

**BOARD OF PUBLIC WORKS**  
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**APRIL 22, 2020**

**MEETING LOCATION: ONLINE**

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REVISED

2<sup>nd</sup> Revision

Contact: Christian Lund 410-260-7920  
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1. **STATE TREASURER**

***May 2020 Tax-Exempt Equipment Lease-Purchase Financing***

**Recommendation:** The State Treasurer recommends that the Board of Public Works approve the award to **Banc of America Public Capital Corp** of the May 2020 Tax-Exempt Equipment Lease-Purchase Agreement for financing, on a consolidated basis under a lease-purchase financing arrangement, the acquisition of capital equipment by certain State agencies. This May 2020 Tax-Exempt Equipment Lease-Purchase Financing will provide financing for \$4,561,701.99 in capital equipment.

**Authority:** Section 8-304, State Finance & Procurement Article, Annotated Code of Maryland.

**Term:** Financing Lock Period: April 22, 2020 through May 6, 2020  
Lease Periods: Three years and five years after the Closing Date

**Procurement Method:** Competitive Sealed Bids

**Award:** **Banc of America Public Capital Corp**

**Bids:** Award is based on the lowest weighted average for the actual amounts to be financed and the rates for the respective lease terms of 3 years and 5 years.

<b><i>Bidder's Name</i></b>	<b><i>Weighted Average Rate</i></b>
<i>Banc of America Public Capital Corp</i>	<i>1.489%</i>
<i>TD Equipment Finance, Inc.</i>	<i>1.653%</i>
<i>Signature Public Funding Corp.</i>	<i>2.012%</i>
<i>US Bancorp Government Leasing &amp; Finance, Inc.</i>	<i>2.227%</i>
<i>BMO Harris Investment Company LLC</i>	<i>2.618%</i>

**MBE Goal:** None

**Fund Sources:** Agency operating budgets

**Amount:** \$4,561,701.99

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**REVISED**

**2<sup>nd</sup> Revision**

1. **STATE TREASURER** (cont'd)  
***May 2020 Tax-Exempt Equipment Lease-Purchase Financing***

**REMARKS:** The State Treasurer's Office issued an Invitation for Bids for financing on a consolidated basis of \$4,561,701.99 in capital equipment, that was published on *eMaryland Marketplace*, posted on the websites for the National Association of State Treasurers and the State Treasurer's Office, and emailed to firms known to be active in financing municipal leases. There are no subcontracting opportunities with this financing; however, MBEs were encouraged to respond. This Lease-Purchase financing is expected to close no later than May 6, 2020. **Five** bids were received in response to the IFB. The bids were evaluated and were weighted based on the actual amounts to be financed and the rates for the respective lease term of 3 years and 5 years.

Following the May 2020 Tax-Exempt Equipment Lease-Purchase financing, the remaining balance of the \$35.0 million approved by the Legislative Policy Committee for equipment lease-purchase financing will be approximately \$28.2 million.

[...]

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
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**Secretary Item #1 APPENDIX A-1  
MAY 2020 EQUIPMENT LEASE PURCHASE  
FINANCING SUMMARY OF EQUIPMENT SCHEDULES**

<b><u>Schedule No.</u></b>	<b><u>Agency</u></b>	<b><u>Locations</u></b>	<b><u>Term</u></b>	<b><u>Amount Financed</u></b>	<b><u>Equipment Description</u></b>	<b><u>Vendor</u></b>
20-05-01	Maryland Department of Veterans Affairs	Charlette Hall Veterans Home 29449 Charlotte Hall Road Charlotte Hall, MD 20622	3 years	\$1,012,983.07 (R)	Furniture Hospital Specialized	Furniture Solutions Group Annapolis, MD 21403
		<b>Schedule No. 1 Total</b>		<b>\$1,012,983.07</b>		
20-05-02	Maryland Department of the Environment	Maryland Department of the Environment 1800 Washington Boulevard Baltimore, MD 21230	3 years	\$23,648.00 (R)	Desktop, Laptops and peripherals	ATS Middle River, MD 21220
		<b>Schedule No. 2 Total</b>		<b>\$23,648.00</b>		
20-05-03	Department of Public Safety Correctional Services	DPSCS IT&CD 1201 Reisterstown Road Rd, Bldg. F Baltimore MD 21215	3 years	\$19,995.00 (R)	Printers	DataWorks Plus, LLC Greenville, SC 29607
	Department of Public Safety Correctional Services	DPSCS IT&CD 1201 Reisterstown Road Rd, Bldg. F Baltimore MD 21215	3 years	\$434,043.40 (R)	PBX and Voicemail Communications Equipment	NEC Corporation of America Irving, TX 75063
	Department of Public Safety Correctional Services	DPSCS IT&CD 1201 Reisterstown Road Rd, Bldg. F Baltimore MD 21215	3 years	\$111,050.00 (R)	Servers and Associated Peripherals	ATS Middle River, MD 21220
		<b>Schedule No. 3 Total</b>		<b>\$565,088.40</b>		
20-05-04	Maryland Department of Health- Office of the Chief Medical Examiner	DPSCS IT&CD 1201 Reisterstown Road Rd, Bldg. F Baltimore MD 21215	3 years	\$123,775.50 (R)	Headspace Gas Chromatograph Mass Spectrometer	Agilent Technologies, Inc. Wilmington, DE 19808
		<b>Schedule No. 4 Total</b>		<b>\$123,775.50</b>		
		<b>Total 3 Year Leases</b>		<b>\$1,725,494.97</b>		
20-05-05	Office of the Public Defender	Office of the Public Defender 989 Corporate Boulevard, Suite 100 Linthicum MD, 21090	5 years	\$225,406.16 (R)	Network Communication Equipment	IP Data Systems, Inc. Ellicott City, MD 21043
	Office of the Public Defender	Office of the Public Defender 989 Corporate Boulevard, Suite 100 Linthicum MD, 21090	5 years	\$208,704.07 (R)	Laptops, Servers, Monitors and Associated Peripherals	DELL Marketing, L.P. Round Rock, TX 78682
	Office of the Public Defender	Office of the Public Defender 989 Corporate Boulevard, Suite 100 Linthicum MD, 21090	5 years	\$532,141.80 (R)	Laptops and Associated Peripherals	Zones LLC Auburn, WA 98001
	Office of the Public Defender	Office of the Public Defender 989 Corporate Boulevard, Suite 100 Linthicum MD, 21090	5 years	\$11,224.00 (R)	Server Power Supply and Associated Peripherals	CDW Government Chicago, IL 60675
		<b>Schedule No. 5 Total</b>		<b>\$977,476.03</b>		
20-05-06	Maryland State Treasurer's Office	MD State Treasurer's Office 80 Calvert Street Annapolis, MD 21401	5 years	\$109,580.90 (R)	Computers, Laptops and Associated Peripherals	DSR, Inc. Hanover, MD 21067
		<b>Schedule No. 6 Total</b>		<b>\$109,580.90</b>		

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**Secretary Item #1 APPENDIX A-1 (cont'd)**

20-05-07	Saint Mary's College of Maryland	St. Mary's College of Maryland 18952E. Fisher Road Saint Mary's, MD 20686	5 years	\$99,084.00 (R)	Fitness Equipment	Life Fitness Rosemont, IL 60018
		<b>Schedule No. 7 Total</b>		<b>\$99,084.00</b>		
20-05-08	Department of Health	Department of Health 7463 New Ridge Road Hanover, MD 21076	5 years	\$1,542,906.09 (R)	Laptops and Associated Peripherals	ATS Middle River, MD 21220
		<b>Schedule No. 8 Total</b>		<b>\$1,542,906.09</b>		
20-05-09	State Board of Elections	Charles Co. Board of Elections 201 Charles Street La Plata, MD 20646	5 years	\$107,160.00 (R)	Printers and Associated Peripherals	DSR, Inc. Hanover, MD 21067
		<b>Schedule No. 9 Total</b>		<b>\$107,160.00</b>		
		<b>Total 5 Year Leases</b>		<b>\$2,836,207.02</b>		
		<b>Total April 2020 Lease</b>		<b><u>\$2,490,991.08</u></b>		
		<b>Total May 2020 Lease</b>		<b><u>\$4,561,701.99</u></b>		

(R) – Reimburse the Agency.

BOARD OF PUBLIC WORKS  
SECRETARY'S  
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April 22, 2020



**REVISED**

Contact: Christian Lund 410-260-7920  
clund@treasurer.state.md.us

2. **COMMISSION ON STATE DEBT**  
***State Property Tax Rate***

**Recommendation:** The Commission on State Debt recommends that the Board of Public Works levy the State property tax required for Fiscal Year 2021 to provide funds for State debt requirements as follows:

- (a) 11.2 cents (\$0.112) per \$100 of the full assessed value of real property other than that of public utilities; and
- (b) 28.0 cents (\$0.28) per \$100 of the full assessed value of real property of public utilities.

**Authority:** Section 8-134 of the State Finance and Procurement Article, Annotated Code of Maryland; Executive Order 01.01.1980.06.

[...]

This item was revised following the Commission on State Debt meeting on April 16, 2020

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020**



*Contact: Bill Morgante 410-260-7791  
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**3. BOARD OF PUBLIC WORKS  
*Wetlands Licenses***

**Recommendation:** The Board of Public Works Wetlands Administrator recommends that the Board grant the licenses for projects involving filling and/or dredging in the navigable waters of Maryland.

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

**Authority:** Section 16-202, Environment Article, Annotated Code of Maryland: “The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.” See also COMAR 23.02.04.

**BALTIMORE CITY AND COUNTY**

19-0854 *BALTIMORE COUNTY DEPT. OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY* - To improve boating access, ADA accessibility and kayaker safety by constructing two replacement boat ramps, including piers, platforms and wing walls, stone protection and a mobi-mat ramp.

*Dundalk, Bullneck Creek*

*Special conditions: Requirements for fill material and placement, and possible use of turbidity curtain.*

19-0970 *BALTIMORE CITY DEPARTMENT OF TRANSPORTATION* – To improve tall-ship access to the Inner Harbor by mechanically maintenance dredging a channel and depositing the dredged materials at an approved DMP site.

*Baltimore City, Patapsco River*

*Special conditions: Requirements for a dredged materials disposal plan and acceptance letter, transport of dredged materials, staking of area to be dredged, post dredge bathymetric survey, and subsequent maintenance dredging.*

**QUEEN ANNE’S COUNTY**

19-1134 *RIVER FARM AGRICULTURAL PRODUCTS, LLC.* – To stabilize an eroding shoreline by constructing stone groins.

*Queenstown, Chester River*

*Special conditions: All work above Mean High Water to be reviewed and authorized by Queen Anne’s County Department of Planning and Zoning.*

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

**ST. MARY'S COUNTY**

- 18-0561 *SHAWN WALTHEN* – To control shoreline erosion and improve navigable access by removing a stone sill; enlarging a stone sill; repairing a stone revetment; installing a stone revetment; filling grading, and planting marsh vegetation; constructing a timber pier and a finger pier; and installing mooring piles and an osprey pole.  
*Colton's Point, Saint Patrick Creek*  
*Special conditions: Time-of-year restriction. Requirements for notifying adjacent aquaculture leaseholder, stone revetment design, materials, and installation; and marsh establishment and maintenance plan. Restriction against platform structures.*  
**Wetlands created: 9,500 square feet**
- 19-0561 *MARYLAND DEPARTMENT OF NATURAL RESOURCES* – To restore oysters in the St. Mary's River by installing a variety of substrates and seeding with eastern oyster spat in an 8+ acre area, and installing reef balls in a 0.14 acre area.  
*St. Mary's City, St. Mary's River*  
*Special conditions: Time-of-year restriction. Requirements for project buffer zones, submerged aquatic vegetation (SAV) survey, allowable materials for placement, pre and post construction bathymetric surveys, and alternate materials capping. Restrictions on SAV impacts.*
- 19-1067 U.S. NAVAL AIR STATION PATUXENT RIVER – To repair a stormwater outfall by constructing a temporary coffer dam to divert stormwater flow in order to replace the outfall.  
*Patuxent Naval Air Station, Harper Creek*  
*Special Conditions: None*  
**Note: This project was authorized as an emergency by the Board on May 22, 2019 (19-0001EX) and the work has since been completed.**

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

**WICOMICO COUNTY**

- 19-0880      *CITY OF SALISBURY* –To create non-vehicular access across the South Prong of the Wicomico River by constructing a pedestrian/bike path.  
*Salisbury, South Prong Wicomico River*  
*Special conditions: Requirements for construction sequencing, turbidity curtain placement, and review by Wicomico County Department of Planning and Zoning for work above Mean High Water.*

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



Contact: Bill Morgante 410-260-7791  
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4. **BOARD OF PUBLIC WORKS**  
***Wetlands License Modification***

**Recommendation:** The BPW Wetlands Administrator recommends that the Board modify Tidal Wetlands License No. 19-0040 to add dredging, deposition of dredged materials, and a longer license period to the originally authorized license to construct a stone revetment.

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

**Authority:** Title 16, Environment Article, Annotated Code of Maryland; COMAR 23.02.04.17D.

**CECIL COUNTY**

19-0040(R) BOHMEMIA BAY YACHT HARBOUR CONDO ASSOCIATION, INC. – To mechanically maintenance dredge a marina entrance, deposit dredge materials at an approved dredged materials disposal site, and provide for a 6-year dredging period.

*Chesapeake City, Bohemia River*

*Special Conditions: Time-of-year restriction. Requirements for a dredged material disposal plan, staking of the dredged area, dredged material transport and disposal site, post-dredge bathymetric survey, and maintenance dredging. Restrictions on maintenance dredging.*

**Original Approval:** Secretary's Agenda Item 5 (8/14/19) in which the Board authorized the following: "To construct 206 feet of stone revetment extending 18 feet in front of an existing bulkhead."

**Modification:** The Licensee requests authorization for the originally licensed item and to add mechanical maintenance dredging, deposition of dredged materials, and providing for a 6-year dredging period. The Wetlands Administrator determined the scope of modifications (COMAR 23.02.04.17) warranted Board approval since the modification is not nominal.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
SECRETARY'S  
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April 22, 2020



Contact: Bill Morgante 410-260-7791  
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5. **BOARD OF PUBLIC WORKS**  
***Wetlands License Mitigation***

**Recommendation:** The BPW Wetlands Administrator recommends that the Board approve mitigation for 240 square feet of impact to tidal wetland vegetation.

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

**Authority:** Title 16, Environment Article, Annotated Code of Maryland; COMAR 23.02.04.17D.

**TALBOT COUNTY**

19-0894 FOGG COVE HOMEOWNERS ASSOCIATION – To replace an existing bulkhead, construct a riprap revetment, and construct a sand sill and plant with marsh vegetation.

*St. Michaels, Miles River*

*Special Conditions: Requirements for design and construction of stone revetment, revetment materials, and mitigation area design plans, construction, and maintenance.*

**Mitigation:** As compensation for 240 square feet of tidal wetland vegetation impacted by project construction, the Licensee will conduct in-kind mitigation (replacing vegetation lost with similar new vegetation) at a 2:1 ratio (COMAR 26.24.05.01.C.(1)). A 480 square foot marsh will be created by constructing a 63 linear foot sand sill and planting with marsh vegetation.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



*Contact Person: Bill Anderson 410-260-8108  
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**6. DEPARTMENT OF NATURAL RESOURCES**  
***Oyster Restoration***

***Recommendation:*** The Board of Public Works approve the expenditure of general obligation bond proceeds as described.

***Contract ID:*** Oyster Recovery and Habitat Restoration in MD Sanctuaries 2020

***Description:*** Purchase and collect oyster shell and plant hatchery-reared oysters for oyster reef construction in targeted sanctuaries outside the five large-scale restoration tributaries referenced in the 2014 Chesapeake Watershed Agreement. This contract is part of a project to construct and restore oyster reefs in direct support of the Department's 2017 decision to enhance oyster restoration efforts in sanctuaries outside of the five large-scale restoration tributaries.

***Award:*** Oyster Recovery Partnership, a § 501(c)(3) organization

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

***Procurement Exemption:*** § 11-203(a)(xviii), State Finance and Procurement Article, Annotated Code of Maryland

***Amount:*** \$250,000

***Contract Term:*** May 1, 2020 – December 31, 2020

***Incumbent:*** Same

***Background:*** DNR's Oyster Restoration Program enhances native oyster populations through rehabilitating oyster habitat. Enhancing oyster habitat is an identified strategy for re-establishing a self-sustaining oyster population in the Chesapeake Bay, and supports the goals stated in Maryland's Oyster Restoration and Aquaculture Development Plan.

***Prior Approvals:*** MCCBL 2018/Secretary's Item 23 [Supplemental (December 19, 2018)]  
MCCBL 2016/Secretary's Item 6 [January 25, 2017]  
MCCBL 2015/Secretary's Item 14 [October 7, 2015]  
MCCBL 2014/Secretary's Item 9 [July 23, 2014]  
MCCBL 2013/Secretary's Item 15 [December 4, 2013]

***Fund Source:*** MCCBL of 2019 ***ADPICS No.:*** 605P0600218

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



**REVISED**

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**7. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
***Rental Housing Works***

**Recommendation:** The Board of Public Works approve lending general obligation bond proceeds as described.

**Borrower:** Knowles Manor Senior Housing, LLC

**Project:** Knowles Manor Senior Housing  
3906 Knowles Avenue, Kensington 20895  
Montgomery County

**Authority:** §§ 4-101 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended.

*Rental Housing Works (RHW)* provides financing for rental housing that **on average** will be occupied by individuals with incomes of 60% and below of the Area Median Income (AMI). The loan will be issued from the DHCD Community Development Administration to the Borrower in an amount not to exceed \$1,700,000 for a term of 40 years and secured with a Deed of Trust. This Project will return for additional RHW financing of \$800,000 when 2021 appropriations are available.

**Loan Amount:** \$1,700,000

**Fund Source:** MCCBL 2019- Rental Housing Works Program

**Collateral:** Deed of Trust

**Description:** The Project consists of the new construction of a ninety-four (94) unit housing development that will offer units for seniors. The Project is sponsored by Knowles Manor Senior Housing, LLC. The apartment units are a mix of one and two bedroom units and are restricted to households earning 30%, 60%, and 80% or less of the AMI.

***Project Funding Sources:***

<b>Rental Housing Works (This Item)</b>	<b>\$ 1,700,000</b>
Rental Housing Works (A future BPW item)	\$ 800,000
Tax-Exempt Loan	\$13,975,000
Tax Credit Equity	\$ 7,673,267
Montgomery Housing Initiative Funds	\$ 8,900,000
MPDU Off-Site Swap	\$ 700,000
<u>Deferred Developer Fee</u>	<u>\$ 806,209</u>
<b>Total</b>	<b>\$34,554,476</b>

BOARD OF PUBLIC WORKS  
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**REVISED**

7. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (*cont'd*)  
***Rental Housing Works***

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning on May 2<sup>nd</sup>, 2018.

The Project's scope of work with respect to energy saving, water conservation, and environmental concerns are described below.

Pursuant to Maryland's commitment to reducing Greenhouse Gas Emissions, conserving water resources, and enhancing Maryland's environment, the Project includes the following:

1. Mechanical systems will be high efficiency units with programmable thermostats.
2. All appliances will be Energy Star qualified.
3. All windows will be Energy Star qualified
4. All faucets and bath fixtures will use water sense labeled products.

There are no Recognized Environmental Concerns requiring remediation on this project.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



**REVISED**

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

*The Rental Housing Works and Partnership Rental Housing Programs*

**Recommendation:** The Board of Public Works approve lending general obligation bond proceeds as described.

**Borrower:** River Bend Court, LP

**Project:** River Bend Court, Lamont Street and W. Oldtown, Cumberland Allegany County

**Rental Housing Works Authority:** Sections 4-101 through 4-255 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, and the regulations promulgated for the Multifamily Bond Program at COMAR Chapter 05.05.02

**Partnership Rental Housing Program Authority:** Sections 4-1201 through 4-1209 of the Housing and Community Development Article of the Annotated Code of Maryland, as amended, and COMAR Chapter 05.05.05.

*The Rental Housing Works Program* finances rental housing that **on average** will be occupied by households with incomes at 60% of area median income.

**Loan Amount:** \$400,000

**Fund Source:** MCCBL 2019 - *Rental Housing Works Program*

**Collateral:** Deed of Trust

*The Partnership Rental Housing Program* finances rental housing that will be occupied by households with incomes at 50% of **state-wide** median income.

**Loan Amount:** \$2,700,000

**Fund Source:** MCCBL 2019 – *Partnership Rental Housing Program*

**Collateral:** Deed of Trust

**Total Loan Amount:** \$3,100,000

**Description:** The Project consists of the rehabilitation of 77 units for families in Allegany County. The Project will offer a mix of affordable one-, two-, three-, and four- bedroom units and will serve households with incomes **on average** at or below 60% of the Area Median Income (AMI). The Project is sponsored by the Housing Authority of the City of Cumberland.

BOARD OF PUBLIC WORKS  
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**REVISED**

**8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)**  
*The Rental Housing and Partnership Rental Housing Programs*

Pursuant to Maryland's commitment to reducing Greenhouse Gas Emissions, conserving water resources, and enhancing Maryland's environment, the Project includes the following:

1. Adherence to the National Green Building Standard (NGBS) standard. Bronze certification.
2. All windows will be Energy Star rated.
3. All faucets and bath fixtures will use water sense labeled products.
4. All appliances will be Energy Star Rated including refrigerators, ranges, range hoods, and bath exhaust fans.
5. Energy Star rated light fixtures will be installed in all units and common areas.
6. Mechanical systems will be high efficiency 15 SEER units, with programmable thermostats, and insulated plumbing pipes.

Other than the presence of lead which will be addressed in the renovation, there are no Recognized Environmental Conditions requiring remediation on this project.

Sources	Amount
<b>Rental Housing Works (This Item)</b>	<b>\$400,000</b>
<b>Partnership Rental Housing Program (This Item)</b>	<b>\$2,700,000</b>
National Housing Trust Funds	\$1,500,000
MEEHA Empower	\$350,000
Permanent First Mortgage	\$3,301,619
4% Low Income Housing Tax Credit Equity	\$6,418,851
Seller's Note	\$3,999,999
Housing Authority of Cumberland	\$300,000
Interim Income	\$123,342
Deferred Developer's Fee	\$327,186
<b>Total</b>	<b>\$19,420,997</b>

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
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April 22, 2020**



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**9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
*Neighborhood Business Development Program***

**Recommendation:** That the Board of Public Works approve the Department of Housing and Community Development's request to provide a loan for the project described below.

**Loan Authority:** Neighborhood Business Development Program  
§§ 6-301 through 6-311, Housing and Community Development Article  
Annotated Code of Maryland; COMAR 05.13.01

Established in 1995, the *Neighborhood Business Development Program*, now operating as *Neighborhood BusinessWorks (NBW)*, is a Smart Growth tool for revitalization through business creation or expansion in designated revitalization areas.

**Borrower:** Sky High Sports & Entertainment, LLC

**Project Property:** 15606 Emerald Way, Bowie 20716  
Prince George's County

**Loan Amount:** \$150,000

**Fund Source:** MCCBL of 2019: *Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designed by local governments.* Item SA24(B).

**Collateral:** Business Assets of Sky High Sports & Entertainment, LLC

**Project Description:** On April 16, 2019, the NBW Loan Committee approved a loan in the amount of \$350,000 to Sky High Sports and Entertainment LLC for the construction of a Family Entertainment Center in the Bowie Town Center. Board of Public Works approval was not required for this initial \$350,000 loan as the fund source was special funds. The total project costs were \$2,487,167 and the sources of funds were as follows:

M&T Bank Loan:	\$1,500,000
M&T Bank Line of Credit:	\$ 25,000
NBW-Classic Loan:	\$ 350,000 (Original Funding)
Landlord:	\$ 399,945
Owner's Contribution:	\$ 212,222

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**9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)**  
***Neighborhood Business Development Program***

The total project costs excluded the purchase of new HVAC systems and according to the borrower, they were informed at the time of lease execution with Bowie Mall Company, LLC that the HVAC systems were 5-7 years old. During construction, it was determined that all HVAC units would need to be replaced. All prior NBW approved (Special) funds have been spent. The additional \$150,000 funding required to replace the existing units with ultra high efficiency HVAC units will be funded by GO Bond funds.

The project consists of the establishment of a new Family Entertainment Center known as The Party Headquarters (PartyHQ) in the Bowie Town Center. The original loan request of \$350,000 is to fund the purchase and installation of attractions and to also purchase furniture, fixtures, and equipment for the Party HQ. The borrower entered into a lease with Bowie Mall Company, LLC for 17,460 sq. ft. of space (the former food court), for the purpose of offering an assortment of entertainment activities including bowling, gravity ropes, climbing walls, laser tag, an arcade, as well as the operation of a full-service restaurant and bar. NBW is working with M&T Bank and the Small Business Administration (SBA) to provide funding for the development of Party HQ. The SBA has approved a 75% loan guarantee to M&T Bank under the SBA 7(a) program. The original opening date of April 2020 has been pushed back due the required installation of the new HVAC units and the COVID-19 pandemic.

The Party HQ, a new concept created by locally-owned Sky High Sports & Entertainment, LLC ("Sky High"), will offer the Bowie community and surrounding areas a needed entertainment venue. The introduction of Party HQ to the Bowie Towne Center will enhance the guest experience at the shopping center. It will have a positive impact on a mall that has a vacancy due to the exit of Sears, a major department store that is closing stores nationwide. The project will increase foot traffic to the mall and stimulate economic activity within the mall and the local environment. The project is expected to add approximately 60 new job opportunities while at the same time driving up economic activity. Without the additional \$150,000 in NBW funding, the project could not be completed.

Pursuant to Maryland's commitment to reducing Greenhouse Gas Emissions, conserving water resources, and enhancing Maryland's environment, the Project includes the following:

1. All faucets and bath fixtures will use water sense labeled products.
2. All appliances will be Energy Star Rated including refrigerators, ranges, range hoods, and bath exhaust fans.
3. Energy Star rated lighting fixtures will be installed.
4. Mechanical systems will be ultra high efficiency units, with programmable thermostats, and insulated plumbing pipes.
5. Project will incorporate thermal & moisture protection
6. Seven (7) new Ultra high efficiency HVAC's units will be installed

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**9. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)  
*Neighborhood Business Development Program***

The additional borrowing request of \$150,000 is to purchase and install (7) new ultra efficiency HVAC units ranging from 2.5 ton to 12.5 tons.

There are no Recognized Environmental Concerns requiring remediation on this project.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
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**10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
*Neighborhood Business Development Program (NBW)***

***Recommendation:*** The Board of Public Works approve the loans described below.

***Loan Authority:*** Neighborhood Business Development Program  
§§ 6-301 through 6-311, Housing and Community Development  
Article Annotated Code of Maryland; COMAR 05.13.01

Established in 1995, the *Neighborhood Business Development Program*, now operating as *Neighborhood BusinessWorks (NBW)*, is a Smart Growth tool for revitalization through business creation or expansion in designated revitalization areas.

***Borrowers:*** The Latino Economic Development Corporation(LEDC)  
  
ECDC Enterprise Development Group  
  
Life Asset, Inc.

***Project Property:*** Priority Funding Areas around the State of Maryland

***Loan Amount:*** \$500,000

***Fund Source:*** MCCBL of 2019: *Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designed by local governments.* Item SA24(B).

***Collateral:*** Executed promissory notes. The Intermediary lenders determine collateral for sub-loans.

***Project Description:*** The Maryland Microenterprise Loan Program expands opportunities for microenterprise development, creates new opportunities for small business development and sustains local economies in Maryland communities. The Microenterprise Loan Program is designed to provide entrepreneurs with flexible financing for microenterprise start-ups and expansions within designated Sustainable Communities and Priority Funding Areas throughout the State. The Maryland Department of Housing and Community Development has established partnerships with community-based microlenders as Intermediaries that originate and administer microenterprise loans.

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**10. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)  
*Neighborhood Business Development Program (NBW)***

Our local partners understand their local economy and can provide micro-entrepreneurs with easier access to training and technical assistance. This new public-private partnership will provide better access to capital for establishing and sustaining micro-businesses. The three Intermediaries below will receive funding totaling \$500,000.

LEDC is an SBA approved and Treasury certified Community Development Financial Institution (CDFI). For over 28 years LEDC has delivered comprehensive community and economic development services to increase the capacity of Latinos and other underserved populations to build assets and prosper in the DC/Baltimore Metro Areas and throughout our service area. Relevant to this request, LEDC will offer small business training and technical assistance in addition to small business micro-loans. Recommended funding amount is \$212,500.

ECDC EDG is a Treasury certified CDFI and has made microloans since 1992. It is a certified SBA Microloan Intermediary lender operating in the DC metro area including Baltimore. Since inception, ECDC EDG has made over \$34 million loans to over 2,400 small businesses. ECDC EDG will offer small business training and technical assistance in addition to small business micro-loans. Recommended funding amount is \$212,500.

Life Asset is an SBA approved and Treasury certified CDFI. They have been supporting small businesses and community growth in the Baltimore region since 2014, and currently serve small businesses in Baltimore City with microloans and training. With support from the Microenterprise Loan Program, they will provide microloans, coupled with technical assistance and training to entrepreneurs in Baltimore, creating jobs and self-sufficiency through small business ownership. Recommended funding amount is \$75,000.

The loan requests totaling \$500,000 will be used to fund these Intermediaries and bridge the access to capital gap for the underserved and minority business communities.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
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**11. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Maryland Drinking Water State Revolving Loan Fund***

***Recommendation:*** The Board of Public Works approve further loan funding as described.

***Authority:*** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

***Project:*** WC-1211 Ashburton Reservoir Zone 2 Tanks

***Recipient:*** Mayor and City Council of Baltimore

***Amount:*** Up to \$20,012,881

***Location:*** Baltimore City/Legislative District 40

***Project Description:*** This project entails the design and construction of two underground storage tanks totaling 50 million gallons and appurtenances to replace the open-air finished water reservoir at Lake Ashburton. Baltimore City is required by consent decree to comply with EPA's Long Term 2 Enhanced Surface Water Treatment Rule and cover all open-air finished water reservoirs. The funding is shared with Baltimore County since Baltimore County is serviced by this plant. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

***Financing Description:*** **Additional Loan \$20,012,881** (estimated)

***Term.*** Period not to exceed 30 years following project completion

***Rate.*** Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019 loan recipients received interest-rates ranging from 0.70% to 0.90%.)

***Security.*** Borrower will deliver a revenue bond, secured by a subordinate pledge on the revenues of the drinking water system fund, to the Maryland Water Quality Financing Administration.

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**11. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**  
***Maryland Drinking Water State Revolving Loan Fund***

***Project Funding Sources:***

<b>Drinking Water State Revolving Loan Fund – Baltimore City (This Item)</b>	<b>\$ 20,012,881</b>
Drinking Water State Revolving Loan Fund – Baltimore City	\$ 43,229,600
Prior approval 5/10/17 Secretary Item 5	
Drinking Water State Revolving Loan Fund Forgiveness – Baltimore City	\$ 1,500,000
Prior approval 5/10/17 Secretary Item 5	
Drinking Water State Revolving Loan Fund – Baltimore County	\$ 15,640,759
<b><i>(Secretary's Agenda Item 12)</i></b>	
Drinking Water State Revolving Loan Fund – Baltimore County	\$ 25,000,000
Prior approval 5/10/17 Secretary Item 6	
Local Share/Baltimore City	\$ 53,871,743
Local Share/Baltimore County	\$ 8,396,353
Total Estimated Project Cost	\$167,651,336

*Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.*

***State Clearinghouse:*** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
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**12. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Maryland Drinking Water State Revolving Loan Fund***

**Recommendation:** That the Board of Public Works approve further loan funding as described.

**Authority:** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

**Project:** WC-1211 Ashburton Reservoir Zone 2 Tanks

**Recipient:** Baltimore County

**Amount:** Up to \$15,640,759

**Location:** Baltimore City/Legislative District 40

**Project Description:** This project entails the design and construction of two underground storage tanks totaling 50 million gallons and appurtenances to replace the open-air finished water reservoir at Lake Ashburton. Baltimore City is required by consent decree to comply with EPA's Long Term 2 Enhanced Surface Water Treatment Rule and cover all open-air finished water reservoirs. The funding is shared with Baltimore County since Baltimore County is serviced by this plant. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

**Financing Description:** Additional Loan \$15,640,759 (estimated)

**Term.** Period not to exceed 30 years following project completion

**Rate.** Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019 loan recipients received interest-rates ranging from 0.70% to 0.90%.)

**Security.** Borrower will deliver its bond, along with its full faith and credit endorsement.

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12. **MARYLAND DEPARTMENT OF THE ENVIRONMENT** (cont'd)  
***Maryland Drinking Water State Revolving Loan Fund***

***Project Funding Sources:***

<b>Drinking Water State Revolving Loan Fund – Baltimore County (This Item)</b>	<b>\$ 15,640,759</b>
Drinking Water State Revolving Loan Fund – Baltimore County	\$ 25,000,000
Prior approval 5/10/17 Secretary Item 6	
Drinking Water State Revolving Loan Fund – Baltimore City	\$ 20,012,881
<b><i>(Secretary's Agenda Item 11)</i></b>	
Drinking Water State Revolving Loan Fund – Baltimore City	\$ 43,229,600
Prior approval 5/10/17 Secretary Item 5	
Drinking Water State Revolving Loan Fund Forgiveness – Baltimore City	\$ 1,500,000
Prior approval 5/10/17 Secretary Item 5	
Local Share/Baltimore City	\$ 53,871,743
Local Share/Baltimore County	<u>\$ 8,396,353</u>
Total Estimated Project Cost	<u>\$167,651,336</u>

*Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.*

***State Clearinghouse:*** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



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**13. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Maryland Drinking Water State Revolving Loan Fund***

***Recommendation:*** That the Board of Public Works approve further loan funding as described.

***Authority:*** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

***Project:*** WC-1204 Druid Lake Finished Water Tanks

***Recipient:*** Mayor and City Council of Baltimore

***Amount:*** Up to \$20,357,293

***Location:*** Baltimore City/Legislative District 40

***Project Description:*** This project entails the design and construction of two underground storage tanks totaling 54 million gallons and appurtenances to replace the open-air finished water reservoir at Druid Park. Baltimore City is required by consent decree to comply with EPA's Long Term 2 Enhanced Surface Water Treatment Rule and cover all open-air finished water reservoirs. The funding is shared with Baltimore County since Baltimore County is serviced by this plant. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

***Financing Description:*** Additional Loan \$20,357,293 (estimated)

***Term.*** Period not to exceed 30 years following project completion

***Rate.*** Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019 loan recipients received interest-rates ranging from 0.70% to 0.90%.)

***Security.*** Borrower will deliver a revenue bond, secured by a subordinate pledge on the revenues of the drinking water system fund, to the Maryland Water Quality Financing Administration.

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13. **MARYLAND DEPARTMENT OF THE ENVIRONMENT** (cont'd)  
***Maryland Drinking Water State Revolving Loan Fund***

***Project Funding Sources:***

<b>Drinking Water State Revolving Loan Fund – Baltimore City (This Item)</b>	<b>\$ 20,357,293</b>
Drinking Water State Revolving Loan Fund – Baltimore City	\$ 40,279,780
Prior approval 5/10/17 Secretary Item 5	
Drinking Water State Revolving Loan Fund Forgiveness – Baltimore City	\$ 1,500,000
Prior approval 5/10/17 Secretary Item 5	
Drinking Water State Revolving Loan Fund – Baltimore County	\$ 15,745,053
<b><i>(Secretary's Agenda Item 14)</i></b>	
Drinking Water State Revolving Loan Fund – Baltimore County	\$ 22,951,819
Prior approval 5/10/17 Secretary Item 6	
Drinking Water State Revolving Loan Fund Forgiveness – Baltimore County	\$ 1,500,000
Prior approval 5/10/17 Secretary Item 6	
Local Share/Baltimore City	\$ 53,117,479
Local Share/Baltimore County	<u>\$ 8,896,546</u>
Total Estimated Project Cost	<u>\$164,347,970</u>

*Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.*

***State Clearinghouse:*** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
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**14. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Maryland Drinking Water State Revolving Loan Fund***

***Recommendation:*** That the Board of Public Works approve further loan funding as described.

***Authority:*** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

***Project:*** WC-1204 Druid Lake Finished Water Tanks

***Recipient:*** Baltimore County

***Amount:*** Up to \$15,745,053

***Location:*** Baltimore City/Legislative District 40

***Project Description:*** This project entails the design and construction of two underground storage tanks totaling 54 million gallons and appurtenances to replace the open-air finished water reservoir at Druid Park. Baltimore City is required by consent decree to comply with EPA's Long Term 2 Enhanced Surface Water Treatment Rule and cover all open-air finished water reservoirs. The funding is shared with Baltimore County since Baltimore County is serviced by this plant. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

***Financing Description:*** **Additional Loan \$15,745,053** (estimated)

***Term.*** Period not to exceed 30 years following project completion

***Rate.*** Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019 loan recipients received interest-rates ranging from 0.70% to 0.90%.)

***Security.*** Borrower will deliver its bond, along with its full faith and credit endorsement.

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**14. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**  
***Maryland Drinking Water State Revolving Loan Fund***

***Project Funding Sources:***

<b>Drinking Water State Revolving Loan Fund – Baltimore County (This Item)</b>	<b>\$ 15,745,053</b>
Drinking Water State Revolving Loan Fund – Baltimore County	\$ 22,951,819
Prior approval 5/10/17 Secretary Item 6	
Drinking Water State Revolving Loan Fund Forgiveness – Baltimore County	\$ 1,500,000
Prior approval 5/10/17 Secretary Item 6	
Drinking Water State Revolving Loan Fund – Baltimore City	\$ 20,357,293
<b><i>(Secretary's Agenda Item 13)</i></b>	
Drinking Water State Revolving Loan Fund – Baltimore City	\$ 40,279,780
Prior approval 5/10/17 Secretary Item 5	
Drinking Water State Revolving Loan Fund Forgiveness – Baltimore City	\$ 1,500,000
Prior approval 5/10/17 Secretary Item 5	
Local Share/Baltimore City	\$ 53,117,479
Local Share/Baltimore County	<u>\$ 8,896,546</u>
Total Estimated Project Cost	<b>\$164,347,970</b>

*Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.*

***State Clearinghouse:*** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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**15. MARYLAND DEPARTMENT OF THE ENVIRONMENT**

***Drinking Water Revolving Loan Fund  
Energy-Water Infrastructure Program Grant***

***Recommendation:*** The Board of Public Works approve new funding as described.

***Authority:*** Maryland Water Quality Financing Administration Act  
§§ 9-1601 – 9-1622, Environment Article, Annotated Code of Maryland  
Sections 9-20B-01 through 9-20B-12 of the State Government Article,  
Annotated Code of Maryland Capital Budget Appropriation - Energy  
Water Infrastructure Program (U00A01.14)

***Project:*** Chesapeake Heights/Dares Beach Well & Water Main Extension

***Recipient:*** Calvert County

***Location:*** Calvert County/Legislative District 27B

***Amount:*** Up to \$1,795,998

***Project Description:*** The proposed project involves the installation of a new production well, a pump station, and a water treatment system, including a chlorination unit, instrumentation, and control building to be located adjacent to the existing Chesapeake Heights Well and Water Tower. The Chesapeake Heights system will provide water to the existing Chesapeake Heights and Dares Beach water distribution systems, which will be interconnected through a water main extension. The project will provide a reduction in arsenic levels in the water systems to ensure compliance with the federal arsenic water quality standards. This project is consistent with the Greenhouse Gas Reduction Act's statewide goal of reducing greenhouse gas emissions 40% by 2030.

***Financing Description:***

**A. New Loan \$1,700,998 (estimated)**

*Term.* Period not to exceed 20 years following project completion

*Rate.* Interest rate of 50% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019 loan recipients received interest-rates ranging from 1.50% to 1.80%.)

*Security.* Borrower will deliver its bond, along with its full faith and credit endorsement.

**B. New EWIP Grant up to \$95,000**

Pursuant to a written agreement between the Maryland Energy Administration and the Maryland Department of the Environment, funding will be provided from the Strategic Energy Investment Fund for this project.

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Contact Person: Terri Wilson 410-537-4155  
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15. **MARYLAND DEPARTMENT OF THE ENVIRONMENT** (cont'd)  
***Drinking Water Revolving Loan Fund***

***Project Funding Sources:***

<b>Drinking Water Revolving Loan Fund (This Item)</b>	<b>\$ 1,700,998</b>
<b>Energy Water Infrastructure Program Grant, EWIP 01.05 (This Item)</b>	<b>\$ <u>95,000</u></b>
<b>Total Estimated Project Cost</b>	<b>\$ 1,795,998</b>

*Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.*

***State Clearinghouse:*** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
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Contact Person: Terri Wilson 410-537-4155  
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**16. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Energy-Water Infrastructure Program Grant***

**Recommendation:** The Board of Public Works approve new grant funding as described.

**Authority:** §§ 9-20B-01 through 9-20B-12 of the State Government Article,  
Annotated Code of Maryland Capital Budget Appropriation - Energy  
Water Infrastructure Program (U00A01.14)

**Project:** Federalsburg Wastewater Treatment Plant Upgrade to Conserve Energy

**Recipient:** Town of Federalsburg

**Location:** Caroline County/Legislative District 37B

**Amount:** Up to \$1,818,993

**Project Description:** The project entails the construction of a solar panel system and associated appurtenances to generate renewable energy for the operation of the Federalsburg Wastewater Treatment Plant. The system will be interconnected with the electrical grid and net metered against the wastewater treatment plant's electricity consumption to save electrical costs for the facility. This project also includes the work associated with site development for the solar panel system. This project is consistent with the Greenhouse Gas Reduction Act's statewide goal of reducing greenhouse gas emissions 40% by 2030.

**Project Funding Sources:**

Energy Water Infrastructure Program Grant, EWIP 02.06 (This Item)	\$ 1,818,993
Local Share	\$ <u>115,000</u>
Total Estimated Project Cost	\$ 1,933,993

A written agreement between the Maryland Energy Administration and MDE provides funding from the Strategic Energy Investment Fund for this project.

**State Clearinghouse:** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
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17. **MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
*Mining Remediation*

**Recommendation:** The Board of Public Works approve new grant funding as described.

**Authority:** Sections 15-1103, 15-1106, Environment Article, Annotated Code of Maryland.

**Project:** Jennings Run Lime Doser

**Recipient:** Tetra Tech, Inc.

**Prior Approvals:** None

**Amount:** \$75,000

**Location:** Allegany County/Legislative District 1B

**Project Description:**

Design, construct and operate a lime doser on a tributary in the Jennings Run to improve the pH of the stream. The doser will be located along Fireclay Mountain Road approximately 1.6 miles northwest of the town of Mt. Savage, Maryland. Jennings Run is a stream that flows into Wills Creek near Corriganville, MD. Wills Creek then flows into the North Branch Potomac River at Cumberland, MD. Untreated acid mine drainage from pre-law mines in the upper reaches of Jennings Run has severely impacted water quality in the stream. The Mining Program's goal is to improve the water quality of Jennings Run to the point that it can become a high quality stream maintaining a reproducing population of brook trout along with other aquatic species. This is a Task Order under the Master Contract for Technical Assistance in Mining and Mine Reclamation (DBM item 6-S 9/16/15). This project is consistent with Maryland's climate change adaptation and resiliency objectives by addressing the ongoing environmental impairments from legacy coal mining.

**Project Funding Sources:**

Mining Remediation, MCCBL, 2018-18264 (MN0701) (This Item)	\$ 27,550.72
Mining Remediation, MCCBL, 2019-19334 (MN0701) (This Item)	\$ 47,449.28
Future Mining Remediation Funds	\$ 427,550.72
Total Estimated Jennings Run Lime Doser Cost:	\$ 502,550.72

**State Clearinghouse:** MDE has determined that its recommendation is consistent with State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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Contact: Terri Wilson 410-537-4155  
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**18. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Bay Restoration Fund***

**Recommendation:** The Board of Public Works approve new grant funding as described.

**Authority:** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

**Project:** Town of Manchester Wastewater Treatment Plant Enhanced Nutrient  
Removal Upgrade

**Prior Approvals:** None

**Recipient:** Town of Manchester

**Amount:** Up to \$105,575

**Location:** Carroll County/Legislative District 5

**Project Description:** This project entails the planning, design, and construction of an Enhanced Nutrient Removal upgrade for the Manchester Wastewater Treatment Plant at an existing design capacity of 0.500 million gallons per day. Upon completion of the upgrade, the plant will be capable of achieving effluent concentration goals of 3.0 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorus. This will allow 83% reduction in nitrogen and 90% reduction in phosphorus, thereby reducing nutrients discharged to Georges Run and ultimately to the Chesapeake Bay. This Board action is for the planning phase only. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

**Project Funding Sources:**

Bay Restoration Fund Grant BR-NR 07.07 (This Item)	<b><u>\$ 105,575</u></b>
Total Estimated Planning Cost:	\$ 105,575

**State Clearinghouse:** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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Contact: Terri Wilson 410-537-4155  
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19. **MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Bay Restoration Fund***

**Recommendation:** The Board of Public Works approve new grant funding as described.

**Authority:** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

**Project:** Trout Run/Oakland Wastewater Treatment Plant Regionalization

**Prior Approvals:** None

**Recipient:** Garrett County Sanitary District, Inc.

**Amount:** Up to \$1,621,035

**Location:** Garrett County/Legislative District 1A

**Project Description:** This project includes the planning, design, and construction to convey wastewater from the existing Trout Run Wastewater Treatment Plant to the existing Oakland Wastewater Treatment Plant, which will be upgraded to achieve Enhanced Nutrient Removal at the combined Wastewater Treatment Plant's capacities of 1.8 million gallons per day. Upon the completion of the Enhanced Nutrient Removal upgrade, the Oakland Wastewater Treatment Plant will be able to achieve Total Nitrogen of 3.0 mg/l and Total Phosphorus of 0.3 mg/l in effluent concentrations. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

**Project Funding Sources:**

<b>Bay Restoration Fund Grant BR-NR 01.12 (This Item)</b>	<b><u>\$1,621,035</u></b>
Total Estimated Planning and Design Cost:	<b>\$1,621,035</b>

**State Clearinghouse:** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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Contact: Terri Wilson 410- 537-4155  
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20. **MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Bay Restoration Fund***

**Recommendation:** The Board of Public Works approve further grant funding as described.

**Authority:** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

**Project:** Perryville Wastewater Treatment Plant Enhanced Nutrient Removal Refinement

**Recipient:** Town of Perryville

**Amount:** Up to \$330,493

**Location:** Cecil County/Legislative District 35A

**Project Description:** The project entails the planning, design, and construction of improvements to the existing Perryville Wastewater Treatment Plant, which is an Enhanced Nutrient Removal facility with a design capacity of 1.65 million gallons per day. This project will improve plant efficiency and reliability to consistently meet effluent Total Nitrogen of 3.0 mg/L and Total Phosphorus of 0.3 mg/L, thereby reducing nutrients discharged to Mill Creek and ultimately to the Chesapeake Bay. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects. This action is for the design phase only.

**Project Funding Sources:**

<b>Bay Restoration Fund Grant BR-NR 07.08 (this Item)</b>	<b>\$330,493</b>
Bay Restoration Fund Grant BR-NR 07.08	
(Prior approval: 5/22/18, Secretary's Agenda Item 15)	<u>\$ 20,000</u>
Total Estimated Planning and Design Cost:	<b>\$350,493</b>

**State Clearinghouse:** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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**21. MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
***Maryland Water Quality State Revolving Loan Fund***

***Recommendation:*** That the Board of Public Works approve new funding as described.

***Authority:*** Maryland Water Quality Financing Administration Act  
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

***Project:*** Mt. Hermon Road Sewer Extension

***Recipient:*** City of Salisbury

***Amount:*** Up to \$120,000

***Location:*** Wicomico County/Legislative District 38B

***Project Description:*** The project entails the design and construction of sewer service for two existing properties with leaking septic systems within the Salisbury city limits. The work includes the abandonment of the existing septic systems and the construction of a low-pressure sewer system with grinder pumps to convey flow to the Salisbury Wastewater Treatment Plant, which is an Enhanced Nutrient Removal facility. This project will eliminate potential groundwater contamination and help protect local water quality. This project is part of MDE efforts to connect failing septic systems to public sewer, thereby reducing nutrient loadings and eliminating public health problems, both of which are exacerbated by climate change.

***Financing Description:***

**C. New Loan – Water Quality State Revolving Loan Fund estimated \$90,000**

*Term.* Period not to exceed 30 years following project completion

*Rate.* Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019 loan recipients received interest-rates ranging from 0.70% to 0.90%.)

*Security.* Borrower will deliver its bond, along with its full faith and credit endorsement.

**D. New Loan Forgiveness up to \$30,000**

Complies with Water Quality Revolving Loan Fund Program's disadvantaged-community criteria. Principal forgiveness loan terms/grant conditions are enforceable should Recipient default.

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21. **MARYLAND DEPARTMENT OF THE ENVIRONMENT** (cont'd)  
***Maryland Water Quality State Revolving Loan Fund***

***Project Funding Sources:***

<b>Water Quality State Revolving Loan Fund (this Item)</b>	<b>\$ 90,000</b>
<b>Water Quality State Revolving Loan Fund Forgiveness (this Item)</b>	<b>\$ 30,000</b>
Local Share	<u>\$ 96,047</u>
<b>TOTAL ESTIMATED PROJECT COST:</b>	<b>\$ 216,047</b>

*Funding may involve multiple sources which may include general obligation bond proceeds as the required 20% match to federal funds and other funds.*

***State Clearinghouse:*** MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

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

***Construction Contract:*** Cogeneration Plant High Temperature Hot Water Converter Tube Replacement  
MES Project # 1-20-4-16-5

***Description:*** Re-tube one of the existing High Temperature Hot Water Converters.

***Procurement:*** Competitive Sealed Bid (single acceptable bid received)

***Bids:*** Martec Facilities Management LLC, Baltimore, MD \$110,998.00

***Award:*** Martec Facilities Management LLC, Baltimore, MD

***Amount:*** \$110,998.00

***Term:*** 180 calendar days

***MBE Participation:*** 5%

***Remarks:*** The High Temperature Hot Water (HTHW) Converters are heat exchangers that utilize steam to heat water circulating through a tube bundle within the exchanger. This hot water is used for space heating, domestic use and cleaning needs within the ECI Complex. There are two HTHW converters at the facility for redundancy and to ensure reliability. The East and West units are part of the original construction of the plant and have 30+ years of operational service. The heating capability has decreased tremendously due to the age and heating surface deterioration of the units. Should both converters fail, the Institution will be without hot water. Because the units are positioned one in front of the other, it is difficult to access the East unit. Therefore, the objective of this project is to re-tube the existing West HTHW Converter, which will restore maximum function.

MES bid this project first on July 3rd, 2019. Only one bid was received at that time. MES cancelled the first bid and re-advertised after reaching out to a few firms. MES received two bids the second time, but the low bid was not complete and therefore was rejected. This is specialized work; MES did not anticipate receiving more than a few bids.

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22. **MARYLAND ENVIRONMENTAL SERVICE** (cont'd)  
*Eastern Correctional Institution*

**Fund Source:** MCCBL of 2018, *MES Infrastructure Improvement Fund (UB00)*

**Appropriation Code:** 198 MCCBL 2018 (PCA 12051)

**Resident Business:** Yes

**Tax Compliance No.:** 20-0180-0000

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THIS ITEM WAS:

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*Contact: Lois Y. Whitaker 443-885-3074  
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**23. MORGAN STATE UNIVERSITY**  
***Student Services Building***  
***Capital Equipment***

**Contract ID:** Mid-Atlantic Purchasing Team Contract #2015-42

**Recommendation:** Approve the expenditure of general obligation bond proceeds in the amount of \$38,051 to purchase capital equipment for the new Student Services Building from Douron Inc.

**Project:** Morgan State University's Student Services Building is located at the corner of Hillen Road and Cold Spring Lane. The building will support the University's programs, services, and activities related to student services such as enrollment management, financial aid, bursar, registrar, recruitment, career development, to name a few. The project is striving to exceed the minimum LEED Silver certification.

**Amount:** \$38,051

**Award:** Douron Inc., Owings Mills, MD 21117

**Fund Source:** MCCBL 2018 Item #276: *Provide funds to continue design and begin construction of a new Student Services Building to house student service functions, provided that notwithstanding Section 6 of this Act, work may remain on this project before the appropriation of all funds necessary to complete the project.* \$143,280

**Background:** This furniture purchase will be procured through the Mid-Atlantic Purchasing Team Contract #2015-42 with Douron. This price includes furniture approved by the Department of Budget and Management for capital purchase listed on the Form G Approval, dated August 17, 2018. This amount is within the University's funding limitations for the total projected capital budget. The items listed above have been approved to be waived by Maryland Correctional Enterprises.

**MBE Goal:** No MBE goal was established for this work since it was a single-use system.

**Resident Business:** Yes

**Tax Clearance:** 20-0976-1111

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**BOARD OF PUBLIC WORKS**

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**REVISED**

Contact: Charlotte Lake 410-697-9559  
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**24. DEPARTMENT OF PLANNING**

***Maryland Historical Trust***

***African American Heritage Preservation Program***

**Recommendation:** Approve funding for the following eight grants of general obligation bond proceeds for \$634,250.

**Fund Source:** MCCBL of 2019: Maryland Historical Trust Appropriation # 19354

<b>A. Bethel African Methodist Episcopal Church (Cambridge)</b>	<b>\$100,000</b>
<b><i>623 Pine Street, Cambridge, Dorchester County</i></b>	

**Grantee:** Eastern Shore Network for Change, Inc.

**Description:** Exterior rehabilitation including masonry, carpentry, and metal repairs; roof, window, and door repair / replacement; and associated architectural, engineering, and consulting services. [Total project costs \$100,000 estimated.]

**Remarks:** The Bethel African Methodist Episcopal Church was established ca. 1847 with the purchase of property along Pine Street. The present building was constructed in 1903 and was the third to house the congregation. This Gothic Revival church with asymmetrical towers is the oldest African American church still standing in Cambridge.

<b>B. Emmanuel Episcopal Church – Tunnels</b>	<b>\$100,000</b>
<b><i>16 Washington Street, Cumberland, Allegany County</i></b>	

**Grantee:** Emmanuel Episcopal Parish Incorporated

**Description:** Interior and exterior rehabilitation including masonry repair; lighting; sitework; accessibility improvements; HVAC upgrades / installation; design / fabrication of permanent signage; and associated architectural, engineering, and consulting services. [Total project costs \$100,000 estimated.]

**Remarks:** Emmanuel Episcopal Church is a distinctive Gothic Revival church designed by architect John Notman in the mid-19th century. The church is located atop the remains of Fort Cumberland. The subterranean tunnels beneath the church were originally built for Fort Cumberland in the mid-18th century, and eventually came to be used as shelter by African Americans escaping slavery.

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**REVISED**

24. **DEPARTMENT OF PLANNING** (cont'd)  
*Maryland Historical Trust*  
*African American Heritage Preservation Program*

<b>C.</b>	<b>Fruitland Community Center</b>	<b>\$44,000</b>
	<i>300 Morris Street, Fruitland, Wicomico County</i>	

**Grantee:** Fruitland Community Center, Inc.

**Description:** Interior and exterior rehabilitation including roof, gutter, lighting, window, and door replacement / repair; HVAC and electrical upgrades; installation of insulation, shelving, and permanent signage; accessibility improvements; selective demolition; and associated architectural, engineering, and consulting services [Total project costs \$44,000 estimated.]

**Remarks:** The Morris Street Colored School, now known as the Fruitland Community Center, was constructed in 1912 by members of the local community. The school was attended by African American children from throughout Wicomico County. The building is still used for educational purposes, with summer and after school programs for children as well as an archive space.

<b>D.</b>	<b>Sotterley Plantation - Slave Cabin and Paths</b>	<b>\$78,000</b>
	<i>44300 Sotterley Lane, Hollywood, St. Mary's County</i>	

**Grantee:** Historic Sotterley, Inc.

**Description:** Interior and exterior rehabilitation including construction of a path with benches; site work and exterior stair repair / replacement; drainage improvements; finishes, coatings, and painting; roof and masonry repair; chinking; structural and carpentry repairs; repair of earth floor; construction of interior walkway; and associated architectural, engineering, and consulting services. [Total project costs \$78,000 estimated.]

**Remarks:** Sotterley Plantation dates to 1703 and is the only Tidewater plantation in Maryland that is open to the public. Sotterley has more than 20 original buildings spanning its 300-year evolution. The slave cabin dates to the 1830s and is located at the base of the hill below the main house.

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**REVISED**

24. **DEPARTMENT OF PLANNING** (cont'd)  
*Maryland Historical Trust*  
*African American Heritage Preservation Program*

<b>E.</b>	<b>Robert W. Johnson Community Center - Swimming Pool</b> <b><i>109 W North Avenue, Hagerstown, Washington County</i></b>	<b>\$100,000</b>
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**Grantee:** Robert W. Johnson Community Center, Inc.

**Description:** Exterior rehabilitation including masonry and concrete repair / replacement; mechanical, electrical, and plumbing upgrades; accessibility improvements; exterior finishes; repair / replacement of diving board and lifeguard stations; and associated architectural, engineering, and consulting services. [Total project costs \$100,000 estimated.]

**Remarks:** The Robert W. Johnson Community Center is an important community space within Hagerstown's Jonathan Street Neighborhood. In 1959, the North Street Swimming Pool was constructed, and was the only pool in Hagerstown where African Americans could swim. The pool has had very few alterations since 1959 and remains largely intact.

<b>F.</b>	<b>Fairmount Heights World War II Monument</b> <b><i>701 59th Avenue, Fairmount Heights, Prince George's County</i></b>	<b>\$12,250</b>
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**Grantee:** The Town of Fairmount Heights

**Description:** Exterior rehabilitation including masonry repair / replacement; electrical installation; installation of benches; site work, drainage, and accessibility improvements; selective demolition; and associated architectural, engineering, and consulting services [Total project costs \$24,500 estimated.]

**Remarks:** The Fairmount Heights World War II Monument was built in 1946 to honor local citizens who served in the armed forces during World War II. The monument is an obelisk constructed of blocks of gray granite and orange sandstone, and the triangular parcel it sits on is a gathering space for holiday celebrations. The grantee is a local jurisdiction and is required to provide 100% match for this project.

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**REVISED**

24. **DEPARTMENT OF PLANNING** (cont'd)  
*Maryland Historical Trust*  
*African American Heritage Preservation Program*

**G. Zion United Methodist Church (Federalsburg) \$100,000**  
*219 Old Denton Road, Federalsburg, Caroline County*

**Grantee:** Zion ME Church

**Description:** Interior and exterior rehabilitation including accessibility improvements; door, gutter, carpentry, metal, masonry, and concrete repair / replacement; HVAC upgrade; site work; and associate architectural, engineering, and consulting services. [Total project costs \$100,000 estimated.]

**Remarks:** Zion Methodist Episcopal Church was founded by an African American congregation in 1848 and was rebuilt several times. The current church building was constructed in 1931. Located within the Federalsburg West National Register Historic District, this frame church features stained glass windows and ornamental woodwork on its tower.

**H. Warren Historic Site - Church and School' \$100,000**  
*22625 Whites Ferry Road, Dickerson, Montgomery County*

**Grantee:** Warren Historic Site Committee, Inc.

**Description:** Exterior rehabilitation of the church building including roof, gutters and downspouts, carpentry, and masonry repair / replacement; interior and exterior rehabilitation of the school building including roof, gutters and downspouts, foundation, carpentry, and flooring repair / replacement; and associated architectural, engineering, and consulting services. [Total project costs \$100,000 estimated.]

**Remarks:** The Warren Historic Site is believed to be the last in Maryland to retain all three of the traditional buildings that comprised the nucleus for most post-Emancipation African American communities – the church, school, and lodge hall. The complex includes the 1886 Martinsburg Negro School, the 1903 Warren United Methodist Church, and the Loving and Charity Hall.

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
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Contact: Cynthia M. Hahn 410-576-6319  
chahn@oag.state.md.us

25. **MARYLAND STADIUM AUTHORITY**  
**General Miscellaneous**

**Description:** The Maryland Stadium Authority and the Office of the Attorney General request approval for the payment of \$52,500 in full settlement of all claims for damages, attorney's fees, and injunctive relief in *Claypool, et al. v. Baltimore Orioles Limited Partnership, et al.*, United State District Court for the District of Maryland, Case No. 18-3393-CCB.

**Authority:** State Government Article §§ 12-404 and 12-501

**Amount:** \$52,500

**Fund Source:** Maryland Stadium Authority non-budgeted funds (FY 2020)

**Appropriation Code:** A03044

**Requesting Agency Remarks:** If this proposed settlement is approved, four checks should be issued as follows: (1) a check for \$1,250 made payable to Henry Claypool and Brown, Goldstein & Levy, LLP; (2) a check for \$1,250 made payable to Kelly Buckland and Brown, Goldstein & Levy, LLP; (3) a check for \$1,250 made payable to Alfred Haynes and Brown, Goldstein & Levy, LLP; and (4) a check for \$48,750 made payable to Brown, Goldstein & Levy, LLP. The checks should be mailed to Cynthia M. Hahn, Assistant Attorney General, Office of the Attorney General, 200 Saint Paul Place, 20<sup>th</sup> Floor, Baltimore, Maryland 21202, who will deliver the checks and ensure all the necessary documentation and releases are complete.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
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**REVISED**

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**26. MARYLAND STADIUM AUTHORITY**  
***Capital Projects Development Group –***  
***Phase III Ocean City Convention Center Renovation and Expansion***  
***Guaranteed Maximum Price (GMP) Package***

**Contract ID:** CP-002-OCCC-005

**Recommendation:** Award Barton Malow Company a Guaranteed Maximum Price contract in the amount of \$32,205,400.

**Contractor:** Barton Malow Company, Baltimore, MD 21201

**Prior Approvals:** October 18, 2017 (Secretary's Agenda Item #5)

**Project:** Phase III – Ocean City Convention Center Renovation and Expansion is a 30,000+/- sq. ft. renovation/addition located at 4001 Coastal Highway.

Recommendation to award Barton Malow Company (CM) a GMP contract in the amount of \$32,205,400 for the renovation/addition of the above referenced project. Construction costs of \$30.22 million and contingencies of \$1.98 million are included in the recommendation to award. This GMP package represents the twenty-six comprehensive construction trade packages for the project as outlined in the CM's GMP submission.

***Bid Package Description:*** Comprehensive trade package GMP for project construction

***Bid Package Amount [This Item]:*** \$ 32,205,400

***Pre-Construction Amount:*** \$ 124,780.00

***Revised Amount:*** \$ 32,330,180.00

***Term:*** 4/22/2020 – 1/31/2022

***MBE Goal:*** 15%

***Subgoals:*** N/A

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**REVISED**

**26. MARYLAND STADIUM AUTHORITY (cont'd)**  
***Capital Projects Development Group –***  
***Phase III Ocean City Convention Center Renovation and Expansion***  
***Guaranteed Maximum Price (GMP) Package***

**Remarks:** Construction packages were advertised and documents were issued by the CM for trade contractor participation on December 1, 2019 in the following publications: eMaryland Marketplace, MSA's website, Barton Malow's website, BuildingConnected, Maryland Minority Contractors Association, MD Washington Minority Companies Association, Governor's Office of Small, Minority & Women Business Affairs, Construction Journal, as well as directly solicited to numerous trade contractors.

MSA and the CM conducted an onsite pre-bid meeting on December 17, 2019 and subsequent site visit meetings at the project site. All attendees were provided with summary project information and afforded the opportunity to tour the project site. Additionally, the CM began preparing the trade market well ahead of the bid advertisement, conducting outreach events in the Baltimore Metro areas as well as at the Project Site in Ocean City.

Beginning on January 15, 2020 through January 22, 2020 competitive, sealed trade contractor bids were received and opened at the CM's offices Baltimore, Maryland. The post-bid scope review meetings were conducted at the project site in Ocean City. The CM solicited 329 firms and received 72 bids for the 26 bid packages advertised.

Authority: §10-622, Economic Development Article, Annotated Code of MD

Fund Source: Town of Ocean City; Maryland Stadium Authority Series 2019C Bonds

Tax Compliance No.: 20-0968-1111

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

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**REVISED**

Contact: Eric Johnson (410) 223-4150  
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27. **MARYLAND STADIUM AUTHORITY**  
***Baltimore City Public Schools***  
***Highlandtown Elementary/Middle School***  
***Architectural/Engineering (AE) Services***

**Contract ID:** BCS-02-010-AE

**Recommendation:** Approval of architectural/engineering design services agreement for the Highlandtown Elementary/Middle School project at 231 South Eaton Street.

**Procurement Method:** Competitive Sealed Proposals

**Proposals:**

<i>Offeror</i>	<i>Technical Score</i>	<i>Price Score</i>	<i>Overall Score</i>	<i>Lump Sum Bid</i>
JRS Architects, Inc. <i>Baltimore, MD</i>	65	29	94	\$1,000,391.55
Waldon Studio/Hughes Group Architects JV <i>Columbia, MD</i>	61	30	91	\$963,777.00

**Contract Description:** Architectural & Engineering Design Services

**Contractor:** JRS Architects, Inc.  
Baltimore, MD

**Amount:** \$1,000,391.55

**Term:** 04/23/2020 – 08/31/2022

**MBE Goal:** 31%

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27. **MARYLAND STADIUM AUTHORITY** (cont'd)  
*Baltimore City Public Schools*  
*Highlandtown Elementary/Middle School*  
*Architectural/Engineering (AE) Services*

**Remarks:** The Stadium Authority recommends JRS Architects, Inc. (JRS) for architectural and engineering services for the Highlandtown Elementary/Middle School project. The procurement process proceeded as follows:

The request for proposal was issued to the prequalified pool on January 31, 2020, and six firms submitted technical proposals. After reviewing technical proposals, the Selection Committee determined it would be in the best interest to short-list three firms. The Selection Committee held oral presentations and requested financial proposals from two firms. A Best and Final offer was requested from the top ranked firm, JRS. After review of the financial proposals, the selection committee unanimously recommended JRS, with the highest technical and overall score, and second lowest fee.

**Authority:** Baltimore City Public Schools Construction and Revitalization Act of 2013 (Chapter 647) [pertinent portion codified at § 10-646, Economic Development Article, Annotated Code of MD]

**Fund Source:** Non-Budgeted Funds; Proceeds on deposit in the Baltimore City Public School Construction Facilities Fund

**Tax Compliance No.:** 20-0889-0101

**Resident Business:** Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



**REVISED**

Contact: Eric Johnson (410) 223-4150  
ejohnson@mdstad.com

**28. MARYLAND STADIUM AUTHORITY**  
***Baltimore City Public Schools***  
***Highlandtown Elementary/Middle School***  
***Construction Management (CM) – Pre-construction Services***

**Contract ID:** BCS-02-010-CM

**Recommendation:** Award pre-construction services for the Highlandtown Elementary/Middle School project at 231 South Eaton Street.

**Procurement Method:** Competitive Sealed Proposals

***Proposals:***

<i>Offeror</i>	<i>Technical Score</i>	<i>Price Score</i>	<i>Overall Score</i>	<i>Pre-construction</i>	<i>Construction &amp; Estimated Labor Fees</i>
CAM Construction Company, Inc. <i>Timonium, MD</i>	65	28	93	\$154,312	\$1,082,060
MCN Build/Southway Builders, LLC <i>Baltimore, MD</i>	61	30	91	\$138,721	\$1,027,680
Dustin Construction, Inc. <i>Ijamsville, MD</i>	62	21	83	\$198,464	\$1,399,494

**Contract Description:** Pre-construction services throughout the design phase to provide cost estimating, scheduling, project phasing, constructability reviews, value engineering, quality assurance, scope definitions, and bid packaging/preparations.

**Contractor:** CAM Construction Company, Inc., Timonium, MD

**Amount:** \$154,312

**Term:** 4/23/2020 – 12/31/2021

**MBE Goal:** 29%

BOARD OF PUBLIC WORKS  
SECRETARY'S  
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April 22, 2020



**REVISED**

28. **MARYLAND STADIUM AUTHORITY** (cont'd)  
*Baltimore City Public Schools*  
*Highlandtown Elementary/Middle School*  
*Construction Management (CM) – Pre-construction Services*

**Remarks:** The Stadium Authority recommends CAM Construction Company, Inc. for pre-construction services for the Highlandtown Elementary/Middle School project and intends to return with a recommendation to award construction services if pre-construction performance is satisfactory and an acceptable Bid Package is negotiated.

The request for proposal was issued to the prequalified pool and four firms submitted technical proposals. The Selection Committee shortlisted three firms, held oral presentations, and requested financial proposals from the three firms. Financial proposals included pre-construction phase pricing as well as the construction phase pricing related to fee and estimated labor costs. After review of the financial proposals, a best and final offer was requested from the top ranked firm. CAM Construction Company had the highest overall score and offered the second lowest combined fee.

**Authority:** Baltimore City Public Schools Construction and Revitalization Act of 2013 (Chapter 647) [pertinent portion codified at § 10-646, Economic Development Article, Annotated Code of MD]

**Fund Source:** Non-Budgeted Funds

Proceeds on deposit in the Baltimore City Public School  
Construction Facilities Fund

**Tax Compliance No.:** 20-0890-1111

**Resident Business:** Yes

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



**REVISED**

Contact: Eric Johnson (410) 223-4150  
ejohnson@mdstad.com

29. **MARYLAND STADIUM AUTHORITY**  
***Baltimore City Public Schools***  
***Govans Elementary School***  
***Guaranteed Maximum Price (GMP) #1***

***Contract ID:*** BCS-02-008-GMP

***Recommendation:*** Award Dustin Construction a GMP #1 contract in the amount of \$ 24,101,768.26

***Contractor:*** Dustin Construction, Inc., Ijamsville, MD 21754

***Prior Approvals:*** See remarks

***Project:*** The Govans Elementary School project is a 90,000+/- sq. ft replacement located at 2400 Mosher Street

Recommendation to award Dustin Construction (CM) a GMP #1 contract in the amount of \$24,101,768.26 for the replacement of the above referenced school building. Construction costs of \$22.8 million and contingencies of \$1.3 million are included in the recommendation to award. This GMP package represents 9 of the anticipated 26 trade packages for the project. MSA is planning to return this spring with the final GMP #2 for the remainder of the construction packages. The Stadium Authority's initial estimates identified the total construction cost to be \$35.2 million.

***Bid Package Description:*** Sitework, demolition/abatement, utilities, concrete, masonry, steel, mechanical, & electrical packages

***Bid Package Amount:*** \$ 24,101,768.26

***Term:*** 4/23/2020 – 12/31/2022

***MBE Goal:*** 30%

***Subgoals:*** African American 7%

BOARD OF PUBLIC WORKS  
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**REVISED**

**29. MARYLAND STADIUM AUTHORITY (cont'd)**  
***Baltimore City Public Schools***  
***Govans Elementary School***  
***Guaranteed Maximum Price (GMP) #1***

***Remarks:***

The CM preconstruction services contract with Keller Construction Management was originally approved on March 28, 2018 (Secretary's Agenda Item 9). The approval item identified that MSA would return with the construction phase package if performance was satisfactory and an acceptable GMP could be negotiated. Upon completion of the project design and after unsuccessful negotiations, the MSA decided not to continue to the construction phase with Keller. The MSA then issued the project RFP to the prequalified CM pool as a phased construction package. Technical submissions were received from 5 CMs. The MSA shortlisted to two firms, requesting CM Fee and Estimated Labor for the project with the rankings as follows:

<i>Offeror</i>	<i>Technical Score</i>	<i>Price Score</i>	<i>Overall Score</i>	<i>Construction &amp; Estimated Labor Fees</i>
Dustin Construction Company, Inc. <i>Ijamsville, MD</i>	66	30	96	\$1,701,169
Skanska USA Building, Inc. <i>Rockville, MD</i>	67	17	84	\$2,953,262

Based upon the Technical and Fee/Labor price submissions, the MSA then requested Dustin prepare an initial GMP construction package for the Govans replacement project.

Packages were advertised and documents were issued by the CM for trade contractor participation in on January 29, 2020 in the following publications: eMaryland Marketplace, MSA's website, the CM's website, Dodge Global Network, the 21st Century Schools' website, as well as directly solicited to numerous trade contractors.

MSA and the CM conducted pre-bid and site visit meetings at the project site, and all attendees were provided with summary project information and afforded the opportunity to tour the project site. Additionally, the CM began preparing the trade market well ahead of the bid advertisement, attending outreach events such as the Maryland Minority Outreach Fairs in July and November 2019, MDOT Showcase event in fall 2019, and the Schools Program Event hosted by MSA in March 2020. Additional events were attended in October and November 2019, and all were attended by numerous trade contractors as well as Mayor's Office of Employment Development ("MOED"), MSA, and other representatives and agencies associated with contracting, MBE participation, and local hiring opportunities.

BOARD OF PUBLIC WORKS  
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**REVISED**

29. **MARYLAND STADIUM AUTHORITY** (cont'd)  
*Baltimore City Public Schools*  
*Govans Elementary School*  
*Guaranteed Maximum Price (GMP) #1*

**Remarks** (cont'd):

On March 5th and 12th, 2020 competitive, sealed trade contractor bids were received and opened at the CM's offices, with MSA and the CM in attendance. Post-bid scope review meetings were then conducted via teleconferences hosted by the CM at their office in Ijamsville, MD, with MSA and the Architect in attendance. The CM solicited 55 firms and received 26 bids for the 9 packages advertised.

Authority: Baltimore City Public Schools Construction and Revitalization Act of 2013 (Chapter 647) [pertinent portion codified at § 10-646, Economic Development Article, Annotated Code of MD]

Fund Source: Non-Budgeted Funds; Proceeds on deposit in the Baltimore City Public School Construction Facilities Fund

Tax Compliance No.: 20-0557-0001

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
April 22, 2020



Contact: Jada Wright 410-545-0330  
Jwright18@mdot.maryland.gov

30. **DEPARTMENT OF TRANSPORTATION**  
***Record Correction***

***Recommendation:*** That the Board of Public Works accept a correction to the record in which an ADPICS number was incorrectly reported.

<b><i>Original Approval:</i></b>	MDOT Agenda, 13-M, 03/04/2020
<b><i>Contract:</i></b>	Maintenance/ Repair of Highway Lighting in Howard County
<b><i>Contract ID:</i></b>	5281371424R
<b><i>Approved ADPICS No.:</i></b>	5281371424R
<b><i>Corrected ADPICS No.:</i></b>	528137142R

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

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

**Recommendation:** Approval to commit \$119,552.40 for the following **development** projects.

**1. Cresaptown Competition Basketball Courts - \$13,802.40**

Allegany County

POS #7067-1-329 MD20191203-0955

**Background:** Renovate an existing basketball court into two high school competition-size basketball courts at the Cresaptown Sports Complex.

**Fund Source:** Outdoor Recreation Land Loan 2020, Chapter 565, Acts of 2019  
Program Open Space Local  
Source Code: 20011 \$13,802.40

**2. Allegany County Parks - Bleachers, Benches, and Goals - \$105,750.00**

Allegany County

POS #7070-1-331 MD20200130-0078

**Background:** Construct improvements to 16 parks throughout the county by purchasing and installing new bleachers, team benches, and goals.

**Fund Source:** Outdoor Recreation Land Loan 2020, Chapter 565, Acts of 2019  
Program Open Space Local  
Source Code: 20011 \$105,750.00

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

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Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**2A. PROGRAM OPEN SPACE LOCAL SHARE**  
***Caroline County***

***Recommendation:*** Approval to commit \$11,874 for the following **development** project.

***Marydel Community Park Irrigation - \$11,874.00***

Caroline County

POS #7089-5-208                      MD20200212-0128

***Background:*** Construction of sub-terrain irrigation system for athletic fields at Marydel Community Park.

***Fund Source:*** Outdoor Recreation Land Loan 2019, Chapter 570, Acts of 2018

Program Open Space Local

Source Code: 19011    \$17.13

Outdoor Recreation Land Loan 2020, Chapter 565, Acts of 2019

Program Open Space Local

Source Code: 20011    \$39.93

Maryland Consolidated Capital Bond Loan 2011, Chapter 396, Acts of 2011

Program Open Space Local

Source Code: 11051/11052    \$11,816.94

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



Contact: Emily Wilson 410-260-8436  
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3A. **PROGRAM OPEN SPACE LOCAL SHARE**  
*Charles County*

**Recommendation:** Approval to commit \$81,000 for the following **development** project.

***Ruth B. Swann Park Playground Revitalization - \$81,000***  
Charles County  
POS #7088-8-115 MD20200130-0079

**Background:** Revitalize the playground area at Ruth B. Swann Park by installing new playground equipment, replacing a pavilion shade structure, and adding tables and benches.

**Fund Source:** Maryland Consolidated Capital Bond Loan 2014, Chapter 463, Acts of 2014  
Program Open Space Local  
Source Code: 14089 \$80,921.39

Maryland Consolidated Capital Bond Loan 2011, Chapter 396, Acts of 2011  
Program Open Space Local  
Source Code: 11052 \$78.61

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

4A. **PROGRAM OPEN SPACE LOCAL SHARE**  
*Howard County*

**Recommendation:** Approval to commit \$25,000 for the following **planning** project.

**Howard County - 2022 Land Preservation, Parks, and Recreation Plan – \$25,000**  
Howard County  
POS #6782-13-100 MD20180423-0262

**Background:** Additional funding to complete Howard County’s 2022 Land Preservation, Parks, and Recreation Plan to fulfill State requirements.

**Prior Approvals:** \$25,000 (DNR-RP Item 5A [June 20, 2018])  
\$25,000 (DNR-RP Item 3A [March 20, 2019])

**Fund Source:** Outdoor Recreation Land Loan 2017, Chapter 143, Acts of 2016  
Program Open Space Local  
Source Code: 17009 \$25,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**5A. RURAL LEGACY PROGRAM FUNDS**  
***Harford County***

**Recommendation:** Approval to grant \$64,659.60 to **Harford County** from Rural Legacy Funds to acquire a 11.97 acre conservation easement.

***Deer Creek Rural Legacy Area – Rahn, Paul D.***

**Prior Approval:** Rural Legacy Area Grant for easement acquisitions:  
DNR-RP Item 10A (8/22/2018) \$2,088,000 for FY 2019

**Project Description:** Acquisition of this conservation easement will protect productive forestlands as well as a diverse array of herbaceous species above the Deer Creek corridor. Deer Creek is a Maryland designated Scenic River. This Rural Legacy easement, RL No. 5706, will be held by Harford County. The county is paying administrative, incidental, and program compliance costs.

**Easement Value:** \$ 77,831 (\$6,502.17 per acre)

**Purchase Price:** \$ 64,659.60 (\$5,401.80 per acre)

<b>Total Other Costs:</b>	Administrative:	\$0.00
	Incidental:	\$0.00
	Compliance:	<u>\$0.00</u>
		\$0.00

**Amount Requested:** \$ 64,659.60

**Fund Sources:** Maryland Consolidated Capital Bond Loan of 2018, Chapter 009, Acts of 2018  
Rural Legacy Program  
Source Code: 18250 \$64,659.60

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



Contact: Emily Wilson 410-260-8436  
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**6A. RURAL LEGACY PROGRAM FUNDS**  
***Somerset County***

**Recommendation:** Approval to grant \$173,126.83 to the **Lower Shore Land Trust, Inc.** from Rural Legacy Funds to acquire a 66.26-acre conservation easement.

***Dividing Creek Rural Legacy Area – James B. Beauchamp***

**Prior Approval:** Rural Legacy Area Grant for easement acquisitions:  
DNR-RP Item 13A (10/4/2017) \$1,560,000 for FY 2018

**Project Description:** Acquisition of this conservation easement will protect productive farmland with prime soils that contributes to the local agricultural economy. The easement provides for 680 linear feet of forested buffer along an unnamed tributary to Dividing Creek. The property is north of Pocomoke City and in the Pocomoke River watershed. This Rural Legacy easement, RL No. 5732, will be held by the Department of Natural Resources and the Lower Shore Land Trust.

**Easement Value:** \$158,307.73 (\$2,389.19 per acre)

<b>Total Other DNR Costs:</b>	Administrative:	\$ 4,749.23
	Incidental:	\$ 7,695.25
	Compliance:	<u>\$ 2,374.62</u>
		\$14,819.10

**Amount Requested:** \$173,126.83

**Fund Sources:** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Rural Legacy Program  
Source Code: 19012 \$173,126.83

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



Contact: Emily Wilson 410-260-8436  
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**7A. RURAL LEGACY PROGRAM FUNDS**  
***Somerset County***

**Recommendation:** Approval to grant \$217,130.03 to the **Lower Shore Land Trust, Inc.** from Rural Legacy Funds to acquire a 102.39-acre conservation easement.

***Dividing Creek Rural Legacy Area – Larry and Lynda Beauchamp***

**Prior Approval:** Rural Legacy Area Grant for easement acquisitions:  
DNR-RP Item 13A (10/4/2017) \$1,560,000 for FY 2018

**Project Description:** Acquisition of this conservation easement will protect productive agricultural and forested lands located near Pocomoke City. The easement provides for 700 linear feet of forested buffer along an unnamed tributary to Dividing Creek and the Pocomoke River watershed. This Rural Legacy easement, RL No. 5733, will be held by the Department of Natural Resources and the Lower Shore Land Trust.

**Easement Value:** \$197,784.72 (\$1,931.68 per acre)

<b>Total Other DNR Costs:</b>	Administrative:	\$ 5,933.54
	Incidental:	\$10,445.00
	Compliance:	<u>\$ 2,966.77</u>
		\$19,345.31

**Amount Requested:** \$217,130.03

**Fund Sources:** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Rural Legacy Program  
Source Code: 19012 \$217,130.03

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



Contact: Emily Wilson 410-260-8436  
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**8A. RURAL LEGACY PROGRAM FUNDS**  
***St. Mary's County***

**Recommendation:** Approval to grant \$107,029.31 to **Southern Maryland Resource Conservation and Development Board** from Rural Legacy Funds to acquire a 35.82 acre conservation easement.

***Mattapany Rural Legacy Area – Napier***

**Prior Approval:** Mattapany Rural Legacy Area approved grant for easement acquisitions: DNR-RP Item 3A (01/08/2020) \$2,508,762 FY 2020

**Project Description:** Acquisition of this easement will protect valuable agricultural and forest lands. The property includes approximately 2,200 linear feet of riparian buffers along two unnamed tributaries of the St. Mary's and Potomac Rivers. The easement, No. 5713, will be held by the Department of Natural Resources and Southern Maryland Resource Conservation and Development Board.

**Easement Value:** \$172,319.27 (\$4,810.69 per acre)

**Funding Sources:** \$86,159.64 DNR  
\$86,159.63 St. Mary's County

**Total Other DNR Costs:** Administrative: \$ 5,169.58  
Incidental: \$13,115.30  
Compliance: \$ 2,584.79  
\$20,869.89

**Amount Requested:** \$107,029.31

**Fund Sources:** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Rural Legacy Program  
Source Code: 19012 \$107,029.31

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**9A. RURAL LEGACY PROGRAM FUNDS**  
***Wicomico County***

**Recommendation:** Approval to grant \$108,410.50 to **Wicomico County** from Rural Legacy Funds to acquire a 270.81-acre conservation easement.

***Quantico Creek Rural Legacy Area – Williamson & Lokey***

**Prior Approval:** Rural Legacy Area Grant for easement acquisitions:  
DNR-RP Item 5A (8/5/2015) \$691,850 for FY 2016  
DNR-RP Item 8A (10/19/2016) \$1,300,000 for FY 2017

**Project Description:** Acquisition of this conservation easement will protect 270.81-acres of productive agricultural and forested lands bordering Rewastico Mill Pond and Rewastico Creek in the Nanticoke River watershed. Preserving this land from development provides additional resiliency to the effects of climate change on the Eastern Shore. This Rural Legacy easement, RL No.5734, will be held jointly by Wicomico County, the Department of Natural Resources, the Lower Shore Land Trust, and the United States of America through the Department of the Navy.

**Easement Value:** \$405,000 (\$1,495.51 per acre)

**Funding Sources:**

\$ 37,500	DNR
\$202,500	U.S. Department of the Navy
\$ 15,000	Wicomico County
\$150,000	Chesapeake Conservancy

**Total Other DNR Costs:**

Administrative:	\$12,150.00
Incidental:	\$52,685.50
Compliance:	<u>\$ 6,075.00</u>
	\$70,910.50

**Amount Requested:** \$108,410.50

**Fund Sources:** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Rural Legacy Program  
Source Code: 19012 \$108,410.50

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**10A. CONSERVATION RESERVE ENHANCEMENT PROGRAM**  
***KB Farm Properties, Inc. Property, Washington County***

***Recommendation:*** Approval to grant \$65,148.73 to Washington County from Program Open Space Stateside Funds to acquire a 20 acre Conservation Reserve Enhancement Program easement.

***Background/Prior Approvals:*** Reference is made to Program Open Space Agenda Item 9A (September 16, 2009) in which the Board of Public Works approved the Conservation Reserve Enhancement Program (CREP) easement acquisition program and authorized the use of Program Open Space funds to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands.

***Project Description:*** Acquisition of this CREP easement permanently protects water quality by establishing 1,900 linear feet of stream buffers along Grove Creek—a tributary to Little Antietam Creek. The easement, CREP No. 5692, will be held by Washington County and the Maryland Department of Natural Resources.

***Easement Value:*** \$57,700.80 (\$2,885.04 per acre)

<b><i>Total Other Costs:</i></b>	Administrative:	\$1,731.02
	Incidental:	\$4,851.40
	Compliance:	<u>\$ 865.51</u>
		\$7,447.93

***Total Amount Requested:*** \$65,148.73

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

Board of Public Works  
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**10A. CONSERVATION RESERVE ENHANCEMENT PROGRAM (cont'd)**  
***KB Farm Properties, Inc. Property, Washington County***

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

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

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

***Fund Sources:*** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Program Open Space Stateside  
Source Code: 19010 \$65,148.73

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**11A. CONSERVATION RESERVE ENHANCEMENT PROGRAM**  
***Horman II Property, Frederick County***

***Recommendation:*** Approval to grant \$872,690.00 to Frederick County from Program Open Space Stateside Funds to acquire a 143.58 acre Conservation Reserve Enhancement Program easement.

***Background/Prior Approvals:*** Reference is made to Program Open Space Agenda Item 9A (September 16, 2009) in which the Board of Public Works approved the Conservation Reserve Enhancement Program (CREP) easement acquisition program and authorized the use of Program Open Space funds to be used for acquiring permanent conservation easements on stream side forests, natural areas and wetlands.

***Project Description:*** Acquisition of this CREP easement permanently protects water quality by requiring 2,000 linear feet of forested and vegetative stream buffers to unnamed tributaries to Beaver Branch which is designated as Natural Trout Waters and Public Water Supply. As part of the transaction, the landowner will be donating 5.90 acres of the farm into the easement for 149.48 acres of total protection. The easement, CREP No. 5689 and POS No. 5691, will be held by Frederick County and the Maryland Department of Natural Resources. The County is paying administrative and program compliance costs.

***Easement Value:*** \$863,062.00 (\$6,011.01 per acre)

<b><i>Total Other Costs:</i></b>	Administrative: \$	0.00
	Incidental: \$	9,628.00
	Compliance: \$	<u>0.00</u>
		\$ 9,628.00

***Total Amount Requested:*** \$872,690.00

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

Board of Public Works  
Department of Natural Resources – Real Property  
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April 22, 2020



**11A. CONSERVATION RESERVE ENHANCEMENT PROGRAM (cont'd)**  
**Horman II Property, Frederick County**

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

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

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

***Fund Sources:*** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Program Open Space Stateside  
Source Code: 19010 \$872,690.00

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**12A. PROGRAM OPEN SPACE STATE SHARE**  
***Garrett County (Durst)***

**Recommendation:** That the Board of Public Works approve the acquisition.

**Description:** This mostly forested property borders Savage River State Forest and will be managed by the Maryland Forest Service. Acquisition will allow access to an area that is difficult to reach, improving emergency response and wild fire control, and enhancing the Forest Service's ability to manage silvicultural activities. The property will protect water quality in the Puzzley Run watershed and provide increased opportunities for hunting, hiking and bird watching.

**POS Scoring System:** 86 out of 100 **Targeted Ecological Area:** Yes

**Grantor:** Craig S. Durst

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

**Property:** 25+/- acres, unimproved, POS No. 5544

**Price:** \$90,000

**Appraisals:** \$112,000 (7/23/2019) – Phillip C. Elliot  
\$ 75,000 (8/3/2019) – Barry L. Colen  
All appraisals reviewed by Dave Wallenberg, Chief Review Appraiser

**Fund Source:** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Program Open Space Stateside  
Source Code: 19010 \$90,000

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**BOARD OF PUBLIC WORKS THIS ITEM WAS:**

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**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**13A. PROGRAM OPEN SPACE STATE SHARE**  
***POS No. 5495***

**Recommendation:** That the Board of Public Works approve DNR granting to The Trust for Public Land expenses for due diligence incurred in a real property acquisition under negotiation (POS No. 5495).

**Explanation:** When DNR purchases real property using a land trust, DNR seeks approval from the Board of Public Works to acquire the property interest and to reimburse the land trust for expenses related to the transaction. In this case, DNR has partnered with The Trust for Public Land to negotiate a real property acquisition. The Trust for Public Land is incurring due diligence expenses necessary to evaluate the transaction. Because of the length of time and complexity of the transaction, DNR seeks to enter into an agreement with The Trust for Public Land to reimburse these expenses before closing.

**Board of Public Works:** Upon successful negotiations, DNR will present the final agreement to purchase, together with any additional reimbursable due diligence expenses, to the Board of Public Works for approval.

**Reimbursements to Land Trust:** \$70,000 (total not to exceed)  
Survey: \$40,000 (not to exceed)  
Appraisals: \$30,000 (not to exceed)

**Authority:** DNR, with the approval of the Board of Public Works, “may use acquisition funds to make matching or refundable grants to land trusts.” See Natural Resources Article §5-903(e).

**Fund Source:** Outdoor Recreation Land Loan of 2019, Chapter 570, Acts of 2018  
Program Open Space Stateside  
Source Code: 18010 \$70,000

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BOARD OF PUBLIC WORKS THIS ITEM WAS:

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WITHOUT DISCUSSION

Board of Public Works  
Department of Natural Resources – Real Property  
Supplement  
April 22, 2020



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

**14A. WILDLIFE MANAGEMENT AREA**  
***Notice of Federal Participation***

***Recommendation:*** That the Board of Public Works Approve the Department of Natural Resources incorporating a Notice of Federal Participation in the deed to the Browns Branch Wildlife Management Area in Queen Anne’s County so that the value of that property can be used as match for a federal grant for land management of the Department’s statewide wildlife management area system.

***Authority:*** State Finance and Procurement, Section 10-305, which provides for “Disposal of real or personal property of the State; conditions, consideration”.

***Prior Approval:*** DNR-RP Item 15A (Hand Carried) [August 22, 2018]

***Explanation:*** This proposal will allow the Department to use the value of the Ben Lee property acquisition, designated as Browns Branch Wildlife Management Area, as match to a U.S. Fish and Wildlife Service wildlife management grant. The U.S. Fish and Wildlife Service recently allowed the value of land managed for wildlife and purchased with non-federal funds as match for the operation and maintenance of the State’s wildlife management area system. The Browns Branch Wildlife Management Area was acquired with state Program Open Space funds. A condition of the grant is the Department will identify in the deed the federal interest in the title of the real property and will record with the deed a Notice of Federal Participation that further describes the purpose of the acquisition and outlines the terms and conditions of the grant.

***Background:*** The Department’s wildlife management area system is comprised of 64 wildlife management areas totaling over 125,000 acres located throughout the state. Land management grants have been provided by the U.S. Fish and Wildlife Service for over 30 years to provide funding to these areas for wildlife habitat and public access for wildlife-oriented recreation. The grants have a match requirement of 25% state and 75% federal for total outlay during the grant period. Recognizing the State’s purchase value of the Browns Branch Wildlife Management Area will allow the Department to leverage significant federal funds for management of the State’s wildlife management area system.

Browns Branch Wildlife Management Area will remain state-owned property. The ramifications of incorporating a Notice of Federal Participation in the deed for the Browns Branch Wildlife Management Area property are as follows:

1. The property must remain in the wildlife management area system.
2. The property must continue to provide habitat for wildlife and remain open to the public for hunting and other wildlife-oriented recreation.
3. If the conditions of #1 and #2 above are not met, mitigation will be required by the U.S. Fish and Wildlife Service to replace the value of the area.

Board of Public Works  
Department of Natural Resources – Real Property  
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**14A. WILDLIFE MANAGEMENT AREA (cont'd)**

***Notice of Federal Participation***

***Background: (cont'd)***

The Department has reviewed the language of the Notice of Federal Participation and has found it consistent with its management of the State's wildlife management area system.

***Notice of Federal Participation:*** Below is the required language of the U.S. Fish and Wildlife Service to be incorporated in the deed:

*"The above-described property is acquired in part with funding received by the State of Maryland, Department of Natural Resources (DEPARTMENT) from Grant Agreement Number F19AF00994 (W-62-D-30), dated September 12, 2019 between the U.S. Fish and Wildlife Service (Service) and Department. All present and future use of this property is and shall remain subject to the terms and conditions described in the Notice of Federal Participation, attached hereto as Exhibit A and recorded herewith, and to the other administrative requirements of the applicable grant funding program of the Service."*

***Clearinghouse:*** The Clearinghouse reviewed the proposed transaction and concluded, after consultation with the Office of the Attorney General, that this transaction does not require Clearinghouse review.

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**BOARD OF PUBLIC WORKS**

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**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
University System of Maryland  
Supplement  
April 22, 2020



Contact: Thomas Hickey 410-576-5736  
thickey@usmd.edu  
USM Rep: Joe Evans

**1-GM. GENERAL MISCELLANEOUS**

**Recommendation:** That the Board of Public Works approve use of general obligation bond funding proceeds for the following contracts totaling: \$26,127.

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

**University of Maryland, College Park**  
*A. James Clark Hall*

- 1. Description:** One (1) Thermo Scientific TSX Ultra Low Temperature Freezer.  
**Procurement Method:** Master Contract (Vendor Contract No. 12410)  
**Award:** Fisher Scientific CO, LLC, Hanover Park, IL 60133-5491  
**Amount:** \$12,175  
**Fund Source:** MCCBL 2017: *Provide funds to continue construction of and begin equipping new Bioengineering building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project. Item# 17-176.*  
**Resident Business:** No  
**MD Tax Clearance:** 20-0778-1110
- 2. Description:** One (1) Glass Door Refrigerator.  
**Procurement Method:** Master Contract (Vendor Contract No. 12474)  
**Award:** VWR International, Bridgeport, NJ  
**Amount:** \$8,280  
**Fund Source:** MCCBL 2017: *Provide funds to continue construction of and begin equipping new bioengineering building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project. Item# 17-176.*  
**Resident Business:** No  
**MD Tax Clearance:** 20-0774-1111

Board of Public Works  
University System of Maryland  
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April 22, 2020



1-GM. **GENERAL MISCELLANEOUS** (cont'd)

University of Maryland, College Park (cont'd)

A. James Clark Hall

3. **Description:** One (1) Thermo Scientific TSX Series 20C Freezer.  
**Procurement Method:** Master Contract (Vendor Contract No. 12410)  
**Award:** Fisher Scientific CO, LLC, Hanover Park, IL 60133-5491  
**Amount:** \$5,672  
**Fund Source:** MCCBL 2017: *Provide funds to continue construction of and begin equipping new Bioengineering building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project. Item# 17-176.*  
**Resident Business:** No  
**MD Tax Clearance:** 20-0775-1110

BOARD OF PUBLIC WORKS

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WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works  
University System of Maryland  
Supplement  
April 22, 2020



*Contact: Thomas Hickey 410-576-5736  
thickey@usmd.edu  
USM Rep: Joe Evans*

**2-AE. UNIVERSITY OF MARYLAND, BALTIMORE  
Architecture/Engineering Services**

**Contract ID:** On-Call Mechanical/Electrical Design Services for Academic Projects for the University of Maryland, Baltimore RFP #88838 CB

**Contract Description:** Indefinite delivery contracts for on-call mechanical and electrical engineering design services. Contractors will provide full mechanical and electrical engineering services for University System of Maryland institutions, primarily in the Baltimore region, for academic projects that include classrooms, studios, office facilities, and computer labs. UMB awards projects on a task order basis with no guarantee of work to any specific on-call firm.

<b>Award(s):</b>	Whitman, Requardt & Associates, LLP	Baltimore, MD
	RMF Engineering, Inc.	Baltimore, MD
	Henry Adams, LLC	Baltimore, MD
	Mueller Associates, Inc.	Linthicum, MD
	Burdette, Koehler, Murphy & Associates, Inc.	Baltimore, MD
	Setty & Associates International, PLLC	Baltimore, MD
	Kibart, Inc.	Towson, MD
	MS Engineers, Inc.	Towson, MD

**Procurement Method:** Competitive Sealed Proposals

**Contract Term:** 04/23/2020 – 04/22/2023 (w/ one 2-year renewal options)

**Amount:** \$2,100,000 (not to exceed) (3-year base term)  
\$1,400,000 (not to exceed) (renewal option)  
\$3,500,000 (not to exceed) total

**Proposals:**

Firm	Ranking	Technical Score
Whitman, Requardt & Associates, LLP	1	87.91%
RMF Engineering, Inc.	2	85.32%
Henry Adams, LLC	3	83.60%
Mueller Associates, Inc.	4	82.23%
Burdette Koehler Murphy and Associates, Inc.	5	81.69%
Setty & Associates International, PLLC	6	81.15%
Kibart, Inc.	7	80.89%
MS Engineers, Inc.	8	80.88%

Board of Public Works  
University System of Maryland  
Supplement  
April 22, 2020



**2-AE. UNIVERSITY OF MARYLAND, BALTIMORE (cont'd)**  
***Architecture/Engineering Services***

**MBE Participation:** To be set for any task order over \$50,000 with subgoals for any task order over \$200,000.

**Performance Security:** None

**Requesting Institution Remarks:** The solicitation was advertised in *eMaryland Marketplace Advantage*. Seventeen (17) proposals were received and evaluated by an Evaluation Committee which included representatives from UMB's office of Procurement Services, and representatives from UMB's Facilities and Operations. After review by the Evaluation Committee, the top eight were requested to submit price proposals as the solicitation document allowed for multiple awards. Award is recommended to all eight firms. The selection process, inclusive of the fee negotiations, was reviewed and approved by the University's Executive Review Group which includes a public member from outside the University. The source of funds for these projects will vary but include facilities renewal funds, departmental operating funds, and auxiliary services funds. As projects arise, the University will rotate among the four awarded firms beginning with the firm that achieved the highest total score. These firms will be required to use the fixed hourly rates established from the fee negotiations.

Opportunities for green building practices will be explored on a task order basis, including all economically feasible and/or mandated energy conservation, sustainable, and green building features, such as renewable construction materials, high efficiency systems, automated controls, minimizing demolition, and material reuse.

**Fund Source:** Various Institutional Funds

**Resident Businesses:**

Company Name	Residence Business	MD Tax Clearance
Whitman, Requardt & Associates, LLP	Yes	20-0860-1111
RMF Engineering, Inc.		20-0861-1111
Henry Adams, LLC		20-0862-1111
Mueller Associates, Inc.		20-0863-1111
Burdette Koehler Murphy and Associates, Inc.		20-0864-1111
Setty & Associates International, PLLC		20-0865-0111
Kibart, Inc.		20-0866-1111
MS Engineers, Inc.		20-0867-0101

**BOARD OF PUBLIC WORKS**

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**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Board of Public Works  
University System of Maryland  
Supplement  
April 22, 2020

**REVISED**



Contact: Thomas Hickey 410-576-5736  
thickey@usmd.edu  
USM Rep: Joe Evans

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK**  
***Public-Private Partnership (P3) Program***

**Contract ID:** NextGen Energy Program

**Recommendation:** That the Board of Public Works:

- (1) Designate the NextGen Energy Program (Program), as a public-private partnership (P3); and,
- (2) Approve the proposed competitive solicitation method for selecting a private sector entity for the Program.

The University of Maryland, College Park (UMD) will conduct this solicitation at the direction and under the authority of the University System of Maryland (USM), which is the reporting agency. UMD has dedicated its resources to support the Program and will use these resources to administer the P3 Agreement(s) that result from this solicitation.

**Authority:** State Finance and Procurement Article, §10A-201(c), Annotated Code of Maryland (P3 Statute), which authorizes the Board of Public Works to designate a public infrastructure project as suitable for procurement as a P3 and to approve the proposed solicitation method. The law requires the reporting agency to provide the Board the following:

- Copy of the presolicitation report (PSR)
- Description of the process for soliciting, evaluating, selecting, and awarding the P3
- Preliminary solicitation schedule
- Outline of the organization and contents of the public notice of solicitation
- Summary of the key terms of the proposed P3 Agreement

**Legislative Notice:** UMD submitted the PSR to the General Assembly's budget committees on February 4, 2020 for review in accordance with the State Finance and Procurement Article §10A-201(a) of the Annotated Code of Maryland. In a letter to the Secretary of the Department of Budget and Management and UMD's President dated March 28, 2020, the Chairs of the House Appropriations Committee and the Senate Budget and Taxation Committee stated that the committees had reviewed the PSR and approved USM's intent to seek P3 designation for the NextGen Program in accordance with the P3 Statute.

**Other Notices and Reviews:** On February 4, 2020, UMD submitted the PSR to the Comptroller, the State Treasurer, and the Department of Legislative Services. On March 18, 2020, the Director of the Department of Legislative Services transmitted a letter to the Chairs of the Senate Budget and Taxation Committee and the House Appropriations Committee stating that the Department had reviewed the PSR and was recommending that USM on behalf of UMD seek P3 designation for the NextGen Program.

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

***Other Notices and Reviews (cont'd)***

On February 4, 2020, UMD posted the PSR online and USM posted a link to the report on its website. A brief synopsis of the PSR, along with a link to the report, was published in the Maryland Register on March 27, 2020. UMD also consulted its Controller/Chief Financial Officer and USM regarding debt affordability. Under either of the proposed transaction structures described below, UMD would not directly be issuing debt. With respect to the accounting treatment of the proposed transaction, the Governmental Accounting Standards Board is currently developing implementation guidelines for

GASB 87 (accounting standard for operating leases). In addition, GASB has issued an exposure draft for public-private partnerships under GASB 60 (accounting standard for service concession arrangements), which would both standardize on-balance sheet recognition and measurement across different commercial structures. UMD intends to closely monitor these evolving standards in structuring the Program.

***P3 Designation:*** USM submits the PSR to the Board of Public Works with this Agenda Item in support of its request that the Board designate the Program as a P3. ...

The Program continues UMD's reliance on the P3 business model for central energy services, an initiative that began with its Energy and Utility Infrastructure Program in 1999 (1999 Program). As the result of a competitive procurement, UMD, in conjunction with the Maryland Economic Development Corporation (MEDCO), entered 20-year P3 construction and operations agreements that expired on August 31, 2019. UMD envisions the Program as a means for ensuring that it receives reliable, efficient, affordable, and sustainable energy services over a 30-year term, although this term may be extended up to 50 years depending on the P3 entities' proposals.

***Reasons for P3 Designation.*** UMD recommends designation of the Program as a P3 for the following reasons:

- **Strong performance incentives:** The P3 increases UMD's likelihood of securing long-term high-quality, reliable, efficient, resilient, and sustainable energy services by selecting a private sector partner with extensive experience that can be held accountable for service deficiencies through performance guarantees and the monitoring of key performance indicators.

3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)  
*Public-Private Partnership (P3) Program*

*Reasons for P3 Designation. (cont'd)*

- **Risk transfer:** The P3 achieves the optimal risk allocation between the public and private entities based on the principle of transferring risk to the entity that is best able to cost-effectively manage that risk.
- **Whole life-cycle planning and cost optimization:** The P3 enables UMD to realize the best value for its energy expenditure through a holistic approach to energy system planning that seeks the optimal balance of energy generation and consumption, thereby “right-sizing” energy facilities and avoiding overbuilding and wasting resources.
- **Enhanced opportunities for innovative technologies and best in class operations:** A P3 with an experienced district energy provider provides UMD access to field-tested new technologies, particularly in relation to renewable energy and energy efficiency, as well as global, high-quality operating practices.
- **Potential financial benefit:** Going back to in-house operations of the plant would be costly for the UMD, as there would be significant costs to hiring and training a UMD-employed facility workforce. In addition, by employing private capital, financing risks could be shifted to the private sector.

**Program Structure:** UMD recommends that the Program to be structured as a P3 using either a 501(c)(3)-type structure or a Concession Structure. The 501(c)(3)-type Structure is like the 1999 Program’s structure.

UMD would finance energy system capital improvements through a tax-exempt entity (such as MEDCO) and contract with a private sector entity to design, engineer, and install those improvements and manage, operate, and maintain UMD’s energy systems. Under the Concession Structure, a private sector concessionaire would finance capital improvements using a mixture of equity and taxable debt, design and build those improvements, and manage, operate, and maintain the energy systems.

The University is open to considering other commercial structures. It also anticipates considering a variety of payment models, such as an availability payment for the central energy generation facility and a “rate base” model for the distribution system. The University will also consider an incentive-based compensation model for a continuing program of energy efficiency improvements in campus buildings and facilities.

**Continuing Viability of P3 Designation.** UMD has reviewed the PSR in the wake of the market volatility resulting from the coronavirus pandemic. UMD continues to believe that the P3 business structure continues to be in UMD’s best interest for procuring necessary capital improvements and long-term operation and maintenance of its energy systems.

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

***Selection Process Description.*** USM requests that the Board of Public Works approve the following proposed competitive solicitation process for selecting a private sector entity for the Program. This process is consistent with the P3 Statute and the Policy on Public-Private Partnerships (Policy VIII-17.00) adopted by USM's Board of Regents...

Procurement of a private sector partner for the Program will proceed in seven steps: (1) responsibility determination, leading to selection of shortlisted Proposers; (2) Request for Proposals (RFP) development, review, and release; (3) submission and evaluation of proposals; (4) discussions with finalists to develop and refine proposals; (5) submission and evaluation of Best and Final Offers (BAFOs), leading to selection of a preferred Proposer; (6) negotiation of a final agreement; and (7) review and approval of the final agreement.

***Responsibility Determination (RFQ).*** The P3 Statute requires a prospective Proposer to satisfy both of the following standards to be qualified to submit a proposal:

- Proposer must have the capacity in all respects to perform fully the requirements of a P3 agreement; and,
- Proposer must possess the integrity and reliability that will ensure good performance.

If a Proposer is composed of multiple subentities or partners, the responsibility determination will be made for each subentity or partner that owns 20 percent or more of the entity.

To facilitate this responsibility determination, UMD will issue a Request for Qualifications (RFQ). Each Proposer will be required to respond by submitting a Statement of Qualifications (SOQ) that includes information regarding its prior similar projects in campus settings, team quality, design and construction expertise, operational expertise, stakeholder engagement, and financial strength and experience. Failure to provide the requested information or follow the RFQ's submittal instructions may result in the Proposer's disqualification from further participation in the procurement. UMD expects to conduct a workshop for potential Proposers and prospective team members soon after the RFQ's release.

Upon receipt, all SOQ submissions will be reviewed for completeness and responsiveness in accordance with the submission requirements. SOQs found to be complete and responsive will be evaluated according to criteria listed in the RFQ. UMD expects to shortlist no more than five Proposers to advance to the procurement's next stage.

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

***RFP Development, Review, and Release.*** UMD will deliver to each shortlisted Proposer a draft RFP for review and written comment. UMD intends such comments to provide energy industry insight on the RFP's requirements and to ensure that Proposers fully understand those requirements. UMD will consider Proposers' feedback as it prepares and releases the final RFP.

***Submission of Proposals.*** UMD expects that the RFP will specify a base technical option and base commercial structure(s) for which shortlisted Proposers will be requested to submit proposals. Proposers will be encouraged, but not required, to propose additional technical and financial options that in Proposers' opinion, may represent the best value for UMD.

To assist in Proposers' due diligence investigations, UMD will provide tours of the existing steam, chilled water, and electric systems. UMD also will establish a data center that will allow Proposers access to existing energy system plans, reports, operating data, and other information.

Following the submission of technical and financial proposals, UMD will review each Proposer's submission for completeness and responsiveness in accordance with the RFP's requirements. Proposals found to be complete and responsive will be evaluated according to the criteria described in the RFP, which will focus on the optimal balancing the Program's objectives. Based on this evaluation, UMD expects to identify a minimum of two finalists.

***Discussion of Proposals.*** UMD intends to invite each finalist to make a presentation of its technical and financial proposal to its team of UMD staff and engineering, legal, and financial advisors, after which UMD will conduct discussions with each finalist to ensure UMD's full understanding of the proposals, develop the Program's specific scope of work (including final technical approach), develop the program's commercial structure, and negotiate final agreement(s). UMD's goal in these discussions is to define with precision the Program's allocation of risk, compensation structure, project schedule, performance guarantees and incentives, the consequences of non-compliance with such guarantees, and other provisions that impact pricing and delivery of highly reliable energy services.

***Best and Final Offers.*** Upon completion of discussions, UMD will invite each finalist to submit its best and final offer based on the Program's final scope of work and agreement(s). UMD will review each Proposer's submission for completeness and responsiveness in accordance with the BAFO's requirements and will then evaluate each completed and responsive offer to determine which one best achieves the Program's objectives and confers the best overall value on UMD.

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

***Negotiation of Final Agreement.*** UMD will negotiate final agreement(s) with the selected Proposer, taking care to identify any provision or other information deemed to be confidential, proprietary, or otherwise exempt from public disclosure. The State's P3 statute identifies certain provisions that must be included in the final agreement. UMD intends to propose specific contractual provisions to satisfy these requirements in an appendix to the RFP.

This appendix will also propose contractual provisions to satisfy certain general procurement law and other legal requirements.

***Review and Approval of Final Agreement.*** Upon Proposer's execution of the final agreement, UMD will submit the agreement and any associated documents to USM's Board of Regents for review and approval, after which the agreement will be submitted simultaneously to the Comptroller, the State Treasurer, the General Assembly's Budget Committees, and the Department of Legislative Services. Following expiration of the statutory review period, USM will return to the Board of Public Works for final approval of the agreement. During this review and approval process, the final agreement will be made available to the public by posting it on the Program's website. UMD will not post information deemed confidential, proprietary, or otherwise exempt from disclosure under applicable law that relates to confidential commercial or financial information or trade secrets. After the Board of Public Works' approval, UMD will sign the final agreement(s) on behalf of the State.

***Reimbursement of Finalist Costs.*** UMD may reimburse an unsuccessful finalist in accordance with Annotated Code of Maryland, State Finance and Procurement Article, §10A-202(f) and BOR Policy VIII-17.00 Section IV-D. If UMD elects to reimburse a some or all of an unsuccessful finalist's costs, the specific terms, conditions, method, and timing for such reimbursement, including documentation requirements, will be described in the RFP. The reimbursement terms and conditions will include the requirement that an unsuccessful finalist transfer rights to use its work product to UMD as a condition for receiving reimbursement.

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

***Preliminary Solicitation Schedule:*** The preliminary solicitation schedule is as follows. All dates are approximate and subject to change.

<b>Milestone</b>	<b>Date</b>
RFQ Release	Q2 2020
Pre-Submission Workshop	Q2 2020
SOQ Submittal Deadline	Q3 2020
Shortlisted Proposers Notified	Q3 2020
Issue Draft RFP	Q3 2020
Receipt of Shortlisted Proposers' RFP Comments	Q4 2020
Issue Final RFP	Q4 2020
RFP Responses Due	Q1 2021
RFP Response Initial Technical & Financial Evaluation Completed	Q1 2021
Proposers' Presentations of Technical and Financial Proposals	Q2 2021
Notification of Finalists	Q2 2021
Discussions & Contract Negotiations with Finalists Completed	Q4 2021
BAFOs Due	Q4 2021
BAFO Evaluation	Q4 2021
Preferred Proposer Notified	Q4 2021
Contracts and Financing Commitments Finalized	Q1 2022
UMD Board of Regents approval	Q1 2022
Submission of Final Agreement and Financial/Legal Analysis to Comptroller, State Treasurer, Budget Committees, and Department of Legislative Services	Q1 2022
End of Statutory Review Period	Q2 2022
Board of Public Works Approval of Final Agreement	Q2 2022
Financial Close	Q2 2022

***Outline of Public Notice of Solicitation/Organization and Contents.*** The RFQ will include the following information:

- Description of UMD, background of its 1999 Program, and the current challenges facing its energy systems.
- Statement of the Program's objectives, description, preliminary scope of services, and anticipated commercial and rate structures.
- Description of UMD's existing energy systems.
- Description of the Program's procurement process.
- Requirements for information to be submitted in the SOQ.
- SOQ submittal instructions.
- SOQ evaluation procedure.

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

***Key Terms of The Proposed P3 Agreement: ...***

The NextGen Energy Program's P3 Agreement will be a set of integrated contract documents that will set forth legal, business, and technical provisions for designing, engineering, procuring, constructing, installing, commissioning, and financing capital improvements for the energy systems on the university's campus as well as managing, operating, and maintaining those systems for the Program's term. The university's preliminary analysis has identified three potential transactional structures for the Program: the 501(c)(3)-type Structure, the Concession Structure, and the Hybrid Structure. Each of these structures will require unique, transaction-specific contractual provisions. The core issues that each structure must address (many of which are identified in Annotated Code of Maryland, State Finance and Procurement Code, Section 10A-401(a)) will be the same and are summarized in the following table. The contents of this table are subject to future development of the P3 Agreement and discussions with potential P3 partners.

In this table, "Provider" means the university's private sector counterparty on the P3 Agreement, which will be responsible for the agreement's performance.

<b>Term</b>	30 years (may be extended to the maximum 50 years during discussions).
<b>Legal Requirements</b>	Provider will be required to comply with all applicable statutes, regulations, ordinances, permits, and other legal requirements, including the Maryland State Environmental Code.
<b>Provider Scope of Service</b>	<p>Provider will complete all capital improvements to the energy systems during the Term. The energy systems will include all heating, cooling, and electric generation and distribution systems up to the building delivery points.</p> <p>Provider will manage, operate, and maintain the energy systems throughout the Term in accordance with the P3 Agreement's performance standards and guarantees and other requirements. Provider will develop and implement preventive maintenance, quality control, and other programs, subject to the university's review.</p> <p>Throughout the term, Provider will engage in a program to continuously improve the systems' efficiency, sustainability, and structural integrity and reduce building-level energy consumption. The university will be required to approve any improvements above a negotiated cost threshold.</p>

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

<b>Performance Standards</b>	Provider will be required to deliver steam, chilled water, and electricity in accordance with specific quality, temperature, and/or chemical composition standards. Provider will also be required to comply with standards set in the university's interconnection agreement with Potomac Electric Power Company, as well as other standards typical for similar projects in the district energy industry.
<b>Commodity Procurement</b>	<p>The university will procure all fuels, water, and supplemental electricity and will arrange for their delivery to campus.</p> <p>Provider will cooperate with the university in procuring these commodities and will use each efficiently and optimize dispatch of energy generation units.</p>
<b>Operational Coordination</b>	<p>Provider and the university will coordinate the integrated and interconnected operation of the energy systems and the building systems so that each operates in a reliable, safe, and efficient manner. The parties will meet regularly to:</p> <ul style="list-style-type: none"> <li>• Coordinate schedules for preventive maintenance, scheduled maintenance, scheduled outages, and performance tests;</li> <li>• Coordinate and facilitate the exchange of information;</li> <li>• Facilitate the resolution of operating problems;</li> <li>• Review Provider Key Performance Indicators and other performance standards; and,</li> <li>• Perform other necessary coordinating and contract management issues.</li> </ul>
<b>Indemnity</b>	Provider will indemnify, defend, protect, and hold the university harmless against claims or losses resulting from Provider's failure to perform its responsibilities under the P3 Agreement.
<b>Taxes</b>	Provider will be responsible for payment of all applicable taxes.

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

<b>Environmental Matters</b>	<p>Provider will be responsible for applying for (with the university's cooperation and approval), holding, complying with, and performing the requirements of all environmental permits.</p> <p>Provider will be responsible for remediating all environmental conditions it causes or exacerbates during the P3 Agreement's term.</p> <p>Provider will be liable for all fines and costs associated with all environmental permit violations.</p>
<b>Records/Reports/Audit</b>	<p>Provider will provide the university (1) access to records pertaining to the construction, management, operation, and maintenance of the energy systems; (2) capability to review operating data produced by remote, real-time monitoring systems; and, (3) periodic reports regarding Key Performance Indicators, system outages, and other relevant information.</p> <p>Provider will prepare, maintain, and allow the university to review standard operating procedures, operating manual, quality control plan, and other documents necessary to the energy systems' operation and maintenance.</p> <p>Provider will utilize a Computerized Maintenance Management System to track and record system operations, maintenance, and repairs and will provide the university real-time, read-only access to that system.</p> <p>Provider will be responsible for preparing and submitting reports to governmental authorities, subject to the university's pre-submittal review.</p> <p>The State (including the Office of Legislative Audits) will have the right to audit financial and performance records related to the P3 Agreement.</p>
<b>Inspections</b>	<p>The university will have the right to inspect the energy systems at any time.</p>

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

<b>Performance Guarantees</b>	<p>Provider will guarantee the availability of heating, cooling, and electric service at delivery points in sufficient quantities to meet the university's requirements for those services.</p> <p>Provider will also guarantee the efficiency of the energy generation equipment and delivery systems and potentially building energy performance.</p>
<b>Service Call Response</b>	<p>Provider will be required to respond to service calls and restore service within specified times.</p>
<b>Performance Metrics</b>	<p>The P3 Agreement will contain a detailed set of Key Performance Indicators as a means for evaluating the energy systems' performance and the quality of the Provider's performance.</p>
<b>New University Buildings</b>	<p>Provider will be required to participate in planning for, and constructing, new building connections to the energy systems.</p>
<b>Insurance</b>	<p>Provider will be required to provide and maintain insurance coverages customary for this type of transaction.</p> <p>The university will provide insurance customary to a State entity in this type of transaction.</p>
<b>Assignment/Transfer</b>	<p>Provider will not transfer any portion of its ownership interest without the university's completion of a responsibility determination for the proposed transferee, 45 days' notice to the General Assembly's budget committees, and approval by the Board of Public Works.</p> <p>A change in control of the Provider will be deemed a transfer requiring the above-noted consents.</p>
<b>Billing/Payment</b>	<p>Provider will bill the university on a monthly basis with payments being due 30 days after the university's receipt of the invoice.</p>
<b>Payments Subject to Appropriation</b>	<p>Provider will recognize that the university's ability to make payments required by the P3 Agreement are subject to the State's appropriation of funds.</p>

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

<b>Budgeting</b>	To facilitate the university's budgeting process and promote advance planning for major expenditures, Provider will prepare and deliver to the university annually a budget for the next fiscal year and the two succeeding fiscal years.
<b>Financing</b>	The P3 Agreement may require Provider to finance any capital improvements or alternatively, the financing for such improvements may be provided through a 501(c)(3)-type structure.
<b>Performance Incentives</b>	The P3 Agreement will create opportunities for the Provider to earn additional compensation by operating the energy systems at levels higher than the guaranteed efficiency (thereby producing fuel and water cost savings for the university), reducing overall campus energy consumption by an agreed-upon percentage, or partnering with the university on pilot projects for the development and deployment of new sustainable technologies or other improvements that achieve similar goals.
<b>Performance and Payment Security</b>	Provider will be required to provide performance security and payment security in a form and in an amount determined by the university, provided that (1) payment security for construction of capital improvements will comply with State Finance and Procurement Article Title 17, subtitle 1 of the Annotated Code of Maryland; and (2) the amount of the payment security and performance security for construction of capital improvements will be based solely on the value of those improvements, and not on the total value of the P3.
<b>Provision of Services by USM/UMD</b>	The P3 Agreement will provide a method to compensate the university for the direct and indirect costs to provide certain services to Provider.

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

<b>Provider Default</b>	<p>The P3 Agreement will define a “Provider Default” as including, but not being limited to the following events (unless excused by a Relief Event):</p> <ul style="list-style-type: none"> <li>• Provider’s failure to deliver heating, cooling, or electric service to the university in sufficient quantities to meet the university’s requirements (subject to certain factors to be negotiated).</li> <li>• Provider’s non-compliance with the service availability guarantee to the extent that the liquidated damages or other charges associated with the service failures or outages exceed a negotiated cap;</li> <li>• Provider’s transfer of its ownership interest in violation of the assignment/transfer restrictions;</li> <li>• Provider’s failure to comply with the requirements of a dispute resolution result or a final judgement issued by a court; or</li> <li>• Provider’s failure to perform any other material obligation required by the P3 Agreement to be performed by Provider.</li> </ul>
<b>Relief Event</b>	<p>The P3 Agreement will include relief for certain events that have time and/or cost impact that are outside a party’s control.</p>
<b>Remedies for Default</b>	<p>In the event of a Provider Default, the university may:</p> <ul style="list-style-type: none"> <li>• Terminate Provider’s performance of the P3 Agreement;</li> <li>• Assume directly, or contract with a third party for, management and operation of the energy systems and charge Provider for the difference between the amount paid to any third party for energy services and the amount that would have otherwise been paid Provider absent the Provider Default plus the university’s out-of-pocket expenses; and,</li> <li>• Exercise any other rights and remedies provided in law or equity.</li> </ul>
<b>Noncompliance with Performance Guarantees and Standards</b>	<p>Noncompliance with operating standards and requirements will decrease Provider’s compensation and may result in termination.</p>
<b>Other Termination Rights</b>	<p>The P3 Agreement may include other termination provisions comparable to market practices for similar projects.</p>

**REVISED**

**3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Public-Private Partnership (P3) Program***

<p><b>Contract Management and Oversight</b></p>	<p>The university will designate a Program project manager to be the university's single point of contact for managing the university's performance of the P3 Agreement and oversight of Provider's performance. The project manager will be supported by staff and consulting resources as necessary and will prepare reports for USM upon request.</p> <p>The P3 Agreement will require Provider to conduct periodic performance tests of key equipment and systems that will be witnessed by the university. If the equipment or system does not meet manufacturer specifications or warranties or contractual guarantees or standards, Provider will be required to make necessary repairs and replacements and pay for retesting.</p>
<p><b>Termination for Convenience</b></p>	<p>The university may terminate the P3 Agreement for convenience with Provider being compensated in accordance with the law.</p>
<p><b>Energy Systems' Condition at End of P3 Agreement's Term</b></p>	<p>Upon installation of major equipment, Provider will provide to the university an equipment life cycle study projecting when the equipment will reach the end of its useful life. Provider, at its cost, will be required to operate and maintain the equipment in accordance with manufacturer's recommendations. Provider will also provide to the university a rolling 5-year capital improvement plan for major system repairs and equipment replacements and the estimated costs associated with such repair and replacements. The parties will negotiate a mechanism for funding these improvements.</p> <p>At the end of the P3 Agreement's term, Provider will turn the energy systems over to the university in a condition that reflects the defined remaining useful life parameters specified in the agreement.</p>
<p><b>Dispute Resolution Process</b></p>	<p>The P3 Agreement will specify a process by which the university's procurement officer resolves disputes, subject to review by the State's Board of Contract Appeals. The agreement will allow the parties, with the approval of the Maryland Attorney General, to resolve their dispute by mediation.</p>

**REVISED**

Board of Public Works  
University System of Maryland  
Supplement  
April 22, 2020



3-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)  
*Public-Private Partnership (P3) Program*

<b>Mandatory Provisions</b>	<p>The P3 Agreement will contain terms and conditions that require compliance with the following provisions of the State Finance and Procurement Code, Annotated Code of Maryland:</p> <ul style="list-style-type: none"><li>• Section 3-602.1 (High Performance Buildings)</li><li>• Section 11-205 (Collusion)</li><li>• Section 11-205.1 (Falsification, Concealment of Material Facts)</li><li>• Section 13-219 (Required clauses – Nondiscrimination clause)</li><li>• Section 13-225 (Retainage)</li><li>• Sections 14-301 – 14-309 (Minority Business Participation)</li><li>• Sections 15-101 – 15-112 (Procurement Contract Administration)</li><li>• Section 15-226 (Payments to Subcontractors)</li><li>• Sections 16-101 – 16-312 (Suspension and Debarment of Contractors)</li><li>• Sections 17-101 - 17-111 (Security for Construction Contracts)</li><li>• Sections 17-201 – 17-226 (Prevailing Wage Rates – Public Works Contracts)</li><li>• Sections 18-101 – 18-109 (Living Wage)</li></ul> <p>The P3 contract will also utilize standard provisions set forth in USM's Procurement Policies and Procedures as required by the transaction and achievement of the Program's objectives.</p>
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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**HAND CARRIED**

Contact: Thomas Hickey 410-576-5736  
thickey@usmd.edu  
USM Rep: Joe Evans

**4-RP.      UNIVERSITY OF MARYLAND, COLLEGE PARK**  
***Real Property: Acquisition and Future Exchange***

**Recommendation:** That the Board of Public Works approve the agreement to authorize the University of Maryland to acquire 0.251 acres of land (the “Property”). In exchange, the University will deliver to the seller on a future date (anticipated to be First Quarter, 2022) an approximately 7,600 GSF retail condominium unit (the “Future Retail Unit”).

**Property:** 7401, 7403, 7405 and 7413 Baltimore Avenue  
College Park, MD Prince George’s County

**Owner/Grantor:** UMCPF IV-A, LLC, a Maryland limited liability company

**Appraisals:** \$3,190,000 Cushman & Wakefield  
\$3,097,000 Merit Real Estate Analysis, Inc.

**Price:** Delivery of the Future Retail Unit by the University to UMCPF IV-A, LLC or Terrapin Development Company, LLC, its parent company (collectively, “TDC”) (with adjustment for any fair market value difference as described below) or, alternatively, if closing conditions are not satisfied or the University defaults, then the University will pay TDC \$3,143,500 plus \$425 per day for each day from the date TDC conveys the Property to the date of eventual settlement.

**Fund Source (if required):** Current Unrestricted Funds, but capped at \$500,000

**Requesting Institution Remarks:**

1. The University System of Maryland Board of Regents approved the transaction on February 21, 2020.
2. This transaction is part of the larger “City Hall Block Project,” a collaborative undertaking between the University and the City of College Park (the “City”). The City and the University propose to raze an entire block in downtown College Park. That block is currently the site of City Hall and a small retail strip.
3. A portion of the retail strip is owned by TDC. The rest of the block is owned by the City. A joint development agreement between City and the University provides for the construction of an approximately 96,000 square foot building. In that building, the University will own an approximately 44,000 square foot office condominium, the City will own an approximately 30,000 square foot condominium to be used as its new City Hall. Finally (and most central to this transaction), the University will build an approximately 7,600 square foot Future Retail Unit. The parties also will jointly develop an outdoor public plaza.

**HAND CARRIED**

**4-RP. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Real Property: Acquisition and Future Exchange***

4. This public-public partnership between the University and the City is complex, as is the proposed real estate transaction between the University and TDC. The TDC transaction is structured as follows: First, TDC will promptly convey the Property to the University or its assigns (most likely the City). The Property, along with existing City-owned property, will become part of the “Ground Unit” of the condominium regime. The Ground Unit will be owned by the City. If the condominium regime is ever terminated, then, at that future date, the City must reimburse the University for the University’s investment in the Ground Unit (adjusted for inflation).
5. At the time TDC conveys the Property to public ownership, there will be no payment by the University to TDC. Instead, construction on the City Hall Block Project will begin. Later, within 90 days of the expected construction completion date of the Future Retail Unit, the parties will determine the fair market value of the Future Retail Unit using a “three appraiser” method. The Future Retail Unit will be delivered in warm-lit shell condition to TDC. If the future appraisals determine that the Future Retail Unit is worth more than the Property, then in that event, the University, as one of the members of TDC, will get credit for an equity investment in TDC equal to the difference in value. If the future appraisals determine that the Future Retail Unit is worth less than the Property, then the University will pay TDC that difference (with a payment cap of \$500,000). If the valuation of the Future Retail Unit is lower than the parties expect, then TDC can either request that the University seek additional payment authority from the Board of Regents or, alternatively, TDC can opt not to accept title to the Future Retail Unit. In that event or in the event of failure of any other closing condition (e.g., timely completion of the Future Retail Unit) or a University default, then the University would pay TDC \$3,143,500 plus \$425 per day for each day between the date TDC conveys title to the Property and the date of eventual payment to TDC.
6. Because it is likely that the condominium regime will be established before the Future Retail Unit valuation will be completed, the University intends to structure the condominium regime so that either the original owner of the Retail Unit is TDC or, alternatively, the University’s wholly-owned affiliated entity, University of Maryland Enterprise Corporation (“UMEC”). Avoiding University ownership of the Retail Unit simplifies and streamlines the disposition of the Retail Unit.

Board of Public Works  
University System of Maryland  
Supplement  
April 22, 2020



**HAND CARRIED**

**4-RP.      UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Real Property: Acquisition and Future Exchange***

***Requesting Institution Remarks (cont'd):***

7. The University seeks Board of Public Works approval for the acquisition of the Property in exchange for the University's later delivery of the Future Retail Unit, as described above.

*This item was deferred from the March 18, 2020 meeting (Item 3-RP).*

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: Thomas Hickey 410-576-5736  
thickey@usmd.edu  
USM Rep: Joe Evans

**5-LT.      UNIVERSITY OF MARYLAND, COLLEGE PARK**  
***Capital Lease***

***Recommendation:*** That the Board of Public Works approve a capital lease between the University of Maryland, College Park (“University”) and the Maryland Economic Development Corporation (“MEDCO”) to finance a portion of the construction of the University’s share of the “City Hall Block Project,” a joint venture between the University and the City of College Park (“City”) to build, in a single building, both new City municipal facilities, as well as University office space, street level retail and an outdoor public plaza in College Park, MD.

***Property Landlord:***      University of Maryland, College Park

***Leaseback Landlord:*** Maryland Economic Development Corporation (MEDCO)

***Leaseback Tenant:***      University of Maryland, College Park

***Property:***                      7401 Baltimore Avenue, College Park, 20740

***Annual Rent:*** \$1,683,000 (estimated)      ***Effective Rentable Sq. Ft. Rate:***      \$33.26

***Requesting Institution Remarks:***

The City and the University propose to raze an entire block in downtown College Park (the site of the existing City Hall and small retail strip) and to jointly develop an approximately 96,000 square foot office building with street level retail. In that building, the University would own an approximately 44,000 GSF condominium unit to be used as office space. The City would own an approximately 30,000 GSF condominium unit to be used as its new City Hall. Additionally, the University initially would construct an approximately 7,600 GSF street level retail condominium, although, if necessary, ownership may be assigned to University of Maryland Enterprise Corporation, a wholly-owned affiliate of the University. The parties also will jointly develop an outdoor public plaza. The condominium regime to be established will allocate future operating expenses between the unit owners. The total project cost for the University is approximately \$32.1 million, with the total MEDCO borrowing for the University’s office condominium not to exceed \$27.0 million plus approximately \$500,000 in costs of issuance.

MEDCO under a capital financing lease, structured as a lease/lease back of the University’s office condominium, will fund the University’s construction of the office condominium and its associated common areas construction cost with tax-exempt lease revenue bonds. Rent payable by the University under the lease back using non-State funds over a 20-year repayment period will fully amortize the bonds.

**HAND CARRIED**

**5-LT. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)**  
***Capital Lease***

***Requesting Institution Remarks (cont'd):***

The University seeks Board of Public Works approval of the financing of this capital lease transaction pursuant to Maryland Education Code §12-104 (2017), including (i) each of the lease from the University to MEDCO and the leaseback to the University from MEDCO, to secure the capital lease financing, and (ii) other documents reasonably related to the financing.

***Capital Lease:*** Valuation of the proposed lease disclosed a USM debt impact equivalent of approximately \$27.5 million that requires capital lease treatment for accounting purposes.

***Board of Regents Approval:*** December 20, 2019

*This Item was deferred from the March 18, 2020 meeting (Item 4-LT).*

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Larry J. Hogan**  
Governor

**Boyd K. Rutherford**  
Lt. Governor

**Gregory Slater**  
Secretary

**BOARD OF PUBLIC WORKS  
ACTION AGENDA  
April 22, 2020**

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Secretary Office	33
Task Order Agreement (TOA)	34

Contact: Linda D. Dangerfield 410-859-7097  
 ldangerfield@bwiairport.com

**1-C. MARYLAND AVIATION ADMINISTRATION**  
***Construction Contract***

**Contract ID:** Construction Manager at Risk for A/B Connector and Baggage Handling System Improvements at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport; *MAA-CO-18-003*

ADPICS No.: CO376785

**Contract Description:** The contract provides for a Construction Manager at Risk (CMAR) to manage the pre-construction and construction processes for the A/B Connector and Baggage Handling System Improvement program at BWI Thurgood Marshall Airport.

The Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA) anticipates the final value of this contract to be approximately \$436,000,000. An 18% total DBE participation goal has been established for the total value of the project to be met during the duration of this contract.

**Recommendation:** This Bid Package 1A is for the award of mobilization, which includes offsite administrative facilities, plumbing and electrical work for the administrative facilities, and submittal and coordination of mobilization for the duct bank and chilled water line utility relocations.

**Contractor:** Clark Construction Group, LLC  
 Bethesda, MD

**Prior Approval:** December 19, 2018; Item #3-C (pre-construction services)

**This Bid Package Amount:** \$3,999,941

**Pre-Construction Package:** \$1,994,227

**Total amount to date:** \$5,994,168

**Original Contract Term:** 01/03/2019 – 01/02/2024 (1460 calendar days)

**DBE Participation:** 18% Overall Goal

**DBE Compliance:** 9.68%

**Performance Security:** Payment and Performance Bond at 100% of the Contract Amount

**1-C. MARYLAND AVIATION ADMINISTRATION (cont'd)**
**Agency Remarks (cont'd):**

**Requesting Agency Remarks:** The CMAR contract was initially awarded for pre-construction cost. As design progresses and design information becomes more available, the contractor sequentially and competitively bids construction packages. MDOT MAA will return to the Board with a recommendation for approval of each bid package to include the actual construction costs, which will include the CMAR construction services fee. Package 1A is one of three anticipated bid packages to brought to the BPW for approval.

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

**Approp. Code:** J0610003

**Resident Business:** Yes

**MD Tax Clearance:** 20-0921-1100

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Contact: Linda D. Dangerfield 410-859-7097  
 ldangerfield@bwiairport.com

**2-C. MARYLAND AVIATION ADMINISTRATION**  
***Construction Contract***

**Contract ID:** Long Term A Culvert Replacement at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport; *MAA-CO-20-003*  
 ADPICS No.: MAACO20003

**Contract Description:** This contract provides for the replacement of two culverts consisting of twin elliptical corrugated metal pipes at the Maryland Department of Transportation Maryland Aviation Administration's (MDOT MAA) Long Term Lot A at BWI Thurgood Marshall. The existing corrugated metal pipes will be replaced with prefabricated concrete arch culverts.

**Award:** American Siteworks, LLC.  
 Linthicum, MD

**Contract Term:** 05/07/2020\* – 01/30/2021 (\*or earlier upon BPW Approval)  
 (270 calendar days)

**Amount:** \$1,406,578

**Procurement Method:** Competitive Sealed Bidding (Small Business Reserve)

<b>Bids:</b>	American Siteworks, LLC	\$1,406,578
	Linthicum, MD	
	Warwick Supply and Equipment	\$1,440,495
	Hunt Valley, MD	

**MBE Participation:** 25%

**Performance Security:** Payment & Performance Bonds at 100% of the Contract Amount

**Requesting Agency Remarks:** This solicitation was advertised on eMaryland Marketplace Advantage (eMMA) and MDOT MAA website. eMMA notified 103 certified small businesses (SBR) firms. MDOT MAA directly solicited two SBR companies. Seven bids were received.

Bids were opened October 30, 2019. A review of the bid packages submitted by the low bidder, bidder 5 and bidder 6 revealed that the bids did not conform in all material respects to the requirements of the solicitation. Those bids were therefore rejected as not responsive.

On November 5, 2019, Warwick Supply and Equipment (Warwick) submitted a protest which raised issues of responsiveness with regard to the low bidder and bidder 2. Since MDOT MAA rejected the apparent low bidder's bid, Warwick's protest regarding the low bidder was moot

**2-C. MARYLAND AVIATION ADMINISTRATION (cont'd)*****Agency Remarks (cont'd):***

and not addressed. Warwick's protest regarding bidder 2 was denied February 7, 2020. No appeal was filed.

On January 7, 2020 bidders were notified that their bids would expire January 30, 2020. Bidders were asked to hold their bid prices and to provide a rider from their surety company extending their bid bond for an additional 90 days. No response was received from bidders 4 and 7, which left 2 responsible bidders providing responsive bids.

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

***Approp. Code:*** J06I0003

***Resident Business:*** Yes

***MD Tax Clearance:*** 20-0847-011

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

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

### 3-S-MOD. MARYLAND PORT ADMINISTRATION

#### *Modification: Services Contract*

**Contract ID:** Security Guard Services; 218001-S  
 ADPICS No.: CO376648

**Contract Approved:** Item 5-S; 05/16/2018

**Contractor:** Universal Protection Service LLC  
 dba Allied Universal Security Services  
 Conshohocken, PA

**Contract Description:** This contract provides the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) with Security Guards at MDOT MPA facilities.

**Modification Description:** Modification No. 1 increases the not-to-exceed value of the contract during the current term [...] due to increased business at MDOT MPA terminals and to comply with a mandate of the United States Coast Guard to provide seafarers with transportation between ships and the terminal access gate.

**Original Contract Term:** 08/04/2018 – 08/03/2021

**Modification Term:** 06/01/2020 – 08/03/2021

**Original Contract Amount:** \$9,417,036

**Modification Amount:** \$ 691,489

**Prior Mods/Options:** \$ 0

**Revised Contract Amount:** \$10,108,525

**Percent +/- Change:** 7.4%

**Overall Percent +/-:** 7.4%

[...]

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** 0% (Single Element of Work)

**3-S-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

**Requesting Agency Remarks:** Security needs on MDOT MPA terminals have increased since the contract was first awarded, resulting in expenditures for security guards at a rate faster than reasonably anticipated at the time of the original award. The increased security needs have been driven largely by increased business on MDOT MPA's marine terminals. That increased business has required higher than anticipated guard staffing at the Dundalk Marine Terminal Truck Plaza, the Intermodal Container Transfer Facility adjacent to Seagirt Marine Terminal, and South Locust Point and Fairfield Marine Terminals, as well as new security posts at Vail Street (Seagirt Marine Terminal) and the Privately-Owned Vehicle lanes at the Dundalk Marine Terminal Truck Plaza. The increase in business has also led to MDOT MPA extending gate hours at some facilities including the Dundalk Marine Terminal Truck Plaza, Seagirt Marine Terminal, and the Intermodal Container Transfer Facility. Additional guard hours have also been required for special events such as Fleet Weeks and a visit by vessels of the Republic of Korea Navy and for occasional round-the-clock security for high-value cargo. MDOT MPA has estimated the cost of providing security guards for this additional business to be \$355,000 through the remaining term of the original contract, June 1, 2020 through August 3, 2021.

In addition, on April 1, 2019, the United States Coast Guard adopted a final rule, codified at 33 CFR § 105.237, requiring that owners and operators of marine terminals provide transportation for seafarers, 24 hours per day, seven days per week, between ships at berth and the terminal access gate, starting June 1, 2020. Seafarer transportation must meet all requirements of the Maritime Transportation Security Act of 2002 and MDOT MPA's approved Facility Security Plan. These requirements cannot be met by MDOT MPA with its own employees. Therefore, they must be supplied to MDOT MPA by its security guard contractor, Allied Universal Security Services. The contractor's price for supplying an additional guard around the clock, payable at the contract rate for a supervisor (due to the additional experience and discretion required to perform seafarer transportation) and a vehicle is \$336,489 for the period June 1, 2020 through August 3, 2021, the end of the current contract term.

[...]

Despite the current COVID-19 emergency, the State's marine terminals remain open and security posts must be manned as always. Therefore, the requested contract increase is needed despite the temporary COVID-19 disruption.

The Maryland Port Commission approved [...] this modification on April 7, 2020.

**3-S-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

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

***Approp. Code:*** J03D0001

***Resident Business:*** Yes

***Control No.:*** 20-0319-1110

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

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



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

**4-S-OPT.     MARYLAND PORT ADMINISTRATION**  
***Renewal Option: Services Contract***

**Contract ID:** Security Guard Services; 218001-S  
ADPICS No.: CO 376648

**Contract Approved:** Item 5-S; 05/16/2018

**Contractor:** Universal Protection Service LLC  
dba Allied Universal Security Services  
Conshohocken, PA

**Contract Description:** This contract provides the Maryland Department of Transportation Maryland Port Administration (MDOT MPA) with Security Guards at MDOT MPA facilities.

**Option Description:** Exercise the single three-year renewal option

**Original Contract Term:** 08/04/2018 – 08/03/2021

**Option Term:** 08/04/2021 – 08/03/2024

**Original Contract Amount:** \$ 9,417,036

**Option Amount:** \$11,267,781

**Prior Mods/Options:** \$ 691,489

**Revised Total Contract Amount:** \$21,376,306

**Percent +/- Change:** 120%

**Overall Percent +/-:** 127%

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** 0% (Single Element of Work)

**Requesting Agency Remarks:** The contract provides that MDOT MPA has one option to renew the contract for three years. The MDOT MPA Security Division has requested that the option be exercised. The contractor has performed the contract well, providing guard staff who are trained beyond the minimum required by the contract and who consistently perform MDOT MPA Security's Post Orders as required. The contractor has provided professional on-site managers whose communication with MDOT MPA Security is excellent. The contractor's personnel have significantly contributed to MDOT MPA maintaining its Excellent security rating by the U.S.



MARYLAND DEPARTMENT  
OF TRANSPORTATION  
*MDOT 9*

**Control No.:** 20-0319-1110

APPROVED      DISAPPROVED      DEFERRED      **WITHDRAWN**

WITH DISCUSSION      WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



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ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$9,417,036	08/04/2018 – 08/03/2021	05/16/2018 Item 5-S	
Modification 1	\$691,489	06/01/2020 – 08/03/2021	04/22/2020 Item 3-S-MOD	Increase NTE value to meet higher security needs
Renewal Option 1 (Modification 2)	\$11,267,781	08/04/2021 – 08/03/2024	04/22/2020 Item 4-S-OPT	This option
Revised Amount	\$21,376,306			

Contact: William L. Parham, Jr 410-767-8374  
 wparham@mdot.maryland.gov

**5-GM-MOD.                    MARYLAND TRANSIT ADMINISTRATION**  
***Contract Settlement/Modification: General Miscellaneous***

**Contract ID:** Light Rail Vehicle Fleet Mid-Life Overhaul; T-8000-0387  
 ADPICS No.: CO376791

**Contract Approved:** 08/21/2013; MDOT Item 21-GM

**Contractor:** Alstom Transportation, Inc.  
 New York, NY

**Contract Description:** This contract provides for the overhaul of 53 Light RailLink Vehicles (LRVs), which includes the first fleet of 35 LRVs and the second fleet of 18 LRVs.

**NATURE OF REQUEST:** Request to approve a Settlement Agreement between Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) and Alstom Transportation, Inc. (Alstom).

**Settlement Term and Amount:** \$0 (see Requesting Agency Remarks)

**Modification Description:** Modification No. 7 extends the period of performance to complete the overhaul of the LRVs, revises the delivery deadlines for spare parts & manuals, and extends the warranty periods.

**Original Contract Term:** 09/01/2013 - 08/31/2018

**Modification Term(s):** 04/28/2020 - 07/31/2022

**Original Contract Amount:** \$156,500,000

**Modification Amount:** \$ 0

**Prior Mods/Options:** See Attachment I

**Revised Total Contract Amount:** \$156,500,000

**Percent +/- Change:** 0% (Modification No. 1 – No. 6)  
 0% (Modification No. 7; *this agenda item*)

**Overall Percent +/-:** 0%

**Original Procurement Method:** Competitive Sealed Proposals

**5-GM-MOD.      MARYLAND TRANSIT ADMINISTRATION (cont'd)****DBE Participation:** 13.05%**DBE Compliance:** 13.44%

**Requesting Agency Remarks:** This contract provides MDOT MTA with an overhaul of its 53 LRVs, which includes the first fleet of 35 LRVs and the second fleet of 18 LRVs.

The contractor is performing all work including furnishing all materials, tools, equipment, supervision, necessary services, and incidentals to pick up, deliver, overhaul, and test the LRVs in accordance with contract requirements. This contract includes but is not limited to performing a complete overhaul of specified systems, subsystems, and components including engineering interfaces with new equipment and replacement of obsolete components. These tasks are required in order to address parts obsolescence, improve vehicle reliability, and enhance the ridership experience.

In order for MDOT MTA to ensure that the LRV overhaul is completed, **the contract term requires additional months.**

The original delivery schedule outlined in the contract required that all LRVs be overhauled and delivered no later than April 28, 2018. As of April 2020, only 21 LRVs have been completed and conditional acceptance provided. The contractor experienced many challenges at the start of the contract including limited engineering resources, high turnaround with key positions, protracted negotiations with suppliers, late delivery of components and materials, excessive turnaround times for design reviews and document approvals, and several changes on design activities creating a cumulative impact. Six prior no-cost modifications allowed time extensions while the contractor and MDOT MTA worked together to resolve issues throughout the entire program.

During this time, MDOT MTA and Alstom also negotiated contract changes for this extension, including:

- an increased warranty period of four years for new parts and three years for overhauled parts;
- additional detail and more frequent schedule submittals from Alstom, allowing MDOT MTA to have greater oversight;
- an increase in the amount of liquidated damages that can be charged for delays, from \$300 per day to \$600 per day;
- a credit of \$200,000 for spare parts, to be determined by MDOT MTA; and
- a new schedule to deliver one LRV every 35 days for conditional acceptance with the last one being delivered no later than July 31, 2022.

These contract changes will allow MDOT MTA to have greater oversight of the schedule and allow for higher penalties if there are delays.

**5-GM-MOD.      MARYLAND TRANSIT ADMINISTRATION (cont'd)*****Agency Remarks (cont'd):***

MDOT MTA has seen a significant improvement in the past two years in the performance by the contractor. The contractor has provided the necessary staff to complete the overhauls to meet the newly negotiated accelerated delivery schedule. MDOT MTA and the contractor have worked together to limit protracted reviews and document turnaround times resulting in design review completion and near completion of open items allowing the contractor to focus on manufacturing, quality, and vehicle deliveries. MDOT MTA's maintenance and operations teams have been fully trained and are maintaining and operating the new overhauled LRVs. As revenue miles on the overhauled fleet increase, MDOT MTA is seeing an increase in vehicle availability and reliability.

MDOT MTA and Alstom have agreed to resolve Alstom's requests for an equitable adjustment relating to the contractor's delay in the delivery of LRVs under the contract, secure extended warranties for MDOT MTA's LRVs, and other terms required by MDOT MTA to address these delays, and to resolve liquidated damages associated with such delays. MDOT MTA recommends the approval of the settlement agreement.

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

***Approp. Code:***                      J05H0105

***Resident Business:***                No

***MD Tax Clearance:***                20-0733-1101

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

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
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**REVISED**



ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
<b>Original Contract</b>	\$156,500,000	09/01/2013- 08/31/2018	08/21/2013 Item 21-GM	Original Contract
<b>Modification #1</b>	\$0	09/01/2018- 02/28/2019	09/01/2018, DCAR	Add time
<b>Modification #2</b>	\$0	03/01/2019- 08/27/2019	02/28/2019, DCAR	Add time
<b>Modification #3</b>	\$0	08/28/2019- 10/27/2019	08/28/2019, DCAR	Add time
<b>Modification #4</b>	\$0	10/28/2019- 12/27/2019	10/28/2019, DCAR	Add time
<b>Modification #5</b>	\$0	12/28/2019- 02/27/2020	12/28/2019, DCAR	Add time
<b>Modification #6</b>	\$0	02/28/2020- 04/27/2020	02/28/2020, DCAR	Add time
<b>Modification #7</b>	\$0	04/28/2020- 07/31/2022	04/22/2020 Item 5-GM-MOD	Add time
<b>Revised Total</b>	\$156,500,000			

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: William L. Parham 410-767-8374  
wparham@mdot.maryland.gov

**6-M-MOD. MARYLAND TRANSIT ADMINISTRATION**  
***Modification: Maintenance Contract***

**Contract ID:** Light Rail Vehicle Car Cleaning; LR-16-005-MT  
ADPICS No.: CO376789

**Contract Approved:** 07/27/2016; MDOT Item 10-M

**Contractor:** Alliance, Inc.  
Baltimore, MD

**Contract Description:** This contract is for cleaning the Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA) Light RailLink vehicles. The contractor shall provide all labor, tools, equipment, chemicals, supplies & materials, and staff supervision required to clean a minimum of 36 Light Rail Vehicle cars per day, seven days a week, including holidays.

**Modification Description:** Modification No. 3 increases the contract authority and extends the contract for six months to continue these essential services, while a new procurement is completed.

**Original Contract Term:** 09/01/2016 - 08/31/2019

**Modification Term(s):** 05/01/2020 – 10/31/2020

**Original Contract Amount:** \$5,799,115

**Modification Amount:** \$ 969,363

**Prior Mods/Options:** \$ 969,363 (Mod. No. 1; BPW 07/24/2019, 16-M-MOD)  
\$ 323,580 (Mod. No. 2; BPW 2/19/2020, 6-M-MOD)

**Revised Contract Total:** \$8,061,421

**Percent +/- Change:** 17% (Modification No. 1)  
6% (Modification No. 2)  
17% (Modification No. 3; *this agenda item*)

**Overall Percent +/-:** 40%

**Original Procurement Method:** Preferred Provider

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**6-M-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)**

**MBE Participation:** 0%

**MBE Compliance:** 0%

**Requesting Agency Remarks:** This contract currently provides for the cleaning of a minimum of 36 Light Rail Vehicle cars daily, 365 days per year. The contract provides for the following janitorial services:

- pick up and removal of trash in the passenger areas;
- wiping front and back of all seats;
- wiping handrails and stanchions;
- wet mopping floors to remove soil and stains;
- removal of graffiti inside and outside of the vehicle;
- sweeping and cleaning the operator's cab at both ends of the vehicle; and
- cleaning interior and exterior of operator's cab windows and exterior mirrors.

In addition, services include trash removal, replacement of trash can liners, and sweeping of parking lot areas at the BWI Airport and Glen Burnie (formerly Cromwell) LightRail Link stations.

In order for MDOT MTA to ensure that these essential services continue while a new procurement is completed, six additional months and contract authority are required. The procurement to replace this contract started last year and there have been significant delays with receiving pricing from Maryland Works and related revisions to the scope of work.

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

**Approp. Code:** J05H0104

**Resident Business:** Yes

**MD Tax Clearance:** 20-0888-0110

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**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

DEPARTMENT OF TRANSPORTATION  
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	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$5,799,115	09/01/2016- 08/31/2019	07/27/2016 Item 10-M	Original Contract
Modification #1	\$969,363	09/01/2019- 02/29/2020	07/24/2019 Item 16-M-MOD	Increase contract authority & add time
Modification #2	\$323,580	03/01/2020- 04/30/2020	02/19/2020 Item 6-M-MOD	Increase contract authority & add time
Modification #3	\$969,363	05/01/2020- 10/31/2020	04/22/2020 Item 6-M-MOD	Increase contract authority & add time
Revised Total	\$8,061,421			

Contact: William L. Parham, Jr. 410-767-8374  
 wparham@mdot.maryland.gov

## 7-M-MOD. MARYLAND TRANSIT ADMINISTRATION

### *Modification: Maintenance Contract*

**Contract ID:** Light Rail Facilities Electrical Maintenance; LR-17-068-MT  
 ADPICS No.: CO376794

**Contract Approved:** 10/04/2017; MDOT Item 5-M

**Contractor:** Mona Electric Group, Inc.  
 Clinton, MD

**Contract Description:** This contract provides for the electrical maintenance services for Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA Light RailLink facilities located throughout Baltimore City, Baltimore County, and Anne Arundel County.

**Modification Description:** Modification No. 1 increases the contract authority to continue these essential services, while a new procurement is completed.

**Original Contract Term:** 10/10/2017 – 10/19/2020

**Modification Term(s):** 04/23/2020 – 10/19/2020

**Original Contract Amount:** \$469,320

**Modification Amount:** \$112,637

**Prior Mods/Options:** None

**Revised Contract Total:** \$581,957

**Percent +/- Change:** 24%

**Overall Percent +/-:** 24%

**Original Procurement Method:** Competitive Sealed Bidding

**MBE Participation:** 30%

**MBE Compliance:** 7%

**7-M-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)**

**VSBE Participation:** 1%

**VSBE Compliance:** 0%

**Requesting Agency Remarks:** This contract currently provides for electrical maintenance services for all MDOT MTA Light RailLink stations, maintenance facilities, storage areas, park & ride lots, and/or restrooms located along the Light RailLink line. The contractor supplies all necessary labor, tools, material, equipment, and transportation required to perform the scope of services. The electrical services include the maintenance of motor control systems in control buildings, including heating, air conditioning, compressed air, plumbing, sewage, and water systems; the re-lamping and replacement of ballasts, high-bay and pit-lights in all stations and buildings; the repair/replacement of grounded or faulty circuits.

In order for MDOT MTA to ensure that these essential services continue while a new procurement is completed, additional contract authority is required because unexpected costs were not taken into account when the contract was originally budgeted.

Mona Electric Group, Inc. has provided MDOT MTA with a corrective action plan that explains how the contractor will become compliant with the established MBE and VSBE participation goals before the contract term expires.

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

**Approp. Code:** J05H0104

**Resident Business:** Yes

**MD Tax Clearance:** 20-0910-1111

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**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
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Contact: William L. Parham, Jr. 410-767-8374  
wparham@mdot.maryland.gov

**8-M-MOD. MARYLAND TRANSIT ADMINISTRATION**

***Modification: Maintenance Contract***

**Contract ID:** Light Rail Facilities – HVAC Maintenance Services; LR-17-070-MT  
ADPICS No.: CO376792

**Contract Approved:** 07/26/2017; MDOT Item 9-M

**Contractor:** Denver-Elek, Inc.  
Baltimore, MD

**Contract Description:** This contract provides for HVAC maintenance services for the Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA) Light RailLink facilities located throughout Baltimore City, Baltimore County, and Anne Arundel County, Maryland.

**Modification Description:** Modification No. 1 increases the contract authority and extends the contract for six months to continue these essential services, while a new procurement is completed.

**Original Contract Term:** 08/01/2017 – 07/31/2020

**Modification Term(s):** 04/23/2020 – 01/31/2021

**Original Contract Amount:** \$250,000

**Modification Amount:** \$ 55,680

**Prior Mods/Options:** None

**Revised Total Contract Amount:** \$305,680

**Percent +/- Change:** 22%

**Overall Percent +/-:** 22%

**Original Procurement Method:** Competitive Sealed Bidding

**MBE Participation:** 30%

**MBE Compliance:** 31%

DEPARTMENT OF TRANSPORTATION  
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**8-M-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)**

***VSBE Participation:*** 1%

***VSBE Compliance:*** 0%

***Requesting Agency Remarks:*** This contract provides for HVAC maintenance services at select MDOT MTA Light RailLink stations and maintenance facilities located along the Light RailLink line. HVAC services will include the inspection, cleaning, repair or replacement of heating, ventilation, air conditioning equipment, gas fired electric hot water heaters, and associated controls.

In order for MDOT MTA to ensure that these essential services continue while a new procurement is completed, six additional months and contract authority are required. Due to a delay in starting the new procurement because of scope of work revisions, a time extension is necessary.

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

***Approp. Code:*** J05H0104

***Resident Business:*** Yes

***MD Tax Clearance:*** 20-0908-1111

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**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

**APPROVED** DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: William L. Parham 410-767-8374  
wparham@mdot.maryland.gov

**9-M-MOD. MARYLAND TRANSIT ADMINISTRATION**

***Modification: Maintenance Contract***

**Contract ID:** Light Rail Division Landscaping Maintenance Services; T-8000-0443  
ADPICS No.: CO376790

**Contract Approved:** 08/13/2014; MDOT Item 11-M

**Contractor:** The ARC Baltimore, Inc.  
Baltimore, MD

**Contract Description:** This contract provides for ground maintenance, the planting or replacing of trees & shrubs, and trash removal services at the Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA) Light RailLink Division. The contractor shall provide all labor, tools, materials, equipment, and supervision as needed to perform these services.

**Modification Description:** Modification No. 3 increases the contract authority and extends the contract for two months to continue these essential services, while a new procurement is completed.

**Original Contract Term:** 09/01/2014 - 08/31/2019

**Modification Term(s):** 05/01/2020 – 06/30/2020

**Original Contract Amount:** \$2,726,798

**Modification Amount:** \$ 90,893

**Prior Mods/Options:** \$ 272,680 (Mod. No. 1; BPW 07/24/2019, 17-M-MOD)  
\$ 90,893 (Mod. No. 2; BPW 02/19/2020, 7-M-MOD)

**Revised Contract Total:** \$3,181,264

**Percent +/- Change:** 10% (Modification No. 1)  
3% (Modification No. 2)  
3% (Modification No. 3; *this agenda item*)

**Overall Percent +/-:** 16%

**Original Procurement Method:** Preferred Provider

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**9-M-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)**

**MBE Participation:** 0%

**MBE Compliance:** 0%

**Requesting Agency Remarks:** This contract currently provides for three crews to provide landscaping maintenance services between the months of March and November for MDOT MTA's Light RailLink Division.

The contractor will provide the following services:

- grass mowing;
- edging of all sidewalks around buildings, curbs, and other paved areas;
- trimming, pruning, and shearing of trees and shrubs;
- mulching;
- leaf removal;
- trash/litter removal;
- weed control; and
- insect and plant disease control.

This contractor will perform these services at 44 locations including MDOT MTA's Light RailLink stations, surrounding areas, and rights-of-way.

In order for MDOT MTA to ensure that these essential services continue while a new procurement is completed, two additional months and contract authority are required. The procurement to replace this contract started last year and there have been significant delays with receiving pricing from Maryland Works and related revisions to the scope of work.

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

**Approp. Code:** J05H0104

**Resident Business:** Yes

**MD Tax Clearance:** 20-0909-1110

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**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,726,798	09/01/2014- 08/31/2019	08/13/2014 Item 11-M	Original Contract
Modification #1	\$272,680	09/01/2019- 02/29/2020	07/24/2019 Item 17-M-MOD	Increase contract authority & add time
Modification #2	\$90,893	03/01/2020- 04/30/2020	02/19/2020 Item 7-M-MOD	Increase contract authority & add time
Modification #3	\$90,893	05/01/2020- 06/30/2020	04/22/2020 Item 9-M-MOD	Increase contract authority & add time
Revised Total	\$3,181,264			

Contact: Jessica Mettle, 410-768-7252  
 jmettle@mdot.maryland.gov

**10-M. MOTOR VEHICLE ADMINISTRATION**  
***Maintenance Contract***

**Contract ID:** On-Call Maintenance for OPEX Mail Sorter and Remittance Processing Scanner Equipment; *V-HQ-19117-M*  
 ADPICS No.: VHQ19117M

**Contract Description:** This contract will provide maintenance service to be performed on the daily use of two (2) OPEX AS7200 Remittance Scanners and one (1) OPEX Mail Matrix T012.

**Award:** OPEX Corporation  
 Moorestown, NJ

**Contract Term:** 05/01/2020 – 04/30/2025

**Amount:** \$319,387

**Procurement Method:** Sole Source

**MBE Participation:** 0% (proprietary)

**Incumbent:** OPEX Corporation  
 Moorestown, NJ

**Performance Security:** N/A

**Requesting Agency Remarks:** The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) purchased one (1) OPEX Mail Matrix T012 as a sole source procurement against the Department of General Services (DGS) Purchase Order (PO) 001P9902096. The mail matrix distributes various mailed-in applications, checks, registration renewals, drivers' licenses, invoices, administrative flag invoices, etc. into a convenient array of delivery bins in a single pass. The mail matrix is a uniquely designed mail sorter that uses robotics to scan and sort approximately 1,038,842 pieces of incoming mail for FY 19.

The MDOT MVA later purchased two (2) OPEX AS7200 Remittance Scanners. The Remittance Scanners are used to open and scan all "Mail-in" checks and applications for drivers' license renewals, vehicle registration renewals and administrative flag fees. It is essential that this equipment functions without interruption as the MDOT MVA processed and deposit approximately \$45,513 for 1,566 mail in drivers' license renewals, \$546,090 for 13,593 administrative flag fees, and \$68,732,569.29 for 329,699 vehicle registration renewals in FY 19.

**10-M. MOTOR VEHICLE ADMINISTRATION (cont'd)*****Agency Remarks (cont'd):***

With the use of these machines, the productivity is increased. The All-In-One capture system drastically reduces document prep and post-processing. Normal everyday use and heavy demand of these machines requires preventive maintenance to ensure continuous operation.

OPEX is the sole authorized source for parts and service on its equipment. OPEX authorizes resellers and other third-parties to sell equipment and maintenance agreement on their behalf, however, no third party has been authorized to act on behalf of OPEX regarding the maintenance of OPEX equipment. All warranty items, as well as all aspects of equipment support, are handled directly through the OPEX World Headquarters in Moorestown, New Jersey.

The equipment utilizes proprietary service diagnostic software covered by various patents and copyrights. OPEX has not released or licensed this software to third parties. To effectively support OPEX equipment, these third parties would have to develop their own diagnostic software.

A maintenance agreement is necessary in order to maintain these units and to continue the productivity of opening, sorting, and scanning incoming mail and MDOT MVA's documents. Proper preventive maintenance of these machines is essential to the MDOT MVA's commitment to provide efficient services to the citizens of Maryland. Since OPEX is the original manufacture and the only authorized vendor to service this equipment, all requirements are met for a sole source procurement.

A summary of the previous 5-year contract cost and the new 5-year contract cost shows an increase of 3.1%, or an increase of less than 1% per year. This minor cost increase is considered to be fair and reasonable.

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

***Approp. Code:*** J04E0001

***Resident Business:*** Yes

***MD Tax Clearance:*** 20-0634-1100

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

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: Jada Wright 410-545-0330  
jwright18@mdot.maryland.gov

**11-AE. STATE HIGHWAY ADMINISTRATION**  
***Architecture/Engineering Contract***

**Contract ID:** Construction Management and Inspection Services, District 1, 2, and Statewide;  
BCS 2018-09 A  
ADPICS No. SBCS1809A

**Contract Description:** This contract is one of six open-ended, work-order based contracts to provide Construction Management and Inspection services for the Maryland Department of Transportation State Highway Administration (MDOT SHA).

**Awards:** Greenman-Pedersen, Inc./Whitey Bailey Cox & Magnani LLC JV  
Columbia, MD

**Contract Term:** 05/07/2020 – 05/06/2025

**Amount:** \$10,000,000 NTE

**Procurement Method:** Qualification Based Selection

***Proposals:***

	<b><i>Technical Proposal Rating (Max 100)</i></b>	<b><i>Technical Ranking</i></b>	<b><i>Award</i></b>
Greenman-Pedersen, Inc./Whitney Bailey Cox and Magnani, LLC Columbia, MD	86.71	1	\$10,000,000 NTE (Contract A)
McCormick Taylor, Inc./Pennoni Associates, Inc. Baltimore, MD	83.26	2	(Contract B)
PRIME AE Group, Inc./Century Engineering, Inc. Baltimore, MD	81.72	3	(Contract C)
Morton Thomas and Associates, Inc./Brudis and Associates, Inc. Towson, MD	81.47	4	(Contract D)
STV Incorporated Baltimore, MD	75.75	5	(Contract E)
Gannett Fleming, Inc./Development Facilitators, Inc. Baltimore, MD	75.70	6	(Contract F)
Wallace Montgomery and Associates, LLP/KCI Technologies, Inc Hunt Valley, MD	75.46	7	

DEPARTMENT OF TRANSPORTATION  
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**11-AE.      STATE HIGHWAY ADMINISTRATION (cont'd)**

***Proposals (cont'd.):***

	<b><i>Technical Proposal Rating (Max 100)</i></b>	<b><i>Technical Ranking</i></b>	<b><i>Award</i></b>
Volkert, Inc. Columbia, MD	74.50	8	
EBA Engineering, Inc./WSP USA Inc. Laurel, MD	73.71	9	
Stantec Consulting Services, Inc./AECOM Technical Services, Inc. Laurel, MD	73.64	10	
Urban Engineers, Inc./ATCS, P.L.C. Baltimore, MD	72.18	11	
Johnson, Mirmiran and Thompson, Inc. Hunt Valley, MD	71.60	12	
Whitman, Requardt and Associates, LLP Baltimore, MD	71.58	13	

***DBE Participation:***                      25%

***Incumbents:*** Greenman-Pedersen, Inc./Whitney, Bailey, Cox & Magnani, LLC.

***Requesting Agency Remarks:*** On March 13, 2019, the solicitation was advertised in The Daily Record, MDOT SHA's web page, and eMaryland Marketplace. A total of 933 firms were notified via eMaryland Marketplace. A total of 965 firms were directly solicited on March 28, 2019.

The consultant shall perform Construction Management and Inspection services for projects located in Districts 1 and 2 (Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties). These services shall include professional construction management and inspection of highways, bridges/structures, facilities, environment, utilities, system preservation projects, and maintenance projects including, but not limited to: constructability reviews, detailed inspection of all construction work, inspecting environmental measures and maintenance of traffic, scheduling and conducting progress meetings and other meetings, conducting materials testing, monitoring the project schedule and cash flow, and reviewing and processing progress payments, etc. This is not an all-inclusive list as this contract may include all professional services and activities related to construction management and inspection.

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

***Approp. Code:***                          J02B0101

DEPARTMENT OF TRANSPORTATION  
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11-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

*Resident Business:* Yes

*MD Tax Clearance:* 20-0509-1111

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BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: Jada Wright 410-545-5754  
Jwright18@mdot.maryland.gov

**12-M**      **STATE HIGHWAY ADMINISTRATION**  
***Maintenance Contract***

**Contract ID:** Brush and Tree Cutting and Stump Removal at Various Locations in Calvert County; 4290451422  
ADPICS No.: 4290451422

**Contract Description:** This open-ended, on-call contract provides all brush and tree cutting and stump removal at various locations in Calvert County.

**Awards:** A. Marquez Trucking, Inc. (Certified MBE)  
Silver Spring, MD

**Contract Term:** 5/7/2020 – 12/31/2022 (968 Calendar Days)

**Amount:** \$261,550 NTE

**Procurement Method:** Competitive Sealed Bidding

**Bids:** A. Marquez Trucking, Inc. \$261,550  
Silver Spring, MD

Pittman's Tree & Landscaping, Inc. \$537,463  
Front Royal, VA

**Living Wage Eligible:** Yes

**MBE Participation:** 100%

**Performance Security:** Annual Renewable Payment and Performance Bonds for 100% of the award amount exists for this contract.

**Incumbent:** Pittman's Tree & Landscaping, Inc.  
Front Royal, VA

**Requesting Agency Remarks:** This contract was advertised on eMaryland Marketplace Advantage on November 12, 2019 notifying 15 potential contractors, 4 of which were MDOT-certified Minority Business Enterprises (MBE's). Bids were opened on December 12, 2019.

The Maryland Department of Transportation State Highway Administration has confirmed A. Marquez Trucking, Inc.'s bid price and work conducted on this contract is performed 100% by a Certified MBE & State-certified Small Business.

DEPARTMENT OF TRANSPORTATION  
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12-M      **STATE HIGHWAY ADMINISTRATION** (*cont'd*)

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

***Approp. Code:***                      J02B0102

***Resident Business:***                Yes

***MD Tax Clearance:***                20-0770-0111

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**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: Olu Okunola 410-545-8754  
OOkunola@sha.state.md.us

**13-RP. STATE HIGHWAY ADMINISTRATION**  
***Real Property – Disposition***

**Recommendation:** That the Board of Public Works approve the Maryland Department of Transportation State Highway Administration (MDOT SHA) disposing a prescriptive easement as it is excess to the agency's needs.

**Authority:** Transportation Article, § 8-309 (f) (1) (ii)  
Annotated Code of Maryland

**Property:** MC# 19-2665  
MD Route 7 Right of Way, (± 5.148 acres), located along MD 7 at  
W. Old Philadelphia Rd, Port Deposit, Cecil County

**Grantor:** State of Maryland, MDOT SHA

**Grantee:** York Building Products Co., Inc.

**Consideration:** \$0

**Appraised Value:** \$252,300 – Melody C. Campbell (Selected)  
\$231,700 – Joseph DiPietro (Approved)  
Neil Mengel, Review Appraiser

**Special Conditions:** N/A

**Legislative Notice:** N/A

**State Clearinghouse:** N/A

**Requesting Agency Remarks:** MDOT SHA acquired a prescriptive roadway easement, being a part of the 60 foot wide Turnpike Road as described in the Maryland General Assembly Acts of 1815, Chapter 22 passed on December 22<sup>nd</sup>, 1815. The roadway easement is no longer needed. MDOT SHA proposes to extinguish this prescriptive easement to the adjoining owner, in exchange for a donation of 10.034 acres ± in fee simple and a perpetual easement of 0.741 acres ± for the relocation of MD 7 Relocation Project. The donation is valued at \$566,500.

**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: Glen Carter 410-865-1270  
gcarter@mdot.maryland.gov

**14-RP. THE SECRETARY OFFICE**  
***Real Property – Interagency Transfer***

**Recommendation:** That the Board of Public Works approve the Maryland Department of Transportation State Highway Administration (MDOT SHA) transferring real property to MDOT Maryland Aviation Administration (MDOT MAA).

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

**Property:** MC# 19-1088  
GBHR Corporation (3.691 acres ±), located at 6591 Loudon Avenue in Howard County.

**Grantor:** State of Maryland, MDOT SHA

**Grantee:** State of Maryland, MDOT MAA

**Consideration:** \$580,000

**Appraised Value:** \$580,000 – Melville Peters, (Selected)  
\$422,550 – Joan Derby, (Approved)  
William Caffrey, Review Appraiser

**Special Conditions:** N/A

**Legislative Notice:** Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on December 18, 2019. The 45-day review period expired on February 3, 2020.

**State Clearinghouse:** Notice was sent on February 6, 2020. Recommendation is not applicable.

**Requesting Agency Remarks:** In 1992, MDOT SHA acquired the above property for the MD Route 100 project. The property is no longer needed by MDOT SHA. MDOT SHA proposes to transfer the property to MDOT MAA through a negotiated sale of \$580,000 which is 100 percent of the appraised value. MDOT MAA intends to utilize the property for environmental mitigation.

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
April 22, 2020



Contact: William Parham 410-767-8374  
wparham@mdot.maryland.gov

**15-GM.      MARYLAND DEPARTMENT OF TRANSPORTATION**

**Recommendation:** That the Board of Public Works approve the award of the following Task Order.

**Procurement Method:** Task Order under Master Contract

**Authority:** State Finance and Procurement Article, Annotated Code of MD, § 13-113; COMAR 21.05.13.06

**1.0 Master Contract:** *Ancillary – Repair & Maintenance of Communication & Security Systems, Rail Signals, Rolling Stock & associated Equipment;*  
MDOT MTA Contract No. OPS-17-089-AN  
*Approved:* MDOT Item 11-GM (01/24/2018)  
*Term:* 02/08/2018 – 02/07/2023  
*Fund Source:* 80% Federal; 20% Special Funds (Transportation Trust Fund)

**1.1 Using Agency:** MDOT MTA  
**Description:** Beyond the Bus Stop - Real Time Information Signs (RTIS) and Blue Light Phone Installation – The contractor will install RTIS and Blue Light Phone systems at two MDOT MTA Metro SubwayLink stations and one MDOT MTA Light RailLink station, that will provide real time information to passengers and phones that immediately link passengers to first responders (**OFS No. 7**).

**Number of Qualified Master Contractors:** 3  
**Number of Bids:** 3  
**Award:** Mona Electric Group, Inc.; Clinton, MD  
**Amount:** \$290,926  
**Term:** 150 days from an NTP (*anticipated NTP of 04/23/2020*)  
**DBE/VSBE Participation:** 0% / 0%  
**Resident Business:** Yes

DEPARTMENT OF TRANSPORTATION  
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15-GM. MARYLAND DEPARTMENT OF TRANSPORTATION (cont'd.)

<b>2.0 Master Contract:</b>	<b>MARC Ancillary - Rolling Stock &amp; Associated Maintenance, Facility Equipment Repairs &amp; Minor Construction;</b>
<i>Approved:</i>	MDOT MTA Contract No. MRC-15-072-AN
<i>Term:</i>	MDOT Item 19-GM (09/21/2016)
<i>Fund Source:</i>	10/06/2016 – 10/05/2021
	80% Federal; 20% Special Funds (Transportation Trust Fund)
<b>2.1 Using Agency:</b>	MDOT MTA
<b>Description:</b>	MARC Wedge Yard Wi-Fi Equipment Installation – The contractor will assemble and install four access points at the MARC Train Wedge Yard in Washington D.C., which will provide the yard with Wi-Fi access ( <b>OFS No. 12</b> ).
<b>Number of Qualified Master Contractors:</b>	3
<b>Number of Bids:</b>	3
<b>Award:</b>	Southern Improvement Company, Inc.; Hunt Valley, MD
<b>Amount:</b>	\$225,052
<b>Term:</b>	05/06/2020* - 12/31/2020(*or earlier upon BPW approval)
<b>DBE/VSBE Participation:</b>	0% / 0%
<b>Resident Business:</b>	Yes

BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES**  
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<i>1- 2</i>	<i>Construction</i>	<i>1 - 2</i>
<i>3 - 6</i>	<i>Services</i>	<i>3 - 11</i>
<i>7 - 11</i>	<i>Information Technology</i>	<i>12 - 23</i>
<i>12</i>	<i>Equipment</i>	<i>24 - 25</i>
<i>13</i>	<i>General Miscellaneous</i>	<i>26 - 27</i>
<i>14</i>	<i>Landlord Lease</i>	<i>28 – 30</i>
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**DEPARTMENT OF GENERAL SERVICES**  
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**REVISED**


*Contact: Lauren Buckler 410-767-3174*  
*Lauren.Buckler@Maryland.gov*

**1-C. CONSTRUCTION CONTRACT**  
***Department of General Services***

**Contract ID:** Master Contract to Provide Electrical Work and Related Services, Statewide for the Department of General Services; *DGS-19-304-IQC*

ADPICS No.: 001B0600388, 001B0600393, 001B0600394, and 001B0600395

**Contract Description:** Provide electrical work and related services for the Department of General Services in four regions: Central, Eastern, Southern, and Western.

***Awards:***

<i>Bidders</i>	<i>Region</i>			
	<i>Central</i>	<i>Eastern</i>	<i>Southern</i>	<i>Western</i>
Dvorak, LLC; Baltimore, MD	X	X	X	X
The Eastern Sales & Engineering Company; Baltimore, MD	X	X	X	X
Mona Electric Group, Inc.; Clinton, MD	X			
Urban Francis, LLC; Baltimore, MD	X	X	X	

**Contract Term:** 05/07/2020\* - 05/06/2025 (or earlier upon BPW approval)

**Amount:** \$100,000,000 (\$20,000,000 per year)

**Procurement Method:** Competitive Sealed Proposals

**MBE/VSBE Participation:** Determined by Task Order

**Performance Security:** Required and Specified for Individual Task Orders

**Incumbents:** N/A

**Requesting Agency Remarks:** A notice of availability of the Request for Proposals (RFP) was posted on the DGS website and *eMaryland Marketplace Advantage* on January 15, 2020; electronically notifying 430 potential offerors. Six technical proposals were received. Two proposals were determined to be not reasonably susceptible of being selected for award for failing to provide required documentation as outlined in the RFP. Four proposals were determined to be reasonably susceptible of being selected for award and the offerors responsible.

**Fund Source:** Determined by Task Order

**Approp. Code:** Determined by Task Order

**Resident Business:** Yes

<b>MD Tax Clearance:</b>	Dvorak, LLC	20-0414-1111
	The Eastern Sales & Engineering Company	20-0417-1111
	Mona Electric Group, Inc.	20-0420-1111
	Urban Francis, LLC	20-0415-1110

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



DEPARTMENT OF GENERAL SERVICES  
OFFICE OF STATE PROCUREMENT  
ACTION AGENDA  
April 22, 2020



Contact: Lauren Buckler 410-767-3174  
Lauren.Buckler@maryland.gov

**2-C. CONSTRUCTION CONTRACT**

**Recommendation:** That the Board of Public Works approve the following Task Order under previously-approved Master Contract.

**Authority:** State Finance and Procurement Article,  
Annotated Code of Maryland, § 13-113; COMAR 21.05.13.06

**Procurement Method:** Task Order under Master Contract

<b>1.0 Master Contract:</b>	Roofing & Related Services Contract No. DGS-19-307-IQC
<b>Approved:</b>	DGS 11-C, 01/08/2020
<b>Term:</b>	01/09/2020 - 01/08/2024
<b>1.1 Using Agency:</b>	Department of Public Safety and Correctional Services
<b>Description:</b>	Replace main roof, rear section at Maryland Correctional Institution in Hagerstown; KB-574-170-001
<b>Award:</b>	D Project, Inc.; Glen Burnie, MD
<b>Number of Qualified Master Contractors:</b>	12
<b>Number of Bids:</b>	5
<b>Amount:</b>	\$290,000
<b>Term:</b>	120 calendar days
<b>MBE/VSBE Participation:</b>	5% / N/A
<b>Resident Business:</b>	Yes
<b>Funding Source:</b>	MCCBL 2018 Provide funds for the repair and rehabilitation of State-owned capital facilities. Item 106

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES  
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Contact: Nita Settina 410-260-8157  
Nita.settina@maryland.gov

**3-S. SERVICES CONTRACT**  
***Department of Natural Resources***

**Contract ID:** Gunpowder Falls Boat Rental Concession  
ADPICS No.: K00B0600099

**Contract Description:** Revenue generating contract providing boat rental concessions at Gunpowder Falls State Park in Middle River.

**Award(s):** Eastern Marine Services, Inc.; Baltimore, MD

**Contract Term:** 05/25/2020 - 09/30/2024 (*equal to five seasons*)

**Amount:** 41% revenue (est. \$191,434) to the Department of Natural Resources, *estimated gross sales over five-year period \$466,913*

**Procurement Method:** Competitive Sealed Bidding

***Bids:***

<b><i>Bidders</i></b>	<b><i>Revenue Percentage to DNR</i></b>
Eastern Marine Services, Inc.; Middle River, MD	41%
Ultimate Water Sports; Middle River, MD	15%

**MBE/VSBE Participation:** N/A

**Performance Security:** None

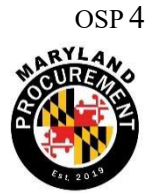
**Incumbents:** Same

**Requesting Agency Remarks:** The Invitation for Bid (IFB) package was advertised on eMaryland Marketplace Advantage (eMMA) on 12/08/2019, electronically notifying 15 potential vendors. Three vendors were also directly solicited. Two bids were received.

The term of this revenue generating contract is five annual seasons, running May 25<sup>th</sup> through September 30<sup>th</sup> of each year (2020 – 2024). This concession service will provide recreational opportunities to our customers for boat and kayak rentals, boat tours, etc. giving them the opportunity to enjoy one of Maryland's many parks. Annually, more than 1.6 million customers who visit Gunpowder Falls State Park, located in Central Maryland's Baltimore and Harford Counties, encompassing over 14,949 acres.



DEPARTMENT OF GENERAL SERVICES  
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3-S. SERVICES CONTRACT (cont'd)

*Fund Source:* 100% Revenue Generating

*Approp. Code:* K00.A04.01

*Resident Business:* Yes

*MD Tax Clearance:* 20-0386-1111

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES  
OFFICE OF STATE PROCUREMENT  
ACTION AGENDA  
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Contact: Linda Dangerfield 410-859-7097  
ldangerfield@bwiairport.com

**4-S. SERVICES CONTRACT**

***Maryland Department of Transportation Maryland Aviation Administration***

**Contract ID:** Homelessness and Crisis Response Services at Baltimore/Washington International Thurgood Marshall Airport; *MAA-SV-19-009*  
ADPICS No.: J00B0600011

**Contract Description:** Provide services and housing navigation to those experiencing homelessness and living at the Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport.

**Award:** Prologue Inc.; Pikesville, MD

**Contract Term:** 05/07/2020 – 05/06/2023 (w/one 2-year renewal option)  
(\*or earlier upon BPW approval)

**Amount:** \$ 892,954 NTE (Base, 3-years)  
\$ 628,936 NTE (Renewal Option, 2-years)  
\$1,521,890 NTE Total

**Procurement Method:** Competitive Sealed Proposals (*Single Proposal Received*)

**MBE/VSBE Participation:** N/A

**Performance Security:** N/A

**Hiring Agreement Eligible:** Yes

**Incumbent:** None

**Requesting Agency Remarks:** In recent years, the Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA) has seen an increase in the homeless population at BWI Thurgood Marshall Airport on a nightly basis. There have been considerable increases in the number of calls for service to the police, paramedics, operations, and maintenance personnel by the BWI Thurgood Marshall Airport Community (the Community) as a result of the homeless population at BWI Thurgood Marshall Airport. The Community includes the tenant airlines and airline passengers serviced by flights at BWI Thurgood Marshall Airport, concession and contractor employees that provide services at BWI Thurgood Marshall Airport, and MDOT MAA employees that manage the Airport. To address these issues, MDOT MAA has developed a comprehensive community-driven strategy that will assist homeless individuals in utilizing subject matter experts to address their concerns while maintaining a safe and secure Airport environment.



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4-S. **SERVICES CONTRACT** (cont'd)

***Agency Remarks (cont'd):***

Following a competitive procurement using a Department of Housing and Community Development grant, Prologue, Inc. was awarded the pilot program and currently provides homeless response services at BWI Thurgood Marshall Airport.

The solicitation was advertised on October 10, 2019 via eMaryland Marketplace Advantage (eMMA), posted to MDOT MAA's webpage, and by way of direct solicitation to 13 firms, including six firms suggested by the Maryland Department of Budget and Management. Award is recommended to the responsible Offeror submitting the Proposal that has been determined to be most advantageous to the State, considering price and evaluation factors set forth in the Request for Proposal. Technical Proposals were due November 7, 2019, one proposal was received from Prologue, Inc.

Working with individuals experiencing homelessness in general, and the chronically homeless specifically, requires a unique blend of experience and skills. These individuals often have co-occurring mental, substance, and physical disorders. Due to the high level of services required to assist these individuals, any applicant would need to be both familiar with identifying a number of different barriers as presented by the consumer, they would also need to know which local providers would be most suitable working with the individual. Outreach to individuals who have been homeless for a number of years and who might have a mental illness also requires knowledge of strategies and the patience to build the trust of the individual over time, sometimes taking weeks or months. Organizations that can meet these criteria are predominantly localized to specific regions or localities, further limiting the number of potential providers for this type of service.

The total contract value of \$1,521,890 includes all extra work allowances and options years, which may be utilized at the discretion of MDOT MAA. For the reasons above and compared to the previous contract for these services, the cost is considered fair and reasonable and the award has been recommended to Prologue.

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

***Approp. Code:*** J06I0002

***Resident Business:*** Yes

***MD Tax Clearance:*** 20-0796-0110

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



DEPARTMENT OF GENERAL SERVICES  
OFFICE OF STATE PROCUREMENT  
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Contact: Katrina Lawhorn 410-468-2374  
Katrina.lawhorn@maryland.gov

**5-S. SERVICES CONTRACT**  
***Maryland Insurance Administration***

**Contract ID:** Examination and Pre-Licensing Services; *MIA-PL-19-001*  
ADPICS No.: D80B0600017

**Contract Description:** Provide assistance with the development, preparation, validation, administration, revision, and scoring of examinations to be administered to candidates for certain license classes and lines of authority, and with the review evaluation, banking, and auditing of pre-licensing courses, as well as, the evaluation of providers and instructors.

**Award:** Prometric, LLC; Baltimore, MD

**Contract Term:** 10/01/2020 – 09/30/2025

**Amount:** \$3,020,400

**Procurement Method:** Competitive Sealed Proposals

***Proposals:***

<b><i>Offerors</i></b>	<b><i>Technical Ranking</i></b>	<b><i>Financial Proposals (Ranking)</i></b>	<b><i>Overall Ranking</i></b>
Prometric, LLC; Baltimore, MD	1	\$3,020,400 (1)	1
PSI Services LLC; Burbank, CA	2	\$3,100,000 (2)	2

**Living Wage Eligible:** Yes

**MBE/VSBE Participation:** 13.4% / N/A

**Performance Security:** None

**Hiring Agreement Eligible:** Yes

**Incumbents:** PSI Services LLC; Burbank, CA

**Requesting Agency Remarks:** The Invitation for Bid (IFB) package was advertised on eMaryland Marketplace Advantage (eMMA) on 03/25/2019. Copies of the RFP were mailed directly to 18 prospective vendors, 11 of which were MBEs and three were VSBEs.



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**5-S. SERVICES CONTRACT (cont'd)**

***Agency Remarks (cont'd):***

Two proposals were received in response to the RFP; both were found reasonably susceptible of being selected for award. The third nationally recognized vendor declined to submit a proposal because other commitments precluded their participation; they also noted that the time frame allowed for response and implementation was not long enough; and they could not offer a competitively-priced solution that completely met the needs of the Maryland Insurance Administration (MIA). PSI Services LLC and Prometric LLC each submitted a proposal, both met the technical requirements. Prometric was technically higher in some areas and Prometric's financial proposal was more advantageous for the State.

This contract is a pass through contract. The end user pays Prometric directly for services at the pre-determined and pre-approved per course or per exam fee. The MIA is mandated by Sections 10104 – 10-109 of the Insurance Article of the Maryland Annotated Code, to conduct examinations for obtaining an insurance license. The MIA is also responsible for the review, approval and monitoring of pre-licensing education courses.

Two distinctive services are being provided under the contract; examination services and pre-licensing education services. The provision of examination services is one of the statutory requirements for licensure of a resident insurance producer. The examination services consist of: the development of examination questions, the administration of the examinations, including scheduling of the exams and collection of exam fees, scoring of the examination questions, the prompt notification of the candidate as to the exam results, and the electronic notification of the exam results to the Maryland Insurance Administration. The other distinct service covered by the contract is the reviewing of pre-licensing education courses which are prerequisite for the candidate taking the licensing examination.

Maryland has approximately 35,069 resident insurance producers. Currently, there are 33 approved Life and Health courses, 29 approved Property and Casualty courses, and eight approved Title Courses. During CY 2019, 10,518 examinations were administered.

The MBE goal for this RFP was 10% and the VSBE goal was 3%, Prometric has committed to exceeding the established MBE goal by 3.49%. Prometric's MBE's partners are providing services for printing, copying, auditing and test centers. After meeting the MBE goal, Prometric identified a possible VSBE, but the services that the VSBE provides are not required under the State's Examination and Pre-Licensing RFP and Prometric LLC was unable to find any additional commercially useful functions that they could subcontract out to meet the VSBE goal.

The financial prices were based upon a model for the fixed unit price per exam and fixed unit price per course for a 5-year period for the services performed.



DEPARTMENT OF GENERAL SERVICES  
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5-S. SERVICES CONTRACT (cont'd)

*Fund Source:* 100% Special (Fees Paid by the Applicant)

*Approp. Code:* D80Z01

*Resident Business:* Yes

*MD Tax Clearance:* 20-0314-1111

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN \*

WITH DISCUSSION

WITHOUT DISCUSSION

\*Approval Circles corrected 6/18/2020



DEPARTMENT OF GENERAL SERVICES  
OFFICE OF STATE PROCUREMENT  
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Contact: Vern L. Shird 410-554-9285  
VernL.Shird@maryland.gov

**6-S-OPT. SERVICES OPTION**

***Maryland State Department of Education (MSDE), Division of Rehabilitation Services (DORS)***

**Contract ID:** Specialized Vocational Rehabilitation Interpreting Job Mentoring Services;  
ADPICS No.: R00B0600082

**Contract Approved:** DBM 7-S, 05/11/2016

**Contractor(s):** *Primary*  
Mid-Atlantic Interpreting Group, Inc. (MAIG); Ellicott City, MD

*Secondary*  
Deaf Access Solutions, Inc. (DAS); Chevy Chase, MD

**Contract Description:** Provide vocational interpreting with job mentoring for DORS clients who are deaf, hard of hearing, late deafened or deaf/blind who are receiving services at the Workforce and Technology Center (WTC) at MSDE/DORS in Baltimore.

**Option Description:** Exercise the second 1-year renewal option.

**Original Contract Term:** 07/01/2016 – 06/30/2019 (w/two 1-year renewal options)

**Option Term:** 07/01/2020 – 06/30/2021

**Original Contract Amount:** \$2,699,064 (3-years)

**Option Amount:** \$ 954,641

**Total Contract Amount:** \$4,589,620

**Percent +/- (This Item):** 35.4%

**Total Percent Change:** 70.0%

**Prior Mods/Options:** \$935,915 (Option No 1, 3-S-OPT, 04/03/2019)

**Original Procurement Method:** Competitive Sealed Proposals

**MBE/VSBE Participation:** N/A

**MBE/VSBE Compliance:** N/A



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**6-S-OPT.     SERVICES OPTION (cont'd)**

**Requesting Agency Remarks:** Request for approval to exercise the second of two one-year renewal options as contained in the original contract to provide specialized vocational rehabilitation interpreting and job mentoring. This involves facilitating communication for Deaf/Hard of Hearing people in a vocational rehabilitation/training setting and/or employment setting.

The services provided by both the primary and secondary contractors have been satisfactory as per the contract requirements and specifications. Therefore, exercising the second renewal option is in the best interest of the State to ensure that the primary and secondary contractors continue to provide all services under the contract that include performing functions that go beyond the role of a traditional contracted interpreter such as:

- Hands-on demonstration of learning/work tasks;
- Assist with the development of learning aids/activities;
- Being included and giving feedback as part of the rehabilitation team to address learning issues and needs of the individual; and
- Assist with the transition of an individual and their communication strategies/needs when moving from the training environment to a workplace setting.

In addition, specialized interpreters need to be able to assess and match the consumer's language modality, identify linguistic barriers to employment and use cultural mediation (i.e. idioms) to address said barriers, and understand, process, and apply said knowledge to support employment outcomes.

<b>Fund Source:</b>	100% Federal	
<b>Approp. Code:</b>	R00A0120	
<b>Resident Business:</b>	Yes, for both	
<b>Tax Clearance:</b>	Mid-Atlantic Interpreting Group, Inc.	20-0379-0111
	Deaf Access Solutions Inc.	20-0380-0111

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



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Contact: Sherreon Washington 410-767-8006  
Sherreon.Washington1@maryland.gov

**7-IT. INFORMATION TECHNOLOGY CONTRACT**  
***Department of Budget and Management, Employee Benefits Division***

**Contract ID:** Statewide Personnel System Workday Operation Maintenance and Resources  
ADPICS Nos.: F10B0600048, F10B0600049, F10B0600050, F10B0600051,  
F10B0600052, F10B0600053, and F10B0600054

**Contract Description:** Administration and technical support for the Statewide Personnel System (SPS) Workday human resources management and timekeeping system.

**Awards:** SK Net, LLC; Potomac, MD  
*F10B0600048 - Vijay Paidipalli,*  
*F10B0600049 - Gowri Ramanolla, and*  
*F10B0600050 - Sriram Manneni*

Elicitek, Inc.; North Potomac, MD  
*F10B0600051 - Gagan Setia*

AP Ventures, LLC; Columbia, MD  
*F10B0600052 - Satish Raghavan*

Navigator Management Partners; Baltimore, MD  
*F10B0600053 - Lisa Liedtke*

Forsys, Inc.; Milpitas, CA  
*F10B0600054 - Jagan Paddamallu*

**Contract Term:** 05/01/2020 – 06/30/2021

**Amount:** \$ 283,265 (SK Net, LLC - *Vijay Paidipalli*)  
\$ 423,369 (SK Net, LLC - *Gowri Ramanolla*)  
\$ 269,070 (SK Net, LLC- *Sriram Manneni*)  
\$ 379,791 (Elicitek, Inc.- *Gagan Setia*)  
\$ 388,308 (AP Ventures, LLC- *Satish Raghavan*)  
\$ 409,657 (Navigator Management Partners- *Lisa Liedtke*)  
\$ 297,460 (Forsys, Inc.- *Jagan Paddamallu*)  
\$2,450,920

**Procurement Method:** Sole Source

**Incumbents:** Same



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**7-IT. INFORMATION TECHNOLOGY CONTRACT (cont'd)**

**Requesting Agency Remarks:** This series of seven sole source contracts are to retain the information technology consulting services of the Statewide Personnel System (SPS) Workday management team and lead technicians. Each contract retains the services of a single individual who is responsible for the day to day management, troubleshooting, maintenance, and operation of the Workday system. The contract amounts are based upon the fully loaded hourly rates proposed by each contractor to provide an individual for these IT services that includes an overhead ranging from 14% to 33% depending on the contractor.

In 2019, the Employee Benefits Division had a significant turnover in management and support staff inhibiting knowledge transfer to State staff and requiring contractors to assist in SPS benefits operations and maintenance. Continuation of these resources is necessary for operations and maintenance support and training of the State staff for SPS Benefits. More time is needed to knowledge transfer as State staff replacements are being hired.

It is in the best interest of the State to retain the individuals originally obtained through a competitive Task Order Request for Proposals for these seven sole source contracts. Re-competition for these resources would introduce unnecessary risk to the project by potentially installing a less knowledgeable resource dependent on a successful learning curve and defeat the purpose of needing these specific resources to train new State staff on the SPS Benefits. Regarding the fair and reasonable price determination, the fully loaded hourly rates for the sole source contracts are consistent with the prices under the current agreements with no increases.

**Fund Source:** 100% Reimbursable

**Approp. Code:** F10.802.08.23019

**Resident Business:** Yes, for all but Forsys, Inc.

<b>MD Tax Clearance:</b>	Navigator Management Partners	20-0881-0111
	AP Ventures, LLC	20-0882-1111
	SK Net, LLC	20-0883-0100
	Forsys, Inc.	20-0884-0111
	Elicitek, Inc.	20-0885-0111

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



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Contact: Cheryl Howard-Bond 410-697-9665  
Cheryl.Howard-Bond@maryland.gov

**8-IT.      INFORMATION TECHNOLOGY**  
***RETROACTIVE - Governor's Office for Children***

**Contract ID:** Clear Impact Scorecard and Results-Based Accountability Software, Consulting and Training; 060B7400093

ADPICS No.: 060B0600007

**Contract Description:**      **RETROACTIVE** Provide 30 Scorecard licenses, training and technical support and consultations for improvements on an ad-hoc basis. Clear Impact Scorecard tracks performance measures for programs funded by the Children's Cabinet.

**Award:**      Clear Impact, LLC; Rockville, MD

**Contract Term:**      09/01/2019 – 08/31/2021

**Amount:**      \$ 60,321 (Retroactive, services rendered 09/01/2019-04/22/2020)  
\$ 73,905 (Proactive, services to be rendered 04/23/2020-08/31/2021)  
\$134,226 Total

**Procurement Method:**      Sole Source (*Retroactive*)

**MBE/VSBE Participation:**      N/A

**Performance Security:**      N/A

**Incumbents:**      Clear Impact, LLC; Rockville, MD

**Requesting Agency Remarks:** The Governor's Office of Crime Prevention, Youth, and Victim Services (Office) seeks retroactive approval of a contract with Clear Impact, LLC, which will provide continued services and support of a results-based accountability and scorecard program used to monitor performance measures, later used to develop strategies and improvements for the office. The combination of the need for continued system support, a transitional period in which the Governor's Office for Children migrated with the Office, and untimely staff turnover prevented the presentation and request for approval to execute the previous contract's renewal option. Both Clear Impact, LLC and the Office acted in good faith. To date, Clear Impact, LLC has been paid for services rendered.



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8-IT. INFORMATION TECHNOLOGY (cont'd)

*Agency Remarks (cont'd):*

The Office and the State's child-serving agencies have utilized the Results-Based Accountability™ framework to focus planning, decision-making, and budgeting on desired results and outcomes. The Child Well-Being Scorecard represents the Governor's Office for Children's effort to track and consolidate data from multiple agencies and jurisdictions to ensure greater transparency and allow for improved evaluation of programs.

This contract will expire in August 2021. The Office is currently working with the Governor's Office of Performance Improvement to ascertain the feasibility of creating an in-house resource to replicate the Scorecard application moving forward. If we are unable to replicate the Scorecard, they will engage with the Department of Information Technology as early as feasible and will re-procure the contract in accordance with DoIT's protocol for CATS master contracts.

**DGS OSP Remarks: RETROACTIVE** approval requested pursuant to §11-204(c) State Finance & Procurement Article. DGS OSP has determined that this contract should be treated as voidable rather than void because: (1) all parties have acted in good faith; (2) ratification for the procurement contract would not undermine the purposes of the Procurement Law; and (3) the violation, or series of violations, was insignificant or otherwise did not prevent substantial compliance with the Procurement Law.

**Fund Source:** 100% General

**Approp. Code:** R00A0401

**Resident Business:** Yes

**MD Tax Clearance:** 20-1037-0111

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES**  
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**REVISED**



*Contact: Michael Leahy 410-697-9700  
 Michael.Leahy@maryland.gov*

**9-IT-MOD. INFORMATION TECHNOLOGY**  
*Department of Information Technology*

**Contract ID:** Data Telecommunications Services; F50B4400028  
 ADPICS No.: COI55428

**Contract Approved:** DoIT 4-IT, 12/17/2014

**Contractor:** Comcast Business Communications, LLC; Philadelphia, PA

**Contract Description:** Multiple-award, indefinite-quantity, Master Contract to provide data services for wide band digital data services, wireless access, and last mile access to support State's data telecommunications needs.

**Modification Description:** Add one master contract to the approved list of service providers for Functional Areas III and IV.

**Original Contract Term:** 01/01/2015 – 12/31/2026 (12-years)

**Modification Term:** 05/07/2020\* – 12/31/2026 (\*or earlier upon BPW approval)

**Original Contract Amount:** \$25,000,000 [...]

**Modification Amount:** \$0

**Prior Options/Mods:** \$0 (Mod. 2, additional master contractor and functional area, DoIT 15-IT-MOD, 03/06/2019)

**Total Contract Amount:** \$25,000,000

**Original Procurement Method:** Competitive Sealed Proposals

**MBE/VSBE Participation:** Determined by task order.

**MBE/VSBE Compliance:** N/A

**Requesting Agency Remarks:** DoIT recommends adding one master contractor to the Data Telecommunication master contract (F50B4400028). A notice of availability of the RFP expansion window was posted on eMaryland Marketplace and the DoIT website. A copy of the solicitation was sent directly to 625 firms. Three proposals were received, two of which were accepted and approved as master contractors at the Board of Public Works meeting on March 6, 2019 (15-IT-MOD). DoIT recommends award of the final proposal; following the resolution of outstanding issues regarding Exceptions for the remaining offeror



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**9-IT. INFORMATION TECHNOLOGY (cont'd)**

***Agency Remarks (cont'd):***

These Master Contracts give the State flexibility to obtain data telecommunications services quickly and efficiently through a secondary level of competition. The Master Contracts provide high capacity data telecommunications services to Maryland's four LATAs as well as interstate data services where a circuit terminates outside of a Maryland LATA. The data telecommunications services include: voice, video and data and will be used by all State agencies in support of their various applications and business needs and to meet both present and future communications needs in the most cost-effective manner possible.

This Master Contract encompasses the following four Functional Areas:

**Functional Area I – Wide Band DDS**

Wide Band services to provide data transport to the State in formats including but not limited to: DS-1, DS-3, OC-3, and OC-12. These services do not require Ethernet Delivery to the State

**- Functional Area II – Wireless Access Data Services\***

Wireless Data service to diversify options for Last Mile Connectivity, as well as to provide wireless access to State data devices such that they can remain "on network" for the State.

*\*No qualifying proposals have been received for Functional Area II; therefore, no master contract has been awarded for that area. Ref. DoIT 4-IT, 12/17/2014.*

**- Functional Area III – Last Mile Access Data Services**

Last Mile Access service to provide the State with access to local carriers that can provide an Ethernet delivery to the subscribers. This includes, but is not limited to, DSL, Fiber Optic Services, and DOCSIS. This may also include IP Services such as MPLS.

**- Functional Area IV - Internet Service Provider**

Deliver broadband Internet Service access across the State. This includes but is not limited to: 1) Digital Subscriber Line (DSL); 2) Fiber Optic Services (such as Carrier Ethernet, xPON); 3) Wireless (licensed/non-licensed, cellular); and 4) Data Over Cable (DOCSIS) based broadband access services.

**Previously awarded master contractors are:**

Crown Castle Fiber, LLC; Houston, TX (*Functional Areas I, III, IV*)  
 TW Telecom Holdings, Inc.; Littleton, CO (*Functional Areas I and III*)  
 Verizon Maryland, LLC; Silver Spring, MD (*Functional Areas I and III*)  
 MCI Communications d/b/a Verizon Business Services (*Functional Area III*)  
 Windstream Services, LLC; Little Rock, AR (*Functional Area IV*).



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**9-IT-MOD. INFORMATION TECHNOLOGY (cont'd)**

***Agency Remarks (cont'd):***

There will be a second level of competition through a Purchase Order Request for Proposals process for all services offered under this contract. A PORFP will be sent to all Master Contractors within the appropriate functional area. Each PORFP will be assessed for potential subcontracting opportunities and an MBE goal will be set accordingly.

***Fund Source:*** Determined by task order.

***Approp. Code(s):*** Determined by task order.

***Resident Business(es):*** No

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



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**REVISED**

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Contact: Michael Leahy 410-697-9401  
Michael.Leahy@maryland.gov

**10-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION**  
*Department of Information Technology*

**Contract ID:** Statewide Cloud Solutions PA for Amazon Web Services (MDTHINK projects);  
060B7400081ADPICS No.: COI56929

**Contract Approved:** DoIT 5-IT, 04/26/2017

**Contractors:** Deloitte Consulting LLP; Minneapolis, MN

**Contract Description:** Amazon Web Services for MDTHINK. This includes reselling AWS cloud-hosting platform and providing product support.

**Modification Description:** Increase overall contract authority to \$118.3M to support additional work orders for AWS consumption and support for the through 04/26/21.

**Original Contract Term:** 04/27/2017 thru 04/26/2020 with two 1-yr renewal options

**Modification Term:** 05/07/2020\* – 04/26/2021 (\*or earlier upon BPW approval)

**Original Contract Amount:** \$50,000,000

**Modification Amount:** \$48,300,000

**Prior Options/Mods:** [...] \$ 0 (Mod. 1, revised terms and conditions)  
\$20,000,000 (Mod. 2, increased usage, DoIT 6-IT-MOD, 07/03/2019)  
\$ 0 (Renewal Option No.1, 03/17/2020, through 04/26/2021)

**Total Contract Amount:** \$118,300,000

**Original Procurement Method:** Intergovernmental Cooperative Purchase Agreement  
**Contract:** State of Utah/NASPO ValuePoint Cloud Solutions Contract #AR2479

**MBE/VSBE Participation:** N/A

**MBE/VSBE Compliance:** N/A



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**10-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)**

**Requesting Agency Remarks:** DoIT entered into a participating addendum with Deloitte Consulting LLP to provide access to Amazon Web Services cloud hosting products and services for MDTHINK projects. MDTHINK utilizes two types of Work Orders under this contract, one for the provision of AWS accounts, and one for professional services on a time and materials basis in support of AWS Infrastructure, DevOps/API, Security, Data Governance, Data Conversion/Data Migration, Shared Data Repository, Reporting and Analytics, and Master Data Management support.

Popularity and increased visibility and use of the MDTHINK platform has resulted in the program utilizing the majority of the \$50M ceiling in just the Base Period years 1 and 2, which could not have been anticipated at the time of contract award. The ceiling increase in July 2019 to \$70M likewise was utilized faster than anticipated. AWS metered usage costs increased more than originally planned as additional agency applications were onboarded to the MDTHINK platform. At the current burn rate and ceiling, support will only carry the program for an additional few months.

The MDTHINK program has expanded by onboarding the MHBE and MDH agencies' applications. An additional \$36M is expected for planned usage through FY2021. Unplanned project can also be expected.

Modification #3 will increase overall Contract ceiling to \$118.3M in order to support additional work orders for AWS consumption and support through 04/21/2021. This modification will not affect established rates under the contract and base period rates will continue for the remainder of the period.

**Fund Source:** 36% (MITDPF) and 64% Federal

**Approp. Code(s):** TA06D, TA24D

**MD Tax Clearance:** 20-0783-1111

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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**REVISED**


*Contact: Samantha Buchanan 410-260-7552  
 Samantha.Buchanan@maryland.gov*

## **11-IT.      INFORMATION TECHNOLOGY**

**Recommendation:** That the Board of Public Works approve the following Task Orders/Purchase Orders under previously-approved Master Contracts.

**Authority:** State Finance and Procurement Article,  
 Annotated Code of Maryland, § 13-113; COMAR 21.05.13.06

**Procurement Method:** Task Order/Purchase Order under Master Contract

**1.0      Master Contract:      *Commercial Off-the-Shelf Software (COTS) 2012***

Contract No.:060B2490021

*Approved:* DoIT 6-IT (09/19/2012)

*Term:* 10/01/2012 - 09/30/2027

*Fund Source:* Various

**\*\*As of publication, the remaining balance of this master contract is \$161,432,809**

**1.1      Using Agency:** Maryland Department of Human Services

**Description:** Provide 7,500 Qlik Sense licenses and 650 hours for system support. Qlik Sense is a business intelligence and visual analytics platform that supports a range of use cases, including centrally deployed guided analytics apps and dashboards, custom and embedded analytics, and self-service visualization, all within a scalable governed framework; N00P0602379.

**Award:** Carahsoft Technology Corporation, Reston, VA

**Number of Qualified**

**Master Contractors:** 3 (Functional Areas I, II & III)

**Number of Bids:** 1 (Two no-bid forms were received. One indicated that inaccurate contact information at the firm was listed on DoIT's website and the other stated that pricing was not received from the manufacturer in time to submit a bid.)

**Amount:** \$498,500

**Term:** 04/23/2020 - 04/22/2021

**MBE/VSBE Participation:** N/A / N/A

**Resident Business:** No

**Fund Source:** 70% Federal / 30% Special (MITDPF)



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**REVISED**

**11-IT.      INFORMATION TECHNOLOGY (cont'd)**

**2.0    Master Contract:    Desktop, Laptop and Tablet 2015**

Contract No.:            060B5400007

Approved:                DOIT 8-IT, 10/30/2019

Term:                      06/16/22/2015 - 07/21/2021

Fund Source:            Various

**\*\*As of publication, the remaining balance of this master contract is \$41,803,345**

**2.1    Using Agency:        Department of Labor**

**Description:**            Division of Workforce Development and Adult Learning is requesting the purchase of 500 Dell OptiPlex 3070 SFF and standard monitor with adjustable base machines to replace resource and staff machines on their American Job Centers that have exceeded their warranty a year ago. Windows operating systems are out of update period and machines have begun to have issues functioning properly. Upgrading the systems will provide up to date and speedy access for job search efforts for the public that are unemployed and/or underemployed in our centers.

**Award:**                    Applied Technology Services; White Marsh, MD

**Number of Qualified**

**Master Contractors:**    36

**Number of Bids:**        3

**Amount:**                \$442,000

**Term:**                    Anticipated Delivery: 05/22/2020, with 4-year support

**MBE/VSBE Participation:**    50% / N/A

**Resident Business:**    Yes

**Funding Source:**        100% Federal

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



DEPARTMENT OF GENERAL SERVICES  
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Contact: Jessica Mettle 410-768-7252  
jmettle@mdot.maryland.gov

**12-E-OPT. EQUIPMENT OPTION**

***Maryland Department of Transportation Motor Vehicle Administration***

**Contract ID:** High Volume Central Issuance Equipment Upgrade; V-HQ-15029-E  
ADPICS No.: CO376534

**Contract Approved:** DGS 24-E, 05/13/2015

**Contractor:** Gemalto, Inc.; Austin, TX

**Contract Description:** Purchase two high volume printers, one mailer/insertter, software, printer and mailer supplies, training, emergency backup service, maintenance and warranty. The equipment and services support the MDOT MVA's Central Issuance Project. The MDOT MVA fully produces, designs and issues and mails all drivers licenses, identification and specialized cards to Marylanders from its headquarters building in Glen Burnie.

**Option Description:** Exercise the sole renewal option for 5-years.

**Original Contract Term:** 05/15/2015 - 05/14/2020 (w/one 5-year renewal option)

**Option Term:** 05/15/2020 - 05/14/2025

**Original Contract Amount:** \$3,543,560 (5-years)

**Option Amount:** \$1,655,398 (5-years)

**Total Contract Amount:** \$5,630,944

**Percent +/- (This Item):** 41.6%

**Total Percent Change:** 58.9%

**Prior Mods/Options:** \$443,553 (Mod. No. 1 - additional equipment, DGS 4-E-MOD, 03/28/2018)

**Original Procurement Method:** Multi-step Competitive Sealed Bidding

**MBE/VSBE Participation:** 8%

**MBE/VSBE Compliance:** 16.97%



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**12-E-OPT. EQUIPMENT OPTION (cont'd.)**

**Requesting Agency Remarks:** MDOT MVA successfully implemented a new driver's license system, which replaced the old decentralized card printing system with a centralized and secured card processing unit. Today, the unit produces and mails: Driver Licenses, Driver Licenses Under 21, Identification Cards, Identification Cards under 21, and specialized cards for the State of Maryland. As part of the contract, Gemalto, Inc. supports all the software they developed and the integration between Gemalto, Inc. and MDOT MVA systems.

This five-year renewal option allows for continuity of uninterrupted service and support of MDOT MVA's most critical identification production system. This contract provides for annual maintenance and support for the printers and mailer, software maintenance agreements, printing supplies, and emergency backup. Also included are dedicated on-site support staff, five days a week.

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

**Approp. Code:** J04E0001

**Resident Business:** No

**MD Tax Clearance:** 20-0549-1111

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES  
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Contact: Lauren Buckler 410-767-3174  
Lauren.Buckler@maryland.gov

**13-GM.      GENERAL OBLIGATION BOND PROCEEDS**

**Recommendation:** That the Board of Public Works approve use of general obligation bond proceeds for the following contracts.

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

**1.      *Fund Source:*** MCCBL 2019 *Provide funds for the repair and rehabilitation of State-owned capital facilities, provided that \$165,000 of this authorization made for the purpose of facilities renewal may be expended only for facility renewal projects at the Anne Arundel County Food and Resource Bank including repairs to the warehouse roof.*  
Item 103

**1.1      *Agency:*** Department of General Services/Maryland State Police  
***Contract ID:*** Roof Replacement & Window Flashing Installation at Maryland State Police Headquarters; PZ-478-201-001  
***Description:*** Roof replacement and window flashing installation at State Police headquarters in Pikesville. The new roof will be thermoplastic polyolefin, single-ply roofing membrane installed over new polyisocyanurate insulation that will provide a new energy efficient roofing system with a 20-year warranty. All roofs are designed to provide a minimum R-value of 30 throughout the entire roof area. The greater R-value of insulation and white reflective surface on the roof will make the building more energy efficient keeping the interior comfortable on hot summer days while reducing air conditioning costs.  
***Procurement Method:*** Qualification Based Selection  
***Award:*** Prime A/E Group Inc.; Baltimore, MD  
***Amount:*** \$79,989  
***Resident Business:*** Yes

**1.2      *Agency:*** Department of General Services  
***Contract ID:*** Design for the replacement of the Annapolis Armory Roof:  
M-572-200-001  
***Description:*** Provide a complete design package for the replacement of the Annapolis Armory Roof in Annapolis. The new roof will consist of a reflective Thermoplastic Polyolefin (TPO) roofing system that is Energy Star certified, installed over insulation with an R-value that meets current building code requirements. The reflective roof reduces the heat island effect of the building and the increased insulation will assist in keeping the interior comfortable on hot summer days while reducing air conditioning costs.  
***Procurement Method:*** Qualification Based Selection  
***Award:*** Gant Brunnett Architects, Inc.; Baltimore, MD  
***Amount:*** \$92,869  
***Resident Business:*** Yes



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13-GM. GENERAL OBLIGATION BOND PROCEEDS (cont'd)

- 1.3 Agency:** Department of Public Safety and Correctional Services  
**Contract ID:** Upgrade Fire Alarm/Sprinkler System for Multiple Buildings, MCI-Hagerstown; KB-000-200-001  
**Description:** Provide a complete design package for the upgrade/replacement of the existing fire alarm and sprinkler systems in multiple buildings at Maryland Correctional Institution (MCI) in Hagerstown. The new sprinkler system shall bring the existing system into compliance and install piping and devices in areas previously not covered. The new fire alarm system will bring multiple buildings into compliance and code by installing new devices, wiring and control panels. Will allow remote monitoring at one location of outlying buildings which previously had been stand-alone and eliminating damaged outdated underground wiring.  
**Procurement Method:** Qualification Based Selection  
**Award:** Kibart Consulting Engineers; Towson, MD  
**Amount:** \$265,867  
**Resident Business:** Yes

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES  
OFFICE OF STATE PROCUREMENT  
ACTION AGENDA  
April 22, 2020



Contact: Wendy Scott-Napier 410-767-4088  
wendy.scott-napier@maryland.gov

**14-LL. LANDLORD LEASE**

**Landlord:** The Board of Community College Trustees of Montgomery County, Maryland, Trading as Montgomery College  
900 Hungerford Drive, Third Floor  
Rockville, MD 20850

**Tenant:** 19710 Observation Drive LLC, a Maryland limited liability company

**Recommendation:** Approve a ground lease for Condominium Unit Number 6 within the Pinkney Innovation Complex for Science and Technology at Montgomery College (PIC MC). Under COMAR 13B.07.04.01D, "A college may not enter into an agreement to sell, lease, transfer, or otherwise dispose of real property in which the State has participated without the prior approval of the Commission and the subsequent approval of the Board of Public Works." In 1978, the State contributed \$750,000 towards the purchase of the Germantown Campus, and in FY03, The State provided \$2.1 million from the Maryland Economic Development Assistance Fund to buy the adjacent 20 acres (the Kay Tract) to the Germantown campus. This 20 acres accompanied the 20 acres from the Germantown campus to create the 40 acres science and technology park (now known as PIC MC).

**Prior Board Action:** Reference is made to BPW Agenda Item 4-LL, BPW Meeting held June 15, 2011, which approved a 90-year ground lease to Holy Cross Hospital.

**Landlord:** The Board of Community College Trustees of Montgomery County, Maryland, Trading as Montgomery College

**Property Location:** Condominium Unit 6 in the Montgomery College Germantown Campus Condominium

**Space Type:** Land Lease

**Lease Type:** New

**This Term:** 99 Years

**Annual Rent:**

Year 1	\$150,000
Year 10	\$1,575,000 over 1 <sup>st</sup> 10 years
Year 99	\$39,286,704 over term of lease

**Square Foot Rate:** \$1.25, which increases 10% every 5-years/full build out of 120,000 square foot building



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**14-LL.      LANDLORD LEASE (cont'd)**

***Utilities/Custodial Responsibility:***                      Tenant

***Termination for Convenience Clause:***              Yes

***Procurement Method:***                      Competitive Sealed Proposal

***Remarks***                      The Pinkney Innovation Complex for Science and Technology at Montgomery College (PIC MC) was created as an integrative incubator and science and technology business park to provide economic growth to the County and to encourage life science and cyber technology companies to provide educational, internship and financial opportunities to students of the College. In 2015, the College created a new condominium unit in the Germantown Campus Condominium. PIC MC acquired the services of a real estate advisor and in 2018 issued an RFP to select a development partner. A joint venture, 19710 Observation Drive LLC was selected in 2019 to be the development partner (the "Ground Lessee/Developer"). A development agreement and ground lease was negotiated between the College and the Ground Lessee/Developer, under which agreement the Ground Lessee/Developer will have the right and obligation to develop, construct, finance, lease, operate and maintain a commercial project consisting of a three (3) story building containing approximately 120,000 rentable square feet along with dedicated off-street parking. Permitted uses of the building are intended to be first-class laboratory, engineering lab, and office space with a focus on the life sciences, biotech, cybersecurity and technology fields. The College desires that the development will bring uses to the Campus that are complementary and/or additive to PIC MC and the community.

***Special Conditions:***

- Developer will be responsible for all necessary construction and other permits.
- Developer will commence construction of the Project within 60 days of issuance of permits and complete construction within 24 months after commencing construction subject to extension of not more than 60 days for events of force majeure.
- College shall be entitled to \$5,000 of liquidated damages for each 30-day period Developer is late in completing construction.
- If construction is not completed within 180 days after the original 24-month construction period expires, full Base Rent shall commence.
- If construction is not completed by the 1<sup>st</sup> anniversary of the last day of the original 24-month construction period, the College shall have the right to terminate the Ground Lease and receive an assignment of all development and construction materials and approvals.
- College shall have the right of first offer to acquire all or any portion of Developer's interest in the Project in the event Developer determines to sell and/or transfer such interest to any person that is not one of its affiliates.
- Developer will submit MBE and WBE participation reports to College as outlined in the Ground Lease.



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14-LL. LANDLORD LEASE (cont'd)

*Special Conditions: (cont'd)*

- Developer will work to accommodate College's academic objectives as outlined in the Developer Agreement and Ground Lease.
- Developer will construct marketing of the Project to maintain an ongoing connection to the College with all tenants.

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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*Contact: Cheryl Howard-Bond 410-697-9665  
Cheryl.Howard-Bond@maryland.gov*

## **15-IT. INFORMATION TECHNOLOGY**

**Recommendation:** That the Board of Public Works approve the following Task Order/Purchase Orders under previously-approved Master Contracts.

**Authority:** State Finance and Procurement Article,  
Annotated Code of Maryland, § 13-113; COMAR 21.05.13.06

**Procurement Method:** Task Order/Purchase Order under Master Contract

**1.0 Master Contract:** **Hardware 2012**  
Contract No. 060B2490022  
**Approved:** DoIT 4-IT, 11/14/2012  
**Term:** 11/15/2012 - 11/14/2027

**\*\*As of publication, the remaining balance of this master contract is \$ 216,363,805.**

**1.1 Using Agency:** Department Information Technology  
**Description:** Palo Alto Networks; F50P0600428  
This task order provides hardware, migration services, subscriptions, software and hardware maintenance for the Palo Alto Network system. The hardware platform (firewall) supports approximately 45 agencies and connects the remote access to internal systems. Recently, increased network utilization has pushed the platform to capacity sooner than previously anticipated. This more robust platform will provide sustainable service for remote-use and website access to the public.  
**Award:** Blackwood Associates Inc.; Annapolis, MD  
**Number of Qualified Master Contractors:** 12  
**Number of Bids:** 6  
**Amount:** \$1,527,190  
**Term:** Anticipated hardware delivery - 05/06/2020  
Services - 05/06/2020\*- 05/05/2023  
(\*or earlier upon BPW approval and hardware delivery)  
**MBE/VSBE Participation:** N/A / N/A  
**Resident Business:** No  
**Funding Source:** 66% General, 34% Reimbursable by using agencies.

**BOARD OF PUBLIC WORKS ACTION**

**THIS ITEM WAS:**

**APPROVED**

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**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**