
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

October 20, 2021
10:08 a.m.

PRESENT

HONORABLE LARRY HOGAN

Governor

HONORABLE NANCY KOPP

Treasurer

HONORABLE PETER FRANCHOT

Comptroller

JOHN GONTRUM

Secretary, Board of Public Works

ELLINGTON CHURCHILL

Secretary, Department of General Services

GREG SLATER

Secretary, Department of Transportation

JEANNIE HADDAWAY-RICCIO

Secretary, Department of Natural Resources

LISA GRIGSBY

Recording Secretary, Board of Public Works

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PROCEEDINGS

GOVERNOR HOGAN: Well, good morning, everyone.

ALL: Good morning.

GOVERNOR HOGAN: Welcome to the Board of Public Works.

I want to begin today on a bittersweet note. After nearly 20 years as our State's Treasurer, and an incredible five decades of public service to the State of Maryland, including the second longest tenure of any treasurer in State history, Treasurer Kopp announced earlier this week that she is retiring and I would say it's thanks to her strong financial stewardship that our State has maintained a coveted AAA bond rating year after year.

Madam Treasurer, I have always valued your experience, your wisdom, your leadership, and your candor, and your dedication to public service. And I am so grateful that I have had the opportunity to work together with you for the past seven years. It truly has been an honor. And while I can't imagine chairing a BPW without you, and quite frankly I can't believe that you're going to leave me here with Comptroller Franchot --

(Laughter.)

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GOVERNOR HOGAN: -- I sincerely hope that your well-deserved retirement will give you a chance to spend more time with your husband, your children, and your grandchildren. And I'd like to --

TREASURER KOPP: Thank you.

GOVERNOR HOGAN: -- present you with a Governor's Citation

--

TREASURER KOPP: Oh my gosh.

GOVERNOR HOGAN: -- to thank you for your decades of dedication --

TREASURER KOPP: -- citation --

GOVERNOR HOGAN: -- you've seen all these citations. You finally got one --

(Laughter.)

GOVERNOR HOGAN: -- dedication to the citizens of Maryland. You probably have a hole in the wall somewhere you'd like to --

TREASURER KOPP: Thank you.

(Laughter.)

(Whereas, photographs were taken.)

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(Applause.)

TREASURER KOPP: -- but I had not expected --

GOVERNOR HOGAN: Very well deserved.

TREASURER KOPP: Thank you. Thank you.

GOVERNOR HOGAN: I know it's not your last --

TREASURER KOPP: -- a medallion too?

(Laughter.)

COMPTROLLER FRANCHOT: No, but that's a good idea.

GOVERNOR HOGAN: She still has a couple of meetings left, I think. You know, so we're --

TREASURER KOPP: Thank you, Governor. Let me just say --

GOVERNOR HOGAN: -- we still have time to come up with some other things.

TREASURER KOPP: -- it's been great. It's hard to believe, I was saying to Bruce we were here 50 years ago working, starting to work for the Legislature. And then it's been terrific and an honor to serve. And I thank you, Governor.

GOVERNOR HOGAN: God bless you.

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I want to take a minute also this morning to just provide a brief COVID-19 update. Thanks to the millions of Marylanders who have rolled up their sleeves over the past ten months, Maryland continues to be one of the most vaccinated states in America. We have now administered more than 8.2 million COVID-19 vaccines and 225,000 booster shots. 97.6 percent of all Marylanders 65 and older have been vaccinated. 85.4 percent of Marylanders 18 and over have been vaccinated. And we have vaccinated 84.3 percent of all eligible Marylanders, meaning 12 and older. We have achieved these numbers with strong public health outreach, innovative lottery and scholarship promotions, and a relentless focus on equity.

As a result of all of our efforts, Maryland has withstood the Delta variant surge better than just about any other state in America. In recent weeks, Maryland's COVID-19 positivity rate has declined by 34 percent. Our case rate is down 32 percent. And hospitalizations have declined 19 percent and are down 65 percent from their peak. The State of Maryland continues to have one of the strongest health and economic recoveries in the nation, with the fourth best economy in the country. We continue to work hard every single day to protect lives

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and livelihoods to save every life we possibly can, to keep Maryland open for business, and to stay Maryland Strong.

So much of our continued success is thanks to an amazing team of literally thousands of public servants who have been working tirelessly day and night since day one of this crisis. We have asked so much of them over the past 19 months and they have risen to the challenge every single time that we have called on them. Today we are honored to be joined by some of these dedicated men and women who have delivered the highest level of public service and customer service under the most difficult of circumstances. So on behalf of all the people of a proud and grateful State, I want to sincerely thank each and every one of them for their selfless and dedicated service. And we are presenting each of them with a Governor's Citation. We're going to ask them to come up and take a picture. But please, join me in giving them a big round of applause.

(Applause.)

GOVERNOR HOGAN: I don't know where they all are. They are still working. I said they were working day and night.

(Whereas, photographs were taken.)

GOVERNOR HOGAN: Thank you, guys.

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(Applause.)

GOVERNOR HOGAN: With that, I will turn it over to our amazing Treasurer to see if she has some opening remarks.

TREASURER KOPP: It's been swell.

(Laughter.)

TREASURER KOPP: Thank you. Thank you. I would just say that I had the unusual experience of sort of reading my obituaries this morning --

(Laughter.)

TREASURER KOPP: -- being very nice. So I appreciate that. It has been a great 50 years on staff, as a member of the Legislature, and as State Treasurer for just about 20 years. I have over this time, as you know, come to love the State of Maryland. And one of the wonderful things about this Board is that you get to see the entire State, the projects on the Eastern Shore, in Western Maryland, in our metropolitan areas, and get to know the people from all over the State. And I will just say that we, all of us, are very fortunate to be living in Maryland, I think. I now take a moment every day and just thank my lucky stars that we're here. And as you know, the only thing that I'm not really keen about is

what I call Washington summers, and finally autumn is here. And it's clear and it's crisp and it's cool, and what could be better? Thank you, Governor.

GOVERNOR HOGAN: Thank you. Mr. Comptroller?

COMPTROLLER FRANCHOT: Thank you, Governor. And Madam Treasurer, I'd like to just echo your comments, Governor. And actually, I was thinking for a moment, God, I'm going to be left with Governor Hogan.

(Laughter.)

COMPTROLLER FRANCHOT: But that's okay.

TREASURER KOPP: I'm sure you guys can do it.

COMPTROLLER FRANCHOT: That's okay. But I'd like to echo, Governor, your kind comments about our dear friend and colleague, Nancy Kopp. Nancy and I have worked together in State government for more than three decades. We worked together for 16 years in the House, and 15 years in the State's Treasury Department. I trust that we'll have more opportunities to honor and celebrate Nancy's immeasurable contributions to the State at a later date. But I'd like to just offer a few words and observations if I could today.

She won't admit it or accept it but I'll say it anyway: Nancy Kopp is one of the best public servants our State has ever had. Thank you. For the past

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50 years, she has worked in Annapolis to solve complex problems that impact our communities. She shattered a lot of glass ceilings. She has been a role model and mentor for countless female legislators and elected officials. She has been an outspoken and effective leader on critical issues, like social justice, climate policy, education equity, economic parity. I don't know where this reputation came for you being kind of quiet and behind the scenes. I mean, on the Board of Public Works you have been all over climate change, all over education equity, all over economic parity.

We have been on the same side on many, many issues on many occasions, Nancy. Sometimes on rare occasions we are on the opposite side. Yet through it all, we have always maintained a strong, warm personal friendship that has lasted decades and have worked collaboratively together as members of the Legislature, as co-heads of the Treasury Department, on the Board of Public Works, on the State Retirement Agency that you chair the board of trustees, and on the Board of Revenue Estimates. Disagreeing without being disagreeable, focusing on policy and not the politics. Those are some of the hallmark traits that have defined Nancy Kopp's celebrated and historic career in public service.

Madam Treasurer, thank you for your exemplary leadership and tireless work for the people of Maryland, and for your efforts in building a stronger, brighter, and more equitable future for all of our communities. We owe you an enormous debt of gratitude and our State and its fiscal health are stronger because of your selfless service.

TREASURER KOPP: Thank you.

COMPTROLLER FRANCHOT: Thank you --

TREASURER KOPP: That's so nice. I appreciate that. I might change my mind.

(Laughter.)

TREASURER KOPP: But I think not. Thank you so much. I will say I've been known in my career to do a few unexpected and slightly strange things. And I will say for the strangest, which was about 30 years ago, the Comptroller was right there supporting us. And I appreciate it very much.

COMPTROLLER FRANCHOT: We didn't have the votes.

TREASURER KOPP: We didn't --

COMPTROLLER FRANCHOT: But we were on the right side.

(Laughter.)

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GOVERNOR HOGAN: I'm going to have to go look that one up.

COMPTROLLER FRANCHOT: Yeah --

GOVERNOR HOGAN: Thank you very much. Let's go ahead and get started with the Secretary's Agenda.

SECRETARY GONTRUM: Good morning, Governor, Madam Treasurer, Mr. Comptroller. There are 21 items on the Secretary's Agenda this morning and two reports of emergency procurements. Item 21 is hand-carried. I am withdrawing Item 19 -- Item 18, I apologize, Item 18 at the request of Morgan State University, and Item A2 at the request of the Department of Education. Item 19 has been revised by St. Mary's College to add option year pricing to the technical proposal table. I am happy to assist with answering any questions.

GOVERNOR HOGAN: Thank you, Mr. Secretary. I'd like to start off with Item 21. We are joined here today by Major General Linda Singh, Major General Tim Gowan, and Brigadier General Adam Flasch.

On Saturday, I was honored to be a part of a celebration of the extraordinary military career of Major General Linda Singh, 29th Adjutant General of the Maryland National Guard, as we unveiled her official portrait. General Singh made history as the first African American and the first woman to ever lead the

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Maryland National Guard. It's her incredible legacy of service and the transformative things that General Singh did with her command that truly sets her apart and our State owes a tremendous debt of gratitude to her.

Today, it's my honor to formally introduce a proposal here at the Board of Public Works to officially rename Maryland National Guard Freedom Readiness Center in Sykesville as the Major General Linda L. Singh Readiness Center. And I'd like to separate this item out from the Agenda and call for a separate vote on this matter. Is there a motion to approve?

COMPTROLLER FRANCHOT: So moved.

GOVERNOR HOGAN: Is there a second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: Three-nothing. General Singh, that wasn't that controversial.

(Laughter.)

GOVERNOR HOGAN: Thank you and congratulations on this well-deserved honor.

(Applause.)

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GOVERNOR HOGAN: This is our first ever I think official resolution that we framed here that's signed by all the members of the Board of Public Works. You know, a lot of people get these Governor's Citations --

TREASURER KOPP: Yeah.

GOVERNOR HOGAN: -- or these coins that the Comptroller --

(Laughter.)

GOVERNOR HOGAN: -- has one of these.

(Applause.)

(Whereas, photographs were taken.)

COMPTROLLER FRANCHOT: Generals, don't go away.

(Laughter.)

COMPTROLLER FRANCHOT: Yeah, I give these to all sorts of people. But I've never given one to a major general, and to you, another major general, and to you, general. So thank you and buy me a round tonight.

TREASURER KOPP: Governor, could I just say I urge everybody who is watching this, as well as those who are here, to simply google Major General Singh and look at the like of a woman of outstanding accomplishment, who is still doing a great deal, this is not a past tense thing. But I just have to say, as I told

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folks here, I was blown away when I read all that you have done. Not just as our major general, but everything, as our adjutant general, but everything. I thank you so much, personally. A woman to look up to.

GOVERNOR HOGAN: Yes, thank you, Madam Treasurer.

MAJOR GENERAL SINGH: Thank you.

(Applause.)

TREASURER KOPP: Great appointment, Governor.

GOVERNOR HOGAN: Thank you. Are there any questions on the remainder of the Secretary's Agenda?

TREASURER KOPP: I do. Is someone here from the Department of Housing? A question has just arisen. I have no problem with the item.

SECRETARY GONTRUM: We have Deputy Secretary Owen McEvoy.

MR. MCEVOY: Madam Treasurer, Governor Hogan, Peter Franchot, for the record, Deputy Secretary Owen McEvoy on the phone. Can you all hear me?

SECRETARY GONTRUM: Yes, sir. We can hear you.

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MR. MCEVOY: Sorry. Madam Treasurer, Governor Hogan, Comptroller, Deputy Secretary Owen McEvoy speaking for the department today.

TREASURER KOPP: Hello, can you hear us?

MR. MCEVOY: Can you hear me?

SECRETARY GONTRUM: Yes, Deputy Secretary. Can you hear us?

MR. MCEVOY: Yes, we can.

TREASURER KOPP: Okay. I had a question regarding climate change because you actually have the department which seems to be focusing very directly and in your items, and there are several of them, references come through in almost every item regarding an emphasis on energy efficiency certainly, and in some instances actually climate change and greenhouse gas emissions. And I just have a couple of just factual questions that we were discussing. One of which is you refer in I think Items 8, for instance, 8 and 10, to the green -- let me find it. The 2015 Enterprise Green Communities criteria checklist. Could you tell us a little about that checklist? And first of all, is this related to the enterprise, the old Enterprise Foundation that built Columbia, Maryland? Jim Rouse? Is this --

MR. MCEVOY: Madam Treasurer, yes, I believe it is. I would have to talk more with the head of our energy program to -- who is actually not on the Agenda today. But there is a relationship between the Enterprise Green Criteria Checklist and Enterprise, the foundation, which we work with very regularly on a lot of projects.

TREASURER KOPP: Okay. That was my question. So you are working with the Enterprise group and clearly in these construction projects. Do they have a role, do you know, in the renovation projects as well? Because they are not mentioned. And I thought maybe they just focused on new construction, I didn't know.

MR. MCEVOY: I believe they do have a relationship with some of the rehab projects, but again, I would have to talk to our energy programs. And I'm happy to follow up with your office after the meeting.

TREASURER KOPP: Okay. Thank you. The question just came up. I want to commend and urge everyone in all the departments to look at Items 10 and 8 as a way to build, Madam Secretary, you will recognize it, build a green or climate change impact screen from the very beginning of a project as it comes up to us, just as a normal course of business, just as we look at other costs, to look

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at climate costs, climate impact as well. And to have that come through in the description of these items. And I was just impressed that you did in two of these items, Mr. Assistant Secretary. And in the others, energy savings is very good. Don't get me wrong. But energy savings will not save the world from greenhouse, turning into a greenhouse. So I just want to thank you and put that bee in your bonnet. And I would love to learn more about the criteria that you are using. Thank you.

MR. MCEVOY: Absolutely. And I will follow up with your office after this meeting and connect you with our program people. And we are very committed to energy efficiency and working through our EmPOWER Program and some other great initiatives that have seen some serious investment the last few years. So thank you and I will follow up afterwards.

TREASURER KOPP: Thank you. And let me just say, I know my colleagues here are also interested. It's not just the Treasurer's Office.

MR. MCEVOY: Absolutely.

GOVERNOR HOGAN: Thank you. Any other questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: Item 3.

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SECRETARY GONTRUM: Item 3 is compensation from the Board under State Finance and Procurement §10-501 to Mr. Leslie Vass.

COMPTROLLER FRANCHOT: Thank you. It's obviously a recommendation to the Board, and I support the \$556,787.80 to Mr. Leslie Vass in supplemental compensation for erroneous incarceration. I'm proud to lend my support for this payment and today's action by the Board I believe serves as the latest reminder of the failures of our criminal justice system and the urgent need for policy makers to continue to make reforms.

These are very complex issues that require leaders at all levels of government to work together to identify solutions to the challenges that we face. Regardless of which party we affiliate with, all of us are interested in building safer communities. All of us want to reduce violence. All of us want to see a criminal justice system that truly delivers justice. What does not build safer communities or ease the political tensions we're used to seeing down the road in D.C., frankly, is sending fundraising emails with the subject line, "Far Left Lunacy," nor is the solution to characterize those of us that believe that we need to invest in more mental health and social services and economic opportunity and better training as being in favor of defunding the police.

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Let me just throw out some numbers because the one good thing about math is, it doesn't lie. In the Governor's first budget, fiscal year 2016, the Maryland State Police's budget was \$357 million. In the current fiscal year it is \$446 million, an increase of \$89 million. The Department of Public Safety's budget when the Governor took office was \$1.4 billion. Today it is \$1.5 billion, an increase of over \$100 million. Despite that, we continue to see severe staffing shortages in the department that aren't helping with our collective goal to improve public safety and build safer communities. State and local police agencies went from \$67 million in fiscal year 2016 to \$74.6 million today. That's a total increase of \$196.6 million. And despite that increase, we have not seen that the communities have been dramatically safer. Budgets at the State and local level fluctuate year by year based on revenue streams, but overall, I think it's quite a stretch to make the claim that any jurisdiction is defunding the police.

I see in the fundraising email that we single out one Baltimore City Council member who is in favor of abolishing police. And somehow we take that one point of view among the thousands and thousands of elected officials in Maryland, we take that one individual's point of view from one elected official and assert that this reflects the opinion of an entire political party. I have checked the

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police budget for Baltimore City for this year, it is \$555 million, an increase of \$6 million from last year.

All of us, Republicans, Democrats, non-affiliated voters, have a shared desire to provide our law enforcement agencies with the funds and resources they need to keep our communities safe. The answer to crime and violence reduction, however, isn't just putting more cops on the street. We need to expand access to jobs and put resources into better public transit, affordable housing, mental health services, and good schools, just to name a few necessities for safer and thriving communities. Pouring gasoline on an already raging fire of political discord is not going to solve our crime problem, or any problem for that matter. It's a divide and conquer approach that benefits politicians, not the communities we're supposed to serve. All it does is continue the epidemic of misinformation and worse in an already toxic system. We can and should do better, Governor. And we're looking to you as our State's chief executive to set the tone for this critically important dialogue. It's quite difficult, I think, for others to take part in the conversation when there's a whole lot of finger pointing and name calling and press conferences and in fundraising emails. Thank you, Governor.

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GOVERNOR HOGAN: No, thank you. I appreciate you pointing out all of our record funding for law enforcement and public safety over the past seven years. I assume you will support our \$150 million investment and I also assume that you do not agree with abolishing the police in Baltimore City. I didn't make any reference to anyone but that one particular person, which I thought was outrageous and inflammatory and I strongly disagree with, as do 90 percent of the rest of the people in the State. But thank you. Are there any questions on the Secretary's Agenda?

COMPTROLLER FRANCHOT: If I could just add to your comment, I mean, last July, we voted on this Board a reduction of \$6.4 million to the State Police budget. At the same meeting, the administration proposed we accept a recommendation to reduce the Department of Public Safety's budget by \$7.4 million. That wasn't the Legislature. That wasn't the Mayor of Baltimore. That was this administration's recommendation. That was \$13.8 million taken away from State Police and Public Safety budgets. But nobody was accusing anyone of defunding the police or calling actions like that lunacy. And I just urge you to -- honestly, it's just not helpful. And in all honesty, it has to stop that --

GOVERNOR HOGAN: Well, I don't, you know, there is still no question on the Agenda but I don't want to spend all day debating with you. But that was in the middle of a state of emergency based on your false recommendations

that we were going to have a \$2.5 billion shortfall. We had to make tough cuts in every single agency and it was voted on unanimously. But we now are in a much different fiscal situation, which is why we're not only restoring those funds but adding to it.

TREASURER KOPP: It actually was not unanimous, Governor.

GOVERNOR HOGAN: Excuse me?

TREASURER KOPP: It was not unanimous.

GOVERNOR HOGAN: It was not unanimous, yes. I'm sorry. It was supported by the Comptroller.

TREASURER KOPP: Yes.

GOVERNOR HOGAN: But any questions on this Agenda? Is there a motion?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Is there a second?

TREASURER KOPP: Second.

GOVERNOR HOGAN: Three-nothing. We're going to move on to DNR.

MS. HADDAWAY-RICCIO: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, Jeannie Haddaway-Riccio, Secretary of the Maryland Department of Natural Resources. We have 15 items on our Real

Property Agenda today. We are withdrawing Items 3A and Item 13A. And with that, I'm happy to answer any questions you may have.

GOVERNOR HOGAN: Thank you, Madam Secretary. Any questions?

COMPTROLLER FRANCHOT: Just that this is just a Sycamore Avenue, the street I live on, question. One of my neighbors is particularly concerned about nurseries in Maryland, commercial nurseries, selling invasive plants that should not be allowed to be sold. Is that, could you just take a look at that and see whether there is something to that? And I'm not trying to point fingers at anyone, I'm just responding to my wonderful neighbor who I passed this morning in the street --

MS. HADDAWAY-RICCIO: Sure.

COMPTROLLER FRANCHOT: -- on a walk.

MS. HADDAWAY-RICCIO: We'll be happy to look into that for you.

COMPTROLLER FRANCHOT: Thank you very much.

TREASURER KOPP: I have a brief question on 13A. That's the Blackwater. First of all, it is an item to essentially take land and use it for a solar site, which is great. My question is I read something recently, but I couldn't put my hands on it, on the impact of sea level rise and increased salinity I think in this

area, and in fact near where the Harriet Tubman Trail and Headquarters is. Do you or can somebody get back to me on that.

MS. HADDAWAY-RICCIO: Sure. And just to reiterate, Item 13A is withdrawn for now. But we would be happy to follow up with you --

TREASURER KOPP: On that other --

MS. HADDAWAY-RICCIO: Yes. There's a little bit of a distance between this property and Blackwater and the Harriet Tubman Visitors Center. But we can pull some information and get it over to you.

TREASURER KOPP: Thank you.

GOVERNOR HOGAN: Thank you. Any other questions? Or is there a motion?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: Three-nothing.

MS. HADDAWAY-RICCIO: Thank you.

GOVERNOR HOGAN: We're going to move on to the University System.

MR. HICKEY: Good morning, Governor, Madam Treasurer, Mr. Comptroller. Tom Hickey representing the University System of Maryland. We

have four items on the Agenda for your consideration and we're happy to answer any questions you may have.

GOVERNOR HOGAN: Thank you, Tom. Any questions?

COMPTROLLER FRANCHOT: I strongly support Item 2 and I want to applaud the Governor and the Legislature for coming up with these funds for Maryland's Historically Black Colleges and Universities. The campus, if you haven't been there recently, looks like an Ivy League campus. And Governor, congratulations to you for providing the funds and to the Legislature for actually coming, I guess validating the funding that you have found. And I just happen to think the HBCUs in Maryland are incredibly important. And thank you, University of Maryland System, for putting this item before us, which I believe is a significant new construction hall renovation, Robinson Hall at Bowie State University. Thank you.

GOVERNOR HOGAN: Any questions or is there a motion on the University System?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: I would second it, and point out that Item 4, Towson University's new Sciences, College of Health Professions Science, is another great example of building in a climate change screen from the beginning and describing it well. And just people can look at that one for an example.

GOVERNOR HOGAN: Thank you. So there is a motion and a second, that passes three-nothing. We're going to move on to the Department of Transportation.

MR. SLATER: Good morning, Governor, Madam Treasurer, Mr. Comptroller. For the record, my name is Greg Slater, Secretary of the Maryland Department of Transportation. The Maryland Department of Transportation is presenting 16 items for your consideration today. Item 16 is being withdrawn as we are awaiting a Federal Highway approval prior to bringing that back to the Board, and our representatives are here to answer any questions you may have. I do want to take a moment and just thank the Board for recognizing our MDOT crews earlier. On top of our transit operators, the men and women at the Port, the men and women at the MVA and the Airport, many don't realize that there were highway crews shifted to logistics for the last two years and have been transporting PPE and have been doing traffic control around testing sites and vaccination centers, and did that all on the fly with the Department of Health. So I just want to thank you for recognizing them. They worked really hard at it.

GOVERNOR HOGAN: Thank you, Mr. Secretary. Any questions on Transportation?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Is there a second?

TREASURER KOPP: Yes, although I think just a suggestion. It would be interesting at some point down the road to get a presentation from the Port --

MR. SLATER: Mm-hmm.

TREASURER KOPP: -- on this question of the ingenious projects using dredged material. I know we got some a couple of weeks ago, another now, just to see what the State is doing.

MR. SLATER: Absolutely. You know, the one on the Agenda today is pretty interesting. You know, it's pumping dredged material into tubes and planting them and using them for shoreline restoration and stuff like that. They didn't like it when I referred to it as like a large chia pet looking --

(Laughter.)

MR. SLATER: -- material. But --

GOVERNOR HOGAN: Scientific --

MR. SLATER: -- that's the scientific term for it. But it's --

TREASURER KOPP: I think the people, the people of the State who are watching this meeting but would feel better if they knew all the things that you and the rest of the administration are doing, really. They don't know. People don't know.

GOVERNOR HOGAN: Thank you. Any -- is there a motion?

COMPTROLLER FRANCHOT: Move approval.

GOVERNOR HOGAN: Second? Three-nothing on Transportation.

We're going to move on finally to the Department of General Services. Secretary Churchill?

MR. CHURCHILL: Good morning, Governor, Madam Treasurer, and Mr. Comptroller. For the record, I'm Ellington Churchill, Secretary for the Department of General Services. Today the department is presenting 45 items on our Agenda, including two supplementals. Included in our Agenda today is over \$30 million in capital grants, and I would like to note that \$25 million are going to colleges, and \$2 million are going to MedStar Franklin Square Hospital. Please note that Items 33 and 34 were revised late yesterday to correct the retroactive and proactive amounts of the funding for which DGS and DoIT are seeking approval. And DGS apologizes, I apologize for the late update to the Board. We do have representatives available to answer any questions that you may have at this time.

GOVERNOR HOGAN: Thank you, Mr. Secretary. Any questions on the DGS Agenda?

COMPTROLLER FRANCHOT: Item 24-C, task order 2.1

MR. CHURCHILL: 24-C, Courtney League, Director of Operations for Design and Construction for our department is here to answer questions about the procurement.

COMPTROLLER FRANCHOT: I guess the question is a generic one, which is what happens to a contract that was entered into by the State for Project X, and all of a sudden added onto that contract are Y and Z. And the, I believe we just, the original contract here was an HVAC system in a building in Annapolis. And it was for \$5.4 million.

MR. LEAGUE: Yes, good morning. This is --

COMPTROLLER FRANCHOT: Yeah, no, let me just ask my question. (Indiscernible.)

GOVERNOR HOGAN: Can somebody mute their phone while the Comptroller is asking a question? Thank you.

COMPTROLLER FRANCHOT: Thank you. So the original contract was \$5.4 million for HVAC and today the request is to add \$2 million on top of that, which would bring the total contract cost not to \$7.4 million, but to \$11.3 million. And according to my notes, these additional funds are for things like painting and elevator repairs. We are clearly beyond the original scope that we put on the bid for the HVAC system. So is there a policy or is -- can you explain why it's in the best interest of the taxpayers to add unrelated construction services to an HVAC replacement contract?

MR. LEAGUE: Mister --

COMPTROLLER FRANCHOT: As opposed to just bidding it on the open market and I assume it is a generic issue.

MR. CHURCHILL: Yes. Yes. And Courtney, I'll go ahead and answer the question but I want to make sure you're finished your question.

COMPTROLLER FRANCHOT: Thank you. It's just what is it that we're doing that protects the taxpayers?

MR. CHURCHILL: This is a unique situation, although change orders happen in the normal course of any capital construction project. This project was envisioned to be at first with the HVAC system in an occupied building. But we had the opportunity to shift personnel and departments to other parts of our State complex due to COVID and we had the availability of the post office building. Once we had an unoccupied building, we looked at other opportunities to make upgrades to the building that we would be able to bundle and create efficiencies for the money that's being spent. So this was taking advantage of an unoccupied building, where if we did have it fully occupied it would be tough to move carpet and it would take longer and cost more to the State to be able to facilitate that project. And every, with every project we make those types of decisions. We weigh in the balance what would be really in the best interest and we maximize the dollars that are being entrusted to the department on these capital projects.

COMPTROLLER FRANCHOT: And how common is it?

MR. CHURCHILL: Well change orders are common. And just due to the nature of maybe program aspects that weren't able to be considered during the planning phase. There has been a continued effort to ask the department to be responsible and to create better efficiencies to the dollars. So it would be better to have one project including the change order in lieu of bringing the department back to the building and then trying to spend more --

COMPTROLLER FRANCHOT: The bottom line was this was a vacant building --

MR. CHURCHILL: This is a vacant building.

COMPTROLLER FRANCHOT: -- COVID and you saw that as an opportunity --

MR. CHURCHILL: Absolutely.

COMPTROLLER FRANCHOT: -- to do things efficiently.

MR. CHURCHILL: Absolutely.

COMPTROLLER FRANCHOT: That's a good explanation. Thank you.

GOVERNOR HOGAN: I think it also had to do with the fact that when they got in the empty building and they replaced the boilers and the HVAC, they found mold and did mold remediation, replaced the carpeting and did the painting, which was all added to the contract --

MR. CHURCHILL: That is correct, Governor.

GOVERNOR HOGAN: -- same problem.

MR. CHURCHILL: And we found an opportunity to upgrade our elevators in that building. So it was an opportunity to do a holistic approach to the building instead of doing one off projects.

GOVERNOR HOGAN: Okay, great.

COMPTROLLER FRANCHOT: Okay, thank you.

GOVERNOR HOGAN: Any other questions on DGS?

COMPTROLLER FRANCHOT: So I have a question on Item 27. I don't know whether anyone from the Department of Health is here.

MR. CHURCHILL: I believe we have --

GOVERNOR HOGAN: Webster Ye is here with us.

MR. YE: Good morning, Sir, Governor, Comptroller, Madam Treasurer. Webster Ye for the record.

COMPTROLLER FRANCHOT: Bring us up to date on the testing situation here in Maryland. This is, we're asked to approve today an amount of \$92.8 million for testing, diagnostic lab testing.

MR. YE: Yes, sir. The basic situation in Maryland is, we are averaging about 30,000 laboratory tests a day. These are PCR RNA amplification tests. And we have, we are working with the retail pharmacies to ensure that there

is an adequate supply of point of care tests. Currently in the last seven days, Maryland has done 227,000 PCR tests with an average turn-around of one to two days, generally speaking.

With respect to this contract, these are regular order procurement contracts that were bid out, competitively solicited, and the purpose of these contracts is to replace the emergency procured test contracts that we started in 2020. The basic reason why we need them still is, one, COVID is still around. Two, we still need to ensure that there is testing available for DPSCS facilities, certain State congregate facilities, making them available for schools, and there is a substantial cost savings. Under the emergency contracts, the average price per test was somewhere in the \$90 to \$100 range. With the new contracts it's in the \$25 to \$40 range. So these are substantially cheaper and these are the gold standard PCR tests versus a point of care test.

COMPTROLLER FRANCHOT: These are, that's what the \$92 million is budgeted for?

MR. YE: Yes, sir. That's for the PCR tests. So these are the lab, these are for laboratory services and they are the gold standard tests. And I neglected to mention that Maryland currently has 554 COVID-19 PCR test sites.

COMPTROLLER FRANCHOT: And how many -- I agree with you about PCR being the gold standard. But rapid tests, how many of those have been conducted? And is that done under this contract?

MR. YE: No, sir. These are, rapid point of care tests are not done under this contract. We have currently a little bit over 300,000 point of care tests in our inventory. We're pushing them out mostly for K through 12 tests, assisting nursing homes, primary care programs, etcetera. We do not report the point of care tests because under the CDC, if there is a positive result from a point of care test, based on the technical nature of these tests they, when you get a positive the CDC recommends that you send them in for a confirmatory PCR tests. And we do track those PCR tests religiously, sir.

COMPTROLLER FRANCHOT: How many of the rapid tests have been false positives?

MR. YE: I don't know the total number, sir. On average according to the federal literature and with the State literature that we have seen so far, there is about a 20 percent false positive rate. But that's built into the inherent nature of these rapid tests.

COMPTROLLER FRANCHOT: Yeah, no, I understand that. But you, I think everybody recognizes it temporarily puts people in a state of high alarm if they get even a test that is perhaps false positive, until they get the PCR.

MR. YE: Yes, sir. And you know, I think the main question is it's convenience versus accuracy. I mean, millions of Marylanders have, as the Governor noted earlier, voluntarily stepped up to get vaccinated. At the same time still, you know, we understand now over the past couple of weeks that with the Delta variant, you know, it could still, you know, it could still affect folks who are vaccinated. So we're trying to ensure that there is point of care test accessibility so that we can proceed with daily life and daily activities and then to use the point of care test to confirm that. And we're trying to do everything we can to ensure that there is accessible rapid tests so that people can just keep, we can keep Maryland open.

COMPTROLLER FRANCHOT: Thank you, Mr. Ye. And you should, you know, the Secretary should send you more often.

(Laughter.)

COMPTROLLER FRANCHOT: That's very, very good information. And I want to thank -- obviously Governor I support this contract. And like you earlier with the proclamations, etcetera, I just want to give my heartfelt gratitude and admiration to the department. Because your team frankly, and the Department of Health for their, have done tireless work on behalf of folks. And it's a small complaint I have, because some of our staff have tested positive on

rapid tests only to spend several days kind of in a state of alarm, and then be told they didn't have a --

GOVERNOR HOGAN: The great news on these tests --

COMPTROLLER FRANCHOT: -- they didn't have it but --

GOVERNOR HOGAN: -- Mr. Comptroller, is they don't have false negatives. They have some false positives. So we want to catch, we catch everybody who may be infected. And it's only an initial screening and they still do the PCR test to confirm. But luckily, they don't go the other way, that they don't catch the folks that do have COVID. That doesn't happen with these tests.

MR. YE: The Governor is absolutely, you are absolutely right, sir. And especially with the Annapolis test site, generally speaking we get the PCR test results within 24 hours. And with all of these contracts, the maximum amount of time they can take is 48 hours to try and resolve. So all of the State contracts that are before the Board today specify that it's a 48-hour maximum turnaround time.

GOVERNOR HOGAN: So the rapid tests catch every single person that has COVID. And it's unfortunate that 20 percent are inconvenienced. But in 15 minutes you get an answer instead of maybe two days.

MR. YE: Yes, sir.

COMPTROLLER FRANCHOT: I'm just wondering what ultimately we will do at the State level when everybody comes back to work and

some people are not vaccinated. It's kind of up in the air as to what exactly could be done as far testing, etcetera. But anyway, I'm interested in your data and that's -- put it this way, if I got a false positive, I'd be upset for a couple of days until it came back and right. And I just, I just want to be a little sympathetic if we're doing hundreds of thousands of these and there's a 20 percent chance. And I understand, Governor, where you are coming from. But what is the percentage of people that ultimately -- what you're saying is 20 percent of them are false positives?

MR. YE: That's right. And again, those are the point of care tests that give a rapid result in about 15 minutes. That's the trade-off that you make in order to get that. It's a technical limitation of those types of --

COMPTROLLER FRANCHOT: Your argument is that it's a speedy test that will detect folks that are, as the Governor is saying, are actually COVID positive.

MR. YE: Yes, sir. The main point --

TREASURER KOPP: -- are positives or 20 percent --

GOVERNOR HOGAN: Twenty percent of the tests show false positives. It never shows a false negative.

MR. YE: So the basic --

TREASURER KOPP: Yes --

GOVERNOR HOGAN: So we catch every single person that has COVID. Some people are inconvenienced. But we announced this more than a year ago --

TREASURER KOPP: Right. It's 20 percent --

GOVERNOR HOGAN: -- when we were the first ones in the country to get rapid tests.

TREASURER KOPP: -- of the tests given, not 20 percent of the --

GOVERNOR HOGAN: It's just the way they, they don't have rapid tests that are more accurate --

COMPTROLLER FRANCHOT: -- the 20 percent are positive or 20 percent are false positive?

MR. YE: The general point is if you are not showing any symptoms, there is approximately a 20 percent false positive. Let me be very clear. Those point of care tests are not up for discussion today. We're discussing PCR tests with the contracts. If you are symptomatic, generally speaking if you are positive and you are symptomatic, you are more likely than not (indiscernible) -- and then when you send it in for a confirmatory PCR test, that usually confirms that you are in fact positive.

GOVERNOR HOGAN: Yes.

TREASURER KOPP: I was just confused for a moment, on the question of whether it was 20 percent of the tests were false positive or 20 percent of the positives were --

MR. YE: It applies to generally if you are asymptomatic. So that's why like for screening testing, the accepted protocol is to use a PCR test because if you're not showing any symptoms the PCR test is going to be more accurate. So when we were before you in September for the K through 12 school testing, those are all PCR tests.

COMPTROLLER FRANCHOT: How many rapid tests are given?

MR. YE: I don't have that exact number, sir. I would estimate hundreds of thousands. Just about a year ago, the Governor started off a multistate consortium to get these point of care tests out. And again, the main point is we want to make these rapid tests available so that you are able to get these tests. Generally speaking, we can go to Target or CVS or Walgreen's, get a pack of, a two pack potentially from \$20 to \$100 depending on what type of test you are getting, and then you're on their way. That's the rapid test. With the PCR test, it's \$25 to \$40 under the new State contracts and that's assurance.

GOVERNOR HOGAN: And it has been tremendously effective as an initial screening tool. And for the State employees we've got, everybody who we have found we have done a rapid test first. So --

COMPTROLLER FRANCHOT: Do you have any data on how many of the rapid tests are given to people with symptoms?

MR. YE: I don't have that, sir. I'll be happy to get that and we'll get it to you.

GOVERNOR HOGAN: -- right to a PCR.

MR. YE: Yes, sir.

COMPTROLLER FRANCHOT: Good. Thank you. I appreciate it. I have a question about Item 35, and that's not you, Mr. Ye.

MR. YE: Thank you.

GOVERNOR HOGAN: Thank you, Mr. Ye. Item 35?

MR. CHURCHILL: We have Tiffany Robinson, Secretary for the Maryland Department of Labor if you have questions about a program.

COMPTROLLER FRANCHOT: Excellent. Yes. This is about the item which is, Madam Secretary, you are asking us to add \$26 million and six months to a contract to the private contractor assisting the Department of Labor with the unemployment insurance claim backlog. And just if you could give us a status update on claims under the unemployment program and what are the efforts to counter any kind of illegal attempts to defraud taxpayers through fraudsters? And how many cases are currently pending in adjudication? Thank you.

MS. ROBINSON: Sure. Thank you, Mr. Comptroller. Good morning, Governor and Madam Treasurer. Can you hear me okay?

GOVERNOR HOGAN: Yes.

MS. ROBINSON: Great. So there were a lot of questions there. I'll start with the Alorica vendor contract. We do, we are exercising the six-month option to the contract, as per the original terms of the contract which were reported to the Board back in February. Obviously, we need to do that. We are still trying to work through every single customer's claim issue that remains. We do have about 18,500 cases that are still pending, pending that initial determination. And this is the adjudication contractor that is helping us work through those issues. So we're really excited to continue working with them, as with our other vendor Accenture in the call center.

I will tell you that our call volume is down, which is very good. We are answering almost every unique call that comes in on every day except for Mondays, which is our highest call volume. And we're missing a few hundred of those calls but many of them we are finding are spam or repeat callers and we continue to work on that as well to make sure that we're getting back to a point where we can answer every single customer call that comes in.

In terms of fraud, it remains a significant national problem. You probably saw that the FBI issued a public service announcement this week warning

against fake web pages impersonating Labor's website. I know that we have posted on social media and sent information out publicly and are working with Maryland State Police on many of those links, fake links and fake web pages that have gone out as well. We're working with a vendor called LexisNexis to help us verify identities and confirm fraudulent claims versus legitimate claims and we continue to work through that. And progress, lots of progress is being made.

I want to take a moment to really thank our hard working employees at the department. They are still working overtime to make sure that every single Marylander that is eligible gets the benefits that they deserve. And they are also working night and day to protect our taxpayers from this onslaught of fraudulent activity.

COMPTROLLER FRANCHOT: Okay. So the original contract we approved in February, was it February of this year, but last year, this year. So February of this year we approved a big contract and I believe we, there was a maximum number of resources that -- how do you pronounce the company? Alorica?

MS. ROBINSON: Yes.

COMPTROLLER FRANCHOT: -- said they would provide the Board under that emergency contract in February. How many did they actually, how much did they promise and how many did they have?

MS. ROBINSON: So the contract allowed us to add up to 675 staff. We have gone as high as about 365. We currently have about 250 Alorica staff members working for us. I will say to you, as I have stated before, this adjudication work is extremely complex. It requires college degree, fingerprinting, extensive and ongoing training and auditing. It has been difficult for this vendor to recruit for these positions and the vendor has experienced turnover. So they get trained, they do the job for a few weeks, and then they leave. And not surprisingly, they are experiencing the very same labor shortage that all businesses across our State and nation are facing right now. So that has been challenging, but that is also why we are exercising the option on this contract, to continue working with them so that we can get through every single claim issue that remains.

COMPTROLLER FRANCHOT: What was the original contract for, the emergency procurement? Ballpark? The amount --

MS. ROBINSON: Do you mean the dollar amount?

COMPTROLLER FRANCHOT: Yes.

MS. ROBINSON: Right at about \$70 million. It was \$44 million for the first 12 months, and \$26 million for the next six-month option, which is what we are exercising and coming for approval today.

COMPTROLLER FRANCHOT: So just help me understand. If they only produced half of what they promised they were going to, or thought they

could, why are we adding \$26 million? Why don't we just hold them to the original amount given that that was what they promised?

MS. ROBINSON: So we -- thank you, sir. It is a good question. We will only spend what we are invoiced for. Those are simply the top amounts that are approved in this contract. Due to the original contractual terms, that first year was contracted for a maximum of \$44 million and the second six-month option was contracted for a maximum of \$26 million. I don't anticipate we will hit those numbers since they are having such a hard time recruiting and retaining, and the training is so complex. That being said, we're going to continue to use them and recruit. The staffing that they have, as they are trained and the longer they are with us, as you might imagine with the job so complex, they get more and more proficient. So we do hope to continue using them for the six-month option to make sure we get through every single claim.

COMPTROLLER FRANCHOT: So I guess the question is, why don't we just rely upon what they, what we have not spent in the original contract for the next six months since there is so much difficulty recruiting and training? And I can sympathize with the private contractor over that. But they, I believe they thought they could do a lot more with that original money.

MS. ROBINSON: Yes, but the problem is happening nationwide with the vendors working on the unemployment insurance claims from the

pandemic. But what I will tell you is we are required to exercise this option to extend their contract for the additional six months.

COMPTROLLER FRANCHOT: Oh, so the --

MS. ROBINSON: (Indiscernible.)

COMPTROLLER FRANCHOT: -- they would not work if we did not take advantage of the option?

MS. ROBINSON: Correct.

COMPTROLLER FRANCHOT: And how much money would be left over again, just for my clarification, from the original?

MS. ROBINSON: So the initial 12 months was \$44 million, and the second six-month option is \$26 million. We have only spent less than half of the original contracted amount in the first year. So this really, the contractual terms are why those monetary amounts are in there. But the exercising of the option for us is really about extending this contract for six more months. And (indiscernible) --

COMPTROLLER FRANCHOT: Yeah, but if we didn't extend it therefore they would stop? Or they would continue doing with what money you have available?

MS. ROBINSON: No, that's correct. The contract would end after 12 months if we did not extend and exercise that six-month option.

COMPTROLLER FRANCHOT: So potentially at the end of the six months, there's X amount of dollars that is going to be returned to the State or not spent by you on this contract?

MS. ROBINSON: Correct. We are only spending the amount that they are invoicing us for. So we will not spend anywhere near the full \$26 million in that additional six months, unless, you know, surprisingly they bring on a lot more resources that can do this work more quickly. I anticipate we will be through our backlog before we need that to happen. But I do believe we are going to need some of that six months' timeframe to get that work done.

COMPTROLLER FRANCHOT: How many states have this adjudication that we apparently have created for ourselves in Maryland? Because it sounds as if that is a major headache for getting unemployment insurance to people who deserve it.

MS. ROBINSON: It is. Every state requires adjudication because it is part of the federal program. However, in Maryland, as I have stated before, we are only one of four states that requires in our State law an additional mitigation as part of our adjudication process. Not all states have that, which does make our process a little more complex and makes it last longer. So I tried to work with our Legislature last year and I will do so again in the coming year to see if we can streamline those laws for our customers.

COMPTROLLER FRANCHOT: Okay. Madam Secretary, you are in the no good deed goes unpunished agency right now. But try to deliver as much as you can. Because there's a lot of suffering out there among our low wage earners, particularly, and difficulties. So thank you. Please, you are telling us today that people are actually picking the phone up at your agency?

MS. ROBINSON: Yes --

COMPTROLLER FRANCHOT: And answering the phone? Yes? Okay.

MS. ROBINSON: Yes, it is down to a much more manageable level. I will admit, Mondays are our most difficult day because it is our highest volume. But our volume has decreased every single week. The volume of calls coming in has decreased every single week since September 5th when the federal programs ended. So I anticipate more progress to be made and in the coming weeks I hope we are answering every single call on every single day of the week. We are still answering phones seven days a week, by the way. My staff is working overtime seven days a week. So I hope you know that we are working as hard as we possibly can and we absolutely will get the benefits to every single Marylander that deserves them.

GOVERNOR HOGAN: Well Madam Secretary, I just want to thank you and your team for an incredible effort. I know that we have processed 844,000

unemployment claims, which is 97.9 percent of all of them. We only have 2.1 percent pending. Now that's still a lot of people. It's still 18,000 people that are stuck in this adjudication hell and it's very frustrating for them. But 97.9 is probably the best in the country. The 2.1 is far less than we normally have in a non-pandemic, non-crisis time. So I just want to thank you for all that you have gotten done under very trying circumstances. And I think you might have processed like, it seems like ten years' worth of claims in a little over a year. The volume has just been incredible.

MS. ROBINSON: That's exactly right.

GOVERNOR HOGAN: But thank you for taking care of the 97.9 and let's try to keep this contract so we can take care of the other two percent.

MS. ROBINSON: Will do. Thank you.

GOVERNOR HOGAN: Thank you. Any other questions on the DGS Agenda?

COMPTROLLER FRANCHOT: Move approval.

TREASURER KOPP: Second.

GOVERNOR HOGAN: Is there a second? Three-nothing. That concludes the Board of Public Works. Thank you all for being here today.

(Whereupon, at 11:10 a.m., the meeting was concluded.)