-L; 06/30/1993 – 17-L; 08/24/1994 – 21-L;
18/14/1996 – 30-L; 08/27/0997 – 34-L; 11/14/2001 – 50-L;
10/30/2002 – 8-L; 08/11/04 – 28-L; 08/05/2009 – 7-LT

Fund Source C00 10 C0004 01 AOBJ 1301 100% General Funds

Background The District Court has a severe need for additional storage space for eight (8) of its 12 districts due to its need to maintain custody of all adjudicated court records. All court post judgment records for criminal and traffic cases must be kept for a minimum of three (3) years from its closing date before they can be stripped of all personal contents and properly disposed. Civil cases must be kept a minimum of 12 years with many of these cases mandated to be kept in perpetuity. District Court have been struggling with keeping ahead of this mandate due to the increasing number of cases being heard annually; consequently the demand for space has exceeded District Court's current storage ability to hold and store the records as mandated by law in the various district locations. The problem has resulted in the need for the local District Court offices to maintain the records on site in spaces that are already inadequate.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT (Cont.)

To alleviate this growing and pressing problem, District Court has requested to lease additional warehouse space at its existing Annapolis storage location rather than acquiring numerous separate leases throughout the State.

During an administrative review, an error in the agenda item has been identified. The August 5, 2009 Action Agenda Item # 7-LT has the "Duration" as 10 years. In fact, the "Duration" should have been stated as 5 years. The Board of Public Works is also requested to approve the revision.

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes.
2. The lease incorporates adequate use in common parking spaces.

Remarks

1. This space will be used as storage space for legal documents for the District Court of Maryland.
2. The lease contains a termination for convenience clause.
3. The Department of General Services worked with the District Court to consolidate and reduce storage leases for 8 districts from 10,700 net usable square feet (nurf) at an estimated average annual cost \$17.70 per nurf down to a single location of 5,800 nurf at a cost of \$15.09 per nurf. This will result in cost avoidance to the State of \$101,828 per annum.
4. The Annapolis District Court lease has nine (9) storage and office components at various rental rates. This additional space requested will be accommodated in unit 2012 at a nurf rental rate of \$15.09.
5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT

DEPARTMENT OF LABOR, LICENSING
AND REGULATION

(Employment and Training)

Essex, MD
 Baltimore County

Landlord Baltgem Development Corporation
 c/o Hearn Burkley, Inc.
 9475 Deereco Road, Suite 302
 Timonium, MD 21093

Property Location 7930 Eastern Avenue
 Essex, MD 21224

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	18,000
<u>Duration</u>	5 Years	<u>Effective</u>	June 1, 2010		
<u>Annual Rent</u>	\$225,990.00	<u>Square Foot Rate</u>	\$12.55		
		<u>Prev. Sq. Ft. Rate</u>	\$13.95		

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Actions</u>	10/22/97 – 13-L; 08/05/98 – 46-L; 07/30/03 – 11-L.

Fund Source 100 % Special J04E0001 AOBJ 1301

Retro-Active Leases Approval is requested to retroactively approve the leasing of this space for the two (2) month period that lapsed and the sixty-one (61) day period from April 1, 2010 through May 31, 2010 pursuant to the State Finance and Procurement Article 11-204(c).

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes, utilities and janitorial services.
2. The lease incorporates 200 use-in-common parking spaces.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT (Cont.)

Remarks

1. Four related agencies Community College of Baltimore County Educational Courses, Job Corps, Native American Employment & Training, Unemployment Insurance and Workforce Development which function within this client contact office conducting job service, unemployment insurance service, career development and work search activities.
2. The previous lease contained a stated option at a rental rate of \$13.95 per net usable square foot. Through negotiations, DGS Office of Real Estate negotiated a \$12.55 rate, a \$1.40 per net usable square foot reduction from the stated option rate, resulting in a rent savings of \$126,000.00 for the term. This new rate is less than the 1997 renewal rate of \$12.75.
3. The lease contains a termination for convenience clause.
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

TENANT LEASE

ITEM 14-LT (Cont.)

3. The lease contains a termination for convenience clause.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT (Cont.)

2. The lease contains a termination for convenience clause.
3. The lease negotiations resulted in a reduction of the stated option renewal rate of \$22.50 to \$18.75. The \$3.75 per net usable square foot reduction will produce a cost avoidance of \$58,668.75 over the term of the lease.
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

TENANT LEASE

ITEM 16-LT

COMPTROLLER OF MARYLAND
 (Revenue Administration)

Hagerstown, MD
 Washington County

Landlord

Professional Arts Associates, Inc.
 5 Public Square, Suite #212
 Hagerstown, MD 21740

Property Location

Professional Arts Building
 5 Public Square, 1st Floor and Suite #211
 Hagerstown, MD 21740

Space Type Office
Duration 1 Year
Annual Rent \$26,760.00

Lease Type Renewal **Square Feet** 1,784
Effective May 1, 2010
Square Foot Rate \$15.00
Previous Sq. Ft. Rate \$15.00

Utilities Responsibility
Custodial Responsibility
Previous Board Action(s)

Landlord
 Landlord
 4/1/09 Item 11-L; 3/12/08 Item 5-LT ;12/20/06 Item
 12-L; 10/3/01 Item 21-L; 2/28/96 Item 12-L; 9/5/90
 Item 54-L; 2/25/87 Item 6-L; 12/18/85 Item 30-L

Special Conditions

1. The lease contains one (1) option to renew for one (1) year under the same terms and conditions, except that the rate shall be negotiated.
2. The lease contains escalations/de-escalations for real estate taxes, utilities and janitorial services.

Remarks

1. The space has been utilized since July, 1985 by the Comptroller of Maryland to provide taxpayer services such as audits, collection and investigation of local individuals, and business compliance with State revenue laws for the Washington County area of Western Maryland.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 16-LT (Cont.)

2. The agency requested a one (1) year lease term, while they continue to conclude a statewide review of all their offices for operational efficiency and economic viability to determine which location(s)/options to consolidate and/or close.
3. The lease contains a termination for convenience clause.
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

TENANT LEASE**ITEM** 17-LT (Cont.)**Remarks**

1. This space is used for a court room and administrative offices.
2. During the renewal process it was discovered that the landlord was not fully credited for the occupied space. An additional 561 square feet is added to correct the error.
3. The lease contains a termination for convenience clause.
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

TENANT LEASE

ITEM 18-LT

DEPARTMENT OF NATURAL RESOURCES Annapolis, MD
 (Critical Area Commission) Anne Arundel County

<u>Landlord</u>	Admiral Properties, LLC. 60 West Street, Suite 204 Annapolis, MD 21401		
<u>Property Location</u>	1804 West Street, Suite 100 Annapolis, MD 21401		
<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal
<u>Duration</u>	5 years	<u>Effective</u>	June 1, 2010
<u>Annual Rent</u>	\$122,333.25 (Avg.)	<u>Square Foot Rate</u>	\$21.75 (Avg.)
		<u>Prev. Sq. Ft. Rate</u>	\$20.89
		<u>Eff. Square Foot Rate</u>	\$23.75 (Avg.)
		<u>Prev. Eff. Square Foot Rate</u>	\$20.89
<u>Utilities Responsibility</u>	Tenant		
<u>Custodial Responsibility</u>	Landlord		
<u>Previous Board Action(s)</u>	11/10/1999 - 31-L; 2/23/2000 – 8-L; 10/20/2004 – 5-L		
<u>Fund Source</u>	PCA J000 OBJ 1301 100% General Funds		

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes and custodial service.
2. The lease contains one (1) option renewal for a term of five (5) years.
3. The lease incorporates 10 reserve and 10 use-in-common parking spaces free of charge.
4. The net usable square foot rental rate will be \$20.99 for years one (1) and two (2) and \$22.26 for years three (3) thru five (5).

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 18-LT (Cont.)

5. The Landlord, in conjunction with the utility company, shall perform a complete lighting retro-fit of the office space with the anticipated reduction of 20% of lighting costs. The Landlord shall incorporate LEED initiative specifically as it relates to carpeting, paint & coatings and adhesives and sealants.

Remarks

1. This space has been used since May 15, 2000 as an administrative office for the Critical Area Commission (CAC). CAC oversees the critical area laws and regulations.
2. The lease contains a termination for convenience clause.
3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 19-LT (Cont.)

Remarks

1. This space has been used since August 16, 2001 as offices for the Licensing and Regulation Unit and Natural Resources Police Safety Education Unit. The Licensing and Regulation Unit (L&RU) assist citizens with licensing and regulation education with sports activities such as fishing, hunting and camping along with boat registration. The Maryland Natural Resources Police (NRP) is the enforcement arm of the Department of Natural Resources (DNR). The NRP provide a variety of services that include conservation, hunting, fishing and boating law enforcement duties throughout the State of Maryland.
2. The lease contains a termination for convenience clause.
3. Through negotiations the Department of General Services secured a rental cost savings of \$316,421.64 over the term of the lease by reducing the Landlord's rental rate an average of \$5.06 per net usable square feet (nurf).
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 20-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grants:

Board of Trustees of Joseph Richey Hospice, Inc. (Baltimore City)

Dr. Bob's Place

"For the renovation, reconstruction and capital equipping of 832-838 North Eutaw Street in Baltimore, for use as a children's hospice facility to be known as Dr. Bob's Place which will adjoin and share facilities with the Joseph Richey Hospice."

\$200,000.00 – encumber \$200,000.00

Maryland Consolidated Capital Bond Loan of 2003 (Chapter 204, Acts of 2003; amended Chapter 432, Acts of 2004)

DGS Item G322, (SL-040-030-038)

BACKGROUND

Total Project	\$4,338,668.00
03-G322 (This Action)	\$ 200,000.00
Local Cost	\$4,138,668.00

(Prior Action: 4/5/06 Agenda, Item 16-CGL)

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

*Board of Trustees of Garrett Community College d/b/a Garrett College
(Garrett County)*

Garrett College Athletic and Community Recreation Center

"To assist with the construction of the Garrett College Athletic and Community Recreation Center."

\$12,451,000.00 - encumber \$12,451,000.00

Maryland Consolidated Capital Bond Loan of 2007 (Chapter 488, Acts of 2007)

DGS Item 050, EI-002-050-038

MATCHING FUND 02/27/08 Agenda, Item 7-CGL

<u>BACKGROUND</u>	Total Project	\$23,875,000.00
	07-050 (This Action)	\$12,451,000.00
	09-042 (Prior Action)	\$ 3,000,000.00
	05-036 (Prior Action)	\$ 845,000.00
	Local Cost	\$ 7,579,000.00

(Prior Actions: 02/14/07 Agenda, Item 21-CGL and 02/24/10 Agenda, Item 11-CGL)

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 22-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into grant agreement, and authorize that funds be encumbered for the following grant:

Board of Directors of the Helping Up Mission, Inc. (Baltimore City)

Helping Up Mission

"For the construction, repair, renovation, reconstruction, and capital equipping of the Helping Up Mission Facility, located in Baltimore."

\$200,000.00

Maryland Consolidated Capital Bond Loan of 2008 (LHI - Chapter 336, Acts of 2008)

DGS Item G137, SL-059-080-038

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 Helping Up Mission, Inc. has submitted documentation that it has \$250,000 in a financial institution to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$1,574,566.00
08-G137 (This Action)	\$ 200,000.00
Local Cost	\$1,374,566.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grants:

Board of Directors of the Epsilon Omega Foundation, Inc. (Baltimore City)
Ivy Family Support Center

"For the repair, renovation, and capital equipping of the Ivy Family Support Center, located in Baltimore City."

\$225,000.00 – encumber \$176,760.58

Maryland Consolidated Capital Bond Loan of 2001 (Chapter 163, Acts of 2001)
DGS Item G-000

\$100,000.00 – encumber \$100,000.00

Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005)
DGS Item 055, (SL-035-971-038)

BACKGROUND

Total Project	\$995,000.00
05-055 (This Action)	\$100,000.00
01-G000 (This Action)	\$176,760.58
01-G000 (Prior Action)	\$ 48,239.42
Local Cost	\$670,000.00

(Prior Actions: 9/4/02 Agenda, Item 32-CGL; 10/5/05 Agenda, Item 14-CGL)

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) Invoices should be submitted to the Department of General Services for the disbursement of funds.
- (4) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into grant agreements, and authorize that funds be encumbered for the following grants:

Board of Directors of the Maryland Youth Ballet, Inc. (Montgomery County)

Maryland Youth Ballet

"For the planning, construction and capital equipping of the Maryland Youth Ballet studio, located in Silver Spring."

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2008 (Chapter 336, Acts of 2008)

DGS Item G082

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2008 (Chapter 336, Acts of 2008)

DGS Item G168, (SL-060-080-038)

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 Maryland Youth Ballet, Inc. submitted documentation to support \$88,118.00 for in-kind services, and evidence in the form of canceled checks and invoices that it has \$150,899.00 in eligible expenditures for a total of \$239,017.00 to meet the matching fund requirement.

Board of Public Works approval is also requested to reimburse the Board of Directors of the Maryland Youth Ballet, Inc. \$39,017.00 for eligible expenditures.

BACKGROUND

Total Project	\$420,777.00
08-G082 (This Action)	\$100,000.00
08-G168 (This Action)	\$100,000.00
Local Cost	\$220,777.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grants:

*Board of Directors of The East Harbor Community Development Corporation
(Baltimore City)*

The Powerhouse

"For the planning, design, construction, repair, renovation, reconstruction, and capital equipping of a community center, to be located in Baltimore City."

\$125,000.00 - encumber \$125,000.00

Maryland Consolidated Capital Bond Loan of 2006 (LSI - Chapter 046, Acts of 2006, and as amended by Chapter 219, Acts of 2008)

DGS Item G049

\$125,000.00 - encumber \$125,000.00

Maryland Consolidated Capital Bond Loan of 2006 (LHI - Chapter 046, Acts of 2006, and as amended by Chapter 219, Acts of 2008)

DGS Item G138, SL-083-060-038

MATCHING FUND 05/21/08 Agenda, Item 20-CGL

BACKGROUND

Total Project	\$1,087,000.00
06-G049 (This Action)	\$ 125,000.00
06-G138 (This Action)	\$ 125,000.00
Local Cost	\$ 837,000.00

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

EQUIPMENT CONTRACT

ITEM 26-E

MARYLAND PUBLIC TELEVISION

Maryland Public Television
Owings Mills, MD
Annapolis, MD

CONTRACT NO. AND TITLE

Upgrade Exciter System;
ADPICS NO. 001P0100193

DESCRIPTION

Approval is requested for a contract to provide for all labor and materials to upgrade the existing ADAPT head-end exciter systems at MPT locations in Annapolis and Owings Mills.

PROCUREMENT METHOD

Sole Source

BIDS OR PROPOSALS

Thomson Inc.
Southwick MA

AMOUNT

\$199,865.00

AWARD

Thomson Inc
Southwick MA

AMOUNT

\$199,865.00

MBE PARTICIPATION

None

PERFORMANCE BOND

N/A

REMARKS

This contract is for all labor and materials to upgrade the existing ADAPT head-end exciter systems. The upgrade will improve the signal chain resulting in stronger signals and improved reception in areas that are currently marginal.

Thomson is the only manufacturer of the ADAPT exciter system which is an integral part of the Thomson Digital transmitters now in use. Due to the highly technical nature of the equipment, Thomson does not utilize dealers or distributors. Therefore, there was no MBE goal set.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**EQUIPMENT CONTRACT****ITEM** 26-E (Cont.)**FUND SOURCE**

MCCBL 2000, Item 067 (Provide a portion of the funds to replace the television tower and to purchase and install advanced television equipment for the transmitter for WMPB in Owings Mills and provide a portion of the funds to purchase and install a statewide digital interconnection network system.

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

10-4214-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA**EQUIPMENT CONTRACT****ITEM** 27-E**MARYLAND PUBLIC TELEVISION** Annapolis, MD**CONTRACT NO. AND TITLE** Uninterrupted Power Supply (UPS)
Batteries;
ADPICS NO. 001P0100203**DESCRIPTION** Approval requested for a sole source contract to supply all materials and labor to replace batteries in the existing Uninterrupted Power Supply (UPS) system at Maryland Public Television's Annapolis station.**PROCUREMENT METHOD** Sole Source**BIDS OR PROPOSALS** N/A**AWARD** Eaton Corporation
Raleigh, NC**AMOUNT** \$90,589.00**MBE PARTICIPATION** None**PERFORMANCE BOND** None**REMARKS** This contract is for all labor and materials to replace batteries in the existing Uninterrupted Power Supply (UPS) system for the WMPT transmission tower in Annapolis. The current batteries will no longer hold a charge. Without the UPS system in working order, the digital transmitters could sustain damage due to power fluctuations and or interruptions.

Only Eaton Corporation batteries are compatible with the existing system. Eaton sells this product direct only and does not sell it through dealers or distributors. Therefore, there was no MBE goal set.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT**ITEM** 27-E**FUND SOURCE**

MCCBL 1999/Item 057 (Provide a portion of the funds to replace the television tower and purchase and install advanced television equipment for the transmitter for WMPT in Annapolis)

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

10-4372-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

001P0100203MPT_batteries.BPW.doc

There being no further business, the meeting of May 19, 2010 was adjourned.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Sheila McDonald", written in a cursive style.

Sheila C. McDonald, Esq.
Executive Secretary

INDEX

MAY 19, 2010

Aging, Department of.....	45,74
Agriculture, Department of	
Agricultural Cost Share Program.....	4
Agriculture Land Preservation.....	173
Aviation Administration.....	132
Comptroller of the Treasury/Bonds	78,183
Coppin State University	104-109
Eastern Correctional Institute	39,44
Education, Department of.....	8-12,76,181
Environment, Department of	13-24,56
General Services, Department of	79,148
Capital Grants & Loans	
Dr. Bob's Place (Baltimore City)	191
Garrett College Athletic and Community Recreation Center).....	192
Helping Up Mission (Baltimore City)	193
Ivy Family Support Center (Baltimore City)	
Maryland Youth Ballet (Montgomery)	195
The Powerhouse (Baltimore City)	197
Public Television, Maryland.....	198
Highway Administration.....	127-131,135-137
Housing & Community Development.....	33
Human Resources, Department of	110,114,118
Social Services Administration	53
Information Technology, Department of.....	121
Judiciary	175,185
Labor, Licensing & Regulation.....	177
Lottery, Maryland	65
Maryland Correctional Institute – Jessup.....	42
Maryland Correctional Training Center.....	40
Maryland Transit Administration	124,138-143
Maryland, University System of	
Coppin State University	104-109
Maryland, University of	
Baltimore Campus.....	89,91
College Park Campus	93-95,97
CEES.....	102
Salisbury State University	96
Towson State University.....	95
Morgan State University	35
Natural Resources, Department of	165-172,187,189
State Parks.....	80,84,151,159
Shore Erosion Control.....	37,38
Patuxent Institute	44
Public Safety & Correctional Services, Department of	

INDEX
MAY 19, 2010

Corrections, Division of	
Eastern Correctional Institute	39,44
Maryland Correctional Institute – Jessup	42
Maryland Correctional Training Center	40
Roxbury Correctional Institute	158
Patuxent Institute	44
Public Television, Maryland	156,160-162,198,200
Public Works, Board of	
Procurement Agency Activity Reports	6
Public School Construction, IAC	25-32
Roxbury Correctional Institute	158
Salisbury State University	96
Shore Erosion Control	37,38
Social Services Administration	53
State Police, Department of	163,179
Towson State University	95
Transportation, Department of	120
Aviation Administration	132
Highway Administration	127-131,135-137
Maryland Transit Administration	124,138-143
Port Administration	144