BOARD OF PUBLIC WORKS

TABLE OF CONTENTS

JANUARY 26, 2022

MEETING LOCATION: ONLINE

Item		Section page no.	Overall page no.
	SECRETARY'S AGENDA		
1-2	Department of Agriculture		1
3-4	Board of Public Works - Wetlands		3
5	Department of Emergency Management		6
6	Department of Housing & Community Development		7
7	Department of Information Technology		9
8-9	Department of Natural Resources		10
10-13	Maryland Stadium Authority		16
14-15	St. Mary's College of Maryland		20
16	Department of Human Services		22
17-19	Department of Public Safety & Correctional Services		23
	APPENDIX		
A1	Comptroller of Maryland	APP1	26
A2	Department of General Services	APP3	28
A3-A4	Maryland Department of Health	APP5	3(
A5	Department of Human Services	APP10	35
A6	Department of Information Technology	APP12	37
	SUPPLEMENT		
	DEPARTMENT OF NATURAL RESOURCES/REAL PR	OPERTY	
1	Program Open Space Local Share	DNR1	39
2-3	Local Parks and Playgrounds Infrastructure	DNR2	40
4-5	Program Open Space Local Share	DNR4	42
6-7	Program Open Space State Share	DNR6	44
0-7			
8-9	Rural Legacy Program	DNR8	40
	Rural Legacy Program Timber Sale	DNR8 DNR10	
8-9	Timber Sale		
8-9			
8-9	Timber Sale SUPPLEMENT		46

TABLE OF CONTENTS

JANUARY 26, 2022

Item		Section page no.	Overall page no.
	MARYLAND DEPARTMENT OF TRANSPORTATION	ON	
1-3	Maryland Aviation Administration (MAA)	MDOT1	53
4-5	Maryland Transportation Authority (MDTA)	MDOT11	63
6-19	Maryland Transit Administration (MTA)	MDOT16	69
20-24	State Highway Administration (SHA)	MDOT60	112
25	The Secretary's Office (TSO)	MDOT68	120

DEPARTMENT OF GENERAL SERVICES/ OFFICE OF STATE PROCUREMENT

1-13	Capital Grants and Loans	OSP1	123
14	Architectural/Engineering	OSP14	136
15-21	Construction	OSP16	138
22-32	Services	OSP28	150
33-48	Information Technology	OSP53	181
49-50	Maintenance	OSP92	214
51	Real Property	OSP95	217
52-53	Tenant Lease	OSP97	219
54	Capital Grants and Loans (cont'd)	OSP99	221
55	SUPPLEMENTAL: Information Technology	OSP100	222
56	SUPPLEMENTAL: Services	OSP102	224



Contact: Jason Keppler 410-841-5864 jason.keppler@maryland.gov

1. **DEPARTMENT OF AGRICULTURE**

Maryland Agricultural Cost-Share Program - Grants

Recommendation: That the Board of Public Works approve funding for 13 individual grants

under the Maryland Agricultural Cost-Share Program.

Amount: \$257,100

Fund Source: MCCBL of 2019: *Provide funds for assistance for the implementation of*

best management practices that reduce soil and nutrient runoff from

Maryland farms. Item 19344

County	Grantee	Agreement #	Amount
Carroll	Steven D. Osborne	MP-2022-2379	\$13,200
Kent	Lewis McDonald	SA-2022-2374	\$50,000
Kent	Ronald W. Van Culin	CH-2022-2378	\$3,000
Montgomowy	Jennifer Lewis	AT-2022-2373	\$18,400
Montgomery	Jennier Lewis	AT-2022-2392	\$13,000
Prince George's Deanna C. Fleetwood		PA-2022-2375	\$25,300
	Carmelita Watkinson	AT-2022-2377	\$3,100
Queen Anne's	F. Kevin Leaverton	CH-2022-2376	\$15,300
	Patterson Farms, Inc.	CH-2022-2283	\$23,800
		AT-2022-2370	\$31,900
St. Mary's	Cornwallis Manor Farm, LLC	AT-2022-2371-C	\$39,000
		AT-2022-2372	\$14,100
Washington	Charles D. Shinham	UP-2022-2318	\$7,000

Authority: "Cost-Sharing-Water Pollution Control," Sections 8-701 to 8-705,

Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Remarks: The Maryland Department of Agriculture has determined that each of these projects is eligible for cost-share funds. Each project has received technical certification from the appropriate Soil Conservation District Office. The farmer has signed the cost-share agreement and accepts the grant conditions.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Jason Keppler 410-841-5864 jason.keppler@maryland.gov

2. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program- Additional Funding

Recommendation: That the Board of Public Works approve granting additional general

obligation bond proceeds to three grantees under the Maryland

Agricultural Cost-Share Program.

Amount: \$12,611.94

Fund Source: MCCBL of 2018: *Provide funds for assistance for the implementation of*

best management practices that reduce soil and nutrient runoff from

Maryland farms. Item 18274

County	Recipient	Agreement #	Amount
Carroll	David S. Bollinger	MP-2021-2432	\$3,342.88
Kent	Edward G. Schafer, Jr.	AT-2021-1874	\$2,569.06
Montgomery	Frozen Levels Farm	AT-2021-1863	\$6,700.00

Authority: "Cost-Sharing-Water Pollution Control," Sections 8-701 to 8-705,

Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Remarks: The Maryland Department of Agriculture has determined that each of these projects is eligible for cost-share funds. Each project has received technical certification from the appropriate Soil Conservation District Office. The farmer has signed the cost-share agreement and accepts the grant conditions.

Additional funds are requested for these projects to offset additional costs realized at the completion of the project. These additional costs are a result of design changes required based on site conditions encountered during construction, design changes to improve project effectiveness, or because the level of co-cost share funding originally anticipated was not available when the project was completed.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Bill Morgante 410-260-7791 bill.morgante@maryland.gov

3. **BOARD OF PUBLIC WORKS**

Wetlands Licenses

Recommendation: The Board of Public Works Wetlands Administrator recommends that the

Board grant licenses for projects involving filling 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.

ANNE ARUNDEL COUNTY

20-0402 DEALE BEACH COMMUNITY A

DEALE BEACH COMMUNITY ASSOCIATION—To reduce shoreline erosion and increase shoreline resilience by constructing a sand containment structure to include filling with sand, grading, and planting wetland vegetation.

Deale, Chesapeake Bay

Special Conditions: Requirements for marsh establishment, marsh maintenance plan, marsh establishment area planting, maintaining existing vegetated tidal wetlands, and annual photograph submission.

HARFORD COUNTY

20-0531 *CITY OF HAVRE DE GRACE* – To provide public boating access to the

Susquehanna River in Havre de Grace by replacing a bulkhead and constructing a

new bulkhead, boat ramp, pier ramp, and floating pier.

Havre de Grace, Susquehanna River

Special Conditions: Time of year restriction. Requirements for construction of bulkhead, soil management plan, sediment and erosion control plans and stormwater management plan approval, and compensatory mitigation plan.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Bill Morgante 410-260-7791 bill.morgante@maryland.gov

4. **BOARD OF PUBLIC WORKS**

Wetlands License - #20-0558 - City of Havre De Grace Mitigation

Recommendation:

The Board of Public Works Wetlands Administrator recommends that the Board approve a wetlands license to construct 2,482 linear feet of living shoreline along the Susquehanna River in Havre De Grace. Mitigation is recommended through the planting of SAV off-site for impacts to 15,408 square feet of submerged

aquatic vegetation (SAV) that cannot mitigated on-site as part of the

project.

MDE: The Maryland Department of the Environment concurs with this

recommendation.

• Application received June 2, 2020

• Public comment period ended September 22, 2021

• MDE Report and Recommendation (revised) received December 22, 2021

Authority:

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." *Section 16-202, Environment Article, Annotated Code of Maryland;* see also COMAR 23.02.04.

Offsetting SAV Impact:

Construction of the project to replace a hardened shoreline with a living shoreline will result in new impacts to 84,836 square feet (1.95 acres) of SAV. Various wetland creation components have been incorporated as part of the project on-site to compensate for the 1.95 acres of SAV impact. These include:

High Marsh 31,074 square feet (.71 acre)
Low Marsh 17,247 square feet (.40 acre)
SAV recolonization 21,107 square feet (.48 acre)
Total 69,428 square feet (1.59 acres)

The 69,428 sf (1.59 acres) offset for wetland impacts results in a deficit of 15,408 square feet (84,836 - 69,428 = 15,408 square feet)

to be mitigated.

Mitigation: After exploring several options, the project designer, MDE tidal

wetlands staff, and the licensee agreed on mitigation for the 15,408 square foot deficit to be accomplished by planting SAV off-site. Since the SAV is deemed a species in need of conservation, mitigation is to occur at a 3:1 ratio (COMAR 23.02.04.11.B).

 $15,408 \times 3 = 46,174 \text{ (1.06 acres) SAV to be planted off-site}$



4. **BOARD OF PUBLIC WORKS** (cont'd)

Administrator Remarks: The overall project will result in a more resilient shoreline,

improved water quality, adaptation to future marsh migration, and containment of polluted soils. The proposed design is engineered to remain stable both during storm events and discharges of the

nearby Conowingo Dam.

HARFORD COUNTY

20-0558 CITY OF HAVRE DE GRACE – To create habitat, increase climate resiliency, and improve water quality by removing revetment, relocating a floating pier and platform, constructing kayak launches and stormwater outfalls, constructing a living shoreline with headland structures, installing coarse woody debris and fill, planting marsh vegetation and transitional vegetation, and mitigating by planting SAV.

Havre De Grace, Susquehanna River

Special Conditions: Time of year restriction. Requirements for marsh establishment, marsh maintenance plan, marsh monitoring (five years) and photographing, SAV monitoring (three years), SAV monitoring plan, compensatory mitigation plan, woody debris anchoring and Action Plan, turbidity curtain, compliance with Soil Management Plan, submission of approved sediment and erosion control plan, and stormwater discharge velocity. Wetlands Created: 1.11 acres (high marsh and low marsh)

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Anna Sierra 443-381-2467 anna.sierra1@maryland.gov

5. <u>DEPARTMENT OF EMERGENCY MANAGEMENT</u>

Volunteer Company Assistance Fund Loan

Recommendation: That the Board of Public Works authorize the following loan up to the total

amount of \$500,000 from the Volunteer Company Assistance Fund.

Authority: Sections 8-203 – 8-204, Public Safety Article,

Annotated Code of Maryland.

Appropriation: D52H002 -- MISV3 -- 1433/3001

Background: The Maryland State Firemen's Association has approved the request of the volunteer fire company and certifies that its recommendations comply with the requirements of the Volunteer Company Assistance Fund as set forth in the Public Safety Article. The Association and the volunteer fire company have entered into an agreement that the loan will be used as represented and that gives the State appropriate and adequate security in the equipment purchased. The Department of Emergency Management verifies that the funds are available in the Volunteer Company Assistance Fund.

PRINCE GEORGE'S COUNTY

Requestor	Purpose	Reason	Max Loan Amount	Project Cost
MORNINGSIDE VOLUNTEER FIRE DEPARTMENT, INC.	Engine Pumper	Replacement	\$500,000	\$717,827

Interest Rate: 1%

Term: 20 years/annual payments

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contacts: Gregory Hare 301-429-7775 gregory.hare@maryland.gov Brien O'Toole 301-429-7761 brien.otoole@maryland.gov Jean Peterson 301-429-7667 jean.peterson@maryland.gov

6. <u>DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT</u>

Rental Housing Works Program

Recommendation: That the Board of Public Works approves lending general obligation bond

proceeds as described.

Borrower: Highlandtown 2 LLC

Project: Highlandtown Plaza Co-op

155 Grundy Street, Baltimore 21224

Baltimore City

Authority: Sections 4-101 – 4-255, Housing and Community Development Article,

Annotated Code of Maryland, as amended.

Rental Housing Works Program (RHWP) finances rental

housing that will be occupied by individuals with incomes of 60% or less

of the Area Median Income.

Loan Amount: \$1,400,000

Term: 40 years

Fund Source: MCCBL 2021- Rental Housing Works Program

Collateral: Deed of Trust

Description: The Project consists of the acquisition and rehabilitation, refinance and new construction of 81 apartment units that will offer units for seniors. A total of 74 units are being rehabilitated and seven units will be new construction. The Project is sponsored by CSI Support and Development, Inc. The apartment units are one-bedroom units and are restricted to households earning 60% or less of the Area Median Income.



6. <u>DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT</u> (cont'd)

Project Funding Sources:	
Rental Housing Works Program (this Item)	\$ 1,400,000
Tax-Exempt Loan	\$ 1,816,850
Rental Housing Production Program (Assumed)	\$ 1,221,177
Tax Credit Equity	\$ 5,546,856
Baltimore City Home (Assumed)	\$ 2,786,775
Baltimore City CDBG (Assumed)	\$ 533,729
General Partner Capital Contribution	\$ 950,000
HUD 202 Capital Advance Loan	\$ 1,100,000
Developer Loan	\$ 584,860
Assumed Reserves	\$ 236,900
<u>Deferred Developer Fee</u>	\$ <u>104,126</u>
Total	\$16,281,273

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning on August 12th, 2019.

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 the project.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Matthew Dryer 410-697-9687 matthew.dryer@maryland.gov

7. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u>

Resource Sharing Agreement, RSA Program

Recommendation: The Board of Public Works approve the State entering into a

resource sharing agreement.

Authority: Sec. 3A-307, State Finance & Procurement Article,

Annotated Code of Maryland

Property locations: Five Railroad Crossing Sites in Baltimore County:

Business Park Drive; Beaver Dam Road/Warren Road; Padonia

Road; McCormick/Schilling Circle; and Shawan Road.

Award: Zayo Group, LLC, Boulder, CO

Term: 01/26/2022 - 01/25/2032 (10-year base w/two 10-year renewal options)

01/26/2032 - 01/25/2042 (Option 1) 01/26/2042 - 01/25/2052 (Option 2)

Amount: \$402,587.79

Compensation to State

\$ 102,735.01 (10-year base) \$ 131,509.50 (Option 1) \$ 168,343.28 (Option 2) \$ 402,587.79 over 30 years

Requesting Agency Remarks: This revenue generating transaction results from a resource sharing agreement between Maryland Transit Administration and Zayo, LLC. For this proposal, the benefit to the State is monetary compensation in exchange for access to State Right-Of-Way for the installation, use and operations of fiber optics cables which support their fiber optic network. Since the monetary value of the lease over the 30-year term is more than \$100,000, this item was submitted to the Legislative Policy Committee for review and comment and was posted on *eMarylandMarketplace*.

Fund Source: Revenue Generating- Transportation Trust Fund

Resident Business: No MD Tax Clearance: 22-0099-1110

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION



Contact: Claudia Donegan 410-260-8768 claudia.donegan@maryland.gov

8. <u>DEPARTMENT OF NATURAL RESOURCES</u>

Shoreline Conservation Service

Recommendation: That the Board of Public Works approve additional funding for four shore

erosion control projects.

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

Fund Source: Revolving Loan Fund (03.30.01.14.002)

Remarks: DNR will provide technical and financial assistance for project construction. The Borrowers will pay an administrative fee for DNR services. After construction, DNR will return to the Board of Public Works to recommend that the Board levy a benefit charge (loan repayment) for the projects. The Borrowers will pledge their full faith and credit to repay the loans. The loan agreements will be recorded in the county land records.

1. Calvert County

Description: Living shoreline project of approximately 1,445 linear feet of segmented stone breakwaters including the placement of clean sand fill and the planting of marsh grasses.

Due to unavoidable delays, the project costs have increased, and the County requested an additional \$111,504 to complete this project. DNR will receive an increased administrative fee for the additional funds for this project. DNR will collect the yearly installments and deposit them in the Shore Erosion Control Revolving Loan Fund.

Borrower: Calvert County Commissioners
Project ID: Flag Point Park / SEC 01-16

Location: Chesapeake Bay, Calvert County, Maryland

Loan Term: 20 Years

Previous Approved Funding: (Secretary's Agenda, Item 9, 02/10/2016)

Loan Amount (Revolving Loan Fund, 03.30.01.14.002) \$338,996 Administrative Fee \$12,464

Additional Costs (this Item):

Loan Amount (Revolving Loan Fund, 03.30.01.14.002) \$111,504 Administrative Fee \$ 2,536



8. <u>DEPARTMENT OF NATURAL RESOURCES</u> (cont'd)

2. St. Mary's County

Description: Construct a 1,162 linear foot living shoreline with segmented stone breakwaters and sills, clean sand fill, mash grass plantings and stone revetment to protect infrastructure from sea-level rise and storm surge impacts, enhance coastal habitat, and demonstrate how Bay island restoration can enhance wildlife habitat and provide coastal resiliency by buffering mainland shorelines.

The design for this project was originally funded by the Resiliency through Restoration Initiative (formerly known as the Coastal Resiliency Program). The project is seeking construction funds through the Resiliency through Restoration Initiative (see Secretary's Agenda, Item 9). After the project was bid out for construction, additional funds to complete the project are required. The borrower has approached DNR for additional construction funds through the Shoreline Conservation Service. DNR will receive an administrative fee for the additional funds for this project. DNR will collect the yearly installments and deposit them in the Shore Erosion Control Revolving Loan Fund.

Borrower: Jefferson Islands Club

Project ID: St. Catherine's Island Project / SEC 01-22 Location: Potomac River, Avenue, St. Mary's County

Loan Term: 10 Years

Previous Approved Funding: (Secretary's Agenda, Item 4, 09/20/2017)

Grant Amount (MCCBL of 2017, Chapter 22, Acts of 2017): \$ 45,000

Coastal Resiliency Program, Source Code: 17182

Additional Costs (this Item):

Loan Amount (Revolving Loan Fund, 03.30.01.14.002) \$150,000 Administrative Fee \$7,122



8. **DEPARTMENT OF NATURAL RESOURCES** (cont'd)

3A. Wicomico County

Description: Living shoreline project of approximately 350 linear feet of segmented stone breakwaters including the placement of clean sand fill and the planting of marsh grasses.

Borrower: Wicomico County

Project ID: Roaring Point Park / SEC 01-18

Location: Nanticoke River at Red Hill Lane, Nanticoke

Loan Term: 20 Years

Previous Approved Funding: (Secretary's Agenda, Item 6, 03/07/2018)

Loan Amount (Revolving Loan Fund, 03.30.01.14.002) \$200,989 Administrative Fee \$ 8,491

Additional Costs (this Item):

Loan Amount (Revolving Loan Fund, 03.30.01.14.002) \$175,461 Administrative Fee \$4,719

3B. Wicomico County

Description: Living shoreline project of approximately 300 linear feet of headland stone breakwaters including the placement of clean sand fill and the planting of marsh grasses.

Borrower: Wicomico County

Project ID: Cove Road Beach / SEC 02-18

Location: Nanticoke River in Ragged Point Cove at

Cove Road, Bivalve

Loan Term: 15 Years

Previous Approved Funding: (Secretary's Agenda, Item 6, 03/07/2018)

Loan Amount (Revolving Loan Fund, 03.30.01.14.002) \$ 96,287 Administrative Fee \$ 4,408

Additional Costs (this Item):

Loan Amount (Revolving Loan Fund, 03.30.01.14.002 \$173,163 Administrative Fee \$6,297



8. **DEPARTMENT OF NATURAL RESOURCES** (cont'd)

3A & 3B. Wicomico County (cont'd)

Remarks (3A & 3B): The original loan amounts were for the design and construction of the projects. When the County bid the projects out, the lowest bids were higher than the loan amounts. The County requested additional funds to complete both projects. DNR will receive an increased administrative fee for the additional funds for these projects. DNR will collect the yearly installments and deposit them in the Shore Erosion Control Revolving Loan Fund.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contacts: Nicole Carlozo 410-260-8726 nicole.carlozo@maryland.gov Emily H. Wilson 410-260-8436 emilyh.wilson@maryland.gov

9. **DEPARTMENT OF NATURAL RESOURCES**

Resiliency through Restoration Initiative

Recommendation: That the Board of Public Works approve DNR granting \$1,382,083 in

general obligation bond proceeds to design and construct two restoration

projects.

Authority: Section 8-301, State Finance and Procurement Article,

Annotated Code of Maryland

Awards:

<i>1</i> .	Grantee:	Jefferson Islands Club	\$807,200	
	Project ID:	St. Catherine's Island / CRP 06-17		
	<i>Prior Approval:</i> \$45,000 (Secretary's Agenda, Item 4, 09/20/2017)			
	Location: Potomac River, Avenue, St. Mary's County			
	Description: Construct a 1.162 linear foot living shoreline with segmented s			

Description: Construct a 1,162 linear foot living shoreline with segmented stone breakwaters and sills, clean sand fill, marsh grass plantings and stone revetment to protect infrastructure from sea-level rise and storm surge impacts, enhance coastal habitat, and demonstrate how Bay island restoration can enhance wildlife habitat and provide coastal resiliency by buffering mainland shorelines. This project is also seeking required additional construction funds through the Shoreline Conservation Service (see Secretary's Agenda, Item 8).

<i>2</i> .	Grantee:	Town of Eagle Harbor	\$574,883
	D . ID	T 1 TT 1 / CDD 04 4	

Project ID: Eagle Harbor / CRP 04-17

Prior Approval: \$100,000 (Secretary's Agenda, Item 4, 09/20/2017)

Location: Patuxent River, Eagle Harbor, Prince George's County

Description: Design and construct a 1,450 linear foot stream restoration project with floodplain reconnection, stream enhancement and stabilization, vegetative enhancement, and hybrid practices to increase the Town's resiliency to stormwater impacts and help protect residential infrastructure and Patuxent Blvd from erosion and flooding.

Remarks: The Resiliency through Restoration Initiative (formerly Coastal Resiliency Program) was developed to address escalating risks to Maryland's coastal and inland communities and public resources from extreme weather and climate-related events. This Program implements on-the-ground natural and nature-based projects in priority areas where nature can help communities become more resilient to impacts from water. Targeting models, such as the Coastal Resiliency Assessment, identify areas where restoration can provide the greatest protection benefits for infrastructure, communities, businesses, and habitats. Datasets, such as impervious cover, highlight urban and inland areas where green infrastructure is needed to address more intense rain events. Projects will protect both public and private investments, while demonstrating a suite of nature-based projects that will enhance the ability of communities to respond to or recover from extreme hazards like storms and more frequent and intense rain events, or chronic hazards like nuisance flooding and sea level rise.



9. **DEPARTMENT OF NATURAL RESOURCES** (cont'd)

Remarks (cont'd):

DNR will provide technical assistance and grant funds to entities to design and construct living shoreline, marsh enhancement, green infrastructure, and nature-based projects. These projects will reduce the impacts of flooding on vulnerable communities across the state. DNR is seeking approval to award construction funds for one living shoreline project, and design/construction funds for one stream restoration project. After construction, DNR will return to the Board for approval to award adaptive management funds if warranted.

Fund Sources:

MCCBL of 2017 (Chapter 22, Acts of 2017): Coastal Resiliency Program \$181,210.00 Source Code: 17182

MCCBL of 2018 (Chapter 9, Acts of 2018): Coastal Resiliency Program \$1,200,873.00

Source Code: 18251

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Gary McGuigan 410-223-4118 gmcguigan@mdstad.com

10. MARYLAND STADIUM AUTHORITY

Real Property Acquisition
Hagerstown Multi-Use Sports and Events Facility

Recommendation: Approve the purchase of real property.

Project: Design and construction of a new Multi-Use Sports and Events

Facility in Hagerstown, MD.

Authority: Section 10-622, Economic Development Article,

Annotated Code of MD

Owner: Sweeney Bros. Properties, LLC

Ownership Interest: Fee Simple

Property: 140 Summit Avenue, Hagerstown, MD 21740

Property Description: Parcels 2048 and 2050 on Tax Map 312, Hagerstown,

Washington County

One (1) Laundromat Building on 27,636 square feet of land

Amount: \$400,000

Fair Market Offer: \$350,000 Counter Offer: \$400,000

Appraised Value: Associated Appraisers (dated 9/22/2021) \$345,000

Newmark Knight Frank (dated 10/26/2021) \$350,000

Remarks: Approval is requested to acquire real property required for the Hagerstown Multi-Use Sports and Events Facility. The Maryland Stadium Authority and Property Owner have negotiated in good faith a mutually agreeable sales price in the amount of \$400,000. Based on the agreed upon purchase price, the Maryland Stadium Authority recommends acquisition of the real property.

Fund Source: 2021 MCCBL (Acts of 2021 Chapter No, 63 – Hagerstown Minor League

Baseball Stadium – Capital Grants Funds)

Resident Business: Yes

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION



Contact: Gary McGuigan 410-223-4118 gmcguigan@mdstad.com

11. MARYLAND STADIUM AUTHORITY

Real Property Acquisition

Hagerstown Multi-Use Sports and Events Facility

Recommendation: Approve the purchase of real property.

Project: Design and construction of a new Multi-Use Sports and Events

Facility in Hagerstown, MD.

Authority: Section 10-622, Economic Development Article,

Annotated Code of MD

Owner: 100 Summit Ave, LLC

Ownership Interest: Fee Simple

Property: 100 Summit Avenue, Hagerstown, MD 21740

Property Description: Parcel 2052 on Tax Map 312, Hagerstown, Washington County

One (1) 58,832 square foot Office Building on 3.985 acres of land

Amount: \$5,236,529.63

Fair Market Offer: \$5,000,000 Counter Offer: \$5,236,529.63

Appraised Value: Jones Lang LaSalle (dated 8/20/2021) \$5,000,000

Associated Appraisers (dated 9/22/2021) \$5,200,000

Remarks: Approval is requested to acquire real property required for the Hagerstown Multi-Use Sports and Events Facility. The Maryland Stadium Authority and Property Owner have negotiated in good faith a mutually agreeable sales price in the amount of \$5,236,529.63. This amount is based on 100 percent of the appraised value and additional costs incurred by the Property Owner. Based on the agreed upon purchase price, the Maryland Stadium Authority recommends acquisition of the real property.

Fund Source: 2021 MCCBL (Acts of 2021 Chapter No 63 – Hagerstown Minor League

Baseball Stadium – Capital Grants Funds)

Resident Business: Yes

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION



Contact: Michael J. Frenz 410-333-1560 mfrenz@mdstad.com

12. MARYLAND STADIUM AUTHORITY

Amendment to the Lease Agreement between the Maryland Stadium Authority and Baltimore Orioles Limited Partnership, as successor in interest to The Orioles, Inc.

Recommendation: The Maryland Stadium Authority recommends that the Board of Public

Works approve the Stadium Authority: 1) amending the Lease Agreement

between the Stadium Authority and Baltimore Orioles Limited

Partnership, as successor in interest to The Orioles, Inc. (the "Orioles"), to allow the Orioles to proceed with an alteration of Oriole Park at Camden Yards (the "Ballpark"), and 2) reimburse the Orioles for the actual cost of the project (but not in excess of \$3,500,000) by crediting a certain portion of such costs against the rent due for 2022 and future calendar years.

Legal Authority: Sections 10-613(a)(7) & (11), and 10-644, Economic Development

Article, Annotated Code of Maryland, and Section 10-305(a), State Finance and Procurement Article, Annotated Code of Maryland.

Amount: Up to \$3,500,000 (Rent Reduction)

Background: The Orioles desire to alter the Ballpark. The alterations would generally consist of the removal of certain seating from the seating bowl, demolition of a portion of the substructure of the seating bowl, relocation of the left foul pole, left field wall, and left field warning track to points farther from home plate, and the expansion of the grass playing field to the areas vacated by the foregoing (collectively, the "Left Field Project"). The Orioles desire that the Left Field Project be completed prior to March 31, 2022, the anticipated first day of the 2022 Championship Season at the Ballpark. The Orioles have engaged design professionals and determined that the Left Field Project will cost approximately \$3,500,000.

The Stadium Authority has agreed with the Orioles that the Left Field Project is a reasonable alteration of the Ballpark. The Orioles have agreed to manage and pay for the Left Field Project, subject to reimbursement of the costs through credits against the rent due under the Orioles' lease of the Ballpark. Up to one-fifth of the cost of the Left Field Project (not to exceed \$3,500,000 in total) would be available as rent credits in each of 2022 and 2023. If the Orioles continue to occupy the Ballpark after 2023, whether pursuant to an extension of the existing lease, a new lease, or other agreement for the use and occupancy of the Ballpark, up to one-fifth of the cost of the Left Field Project (not to exceed \$3,500,000 in total) would also be available as rent credits in each of 2024, 2025, and 2026. Rent credits shall not result in a refund to the Orioles from the Stadium Authority but rent credits that cannot be applied in one year may be applied in future years as applicable.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED<mark>*</mark>

DISAPPROVED

DEFERRED

WITHDRAWN

*Approved 2-1 (Treasurer voted No)



Contact: Michael J. Frenz 410-333-1560 mfrenz@mdstad.com

13. MARYLAND STADIUM AUTHORITY

Hippodrome Theatre at the France-Merrick Performing Arts Center – Amendment to Utilities Capital Cost Reimbursement and Minimum Ticket Sales Agreement to mutually waive obligations for calendar year 2021

Recommendation: That the Board of Public Works approve the Maryland Stadium Authority

entering into an amendment to the Utilities Capital Cost Reimbursement and Minimum Ticket Sales Agreement with TMG Hippodrome, LLC ("TMG"), the operator of the Hippodrome Theatre at the France-Merrick Performing Arts Center, that will waive both parties' obligations under the agreement for calendar year 2021 and delay MSA's obligations for

calendar year 2022 until September 30, 2022.

Section 10-641, Economic Development Article, Authority:

Annotated Code of Maryland.

Background: Due to budget and physical constraints during the Stadium Authority's 2003 renovation of the Performing Arts Center, instead of constructing a central HVAC plant, MSA arranged for local vendors to increase their capacity and supply heating and cooling for the facility. However, this resulted in capital capacity and demand charges being passed through to TMG. To cover these additional operating costs, TMG needed to charge higher fees that made it difficult to attract productions to the theatre.

As approved by the Board of Public Works at its August 10, 2011 meeting (Secretary's Agenda, Item 23), MSA and TMG entered into a Utilities Capital Cost Reimbursement and Minimum Ticket Sales Agreement pursuant to which the Stadium Authority would pay TMG \$250,000 annually (in monthly installments) to defray the capital cost charges paid by TMG for HVAC utilities, but in exchange TMG would pay to the Stadium Authority a \$2.00 ticket surcharge for at least 220,000 tickets per year and TMG would pay an additional 25¢ for all tickets in excess of 350,000 sold in a year.

The COVID-19 emergency constrained the number of events for which tickets could be sold in 2021, but decreased usage of the theater also reduced utility costs. Therefore, the Stadium Authority requests that the Board of Public Works approve an amendment to the Utilities Capital Cost Reimbursement and Minimum Ticket Sales Agreement to waive both parties' obligations under the agreement for calendar year 2021 and delay MSA's obligations for this calendar year until September 30, 2022.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED **DEFERRED**

WITHDRAWN

WITH DISCUSSION



Contact: Maury Schlesinger 240-895-3077 mzschlesinger@smcm.edu

14. ST. MARY'S COLLEGE OF MARYLAND

Calvert Hall

Encumbrance of State Capital Funds

Contract ID: Calvert Hall Window and Door Replacement

SMC-22-24675

Recommendation: That the Board of Public Works approve St. Mary's College of

Maryland encumbering general obligation bond proceeds for a contract to remove and replace exterior windows and doors at

Calvert Hall.

Authority: Section 8-301, State Finance and Procurement Article,

Annotated Code of Maryland

Procurement Method: Request for Proposals

Award: W.M. Davis, Inc., Leonardtown, MD

Amount: \$640,914

Proposals:

Firm	Technical Evaluation	Financial Proposal	Overall Ranking
W.M. Davis, Inc.	Very Good	\$640,914	1
S.E. Davis Construction, LLC	Acceptable	\$746,525	2
Colossal Contractors, Inc.	Acceptable	\$972,950	3

Technical proposals were evaluated using adjectival ratings: Outstanding, Excellent, Acceptable, Marginal and Unacceptable (did not meet the standards set forth by the College).

Remarks: In response to advertisement on eMaryland Marketplace, three technical proposals were received. After evaluation of these proposals, the financial proposals were opened. W.M. Davis, Inc. (Leonardtown, MD), the firm with the highest technical evaluation, also proposed the lowest price. Maryland Historic Trust reviewed and approved the replacement window specifications for this historic building.

Fund Source: MCCBL 2021 (560) Appropriation Code 622

Resident Business: Yes MD Tax Clearance: 22-0041-1111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION



Contact: Maury Schlesinger 240-895-3077 mzschlesinger@smcm.edu

15. ST. MARY'S COLLEGE OF MARYLAND

New Academic Building and Auditorium

Recommendation: That the Board of Public Works approve St. Mary's College of

Maryland modifying previously approved contracts in the total amount of

\$8,587.30.

1. **Description:** Musical Equipment Storage, etc.

Procurement Method: Sourcewell Contract No. 191204

(MCE Waiver Received)

Prior Approval: Secretary's Agenda, Item 18 (12/01/2021)

Award: Wenger Corp, Minneapolis MN

Original Award Amount: \$87,738.70

Modification Amount: \$1,760.30

New Amount: \$89,499.00

Fund Source: General Funds

Tax Clearance: 21-3802-1111

2. **Description:** Data Network Equipment

Procurement Method: MEEC Contract No. UMD-972016

Prior Approval: Secretary's Agenda, Item 18 (12/01/2021)

Award: Data Networks, Hunt Valley MD

Original Award Amount:\$133,000.00Modification Amount:\$6,827.00New Amount:\$139,827.00Fund Source:General FundsTax Clearance:21-3799-1111

Remarks: On December 1, 2021, the Board of Public Works approved St. Mary's College of Maryland awarding the above contracts. However, the original quotes had expired, new quotes needed to be obtained, and a price increase occurred for these two contracts as a result.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION



Contact: Elise Kurlander 410-767-8384 elise.song@maryland.gov

16. <u>DEPARTMENT OF HUMAN SERVICES</u> General Miscellaneous

Recommendation: The Maryland Department of Human Services seeks approval for

payment in the total amount of \$65,000, to settle and compromise all claims for damages, attorneys' fees, and costs brought by a former employee of the Charles County Department of Social Services against the State of Maryland in *Bluey v. State of Maryland*, Case No. 19-03163, United States District Court for the District of

Maryland.

Authority: Sections 12-404 and 12-501, State Government Article,

Annotated Code of Maryland

Amount: \$65,000

Fund Source: 56% General Funds; 44% Federal Funds

Appropriation Code: N00G00.02

Requesting Agency Remarks: The Department of Human Services and the Office of the Attorney General recommend approval of the proposed settlement in full and final satisfaction of the plaintiff's claims as in the best interest of the State.

If this proposed settlement is approved, a check in the amount of \$65,000.00 should be made payable to Alan Lescht & Associates, P.C. The check should be mailed to Elise Song Kurlander, Assistant Attorney General, Saratoga State Center, Suite 1015, 311 West Saratoga Street, Baltimore, Maryland 21201, who will deliver the check and ensure all the necessary documentation and releases are complete.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Beverly F. Hughes 443-240-7682 beverly.hughes@maryland.gov

17. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> General Miscellaneous

Recommendation: The Department of Public Safety and Correctional Services,

through the Office of the Attorney General, requests approval to pay a settlement of all claims, including claims for attorney's fees, against defendants: Security Chief Thomas Barnes, Captain Derrick Brown, Lieutenant William Bunn, Captain Charles Giles, Lieutenant Charnel Hines, Captain Michael Moore, Sergeant Remigius Ogbonna, and Lieutenant Cynthia McNeely, in the matter of *Keisha Thompson, Personal Representative of the Estate of Michael Perry v. Thomas Barnes, et al.*, United States District

Court Civil Action No. PWG-16-705.

Authority: Sections 12-404 and 12-501, State Government Article,

Annotated Code of Maryland

Amount: \$35,000

Fund Source: 100% General Funds

Appropriation Codes: Q00A0101

Requesting Agency's Remarks: The Department of Public Safety and Correctional Services and the Office of the Attorney General recommend paying \$35,000 to settle all claims, including attorneys' fees, as in the best interest of the State.

If this settlement is approved, the check should be made payable to The Estate of Michael Perry, in the amount of \$35,000.00. The check should be delivered to Beverly F. Hughes, Assistant Attorney General, Office of the Attorney General of Maryland, 6776 Reisterstown Road, Suite 311, Baltimore, Maryland 21215, who will deliver the check and ensure all of the necessary documentation and releases are completed.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Lisa O. Arnquist 443-473-7611 lisa.arnquist@maryland.gov

18. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> General Miscellaneous

Recommendation: The Department of Public Safety and Correctional Services, through

the Office of the Attorney General, requests approval to pay a settlement of all claims, including claims for attorney's fees, against defendant in the matter of *Sondra Arsenault v. State of Maryland, DPSCS*, United States District Court for the District of Maryland,

Civil Action No. 1:20-cv-00998 RDB

Authority: Sections 12-404 and 12-501, State Government Article,

Annotated Code of Maryland

Amount: \$90,000

Fund Source: 100% General Funds

Appropriation Codes: Q00A0101

Requesting Agency's Remarks: The Department of Public Safety and Correctional Services and the Office of the Attorney General recommend paying \$90,000 to settle all claims, including attorneys' fees, as in the best interest of the State.

If this settlement is approved a check should be issued payable to "Sondra Arsenault and John B. Stolarz, Esquire" in the amount of \$90,000.00. The check should be delivered to Lisa O. Arnquist, Assistant Attorney General, Office of the Attorney General of Maryland, 6776 Reisterstown Road, Suite 311, Baltimore, Maryland 21215, who will deliver it to plaintiffs' counsel, and ensure that all of the necessary documentation and releases are complete.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Lisa O. Arnquist 443-473-7611 lisa.arnquist@maryland.gov

19. <u>DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES</u> General Miscellaneous

Recommendation: The Department of Public Safety and Correctional Services,

through the Office of the Attorney General, requests approval to pay a settlement of all claims, including claims for attorney's fees, against defendant in the matter of *Tonia Froehlich v. State of Maryland, DPSCS*, United States District Court for the District of

Maryland, Civil Action No. 1:21-CV-02196 RDB

Authority: Sections 12-404 and 12-501, State Government Article,

Annotated Code of Maryland

Request Amount: \$40,000

Fund Source: 100% General Funds

Appropriation Codes: Q00A0101

Requesting Agency's Remarks: The Department of Public Safety and Correctional Services and the Office of the Attorney General recommend paying \$40,000 to settle all claims, including attorneys' fees, as in the best interest of the State.

If this settlement is approved a check should be issued payable to "Tonia Froehlich and John B. Stolarz, Esquire" in the amount of \$40,000.00. The check should be delivered to Lisa O. Arnquist, Assistant Attorney General, Office of the Attorney General of Maryland, 6776 Reisterstown Road, Suite 311, Baltimore, Maryland 21215, who will deliver it to plaintiffs' counsel, and ensure that all of the necessary documentation and releases are complete.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Dennis Krysiak 410-260-7807 dkrysiak@comp.state.md.us

A1. COMPTROLLER OF MARYLAND

Contract Title: View Direct Statewide Report Distribution

ADPICS NO. E00B2600015

Contract Type: IT Software

Description: ASG Technologies Group, Inc. (ASG) software product View

Direct is a critical part of all Statewide Report Distribution (both printing and viewing), and the FMIS application is the only user of View Direct. This application is administered and supported by the

Department of Information Technology. The Office of the

Comptroller (COM) holds the software license as COM is the owner

of the machine that the application runs on.

Procurement Method: Emergency (Sole Source)

Award: ASG Technologies Group, Inc., a Rocket Company

Waltham, Massachusetts

Amount: \$270,611

Term: 11/30/2021 - 11/29/2022

Date Emergency Declared: 11/23/2021

Contract Award Date: 11/29/2021

Date Emergency Reported: 01/11/2022

MBE / VSBE Participation: N/A / N/A

Fund Source: 100% Reimbursable Funds (State Agencies based on FMIS usage)

Remarks: Nature of Emergency: It was brought to the COM IT Director's attention by staff that COM was getting "soon to expire" messages on the IBM mainframe system console. When the IT Director contacted the vendor (ASG) as to why the Office had not received a renewal notice ASG said it was told "the Comptroller's Office is no longer using the product." Additionally, after further research, COM found out that there had been a change in the account representative for the services and ASG was bought out by Rocket Software. The new account manager was no longer part of ASG/Rocket and was apparently the one that told the company COM was "no longer using" the software.



A1. <u>COMPTROLLER OF MARYLAND</u> (cont'd)

Remarks (cont'd):

This software was procured as a 15-year contract, expiring in 2021, and no one on COM staff in ITD or Finance was familiar with the uniqueness of this contract and the impact of its further renewal. View Direct is a critical part of all Statewide Report Distribution (both printing and viewing), and the FMIS application is the only user of View Direct. This application is administered and supported by Department of Information Technology now; previously by the Department of Budget & Management. The Office of the Comptroller holds the license as COM is the owner of the mainframe computer that the View Direct application runs on. It would be detrimental to all FMIS users in the State, and not just the Comptroller's office, without View Direct, and all FMIS printing & viewing would stop in all State agencies.

Basis for Selection: The ASG software runs the COM's IBM mainframe. ASG is the developer of the software and, as such, retains the proprietary and copyright privileges associated with the software. Under these circumstances, ASG is the only vendor that can provide the requested software maintenance and support services.

Resident Business: No

Tax Compliance No.: 21-4223-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

ACCEPTED

REMANDED

WITH DISCUSSION



Contact: Wendy Scott-Napier 410-767-4088 wendy.scott-napier@maryland.gov

A2. <u>DEPARTMENT OF GENERAL SERVICES</u>

Department of Health

Description: License Agreement for the use of 37,322 sf plus loading dock area

for the temporary storage of COVID-19 remains.

Contract Type: Lease

Landlord / Owner: Greene Street Ventures, LLC

c/o B&B Realty, PO Box 196, Stevenson, Maryland 21201

Prior Board Action: DGS Agenda, Item 51-LT-OPT (05/05/2021);

Secretary's Agenda, Item A3 (05/19/2021)

Property Location: 300-400 N. Greene Street, Baltimore, MD 21201

Procurement Method: Emergency (Sole Source)

Award: Greene Street Ventures. LLC

c/o B&B Realty, PO Box 196, Stevenson, Maryland 21201

Term: 01/05/2022 - 07/04/2022 (w/ two 3-month renewal options)

Date Emergency Declared: 01/03/2022

Contract Award Date: 01/05/2022

Date Emergency Reported: 01/12/2022

Contract Amount: \$180,000 (\$30,000 per month)

Fund Source: 100% Federal (CARES Act)

Remarks: Nature of Emergency – COVID-19: On January 4, 2022, Governor Larry Hogan issued a Declaration of State of Emergency and Existence of Catastrophic Health Emergency as a result of the COVID-19 pandemic. The Department of General Services (DGS), on behalf of the Maryland Emergency Management Agency (MEMA) and the Maryland Department of Health (MDH), serves as the primary procurement agency securing property required to mitigate the COVID-19 Emergency declaration by the Governor.



A2. <u>DEPARTMENT OF GENERAL SERVICES</u> (cont'd)

Remarks (cont'd):

DGS' Office of Real Estate seeks acceptance of the following emergency actions taken:

License Agreement for the use of 37,322 sf plus loading dock area for the temporary storage of COVID-19 remains. Licensor provides and pays for normal utilities (i.e. heat and air conditioning). Licensee is responsible for the cost of generator power and telecommunication services. The rental rate for this space is \$9.65 per sf and is below market rates. A market rental rate for this area would be a minimum of \$12 per sf.

Basis for Selection: There was an urgent need to create an Interim State Anatomy Board Expansion site for the healthful and dignified storage of COVID-19 Remains. The 300-400 N. Greene Street location is ideally situated for this purpose for the following reasons: (i) it is centrally and strategically located in the State and provides easy access from all areas/counties; and (ii) it is located close to the existing State Anatomy Board in Baltimore City, Maryland allowing for staff and resource sharing. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 H., as authorized by COMAR 21.05.06.02 B.

Tax Compliance No.: Pending

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

ACCEPTED

REMANDED

WITH DISCUSSION



APP 5

Contact: Webster Ye 410-767-6481

webster.ye@maryland.gov

A3. MARYLAND DEPARTMENT OF HEALTH

Office of Contract Management and Procurement

Contract ID: MDH COVID-19 Vaccination Program Operational Assessment

and Consultant Support

Original ADPICS BPO: M00B1600343

Change Order No.: COJ45228

Contract Type: Services

Contract Description: Contractor to assist the Maryland Department of Health (MDH) in

supporting, assessing, enhancing, and executing Maryland's

COVID-19 Vaccination Plan.

Modification Description: Additional funds (\$40,000,000) added; creation of a new

Functional Area 2 to assist in the December 2021 network security

incident response & recovery and maintenance of business

continuity to support COVID-19 response and recovery and MDH business operations. Extend contract term to December 31, 2022.

Procurement Method (this Item): Emergency Modification

Original Procurement Method: Emergency (Sec. A7; 04/21/2021)

Award: Ernst and Young, LLP, New York, NY

Original Contract Amount: \$3,794,600 (NTE) **Modification Amount (this Item):** \$40,000,000 (NTE)

Prior Mods/Options:

- *Modification 1*: Removal of two (2) 90-day options valued at \$4,065,600 each, Extension from 3/31/2021 to 10/18/2021, Additional funding of **\$21,251,451**; (Sec. A7; 04/21/2021)
- *Modification 2* **\$22,000,000** added to the contract and extended the term of this Contract through June 30, 2022. (DGS 46-S-MOD; 09/15/2021);
- *Modification 3-* **\$0.00** Modified the scope of contract to include COVID-19 response and recovery based on lessons learned from the Maryland COVID-19 Vaccination Program and as applied to the additional COVID-19 response pillars of testing, personal protective equipment (PPE), contact tracing, and hospital patient surge capacity management. (11/04/2021 Delegated Authority).

Revised Contract Amount: \$87,046,051 (NTE)



A3. MARYLAND DEPARTMENT OF HEALTH (cont'd)

Original Contract Term: 1/21/2021 - 4/21/2021 (with two 90-day options)

Modification Term (this Item): 12/18/2021 – 12/31/2022

Emergency Declared (this Item): 12/18/2021

Modification Award Date (this Item): 12/18/2021

Date Emergency Reported (this Item): 01/10/2022

Percent +/- (this Item): 1054.13%

Total Percent Change: 2293.95%

MBE / VSBE Participation: N/A / N/A

MBE / VSBE Compliance: N/A / N/A

Fund Source: 62.5% Federal / 37.5% General Funds

Approp. Code: FO301 / 320603

Remarks: Nature of Emergency – COVID-19: The Scope of this Contract is modified to redesignate the scope of work of COVID-19 response and recovery based on lessons learned from the Maryland COVID-19 Vaccination Program and as applied to the additional COVID-19 response pillars of testing, personal protective equipment (PPE), contact tracing, and hospital patient surge capacity management as Functional Area 1.

Functional Area 2: On December 18, 2021, Functional Area 2 was created to include Maryland Department of Health (MDH) December 2021 network security incident response & recovery and maintenance of business continuity to support COVID-19 response and recovery and MDH business operations. These functions include, but are not limited to:

- 1. Understand current business and technology recovery status including activities progress, artifacts, communication flow, etc. across crisis management, Cyber security, business continuity, IT infrastructure and business units/functions operation.
- 2. Provide service recovery & response support on the current activities and maintenance of client's business continuity to support COVID-19 response and recovery and business operations.



A3. MARYLAND DEPARTMENT OF HEALTH (cont'd)

Remarks (cont'd):

Functional Area 2 (cont'd):

- 3. Overall incident management including both, business continuity and technology recovery and:
 - a. Maintenance of business continuity
 - i. Enterprise critical path which includes business process/functions recovery priority and underline support IT infrastructure (e.g., core infrastructure, system, storage, apps, database, etc.)
 - ii. Identify business process restoration resource bottlenecks and develop solutions and implement operational restoration.
 - iii. Workaround data backlog reconciliation and injection into the system
 - b. Service recovery & response
 - i. Perform cybersecurity inspection and/or clean up
 - ii. Coordination and communication protocols between crisis management, Cyber security, business continuity, IT infrastructure and business units/functions operation teams including the development of recovery time estimate and level of confidence
 - iii. "Green Light" process for core foundation service, data backup, systems and apps recovery including data validation process
 - iv. Integrated testing and final validation and final approval workflow processes before release to production.

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

ACCEPTED

REMANDED

WITHDRAWN

WITH DISCUSSION



Contact: Webster Ye 410-767-6481 webster.ye@maryland.gov

A4. MARYLAND DEPARTMENT OF HEALTH

Laboratories Administration

Contract Title: Laboratory Services for Newborn Infant Screening

ADPICS No.: M00B2600299

Contract Type: Services

Description: Emergency contract to provide laboratory services for the

Newborn Infant Screening program, which provides statewide testing of newborn infants for metabolic and other disorders that

require immediate diagnosis and treatment.

Procurement Method: Emergency (Sole Source)

Award: PerkinElmer Genetics, Inc.

Shelton, CT

Amount: \$7,200,000

Term: 12/08/2021 - 06/08/2022 with one six-month renewal option

Date Emergency Declared: 12/04/2021

Contract Award Date: 12/08/2021

Date Emergency Reported: 01/10/2022

MBE / VSBE Participation: N/A / N/A

Fund Source: 100% Special Funds (Newborn and Childhood Screening Fund)

Remarks: Nature of Emergency: A network security incident beginning on December 4, 2021 has required the disconnection of Maryland Department of Health (MDH) computer networks from broader Internet and internal connections. As such, the MDH State Public Health Laboratory (SPHL) is unable to operate its computer systems. One specific and crucial impact to the disconnecting of MDH systems, until verified safe by network security technicians, is a halt to the processing of newborn metabolic screening specimens from newborn infants statewide for conditions that can cause serious illness, developmental delays, and possible death, which are normally conducted within 72 hours of collection of the specimens.



A4. MARYLAND DEPARTMENT OF HEALTH (cont'd)

Remarks (cont'd):

Basis for Selection: PerkinElmer was selected as the only vendor with the ability to replicate the volume and testing capacity of Maryland's comprehensive Newborn Screening testing panel. No other vendor manufactures or supplies these items in accordance with the existing turnaround time and methodology used by the MDH Laboratories Administration. The Newborn Screening testing panel includes screening for over 60 metabolic disorders. PerkinElmer is able to meet the turnaround parameters set by MDH. PerkinElmer also uses similar technologies and methods as the MDH Laboratories Administration. PerkinElmer will provide laboratory testing of Newborn Screening samples as designated by the Department. The Department is responsible for approximately 1500 samples processed per week from newborns throughout Maryland. This contract allows Maryland to continue compliance with the State of Maryland mandate as set forth by Md. Health-General Code Ann. § 13-111.

Resident Business: No

MD Tax Clearance: 21-4485-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

ACCEPTED

REMANDED

WITH DISCUSSION



Contact: Nneka Willis-Gray 410-767-7675 nneka.willisgray@maryland.gov

A5. DEPARTMENT OF HUMAN SERVICES

Social Services Administration (SSA)
Foster Care Maintenance Payments Program

Contract ID: Emergency Out of State Residential Child Care Services

SSA/00S-22-039, ADPICS # N00B2600260

Contract Type: Services

Description: Emergency placement of one youth.

Procurement Method: Emergency (Sole Source)

Award: SP Behavioral LLC, dba Sandy Pines Treatment Center

Tequesta, FL

Amount: \$118,038 (not to exceed)

Contract Term: 11/22/2021 – 05/31/2022 (6 months, 10 days)

Date Emergency Declared: 11/22/2021

Contract Award Date: 11/22/2021

Date Emergency Reported: 01/03/2022

MBE/VSBE Participation: N/A / N/A

Fund Source: 100% General

Appropriation Code: N00G0001

Remarks: Nature of Emergency: Emergency procurement contract for the placement of one Maryland youth on November 22, 2021 with SP Behavioral LLC, dba Sandy Pines Treatment Center. This is a 16-year-old youth diagnosed with Posttraumatic Stress Disorder; Disruptive Mood Dysregulation Disorder; Attention Deficit Hyperactivity Disorder, unspecified type; Bipolar Disorder I, Current or Most Recent Episode Unspecified; Schizophrenia by history; Personal History (Past History) of Sexual Abuse in Childhood; Personal History (Past History) of Neglect in Childhood.



A5. DEPARTMENT OF HUMAN SERVICES (cont'd)

Basis for Selection: Due to the unique and emergent needs, it was determined by the Local Department of Social Services that SP Behavioral LLC, dba Sandy pines Treatment Center was the most appropriate placement as it is a Residential Treatment Center that provides services to males and females ages 5 to 17 with behavioral, mental health, and/or emotional issues.

The Maryland State Department of Education (MSDE) is the State Agency responsible for setting rates for facilities that serve Maryland youth which are located outside of the State of Maryland. The Division of Special Education/Early Intervention Services (DSE/EIS), Nonpublic Special Education Section provides oversight for this work.

Maryland rates are set to ensure equal rates are paid for equal services regardless of the placing agency, placing State, or location of the facility. All rates issued by Maryland must comply with all cost approval guidelines and instructions.

Resident Business: No

Tax Compliance No: 21-4508-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

ACCEPTED

REMANDED

WITH DISCUSSION



Contact: Michael Leahy 410-697-9401 michael.leahy@maryland.gov

A6. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u>

Contract ID: Emergency Services to Perform Ad-Hoc Security Assessments

ADPICS NO. F50P200046

Contract Type: Information Technology Services

Description: Perform ad-hoc assessments using the NIST Cyber Security

Framework for the State of Maryland. The assessments will be performed to determine the overall security posture of executive

state agencies.

Procurement Method: Emergency

Award: RSM US, LLP,

Baltimore, MD 21202

Amount: \$4,000,000 (Not to Exceed)

Term: 12/08/2021 - 12/07/2022

Date Emergency Declared: 11/03/2021

Contract Award Date: 12/08/2021

Date Emergency Reported: 12/20/2021

MBE / VSBE Participation: N/A / N/A

Fund Source: 100% Dedicated Purpose Fund for Cybersecurity Assessments

Remarks: Nature of Emergency: The cybersecurity assessment program is focused on identifying areas where substantial cybersecurity risk exists so that such risks can be remediated. Without an emergency procurement award, the current team will be unable to complete the workload in a timely fashion and the assessment initiative will be negatively impacted, increasing the likelihood that a vulnerability will be leveraged to exploit a state system.



A6. <u>DEPARTMENT OF INFORMATION TECHNOLOGY</u> (cont'd)

Basis for Selection: In September 2021, through the Statewide Network Management Services contract with Digital Management LLC (DMI), the Department entered into a work order to provide a mechanism for ad-hoc assessments using the NIST Cyber Security Framework for the State of Maryland. The assessments will be performed to determine the overall security posture of executive state agencies. A significant portion of the work was to be subcontracted by DMI to RSM US which would conduct these assessments following the NIST CSF framework. Unfortunately, due to a conflict of interest because of a change in DMI's corporate ownership, RSM US is prohibited from continuing to partner with DMI to conduct these assessments. DoIT has spent several months working with RSM US leadership and personnel to discuss, review processes, and train assessment personnel on the initiative. Given the urgent need for the conduct of these assessments, and the time already invested with RSM US in preparation, the Department determined the necessary and appropriate course of action was to contract directly with RSM US to continue the required assessments through an emergency procurement.

Valuable time and resources will have been wasted if RSM US is not engaged to perform the work and the planned cybersecurity assessments will be delayed for an indeterminate amount of time while DoIT engages a substitute contractor. The assessment program is a Governor's Office initiative carried out by the Office of Security Management (OSM) within DoIT. There is a significant amount of work to do within the initiative and it is imperative that DoIT have sufficient assessment personnel in a timely fashion that are properly trained and able to carry out the work effectively and efficiently to make progress.

Resident Business: Yes

Tax Compliance No.: 21-4147-1101

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

ACCEPTED

REMANDED

WITH DISCUSSION



DNR₁

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

1A. PROGRAM OPEN SPACE LOCAL SHARE Baltimore County

Recommendation: Approval to commit \$1,948,258 for the following acquisition project.

Cheverly Road Park Site Acquisition - \$1,948,258

Baltimore County

POS #7342-3-511 MD20211110-0875

Background: Acquisition of 12.65 acres in the Loch Raven/Towson area improved with a 20,000+ square foot building. The site will become a public park and the building will be used as a recreation center and Department of Recreation and Parks headquarters.

Appraised Value: S.H. Muller & Associates, LLC. \$1,980,000

Everett Benfield Advisors \$1,935,000

Property Cost: \$1,948,258

Incidentals: \$15,000

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

Program Open Space Local

Source Code: 19011 \$387,777.09

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

Program Open Space Local

Source Code: 20011 \$1,560,480.91

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



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

2A. <u>LOCAL PARKS AND PLAYGROUNDS INFRASTRUCTURE</u> Cecil County

Recommendation: Approval to commit \$1,100,000 for the following **development** project.

Elkton High School Stadium Field Renovations – \$1,100,000 Cecil County
LPPI# LPPI-7-3

Background: Replace the existing grass surface field with a synthetic turf field within the existing stadium.

Fund Source: Maryland Consolidated Capital Bond Loan 2021, Chapter 63, Acts of 2021

Local Parks and Playgrounds Infrastructure

Source Code: 21523 \$1,100,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR₃

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

3A. <u>LOCAL PARKS AND PLAYGROUNDS INFRASTRUCTURE</u> Frederick County

Recommendation: Approval to commit \$59,597 for the following development projects.

1. Heritage Park Chess Table – \$1,438

Town of Middletown LPPI# LPPI-10-25

Background: Purchase and install a concrete chess table.

Fund Source: Maryland Consolidated Capital Bond Loan 2021, Chapter 63, Acts of 2021 Local Parks and Playgrounds Infrastructure Source Code: 21523 \$1,438

2. Memorial Park Swing - \$2,875

Town of Middletown LPPI# LPPI-10-26

Background: Purchase and install a swing consistent with National Playground Safety Standards and the Americans with Disabilities Act

Fund Source: Maryland Consolidated Capital Bond Loan 2021, Chapter 63, Acts of 2021 Local Parks and Playgrounds Infrastructure Source Code: 21523 \$2,875

3. West Green Street Pocket Park - \$13,806

Town of Middletown LPPI# LPPI-10-27

Background: Construct a new pocket park on West Green Street with a sitting area and associated site amenities.

Fund Source: Maryland Consolidated Capital Bond Loan 2021, Chapter 63, Acts of 2021 Local Parks and Playgrounds Infrastructure Source Code: 21523 \$13,806

4. Wiles Branch Park Improvements – \$41,478

Town of Middletown LPPI# LPPI-10-28

Background: Construct a new pavilion and install dog park amenities.

Fund Source: Maryland Consolidated Capital Bond Loan 2021, Chapter 63, Acts of 2021 Local Parks and Playgrounds Infrastructure Source Code: 21523 \$41,478

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR 4

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

4A. PROGRAM OPEN SPACE LOCAL SHARE Kent County

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

Kent County - 2022 Land Preservation, Parks, and Recreation Plan – \$25,000 Kent County
POS #7264-14-114 MD20210422-0297

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

Prior Approvals: \$25,000 (DNR-RP Item 2A [May 19, 2021])

Fund Source: Outdoor Recreation Land Loan of 2018, Chapter 150, Acts of 2017

Program Open Space Local Source Code: 18011 \$25,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR 5

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

5A. PROGRAM OPEN SPACE LOCAL SHARE Montgomery County

Recommendation: Approval to commit \$332,650 for the following acquisition project.

Black Hill Regional Park - Dice Property Acquisition – \$332,650
The Maryland-National Capital Park and Planning Commission (Montgomery County)

POS #7341-15-729 MD20211104-0869

Background: Acquire 2.41 acres to add to Black Hill Regional Park to provide for trailhead parking and space for a new loop trail.

Appraised Value: Sapperstein & Associates, LLC \$285,000

Philip R. Lamb & Co., Inc. \$325,000

Property Cost: \$325,000 **Incidental Costs:** \$27,650

Fund Source: Outdoor Recreation Land Loan of 2020, Chapter 565, Acts of 2019

Program Open Space Local Source Code: 20011 \$332,650

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR 6

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

6A. PROGRAM OPEN SPACE STATE SHARE Baltimore City

Recommendation: Approval to commit \$3,100,000 for the following **development** project.

FY22 Baltimore Park System – \$3,100,000 Baltimore City
POS #7360-26-254 MD20211203-0905

Background: Provide maintenance, planning, volunteer support, and operations of the Baltimore City Park System. The system contains over 5,700 acres of park land including woodlands, playgrounds, picnic groves and athletic fields.

Fund Source: Outdoor Recreation Land Loan 2022, Chapter 357, Acts of 2021

POS Stateside – Baltimore City Direct Grant

Source Code: 22010 \$3,100,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR 7

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

7A. PROGRAM OPEN SPACE STATE SHARE

Garrett County (Minoque)

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

Description: This property is located across the road from the Savage River, within the heart of one of Maryland's top trout fishing destinations, and will be managed by the Maryland Park Service as an addition to Big Run State Park. The property includes a commercial structure that can be used as a Park Office and Ranger Station with operational housing. Acquisition will support water-related recreational activities and allow visitors to more easily obtain information or contact staff in case of emergencies.

POS Scoring System: 85 out of 100 Targeted Ecological Area: Yes

Grantor: James F. Minoque and Geraldine V. Minoque

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

Property: 4+/- acres, improved, POS No. 5811

Price: \$215,000

Appraisals: \$220,000 (7/27/21) – Kathleen Frederick

\$200,000 (8/19/21) - Thomas A. Weigand

All appraisals reviewed by Mary Lou Krozack, Review Appraiser

Stabilization funds: \$21,500.00

Stabilization funds are authorized to stabilize the structural integrity of improvements existing on land at the time of acquisition, eliminate health and safety hazards, protect water quality, and provide public access. DNR plans to use a portion of the funds to dispose of improvements. This is DNR's plan at the time of acquisition to dispose of improvements. *See* Natural Resources Article §5-903(f) and §5-904(e).

Fund Source: Outdoor Recreation Land Loan of 2020, Chapter 570, Acts of 2019

Program Open Space Stateside Source Code: 20010 \$236,500

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR8

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

8A. **RURAL LEGACY PROGRAM FUNDS** Cecil County

Recommendation: Approval to grant \$957,170.25 to Cecil Land Trust, Inc. from Rural Legacy Funds to acquire a 257.92 acre conservation easement.

Fair Hill Rural Legacy Area – Albeck Farms, Inc. '22

Prior Approval: Fair Hill Rural Legacy Area Grant for easement acquisitions:

> DNR-RP Item 3A (1/8/2020) \$1,044,382 for FY2020 DNR-RP Item 12A (10/21/2020) \$1,382,249 for FY2021

Project Description: Acquisition of this conservation easement will protect productive agricultural and forestland, and provides permanent protection to approximately 6,000 linear feet of stream buffers to unnamed tributaries of North East Creek, a source of drinking water for the town of North East. This Rural Legacy easement, RL No. 6426, will be co-held by Cecil Land Trust Inc. and the Department of Natural Resources.

Easement Value: \$1,296,720.91 (\$5,027.57/acre)

Purchase Price: \$ 902,727.00 (\$3,500.00/acre)

Total Other DNR Costs: Administrative: \$ 27,081.81

> Incidental: \$ 13,820.54 \$ 13,540.90 Compliance:

\$ 54,443.25

Amount Requested: \$ 957,170.25

Fund Sources: Outdoor Recreation Land Loan of 2020, Chapter 565, Acts of 2019

Rural Legacy Program

Source Code: 20012 \$957,170.25

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR9

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

9A. RURAL LEGACY PROGRAM FUNDS Baltimore County

Recommendation: Approval to grant \$512,820.81 to The Land Preservation Trust, Inc. from Rural Legacy Funds to acquire a 73.16 acre conservation easement.

Piney Run Rural Legacy Area - Svrjcek

Prior Approval: Fair Hill Rural Legacy Area Grant for easement acquisitions:

DNR-RP Item 12A (10/21/2020) \$2,092,249 for FY2021

Project Description: Acquisition of this conservation easement will protect productive agricultural and forestland, and provides permanent protection to approximately 1,270 linear feet of forested stream buffers to unnamed tributaries of Prettyboy Reservoir, a source of drinking water for the Baltimore Metropolitan Area. This Rural Legacy easement, RL No. 6429, will be coheld by the Land Preservation Trust, Inc. and the Department of Natural Resources.

Easement Value: \$ 475,987.00 (\$6,506.55/acre)

Purchase Price: \$475,987.00 (\$6,506.55/acre)

Total Other DNR Costs: Administrative: \$14,279.00

Incidental: \$ 15,415.81 Compliance: \$ 7,139.00 \$ 36.833.81

Amount Requested: \$512,820.81

Fund Sources: Outdoor Recreation Land Loan of 2020, Chapter 565, Acts of 2019

Rural Legacy Program

Source Code: 20012 \$512,820.81

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DNR 10

Contact: Jack Perdue 410-260-8505 jack.perdue@maryland.gov

10A. TIMBER SALE Garrett County

Recommendation: That the Board of Public Works approve this timber sale of 144,837 board feet of sawtimber, and 239 cords of pulpwood, which will be conducted in Compartment 18 of Savage River State Forest.

Savage River State Forest

45 acres /Compartment 18 (SR-04-22)

Description: This forest thinning harvest will allow for increased forest stand vigor and health of residual trees and provide an opportunity for desirable regeneration to become established.

No bond money was used in the purchase of this land.

Authority: Natural Resources Article § 5-102 and § 5-214, Annotated Code of Maryland.

Sales Method: Competitive Sealed Bid (One-step method). See BPW Advisory 2005-2.

Bids:

C. Nancy Wilhelm & Sons Logging	MD	\$72,870
Joe Colmer Logging	MD	\$46,224

Award: C. Nancy Wilhelm & Sons Logging

Amount: \$72,870

Estimated Value: \$53,652

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

Board of Public Works University System of Maryland Supplement January 26, 2022



Contact: Thomas Hickey 410-576-5736

thickey@usmd.edu

1-GM. GENERAL MISCELLANEOUS

Recommendation: That the Board of Public Works approve the following contracts totaling

\$1,443,478.

Frostburg State University

Furniture for the Education and Health Sciences Center

1. **Description:** Furniture for the Education and Health Sciences Center

Procurement Method: Invitation for Bid

Award: Washington Workplace, Arlington, VA

Amount: \$169,046

Fund Source: 2021 General Fund (PAYGO 22002 Public Works Capital

Appropriation) Supplemental Budget Number 5. *Note: Maryland Correctional Enterprises provided a*

waiver as they could not provide items.

Resident Business: No MD Tax Clearance 21-4616-1101

2. Description: Furniture and equipment for the Education and Health

Sciences Center

Procurement Method: Preferred Provider

Award: Maryland Correctional Enterprises, Jessup, MD

Amount: \$1,274,432

Fund Source: 2021 General Fund (PAYGO 22002 Public Works Capital

Appropriation) Supplemental Budget Number 5.

Resident Business: Yes MD Tax Clearance 21-4618-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

Board of Public Works University System of Maryland Supplement January 26, 2022



REVISED

Contact: Thomas Hickey 410-576-5736 thickey@usmd.edu

2-S. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u>

Service Contract

Contract ID: Professional Services for Marketing and Advertising for the Robert

H. Smith School of Business MBA & Honors Programs - RFP No.

113309

Recommendation: Award service contract

Contract Description: This contract is to provide advertising, branding, and communications services that support enrollment marketing for the Robert H. Smith School of Business MBA and Honors programs. Primary areas of engagement include paid social media advertising, programmatic and display advertising, creative direction, out of home/traditional media buying, and other potential services such as paid advertising.

Award: Furman Roth Advertising, New York, NY

Procurement Method: Competitive Sealed Proposals

Contract Term: 2/1/22 – 1/31/24 (2-year base term w/two 2-year renewal options)

Amount: \$2,967,720 (not to exceed) (2-year base term)

\$2,990,429 (not to exceed) (first 2-year renewal option) \$3,014,046 (not to exceed) (second 2-year renewal option)

\$8,972,195 (not to exceed) Total

Proposals:

Firm	Technical Ranking	Financial Ranking	Overall Ranking	Base Year	Optional Term 1	Optional Term 2	Offer Total (base 2 year term + option years)
Furman Roth Advertising. New York, NY	1	2	1	\$2,967,720	\$2,990,429	\$3,014,046	\$8,972,195
Kivvit; Washington, DC	2	1	2	\$2,805,252	\$2,805,252	\$2,832,000	\$8,442,504

Fund Source: Institutional Funds

Board of Public Works University System of Maryland Supplement January 26, 2022



2-S. <u>UNIVERSITY OF MARYLAND, COLLEGE PARK</u> (cont'd) Service Contract

MBE Participation: None

Requesting Institution Remarks: This solicitation was advertised on eMaryland Marketplace Advantage. Five firms responded. The solicitation provided for one award. Three firms were deemed not susceptible for award by the Evaluation Committee. The University has determined that Furman Roth Advertising best satisfies the overall requirements and thus provides the best overall value to the University.

Resident Business: No

MD Tax Clearance: 21-4569-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Lawrence J. Hogan, Jr. Governor

Boyd K. Rutherford Lt. Governor

James F. Ports, Jr. Secretary

BOARD OF PUBLIC WORKS ACTION AGENDA January 26, 2022

	<u>Pages</u>
Maryland Aviation Administration (MAA)	1 – 10
Maryland Transportation Authority (MDTA)	11 – 15
Maryland Transit Administration (MTA)	16 – 59
State Highway Administration (SHA)	60 - 67
The Secretary's Office (TSO)	68 - 69



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

1-C. <u>MARYLAND AVIATION ADMINISTRATION</u>

Construction Contract

Contract ID: Long Term Lot B Pavement Rehabilitation at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport; *MAA-CO-22-007*

ADPICS No.: MAACO22007

Contract Description: This contract provides pavement rehabilitation of Long-Term Lot B at BWI Thurgood Marshall Airport. The work includes maintenance of traffic, pavement removal, full-depth reclamation, bituminous and Portland cement concrete pavement, milling and a bituminous concrete overlay of existing pavement, removal and installation of light poles and luminaires, pavement markings, and signage work.

Award: C.J Miller, LLC

Hampstead, MD

Contract Term: 02/17/2022* – 07/17/2022 (*or earlier upon BPW approval)

(150 calendar days)

Amount: \$3,640,117

Procurement Method: Competitive Sealed Bidding

Bids: C.J Miller, LLC \$3,640,117

Hampstead, MD

P. Flanigan and Sons, Inc. \$3,888,781

Baltimore, MD

Allen Myers MD, Inc. \$4,474,777

Fallston, MD

MBE Participation: 12%

Performance Security: Payment & Performance Bonds

Requesting Agency Remarks: This solicitation was advertised on eMaryland Marketplace Advantage and the Maryland Department of Transportation Maryland Aviation Administration's (MDOT MAA) website. The MDOT MAA directly solicited five (5) prospective bidders. Three (3) bids were received.

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

Approp. Code: J06I0003



1-C. MARYLAND AVIATION ADMINISTRATION (cont'd)

Resident Business: Yes

MD Tax Clearance: 21-4514-1110

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED W

WITHDRAWN

WITH DISCUSSION

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



Contact: Jaimini M. Erskine 410-859-7071 jerskine@bwiairport.com

2-GM-MOD. MARYLAND AVIATION ADMINISTRATION General/Miscellaneous: Lease and Concession Contract

Contract ID: Lease and Concession Contract; MAA-LC-04-001

Contract Description: This lease and concession contract is for the rights to lease, develop, and manage food service, retail, and service concessions at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport.

Modification Description: To allow Fraport Maryland Inc (Fraport), under the lease and concession contract with Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA), to extend existing subleases by two (2) years and beyond Fraport's term, in accordance with each term sublease. There is no change to Fraport's current contract term.

Contractor: Fraport Maryland, Inc.

Baltimore, MD

Current Contract Term: 04/01/2007 – 03/31/2023 (Operational Period)

Original Contract Amount: Under the original contract, the contractor pays the greater of a Minimum Annual Guarantee (MAG), which increased at the start of each contract year or Percentage Rent of 70% of Sublease Rentals derived from concession operations at BWI Thurgood Marshall.

Modification Amount: There is no change in this modification. The Board of Public Works (BPW) approved (02/24/21 12-GM) the new terms in which the contractor shall pay 70% of Subtenants Rentals from all operating concessions beginning April 1, 2020, until June 30, 2021. Beginning July 1, 2021, and each calendar year until the end of the contract term, the contractor shall pay the greater of the monthly Minimum Annual Guarantee (MAG) or 70% of Subtenants Rentals, whichever is greater on a monthly basis, outlined as follows:

- Beginning July 1, 2021, and ending June 30, 2022, monthly MAG will be based on 40% of the contractor's current MAG as of the effective date of Supplement No. 4.
- Beginning July 1, 2022, until the new contract expiration on March 31, 2023, monthly MAG will be based on 65% of the contractor's current MAG as of the effective date of Supplement No. 4.

If during the recovery period, the contractor's monthly MAG for any consecutive 12-month period is above 85% of the current MAG, then the MAG as of the effective date of the Supplement 4 is reinstated.

This modification allows Fraport to pass onto the subtenants the approval that was granted to Fraport, as noted above. Since that approval, Fraport has been finalizing sublease amendments reflecting these changes, which now allows MDOT MAA to bring this approval request to BPW.

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



2-GM-MOD. <u>MARYLAND AVIATION ADMINISTRATION</u> (cont'd)

Prior Mods/Options: Supplement No. 1 modified the contract to permit full-service banking and automated teller machines. Supplement No. 2 extended the Operational Phase of the contract term to allow adequate time for the contractor to recover its investment and capital improvement costs incurred during the development of the concession program. Supplement No. 3 required relocation of Silver Diner to facilitate the B/C Connector airport expansion project.

Supplement No. 4 provided retroactive rent relief due to the economic impact of the COVID-19 pandemic and provided a one (1) year term extension to March 21, 2023, along with approval to extend each subtenant for two (2) years - not beyond December 31, 2027, and other changes to financial and operational terms. Other requests for BPW approval are shown in Attachment I.

Requesting Agency Remarks: As provided by the BPW approval on February 24, 2021, the current lease and concession contract with Fraport expires on March 31, 2023. The contract provides that any sublease that Fraport enters may not extend beyond the term of Fraport's contract without prior written approval.

To allow the concessionaires at BWI Thurgood Marshall Airport to recover from the pandemic while continuing to meet passenger demand and providing and maintaining a high-quality concession program, the MDOT MAA requests the BPW to approve two-year extensions for all operating concessions from their current sublease terms. Some of these extensions go beyond Fraport's current lease expiration of March 31, 2023, but will not exceed December 31, 2027, the new outside date. As noted in the prior BPW approval (02/24/21, Item 12-GM), Fraport will immediately provide two (2) year extensions to all respective subleases to allow for this recovery.

This type of revenue-producing contract at a transportation facility is outside the scope of the State Procurement Law (State Finance and Procurement Article §11-202(3); COMAR 21.01.03.03.B(1)(d). However, the contract and any modifications must be approved by the Board of Public Works because the contract constitutes a lease and use of State property under State Finance and Procurement Article, Section 10-305.

Resident Business: Yes

MD Tax Clearance: 21-4403-0011

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022 MARYLAND DEPARTMENT OF TRANSPORTATION.

2-GM-MOD. MARYLAND AVIATION ADMINISTRATION (cont'd)

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	MDOT/MAA receives greater of MAG or 70% of the subtenant rents collected by Contractor.	03/10/2004- 03/31/2017	03/10/2004, Item 10-GM	Original Contract
Modification No. 1	No change to Contractor financial obligation	02/02/2006- 03/31/2017	02/01/2006, Item 10-GM	Allows the contractor to solicit for a full- service banking and automated teller machine (ATM) service provider
Modification No. 2	No change to Contractor financial obligation	04/01/2007- 03/31/2022	12/06/2006, Item 16-GM	Clarifies the food, retail, and services concession contract; provided contract Operational Phase Commencement Date of 04/01/2007 and extended term of Operational Phase from 10 years to 15 years, subject to MDOT MAA's right to terminate.
Revised Amount	Revenue generated from additional 5 years extension: \$62M			
Modification No. 3	Silver Diner Relocation: \$2,334,848 NTE Additional relocation payment: \$1.2M NTE Total NTE: \$3,534,848	03/07/2012- 03/31/2022	03/07/2012, Item18-GM	Provides for reimbursements to the contractor for: (1) relocating Silver Diner due to B/C connector construction; and (2) authorize additional payment for Silver Diner construction
Approval of Sublease Term (No change to Contractor terms)	N/A	N/A	11/18/2015, Item 5-GM	Allowed the contractor to enter into nine new subleases and extend two existing subleases beyond the contract term date 03/31/2022 and not beyond 12/31/2025.

DEPARTMENT OF TRANSPORTATION **ACTION AGENDA** MARYLAND DEPARTMENT OF TRANSPORTATION. **January 26, 2022**

REVISED

2-GM-MOD. MARYLAND AVIATION ADMINISTRATION (cont'd)

ATTACHMENT I (cont'd)

	Amount	Term	BPW/DCAR Date	Reason
Approval of Sublease Term (No change to Contractor terms)	N/A	N/A	11/18/2015, Item 5-GM	Allowed the contractor to enter into nine new subleases and extend two existing subleases beyond the contract term date 03/31/2022 and not beyond 12/31/2025.
Approval of Sublease Term (No change to Contractor terms)	N/A	N/A	09/21/2016, Item 22-GM	Allowed the contractor to enter into seven new subleases with terms that extend beyond the contract term date 03/31/2022 and not beyond 12/31/2024.
Approval of Sublease Term (No change to Contractor terms)	N/A	N/A	11/15/2017, Item 15-GM	Allowed the contractor to enter into seven new subleases and extend three existing subleases beyond the contract term date 03/31/2022 and not beyond 12/31/2025.
Approval of Sublease Term (No change to Contractor terms)	N/A	N/A	07/24/2019, Item 7-GM	Allowed the contractor to enter into three new subleases and extend three existing subleases beyond the contract term date 03/31/2022 and not beyond 12/31/2025.
Modification No. 4	\$16.4 M fiscal impact; offset by CARES Act funding	04/01/2020- 03/31/2023	02/24/2021, Item 12-GM- MOD	Retroactive Rent Relief (COVID-19); One- year term extension; approve extending each subtenant for two years - not beyond 12/31/27; changes to financial and operational terms
Approval of Sublease Term Extensions (No change to Contractor terms)	N/A	N/A	01/05/2022, Item 2-GM- MOD	Allow the contractor to modify and extend existing subleases beyond the contract term date of 03/31/2023 and not beyond 2/31/2027.

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



ATTACHMENT II

FRAPORT CONCESSIONS SUBTENANT EXPIRATION DATES WITH TWO-YEAR EXTENSION a/o Jan

	51 1 0 HAA II 1 0 II 1		I 47.470	0/04/0004	2/24/2022
1	First Call Medical Clinic	First Call Medical Center Gambrills, LLC	AT-170a	8/24/2021	3/31/2023
2	Be Relax	Spa Baltimore	С	4/30/2021	3/31/2023
3	Sock it to You	Moonlight, Starlight, LLC	AB CORE	5/31/2021	3/31/2023
4	Potbelly Sandwich Shop	Potbelly Sandwich Works	A	<mark>7/15/2021</mark>	<mark>3/31/2023</mark>
<mark>5</mark>	<mark>Vino Volo</mark>	Taste, Inc	<mark>A</mark>	3/22/2022	<mark>3/31/2023</mark>
<mark>6</mark>	Shades of U, INC	Diva by Cindy	D-13A (Vending)	10/31/2019	<mark>3/31/2023</mark>
7	Boars Head	OHM Concession Group	A	1/31/2021	3/31/2023
8	24-Hour Flower	24 Hour Flowers	MT	Month to Month	3/31/2023
9	24-Hour Flower	24 Hour Flowers	MT	Month to Month	3/31/2023
10	<mark>Be Relax</mark>	Spa Baltimore	D	Month to Month	3/31/2023
<mark>11</mark>	Fashion Spa House	Fashion Spa House, Inc.	AB CORE	Month to Month	3/31/2023
<mark>12</mark>	Fran's Organic Body Care	Fran's Organic Bodycare, LLC	AB CORE	Month to Month	3/31/2023
<mark>13</mark>	Fuel Rods	Tricopian, LLC	A	Month to Month	3/31/2023
14	Fuel Rods	Tricopian, LLC	В	Month to Month	3/31/2023
15	Fuel Rods	Tricopian, LLC	C	Month to Month	3/31/2023
16	Fuel Rods	Tricopian, LLC	D	Month to Month	3/31/2023
17	Fuel Rods	Tricopian, LLC	E	Month to Month	3/31/2023
18	Market Express	Creative Foods	D	Month to Month	3/31/2023
19	Monumental Vending	Canteen, Inc.	MT	Month to Month	3/31/2023
20	Pandora	Pandora Ventures, LLC	AB CORE	Month to Month	3/31/2023
21	Prepango Vending Machines	Prepango	Vending	Month to Month	3/31/2023
22	Quizno's	Great Foods BWI	D	Month to Month	3/31/2023
23	Roam Fitness	Roam Fitness, BWI	DE CORE	Month to Month	3/31/2023
24	Wellfound	WELLFOUND FOODS		1/30/2021	3/31/2023
25	Lee Ann Chin	LCI Baltimore, LLC	vending		10/31/2023
	The Club at BWI		AB CORE	10/31/2021	
26 27		ALD Development	D	10/31/2021	10/31/2023
27 	Arby's	Dan Food Service	AB CORE	11/30/2021	11/30/2023
28	The UPS Store	Aeras Corp.	MT-C	3/31/2022	3/31/2023
29	InMotion	In Motion Entertaiment Group	AB CORE	2/28/2022	2/28/2024
30	Potbelly Sandwich Shop	Potbelly Sandwich Works	C	2/28/2022	2/28/2024
31	Subway	Subway Retail Group	B	2/28/2022	2/28/2024
<mark>32</mark>	Auntie Anne's kiosk	Sky's the Limit of MD	<mark>B</mark>	3/29/2022	3/31/2024
33	Auntie Anne's	Sky's the Limit of MD	D	3/30/2022	3/31/2024
34	<u>America</u>	Marshall Retail	AB CORE	3/31/2022	3/31/2024
35	<u>America</u>	Marshall Retail	D	3/31/2022	3/31/2024
<mark>36</mark>	America	Marshall Retail	DE CORE	3/31/2022	3/31/2024
<mark>37</mark>	Auntie Anne's/Cinnabon	Sky's the Limit of MD	A	<mark>3/31/2022</mark>	3/31/2024
<mark>38</mark>	<mark>Be Relax</mark>	Spa Baltimore	AB CORE	<mark>3/31/2022</mark>	3/31/2024
<mark>39</mark>	BGR	Travel Retail Solutions	<mark>B</mark>	3/31/2022	3/31/2024
<mark>40</mark>	Charm City Market	Olympic Supply Inc	D	<mark>3/31/2022</mark>	<mark>3/31/2024</mark>
<mark>41</mark>	<u>Chipotle</u>	Chipolte Mexican Grill	AB CORE	3/31/2022	3/31/2024
<mark>42</mark>	Nathan's	Concessions Solutions Group	B	3/31/2022	3/31/2024
<mark>43</mark>	Dunkin Donuts	OHM Concession Group	B	3/31/2022	3/31/2024
44	Dunkin Donuts	OHM Concession Group	D	3/31/2022	3/31/2024
<mark>45</mark>	Dunkin Donuts	OHM Concession Group	MT-C	3/31/2022	3/31/2024
<mark>46</mark>	Einstein's Bagels	Maryland Concessions	C	3/31/2022	3/31/2024
47	Farmer's Market	HMSHost	B	3/31/2022	3/31/2024
48	Gachi House of Sushi	Star Global Hosp.	A	3/31/2022	3/31/2024
<mark>49</mark>	Gachi House of Sushi	Star Global Hosp.	B	3/31/2022	3/31/2024
50	Green Beans Coffee	Atlanta Restaurant Partners, LLC	A	3/31/2022	3/31/2024
51	H-Hudson News D-8	The Hudson Group	D	3/31/2022	3/31/2024
52	H-Hudson News B12	The Hudson Group	B	3/31/2022	3/31/2024
53	H-Hudson News LL -2	The Hudson Group	MT-Lower Level	3/31/2022	3/31/2024
54	H-Hudson NewsBooksellers	The Hudson Group	D D	3/31/2022	3/31/2024
55	H-Hudson News UL-1	The Hudson Group	MT-Upper Level	3/31/2022	3/31/2024
56	H-Hudson News UL-13	The Hudson Group	MT-Upper Level	3/31/2022	3/31/2024
57	Hudson A-2	The Hudson Group	A A	3/31/2022	3/31/2024
<mark>58</mark>	Hudson Aeromart Kiosk	The Hudson Group	CRCF	3/31/2022	3/31/2024
<mark>59</mark>	Hudson C Wall Unit	The Hudson Group	C C	3/31/2022	3/31/2024

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



ATTACHMENT II

	ATTACHMENTII						
	CONCESSION CONCEPT	OPERATOR	LOCATION	Orig. SUBLEASE EXPIRATION	SUBLEASE EXTENSION DATE		
<mark>61</mark>	Hudson News C-220	The Hudson Group	C	3/31/2022	3/31/2024		
<mark>62</mark>	Hudson News De-105	The Hudson Group	D	3/31/2022	3/31/2024		
<mark>63</mark>	InMotion/Tech Showcase	In Motion Entertaiment Group	B	3/31/2022	<mark>3/31/2024</mark>		
<mark>64</mark>	<mark>Jamba Juice</mark>	Air Ventures	AB CORE	3/31/2022	<mark>3/31/2024</mark>		
<mark>65</mark>	Johnston & Murphy	Genesco, INC	AB CORE	3/31/2022	3/31/2024		
<mark>66</mark>	Johnston & Murphy	Genesco, INC	D	3/31/2022	<mark>3/31/2024</mark>		
<mark>67</mark>	Kiehl's	Marshall Retail	В	3/31/2022	3/31/2024		
<mark>68</mark>	La Boutique	DF Express	D	3/31/2022	3/31/2024		
<mark>69</mark>	M&T Bank	Mnufacturers and Traders Trust	MT-A	<mark>3/31/2022</mark>	<mark>3/31/2024</mark>		
<mark>70</mark>	MAC	International Shoppes, LLC	AB CORE	<mark>3/31/2022</mark>	<mark>3/31/2024</mark>		
<mark>71</mark>	<mark>Marika</mark>	<mark>Stellar Partners</mark>	AB CORE	<mark>3/31/2022</mark>	<mark>3/31/2024</mark>		
<mark>72</mark>	Marshall Rousso	Marshall Retail	C	<mark>3/31/2022</mark>	<mark>3/31/2024</mark>		
<mark>73</mark>	<u>Martini</u>	Air Ventures	A	3/31/2022	<mark>3/31/2024</mark>		
<mark>74</mark>	Mayorga Mayorga Mayorga	Air Ventures	AB CORE	3/31/2022	<mark>3/31/2024</mark>		
<mark>75</mark>	McDonald's	McDonald's USA, LLC	AB CORE	3/31/2022	<mark>3/31/2024</mark>		
<mark>76</mark>	McDonald's	McDonald's USA, LLC	D	3/31/2022	3/31/2024		
<mark>77</mark>	Nature's Kitchen	Travel Retail Solutions	<mark>D</mark>	3/31/2022	3/31/2024		
<mark>78</mark>	NYS Collection	Olympic Supply, Inc	C	3/31/2022	3/31/2024		
<mark>79</mark>	NYS Collection	Olympic Supply, Inc	D	3/31/2022	3/31/2024		
<mark>80</mark>	Onsite News	The Hudson Group	AB CORE	3/31/2022	3/31/2024		
81	Onsite News	The Hudson Group	B	3/31/2022	3/31/2024		
<mark>82</mark>	Onsite News	The Hudson Group	D	3/31/2022	3/31/2024		
<mark>83</mark>	Onsite News UL	The Hudson Group	MT (UL6)	<mark>3/31/2022</mark>	3/31/2024		
<mark>84</mark>	Passports	Atlanta Restaurant Partners, LLC	E	3/31/2022	3/31/2024		
<mark>85</mark>	Pen & Prose	Morgan Group Ventures, BWI	DE CORE	3/31/2022	3/31/2024		
<mark>86</mark>	Pinkberry	Olympic Supply, Inc	AB CORE	3/31/2022	3/31/2024		
87	Silver Diner	Silver Diner Restaurant	AB CORE	3/31/2022	3/31/2024		
88	Sunglass Hut	Sunglass Hut Trading CO	AB CORE	3/31/2022	3/31/2024		
<mark>89</mark>	The Body Shop	Buth-Na-Bodhaige, Inc	AB CORE	3/31/2022	3/31/2024		
90	Tumi	Tumi Stores	B	3/31/2022	3/31/2024		
91	Marshall Rousso	Marshall Retail	D	3/31/2022	3/31/2024		
92 93	InMotion	In Motion Entertaiment Group	D	1/31/2023	1/31/2025		
93 94	Chic Fil A	Great Foods BWI	AB CORE D	2/28/2023	2/28/2025		
	Phillips Seafood	Creative Foods	MT-CD	2/28/2023	2/28/2025		
95 06	Starbucks Lada's	HMSHost	MI-CD B	3/31/2023	3/31/2025		
96 97	Ledo's- Ledo's-	BWI Concessions, LLC BWI Concessions, LLC	MT-BC	3/31/2023 3/31/2023	3/31/2025 3/31/2025		
98	Starbucks	HMSHost	MT-A LOWER LEVEL	5/31/2023	5/31/2025		
99	Stellar News	Stellar Partners	AB CORE	6/30/2023	6/30/2025		
100	White House Black Market	Stellar Partners	AB CORE	6/30/2023	6/30/2025		
101	The Greene Turtle	The Green Turtle BWI	D	9/30/2023	9/30/2025		
102	Starbucks	HMSHost	DE CORE	11/30/2023	11/30/2025		
103	Obrycki's	CRC Restaurants	B	5/31/2024	5/31/2026		
104	R&R Seafood	CRC Restaurants	DE CORE	5/31/2024	5/31/2026		
105	Smoothie King	Smoothie 4 Life, LLC	D	12/31/2024	12/31/2026		
106	Tony & Benny	Coney Island of America	A	12/31/2024	12/31/2026		
107	Sir Vezas	Creative Foods	MT-D	6/30/2025	6/30/2027		
108	Firkin & Flyer	Firkin BWI	C	9/30/2025	9/30/2027		
109	Brix & Vine	HMSHost	D	12/31/2025	12/31/2027		
110	District Market	Marshall Retail Group	A	12/31/2025	12/31/2027		
111	Flying Dog	HMSHost	A	12/31/2025	12/31/2027		
112	Harbor Grille	Air Ventures	c	12/31/2025	12/31/2027		
113	La Cocina	BWI Mexican, LLC	D	12/31/2025	12/31/2027		
114	Miss Shirley's	Air Ventures	A	12/31/2025	12/31/2027		
115	Nalley Fresh	Firkin BWI / Salad BWI	AB CORE	12/31/2025	12/31/2027		
116	R&R	CRC Restaurants	A	12/31/2025	12/31/2027		
117	Sky Azure	Aero Services Group	MT-BC	12/31/2025	12/31/2027		
118	Starbucks	HMSHost	B	12/31/2025	12/31/2027		
119	Qdoba	Airport Subs	C	12/31/2025	12/31/2027		
120	Zona Cocina	Aero Service Group	B	12/31/2025	12/31/2027		
			<u> </u>				
<mark>121</mark>	Space ATK208*	Pending*	A/B Core	12/31/2024*	N/A		
122	Space C200E1*	Pending*	B/C Connector	12/31/2024*	N/A		
123	Space EK105*	Pending*	MT-E	12/31/2024*	N/A		
124	Space ST203*	Pending*	мт	12/31/2024*	N/A		
*The see	•	a shout town radovalanment. The sub					

*The spaces noted above are pending a short-term redevelopment. The sublease term of these spaces may go beyond Fraport's term but not beyond 12/31/2024. Any other concession space that may need to be redeveloped under Fraport's current contract will not have a sublease term beyond 12/31/2024.



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

3-M. <u>MARYLAND AVIATION ADMINISTRATION</u> *Maintenance Contract*

Contract ID: Turf Management and Weed Control Services at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) and Martin State (MTN) Airports; *MAA-MC-22-018*

ADPICS NO.: MAAMC22018

Contract Description: This contract provides for labor, skilled technicians, personnel, supervision, tools, licenses, chemicals, equipment, materials, insurance, and expertise required to perform comprehensive scheduled and on-call turf management and weed control services program at BWI Thurgood Marshall and MTN State Airports.

Award: RJO Services, LLC (Certified Small Business)

Severna Park, MD

Contract Term: 03/01/2022 - 02/28/2027

Amount: \$2,423,345 (Base Term, 5 years)

\$ 990,570 (Renewal Option, Two (2) years incl. 2.1% CPI) \$3,413,915 (Aggregate Total, including two (2) year renewal)

Procurement Method: Competitive Sealed Bidding (Small Business Reserve)

Bids: RJO Services, LLC \$3,413,915

Severna Park, MD

Environmental Resources Group, Inc. \$3,546,773

Ashton, MD

Allen Chase Enterprises, Inc. \$3,984,621

Oswego, NY

Living Wage Eligible: Yes

MBE Participation: 25%

Performance Security: 50% Performance and Payment Bonds (Annualized)

Incumbent: RJO Services, LLC

Severna Park, MD



3-M. MARYLAND AVIATION ADMINISTRATION (cont'd)

Requesting Agency Remarks: This solicitation was advertised on eMaryland Marketplace Advantage (eMMA) and the Maryland Department of Transportation Maryland Aviation Administration's (MDOT MAA) website on July 29, 2021. The MDOT MAA directly solicited 24 prospective bidders. Three (3) bids were received.

The MDOT MAA reached out to the prospective bidders to ascertain why no bids were submitted. One (1) response was received stating the scope of work was not their expertise. A Maryland Works waiver was granted on April 5, 2021.

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

Appropriation Code: J06I0002

Resident Business: Yes

MD Tax Clearance: 21-4146-0110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



Contact: Donna DiCerbo 410-537-7814 ddicerbo@mdta.maryland.gov

4-AE. <u>MARYLAND TRANSPORTATION AUTHORITY</u>

Architectural/Engineering Contract

Contract ID: Intelligent Transportation System (ITS) and Electrical Design Services; MDTA 2020-02

Contract Description: These are four (4) work-order based contracts to provide ITS and electrical design services for the Maryland Department of Transportation Maryland Transportation Authority (MDOT MDTA).

Awards: Rummel, Klepper & Kahl, LLP/ (AE-3077-0000)

Whitman, Requardt & Associates (JV)

Baltimore, MD

Jacobs Engineering Group, Inc. (AE-3078-0000)

Baltimore, MD

Mead & Hunt, Inc./ (AE-3079-0000)

WSP USA Inc. (JV) Columbia, Maryland

Dewberry Engineering, Inc./ (AE-3080-0000)

Whitney, Bailey, Cox & Magnani, LLC (JV)

Owings Mills, MD

Contract Term: 02/09/2022* - 02/08/2027 (*or earlier upon BPW approval)

Amount: \$4,250,000 NTE (AE 3077-0000)

\$4,250,000 NTE (AE 3078-0000) \$4,250,000 NTE (AE 3079-0000) \$4,250,000 NTE (AE 3080-0000) \$17,000,000 NTE Aggregate Total

Procurement Method: Qualification Based Selection

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



4-AE. MARYLAND TRANSPORTATION AUTHORITY (cont'd)

Proposals:

	Technical Proposal Rating (Max 2500)	Technical Ranking	Award
Rummel, Klepper & Kahl, LLP/Whitman, Requardt & Associates, LLP Baltimore, MD	2324.33	1	\$4,250,000 NTE (AE-3077-0000)
Jacobs Engineering Group, Inc. Baltimore, MD	2222.50	2	\$4,250,000 NTE (AE-3078-0000)
Mead & Hunt, Inc./WSP USA Inc. (JV) Columbia, MD	2193.61	3	\$4,250,000 NTE (AE-3079-0000)
Dewberry Engineering, Inc./Whitney, Bailey, Cox & Magnani, LLC (JV) Owings Mills, MD	1990.24	4	\$4,250,000 NTE (AE-3080-0000)
AECOM Technical Services, Inc. Hunt Valley, MD	1875.72	5	

MBE Participation: 23%

VSBE Participation: 1%

Incumbents: Jacobs Engineering Group, Inc.

Baltimore, MD

Sabra, Wang & Associates, Inc./WSP Parsons Brinkerhoff (JV)

Columbia, MD

AECOM Technical Services, Inc.

Hunt Valley, MD

Requesting Agency Remarks: Intelligent Transportation System (ITS) is the application of sensing, analysis, control and communications technologies to ground transportation in order to improve safety, mobility and efficiency. ITS includes a wide range of applications that process and share information to ease congestion, improve traffic management, minimize environmental impact, and increase the benefits of transportation to commercial users and the public in general. The ITS is comprised of MDTA's advanced technology & communications systems such as Lane Use Signals, Closed Caption TV, Dynamic Message signs, Detectors, sensors for traffic and incident, LUS and other equipment monitoring and controlling systems, electrically operated gates, real-time information systems, Tolling Equipment Fiber infrastructure and all associated systems and software.

On October 5, 2020, the solicitation was advertised in The Daily Record and eMaryland Marketplace Advantage.

DEPARTMENT OF TRANSPORTATION ACTION AGENDA January 26, 2022



4-AE. MARYLAND TRANSPORTATION AUTHORITY (cont'd)

Requesting Agency Remarks (cont'd):

The consultant shall perform physical, on-site inspections and engineering design services of facilities under its jurisdiction. The facilities include I-95 (John F. Kennedy Memorial Highway including the Express Toll Lane and Travel Plazas), I-895 (Baltimore Harbor Tunnel Thruway), I-395 and I-95 in Baltimore City (Fort McHenry Tunnel), I-695 (Francis Scott Key Bridge), the Harry W. Nice Memorial/Senator Thomas "Mac" Middleton Bridge, the Thomas J. Hatem Memorial Bridge, the William Preston Lane, Jr. Memorial Bridge (twin structures) and the Intercounty Connector (ICC) in Prince George's and Montgomery Counties. Consultant services include the inspections of bridges, tunnels, and roadway and ancillary structures; use of the Structures Inspection and Repair Management system and maintenance of the system through subcontractor/vendor agreements with the system developer; providing asset management services; providing access equipment and maintenance of traffic for inspections; performing non-destructive testing; providing construction inspection services; performing structural evaluations, analysis and load ratings; performing surveying and structural design; and providing project management services. The project will also include but is not limited to providing Engineering Design and/or Consultant Services. . Within the overall MBE goal, sub-goals of seven percent (7%) for African American-owned firms and ten percent (10%) for Women-owned firms have been established for this contract.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in the Board of Public Works (BPW) Advisory 1995-1 found on the BPW website.

Fund Source: 100% Special Funds (Toll Revenue)

Approp. Code: J00J00.41 & J00J00.42

Resident Businesses: Yes

MD Tax Clearance: Rummel, Klepper & Kahl, LLP/ 21-4048-1111

Whitman, Requardt & Associates, LLP (JV)

Jacobs Engineering Group, Inc. 21-4039-1101 Mead & Hunt, Inc./WSP USA Inc. (JV) 21-4040-1111 Dewberry Engineering, Inc./ 21-4047-1111

Whitney, Bailey, Cox & Magnani, LLC (JV)

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION



Contact: Donna DiCerbo 410-537-7814 ddicerbo@mdta.state.md.us

5-M. <u>MARYLAND TRANSPORTATION AUTHORITY</u>

Maintenance Contract

Contract ID: Intelligent Transportation System (ITS) Field Hardware Maintenance;

MT-3136-0000

Contract Description: This contract provides troubleshooting, maintenance, repairs, and emergency repair services for the Maryland Department of Transportation Maryland Transportation Authority (MDOT MDTA) ITS field hardware at the William Preston Lane, Jr. (WPL) "Bay Bridge" facility and the Baltimore Harbor Tunnel (BHT) facility.

Award: Communications Electronic, Inc.

Timonium, MD

Contract Term: 03/01/2022 - 02/28/2025 (Three-year base with one, 2-year renewal

option)

Amount: \$2,583,869 NTE (3 Year Base Contract)

\$1,983,796 NTE (Renewal Option, Year 4 and Year 5)

\$4,567,665 Aggregate NTE Total (5 Years)

Procurement Method: Competitive Sealed Bidding

Bids:

Communications Electronic, Inc. \$4,567,665

Timonium, MD

Digital Traffic Systems, Inc \$4,662,785

Ashland, VA

Dvorak, LLC. \$5,682,017

Baltimore, MD

Living Wage Eligible: Yes

MBE Participation: 0% (See Requesting Agency Remarks)

VSBE Participation: 0% (See Requesting Agency Remarks)

Performance Security: None

Incumbent: None



5-M. MARYLAND TRANSPORTATION AUTHORITY (cont'd)

Requesting Agency Remarks: This contract was advertised on e-Maryland Marketplace Advantage on October 1, 2021. A copy of the solicitation was also sent to the Governor's Office of Small, Minority & Women Business Affairs. Bids were opened on November 12, 2021, and MDTA received three (3) bids.

Communications Electronic, Inc., was determined to be the apparent lowest bidder, with a bid amount of \$4,567,665. The contract includes all labor, supervision, materials, parts, hardware, supplies, tools, equipment, transport, expenses, and all unspecified incidental items to provide a maintenance service contract for MDOT MDTA.

The Minority Business Enterprise and Veteran Small Business Enterprise goals were established at 0% due to the scope and nature of work.

This is a new contract for the MDTA, therefore there is no incumbent.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in the Board of Public Works (BPW) Advisory 1995-1 found on the BPW website.

Fund Source: 100% Special Funds (Toll Revenue)

Approp. Code: J00J00.41

Resident Business: Yes

MD Tax Clearances: 21-4181-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



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

See next page for

6-AE. <u>MARYLAND TRANSIT ADMINISTRATION</u>

Architectural/Engineering Contract

Contract ID: Design Services During Construction for the Purple Line Project; PUR-22-202-SS

ADPICS No.: PUR22202SS

Contract Description: This contract provides the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) with professional design services related to utility work during construction in support of the Purple Line Project.

Award: Atkins North America, Inc.

Tampa, FL

Contract Term: $\frac{02/17/2022}{12/31/2022} = \frac{12/31/2022}{12/31/2022}$ (*or earlier upon BPW approval)

4/14/2022

Amount: \$4,600,000

Procurement Method: Sole Source Record Correction
Letter dated 9/2/22

Frocurement Method: Sole Source

Living Wage Eligible: Yes

DBE Participation: 0%

Incumbent: Purple Line Transit Constructors, LLC

Irving, TX

Requesting Agency Remarks: The contractor will continue to perform their on-going architecture and engineering services for the Purple Line Project on an "as-needed" work order basis in order to complete work initiated by MDOT MTA. These Design Services During Construction (DSDC) for utility related items include general management and coordination, monthly site visits as needed, addressing Requests For Information (RFI), completing Notice of Design Change (NDC) documents, completing Field Design Change (FDC) documents, submittal reviews, shop drawing reviews, review of Non-Conformance Reports (NCRs), as-built development, third party and Authority Having Jurisdiction (AHJ) coordination as needed for utility support and utility designation and test holes.

A Public-Private Partnership (P3) Agreement (the Concession Agreement or CA) dated April 7, 2016, was entered into by the State of Maryland (the State) acting by and through MDOT and MTA (collectively considered in the CA as Owner), and Purple Line Transit Partners LLC (Concessionaire). An amended and restated design-build contract (the DB Contract) dated June 14, 2016, was entered into by Concessionaire and Purple Line Transit Constructors (PLTC). On September 10, 2020, the DB Contract was terminated, and, on September 28, 2020, the State assumed from PLTC the Atkins North America, Inc. (Atkins) subcontract (as numbered, PUR-22-202-SS) for the purposes of continuing the Contractor's work on the Project.



Larry Hogan Governor Boyd K. Rutherford Lt. Governor James F. Ports, Jr. Secretary Holly Arnold Administrator

MEMORANDUM

TO:

EXECUTIVE SECRETARY JOHN GONTRUM

FROM:

DIRECTOR OF PROCUREMENT WILLIAM L. PARHAM, JR.

SUBJECT: NOTICE OF CORRECTION – MDOT 6-AE 01/26/2022 BPW MEETING

DATE:

SEPTEMBER 2, 2022

Accepted 9/7/2022- JTG

RESPONSE REQUEST

BY:

SEPTEMBER 9, 2022

Digitally signed by John T. Gontrum Date: 2022.09.07 16:58:10 -04'00'

PURPOSE OF MEMORANDUM

The purpose of this memo is to advise you of a clerical error that requires a change to a Maryland Department of Transportation action agenda item previously approved by the Board of Public Works.

MDOT AGENDA 01/26/2022, ITEM 6-AE

The correct start date of the contract is 04/14/2022.

The published and approved BPW agenda item incorrectly states that the contract term would begin on 02/17/2022.

Approval:

William Parham Parham

Digitally signed by William

Date: 2022.09.02 08:51:01 -04'00'

William L. Parham, Jr. Director of Procurement, MDOT MTA



6-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Concurrently with the effective date of the contract to be awarded (the Contract), the Concessionaire is seeking to enter into a replacement design-build contract with Maryland Transit Solutions LLC (MTS), subject to further State approval and, concurrently with the effective date of the Contract, the State is assigning to, and MTS is assuming, Contract No. PUR-22-202-SS so that Atkins may continue the work as defined therein, as amended. However, the State requires that Contractor continue certain work directly for the State after assignment of the existing contract to MTS. Therefore, the State requires a separate contract with Atkins for that work.

The Contract is being awarded as a sole source procurement because the State, through its procurement officer, has determined that 1) the services cannot be so completely defined as to lend themselves to procedures for selection on a competitive basis; and 2) the Purple Line project is of a complex nature, carried out in phases, making it not feasible to continue subsequent phases with other than the first phase sources.

Atkins is very familiar with the Project and will utilize that knowledge to timely complete the work in accordance with the schedule agreed upon with the new design-build contractor. No other firm would have the flexibility and knowledge to complete the work in accordance with this schedule.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on historical pricing. Accordingly, MDOT MTA has determined that is in the State's best interest and that it would be infeasible to procure new contracts to complete the work for the Purple Line. Contractor continuity is critical. The Project is highly complex in terms of its design elements, including stakeholder, railroad, and utility coordination. The Project would incur significant additional costs, schedule delays and additional risk if it were to transition to a new A&E firm.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in Board Advisory 1995-1.

Fund Source: 37.4 % Federal; 62.6% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: No MD Tax Clearance: 21-4423-1111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



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

7-AE. MARYLAND TRANSIT ADMINISTRATION

Architectural/Engineering Contract

Contract ID: Construction Quality Control Inspection Services for the Purple Line Project;

PUR-22-205-SS

ADPICS No.: PUR22205SS

Contract Description: This contract provides the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) with professional Construction Quality Control (QC) Inspection services in support of the Purple Line Project.

Award: HNTB Corporation

Arlington, VA

Contract Term: $\frac{02/17/2022}{17/2022} - \frac{09}{30/2022}$ (*or earlier upon BPW approval)

4/14/2022

Amount: \$2,396,550 See next page for

Record Correction Letter dated 9/2/22

Procurement Method: Sole Source

Living Wage Eligible: Yes

DBE Participation: 0%

Incumbent: Purple Line Transit Constructor, LLC

Irving, TX

Requesting Agency Remarks: The contractor will continue to perform their on-going architecture and engineering services for the Purple Line Project on an "as-needed" work order basis in order to complete work initiated by MDOT MTA. The contractor will supply all adequate and competent labor to oversee, manage, verify, and perform construction QC activities (civil construction and rail construction) as part of the Project's Quality Management System (QMS) and as detailed in the Concessionaire Quality Program (CQP), the Concessionaire Construction Quality Program (CCQP) and the Concession Agreement (CA).

A Public-Private Partnership (P3) Agreement (or CA) dated April 7, 2016, was entered into by the State of Maryland (the State) acting by and through MDOT and MTA (collectively considered in the CA as Owner), and Purple Line Transit Partners LLC (Concessionaire). An amended and restated design-build contract (the DB Contract) dated June 14, 2016, was entered into by Concessionaire and Purple Line Transit Constructors (PLTC). On September 10, 2020, the DB Contract was terminated, and, on September 28, 2020, the State assumed from PLTC the HNTB Corporation (HNTB) subcontract (as numbered, PUR-22-205-SS) for the purposes of continuing the Contractor's work on the Project.



Larry Hogan Boyd K. Rutherford Lt. Governor James F. Ports, Jr. Secretary Holly Arnold Administrator

MEMORANDUM

TO:

EXECUTIVE SECRETARY JOHN GONTRUM

FROM:

DIRECTOR OF PROCUREMENT WILLIAM L. PARHAM, JR.

SUBJECT: NOTICE OF CORRECTION – MDOT 7-AE 01/26/2022 BPW MEETING

DATE:

SEPTEMBER 2, 2022

Accepted 9/7/2022- JTG

Digitally signed by John T. Gontrum Date: 2022.09.07

RESPONSE REQUEST

BY:

SEPTEMBER 9, 2022

PURPOSE OF MEMORANDUM

The purpose of this memo is to advise you of a clerical error that requires a change to a Maryland Department of Transportation action agenda item previously approved by the Board of Public Works.

MDOT AGENDA 01/26/2022, ITEM 7-AE

The correct start date of the contract is 04/14/2022.

The published and approved BPW agenda item incorrectly states that the contract term would begin on 02/17/2022.

Approval:

William Parham

Digitally signed by William Parham

Date: 2022.09.02 08:52:05 -04'00'

William L. Parham, Jr. Director of Procurement, MDOT MTA



7-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Concurrently with the effective date of the contract to be awarded (the Contract), the Concessionaire is seeking to enter into a replacement design-build contract with Maryland Transit Solutions LLC (MTS), subject to further State approval and, concurrently with the effective date of the Contract, the State is assigning to, and MTS is assuming, Contract No. PUR-22-205-SS so that HNTB may continue the work as defined therein, as amended. However, the State requires that Contractor continue certain work directly for the State after assignment of the existing contract to MTS. Therefore, the State requires a separate contract with HNTB for that work.

The Contract is being awarded as a sole source procurement because the State, through its procurement officer, has determined that 1) the services cannot be so completely defined as to lend themselves to procedures for selection on a competitive basis; and 2) the Purple Line project is of a complex nature, carried out in phases, making it not feasible to continue subsequent phases with other than the first phase sources.

HNTB is very familiar with the Project and will utilize that knowledge to timely complete the work in accordance with the schedule agreed upon with the new design-build contractor. No other firm would have the flexibility and knowledge to complete the work in accordance with this schedule.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on historical pricing. Accordingly, MDOT MTA has determined that is in the State's best interest and that it would be infeasible to procure new contracts to complete the work for the Purple Line. Contractor continuity is critical. The Project is highly complex in terms of its design elements, including stakeholder, railroad, and utility coordination. The Project would incur significant additional costs, schedule delays and additional risk if it were to transition to a new A&E firm.

This contract includes a provision authorizing an extension for a total period no longer than onethird of the base term to spend funds remaining on the contract as provided in Board Advisory 1995-1.

Fund Source: 37.4 % Federal; 62.6% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105



7-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Resident Business: No

MD Tax Clearance: 21-4424-0110

BOARD OF PUBLIC WORKS

WITH DISCUSSION

THIS ITEM WAS:

APPROVED DISAPPROVED **DEFERRED WITHDRAWN**



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

8-AE. MARYLAND TRANSIT ADMINISTRATION

Architectural/Engineering Contract

Contract ID: Quality Assurance Services for the Purple Line Project; PUR-22-210-SS

ADPICS No.: PUR22210SS

Contract Description: This contract provides the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) with Quality Assurance (QA) services in support of the Purple Line Project.

Award: Quinn Consulting Services, Inc. (Certified DBE)

Chantilly, VA

Contract Term: 02/17/2022* – 09/30/2022 (*or earlier upon BPW approval)

Amount: \$284,466

Procurement Method: Sole Source

Living Wage Eligible: Yes

DBE Participation: 22%

Incumbent: Purple Line Transit Constructors, LLC

Irving, TX

Requesting Agency Remarks: The contractor will continue to perform their on-going architecture and engineering services for the Purple Line Project on an "as-needed" work order basis in order to complete work initiated by MDOT MTA. These QA services include overseeing managing, verifying, and performing QA activities. The work is intended to be performed independently as guided by the Concessionaire Quality Program (CQP) for the purpose of determining conformance of the work. The Contractor shall examine data and verify that the appropriate processes are followed consistently through a program of independent inspections, testing, and auditing processes delivering objective evidence that the Project facilities, components, systems, and subsystems, that make up the Project, are in compliance with the Project requirements.



8-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

A Public-Private Partnership (P3) Agreement (the Concession Agreement or CA) dated April 7, 2016, was entered into by the State of Maryland (the State) acting by and through MDOT and MTA (collectively considered in the CA as Owner), and Purple Line Transit Partners LLC (Concessionaire). An amended and restated design-build contract (the DB Contract) dated June 14, 2016, was entered into by Concessionaire and Purple Line Transit Constructors (PLTC). On September 10, 2020, the DB Contract was terminated, and, on September 28, 2020, the State assumed from PLTC the Quinn Consulting Services, Inc. (Quinn) subcontract (as numbered, PUR-22-210-SS) for the purposes of continuing the Contractor's work on the Project.

Concurrently with the effective date of the contract to be awarded (the Contract), the Concessionaire is seeking to enter into a replacement design-build contract with Maryland Transit Solutions LLC (MTS), subject to further State approval and, concurrently with the effective date of the Contract, the State is assigning to, and MTS is assuming, Contract No. PUR-22-210-SS so that Quinn may continue the work as defined therein, as amended. However, the State requires that Contractor continue certain work directly for the State after assignment of the existing contract to MTA. Therefore, the State requires a separate contract with Quinn for that work.

The Contract is being awarded as a sole source procurement because the State, through its procurement officer, has determined that 1) the services cannot be so completely defined as to lend themselves to procedures for selection on a competitive basis; and 2) the Purple Line project is of a complex nature, carried out in phases, making it not feasible to continue subsequent phases with other than the first phase sources.

Quinn is very familiar with the Project and will utilize that knowledge to timely complete the work in accordance with the schedule agreed upon with the new design-build contractor. No other firm would have the flexibility and knowledge to complete the work in accordance with this schedule.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on historical pricing. Accordingly, MDOT MTA has determined that is in the State's best interest and that it would be infeasible to procure new contracts to complete the work for the Purple Line. Contractor continuity is critical. The Project is highly complex in terms of its design elements, including stakeholder, railroad, and utility coordination. The Project would incur significant additional costs, schedule delays and additional risk if it were to transition to a new A&E firm.

The DBE goal established for this contract is 22% and Quinn has committed to the goal. In addition, Quinn is a certified DBE firm.



8-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in Board Advisory 1995-1.

Fund Source: 37.4 % Federal; 62.6% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: No

MD Tax Clearance: 21-4422-0101

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: William Parham 410-767-8374 wparham@mta.maryland.gov

9-AE-MOD. MARYLAND TRANSIT ADMINISTRATION

Modification: Architectural/Engineering Contract

Contract ID: Rolling Stock and Associated Equipment Services; AGY-16-001-AE-E

ADPICS No: CO393925

Contract Approved: DOT Agenda 06/20/2018; Item 8-AE

Contractor: WSP USA, Inc.

Baltimore, MD

Contract Description: This open-end contract provides support for the procurement of locomotives, buses, paratransit, and rail passenger vehicles to operate on various Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) services routes.

Modification Descriptions: Modification No. 3 increases the contract authority for the contract in order to complete active and future work orders.

Original Contract Term: 06/21/2018 – 07/11/2023

Modification Term: 02/17/2022 - 07/11/2023

Original Contract Amount: \$ 6,000,000

Modification Amount: \$ 4,000,000

Prior Mods/Options: \$ 0 (Mod. No. 1: DCAR 06/21/2018)

\$ 0 (Mod. No. 2: DCAR 10/01/2021)

Revised Contract Amount: \$10,000,000

Percentage +/- Change: 0% (Modification No. 1; DCAR 06/21/2018)

0% (Modification No. 2; DCAR 10/01/2021) 40% (Modification No. 3, *this agenda item*)

Overall Percent +/-: 40%

Original Procurement Method: Qualification Based Selection

DBE Participation: 28%

DBE Compliance: 37%



9-AE-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: This contract provides for consultants that perform rolling stock and associated equipment services for MDOT MTA. These services may include the following:

- initial planning, product research, preliminary engineering and specification development, and final design engineering;
- environmental-related work to support regulatory review;
- coordination and correspondence with manufacturers/vendors, coordination, and interactions with ProjectWise Document Control System;
- manufacturing and in-plant vehicle or equipment inspection;
- commissioning and testing, Systems integration engineering, revenue service support, safety, and systems assurance; and
- procurement and warranty support, management of fleet retrofits/modifications, project planning, evaluation, review, and control.

Additional contract authority is required for this contract to allow for the continued progress of numerous ongoing & upcoming work orders and will provide contingent engineering inspection services for MDOT MTA's Metro SubwayLink, Light RailLink, MARC Train and Bus.

Contracts A, B, C, and D were not viable options to supplement Contract E due to the current workloads. The contract is being used extensively, and for the sake of continuity and historical knowledge on large projects, a changing of consultant staff is not recommended. It is in the best interest of the State to add additional contract authority to Contract E.

Fund Source: 80% Federal; 20% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 21-1639-1011

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



9-AE-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$6,000,000	$06/21/2018 - \\07/11/2023$	06/20/2018, Item 8-AE	Original Contract
Modification No. 1	\$0	06/21/2018 – 07/11/2023	06/21/2018, DCAR	Amended contract language
Modification No. 2	\$0	10/01/2021 – 07/11/2023	10/01/2021, DCAR	Amended contract language
Modification No. 3	\$4,000,000	02/17/2022 - 07/11/2023	01/26/2022, Item 9-AE- MOD	Increase contract authority (This agenda item)
Revised Total Contract Amount	\$10,000,000			



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

10-AE-MOD. MARYLAND TRANSIT ADMINISTRATION

Modification: Architectural/Engineering Services Contract

Contract ID: On-Call General Engineering Consultant (GEC) Services; MTA-1265B

ADPICS No: CO394049

Contract Approved: DOT Agenda 09/22/2010; Item 27-AE

Contractor: Gannett Fleming, Inc./Whitman, Requardt & Associates, LLP (JV)

Baltimore, MD

Contract Description: This contract is a work-order based contract providing General Engineering Consultant (GEC) services as-needed for the support of the Purple Line Project.

Modification Description: Modification No. 4 increases the contract authority and extends the contract for four (4) years to continue active work orders and to assign future work orders for the support of the Purple Line Project.

Original Contract Term: 09/23/2010 – 09/22/2018

Modification Term: 02/17/2022 – 06/30/2027

Original Contract Amount: \$ 80,000,000

Modification Amount: \$ 15,000,000

Prior Mods/Options: \$ 56,000,000 (Modification No. 1; BPW 07/03/2013, 4-AE-MOD)

\$ 0 (Modification No. 2; BPW 09/07/2016, 4-AE-MOD)

\$ 0 (Modification No. 3; DCAR 05/20/2021)

Revised Contract Total: \$151,000,000

Percent +/- **Change**: 70% (Modification No. 1)

0% (Modification No. 2) 0% (Modification No. 3)

19% (Modification No. 4; this agenda)

Overall Percent +/-: 89%

Original Procurement Method: Qualification Based Selection



10-AE- MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

DBE Participation: 25%

DBE Compliance: 24%

Requesting Agency Remarks: The New Starts Purple Line project is supported by two A&E contracts - MTA-1264A and MTA-1265B. MDOT MTA elected to utilize a two-tier structure in which a Program Management Consultant (PMC) would perform management and quality assurance functions as an extension of the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) staff (MTA-1264A) and oversee the work of a GEC (MTA-1265B).

The value of the contracts established in 2008 did not contemplate full, timely funding of the New Starts projects nor the advancement of the Purple Line under the Public-Private Partnership (P3) method. However, by the time the contracts were awarded in 2010, MDOT MTA had selected Locally Preferred Alternatives for the Purple Line and had begun Advanced Conceptual Design in preparation for federal approval of Preliminary Engineering (PE). By 2010, it was clear at that time that the value of the contracts would not be enough to complete design, and MDOT MTA expected to return to BPW for additional contract authority.

Additional funding, primarily for design oversight, was requested from BPW and approved on July 3, 2013; however, the funding level approved was not expected to be adequate to provide construction management services. BPW was advised that it was MDOT MTA's intent to return to BPW with a request for construction phase funding.

MDOT MTA is now requesting additional contract authority and to extend the contract for four (4) years for multiple reasons. Due to the contractual issues, eventual departure of the Design-Build contractor, and the time required to compete and award to the next Design-Build contractor, this GEC contract has taken on an extremely high workload and needs this infusion of spending authority. The additional time is required to maintain the continuity which is necessary to ensure the State's interests. The following provides some detail regarding the issue:

The Final Design is largely complete for the civil portion of the works and the systems design is progressing. Construction is still underway. However, the contractual issues with the Concessionaire and the Design-Build Contractor ultimately leading to the departure of the Design-Build Contractor has resulted in a delay to the original RSA date. MDOT MTA does not have adequate staff to monitor the design and construction activities, and therefore the services of a GEC are necessary for the success of the project.



10-AE- MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

The funding level established in 2013 assumed the work would progress efficiently and effectively, and that the technical design and compliance review functions provided by the GEC – in order to ensure that the project was designed and constructed in compliance with the technical provisions and to protect other interests of the state – would be minimal. This proved not to be the case and, while still attempting to constrain staff, the available funding was being utilized at a faster pace as the contractual disputes between the State, the Concessionaire, and the Design-Builder escalated.

The situation changed dramatically when, in May of 2020, the Design-Build contractor submitted to the Concessionaire a Notice of Unconditional Election to Terminate the Design-Build contract. That action was followed by a similar notification from the Concessionaire to the State in June of 2020; The State responded with a Notice of Concessionaire Default immediately thereafter. The State received an unfavorable ruling from the court on the actions resulting from these competing notifications on September 10, 2020.

The State entered into an Assignment and Assumption Agreement, dated September 28, 2020, for the purpose of conveying to the State the Key Contracts, the majority of the Design-Builder's subcontracts, and various purchase agreements. Following the assumption, the State assisted by the PMC and GEC – assessed work performed, materials purchased, third party agreement compliance, and design completion and reviews.

With the execution of a Settlement Agreement and Mutual Release between the State and the Concessionaire on December 17, 2020, the State, again assisted by the GEC, began providing advice and assistance to the Concessionaire for the ongoing design-build contract re-solicitation. This effort included design, assessment, procurement, design reviews, startup, commissioning, and environmental documentation; assisting with estimates and negotiation of revisions to the P3 and Design-Build Agreements and the technical provisions; as well as accumulating information on the construction materials now owned by the State with the intent to provide them to the new Design-Build contractor. The GEC staff time required for this significant effort, simultaneous with advancing the project, has resulted in significant additional work.

Staff continuity through the re-solicitation, design assessment, and construction processes is critical. The Purple Line project is highly complex in terms of design elements – including stakeholder, railroad, environmental and utility coordination – as well as scheduling, estimating and construction phasing, means and methods. The project teams are well established with substantial investments in staff assignments, project orientation, training, and the establishment of document control and other construction management procedures. The project would incur significant costs, potential scheduled delays, and additional risk if MDOT MTA were to transition to new teams.

These significant changes to the project have resulted in the current assigned GEC's contract value being nearly expended.



10-AE- MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

FTA oversight of the projects includes an evaluation of the technical capability and experience of the project team. Prior to PE approval, MDOT MTA submitted detailed resumes for the key consultant staff and FTA followed up with interviews. The GEC participants remain largely intact from the initial 2010 contract. With new contracts, this process would have to be repeated. In addition, the replacement of the GEC contract during the mid-construction effort would have dramatically increased the risk to the State given the loss of the institutional, historical, and technical knowledge possessed by the existing team.

If MDOT MTA was to begin a new procurement now, new contracts would not be available in time to avoid a significant risk to the project. Based on an 18-month procurement schedule (midpoint between ideal schedule of 12 months and typical schedule of 24 months), the new GEC contract would not be available until the middle of calendar 2023, leaving no time for the major transition required between the new GEC and the existing GEC. This would expose the State to significant risk while construction work proceeded with less than sufficient oversight.

Fund Source: 37.4% Federal; 62.6% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0101

Resident Business: Yes

MD Tax Clearance: 21-4656-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



10-AE- MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$80,000,000	09/23/2010 - 09/22/2018	09/22/2010, Item 27-AE	Original Contract
Modification #1	\$56,000,000	07/05/2013 – 09/22/2018	07/03/2013, Item 4-AE-MOD	Increase contract authority
Modification #2	\$0	09/22/2016 – 06/30/2023	09/07/2016, Item 4-AE-MOD	Add time
Modification #3	\$0	05/20/2021 – 06/30/2023	05/20/2021, DCAR	Revise contract language
Modification #4	\$15,000,000	02/17/2022 – 06/30/2027	01/26/2022 Item 10-AE-MOD	Increase contract authority and add time
Revised Total Contract Amount	\$151,000,000			



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

11-C. <u>MARYLAND TRANSIT ADMINISTRATION</u>

Construction Contract

Contract ID: Warren Road Stormwater Management Repair and Retrofit; T-1895-0150

ADPICS No.: T18950150

Contract Description: This contract provides for the repair and retrofit of a Stormwater Management facility at Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA) Warren Road Light RailLink station in Baltimore County.

Award: Bourn Environmental, LLC (Certified SBE and VSBE)

Mitchellville, MD

Contract Term: 280 Calendar Days from NTP

Amount: \$475,262 NTE

Procurement Method: Competitive Sealed Bidding (Small Business Enterprise)

Bids: Bourn Environmental, LLC \$475,262

Mitchellville, MD

K & K Adams, Inc. \$504,102

Baltimore, MD

Celsue Construction Services, Inc. \$524,901

Laurel, MD

Francos Liberty Bridge, Inc. \$582,985

Clinton, MD

Stormwater Maintenance, LLC dba SMC \$627,616

Sparks, MD

C & N Associates, LLC \$733,507

Glenn Dale, MD

DBE Participation: 27%

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



11-C. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: This solicitation was advertised via eMaryland Marketplace Advantage on August 20, 2021, notifying 3,130 vendors. The bid opening was conducted on October 20, 2021, and nine (9) bids were received.

After a careful review of the bid submissions, it was found that not all bidders met the advertised criteria. In accordance with COMAR 21.06.02.03, three (3) bids were deemed not responsible and rejected due to not qualifying as certified Small Business Enterprises (SBE). Six (6) eligible bidders remained. Bourn Environmental, LLC was the lowest bidder and confirmed they can perform the full scope of work for the price submitted. No protests were filed.

This contract provides for the repairs and retrofit of the stormwater management facility at the Warren Road Light RailLink station parking lot in accordance with the Maryland Department of the Environment's requirements. MDOT MTA has an obligation to treat 20% of its untreated impervious areas in accordance with the Chesapeake Bay Total Maximum Daily Load.

The work under this contract will include:

- clearing of trees and vegetation;
- installation of a gabion wall;
- installation of submerged gravel wetland;
- installation of erosion and sediment control measures; and
- minor grading.

Although a 26.2% DBE goal was established for this contract, Bourn Environmental, LLC has committed to exceeding the goal by .8% (27%).

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in the Board of Public Works (BPW) Advisory 1995-1 found on the BPW website.

Fund Source: 80% Federal, 20% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 21-4414-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



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

12-C. MARYLAND TRANSIT ADMINISTRATION

Construction Contract

Contract ID: Segment 6 Water and Sewer Utility Construction Services for the Purple Line

Project; *PUR-22-206-SS*

ADPICS No.: PUR22206SS

Contract Description: This contract provides for water and sewer utility construction in support of the Purple Line Project for the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA).

Award: J. Fletcher Creamer & Sons

Hackensack, NJ

Period of Performance: 02/17/2022* - 09/30/2022 (*or earlier upon BPW approval)

Amount: \$4,000,045

Procurement Method: Sole Source

DBE Participation: 0%

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

Incumbent: Purple Line Transit Constructors, LLC

Irving, TX

Requesting Agency Remarks: The Contractor will continue to provide their on-going water and sewer utility construction services in support of the Purple Line Project in order to complete work initiated by MDOT MTA. This includes providing the labor, supervision, tools, materials, and equipment needed for these relocations, including the furnishing and installation of water and sewer utilities at multiple locations.

A Public-Private Partnership Agreement (the Concession Agreement or CA) dated April 7, 2016, was entered into by the State of Maryland (the State) acting by and through MDOT and MTA (collectively considered in the CA as Owner), and Purple Line Transit Partners LLC (Concessionaire). An amended and restated design-build contract (the DB Contract) dated June 14, 2016, was entered into by Concessionaire and Purple Line Transit Constructors (PLTC). On September 10, 2020, the DB Contract was terminated, and, on September 28, 2020, the State assumed from PLTC the J. Fletcher Creamer & Sons (J. Fletcher) subcontract (as numbered, PUR-22-206-SS) for the purposes of continuing the Contractor's work on the Project.



12-C. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Concurrently with the effective date of the contract to be awarded (the Contract), the Concessionaire is seeking to enter into a replacement design-build contract with Maryland Transit Solutions LLC (MTS), subject to further State approval and, concurrently with the effective date of the Contract, the State is assigning to, and MTS is assuming, Contract No. PUR-22-206-SS so that J. Fletcher may continue the work as defined therein, as amended. However, the State requires that Contractor continue certain work directly for the State after assignment of the existing contract to MTS. Therefore, the State requires a separate contract with J. Fletcher for that work.

The Contract is being awarded as a sole source procurement because only one source exists which meets the State's requirements. J. Fletcher is the only firm who can complete the work within the time requirement. No other firm would be willing (or not without considerable cost) to complete work previously started or to provide a warranty for work not completed by that firm. J. Fletcher is familiar with the Project site and will utilize that knowledge to timely complete the work in accordance with the schedule that the State has agreed upon with MTS. Because of the unique nature of the re-solicitation for a new design-build contractor on such a complex Project as the Purple Line, the requirements for these construction contracts are unique, making it infeasible to engage new contractors at this time.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on historical pricing. Accordingly, MDOT MTA has determined that is in the State's best interest and that it would be infeasible to procure new contracts to complete this work for the Purple Line. Contractor continuity is critical. The Project is highly complex in terms of scheduling and contract packaging. J. Fletcher is well established with substantial investments in Project orientation, training, and other state procedures. The Project would incur significant additional costs, schedule delays, and additional risk if the State were to transition to a new construction firm for this work.

Fund Source: 37.4 % Federal; 62.6% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: No

MD Tax Clearance: 21-4425-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



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

13-C. <u>MARYLAND TRANSIT ADMINISTRATION</u>

Construction Contract

Contract ID: Construction Services for Continuing Operation Step Forward; PUR-22-209- SS

ADPICS No.: PUR22209SS

Contract Description: This contract provides the installation of storm drainage facilities and water utility relocation in support of the Purple Line Project for the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA).

Award: Pessoa Construction Company (Certified DBE)

Davidsonville, MD

Period of Performance: 02/17/2022* - 06/30/2022 (*or earlier upon BPW approval)

Amount: \$4,124,849

Procurement Method: Sole Source

DBE Participation: 22%

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

Incumbent: Purple Line Transit Constructors, LLC

Irving, TX

Requesting Agency Remarks: The contractor will continue to perform their on-going continued services to complete grading and the construction of stormwater management facilities and a retaining wall (Wall 1-025) for the Sleaford Road trail connection and complete the Segment 3 water relocation in order to complete work initiated by MDOT MTA.

A Public-Private Partnership Agreement (the Concession Agreement or CA) dated April 7, 2016, was entered into by the State of Maryland (the State) acting by and through MDOT and MTA (collectively considered in the CA as Owner), and Purple Line Transit Partners LLC (Concessionaire). An amended and restated design-build contract (the DB Contract) dated June 14, 2016, was entered into by Concessionaire and Purple Line Transit Constructors (PLTC). On September 10, 2020, the DB Contract was terminated, and, on September 28, 2020, the State assumed from PLTC the Pessoa Construction Company (Pessoa) subcontract (as numbered, PUR-22-209-SS) for the purposes of continuing the Contractor's work on the Project.



13-C. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Concurrently with the effective date of the contract to be awarded (the Contract), the Concessionaire is seeking to enter into a replacement design-build contract with Maryland Transit Solutions LLC (MTS), subject to further State approval and, concurrently with the effective date of the Contract, the State is assigning to, and MTS is assuming, Contract No. PUR-22-209-SS so that Pessoa may continue the work as defined therein, as amended. However, the State requires that Contractor continue certain work directly for the State after assignment of the existing contract to MTS. Therefore, the State requires a separate contract with Pessoa for that work.

The Contract is being awarded as a sole source procurement because only one source exists which meets the State's requirements. Pessoa is the only firm who can complete the work within the time requirement. No other firm would be willing (or not without considerable cost) to complete work previously started or to provide a warranty for work not completed by that firm. Pessoa is familiar with the Project site and will utilize that knowledge to timely complete the work in accordance with the schedule that the State has agreed upon with MTS. Because of the unique nature of the re-solicitation for a new design-build contractor on such a complex Project as the Purple Line, the requirements for these construction contracts are unique, making it infeasible to engage new contractors at this time.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on historical pricing. Accordingly, MDOT MTA has determined that is in the State's best interest and that it would be infeasible to procure new contracts to complete this work for the Purple Line. Contractor continuity is critical. The Project is highly complex in terms of scheduling and contract packaging. Pessoa is well established with substantial investments in Project orientation, training, and other state procedures. The Project would incur significant additional costs, schedule delays, and additional risk if it were to transition to a new construction firm for this work.

The DBE goal established for this contract is 22%, and Pessoa has committed to the goal. In addition, Pessoa is a certified DBE firm.

Fund Source: 37.4 % Federal; 62.6% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: Yes MD Tax Clearance: 21-4419-1111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION



Contact: William Parham 410-767-8374 wparham@mta.maryland.gov

14-E. <u>MARYLAND TRANSIT ADMINISTRATION</u> *Equipment Contract*

Contract ID: Battery Operated Electric Buses (Pilot Program); OPS-22-005-EQ

ADPICS No.: OPS22005EQ

Contract Description: This Intergovernmental Cooperative Purchasing Agreement (ICPA) allows the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) to utilize the Washington State Department of Enterprise Services Contract (Washington Contract) to purchase four (4) 40-foot and three (3) 60-foot battery-operated electric buses (BEB).

Award: New Flyer of America Inc.

St. Cloud, MN

Contract Term: 02/17/2022* - 01/31/23 (*or earlier upon BPW approval)

Amount: \$9,038,751

Procurement Method: Intergovernmental Cooperative Purchasing

DBE Participation: 0% (See Requesting Agency Remarks)

Incumbent: None

Requesting Agency Remarks: In 2019, the Greenhouse Gas Reduction Act (GGRA) was adopted by the State of Maryland with a goal of reducing 2006 greenhouse gas emissions by 40% by 2030. Under the GGRA, MDOT MTA has committed to transitioning 50% of its internal combustion engine buses to zero-emission buses by 2030. MDOT MTA is starting with a pilot program for a total of seven (7) buses using a Lo-No grant through the Federal Transit Administration (FTA) and a grant through the Volkswagen Environment Mitigation Trust.

Prior to selecting the Washington Contract, MDOT MTA considered multiple other state contracts as options. A California contract was reviewed and considered; however, it would not suffice because the scope and bus type did not match MDOT MTA's needs. A Virginia contract was also reviewed, but it is expiring and no longer feasible. The Washington Contract meets the requirements for the pilot program, provides the closest scope of work, allows for bus delivery approximately 18 months from placing the order, and was available to utilize through ICPA. The Washington Contract for BEB has two (2) contractors providing both the 40-foot and 60-foot buses, New Flyer of America Inc. (New Flyer) and BYD. BYD is excluded from being considered for a federally funded contract, and therefore New Flyer was selected.



14-E. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

MDOT MTA compared the overall costs to other transit and state agencies which utilized either the Virginia or Washington contracts for their bus purchases. MDOT MTA has determined that the price offered is fair and reasonable for the equipment to be provided, based on the sale of the same item to other purchasers.

Entering into an ICPA with Washington State to purchase these seven (7) zero-emission battery-operated electric buses through New Flyer will provide cost benefits to the State, promote administrative efficiencies, and intergovernmental cooperation, and would not circumvent the State's procurement process.

The prospective awardee is a Transit Vehicle Manufacturer (TVM) and has complied with FTA requirements under 49 CFR Section 26.49 for DBE goals. The FTA has established a TVM goal for the prospective awardee.

An ICPA provides a substantially quicker and more cost-effective procurement process, allowing MDOT MTA to begin the pilot program on an accelerated schedule. Therefore, MDOT MTA requests approval to participate in the Washington Contract with New Flyer.

Fund Source: 40 Ft. Buses: 82% Other (VW Environmental Mitigation Trust)

18% Special Funds (Transportation Trust Fund)

60 Ft. Buses: 50% Federal, 50% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: No

MD Tax Clearance: 21-4185-1101

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: William Parham 410-767-8374 wparham@mta.maryland.gov

15-E. MARYLAND TRANSIT ADMINISTRATION

Equipment Contract

Contract ID: Replacement of Compressors Bush Building 1; IFB-1978

ADPICS No.: P5208764

Contract Description: This contract provides the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) Bus Maintenance Department with two (2) compressor units to be installed at the Bush Division's facility.

Award: Kelly HVAC, Inc.

Upper Marlboro, MD

Contract Term: One-time purchase, anticipated NTP of 1/27/2022

Amount: \$179,182

Procurement Method: Competitive Sealed Bidding (Single Qualified Bid received)

MBE Participation: 11%

Incumbent: None

Requesting Agency Remarks: This solicitation was published on eMaryland Marketplace Advantage (eMMA) on October 8, 2021, notifying 38 vendors, and was directly solicited to nine (9) vendors. The bid opening was conducted on November 9, 2021, and two (2) bids were received.

One bidder requested a waiver of the MBE goal, but this was denied by the Office of Equal Opportunity and Compliance Programs (EOCP) due to "not demonstrating a good faith effort toward meeting the MBE goal." In accordance with COMAR 21.06.02.03, this bid was deemed not responsible and rejected due to no MBE participation. No protests were filed.

The contractor will provide and install two (2) Smardt Chiller Compressors at the Bush Division facility, remove the old compressors, copy all operating parameters to the new compressor, and install new boards for each compressor. The purchase of two (2) new compressors for the chiller unit will enhance the MDOT MTA Bus Bush Division Building 1 cooling supply which is essential to the daily operations.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on price competition.



15-E. MARYLAND TRANSIT ADMINISTRATION (cont'd)

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

Approp. Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 21-4628-0111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED WITHDRAWN



Contact: Anita Rodgers 240-695-9256 arodgers@mdot.maryland.gov

16-GM-MOD. <u>MARYLAND TRANSIT ADMINISTRATION</u> *Modification: General Miscellaneous Contract*

Recommendation: That the Board of Public Works approve the following Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) Modification No. 6 (Amendment No. 6 to the P3 Agreement).

Contract ID: Public-Private Partnership Agreement Purple Line; PUR-16-017-PP

ADPICS No.: PUR16017PP

Contract Approved: DOT Agenda 04/06/2016; Item 11-P

Contractor: Purple Line Transit Partners

Riverdale, MD

Contract Description: The Purple Line Light Rail Transit Project (Purple Line) is a 16.2-mile, 21- station, east-west, light rail transit transitway that will extend from its western terminus, just west of Wisconsin Avenue and the Bethesda Metro Station in Montgomery County, to its eastern terminus, at the New Carrollton Metro Station in Prince George's County, located just inside the I-495/Capital Beltway in the Washington, D.C. metropolitan area. The Maryland Department of Transportation (MDOT) and the Maryland Transit Administration (MDOT MTA) entered into a Public-Private Partnership Agreement (P3 Agreement) for the Purple Line with Purple Line Transit Partners LCC (PLTP). PLTP, as Concessionaire under the P3 Agreement, is responsible for key aspects of the final design, construction, financing, operations, and maintenance of the Purple Line over the term of the P3 Agreement. The Purple Line will be an impetus to economic development in both Montgomery and Prince George's Counties and surrounding communities. By improving connectivity and accessibility in the corridor, the Purple Line will have a positive economic impact on Maryland's residents and businesses.

Modification No. 2 (a Settlement Agreement and Amendment No. 2 to the P3 Agreement), was approved by the Board of Public Works on December 16, 2020, to resolve certain disputes between the parties and establish a process to select a new design-build contractor. Modification No. 3 (Amendment No. 1 to the Settlement Agreement and Amendment No. 3 to the P3 Agreement) extended the proposal due date by two months. Modification No. 4 (Amendment No. 2 to the Settlement Agreement and Amendment No. 4 to the P3 Agreement) extended the proposal due date by one month. Modification No. 5 (Amendment No. 3 to the Settlement Agreement and Amendment No. 5 to the P3 Agreement) extended the replacement design-build contractor selection period deadline to February 17, 2022, modified the termination provisions of the P3 Agreement, and approved an advance debt repayment to facilitate the restructuring of the project financing. The parties mutually agreed to a 30-day extension of the replacement design-build contractor selection period deadline to March 19, 2022.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Modification Description: Modification No. 6 to the P3 Agreement incorporates the terms of the replacement design-build contract, operations and maintenance contract, and light rail vehicle contract, resulting in a change to the original contract amount and original contract term. MDOT MTA recommends that the Board of Public Works approve Modification No. 6 to the public-private partnership agreement for the Purple Line Transit Project and the design-build contract between PLTP and Maryland Transit Solutions (MTS).

Original Contract Term: 04/07/2016 – 03/11/2052

Modification Term: 01/27/2022 – 04/26/2056*

*Thirty years from actual Revenue Service Availability date

Original Contract Amount: \$5,590,000,000¹ (Year of Expenditure)

Modification Amount: \$3,444,000,000 (Year of Expenditure)

Prior Mods/Options: \$ 0 (Mod No. 1; DCAR 06/14/2016)

\$ 250,000,000 (Mod No. 2; BPW 12/16/2020, 14-GM-

MOD

\$ 0 (Mod No. 3; DCAR 05/04/2021) \$ 0 (Mod No. 4; DCAR 08/17/2021) \$ 0 (Mod No. 5; BPW 09/15/2021, 6-GM-

MOD.

Revised Total Contract Amount: \$9,284,000,000² (Year of Expenditure)

Percent +/- **Change:** 0% (Modification No. 1)

4% (Modification No. 2) 0% (Modification No. 3) 0% (Modification No. 4) 0% (Modification No. 5)

62% (Modification No. 6; this agenda item)

Overall Percent +/-: 66%

Authority: Public-Private Partnership under State Finance and

Procurement Article § 10A-203

¹ Estimated total cost of the full 36-year contract (including any options) to design, build, finance, operate and maintain the Purple Line in 2016

² Estimated total cost of the full, revised 40-year contract (including any options) to design, build, finance, operate and maintain the Purple Line, prior to financial close



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

DBE Participation: 26% (for Design Services)

22% (for Construction Work)

(Operations and maintenance DBE goals will be set three

years prior to the start of operations or later)

DBE Compliance: 47% (for Design Services)

11.7% (for Construction Work)

Performance Security: \$763,337,818*

*To be delivered on or prior to the Amendment Effective Date in the form of a surety bond. Additionally, MDOT MTA will receive one or more Payment Bonds with an aggregate value equal to \$1,090,482,596.50 on or prior to the

Amendment Effective Date

Requesting Agency Remarks: On April 6, 2016, the BPW voted unanimously to approve a 36-year, performance-based P3 Agreement with PLTP to design, build, finance, operate, and maintain the Purple Line. To fulfill its obligations under the P3 Agreement, PLTP procured a design-build contractor, Purple Line Transit Constructors (PLTC), comprised of Fluor Enterprises, Inc. (Fluor), Traylor Brothers and Lane Construction; a light rail vehicle (LRV) supplier, CAF USA (CAF) and an operations and maintenance provider, Purple Line Transit Operators (PLTO), comprised of Fluor, Alternate Concepts, Inc., and CAF.

On August 3, 2016, the Project's Record of Decision was vacated as a result of a lawsuit filed by the Friends of the Capital Crescent Trail against the Federal Transit Administration. The Record of Decision was later reinstated through the appeals process, but approximately one year had already been lost. PLTP filed several claims for additional time and money related to this and other project delays. While there was no disagreement that project delays had occurred, MDOT and PLTP were unable to agree on the extent of the delays, appropriate remedy, and responsible party for those delays. After months of unsuccessful negotiations, PLTP sought to terminate the P3 Agreement. As PLTC began to demobilize the site, MDOT MTA assumed over 150 key contracts, subcontracts, and other agreements to continue work on the Project.

Despite these actions, MDOT and PLTP remained firmly committed to successful completion of the Project and continued their negotiations. On November 24, 2020, MDOT MTA and PLTP announced that they reached an agreement to settle all Purple Line claims and terminate litigation related to the Purple Line. The BPW approved the Settlement Agreement on December 16, 2020. Pursuant to the Settlement Agreement, PLTP will continue as the Concessionaire, procure a replacement design-build contractor, and obtain new financing for the remaining cost to complete the Project.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Selection of a Replacement Design-Build Contractor

PLTP issued a request for qualifications (RFQ) soliciting statements of qualifications (SOQs) for a replacement design-build contractor on January 8, 2021. Three responsive proposers were deemed capable of completing the work and were short-listed. On March 8, 2021, PLTP issued a request for proposals (RFP) to the qualified bidders. Two compliant proposals were received on October 15, 2021. After an intensive and thorough evaluation process of the proposals, PLTP, with concurrence from MDOT MTA, selected Maryland Transit Solutions (MTS), a joint venture of Dragados USA, Inc. and OHLA USA, Inc., as having the strongest technical proposal and the lowest price, thus providing the best value for the Project. MTS brings years of strong leadership experience and a track record of completing major and complex infrastructure transit projects.

PLTP remains the single point of contact for the Project. The P3 Agreement is between MDOT, MDOT MTA and PLTP. The 15% equity held by Fluor in PLTP was assumed by Meridiam (82%) and Star (18%). PLTP has separate contracts with the replacement design-build contractor and the operations and maintenance contractor. Although neither the State nor MDOT is a party to the design-build contract, per the Settlement Agreement, Board of Public Works approval of the replacement design-build contract is required. MTS replaces PLTC as the design-build contractor. Fluor's ownership in Purple Line Transit Operators (PLTO), who holds the operations and maintenance contract with PLTP, was replaced by increased ownership by Alternate Concepts, Inc. (51%) and CAF (49%). All parties remain strongly committed to successful completion of this important project.

Pending BPW approval of the design-build contract and Modification No. 6 to the P3 Agreement, MDOT MTA will work with PLTP to achieve commercial close (execution of the P3 Amendment and replacement design-build contract) and financial close (issuance of the new private debt and equity) in early 2022. Once commercial and financial close are achieved, MTS will kick off its mobilization activities on the Project, including project management responsibilities.

MTS will resume full-scale construction in spring 2022. The entire 16.2-mile length of the Purple Line will open to passengers in the fall of 2026, rather than the phased opening that was previously under consideration. This will maximize the utility of the line in connecting passengers to jobs, school, shopping, and recreation from opening day.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Contract Cost

The total contract cost includes:

- The cost to design and construct the highly complex light rail system, which includes 21 stations, including 2 with significant connections to WMATA at Bethesda Station and Silver Spring, and with segments on elevated structures and in tunnels; 2 storage and maintenance facilities; and 28 light rail vehicles; as well as associated financing costs;
- All design and construction costs completed by the previous design-build contractor (already paid);
- Repayment of private activity bonds that had been issued to fund construction under the previous design-build contractor (already paid);
- Work completed by contractors assigned to MDOT MTA over the last year (already paid);
- Settlement payments made to the previous design-build contractor (already paid);
- Capital renewal costs for the 30-year operating period; and
- Operations, maintenance, and insurance costs over the 30-year operating period.

While many of these cost categories are similar in scope to the original P3 Agreement, several factors are increasing the cost of the Project. MDOT is seeing cost increases on many construction bids and projects across the State for similar reasons. Many of these cost increases are ones that MDOT – and the transportation industry as a whole – are facing in the post-pandemic world. These include:

- Delay impact of federal court action that was later overturned;
- Impacts of global COVID-19 pandemic:
 - Rising materials costs rising and supply chain issues across the construction industry;
 - Labor shortages and workforce challenges;
- Mandatory wage increases for living wage laws in Maryland and Montgomery County;
- Changes in the insurance market, making insurance harder and more costly to obtain;
- Inflation experienced over the last five years; and
- Bringing on a new design-build contractor to the Project mid-construction.

Design-build construction costs will be paid and financed by PLTP's debt and equity. MDOT MTA will not pay any additional upfront payments toward construction. Upon achieving revenue service (when the Project is open to passengers), MDOT MTA will make a \$100 million milestone payment to PLTP and begin paying availability payments to PLTP to pay for the ongoing cost of operations, maintenance, project management and oversight, insurance, and repayment of debt and equity used to fund construction of the Project. Availability payments related to operations and maintenance are subject to reduction if certain performance criteria are not met and may vary from projections based on actual inflation rates experienced.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Since September 2020, MDOT MTA managed design, construction, and light rail vehicle fabrication through more than 150 contracts that were assumed as part of the Settlement Agreement, thus advancing critical work and substantially reducing risk to the Project.

Work completed under MDOT MTA's direction includes:

- Advancing design of the entire system to approximately 95% complete;
- Advancing underground and overhead utility relocations across the entire alignment;
- Overseeing the continued fabrication of light rail vehicles; to date, 130 carshells have been completed and are being outfitted and painted;
- Securing final approval for all required permits from the Maryland Department of Environment;
- Progressing construction of the Glenridge Operations and Maintenance Facility;
- Completing the Polk Street maintenance facility and turning it over to National Capital Parks and Planning Commission; and
- Completing the Paint Branch Stream Enhancement and Ken Gar Wetland Enhancement, two critical environmental projects for the State.

Consistent with the Settlement Agreement and the P3 Agreement, upon execution of the replacement design-build contract, subcontracts previously assigned to MDOT MTA will be reassigned to MTS, completed by MTA, or terminated. For approximately one year after commercial and financial close, MDOT MTA will continue until completion certain construction activities that it is currently managing. MDOT MTA will enter into new contracts with six contractors to complete work currently underway. The contractors will be performing work for both MTS and MDOT MTA on separate contracts. Five of these contracts require approval from the Board of Public Works and are also presented as agenda items for this meeting.

Provisions of the P3 Agreement

The P3 Agreement remains unchanged in many respects. MDOT MTA will retain ownership and oversight of the asset and remain ultimately accountable for the Purple Line and its public function. MDOT MTA retains the right and discretion to set and adjust fares and all other charges payable by users of the system.

Changes are being made to the terms of the P3 Agreement in five main areas: risk allocation; removal of the unconditional right to terminate for extended delay and narrowing of the conditional right to terminate for same; provision of an owner-controlled insurance program for the remaining design-build period; removal of LRV options; and streamlining claims and dispute resolution procedures. Revisions are also being made to bring the P3 Agreement up to date, including to reflect certain obligations of the parties that have now been completed and to incorporate the replacement design-build contractor's proposal.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

With regard to risk allocation, a number of the revisions to the P3 Agreement reflect a reallocation of certain Project risks in light of changed circumstances from the original P3 Agreement. The risk profile of this Project is very different from the Project that was originally bid in 2016. Not only have the circumstances of the Project changed, primarily in terms of a replacement design-build contractor being selected to complete another design-build contractor's work, but there have been some fundamental shifts in the market as well. In 2019, three large, publicly-held contractors – SNC-Lavalin Group Inc., Fluor Corp., and Granite Construction Inc. – exited the fixed-price contracting market as a result of risk imbalance on megaprojects like the Purple Line. Most recently, the global impact of the COVID-19 pandemic has resulted in fundamental changes to the insurance market and created new challenges for supply chains and workforce availability.

As with any P3 Agreement, it is important that the risks on this Project are allocated to the party best able to mitigate these risks. The risk allocation under the amended P3 Agreement includes both new and revised risks. In the amended P3 Agreement, the State assumes the risk for: any unknown defects in the construction work completed to date or in owner-performed construction work, in each case if discovered before expiration of the replacement design-build contractor's base warranty period; material changes or delays in progressing a limited scope of owner-performed design work by the amendment effective date; utility adjustments to be completed by the State or unanticipated utility adjustments; MDOT MTA-provided governmental approvals, all of which have been obtained; expanded pandemic-related relief; delays and other requirements concerning materials procured by the State; and limited relief for LRV mechanical performance failures outside of the control of the replacement design-build contractor. PLTP retains responsibility for defects in design work, including design work performed under the original design-build contract, and for systems integration.

The right to unconditionally terminate the P3 Agreement for extended delay (utilized by the previous design-build contractor as a basis to leave the Project) is removed in the P3 Agreement, and the right to conditionally terminate for extended delay has also been narrowed.

With the departure of PLTC, it became necessary for MDOT MTA to procure and maintain an owner-controlled insurance program and certain additional insurance policies to support the Project, and to support the effort to maintain and extend project-specific professional liability insurance, which covers the Project's design work. Under the amended P3 Agreement, PLTP is required to provide certain design-build period insurance policies and the State will continue to do so for the remaining design-build period, except PLTP will be responsible for maintaining the project-specific professional liability following the amendment effective date so long as it is available in the insurance market on commercially reasonable terms. PLTP remains responsible for providing all operations and maintenance period insurance policies.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

In the past year, the State exercised its option to purchase additional LRVs under the P3 Agreement by placing an order for two additional LRVs before the expiration of this option. The addition of these two LRVs may effectively enhance the system's performance and reduce performance risks. With the exercise of this option and the remainder of the LRV options expiring early in the remaining design-build period per their original terms, the LRV options are being deleted in their entirety in the amended P3 Agreement.

Finally, the claims and dispute resolution procedures are modified to shorten, clarify, and streamline the processes for addressing disputes between the parties, with a greater emphasis on utilization of an established dispute resolution board.

Project Financing Plan

The financing plan for the Project will remain very similar to the original financing plan for the Project. PLTP will finance the remaining Project costs through a combination of debt and equity. The construction progress payments funded by MDOT MTA have already been fully paid and no additional progress payments are included in the financing. MDOT MTA will still make a \$100 million milestone payment when the Project achieves revenue service (when passengers are able to access and ride the transit system). In accordance with the Project schedule, this payment is scheduled to occur in FY 2027 and is budgeted in MDOT's FY 2022-2027 Final Consolidated Transportation Program.

To take advantage of the low interest rates available in the market today, PLTP's existing TIFIA loan, from which no funds have yet been drawn, will either be terminated and a new TIFIA loan will be issued, or the existing loan will be re-financed/re-structured. The new or restructured TIFIA loan continues to offer low cost, long-term loan proceeds with flexible repayment options. PLTP will still serve as the borrower and be solely responsible to repay the TIFIA Loan. The TIFIA loan will be repaid over the 30-year term of the operations and maintenance portion of the P3 Agreement. Today's TIFIA rates (2.11% at the time of this report) are lower than the interest rates on the existing loan (2.41%), which reduces the total interest paid on the loan.

In 2016, PLTP issued \$313 million of private activity bonds (PABs) to fund construction of the Project. In 2021, MDOT MTA received approval from the Board of Public Works, through amendments to the Settlement Agreement and P3 Agreement, to advance-fund future payments to PLTP to pay off that obligation. That allowed MDOT MTA to move forward on the Project without requiring approval of the 2016 PABs bondholders at each step. PLTP will issue additional PABs in early 2022, again with the historically low interest rates seen in the current market, to pay a portion of remaining construction costs. These bonds will be payable over a thirty-year period and PLTP will be solely responsible to repay these bonds.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

During the 30-year operating period, PLTP will be paid using an availability payment structure, which will be directly linked to the performance of the Purple Line, as measured on a frequent basis. These availability payments will be structured the same as was originally approved, although the amounts of the payments will change as a result of the additional Project costs. The availability payments include several components.

- The largest component of the availability payments is for repayment of the debt and equity issued to fund construction of the Project. The debt portion of the availability payments is estimated based on a TIFIA interest rate of 2.25% and a PABs interest rate of 3.25%. MDOT MTA retains the risk of any change in interest rates prior to financial close. The dept portion of the availability payments will be updated at financial close to reflect actual interest rates achieved at financial close.
- The second largest component is the operations and maintenance portion, which pays for the cost to operate and maintain the Purple Line system and vehicles. This portion of the availability payments is increasing related to contractual escalation incurred due to the delay in the Project schedule and modifications related to change orders to account for cybersecurity, emergency responders, the addition of two LRVs to the base fleet, mandatory wage increases for living wage laws in Maryland and Montgomery County, and insurance. As was always the case, this portion of the availability payments is subject to reduction if required performance specifications are not met. This portion of the availability payment will be paid from MTA's operating budget.
- Other components of availability payments include payments for insurance, which is an operating cost, and for lifecycle renewal, which is a capital expense.

Like the original P3 Agreement, in the amended P3 Agreement, availability payments are fixed, but are subject to potential changes based on in federally published inflation indices, changes in interest rates prior to financial close, and relief events. Payments for operations and maintenance, lifecycle, and insurance costs are pegged to a basket of inflation indices (e.g., the consumer price index, the labor cost index, and the producer price index), while payments intended to cover other costs (e.g., debt service and equity investment repayment) are fixed on a nominal (year of expenditure) basis and are not linked to inflation indices. Regarding future inflation, the financial figures assume that future inflation indices increase at 2% per year, meaning that the Availability Payments would be less (or more) than anticipated if actual inflation increases at less (or more) than 2.0% per year. The estimated average annual availability payment (including future inflation) will be approximately \$240 million. This actual amount will vary based on interest rates at the time of financial close and actual inflation experienced.



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

On December 10, 2021, and January 7, 2022, MDOT met with the State Treasurer's Office to discuss the structure of the updated financing plan for the Purple Line. MDOT committed, both at the meeting and in a subsequent letter to the Treasurer's Office, to ensure that the original commitments regarding the financing are adhered to in the new financing so that the availability payments made under the P3 Agreement do not count as State tax-supported debt and therefore do not impact to the State's capital debt affordability limits. These commitments include making the revenue service milestone payment and the portion of availability payments that repay debt and equity, only from non-tax supported funds

To avoid any potential confusion that may occur by making payments from the Transportation Trust Fund, which includes both tax-supported and non-tax-supported revenues, MDOT will create a separate trust account one year prior to the start of revenue service and utilize that trust account to make those payments. Only transit fare revenues, federal funds, and local contributions to the Project will be deposited in that trust account, ensuring that only non-tax revenues are used for payment. In MDOT's view, based on the original analysis completed by the State Treasurer's Office in 2016, the representations that MDOT MTA made both then and now, and the assurance that sufficient transit fare revenues are available to make these payments, the payments made under the P3 Agreement would not count as State tax-supported debt.

Once complete, the Purple Line will transform the region by:

- Advancing the shared mission to improve the quality of life and economic vitality in our communities by creating and sustaining an integrated, convenient, and reliable transportation network;
- Creating several new multimodal connections across the region, linking to five WMATA Metro lines, three MARC commuter rail lines, Amtrak, and a host of bus services;
- Greatly expanding transit opportunities in Maryland's two most populous and fastest-growing counties;
- Creating convenient, dependable east-west access to jobs, educational centers, shopping, recreation and attractions, as well as quicker public transportation access to Washington, D.C., the Baltimore metropolitan region, and cities along Amtrak's Northeast Corridor;
- Project construction supports more than 6,000 jobs, with 26% for design services going to small and minority-owned businesses and 22% for construction going to small and minority-owned businesses;
- Relieving automobile congestion on major arteries and local roads in one of the most congested areas in the nation;
- Providing significant environmental benefits through the operation of clean electric energy light rail vehicles and taking 17,000 cars off the road, thus reducing emissions caused by single occupancy vehicle drivers;
- Spurring economic growth along the Purple Line alignment in and between Prince George's and Montgomery counties;



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

• Revitalizing communities and providing much-needed opportunities for transit-oriented developments, many of which are already under development in anticipation of completion of the Purple Line.

Fund Source: 10% Federal; 87% Special Funds (Transportation Trust Fund); 3%

Other funds (includes contributions from Montgomery County,

Prince George's County, and the University of Maryland)

Approp. Code: J05H0104 & J05H0105

Resident Business: Yes

MD Tax Clearance: 21-3252-0001

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



16-GM-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason	
Original Contract	\$5,590,000,000	04/07/2016 — 03/11/2052	04/06/2016, Item 11-P	Original Contract	
Modification #1	\$0	06/14/2016 — 03/11/2052	06/14/2016, DCAR	L laritung Language	
Modification #2	\$250,000,000	12/17/2020 – 03/11/2052	12/16/2020, Item 14-GM- MOD	Increase contract authority & Execution of Settlement Agreement	
Modification #3	\$0	05/04/2021 - 03/11/2052	05/04/2021, DCAR	Amendment No.1 (two-month extension) to Settlement Agreement	
Modification #4	\$0	08/17/2021– 03/11/2052	08/17/2021, DCAR	Amendment No.2 (one-month extension) to Settlement Agreement	
Modification #5	\$0	09/16/2021 - 03/11/2052	09/15/2021, Item 6-GM- MOD	Amendment No.3 to Settlement Agreement	
Modification #6	\$3,444,000,000	01/27/2022 – 04/26/2056	01/26/2022, Item 16-GM- MOD	Increase contract authority, add time, & modifies contract terms	
Revised Total Contract Amount	\$9,284,000,000				



Contact: William Parham 410-767-8374 wparham@mta.maryland.gov

17-M-MOD. <u>MARYLAND TRANSIT ADMINISTRATION</u>

Modification: Maintenance Contract

Contract ID: Light Rail and Metro Third Party Track Maintenance and Emergency Response

Services; OPS-19-003-MT

ADPICS No: CO393980

Contract Approved: DOT Agenda 02/19/2020; Item 5-M

Contractor: RailWorks Track Services, Inc.

Sewell, NJ

Contract Description: This contract provides for 24-hour maintenance and emergency response services for tracks operated by the Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA) Light RailLink and Metro SubwayLink systems.

Modification Description: Modification No. 2 increases the contract authority and modifies the scope to allow for tunnel leak preventative maintenance repairs, which are destroying newly repaired or replaced track.

Original Contract Term: 02/20/2020 - 02/19/2023, with two (2) one-year renewal options

Modification Term: 01/27/2022 - 02/19/2023

Original Contract Amount: \$29,284,020

Modification Amount: \$ 4,124,548

Prior Mods/Options: \$ 180,000 (Mod No. 1; BPW 09/23/2020, 18-M-MOD)

Revised Contract Total: \$33,588,568

Percent +/- Change: .6% (Mod No. 1; BPW 09/23/2020, 18-M-MOD)

14.1% (Mod No. 2; this agenda item)

Overall Percent +/-: 14.7%

Original Procurement Method: Competitive Sealed Proposals

MBE Participation: 18.3%

MBE Compliance: 13.8%



17-M-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: MDOT MTA's Light RailLink line and Metro SubwayLink line include approximately 77 miles of track. The contractor provides minor, major, and preventive maintenance on the tracks, along the lines and in the railyards/maintenance facilities located at Wabash Avenue, Old Court Road, North Avenue, and Cromwell Station. The contractor also provides incident response crews to respond to track related incidents and emergencies on a 24-hour basis.

Since the beginning of the track repair, leaks in the Metro Tunnels are eroding newly repaired or replaced tracks. This change order assigns an additional crew to those already deployed to repair and maintain the leaks in the tunnels, preventing additional track damage. The additional contract authority is needed for the remainder of the base term and the two (2) renewal options.

Although the MBE participation goal is not currently being met, the contractor has submitted an MBE Corrective Action Plan and will be using an MBE firm to complete the tunnel leak preventative maintenance repairs.

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

Approp. Code: J05H0105

Resident Business: No

MD Tax Clearance: 21-4481-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



17-M-MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$29,284,020	02/20/2020 — 02/19/2023	02/19/2020 Item 5-M	Original Contract
Modification No. 1	\$180,000	09/24/2020 – 02/19/2023	09/23/2020 Item 18-M-MOD	Increased contract authority
Modification No. 2	\$ 4,124,548	01/27/2022 – 02/19/2023	01/26/2022 17-M-MOD	Increased contract authority (This agenda item)
Revised Total Contract Amount	\$33,588,568			



Contact: Matthew A. Lattin 410-767-3698 mlattin@mta.maryland.gov

18-RP. <u>MARYLAND TRANSIT ADMINISTRATION</u>

Real Property – Acquisition

Recommendation: That the Board of Public Works approve the Maryland Department of Transportation Maryland Transit Administration (MDOT MTA) acquiring real property.

Authority: Transportation Article, § 7-204 (d) (1);

Annotated Code of Maryland

Property: MTA RE #0936.09

Temporary Construction Easement (± 5,403 square feet), located at

1500 Sulgrave Avenue, Baltimore, Maryland 21209.

Grantor: Sulgrave Associates, LLC

Grantee: State of Maryland, MDOT MTA

Consideration: \$20,500

Appraised Value: \$14,000 – Melville Peters (Selected)

\$ 5,800 – Bruce Dumler (Approved) Casey Fitzpatrick, SHA Review Appraiser

Special Conditions: None

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

Requesting Agency Remarks: MDOT MTA requires the acquisition of a Temporary Construction Easement (TCE) for access to repair Light Rail Bridge No. 325-N in Baltimore, Maryland. In May 2021, the property owner was offered and rejected a written offer in the amount of \$14,000. After additional negotiations, it was determined that not 50 percent, but 100 percent of the business parking is required during the construction schedule and that the construction would be completed in approximately two (2) months rather than the one (1) year allotted timeframe. The owner presented a counteroffer of \$20,500 based on obtaining a quote for temporary parking at a nearby parking garage to be used during construction. MDOT MTA determined that the counteroffer was fair and reasonable and proposes to acquire the subject property through a negotiated settlement.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: William Parham 410-767-8374 wparham@mta.maryland.gov

19-S. <u>MARYLAND TRANSIT ADMINISTRATION</u>

Service Contract

Contract ID: Major Accident Buses for Repair; OPS-21-057-SR

ADPICS No.: OPS21057SR

Contract Description: This contract provides for the repair of the Maryland Department of Transportation Maryland Transit Administration's (MDOT MTA) buses involved in major accidents, with frame, structure, and chassis damage.

Award: New Flyer of America Inc.

Crookston, MN

Contract Term: 02/17/2022* - 02/16/2025 (*or earlier upon BPW approval)

Amount: \$2,500,000 NTE

Procurement Method: Sole Source

MBE Participation: 0% (Proprietary)

Incumbent: None

Requesting Agency Remarks: On occasion, MDOT MTA buses are involved in collisions that cause significant damage. When severe damage occurs, MDOT MTA does not have the specialized equipment needed for these major repairs and cannot divert its existing workforce to these tasks. This contract will help to expedite the turn-around time for repairs and safeguard the structural integrity of the bus. Once a bus is fully re-assembled, the contractor shall perform a complete functions test of all operating systems to ensure it is returned to Original Equipment Manufacturer (OEM) standards.

In order to comply with the 12-year warranty, these major repairs must be completed by the OEM. The repaired components must interface with the rest of the bus in the same way as the original components. New Flyer of America, Inc. is the OEM and therefore has the parts, specialized tools, and the skilled manpower for these repairs.

MDOT MTA has determined that the price offered is fair and reasonable for the services to be provided, based on historical price data.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in the Board of Public Works (BPW) Advisory 1995-1 found on the BPW website.



19-S. MARYLAND TRANSIT ADMINISTRATION (cont'd)

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

Approp. Code: J05H0102

Resident Business: No

MD Tax Clearance: 21-4090-1101

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION



Contact: Jada Wright 410-545-0330 jwright18@mdot.maryland.gov

20-M. <u>STATE HIGHWAY ADMINISTRATION</u> *Maintenance Contract*

Contract ID: Mechanical Cleaning and Sweeping of Roadways at Various Locations in Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties; 410D21425SB

ADPICS No.: 410D21425

Contract Description: This contract is for the mechanical cleaning and sweeping of roadways at various locations in Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties.

Awards: H. D. Myles, Inc. (Certified Small Business)

Church Hill, MD

Contract Term: 02/17/2022 – 06/30/2025 (1,229 Calendar Days)

Amount: \$275,428 NTE

Procurement Method: Competitive Sealed Bidding (Small Business Reserve)

Bids: H. D. Myles, Inc. \$275,428

Church Hill, MD

Saved Access, LLC \$366,100

Gaithersburg, MD

A. Marquez Trucking, Inc. \$395,600

Silver Spring, MD

M & D Services, Inc. \$502,900

Beltsville, MD

Living Wage Eligible: Yes

MBE Participation: 0% (Limited Subcontracting Opportunities)

Performance Security: Annual-Renewable Payment and Performance Bonds for 100% of

the award amount exists for this contract.

Incumbent: H. D. Myles, Inc.

Church Hill, MD



20-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Requesting Agency Remarks: This contract was advertised on eMaryland Marketplace Advantage on September 28, 2021, notifying 16 potential contractors, three (3) of which were MDOT-certified Minority Business Enterprises (MBE's). Bids were opened on October 28, 2021.

The Maryland Department of Transportation State Highway Administration has confirmed H. D. Myles, Inc.'s bid price.

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

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 21-4005-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Jada Wright 410-545-0330 jwright18@mdot.maryland.gov

21-M. STATE HIGHWAY ADMINISTRATION Maintenance Contract

Contract ID: Maintenance and Emergency Repairs to Fixed Bridges, Culverts, and Retaining Walls - Statewide; *AZ1006114*

ADPICS No.: AZ1006114

Contract Description: This contract is for the maintenance and emergency repairs to fixed bridges, culverts, and retaining walls, Statewide, for the Maryland Department of Transportation State Highway Administration (MDOT SHA).

Awards: Concrete General, Inc.

Gaithersburg, MD

2/17/2022 - 4/24/2024

Contract Term: 01/27/2022 04/24/2024 (797 Calendar Days) See next page for

Record Correction

Amount: \$3,237,469 NTE Letter dated 7/18/22

Procurement Method: Competitive Sealed Bidding

Bids: Concrete General, Inc. \$3,237,469

Gaithersburg, MD

Covington Machine & Welding, Inc. \$3,258,340

Annapolis, MD

PDI-Sheetz Construction \$3,283,668

Linthicum, MD

Allied Contractors, Inc. \$3,407,750

Baltimore, MD

Living Wage Eligible: No

MBE Participation: 5%

Performance Security: Payment and Performance Bonds for 100% of the award amount

exists for this contract.

Incumbent: None



Larry Hogan Governor Boyd K. Rutherford

Lt. Governor

James F. Ports, Jr.

Secretary
Tim Smith, P.E.
Administrator

MEMORANDUM

Accepted 7/28/2022-JTG

Digitally signed by John T. Gontrum Date: 2022.07.28 10:02:43 -04'00'

TO: EXECUTIVE SECRETARY JOHN GONTRUM

FROM: MDOT SHA ADMINISTRATOR TIM SMITH

SUBJECT: NOTICE OF CORRECTION – MDOT 21-M 01/26/2022 BPW MEETING

DATE: July 18, 2022

Approved Contract Term:

Correct Contract Term:

RESPONSE

REQUESTED BY: July 28, 2022

PURPOSE

This is to advise you of the following clerical error change to the Maryland Department of Transportation's action agenda item previously approved by the Board of Public Works.

MDOT Agenda 01/26/2022, Item 21-M

Thank you for your attention to this matter. If you need further information, please contact Jada Wright at 410-545-0330 or jwright18@mdot.maryland.gov .	
Request By:	

01/27/2022 - 04/24/2024

02/17/2022 - 04/24/2024

Jada Wright, Director
Office of Procurement and Contract Management

Concurrence:

Lisa B. Conners

Deputy Administrator for Administration

Approval:

Tim Smith, P.E.

Administrator



21-M. <u>STATE HIGHWAY ADMINISTRATION</u> (cont'd)

Requesting Agency Remarks: This contract was advertised on eMaryland Marketplace Advantage on September 21, 2021, notifying 682 potential contractors, 102 of which were MDOT-certified Minority Business Enterprises (MBE's). Bids were opened on October 28, 2021.

MDOT SHA has confirmed Concrete General, Inc.'s bid price.

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

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 21-4009-111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Jada Wright 410-545-0330 jwright18@mdot.maryland.gov

22-M. STATE HIGHWAY ADMINISTRATION Maintenance Contract

Contract ID: Regional Maintenance of Traffic and Protection Vehicles in Baltimore, Harford, Allegany, Garrett, Washington, Carroll, Howard, and Frederick Counties; MOTN21SB ADPICS No.: MOTN21

Contract Description: This contract is for regional maintenance of traffic and protection vehicles in Baltimore, Harford, Allegany, Garrett, Washington, Carroll, Howard, and Frederick Counties.

Awards: Atlantic Traffic Safety, Inc. (Certified MBE and Small Business)

Ocean City, MD

Contract Term: 02/17/2022* - 02/16/2025 (*or earlier upon BPW Approval)

(1095 Calendar Days)

Amount: \$161,350 NTE

Procurement Method: Competitive Sealed Bidding (Single Responsive Bid Received)

(Small Business Reserve)

Bids: Atlantic Traffic Safety, Inc. \$161,350

Ocean City, MD

Living Wage Eligible: Yes

MBE Participation: 0% (Limited Subcontracting Opportunities)

Performance Security: Performance Bond for 100% of the award amount exists for this

contract.

Incumbent: None

Requesting Agency Remarks: This contract was advertised on eMaryland Marketplace Advantage on May 4, 2021, notifying 45 potential contractors, 15 of which were MDOT-certified Minority Business Enterprises (MBE's). Bids were opened on June 24, 2021.

There was a total of two (2) bids on this contract. The initial low bidder was rejected due to non-compliance with the contract documents and specifications pursuant to COMAR 21.06.01.01 and 21.06.02.03. Therefore, it went to the next bidder, Atlantic Traffic Safety, Inc.



22-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

A total of seven (7) prospective bidders downloaded the bid documents for this contract but five (5) did not submit bids. The Office of Traffic and Safety (OOTS) spoke to the contractors and their reasons for not submitting a bid varied from the location being too far to not having time to prepare the bid.

The Maryland Department of Transportation State Highway Administration has confirmed Atlantic Traffic Safety, Inc.'s bid price. The MBE goal for this contract is 0%; however, the work conducted on this contract is performed 100% by a Certified Minority Business Enterprise; therefore, the MBE participation is 100%.

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

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 21-3645-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Olu Okunola 410-545-8754 ookunola@mdot.maryland.gov

23-RP. <u>STATE HIGHWAY ADMINISTRATION</u> *Real Property – Correction of Deed*

Recommendation: That the Board of Public Works approve the Maryland Department of Transportation State Highway Administration (MDOT SHA) submission of a Confirmatory Deed.

Authority: Transportation Article, § 8-309(f)(1)(ii)

Annotated Code of Maryland

Property: MC# 19-2653

Former Genstar Stone Products, Parcel 2 (0.163 acres \pm), located south of I-70, north of Francis Scott Key Drive (adjacent to Econo

Lodge) in Frederick County.

Grantor: State of Maryland, MDOT SHA

Grantee: Rupali Luthra, Trustee under the A Hera Irrevocable Trust dated

May 16, 2008

Consideration: N/A

Appraised Value: N/A

Special Conditions: Confirmatory Deed

Legislative Notice: N/A

State Clearinghouse: N/A

Requesting Agency Remarks: On September 5, 2018, BPW approved the conveyance of the subject property under 18-RP. After deed recordation, MDOT SHA determined that the Grantee's name was mistakenly identified in the body of the deed. MDOT SHA proposes the execution of a confirmatory deed to clear up any potential title issues created by the previous deed.

BOARD OF PUBLIC WORKS T.

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Olu Okunola 410-545-8754 ookunola@mdot.maryland.gov

24-RP. <u>STATE HIGHWAY ADMINISTRATION</u> Real Property – Right of Way Transaction

Recommendation: That the Board of Public Works approve the Maryland Department of Transportation State Highway Administration (MDOT SHA) option conveyance of real property as it is excess to the agency's needs.

Authority: Transportation Article, § 8-309(f)(1)(i)

Annotated Code of Maryland

Property: MC# 20-2702

Former GTY MD Leasing, Inc., $(0.601 \text{ acres } \pm)$, located on the southwest corner of the intersection of MD 410 and 67^{th} Avenue in

East Riverdale, Prince George's County.

Grantor: State of Maryland, MDOT SHA

Grantee: Ivory Investment, LLC, a Maryland, limited liability company.

Consideration: \$0

Appraised Value: \$427,250 – Gary R. Anglemyer (Selected)

\$284,800 – Bruce M. Dumler (Approved) Wesley A. Barkley, Review Appraiser

Special Conditions: N/A

Legislative Notice: N/A
State Clearinghouse: N/A

Requesting Agency Remarks: In 2018, MDOT SHA acquired a fee simple area (0.141 acres, +/-), drainage and facility easement area (0.024 acres, +/-), and temporary construction easement area (0.280 acres, +/-) from Ivory Investment, LLC for the Purple Line project, which is valued at \$561,150. As part of this acquisition, MDOT SHA acquired all access rights to MD 410. Damages resulting from a loss of access were valued at \$408,850. In lieu of a monetary payment, MDOT SHA will convey a 0.601-acre parcel valued at \$427,250 to Ivory Investment, LLC, a Maryland limited liability company. This parcel will provide access to 67th Avenue. The consideration for this transaction will be \$0 due to the land exchange. This negotiated settlement was reviewed and approved by the Federal Transit Administration.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



Contact: Brian Schade 410-865-1204 bschade@mdot.maryland.gov

25-RP. THE SECRETARY'S OFFICE

Real Property – Disposition (First Amendment to Transfer Agreement)

Recommendation: That the Board of Public Works (BPW) approve the Maryland Department of Transportation (MDOT) amending the original 2014 transfer agreement for disposal of real property.

Authority: State Finance and Procurement Article, § 10-305

Annotated Code of Maryland

Property: MC# 12-8010

Cambridge Marine Terminal (± 11.826 ac), located at the end of Hayward Street at Byrn Street Cambridge, Dorchester County MD.

Grantor: The Commissioners of Cambridge (formerly Mayor and

Commissioners of the City of Cambridge Maryland)

Grantee: CWDI Holdings, LLC, a single purpose entity solely owned by

Cambridge Waterfront Development, Inc. (CWDI)

Consideration: N/A

Appraised Value: N/A

Special Conditions: Yes (See First Amendment to Transfer Agreement)

Legislative Notice: N/A

State Clearinghouse: N/A

Requesting Agency Remarks: MDOT, the Maryland Port Administration ("MDOT MPA") and the City of Cambridge ("City") entered into a Transfer Agreement dated July 17, 2014, for the transfer of the subject property to the City, which conveyance was approved by BPW on April 30, 2014, under 7-RP and conveyance evidenced by a recorded quitclaim deed.

The First Amendment to the Transfer Agreement, approves the assignment of the transfer agreement and conveyance from the City to Cambridge Waterfront Development, Inc, ("CWDI"), a City-controlled not-for-profit economic development corporation created for coordinating the redevelopment of certain properties around the Cambridge waterfront, including the subject Property.



25-RP. THE SECRETARY'S OFFICE (cont'd)

Requesting Agency Remarks (cont'd):

CWDI will have until December 31, 2036, allowing approximately 15 years to redevelop the property. During this period, CWDI intends to enter into a master development agreement with one or more developers. The terms of the purchase price will not go lower than \$2,080,000 or such a lower amount as is supported by an approved appraisal. This purchase price considers the exclusion of approximately 0.431 acres (designated as the Deep Wharf and Promenade), which will remain as public space and will be prohibited from being transferred to any entity other than the City or CWDI. Note: the entire subject property is appraised at \$4,700,000. Any property that hasn't been transferred from CWDI to a developer during this period will automatically revert to the City. The First Amendment includes CWDI's acknowledgement and agreement to limitations on the use of proceeds from the sales of the subject property.

MDOT proposes the execution of the First Amendment to the Transfer Agreement.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Item#	Category Pages
1 - 13	Capital Grants and Loans 1 - 13
14	Architecture and Engineering 14 - 15
15 - 21	Construction 16 - 27
22 - 32	<i>Services</i> 28 - 52
33 - 48	Information Technology 53 - 91
49 - 50	Maintenance 92 - 94
51	Real Property 95 - 96
52 - 53	Tenant Lease 97 - 98
54	Capital Grants and Loans 99
55	Supplemental: Information Technology 100
56	Supplemental: Services 102





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

1-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Trustees of Archbishop Curley High School, Inc.

Archbishop Curley High School (Baltimore City)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping to install air conditioning to the classrooms in Archbishop Curley High School, located in Baltimore City."

Maryland Consolidated Capital Bond Loan of 2021 (MISC- Chapter 63, Acts of 2021)

DGS Item 21-408, (SL-082-210-038) \$ 100,000

Matching Fund: No match is required.

Background: Total Project \$ 2,837,000

21-408 (This Action) \$ 100,000 (Non-match)

Local Cost \$ 2,737,000

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

2-CGL. **CAPITAL GRANTS AND LOANS**

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of the Chesapeake Region Accessible Boating, Inc.

Chesapeake Region Accessible Boating, Inc. (Anne Arundel County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of ADA restrooms in the Adaptive Boating Center, located in Anne Arundel County.'

Maryland Consolidated Capital Bond Loan of 2021 (MISC- Chapter 63, Acts of 2021) \$ 75,000

DGS Item 21-308, (SL-054-210-038)

Matching Fund: No match is required.

Background: Total Project \$ 153,000

> **21-308 (This Action)** \$ 75,000 (Non-match)

Local Cost \$ 78,000

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

3-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Community Arts Inc.

Community Arts Inc. (Frederick County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Frederick Sports Mural."

Maryland Consolidated Capital Bond Loan of 2021 (MISC– Chapter 63, Acts of 2021)
DGS Item 21-128, (SL-081-210-038)
\$ 50,000

Matching Fund: No match is required.

Background: Total Project \$1,209,893

21-128 (This Action) \$ 50,000 (Non-match)

Local Cost \$ 1,159,893

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

4-CGL. **CAPITAL GRANTS AND LOANS**

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of the Easter Seals Serving DC/MD/VA, Inc.

Easterseals Adult Day Services Hagerstown Center (Washington County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Easterseals Adult Day Services Hagerstown Center, located in Washington County."

Maryland Consolidated Capital Bond Loan of 2020 (MISC- Chapter 537, Acts of 2020)

DGS Item 20-G130, (SL-163-200-038) \$ 150,000

Matching Fund: No match is required.

Background: Total Project \$ 150,000

> 20-G130 (This Action) \$ 150,000 (Non-match)

Local Cost \$ 0

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

5-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of the Educare Resource Center

Educare Resource Center (Prince George's County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Homeshare Plus housing facilities, located in Prince George's County."

Maryland Consolidated Capital Bond Loan of 2020 (MISC- Chapter 537, Acts of 2020)

DGS Item 20-280, (SL-145-200-038) \$ 50,000

Matching Fund: No match is required.

Background: Total Project \$50,000

20-280 (This Action) \$ **50,000 (Non-match)**

Local Cost \$ 0

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

6-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Trustees of the Memorial Apartments Corporation

Baltimore Unity Hall (Baltimore City)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Center for Community Arts, Education, and Job Training."

Maryland Consolidated Capital Bond Loan of 2021 (MISC- Chapter 63, Acts of 2021) DGS Item 21-416, (SL-085-210-038) \$ 100,000

Matching Fund: No match is required.

Background: Total Project \$9,989,216

21-416 (This Action) \$ 100,000 (Non-match)

Local Cost \$ 9.889,216

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

7-CGL. **CAPITAL GRANTS AND LOANS**

Recommendation: That the Board of Public Works enter into grant agreements for the following grants:

Board of Directors of the Believe in Tomorrow National Children's Foundation, Inc.

Believe in Tomorrow Children's House at Deep Creek Lake (Garrett County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Believe in Tomorrow Children's House at Deep Creek Lake respite housing facility, including landscaping and improvements to the facility's grounds, located in Garrett County."

Maryland Consolidated Capital Bond Loan of 2020 (LHI– Chapter 537, Acts of 2020) DGS Item 20-G176, as amended by Chapter 576, Acts of 2021

Maryland Consolidated Capital Bond Loan of 2020 (LHI– Chapter 537, Acts of 2020) DGS Item 20-273, (SL-135-200-038) \$ 13,000

Matching Fund: The matching fund has been removed effective June 1, 2021.

Background: \$ 84,276 Total Project

> **20-G176 (This Action)** \$ 14,200 (Non-match) **20-273 (This Action)** \$ 13,000 (Non-match)

Local Cost \$ 57,076

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3.Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.
- 4. The matching fund requirement for this grant was removed by the House Bill 1374, Act of 2021, Chapter 576, effective June 1, 2021.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED **DEFERRED**

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

8-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of Roberta's House

Roberta's House (Baltimore City)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of Roberta's House Grief Support Center."

Maryland Consolidated Capital Bond Loan of 2021 (MISC- Chapter 63, Acts of 2021) DGS Item 21-213, (SL-094-080-038) \$ 500,000

Matching Fund: No match is required.

Background:	Total Project	\$ 10,153,580
	21-213 (This Action)	\$ 500,000 (Non-match)
	20-177 (Prior Action)	\$ 500,000 (Non-match)
	19-186 (Prior Action)	\$ 500,000 (Non-match)
	18-158 (Prior Action)	\$ 2,000,000 (Non-match)
	17-152 (Prior Action)	\$ 250,000 (Non-match)
	08-G043 (Prior Action)	\$ 50,000 (Match)
	08-G142 (Prior Action)	\$ 250,000 (Match)
	Local Cost	\$ 6,103,580

(Prior Actions: 12/16/20 Agenda, Item 5-CGL; 10/16/19 Agenda, Item 31-CGL; 11/14/18 Agenda, Item 30-CGL; 09/6/19 Agenda, Item 25-CGL; 01/23/13 Agenda, Item 16-CGL)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3.Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION





Contact: Deirdra Bell 410-767-4950 deirdra.bell@maryland.gov

9-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into grant agreements for the following grants:

Board of Directors of The Ivy Community Charities of Prince George's County, Inc.

The Ivy Village Incubator for Nonprofit Excellence (Prince George's County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of The Ivy Village Incubator for Nonprofit Excellence facility, located in Prince George's County."

Maryland Consolidated Capital Bond Loan of 2020 (MISC- Chapter 537, Acts of 2020)

DGS Item 232, (SL-085-210-038)

\$ 250,000

Maryland Consolidated Capital Bond Loan of 2020 (MISC– Chapter 537, Acts of 2020) DGS Item G197; as amended by Chapter 576, Acts of 2021

\$ 50,000

Matching Fund: No match is required.

Background: Total Project \$ 750,000

 20-232 (This Action)
 \$ 250,000 (Non-match)

 20-G197 (This Action)
 \$ 50,000 (Non-match)

 18-G151 (Prior Action)
 \$ 180,000 (Match)

Local Cost \$ 270,000

(Prior Actions: 10/16/19 Agenda, 33-CGL)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3.Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.
- 4. The matching fund requirement for grant 20-G197 was removed by the House Bill 1374, Acts of 2021, Chapter 576, effective June 1, 2021.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4950 deirdra.bell@maryland.gov

10-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Southern Maryland Agricultural Development Commission of the Tri-County Council of Southern Maryland

St. Mary's County - Regional Agricultural Center (St. Mary's County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Regional Agricultural Center."

Maryland Consolidated Capital Bond Loan of 2020 (MISC- Chapter 537, Acts of 2020)

DGS Item 20-183, (SL-065-200-038) \$ 200,000

Matching Fund: No match is required.

Background: Total Project \$200,000

20-183 (This Action) \$ **200,000 (Non-match)**

Local Cost \$ 0

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3.Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4950 deirdra.bell@maryland.gov

11-CGL. **CAPITAL GRANTS AND LOANS**

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Trustees of the Pleasant Grove Missionary Baptist Church

Addie E. Thomas Community Center (Charles County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Addie E. Thomas Community Center, located in Charles County."

Maryland Consolidated Capital Bond Loan of 2021 (MISC- Chapter 63, Acts of 2021) DGS Item 21-349, (SL-084-210-038) \$ 250,000

Matching Fund: No match is required.

Background: Total Project \$ 300,000

> **21-349 (This Action)** \$ 250,000 (Non-match)

Local Cost \$ 50,000

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3.Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4950 deirdra.bell@maryland.gov

12-CGL. <u>CAPITAL GRANTS AND LOANS</u>

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of the Historic St. Mary's City Foundation, Inc.

Chancellor's Point Community Sailing Center (St. Mary's County)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Chancellor's Point Community Sailing Center, located in St. Mary's County."

Maryland Consolidated Capital Bond Loan of 2020 (MISC– Chapter 537, Acts of 2020) DGS Item 21-164; as amended by Chapter 576, Acts of 2021 (SL-047-210-038)

\$ 73,300

Matching Fund: Match removed effective June 1st, 2021.

Background: Total Project \$73,300

20-G199 (This Action) \$ 73,300 (Non-match)

Local Cost \$ 0

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3.Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.
- 4. The matching fund requirement for this grant was removed by the House Bill 1374, Acts of 2020, Chapter 576, effective June 1st, 2021.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Mindy Kim-Woo 410-767-6862 mindy.kim-woo@maryland.gov

13-CGL. <u>CAPITAL GRANTS AND LOANS</u> Department of Health

2 ep a. i.i.e.iii oj 11 ea iiii

Recommendation: That the Board of Public Works approve a grant of \$438,598 to Montgomery Housing Partnership, Inc. ("Grantee") to the benefit of 515 Thayer, LLC ("Owner").

Project: Owner will construct a 55-unit building located at 515 Thayer Avenue, Silver Spring, MD of which three (3) dwelling units will be designated for use by adults with intellectual and developmental disabilities.

Funding Source: The Maryland Department of Health has determined the Grantee is responsible for providing 36% of the eligible project cost.

Total Eligible Project Cost \$ 685,310 State Share (64%) \$ 438,598

Grantee Share (36%) \$ 246,712 Housing Initiative Fund, DHCD Loans

This Action \$ 438,598 (MCCBL 2020, CB-31501-01)

Remarks:

- 1. Grantee is a nonprofit organization.
- 2. Grantee is the managing member of 515 Thayer, LLC.
- 3. The three units will be dedicated for housing for up to seven adults with intellectual and developmental disabilities. The three units will include one 2-bedroom unit and two 1-bedroom units to provide affordable, accessible and integrated living and enhanced community engagements.
- 4. In accordance with § 24-606(d) of the Health-General Article of the Annotated Code of Maryland, the Board's approval is further contingent upon the State's right of recovery being recorded among the Land Records of Montgomery County.
- 5. No State funds will be disbursed until the Grantee has presented suitable evidence to the Office of Facilities Management and Development that it has expended the required matching funds.
- 6. 515 Thayer, LLC has agreed that a right of recovery can be recorded against the property in the Land Records of Montgomery County.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION







REVISED 2nd Revision **JANUARY 26, 2022**

Contact: Courtney League 410-767-5516 courtney.leaguel@maryland.gov

14-AE-MOD. ARCHITECTURE AND ENGINEERING MODIFICATION

Department of Natural Resources

Contract ID: Bill Burton State Park Fishing Pier Repair; G-010-210-010

ADPICS No: COJ46945 COJ47226

See next page for record

correction letter dated 2/14/22

Contract Approved: DGS Delegated Authority, 03/09/2021

Contractor: EBA Engineering, Inc.; Laurel, MD (MBE,SBE)

Contract Description: Design improvements for the Bill Burton Fishing Pier near

Cambridge along the Choptank River.

Modification Description: Add underwater investigation of pier foundation to the contract

scope of work.

Original Contract Term: 04/12/2021 - 04/12/2022

Modification Term: 02/17/2022 - 04/12/2022

Original Contract Amount: \$199,823.00

Modification Amount: \$ 34,951.60

Prior Mods/Options: N/A

Total Contract Amount: \$234,774.60

Percent +/- (This Item): 17.44%

Total Percent Change: 17.44%

Qualification Based Selection (DGS-16-009-IQC) Original Procurement Method:

MBE/VSBE Participation: 13.45% / N/A

MBE/VSBE Compliance: 0% / N/A (See Requesting Agency Remarks)



Maryland Department of General Services

OFFICE OF THE SECRETARY

February 14, 2022

Accepted 02/18/2022- JTG

Digitally signed by John T. Gontrum

Date: 2022.02.18

John Gontrum, Esq.
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 117
Annapolis, Maryland 21401-1991

SUBJECT: Record Correction – December 01, 2021 Board of Public Works Action Agenda

Dear Mr. Gontrum:

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

BPW – December 01, 2021 DGS 19-AE

Mauldin Mountain Pavilion & Rustic Cabins &

Museum Cabin P-026-200-002

Page 181

FROM: **ADPICS No.**: 001B260001 TO: **ADPICS No.**: 001B260101

Reason: Typographical error.

Regards,

Mark Riesett

Mark Riesett
Associate Director
Department of General Services
Office of State Procurement



JANUARY 26, 2022



REVISED

2nd Revision

14-AE-MOD. ARCHITECTURE AND ENGINEERING MODIFICATION (cont'd)

Requesting Agency Remarks: The initial investigation found a number of piers have significant deterioration and loss of concrete sections with exposed steel bars. Further investigation is required to determine if the underwater pile foundations are in the same condition. The underwater investigation was discussed initially but due to the cost, the engineers decided to wait until the condition of the upper structure was assessed.

If the underwater structure is determined to have issues, appropriate next steps will be established by the engineers. DGS will return to the BPW as appropriate.

The vendor remains committed to the 13.45% MBE goal established for this contract. [...]

Fund Source: KOO POS 20 004 (POS NRDF Program Fund)

Resident Businesses: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Courtney League 410-767-5516 courtney.league@maryland.gov

15-C. **CONSTRUCTION CONTRACT**

Department of General Services

Contract ID: Maryland State House, Restoration of Exterior and Grounds; BA-491-160-001

ADPICS No.: H00B2600098

Construction management services to restore the exterior of the Contract Description: Maryland State House and Grounds within State Circle, including stabilization and potential restoration of the Old Treasury Building. Perform the restoration work, provide constructability reviews, develop budgets for the specialized trades, procurement of long lead items, and project scheduling.

Award: The Christman Company; Sterling, VA

Contract Term: 910 Calendar Days

\$1,500,000 Amount:

Procurement Method: Exempt (Renovation of Historic Structures; State Finance and

Procurement Article 11-203 (a) (1) (xviii))

MBE/VSBE Participation: N/A / N/A

Performance Security: Performance and payment bonds for 100% of contract amount.

Incumbent: N/A

Requesting Agency Remarks: The Christman Company is uniquely positioned to perform construction services for this project due to the qualifications of its staff, its extensive experience in historic preservation and restoration, as well as its prior work in the State House. This company maintains a unit specifically created and dedicated to performing services on historic projects including numerous national monuments, UNESCO World Heritage sites, national historic landmarks and National Register of Historic Places properties. Their work includes the successful completion of the historic restorations of both the Old House of Delegates Chamber and Old Senate Chamber in the Maryland State House giving the firm significant insight into working with this historic structure as well as working with the Department of General Services and the Maryland Historical Trust. This contract includes a two-year warranty period on limited work.





15-C. <u>CONSTRUCTION CONTRACT</u> (cont'd)

Fund Source: MCCBL 2021 Provide funds to continue design and begin

construction of restoration if the exterior and grounds of the historic Maryland State House and Old Treasury Building in the

Annapolis State Government Complex Item 105

Resident Business: No

MD Tax Clearance: 22-0037-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Courtney League 410-333-7303 courtney.league@maryland.gov

16-C. <u>CONSTRUCTION CONTRACT</u>

Department of General Services

Contract ID: Remodel Restrooms at Elkton District Court; BC-730-200-001

ADPICS No.: 001B2600331

Contract Description: Renovate existing restrooms and convert a janitor's closet to a wellness room at Elkton District Court in Cecil County.

Award: Bob Andrews Construction, Inc.; Middle River, MD (SBE)

Contract Term: 180 Calendar Days

Amount: \$592,809

Procurement Method: Competitive Sealed Bidding (SBR-designated)

Bids:

Bids	Amounts
Bob Andrews Construction, Inc.; Middle River, MD	\$ 592,809.00
Modern Construction Services; Jarrettsville, MD	\$ 597,716.00
Total Contracting Inc.; Beltsville, MD	\$ 697,248.80
BSS Contracting LLC.; West Grove, PA	\$ 739,000.00
Colossal Contracting, Inc.; Burtonsville, MD	\$ 753,294.00
WKM Solutions Inc.; Washington, DC	\$ 808,258.00
PBI Restorations; Hunt Valley, MD	\$ 888,062.00

MBE/VSBE Participation: 25% / N/A

Performance Security: Performance and payment bonds for 100% of contract amount.

Incumbents: N/A

Requesting Agency Remarks: This project was originally solicited on September 1, 2021, and four bids were received. After the bid opening, a discrepancy in the pricing sheet was noted that resulted in higher than estimated bids. The necessary amendments to the solicitation were of such magnitude it was determined that all bids need to be rejected and the project be rebid.





16-C. **CONSTRUCTION CONTRACT** (cont'd)

Agency Remarks (cont'd):

A notice of availability of an Invitation for Bids (IFB) was posted on eMaryland Marketplace Advantage on October 26, 2021, with a Small Business Reserve (SBR) designation. Seven bids were received and opened on November 19, 2021. Bob Andrews Construction, Inc., has been found responsible and its bid responsive. The bid pricing has been confirmed.

Fund Source: MCCBL 2020 Provide funds for the repair and rehabilitation of

state-owned capital facilities. Item 104

Resident Business: Yes

MD Tax Clearance: 21-4445-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Courtney League 410-767-5516 courtney.league@maryland.gov

17-C. **CONSTRUCTION CONTRACT Department of General Services**

Contract ID: Modernize Elevators at Mary E. W. Risteau District Court and Multi-Service

Center: BC-766-200-001

ADPICS No.: 001B2600296

Contract Description: Modernize elevators #3 and #4 at Mary E. W. Risteau District Court and Multi-Service Center in Harford County.

Chilmar Corporation; Baltimore, MD Award: (SBE)

Contract Term: 270 Days \$488,036 Amount:

Procurement Method: Competitive Sealed Bidding

Bids:

Bidders	Amount s
Chilmar Corporation; Baltimore, MD	\$488,036
Nichols Contracting, Inc.; Columbia, MD	\$506,057

MBE/VSBE Participation: N/A / N/A

Performance Security: Performance and payment bonds for 100% of contract amount.

N/A Incumbents:

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on the DGS website and eMaryland Marketplace Advantage on September 3, 2021. Two bids were received and opened October 13, 2021. Chilmar Corporation has been found responsible and its bid responsive. The bid pricing has been confirmed.

Fund Source: MCCBL 2020 Provide funds for the repair and rehabilitation of

state-owned capital facilities. Item 104

MD Tax Clearance: 21-4479-1111 Resident Business: Yes

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION





Contact: Courtney League 410-767-5516 courtney.league@maryland.gov

18-C. **CONSTRUCTION CONTRACT**

Department of General Services

Contract ID: Winebrenner Stream Sealing Project; F-001-220-004

ADPICS No.: 001B2600297

Contract Description: Seal mine voids under Winebrenner Run in Allegany County with grout to prevent the stream from losing water to the underlying abandoned deep mines.

Award: Howard Concrete Pumping Co., Inc.; Canonsburg, PA

Contract Term: 180 Calendar Days

Amount: \$388,421

Procurement Method: Competitive Sealed Bidding

Bids:

Bidders	Amount
Howard Concrete Pumping Co., Inc. Canonsburg, PA	\$388,421
Drill Tech Drilling & Shoring, Inc. Cockeysville, MD	\$527,927

MBE/VSBE Participation: N/A / N/A

Performance Security: Performance and payment bonds for 100% of contract amount.

N/A Incumbents:

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and eMaryland Marketplace Advantage on October 7, 2021. Two bids were received and opened on November 8, 2021. Howard Concrete Pumping Co., Inc. has been found responsible and its bid responsive. The bid pricing has been confirmed.

Fund Source: \$74,431.75 Agency Operating Funds

> MCCBL 2016 Provide funds to design, construct, and equip active and passive measures to remediate damage to water quality related to abandoned mining operations. Mining Remediation Program (\$119,568.25)

> MCCBL 2018 Provide funds to design, construct, and equip active and passive measures to remediate damage to water quality related to abandoned mining operations. Mining Remediation Program (\$194,421.00)





18-C. CONSTRUCTION CONTRACT (cont'd)

Resident Business: No

MD Tax Clearance: 21-4478-0001

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Courtney League 410-767-5516 courtney.league@maryland.gov

19-C. **CONSTRUCTION CONTRACT**

Historic St. Mary's City Commission

Contract ID: Roof Replacement at St. Mary's Visitor Center Complex; SM-005-220-002

ADPICS No.: 001B2600318

Remove existing roof and install a new cedar shingle roofing Contract Description:

system at the St. Mary's Visitor Center Complex in St. Mary's County.

Award: AKJ, Inc.; Stevensville, MD (SBE)

Contract Term: 90 Calendar Days

Amount: \$215,145

Procurement Method: Competitive Sealed Bidding (SBR-Designated)

Bids:

Bidders	Amounts
AKJ, Inc.; Stevensville, MD	\$215,145
Vertex Roofing Contractors, Inc.; Manassas, VA	\$374,120

MBE/VSBE Participation: 10% / N/A

Performance Security: Performance and payment bonds for 100% of contract amount

N/AIncumbents:

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on the DGS website and eMaryland Marketplace Advantage on October 22, 2021, with a Small Business Reserve (SBR) designation. Two bids were received and opened on November 17, 2021. AKJ, Inc., has been found responsible and its bid responsive. The bid pricing has been confirmed.

Fund Source: MCCBL 2020 Provide funds for the repair and rehabilitation of

state-owned capital facilities. Item 104

Resident Business: Yes **MD Tax Clearance:** 21-4241-0111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED WITHDRAWN **DEFERRED**

WITH DISCUSSION



ACTION AGENDA January 26, 2022



Contact: Webster Ye 410-767-6481 webster.ye@maryland.gov

20-C-MOD. CONSTRUCTION MODIFICATION

REVISED

Department of General Services on behalf of Maryland Department of Health

Contract ID: Outfit Advanced Medical Tents for COVID-19 on behalf of MDH; 001B0600384

ADPICS No.: COJ40198

COK50412

Contract Approved: Secretary's Agenda A2, 11/04/2020

See next page for Record Correction Letter dated 5/22/24

Contractor(s): Warwick Supply & Equipment Company; Hunt Valley, MD

(Certified Small Business, Minority Business Enterprise)

Construction, carpentry, plumbing, electric, finishing, medical headboards and wrap-around support to 100 advanced and triage medical tents at various locations across the State. In addition to the advanced medical tents (AMTs), this vendor has provided the physical construction for mass vaccination sites, testing sites, and other physical facilities necessary for Maryland's COVID-19 response efforts.

Modification Description: Increase funds for continued inspections, repairs and future decommissioning process and conversion of some current AMT hospital patient surge sites at hospitals to community COVID-19 test sites and other upgrades at those sites.

Original Contract Term: 04/06/2020 - 04/05/2021

Modification Term: 03/10/2022* - 12/31/2022 (*Or earlier upon BPW approval)

Original Contract Amount: \$ 25,000,000 NTE

Modification Amount: \$ 25,000,000 NTE

Prior Mods/Options: \$12,500,000 (Mod. #1: Increased contract authority due to

continuing pandemic response and extended the term from 04/05/2021 -

07/08/2021, Secretary's Agenda A2, 11/04/2020)

\$15,000,000 (Mod. #2: Increased contract authority due to continuing pandemic response activities, including mass vaccination sites, extended contract term from 07/08/2021 - 06/30/2022, DGS 58-C-MOD 07/07/2020)

\$12,500,000 (Mod. #3: Extended contract term from 01/06/2022 - 12/31/2022 and added additional funds, DGS 23-C-MOD 12/15/2021)

Total Contract Amount: \$90,000,000 NTE



Wes Moore, Governor | Aruna Miller, Lt. Governor | Atif Chaudhry, Secretary

May 22, 2024

Accepted 5/24/2024- JTG

John Gontrum, Esquire, Secretary to the Board of Public Works

Louis L. Goldstein Treasury Building, Room 117

Annapolis, Maryland 21401

Dear Mr. Gontrum:

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

BPW – January 26, 2022, Department of General Services Agenda, Item 20-C-MOD

Combined Support Maintenance Shop Surface Equipment and Automotive (Modification);

FROM: ADPICS No. COJ40198

TO: ADPICS No. COK50412

REASON: Clerical Error.

Regards,

Jason Valuntis

Associate Director

Department of General Services

ason Valuntis

Office of State Procurement (OSP)





REVISED

JANUARY 26, 2022

20-C-MOD. CONSTRUCTION MODIFICATION (cont'd)

Percent +/- (**This Item**): 100%

Total Percent Change: 360%

Original Procurement Method: Emergency

MBE/VSBE Participation: N/A / N/A

MBE/VSBE Compliance: N/A / N/A

Requesting Agency Remarks: This modification will convert current hospital patient surge treatment sites at various hospitals to COVID-19 testing sites and build out new drive through testing sites during the winter surge. This is necessary to meet rising demand for testing and to divert people from visiting hospital emergency rooms to get COVID-19 tests. The Maryland National Guard will assist with opening 20 testing sites outside of hospitals across the state.

Additionally, there is a continuing need to maintain the compliance and medical certifications for the various structures from the initial award of the contract. Some additional funds will be reserved for potential decommissioning costs should these structures no longer be required.

Fund Source: 100% Federal (CARES Act)

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Courtney League 410-767-5516 courtney.league@maryland.gov

21-C. **CONSTRUCTION CONTRACT**

That the Board of Public Works approve the following Task Orders under Recommendation: the previously approved Master Contract.

State Finance and Procurement Article, Authority:

Annotated Code of Maryland, § 13-113; COMAR 21.05.13.06

Procurement Method: Task Order under Master Contract

1.0 Master Contract: General Construction & Related Services, Statewide

Contract: DGS-18-306-IQC

Approved: DGS 3-C, 03/28/2018 03/26/2018 - 03/25/2022 Term:

*As of publication, the remaining balance of this master contract is \$3,104,922.00

1.1 Using Agency: Department of Public Safety and Correctional Services

Replacement and refurbishment of pedestrian bridges at the Description: Maryland Correctional Institution in Jessup. The cost estimate for this project was \$639,101. Based on the Contractor's bid breakdown, the demolition, concrete and plumbing costs are similar as well as the general conditions and mobilization. The costs for the structural steel for the pedestrian bridge is a higher, which has been true with several projects recently. The proposed price is comparable to the estimate and the procurement officer has determined the contract price is fair and reasonable; KF-000-201-003

Award: Baltimore Contractors, Inc.; Glen Burnie, MD (SBE)

Number of Qualified

Master Contractors: 13 (Central Region)

Number of Bids: 1

Amount: \$673,888

180 Calendar Days Term: MBE/VSBE Participation: 20% / N/A

Fund Source: 100% Special (DPSCS Operating Funds)





21-C. **CONSTRUCTION CONTRACT** (cont'd)

2.0 Master Contract: HVAC/Boiler Work & Related Services, Statewide

Contract: DGS-19-301-IQC

DGS 1-C, 06/03/2020 *Approved:* Term: 06/18/2020 - 06/17/2025

*As of publication, the remaining balance of this master contract is \$16,450,690.00

2.1 Using Agency: Maryland State Archives

> Remove and replace existing air handling units and associated Description: pneumatic controls at Maryland Archives Building in Anne Arundel County; BA-495-210-

001.

Award: Power & Combustion, Inc.; Baltimore, MD

Number of Qualified

Master Contractors: 10 (Central Region)

Number of Bids:

Amount: \$1,297,400

Term: 240 Calendar Days *MBE/VSBE Participation:* N/A / N/A

Fund Source: MCCBL 2020 Provide funds for the repair and rehabilitation of

State-owned buildings. Item 104

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Joy Niles 301-429-7585 joy.niles@maryland.gov

22-S. SERVICES CONTRACT

Department of Housing and Community Development, Community Development Administration Energy Programs

Contract ID: Evaluation, Measurement, and Verification of Energy Efficiency Program's Services: S00R1600010

ADPICS No.: S00B2600039

Contract Description: Annual evaluation, measurement, and verification services under the EmPOWER Maryland Program, and other energy efficiency programs such as Washington Gas Light, Federal Department of Energy Weatherization Assistance Program, DHCD Maryland Energy Assistance Program.

Award: The Cadmus Group; Waltham, MA (Local office in Bethesda, MD)

Contract Term: 02/17/2022* - 02/16/2024 (w/two 1-year renewal options)

(*or earlier upon BPW approval)

Amount: \$ 964,152.00 NTE (Base: 2-years)

\$ 496,538.28 NTE (Renewal Option #1: 1-year) \$ 511,434.43 NTE (Renewal Option #2: 1-year)

\$ 1,972,124.71 Total

Procurement Method: Competitive Sealed Proposals

Proposals:

Offerors	Technical Rankings	Financial Proposals (Rankings)	Overall Rankings
The Cadmus Group, LLC; Waltham, MA	1	\$1,972,124.71 (1)	1
Tetra Tech, Inc.; Madison, WI	2	\$2,296,308.32 (4)	2
GDS Associates, Inc.; Marietta, GA	3	\$2,293,180.26 (3)	3
APPRISE; Princeton, NJ	4	\$2,060,472.60 (2)	4
Illume Advising; Madison, WI	5	\$2,490,912.00 (5)	5

^{*}Technical and financial rankings were equally weighted.





22-S. **SERVICES CONTRACT** (cont'd)

Living Wage Eligible: Yes

10% / N/A MBE/VSBE Participation:

N/A Performance Security:

Hiring Agreement Eligible: Yes

Incumbent: Same

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage, notifying approximately 57 prospective vendors. Direct solicitation was sent to seven prospective vendors. Five proposals were received and all five were determined to be reasonably susceptible of being selected for award. The Cadmus Group was ranked first overall with the highest ranked technical proposal and lowest price. The Cadmus Group has been determined to provide the most advantageous offer to the State.

The purpose of this contract is to design and document a comprehensive and complete Evaluation, Measurement, and Verification (EM&V) strategy for the EmPOWER Maryland Low Income Energy Efficiency Program (EmPOWER MD LIEEP) that meets the requirements of the Maryland Public Service Commission (PSC). The contractor will then implement the EM&V strategy and provide all data, analyses, and information to DHCD to support evaluation and reporting on the EmPOWER MD LIEEP program.

100% Special (EmPOWER Maryland) Fund Source:

S00A2504 Approp. Code:

Resident Business: Yes

MD Tax Clearance: 21-4171-0011

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Paul Dickman 301-429-7697 paul.dickman@maryland.gov

23-S. SERVICES CONTRACT

Department of Housing and Community Development, Office of Public Information

Contract ID: Digital Marketing Services; S00R1600009

ADPICS No.: S00B2600035

Contract Description: Digital marketing services in online advertising mediums serving agency programs that require public outreach, primarily the Maryland Mortgage Program.

Award: Pinnacle Communications Resource Co., LLC; Baltimore, MD

(MBE, SBE)

Contract Term: 02/17/2022* - 02/16/2023 (w/three 1-year renewal options)

(*or earlier upon BPW approval)

Amount: \$ 187,400 (Base: 1-year)

\$ 187,600 (Renewal Option #1: 1-year) \$ 187,800 (Renewal Option #2: 1-year) \$ 188,000 (Renewal Option #3: 1-year)

\$750,800 Total

Procurement Method: Competitive Sealed Proposals

Proposals:

Offerors	Technical Rankings	Financial Proposals (Rankings)	Overall Rankings
Pinnacle Communications Resource Company, LLC Baltimore, MD	1	\$750,800.00 (3)	1
Enradius; Baltimore, MD	5	\$740,000.00 (1)	2
McAndrew Company, Inc.; Bethesda, MD	4	\$754,920.00 (4)	3
The Hatcher Group; Bethesda, MD	2	\$788,800.00 (8)	4
The Media Network, Inc.; Bethesda, MD	3	\$791,283.42 (9)	5
Media Works, Ltd.; Baltimore, MD	6	\$774,400.00 (6)	6
360 Marketing & PR, LLC; Lanham, MD	8	\$756,000.00 (5)	7





23-S. **SERVICES CONTRACT** (cont'd)

Proposals (cont'd):

Offerors	Technical Rankings	Financial Proposals (Rankings)	Overall Rankings
Bear Consulting, LLC; Dunkirk, MD	11	\$746,000.00 (2)	8
Gavin Communications, LLC; York, PA	7	\$792,000.00 (10)	9
W2 Consulting Corporation; Laurel, MD	12	\$785,100.00 (7)	10
Digital Marketing Strategies, LLC; Silver Spring, MD	9	\$800,000.00 (11)	11
Redstart Creative; Towson, MD	10	\$831,600.00 (12)	12

^{*}Technical and financial rankings were equally weighted.

MBE /VSBE Participation: N/A / N/A

Performance Security: N/A

Maryland State Ad Agency; Owings Mills, MD Incumbents:

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage on February 24, 2021. Direct solicitations were sent to 45 prospective vendors. Twelve proposals were received, and all were determined to be reasonably susceptible of being selected for award. DHCD determined the difference in price, \$10,800 over 4-years between the two highest ranked overall proposals was not large enough to outweigh the evaluated difference in the strength of their technical qualifications.

The digital marketing services provided under this contract will include regular seasonal ad campaigns in Google Search Engine Marketing, Facebook, Instagram, Twitter, and Over-the-Top advertising. Each campaign will focus on a particular program area such as Foreclosure Prevention or targeted service population such as Military Veterans. Contractor will conduct planning and placement of online advertising. Compensation for digital media buying will be provided as a pass-through cost for online ad placements. These pass-through costs are estimated at \$680,000 over 4-years (\$170,000 annually) and are included in the overall contract price.







23-S. **SERVICES CONTRACT** (cont'd)

Fund Source: 100% Special (General Bond Reserve Fund)

Approp. Code: S00.A25.03

Resident Business: Yes

MD Tax Clearance: 21-3999-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Lisa Horvath 410-468-2379 lisa.horvath@maryland.gov

24-S. <u>SERVICES CONTRACT</u>

Maryland Insurance Administration Examination & Auditing

Contract ID: Financial Examination & Auditing Services; MIA/EA-22-001

ADPICS No.: D80B2600013

Contract Description: Maryland law authorizes the MIA to conduct a financial examination of authorized insurers. The purpose of these examinations is to ensure the continued financial solvency of insurers authorized to do business in Maryland by detecting solvency issues in advance and ensuring compliance with National Association of Insurance Commissioners (NAIC) requirements and Maryland law. The Financial Examination & Auditing Unit also performs target examinations as a result of specific concerns.

Awards: INS Regulatory Insurance Services, Inc.; Philadelphia, PA

Examination Resources, LLC; Atlanta, GA Baker Tilly US, LLP; Philadelphia, PA

Lewis & Ellis, Inc.; Allen, TX

Contract Term: 02/17/2022 - 02/28/2027

Amount: \$8,000,000 NTE

Procurement Method: Competitive Sealed Proposals

Proposals:

Offerors	Technical Rankings	Financial Proposals (Rankings)	Overall Rankings
INS Regulatory Insurance Services, Inc. Philadelphia, PA	1	\$7,106,900 (3)	1
Examination Resources, LLC; Atlanta, GA	2	\$6,718,400 (2)	2
Lewis & Ellis, Inc.; Allen, Tx	4	\$6,309,000 (1)	3
Baker Tilly US, LLP; Philadelphia, PA	3	\$7,414,800 (4)	4
Eide Bailly LLP; Fargo, ND	5	\$7,500,600 (5)	5

^{*}Technical proposals received greater weight than financial proposals in the overall award determination.

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A





24-S. **SERVICES CONTRACT** (cont'd)

Incumbents: Baker Tilly US, LLC; Examination Resources, LLC; INS

Regulatory Insurance Services, Inc.; Johnson & Lambert, Inc.;

Lewis & Ellis, Inc.; and Risk & Regulatory Consulting

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage on August 31, 2021. Direct solicitation was sent to nine prospective vendors. Six proposals were received in response and five were determined to be reasonably susceptible of being selected for award. One offeror was found not reasonably susceptible of being selected for award and rejected because they did not respond to the MIA's request to remove exceptions from their proposal and to confirm that the company would comply with the requirements of the RFP.

The evaluation committee found that all five offerors met the technical requirements of the RFP, and the work plans submitted by the offerors showed that they have a thorough understanding of the requirements. The Evaluation Committee concluded that while one contractor could perform the services required under the RFP, there was nothing in their technical proposal that would justify the additional costs of \$85,800.00 to \$1,191,600.00 compared to the other four Offerors with a The evaluation committee determined that INS Regulatory Insurance Services, Inc., Examination Resources, LLC, Lewis & Ellis, Inc., and Baker Tilly US, LLP, proposals were the most advantageous to the State. This contract is being awarded with a not-to-exceed total of \$8,000,000 and no one firm has been guaranteed specific payments. Awards will be made for each examination on a rotation basis starting with the highest ranked firm.

Fund Source: 100% Special (Venders paid by companies being examined.)

D80Z01 Approp. Code:

Resident Business: No

MD Tax Clearance INS Regulatory Insurance Services, Inc. 21-4150-0111

> Examination Resources, LLC 21-4149-0110 Baker Tilly US, LLP 21-4148-1111 Lewis & Ellis, Inc. 21-4151-0001

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Linda Lamone 410-269-2840 linda.lamone@maryland.gov

25-S. <u>SERVICES CONTRACT</u>
State Board of Elections

Contract ID: Voter Education Campaign; D38B1600018

ADPICS No.: D38B1600018

Contract Description: Development, implementation, and oversight of a broad, Statewide public awareness campaign to encourage individuals to verify accuracy of registration data and inform individuals of available voting options for the 2022, 2024, and 2026 election cycles. The contract's messaging will include voter education regarding the impact of recent redistricting in Maryland.

Award: Kearney O'Doherty Public Affairs; Baltimore MD (SBE)

Contract Term: 01/27/2022 - 12/31/2023 (w/two 2-year renewal options)

Amount: \$1,378,000 (Base: 1-year, 11 months)

\$1,405,000 (Renewal Option #1: 2-years) \$1,432,000 (Renewal Option #2: 2-years)

\$4,215,000 Total

Procurement Method: Competitive Sealed Proposals (SBR - designated)

Proposals:

Offerors	Technical Rankings	Financial Offers (Rankings)*	Overall Rankings
Kearney O'Doherty Public Affairs; Baltimore MD	1	\$4,215,000 (2)	1
MD Strategic Consulting; Baltimore, MD	3	\$5,061,186 (1)	2
The Hatcher Group; Bethesda, MD	2	\$4,011,826 (3)	3

^{*}Technical and financial rankings had equal weight

Living Wage Eligible: Yes

MBE/VSBE Participation: 30% / N/A

Performance Security: N/A

Incumbent: N/A





25-S. **SERVICES CONTRACT** (cont'd)

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage on July 1, 2021, with a Small Business Reserve (SBR) designation. Eleven potential vendors were notified directly of the solicitation.

Kearney O'Doherty Public Affairs has the best experience and work plan, which were the two top technical evaluation factors and an outstanding oral presentation. Their proposal was determined to be the most advantageous to the State. The awardee has committed to meeting the 30% MBE goal established for this contract.

Fund Source: 50% General, 50% Special (County)

D38I0102 Approp. Code:

Resident Business: Yes

MD Tax Clearance: 21-4373-011

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Yasin Mohammed 410-767-6586 yasin.mohammed@maryland.gov

26-S-OPT. SERVICES OPTION

Department of General Services

Contract ID: Comprehensive Utility Bill Management Services; 01IT820862/MDDGS31038222

ADPICS No.: 001B2600285

Contract Approved: DBM 6-S, 03/06/2019

Contract Description: Online energy and utility bill management services to host and maintain a Comprehensive Utility Bill and Energy tracking database and provide comprehensive services that support and supplement the database including quality assurance and bill auditing services, periodic review of regulated utility tariffs and rate structures, user technical support, and training.

Option Description: Exercise the first of two renewal options.

Awards: Bithenergy, Inc.; Baltimore, MD (MBE, SBE)

Contract Term: 04/01/2019 - 03/31/2022 (w/two 1-year renewal options)

Option Term: 04/01/2022 - 03/31/2023

Original Amount: \$3,059,806.69

Option Amount: \$1,064,874.43

Prior Options/Mods: N/A

Total Contract Amount: \$4,124,681.12

Percent +/- Change (this item): 34.80%

Total Percent -/- Change: 34.80%

Original Procurement Method: Competitive Sealed Proposal

Living Wage Eligible: Yes

MBE/VSBE Participation: 30% / N/A





26-S-OPT. **SERVICE OPTION** (cont'd)

MBE/VSBE Compliance: 22.88% / N/A

*The prime contractor is a certified MBE. 100% of the work will

be performed by MBE firms.

Performance Security: N/A

Hiring Agreement Eligible: N/A

Requesting Agency Remarks: The Department of General Services tracks the energy consumption and cost for all utility accounts. Launched in 2008, the State Energy Database is a comprehensive large-scale utility management system, and the database provides access, accountability, and utility metrics for 52 State entities including all Executive Agencies and the University System of Maryland.

The State Energy Database supports a variety of programs including energy efficiency initiatives, Energy Performance Contracts, energy reduction reporting, deregulated energy procurement, energy planning, and utility bill analysis.

The database serves a critical function in the State's compliance with Governor Hogan's Executive Order on energy efficiency in State buildings and Maryland's commitment to the Department of Energy's Better Buildings Challenge and Better Climate Challenge. It is used to confirm data with agencies, create baselines of usage, track progress towards the goals, and develop reports.

Fund Source: 100% Reimbursable (Electric Deregulation)

Approp. Code: H00 77159 0899

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Nneka Willis-Gray 410-767-7675 nneka.willisgray@maryland.gov

27-S-OPT. SERVICES OPTION

Department of Human Services/Child Support Administration

Contract ID: Privatization of Child Support Services in Baltimore City; CSA/PR/18-001 A2

ADPICS No.: N00B2600257

Contract Approved: DBM 9-S, 11/15/2017

Contract Description: Provide a full range of child support services to include determining location of non-custodial parents; establishment of paternity; establishment and enforcement of child support and medical support obligations; decentralized collections; and review and adjustments of child support obligations and case management (updating the case information in the Child Support Enforcement System (CSES)).

Option Description: Exercise the second and final renewal option.

Awards: Veritas HHS, LLC; Denver, CO

Contract Term: 12/01/2017 - 02/28/21 (w/two 1-year renewal options)

Option Term: 03/01/2022 - 02/28/2023

Original Amount: \$ 23,232,480

Option Amount: \$8,067,763

Prior Options/Mods: \$ 7,918,874 (Renewal Option #1: 03/01/2021 – 02/28/2022; DGS

14-S-OPT, 02/10/2021)

Total Contract Amount: \$ 39,219,117

Percent +/- Change (this item): 34.73%

Total Percent -/- Change: 68.81%

Original Procurement Method: Competitive Sealed Proposal

Living Wage Eligible: Yes

MBE/VSBE Participation: 29% / 1%

MBE/VSBE Compliance: 28.15% / 3.45%





27-S-OPT. **SERVICES OPTION** (cont'd)

Performance Security: N/A

Hiring Agreement Eligible: Yes

Requesting Agency Remarks: Veritas, HHS has consistently improved performance and they continue to outline strategies and best practices to increase performance. This contract provides the State with services required per Federal mandate. Failing to continue these services would greatly impact the financial well-being of families and children served resulting in them seeking additional State funding resources. It is in the best interest of the State to approve this renewal option.

Fund Source: 66% Federal (Title IV-D); 34% Special (CSA Offset)

N00H0008 Approp. Code:

Resident Business: No

MD Tax Clearance: 21-4991-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Nneka Willis-Gray 410-767-7675 nneka.willisgray@maryland.gov

28-S-OPT/MOD. <u>SERVICES OPTION/MODIFICATION</u>

Department of Human Services, Social Services Administration

Contract ID: Child Placement Agency; SSA/CPA-21-004-A1

ADPICS No.: COJ42838

Contract Approved: DGS 10-S, 03/24/2021

Contract Description: Child Placement (CPA) for Treatment Foster Care (TFC) and Teen Mother Program (TMP) services to children who are committed to local departments of social services.

Modification Description: Add funds to the base contract term due to an increase in the Interagency Rates Committee (IRC) rates established for child placement agency providers.

Option Description: Exercise the first renewal option and add additional funding due to

the rate increase.

Award: PCC Stride, Inc.; Bowie, MD

Original Contract Term: 04/12/2021 - 06/30/2022 (w/two 1-year renewal options)

Modification Term: 03/01/2022 - 06/30/2022

Option Term: 07/01/2022 - 06/30/2023

Original Contract Amount: \$ 673,082

Modification Amount: \$ 22,062 (Base: 4-months)

Option Amount: \$ 571,389*

*including \$32,923 additional funding per Option Description.

Total Contract Amount: \$1,266,533

Percent +/- (This Item): 88.17%

Total Percent Change: 88.17%

Prior Mods/Options: N/A / N/A





28-S-OPT/MOD. **SERVICES OPTION/MODIFICATION** (cont'd)

Original Procurement Method: Non-Competitive Negotiated Procurement of Human, Social

or Educational Services

MBE/VSBE Participation: N/A / N/A

Requesting Agency Remarks: CPA Programs are defined in COMAR 07.02.21.03B (17) as a 24hour substitute care program, operated by a licensed child placement agency or local department of social services, for children with a serious emotional, behavioral, medical, or psychological condition.

The proposed price for this contract is fair and reasonable because the price is set by Interagency Rates Committee (IRC), using the same established methodology in price setting for all In-State providers.

DHS has chosen to remove all MBE/VSBE goals from the Child Place Agency contracts because the subcontracting opportunities originally identified were for ancillary services, rather than core services. Subcontractors would be unable to meet the 16 categories of work such as, printing, office supplies, paper, janitorial, janitorial equipment and supplies, auditing, tax preparation, catering, food wholesaler, telecommunication, shredding, temporary staffing, training, document storage or warehousing services.

Fund Source: 100% General

N00G0001 Approp. Code:

Resident Business(es): Yes

MD Tax Clearance: 21-3908-0110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





REVISED

JANUARY 26, 2022

Contact: Nneka Willis-Gray 410-767-7675 nneka.willisgraymaryland.gov

29-S-MOD/OPT. <u>SERVICES MODIFICATION/OPTION</u>

RETROACTIVE - Department of Human Services

Contract ID: Residential Child Care Services; SSA/RCCSS-21-030-A1

ADPICS Nos.: COJ40067

Contract Approved: DGS 31-S, 04/07/2021

Contract Description: Residential Child Care (RCC) services to children who are committed to local departments of social services that have been determined to have a high level of behavioral, education and medical needs.

Modification Description: RETROACTIVE approval to modify the contract to add additional funds for five Medically Fragile beds and one new location at 9806 Marriottsville Road in Randallstown, MD.

Option Description: Exercise the final option renewal and add funds due to the increase in the Interagency Rates Committee (IRC) rates established for child placement agency providers.

Award: Center for Social Change, Inc.; Elkridge, MD

Contract Term: 07/01/2020 - 06/30/2022 (w/one 1-year renewal option)

Modification Term 05/10/2021 - 06/30/2022

Option Term: 07/01/2022 - 06/30/2023

Original Amount: \$ 7,906,110

Modification Amount: \$ 694,361 (*Retroactive:* 7-months, 26-days)

\$ 512,091 (Proactive: 5-months, 27-days)

\$ 1,206,452 Total

Option Amount: \$ 4,995,825

Prior Options/Mods: N/A

Total Contract Amount: \$14,108,387

Percent +/- (This Item): 78.45%

Total Percent -/- Change: 78.45%





REVISED

JANUARY 26, 2022

29-S-MOD/OPT. <u>SERVICES MODIFICATION/OPTION</u> (cont'd)

Procurement Method: Sole Source (Continuity of Care)

MBE/VSBE Participation: 5% / N/A

MBE/VSBE Compliance: 0% / N/A

Performance Security: N/A

Hiring Agreement Eligible: Yes

Requesting Agency Remarks: The contract is retroactive due to time incurred to resolve a mutual misunderstanding of the 5% MBE goal and to bring the Center for Social Change into compliance. The provider assumed that they had requested a waiver to the MBE goal, and it was approved. The Department determined that the provider did not submit its request for a waiver in accordance with the guidance and believed that the provider should meet the goal. A waiver would have voided the contract, so the agency wanted to resolve this issue before bringing this to the BPW. There is now a mutual understanding that the provider will adhere to its 5% MBE compliance requirement. As a result, since August 2021, the Vendor has submitted MBE Prime Contractor Paid/Unpaid Invoice Reports to confirm the transition of contracted services to MBE certified vendors. DHS is confident that Center for Social Change is making good faith efforts to meet the 5% MBE goal and will be in compliance by the end of the option term.

The Department utilizes Residential Child Care (RCC) programs for children whose needs cannot be met in a family based foster care setting. RCC services in Maryland are provided through five program categories; Developmentally Disabled Programs; Diagnostic Evaluation and Treatment Programs, Group Homes, High Intensity Group Home, and Medically Fragile. The facilities are located throughout the State and serve foster care children under the care of the Department. It is in the best interest of the children and the State not to disrupt the current placement or change the existing provider for these youth. The services of each contractor will be used at the sole discretion of DHS. DHS makes no guarantee as to the number of children/youths to be placed with any contractor. These are purchase of care contracts paid on a fee for service basis for the actual children/youth placed in a contractor's care, and then only for the actual number of days each child is with the contractor.

The proposed price for this contract is fair and reasonable because the price is set by Interagency Rates Committee, using the same established methodology in price setting for all In-State providers.





REVISED

JANUARY 26, 2022

29-S-MOD/OPT. <u>SERVICES MODIFICATION/OPTION</u> (cont'd)

Residential Child Care programs are defined in COMAR 14.31.02.03B(13) as "a program of care provided in a residential setting by a provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law." COMAR 14.31.06.01 articulates the standards that must be met and maintained by Residential Child Care programs for children and youth. These requirements are designed to protect the health, safety, and well-being of children placed in Residential Child Care programs. According to the State Finance and Procurement Article §13-107 and COMAR 21.05.05.02A (Sole Source Contracts); in order to provide continuity of human or social services care to current clients, the procurement officer shall, before the contract with the current provider expires, attempt to negotiate a sole source contract with the current provider.

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: N00G0001

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Tierra Ali-Said 301-429-7581 tierra.ali-said@maryland.gov

30-S-MOD. SERVICES MODIFICATION

Department of Housing and Community Development, Division of Credit

Assurance

Contract ID: Sub-Servicer for State-Funded Single Family, Multifamily, and Small Business

Loans; S00B7400016

ADPICS No. COJ43461 COJ47697

See attached Record Correction letter dated 4/6/22

Prior Approval: DBM 9-S, 12/07/2016

Contract Description: Provide sub-servicing including maintaining records, collecting and remitting payments, collecting and managing escrows (including the payment of insurance and taxes), responding to borrowers' inquiries, performing loss mitigation, recommending and participating in foreclosures, processing claims.

Modification Description: This modification is being presented to correct the renewal option term presented at the November 3, 2021 BPW meeting. DGS item 24-S-OPT mistakenly listed the first renewal option term as expiring in 2027. The previously approved 5-year renewal option will expire December 31, 2026.

Award: AmeriNational Community Services, LLC,

dba AmeriNat; Albert Lea, MN (local office in Baltimore, Maryland)

Original Term: 12/07/2016 - 12/31/2021

Modification Term: 01/27/2022 - 12/31/2026

Original Contract Amount \$3,700,000

Modification Amount: \$ 0 (no additional funds are required for this clarification)

Total Contract Amount: \$7,871,505

Prior Mods/Options: \$71,505 (Mod. #1: Increase funding and modify the scope of work

in order to perform an audit of all 3,873 single and multi-family loan

portfolios; DBM 24-S-MOD (6/20/2018)

\$4,100,000 (Renewal Option #1: DGS 24-S-OPT, 11/06/2021)

Percent +/- (**This Item**): 0%

Total Percent Change: 112.74%



LARRY HOGAN
Governor
BOYD K. RUTHERFORD
Lt. Governor
KENNETH C. HOLT
Secretary
OWEN MCEVOY
Deputy Secretary

Accepted 4/12/2022- JTG

April 6, 2022

John Gontrum, Esquire Secretary to the Board of Public Works Louis L. Goldstein Treasury Building, Room 117 Annapolis, Maryland 21401

SUBJECT: Record Correction - November 3, 2021 and January 26, 2022 Board of Public Works
Action Agenda

Dear Mr. Gontrum:

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

BPW - November 3, 2021 DGS Agenda, Item 24-S-OPT

Department of Housing and Community Development, Division

of Credit Assurance

Sub-Servicer for State-Funded Single Family, Multifamily, and

Small Business Loans; S00R7400001

FROM: ADPICS No.: S00B7400016

TO: ADPICS No. COJ52678

REASON: Clerical Error: This record correction is in regard to BPW date 11/03/2021, DGS Agenda #24-S-OPT. The purpose of this item was to exercise the first renewal option; renewing the contract for an additional five (5) years. However, upon BPW's approval of this item, and through the FMIS approval process, it was noticed that the agenda did not reflect the correct ADPICS Numbers.

BPW – January 26, 2022 DGS Agenda, Item 30-S-MOD

Department of Housing and Community Development, Division

of Credit Assurance

Sub-Servicer for State-Funded Single Family, Multifamily, and

Small Business Loans; S00B7400016

FROM: ADPICS No.: COJ43461

TO: ADPICS No. COJ47697



REASON: Clerical Error - This record correction is in regard to BPW date 01/26/2022, DGS Agenda # 30-S-MOD. The purpose of this item was to correct DGS Agenda # 24-S-OPT dated 11/03/2021, as the item reflected the incorrect Option Term expiration date; 12/31/2027. The correct Option Term expiration date should be 12/31/2026.

4/7/2022

Regards,

Abdul Sylla Director,

Division of Finance and Administration





30-S-MOD. SERVICES CONTRACT MODIFICATION (cont'd)

Original Procurement Method: Competitive Sealed Proposals

15.01% / N/A MBE/VSBE Participation:

MBE/VSBE Compliance: 15.01% / N/A

Requesting Agency Remarks: On November 3, 2021, the Board of Public Works approved the Department of Housing and Community Development exercising the first renewal option on this contract. The contract contains a 5-year renewal option term. The November 3 item mistakenly listed a 6-year renewal option term. This item requests that the Board of Public Works approve the Department exercising the first renewal option for a term of 5-years as contained in the original contract.

The Scope of Work will not change and AmeriNational will continue to provide loan services to the Department's state-funded loan portfolios, including single-family loans, multifamily loans, and small business loans under four Service Categories: Service Category 1 - Single Family Loans; Service Category 2 – Multi-family Loans, and Service Category 3 – Small Business Loans.

Fund Source: 100% Special (General Bond Reserve Fund)

S00A2202 Appropriation Code:

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Nneka Willis-Gray 410-767-7675 nneka.willisgray@maryland.gov

31-S-MOD. **SERVICES MODIFICATION**

Department of Human Services - Child Support Administration

Contract ID: State Genetic Paternity Testing Services; CSEA/DNA-17-001-A3

ADPICS No.: COJ43285

Contract Approved: DBM 3-S, 01/04/2017

Contract Description: Provide genetic paternity testing services for establishing paternity

in contested child support cases statewide.

Mod. Description: Extend the contract to allow time to complete the new procurement.

Award: Laboratory Corporation of America Holdings, Inc. (LabCorp)

Burlington, NC

Original Contract Term: 03/01/2017 - 02/29/2020 (w/two 1-year renewal options)

03/01/2022 - 11/30/2022 (9-monhs) Mod Term:

Original Amount: \$750,825

Mod Amount: \$187,706

Prior Options/Mods: \$250,275 (Renewal Option #1: 03/01/2020-02/28/2021; DGS

16-S-OPT, 06/03/2020)

\$250,275 (Renewal Option #2: 03/01/2021-02/28/2022; DGS

15-S-OPT, 02/10/2021)

Total Contract Amount: \$1,439,081

Percent +/- Change (this item): 25%

Total Percent -/- Change: 91.67%





31-S-MOD. **SERVICES CONTRACT MODIFICATION** (cont'd)

Procurement Method: Competitive Sealed Proposals

2% / N/A MBE/VSBE Participation:

MBE/VSBE Compliance: 0% / N/A

Performance Security: N/A

Requesting Agency Remarks: The new solicitation is currently under final review and will be submitted to the Office of State Procurement for review and approval before publishing.

This contract allows for genetic paternity testing services to establish paternity in contested child support cases in all of Maryland's 24 jurisdictions. State and Federal child support enforcement regulations require genetic tests to confirm or refute paternity in contested child support cases. LabCorp assists the Department in resolving paternity issues when a child is born to an unmarried mother and paternity of the child is in question. LabCorp provides genetic paternity testing services to determine the likelihood that a putative father is the biological father. The determination usually requires collection of genetic samples from the mother, child, and putative father.

During the pandemic, government offices, including child support locations, were not open to the public, resulting in LabCorp not being able to meet the MBE goal of 2%. To ensure uninterrupted services, LabCorp directed genetic testing requisitions to their Patient Service Centers (PSCs) as they were able to remain operational. LabCorp could not retain genetic staff hired by their MBE to perform paternity collections as they were not needed in the local offices during this time. Now that on-site services have resumed, most offices still schedule their customers through the PSCs. LabCorp is committed to meeting the MBE goal.

It is in the best interest of the State to approve the nine-month term extension request. If the services are discontinued the Department would not be able to collect child support payments if there are no means by which paternity can be determined. If child support customers are directed to obtain their own test results, this could lead to fraud, and child support customers would have to bear the increased cost of testing on their own. The price for these services has been determined to be fair and reasonable compared to other genetic testing services in this region and across the United States.

Fund Source: 100% Special (Child Support Reinvestment)

N00G0006 Approp. Code:





31-S-MOD. SERVICES CONTRACT MODIFICATION (cont'd)

Resident Business: No

MD Tax Clearance: 21-4254-1100

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contacts: Webster Ye 410-767-6481 webster.ve@maryland.gov

32-S-MOD. **SERVICES CONTRACT MODIFICATION**

Department of Health

Contract ID: Peer Outreach and Support; DHMH OPASS ID 17-17058

ADPICS No.: COJ42895

Contract Approved: DBM 2-S, 10/19/2016

Contractor(s): Managed Health Care LTD; Columbia, MD

The Spring Grove Hospital Center (SGHC) requires professional Contract Description: staff (Physicians and Physician Assistants), necessary for the on-site delivery and coordination of somatic health care services and basic psychiatric care for patients. The services performed represent a comprehensive set of medical/somatic services including basic psychiatry, general medicine, general surgery, gynecology, orthopedics, ophthalmology, urology, cardiology, radiology, podiatry, somatic urgent care treatment and other medical-surgical sub-specialties.

Modification Description: Extend the contract to allow time to complete the new procurement

and add associated funding.

Original Contract Term: 12/01/2016 - 11/30/2021

Modification Term: 02/01/2022 - 07/31/2022

Original Contract Amount: \$13,216,171.80

Modification Amount: \$1,387,698.04

Prior Mods/Options: 0.00 (Mod. #1: bridge extension to BPW for approval,

12/01/2021 - 01/31/2022; MDH Delegated Authority, 11/25/2021)

Total Contract Amount: \$14,603,869.80

Percent +/- (This Item): 10.50%

Total Percent Change: 10.50%





32-S-MOD. **SERVICES CONTRACT MODIFICATION** (cont'd)

Original Procurement Method: Competitive Sealed Bidding

MBE/VSBE Participation: N/A / N/A

N/A / N/A MBE/VSBE Compliance:

Requesting Agency Remarks: During this extension a procurement for solicitation of new multiyear contract shall be conducted. The modification shall prevent the interruption of medical services for the Spring Grove Hospital Center (SGHC) patients, continuing to provide on-site delivery and coordination of comprehensive somatic services and basic psychiatric healthcare services and specialties.

100% General Fund Source:

L0901/MH83G/0899 Approp. Code:

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Christina Lentz 410-875-3349 christina.lentz@maryland.gov

33-IT. <u>INFORMATION TECHNOLOGY CONTRACT</u>

RETROACTIVE - Department of Public Safety and Correctional Services

Contract ID: Annual License & Software Maintenance Fees; Q00B1600099

ADPICS No.: Q00B1600099

Contract Description: RETROACTIVE approval for software maintenance and support services for IBM's mainframe software products used by the Annapolis Data Center and its customer agencies to maintain critical applications, systems, and operational functions that are the backbone of the data center.

Awards: IBM Corporation; Baltimore, MD

Contract Term: 07/01/2021 – 01/26/2022 (**Retroactive**: 6-months, 26-days)

01/27/2022 - 01/31/2023 (Proactive: 1-year, 5-days)

Amount: \$ 288,200.90 (**Retroactive**: 6-months, 26-days)

\$ 525,166.55 (Proactive: 1-year, 5-days)

\$ 813,367.45 Total

Procurement Method: Sole Source

Living Wage Eligible: Yes

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbent: Same

Requesting Agency Remarks: This software currently runs the Annapolis Data Center's IBM mainframe. IBM is the developer of the software and, retains the proprietary ownership of the software and is the only vendor that can provide software maintenance and support services.





33-IT. **INFORMATION TECHNOLOGY CONTRACT** (cont'd)

Agency Remarks (cont'd):

Significant staff turnovers at DPSCS caused a delay in seeking the appropriate approvals for this contract. DPSCS in in the process of implementing new contract management processes to avoid such retroactivity in the future.

Each Maryland fiscal year, IBM increases this contract's price approximately 5%. This contract includes fiscal year 2022 and fiscal year 2023. DPSCS will pay an additional increase of approximately 5% during the final six months of this contract. The 5% price increase is the same level of increase the Federal government pays via the General Services Administration. Due to contracts terms and regulations, IBM is unable to offer any entity a lower list price than they offer the Federal government. The Department has determined the contract price is fair and reasonable.

It is in the best interest of the State to approve this contract as it includes the most critical subsystems on the mainframe that serve the law enforcement and correctional communities. These are the mainframe operating system, programming language, online transactional system, database management systems, database utilities, messaging system, along with other utility programs. A change at this time would cause a major disruption to user communities.

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: Q00A0102

Resident Business: No

MD Tax Clearance: 21-3498-1101

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





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

34-IT. **INFORMATION TECHNOLOGY**

Department of Transportation Maryland Aviation Administration

Contract ID: Airport Project Administration System; MAP6906850

ADPICS No.: J00B2600002

Contract Description: Provide web application development services to develop, deploy, and support the Airport Project Administration System (AirPAS), a system designed to support the entire project life cycle of Engineering, Design, and Construction. AirPAS replaces the current Project Management System, which was developed using dBASE language about 25 years ago and is no longer being supported. AirPAS will facilitate the sharing of critical project information between the Office of Capital Programs, Planning and Environmental Services, Construction, Design, and Procurement. In addition, it will provide specific levels of access to external consultants. AirPAS will be accessed through MDOT MAA's existing application portal; will provide a mechanism for information sharing; and will be designed to provide a secure and comfortable user experience.

Award: MS Technologies Corporation; Rockville, MD (MBE, SBE)

Contract Term: 02/17/2022* - 02/16/2027 (*Or earlier upon BPW approval)

Amount: \$2,870,684.56

Procurement Method: Sole Source

Living Wage Eligible: Yes

MBE/VSBE Participation: 20% / 1%

Incumbent: Same

Requesting Agency Remarks: The AirPAS application is an integrated custom proprietary application written and maintained by MS Technologies Corporation (MS Technologies). The original application was competitively procured and awarded on March 3, 2017. Technologies worked with MDOT MAA stakeholders on the awarded contract from 2017 through 2019 and have been paid \$252,984.12 to-date.





34-IT. **INFORMATION TECHNOLOGY** (cont'd)

Agency Remarks (cont'd):

MDOT MAA was in the process of user acceptance testing of AirPAS when the first renewal of the Task Order Agreement expired. Once the renewal expired, MDOT MAA ceased services until a sole source agreement could be put in place. This sole source contract will allow MDOT MAA and MS Technologies to continue the user acceptance, roll out of AirPAS, and begin the Maintenance and Support phase of the contract.

If the project is undertaken by another source, it will result in loss of knowledge, large cost increase, and additional delays to deploy this application. Additionally, since payment to MS Technologies were based on full and final user acceptance of various milestones, they would be unduly penalized and suffer extensive financial losses for the 2-years that they have actively worked on this project.

This sole source agreement was slated to come to the Board of Public works in late 2019; however, in an effort to be fair to MS Technologies, MDOT MAA decided to renegotiate the pricing structure for payment of services. The original payment structure allowed for payment upon full and final user acceptance of the system; the revised structure allows for payment when phrases are completed. Once negotiations were completed and ready for Office of State Procurement and Board of Public Works approval, the COVID Pandemic hit, and this contract was placed on hold due to the impact of funding.

MS Technologies is the original developer of the proprietary system and the only company that can complete the services. The 5-year contract cost is the remaining funding from the original Task Order Agreement and is considered fair and reasonable based on the competitive 2017 prices in the CATS + contract.

Fund Source: 100% Special (Transportation Trust)

Approp. Code: J0610003 and J0610002

Resident Business: Yes

MD Tax Clearance: 21-3942-1111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

DISAPPROVED

DEFERRED WITHDRAWN

WITH DISCUSSION

APPROVED





Contact: Kenya DeCosta 410-767-2072 kenyatta.decosta@maryland.gov

35-IT. INFORMATION TECHNOLOGY

RETROACTIVE - Maryland State Department of Education

Contract ID: Education Data Warehouse Maintenance and Support; R00B2600006

ADPICS No.: R00B2600006

Contract Description: RETROACTIVE approval for Services of a Senior Information Technology Architect Data Warehouse Data Modeler and a Project Manager to support and maintain the Education Data Warehouse data systems supporting the State K to 12 longitudinal data system, Edfacts, reporting to the U.S. Department of Education, State mandated legislative reporting, and the Maryland school report cards on MDreportcard.org.

Awards: Gantech, Inc.; Columbia, MD

Contract Term: 04/01/2021 - 01/26/2022 (*Retroactive*, 9-months, 25-days)

01/27/2022 - 06/30/2022 (Proactive, 5-months, 3-days)

Amount: \$510,000 (*Retroactive*)

\$320,000 (Proactive)

\$830,000 Total

Procurement Method: Sole Source

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbents: Same

Requesting Agency Remarks: The contract expired without an extension in March 2021 due to a managerial oversight during the State of Emergency. Approval for the continuance of support and maintenance is critical for systems and to add funds to ensure there is no lapse to critical data systems.

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





35-IT. **INFORMATION TECHNOLOGY** (cont'd)

DGS OSP Remarks (cont'd):

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% Federal

A0104 Approp. Code:

Resident Business: Yes

MD Tax Clearance: 21-3907-1101

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Kenya DeCosta 410-767-2072 kenyatta.decosta@maryland.gov

36-IT. <u>INFORMATION TECHNOLOGY</u>

RETROACTIVE - Maryland State Department of Education

Contract ID: Educational Information System Technical Project Manager; R00R2600665

ADPICS No.: R00R2600665 R00B2600055

See next page for record correction letter dated 1/28/22

Contract Description: RETROACTIVE approval for Educator Information System (EIS) certification database. In Maryland, educators working with students in publicly funded institutions are required to meet the criteria for certification outlined in the Code of Maryland Regulations. The EIS is a database and document warehouse for all current and past educators in Maryland. This database is the mechanism for the Department to issue certificates for Maryland educators.

Awards: Applied Technology Services; Middle River, MD (MBE, SBE)

Contract Term: 07/01/2021 - 01/26/2022 (*Retroactive*: 6-months, 25-days)

01/27/2022 - 09/30/2022 (Proactive: 8-months, 3-days)

Amount: \$115,200 (*Retroactive*)

> \$172,800 (Proactive) \$288,000 Total

Sole Source **Procurement Method:**

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbents: Same

Requesting Agency Remarks: There is a critical need for this technical support to maintain the educators in Maryland certification system for all school districts throughout the State.

This contractor is the only vendor with the institutional knowledge to maintain this system. All parties involved have acted in good faith throughout the term of the contract. MSDE is highly satisfied with the contractor's performance and expertise in explaining the technical process to non-technical staff. The project would not run as smoothly if they were not involved. A technical loss of this system would affect the entire State and has the potential to disrupt teaching services in Maryland public schools. MSDE accepts responsibility for this retroactivity and has taken steps to ensure that this does not occur in the future.



Mohammed Choudhury

State Superintendent of Schools

January 28, 2022

Accepted 01/31/2022- JTG

John Gontrum, Esq. Secretary to the Board of Public Works Louis L. Goldstein Treasury Building, Room 213 Annapolis, Maryland 21401-1991 Digitally signed by John T. Gontrum Date: 2022.01.31 15:09:23 -05'00'

SUBJECT: Record Correction – January 26, 2022, Board of Public Works Action Agenda

Dear Mr. Gontrum:

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

BPW – January 26, 2022, 36-IT

Educational Information System Technical Project Manager

R00R2600665

Page 181

FROM: **ADPICS No.**: R00R2600665 TO: **ADPICS No.**: R00B2600055

Reason: Typographical error.

Regards,

Frank M. Conaway III

Frank M. Comaway III
Business Partner
Office of Procurement and Contract Management
Department of Education





36-IT. **INFORMATION TECHNOLOGY** (cont'd)

Agency Remarks (cont'd):

MSDE compared the labor rates from the current contract to another comparable IT position awarded at MSDE to an MTA contract with similar labor categories awarded on the CATS + contract and to an Executive Department contract with a similar labor category. The hourly rate is consistent with these contracts. Based on the technical expertise of MSDE's incumbent, the labor rate is reasonable. The vendor has agreed to maintain the same pricing based on the previous financial proposal.

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: A0118

Resident Business: Yes

MD Tax Clearance: 21-1694-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Kenya DeCosta 410-767-2072 kenyatta.decosta@maryland.gov

37-IT. INFORMATION TECHNOLOGY

RETROACTIVE - Maryland State Department of Education

Contract ID: ETL Applications Programmer; R00B2600014

ADPICS No.: R00B2600014

Contract Description: RETROACTIVE approval for support services provided by an ETL Applications Programmer for critical programming needed in the reporting of information from data provided by the local school systems, for federal and state requirements, and information reported on the Maryland Report Card website. Additional contract time is needed for a continuance of support and maintenance to critical systems and to add associated funds for the period of November 12, 2019 through March 31, 2022. The additional time is to ensure there is no lapse in support and maintenance to critical data systems while a longer-term solution is put in place.

Award: Trilogy Technical Services, LLC.; Rockville, MD

Contract Term: 11/12/2019 - 01/26/2022 (*Retroactive:* 2-years, 2-months, 14-days)

01/27/2022 - 03/31/2022 (Proactive: 2-months, 4-days

\$170,000 *(Retroactive)* Amount:

\$ 80,000 (Proactive)

\$250,000 Total

Procurement Method: Sole Source

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A Incumbents: Same

Requesting Agency Remarks: A lapse in support and maintenance would be detrimental to the agency and required federal and State reporting would be jeopardized including, but not limited to, the release of school report cards.

The most recent extension with Trilogy was effective from November 13, 2014, through November 12, 2019. The contract expired without an extension in November 2019 due to a managerial oversight.

MSDE researched similar positions on the internet to compare this contract with current salaries in the industry of similar job titles that match the resource skill set. MSDE has determined the price offered by this contractor are fair and reasonable.





37-IT. **INFORMATION TECHNOLOGY** (cont'd)

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% Federal

Approp. Code: A0104

Resident Business: Yes

MD Tax Clearance: 21-3501-0011

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Kenya DeCosta 410-767-2072 kenyatta.decosta@maryland.gov

38-IT. INFORMATION TECHNOLOGY

RETROACTIVE - State Department of Education

Contract ID: Senior Database Management Specialist; R00B2600010

ADPICS No.: R00B2600010

Contract Description: RETROACTIVE approval for services to manage mission critical databases in the production environment and all aspects of database and fusion middleware solutions.

Award: N-3 Technologies; Rockville, MD (MBE, SBE)

Contract Term: 02/01/2021 - 01/26/2022 (*Retroactive*: 11-months, 25-days)

01/27/2022 - 03/30/2022 (Proactive: 2-months, 4-days)

\$221,575.00 (*Retroactive*) Amount:

> \$ 57,000.00 (Proactive) \$269,903.00 Total

Procurement Method: Sole Source

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbent: Same

Requesting Agency Remarks: The need for this Senior Database Administrator function is particularly critical given that other senior system developer positions are leaving the agency due to the end of contracts. The most recent extension with N-3 Technologies was effective from July 1, 2021, through January 1, 2022. The contract has not expired; however, due to a managerial oversight, funds were not encumbered for the retroactive period of February 1, 2021, through November 17, 2021. MSDE accepts responsibility for this oversight and has taken steps to ensure that this does not occur in the future.

Senior Database Administrators compensation can range from \$75,000 on the lower end to \$141,000 annually on the higher end and in exceptional cases, this can include more than \$16,000 from bonuses and upwards of \$11,000 from profit sharing. Compensation for this group is mainly affected by the particular firm, but the particular city and experience level are influential factors as well. This retroactive contract is at the current rate which has remained consistent over the term of the contract. The pricing is fair and reasonable to the State and to MSDE.





38-IT. **INFORMATION TECHNOLOGY** (cont'd)

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: A0105

Resident Business: Yes

MD Tax Clearance: 21-3633-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Kenya DeCosta 410-767-2072 kenyatta.decosta@maryland.gov

39-IT. INFORMATION TECHNOLOGY

RETROACTIVE - State Department of Education

Contract ID: Senior Computer Network Engineer; R00B2600009

ADPICS No.: R00B2600009

Contract Description: RETROACTIVE approval for an onsite SAS programmer to support educational performance, accountability information preparation and analysis to support agency initiates.

Awards: iCUBE Systems, Inc.; Fairfax, VA (MBE, SBE)

Contract Term: 05/31/2021 - 01/26/2022 (*Retroactive*)

01/27/2022 - 03/30/2022 (Proactive)

\$114,000 *(Retroactive)* Amount:

> \$ 76,000 (Proactive) \$190,000 Total

Procurement Method: Sole Source

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbents: Same

Requesting Agency Remarks: Non approval of the contract would be detrimental to the agency. A transition period is required of continuity of support and maintenance to ensure required federal, state reporting, and school report card accountability calculations can be met. The most recent extension with iCUBE was effective from February 28, 2021, through May 31, 2021. The contract expired without an extension in May 2021 due to a managerial oversight during the State of Emergency.

SAS Application Programmers salaries in the private sector range from \$70,790 - \$89,290 from updated salaries scales on Glassdoor.com. Salary.com classifies this as an SAS Application Programmer analyst with a median salary of \$83,682 nationally. Currently there is a job posted for IT Concepts with a salary of \$92,800 per year. MSDE's retroactive contract is at the current rate which has remained consistent over the term of the contract. The pricing is fair and reasonable to the State.





39-IT. **INFORMATION TECHNOLOGY** (cont'd)

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% Federal

Approp. Code: A0104

Resident Business: No

MD Tax Clearance: 21-3499-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Kenya DeCosta 410-767-2072 kenyatta.decosta@maryland.gov

40-IT. INFORMATION TECHNOLOGY

RETROACTIVE - State Department of Education

Contract ID: Senior Application Developer; R00B260001

ADPICS No.: R00B2600011

Contract Description: RETROACTIVE approval for a Senior Application Developer to provide support for critical computer application development needed in the collection of information from the local school systems, for federal and state requirements, and information reported on the Maryland Report Card.

Awards Vikat Solution, LLC; Columbia, MD (MBE, SBE)

Contract Term: 06/30/2021 - 01/26/2022 (*Retroactive*:)

01/27/2022 - 03/31/2022 (Proactive)

Amount: \$ 99,000 (*Retroactive*)

\$ 99,000 (Proactive)

\$198,000 Total

Procurement Method: Sole Source

MBE/VSBE Participation: N/A / N/A

N/A Performance Security:

Incumbents: Same

Requesting Agency Remarks: A lapse in support and maintenance would be detrimental to the agency and required federal and State reporting would be jeopardized including, but not limited to, the release of school report cards. The most recent extension with Vikat was effective from June 1, 2021, through June 30, 2021. The contract expired without an extension June 30, 2021, due to a managerial oversight.

The median salary for a Senior Application Developer Professionals is \$93,259. A National Average for a Senior Application Developer is \$87,507. Glassdoor.com's National Average is \$105,541. Certain skills contribute to a higher salary, including Java, Java/J2EE, iQuery, Cascading Style Sheets and Oracle skills. This can move the salary up by 5 - 10% depending on which skills the developer possesses. MSDE's contract includes Contractor overhead. Based on the resource's skill set and years of experience MSDE is aware that we are at the higher end of the pay scale. This rate does not include the vendor markup or administrative fees that are built into





40-IT. **INFORMATION TECHNOLOGY** (cont'd)

Agency Remarks (cont'd):

Government contracts. MSDE's retroactive contract is at the current rate which has remained consistent over the term of the contract. The pricing is fair and reasonable to the State.

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.

100% Federal Fund Source:

Approp. Code: A0104

Resident Business: Yes

21-3622-1111 MD Tax Clearance:

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





REVISED

JANUARY 26, 2022

Contact: Nneka Willis Gray 410-767-7675 nneka.willisgray@maryland.gov

41-IT. INFORMATION TECHNOLOGY

RETROACTIVE - Department of Human Service, Office of Technology for

Human Services

Contract ID: Adobe Professional Services: OTHS 22-029-C

ADPICS No.: N00P2601579

Contract Description: **RETROACTIVE** approval for the renewal of Adobe Professional

services for maintenance and support, product patches and version management.

Award: Digital Information Services, LLC; Potomac, MD (SBE)

Contract Term: 10/18/2021 - 01/26/2022 (*Retroactive*: 3 months, 8 days)

01/27/2022 - 04/18/2022 (Proactive: 2 months, 22 days)

\$36,360.05 (*Retroactive*) Amount:

\$29,815.25 (Proactive)

\$66,175.30 Total

Procurement Method: Sole Source

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbents: Same

Requesting Agency Remarks: This procurement is being submitted late due to an error in the proposals submitted in response to the original timely solicitation which was not detected until after recommendation for award. This error could not be cured, and the original procurement was canceled and re-solicited to preserve the integrity of the procurement process. The Department will work diligently to avoid retroactive activities and will continue to be proactive moving forward.

Adobe Pro is used by 1000 caseworkers across all 24 jurisdictions and across all program areas. DHS requires Adobe Pro to edit PDF documents for court filings. The courts and other external partners require all documents to be submitted and filed as PDF. Any edits, additions, corrections, and/or signatures need to be incorporated as the documents are shared which is not feasible without the Adobe Pro software or similar software. Not having this software will delay the Department's ability to timely file child support orders, case files, contracts, or other court related procedures on behalf of Maryland's families and children.



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REVISED

JANUARY 26, 2022

41-IT. <u>INFORMATION TECHNOLOGY</u> (cont'd)

Agency Remarks (cont'd):

Pursuant to State Procurement Regulations COMAR 21.05.03.02A(4)(c), Digital Information Services' initial offer for the six-month extension is fair and reasonable. The determination was made by cost analysis of the former contract with an annual term of October 1, 2020, to September 30, 2021, which was awarded based on competitive pricing. Digital Information Services extended the same pricing for the six-month extension.

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: 64% General, 36% Federal

Approp. Code: N00F0004

Resident Business: Yes

MD Tax Clearance: 21-4242-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



ACTION AGENDA January 26, 2022



REVISED

2nd Revision

Contact: Linda Lamone 410-269-2840 linda.lamone@maryland.gov

42-IT. <u>INFORMATION TECHNOLOGY CONTRACT</u>

State Board of Elections

Contract ID: Electronic Pollbook System; D38B1600003

ADPICS No.: D38B1600003

Contract Description: Replacement of electronic pollbook system with a modernized and

adaptable solution.

Award: DemTech Voting Solutions, Inc.; Herndon, VA

Contract Term: 01/27/2022* - 12/31/2033 (w/one 5-year renewal option)

(*Or earlier upon BPW approval)

Amount: \$14,419,100 (Base: 4-years, 11-months, and 5-days)

\$ 9,905,000 (Renewal Option No. 1: 5-years)

\$24,324,100 Total

Procurement Method: Competitive Sealed Proposals

Proposals:

Offerors	Technical Rankings	Financial Offers (Rankings)	Overall Rankings
Demtech; Herndon, VA	1	\$24,324,100.00 (2)	1
VR Systems; Tallahassee FL	2	\$34,173,560.80 (3)	2
KNOWiNK; St. Louis, MO	3	\$41,104,148.70 (4)	3
Robis; Weaton, IL	4	\$22,196,770.00 (1)	4

^{*}Technical rankings were weighted higher than financial rankings.

Living Wage Eligible: Yes

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Incumbent: Election Systems and Software; Chicago, IL



JANUARY 26, 2022



REVISED

2nd Revision

42-IT. <u>INFORMATION TECHNOLOGY CONTRACT</u> (cont'd)

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace* Advantage on November 16, 2020, and 13 potential vendors received direct solicitation. Five proposals were received in response to the solicitation on January 29, 2021. One proposal was deemed not being reasonably susceptible of being selected for award for failing to meet the requirement of the RFP of including a lease option in their proposal.

The proposal received from DemTech Voting Solutions, Inc. (DemTech) is recommended because it had the best overall proposal based on the technical evaluation which included a written requirements work plan proposal, on-site and an evaluation, and presentation/demonstration. DemTech proposed a flexible, robust solution that can be used across multiple operating systems and is capable of a high degree of customization (user interface and workflows). DemTech's commercial off-the-shelf (COTS) equipment meets many of SBE's requirements, and the company has indicated both a willingness and capacity to customize the pollbook solution to meet all the remaining SBE requirements. DemTech received the highest technical ranking, the second highest financial ranking, and highest overall ranking.

The existing system is operating at full capacity with no room for expansion to accommodate Maryland's needs. The purpose of the pollbook is to verify voter registration, process same day registration and address changes, confirm precinct location, and issue ballots. This contract will provide a statewide pollbook solution for SBE and the 24 Local Boards of Elections (LBEs), including hardware and software for an estimated 7,800 pollbook units.

Fund Source: 50% General, 50% Special (County-Specific Funds)

Approp. Code: D38I0102

Resident Business: No

MD Tax Clearance: 21-3701-0000

This Item was withdrawn as Item 34-IT from the 01/05/2022 DGS Agenda.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Michael Leahy 410-697-9401 michael.leahy@maryland.gov

43-IT-OPT/MOD. INFORMATION TECHNOLOGY OPTION/MODIFICATION

Department of Information Technology

Contract ID: Statewide Network Management Services; 060B8400023

ADPICS No.: COJ43335

DoIT Item 4-IT, 02/06/2017 Contract Approved:

Contractor: Digital Management, LLC; Bethesda, MD

Contract Description: Provide access Statewide to IT network management and maintenance

services, including MDOT's IT network.

Option Description: Exercise the first of two renewal options.

Modification Description: Increase the contract ceiling for the time and material portion of the

contract.

Original Contract Term: 03/01/2019 - 02/28/2022 (w/two 2-year renewal options)

Option Term: 03/01/2022 - 02/28/2024 Modification Term: 03/01/2022 - 02/28/2024

Original Contract Amount: \$18,279,125.50 (Capacity Management)

\$ 8,922,751.50 (Time & Material Amount)

\$27,201,877.00 Total

Option Amount: \$11,767,519.40 (Capacity Management)

\$ 6,270,965.04 (Time and Material)

\$18,038,484.44 Total

Modification Amount: \$60,000,000.00 (Time & Material Amount)

Prior Mods/Options: \$20,000,000.00 (Mod. #1: Increase time and materials amount;

DGS 21-IT-MOD, 11/18/2020)

\$25,000,000.00 (Mod. #2: Increase time and materials amount; DGS

39-IT-MOD, 07/28/2021)





43-IT-OPT/MOD. INFORMATION TECHNOLOGY OPTION/MODIFICATION (cont'd)

Total Contract Amount: \$150,240,361.44

Competitive Sealed Proposals Original Procurement Method:

Percent +/- Change: 286.89%

Overall Percent +/-: 452.32%

MBE/VSBE Participation: 25% / 3%

MBE/VSBE Compliance: 21.23% / 2.14%

Requesting Agency Remarks: This contract supports MDOT's IT network management requirements. This fixed price work, described as Capacity Management, includes infrastructure management; network security; back-up and restoration; network management, maintenance, and operations support; systems management, maintenance and support; technical services, disaster recovery (DR) services including backup and restoration; strategic IT consultation and business planning services; enterprise architecture and design; application server support and application support; security and certification services; and knowledge transfer to MDOT staff..

DoIT furnishes services under this Contract to other agencies through work orders issued by the State. The work orders issued on behalf of the requesting agencies are primarily managed as a staffing model on a labor rate basis, either on an hourly or annualized basis, favorable rates continue to be provided by the contractor.

The requested increase in the time and material amount for the renewal term is due to the increased demand for services experienced during the initial three-year contract period.

100% General Fund Source:

Various Approp. Code:

Resident Business: Yes

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED **DEFERRED** WITHDRAWN

WITH DISCUSSION





Contact: Michael Leahy 410-697-9401 michael.leahy@maryland.gov

44-IT-MOD. <u>INFORMATION TECHNOLOGY MODIFICATION</u>

Department of Information Technology

Contract ID: Consulting and Technical Services Plus (CATS+); 060B2490023

ADPICS No.: 060B0610032; COJ48685

See next page for record correction letter dated 3/21/22

DoIT 3-IT, 04/03/2013 Contract Approved:

Contractors: ASR Analytics, LLC; Silver Spring, MD

California Creative Solutions, Inc.; Poway, CA

CenturyLink Communications d/b/a Lumen Technologies Group; Monroe, LA

Conduent State & Local Solutions, Inc.; Fairfax, VA

OptumInsight, Inc.; Eden Prairie, MN

RSM US LLP; Chicago, IL

Technostaff LLC d/b/a HonorVet Technologies; Fairfield, NJ

The Crowley Company; Frederick, MD

Multiple awards, indefinite quantity, task order-based Master Contract Description: Contract to provide Statewide Information Technology technical and consulting services for 17 functional areas

Modification Description: 1) Increase contract authority to provide sufficient funding for anticipated CATS+ projects;

2) Add seven master contractors to the approved list of service providers and add one additional functional area to one existing master contractor (Conduent State & Local Solutions, Inc.).

Original Contract Term: 04/02/2013 - 04/21/2028

Modification Term: 02/17/2022* - 04/21/2028 (*or earlier upon BPW approval)

Original Amount: \$ 150,000,000 Modification Amount: \$ 465,000,000

Prior Options/Mods: \$ 60,000,000 (MOD #1 Increase contract authority

DoIT 7-IT-MOD, 08/17/2016)

\$ 240,000,000 (MOD #2 Increase contract authority and add 141

master contractors DoIT 1-IT-MOD, 01/25/2017)

\$ 300,000,000 (MOD #3 Increase contract authority and add 28

master contractors DoIT 4-IT MOD, 03/20/2019)

\$ 500,000,000 (MOD #4 Increase contract authority and add one

master contractor DGS 36-IT MOD, 02/19/2020)

Larry Hogan Governor

Boyd K. Rutherford Lt Governor Ellington E. Churchill, Jr. Secretary

Nelson E. Reichart Deputy Secretary

OFFICE OF STATE PROCUREMENT

March 21, 2022

John Gontrum, Esq. Secretary to the Board of Public Works Louis L. Goldstein Treasury Building, Room 117 Annapolis, Maryland 21401-1991 Accepted 3/24/2022-JTG

John Dontrum Jo

Digitally signed by
John T. Gontrum
Date: 2022.03.24
13:23:39 -04'00'

SUBJECT: Record Correction – January 26, 2022, Board of Public Works Action Agenda

Dear Mr. Gontrum:

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

BPW – January 26, 2022 44-IT-MOD

Consulting and Technical Services Plus (CATS+);

060B2490023 Page 197

FROM: **ADPICS No.**: 060B0610032

TO: **ADPICS No.**: 060B0610032; COJ48685

Reason: Typographical error.

Regards,

Gasin Mohammed

Yasin Mohammed, Director Procurement Operations Bureau Office of State Procurement Department of General Services





44-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

Total Contract Amount: \$1,715,000,000

Percent +/- (**This Item**): 310%

Total Percent Change: 1,043.33%

Original Procurement Method: Competitive Sealed Proposals

Living Wage Eligible: Yes

MBE/VSBE Participation: 20% / N/A

MBE/VSBE Compliance: 18% / N/A

MBE/VSBE Compliance: Determined per task order.

Performance Security: N/A

Requesting Agency Remarks: The CATS+ master contract is now open and continuous for adding new master contractors. This master contract comprises the following functional areas:

- (1) Enterprise Service Provider
- (2) Web and Internet Services
- (3) Electronic Document Management
- (4) Geographical Information Systems
- (5) Software Engineering
- (6) Systems/Facilities Management and Maintenance
- (7) Information System Security
- (8) Application Service Provider
- (9) IT and Telecommunications Financial and Auditing Consulting Services
- (10) IT Management Consulting Services
- (11) Business Process Consulting Services
- (12) Tower Site Preparation
- (13) Tower Installation
- (14) Tower Equipment Installation and Services
- (15) Electronic Benefits Transfer
- (16) Media and Training Center Support
- (17) Documentation/Technical Writing





44-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

BPW has recently approved several secondary competition task orders under this master contract, requiring significant funding. DGS OSP recommends increasing the not-to-exceed amount by \$465 million to accommodate these large task orders and allow for sufficient authority for additional smaller task orders. Purchases will be funded by the requesting agency.

Functional Area 10 - IT Management Consulting Services added to Conduent State & Local Solutions, Inc. contract.

DGS OSP will return to the Board of Public Works for approval of adding additional master contractors once they are vetted.

Fund Source: Determined by Task Order

Determined by Task Order Approp. Code:

Resident Business: Two of seven new vendors.

MD Tax Clearance: 21-4208-0111 ASR Analytics, LLC

> California Creative Solutions, Inc. 21-4407-0101

CenturyLink Communications d/b/a

Lumen Technologies Group 21-3310-0000 Conduent State & Local Solutions, Inc. 21-4617-1101 OptumInsight, Inc. 21-3406-1001 RSM US LLP 21-3658-1101 Technostaff LLC d/b/a HonorVet Technologies 21-3776-0110 The Crowley Company 21-4621-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Latesa Thomas 410-767-7050 latesa.thomas@maryland.gov

45-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION

Department of Labor, Division of Workforce Development and Adult Learning

Contract ID: Inmate Tablets for Correctional Education; BPM021963

ADPICS No.: P00B1600073

Contract Approved: DGS 32-IT, 07/28/2021

Contractor: American Prison Data Systems, PBC; New York, NY

Contract Description: A joint venture between the Department of Public Safety and Correctional Services and the Department of Labor to procure IT services for and obtain 400 ADA compliant tablets for students/inmate users within all State prisons in Maryland. The tablets will provide access to evidence-based educational software programs, an electronic library, rehabilitation software intended to target recidivism, software geared towards reentry, career exploration, job search, and resume building abilities.

Modification Description: Purchase an additional 236 tablets that will be utilized at all seventeen State prisons. This will allow the transition of occupational students enrolled in education throughout the State prisons to be trained in various skills and earn certifications.

Original Contract Term: 08/01/2021 - 07/31/2024

Modification Term: 02/16/2022 - 07/31/2024

Original Contract Amount: \$2,392,490

Modification Amount: \$ 365,988

Prior Mods/Options: N/A

Total Contract Amount: \$2,758,478

Percent +/- (This Item): 15.30%

Total Percent Change: 15.30%

Original Procurement Method: Competitive Sealed Proposals





45-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

MBE/VSBE Participation: 6% / N/A

MBE/VSBE Compliance: 0% / N/A

Requesting Agency Remarks: Correctional Education does not have programs of this nature on the 487 tablets currently in use, they are primarily for academic instruction. The new tablets will help to provide training for post-release success and develop the digital literacy skills. Additionally, increase educational, rehabilitation, employment, and reentry outcomes for approximately 1,500 students annually.

The Tablet Program's short-term goal is to provide students with the opportunity to use software that will help them cope with mental health issues and addiction recovery, transform their thinking and actions into positive outcomes, and earn occupational certifications that will help to find great paying jobs. The long-term goal of the software programs and certificates on the tablets is to; provide the students with the tools they need to succeed upon release back into their communities, at home, and in the workplace. In addition, the tablets provide a virtual option for teachers should a pandemic ever occur again in the future. The objective is to ensure that all transition and occupational students have access to a tablet. Each transition student, approximately 800, over the next year will have the opportunity to use the reentry software and earn workplace skills certifications. Also, all of the approximate 700 occupational students will have the chance to earn at least two, possibly more certificates on the tablet.

Research shows that tablet use in the classroom drastically improves educational skill development, reading, and subject area expertise. Additionally, instructors can spend more time on lesson planning and individualized learning for students due to automatic grading and reporting capabilities for quizzes and assessments. Increased personalized learning improves outcomes and increases student performance.

American Prison Data Systems has committed to the 6% MBE goal established for this contract. Invoices are being processed and the Department anticipates the compliance to increase.

Fund Source: 100% Reimbursable (Governor's Office of Crime Control &

Prevention)

G0113 Approp. Code:

Resident Business: No

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED **DEFERRED** WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION





Contact: Michael Leahy 410-697-9401 michael.leahy@maryland.gov

46-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION

Department of Information Technology

Contract ID: Statewide Cloud Solutions PA for Amazon Web Services (MDTHINK projects);

060B7400081 ADPICS No.: COJ44460

Contract Approved: DoIT 5-IT, 04/26/2017

Deloitte Consulting LLP; Minneapolis, MN Contractor:

Contract Description: Amazon Web Services (AWS) for MDTHINK. This includes

reselling AWS cloud-hosting platform and providing product support.

Increase overall contract authority to support additional work orders Modification Description:

and support through the end of the current renewal option.

Original Contract Term: 04/27/2017 - 04/26/2020 (w/two 1-year renewal options)

Modification Term: 02/01/2022* - 04/26/2022 (*Or earlier upon BPW approval)

Original Contract Amount: \$50,000,000

Modification Amount: \$6,860,000

Prior Options/Mods: \$ 0 (Mod. #1: Revised terms and conditions; DoIT Delegated

Authority, 07/31/2017)

\$20,000,000 (Mod. #2: Additional funding for increased usage,

DoIT 6-IT-MOD, 07/03/2019)

0 (Renewal Option #1 03/17/2020 - 04/26/2021; DGS

Delegated Authority, 03/17/2020)

\$48,300,000 (Mod. 3: Additional funding for increased usage,

DGS-23-IT-MOD, 05/20/2020)

\$0 (Renewal Option #2 03/17/2021 - 04/26/2022; DGS Delegated

Authority, 03/16/2021)

\$8,750,000 (Mod. #4: Additional funding for increased usage,

DGS 53-IT-MOD, 10/06/2021)

Total Contract Amount: \$133,910,000

Percent +/- (This Item): 13.72%





46-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

Total Percent Change: 167.82%

Original Procurement Method: Intergovernmental Cooperative Purchase Agreement

Contract: State of Utah/NASPO ValuePoint Cloud

Solutions Contract #AR2479

MBE/VSBE Participation: N/A / N/A

N/A / N/A MBE/VSBE Compliance:

Requesting Agency Remarks: MD THINK is the State's shared human services platform, which provides a hosting environment and shared services to support program applications of multiple State agencies, primarily DHS and the Maryland Department of Health (MDH). The MD THINK platform currently hosts several program-specific applications:

- Child, Juvenile, and Adult Management System (CJAMS): A new system that replaced the child welfare data system (CHESSIE) and will replace the DJS data system (ASSIST), as well as supporting Adult Services and Office of Licensing and Monitoring; as of July 2021, the child welfare and adult service modules are operational; the Juvenile Justice module in UAT;
- Eligibility and Enrollment (E&E): A replacement for the current public benefits management program (CARES), which will support SNAP, non-MAGI Medicaid, Temporary Cash Assistance/TANF, Temporary Disability Assistance Program (TDAP), and other public benefit programs; As of November 2021, E&E is operational;
- Long Term Care (LTC): A module of the E&E application, was deployed into production in 2018 and is currently in use statewide; this application is used by DHS staff, long term care facilities, and the general public;
- Child Support Management System (CSMS): a replacement for the legacy child support system which will support the collection, distribution, and administration of child support and related support services, is currently in development and targeted for deployment in Spring of SFY 2022;
- Health Benefits Exchange (HBX): the Maryland health insurance exchange under the Affordable Care Act, migrated to the MD THINK platform and went live in the fall of 2019;
- Maryland Office of Refugees and Asylees application (MORA), which supports the work of that office and was deployed into production in 2018;
- Maryland Department of Health's eMedicaid application, currently in operation;





46-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

Agency Remarks (cont'd):

- DHS "Cottage" applications: Several small applications that support ancillary business functions of DHS; these applications are being migrated from the DHS legacy hosting environment to the MD THINK platform to facilitate the step-down and ultimate turn-off of legacy hosting; and
- MD THINK Shared Services: In addition to the program-specific applications, the MD THINK platform also supports several shared services which are utilized by one or more of the applications above, including: security, identity and access management, enterprise content management, shared data repository, data reporting and analytics, notifications, federal data hub interfaces, data governance, and master data management (a common client index).

Each of these applications and the platform itself are supported by this Deloitte/AWS contract. Additional applications from MDH are in development for migration and deployment on the MD THINK platform during the next year and the costs are included in this request.

DHS is building MD THINK independently and makes all decisions with regards to how the platform is designed, assembled, and supported. This contract provides the legal mechanism to allow DHS to purchase the foundational blocks from AWS that MD THINK requires to build and operate the MD THINK platform and hire several programming contractors needed to help assemble and maintain those AWS building blocks.

MD THINK utilizes two types of Work Orders under this contract:

- one for the provisioning of various servers, data storage, hosting infrastructure, and related tools and services provided by AWS with Deloitte acting as their resale agent (AWS components and services may only be purchased through an authorized reseller such as Deloitte); and
- one for professional services provided by Deloitte on a time and materials basis to support in the provisioning and operation of the various AWS components assembled for MD THINK including Hosting Infrastructure, DevOps/API, Security, Data Governance, Data Conversion/Data Migration, Shared Data Repository, Reporting and Analytics, and Master Data Management.

The MD THINK team is responsible for designing and configuring the platform and applications, selects and assembles the various AWS components that support that design, and determines and directs the work performed by the selected Deloitte programmers.





46-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

Agency Remarks (cont'd):

Work Order essentially functions as a time and materials contract, and the state's actual expenditures under these work orders is therefore based on the AWS components and services it elects to purchase, and the work it chooses to have the programmers perform.

MDH currently maintains several applications within the MD THINK platform and continues to evolve that functionality. Most notably is the Maryland Health Benefits Exchange (HBX). HBX is a major application which requires several environments to ensure operational stability and high availability and reliability year-round, including the open enrollment period. The transition of HBX onto the MD THINK platform required additional platform environments not previously developed, resulting in the need for additional contract authority. Additionally, MDH is in the process of migrating several smaller applications from stand-alone hosting contracts and joining MD THINK for the benefit of a widely reliable and secure network.

Fund Source: 28% Federal Funds, 17% General Funds, 55% Special/Reimbursable

Funds (external agencies)

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Nita Settina 410-260-8157 nita.settina@maryland.gov

47-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION

Department of Natural Resources, Maryland Park Service

Contract ID: Maryland State Park Reservation System; K00B7400059

ADPICS No.: COJ42010

Contract Approved: DoIT Item 1-IT 11/16/2016

Contractor: CAMIS USA Inc.; Ann Arbor, MI

Contract Description: Revenue-producing contract to manage, facilitate and execute a central reservation system and payments for the Maryland Park Service rental inventory to include camp sites, mini-cabins and payilions at State Parks.

Modification Description: Extend contract and increase contract authority for term extension.

Original Contract Term: 04/01/2017 - 03/31/2020 (w/two 1-year renewal options)

Modification Term: 04/01/2022 - 03/31/2024

Original Contract Amount: \$1,412,250

Modification Amount: \$2,200,000

Prior Options/Mods: \$ 737,750 (Mod. #1: Additional reservation transactions; DoIT 3-

IT-MOD, 01/02/2019)

\$ 700,000 (Renewal Option #1: 04/01/2020 - 03/31/2021 with

increased contract authority; DGS 21-IT-MOD 03/18/2020)

\$1,370,000 (Renewal Option #2: 04/01/2021 - 03/31/2022 with

increased contract authority DGS 23-IT-OPT/MOD 03/24/2021)

Total Contract Amount: \$6,420,000

Percent +/- (This Item): 155.78%

Total Percentage Change: 354.59%

Original Procurement Method: Competitive Sealed Proposals

MBE/VSBE Participation: 5.0% / N/A

MBE/VSBE Compliance: 5.6% / N/A





47-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

Requesting Agency Remarks: This revenue-generating contract has positively resulted in a greater number of State Park reservation transactions than anticipated. The increase in reservation transactions is largely due to a significant increase in customer refunds in Spring 2020 due to the COVID-19 pandemic and new park reservation transactions since May 2020. When March-September 2019 is compared to March-September 2020, there was a 133% increase in the number of cancellation transactions and a 27% increase in the number of new reservation transactions. When March-September 2020 is compared to March-September 2021, there is an additional 8% increase in the number of new reservation transactions. This data illustrates the very high continuing demand for State Park reservations.

The Department of Natural Resources plans to retain a contractor to complete a national needs assessment prior to developing a new procurement for park reservation services. Efforts are currently underway to identify funding to support implementation of this needs assessment. The completed assessment will be used to inform future park reservation service procurement efforts. The requested modification provides two additional years to complete the needs assessment as well as a new park reservation service procurement. The requested modification assumes that the significant increase in reservation transactions and demand will continue through 2024. The per reservation transaction fees paid to the contractor do not change.

Fund Source: 100% Special (Forest/Park Reserve Fund)

K00A0401 Approp. Code:

Resident Businesses: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





REVISED

JANUARY 26, 2022

Contact: Samantha Buchanan 410-260-7552 samantha.buchanan@maryland.gov

48-IT. <u>INFORMATION TECHNOLOGY</u>

Recommendation: That the Board of Public Works approve the following Task Orders/Purchase Orders under a 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/Purchase Order under Master Contract

1.0 Master Contract: Consulting and Technical Services Plus (CATS+)

Contract No.: 060B2490023

Approved: DoIT 3-IT, 04/03/2013
Term: 04/22/2013 - 04/21/2028

**As of publication, the remaining balance of this master contract is \$276,173,519.52.

1.1 Using Agency: Department of Education

Description: System maintenance, engineering, and support services for the Child

Care Administrative Tracking System (CCATS) and associated Child Care Portal.

Modification Description: Extend the contract term to maintain the continuous operation of the existing system in the event that the new system is not completed by the current end date; R00B0600080.

Award: Canton Group, LLC; Baltimore, MD (MBE, SBE)

 Original Amount:
 \$10,680,299.41

 Modification Amount:
 \$3,575,876.84

Prior Mods/Options: \$4,536,112.80 (Mod. #1: Scope change; Delegated

Authority- DoIT, 10/23/2018)

\$0 (Mod #2: Bridge to BPW for approval of renewal option (3/23/2020-4/2/2020); Delegated Authority-

MSDE)

\$ 6,960,425.52 (Renewal Option #1: 04/02/2020-

03/31/2022; DGS 23-IT 1.1, 04/01/2020)

Total Contract Amount: \$25,752,714.57

Original Term: 03/27/2017 - 03/31/2022 *Modification Term:* 04/01/2022 - 03/01/2023

MBE/VSBE Participation: 16% / 7% *MBE/VSBE Compliance:* 26.2% / 8.77%

Resident Business: Yes

Funding Source: 100% Federal





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JANUARY 26, 2022

48-IT. **INFORMATION TECHNOLOGY** (cont'd)

1.0 Master Contract: Consulting and Technical Services Plus (CATS+)

1.2 Using Agency: Department of Human Services

> Description: Multiple award Task Order to provide the ability to procure agile development resources with required skill sets and scrum teams that are being utilized to build the MD THINK infrastructure/platform, applications, data repositories, reports and dashboards and support activities related to data conversion and system integration points. Modification Description: Add additional funds to meet new federal requirements under the MD THINK project, such as Ex parte Medicaid renewals, Single Streamlined Application/No Wrong Door: automated transfer of applicants/recipients between non-MAGI Medicaid and MAGI-based Medicaid and other insurance affordability programs; CO.J44720

Awards: Artisys Corporation; Washington, DC (VSBE)

Attain Consulting Group, LLC; McLean, VA

Coresphere, LLC; Bethesda, MD (MBE)

Customer Value Partners, Inc.; Fairfax, VA (Vendor is no longer

active on the contract)

Cyquent Inc.; Rockville, MD (MBE)

eSystems, Inc.; Princeton, NJ

FEI.com, Inc.; Columbia, MD (MBE) Gantech Inc.; Columbia, MD (MBE)

Innosoft Corporation; Columbia, MD

Lochbridge; Bethesda, MD

Nexsolv, Inc.; Linthicum, MD (MBE)

OST, Inc.; Washington, DC

Turning Point Global Solutions, LLC; Rockville, MD

vTech Solutions, Inc.; Washington, DC

GCOM Software LLC; Albany, NY (GCOM is no longer

participating as they merged with Gantech)

Original Amount: \$113,334,111 **Modification Amount:** \$ 4,314,625

Prior Mods/Options: \$ 54,000,000 (Mod. #1: Increased not-to-exceed amount to

provide additional resources to the MD THINK project DGS 28 IT,

1.3, 12/04/2019)

\$ 68,779,600 (Renewal Option #1/Mod. #2: 05/8/2021 – 05/07/2022 and increase not-to-exceed amount to provide additional resources to the MD THINK project DGS 39-IT, 1.2, 04/07/2021)

Total Contract Amount: \$240,428,336



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JANUARY 26, 2022

48-IT. <u>INFORMATION TECHNOLOGY</u> (cont'd)

1.0 Master Contract: Consulting and Technical Services Plus (CATS+)

Original Term: 05/08/2018 - 05/07/2021 (w/two 1-year renewal options)

Modification Term: 01/27/2022 - 05/07/2022

MBE/VSBE Participation:20% / 5%MBE/VSBE Compliance:24% / 10%Resident Business:6 of 13 ContractorsFunding Source:10% State, 90% Federal

1.3 Using Agency: Department of Information Technology Oversight Program Support Services

Professional resources contract to support DoIT's Enterprise Program Management Office ("EPMO") which provides oversight of the State's Major Information Technology Development Projects (MITDP), information technology projects of critical significance to the State. Includes project managers, program managers, systems analysts, business process consultants, project control specialists, subject matter experts, system architects and risk assessment consultants; 060B8400062/COJ43349

Renewal Option Description: Exercise the second of three renewal options. **Award:** Momentum, Inc.; Camp Hill, PA (MBE, SBE)

22nd Century Technologies, Inc.; McLean, VA

Original Approval: DoIT; 02/21/2019

 Original Amount:
 \$12,000,000

 Option Amount:
 \$ 4,000,000

Prior Mods/Options: \$ 4,200,000 (Renewal Option #1; 02/21/2021 -

02/20/2022, DGS 24-IT 1.3, 01/27/2021)

Total Contract Amount: \$20,200,000

 Original Term:
 02/21/2019 - 02/20/2021

 Option Term:
 02/21/2022 - 02/20/2023

MBE/VSBE Participation: 20% / N/A

MBE/VSBE Compliance: Momentum 29% / N/A

22nd Century 26% / N/A

Resident Business: No

Funding Source: 100% Reimbursable (MITDP)



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JANUARY 26, 2022

48-IT. <u>INFORMATION TECHNOLOGY</u> (cont'd)

1.0 Master Contract: Consulting and Technical Services Plus (CATS+)

1.4 Using Agency: State Department of Education

Description: Help desk training and application support for the Office of Child

Care tracking system.

Mod. Description: RETROACTIVE approval of modification #5 made to the contract without proper authority and proactive approval to extend the contract term and increase funding to allow time to complete the new procurement and a transition period; R00B9400044

Award: Bithgroup Technologies, Inc.; Baltimore, MD (MBE, SBE)

 Original Amount:
 \$ 7,500,000

 Mod. Amount:
 \$ 1,200,000

Prior Mods/Options: \$ 1,084,928 (Renewal Option #1: DoIT Delegated

Authority, 09/17/2017)

\$ 1,117,457.70 (Renewal Option #2: DoIT Delegated

Authority, 10/05/2018)

\$ 0 (Mod. #1: Extension to 01/31/2020; DoIT

Delegated Authority, 08/23/2019)

\$ 198,181.60 (Mod. #2: Add additional funds; MSDE

Delegated Authority, 12/27/2019)

\$ 0 (Mod. #3: Contract extension to 07/31/2020;

MSDE Delegated Authority, 06/16/2020)

\$1,448,182 (Mod #4: Add additional funding and contract

extension to 12/31/2020; DGS 30-IT 1.2 03/04/2020).

\$ 622,813 (*RETROACTIVE* Mod. #5: Add additional funding and contract extension to 12/31/2021)

Total Contract Amount: \$13,171,562.30

 Original Term:
 10/01/2014 - 12/31/2021

 Mod. Term:
 01/01/2022 - 05/31/2022

MBE/VSBE Participation: 19% / N/A *MBE/VSBE Compliance*: 15% / N/A

Resident Business: Yes

Funding Source: 100% Federal

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.



ACTION AGENDA January 26, 2022



REVISED

48-IT. <u>INFORMATION TECHNOLOGY</u> (cont'd)

2.0 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

**As of publication, the remaining balance of this master contract is \$53,829,407.84.

2.1 Using Agency: Department of Information Technology

Description: Manufacturer's Software maintenance for VMware, Inc. Manufacturer's Software Maintenance for VMware that is a virtual and cloud computing software vendor. With VMware server virtualizations, a hypervisor is installed on the physical server to allow for multiple virtual machines to run on the same physical server. The pricing provided by Digital Information Services LLC was compared to the unsolicited pricing submitted by another provider, which is not an SBE, and the manufacturer listed price received from VMware. Based on this comparison, the price has been determined by the procurement officer to be fair and reasonable. The 12-month price received from Digital Information Services LLC was \$365,178.54. The unsolicited price received was \$395,370.47. The 12-month price received is fair and reasonable. F50P2600243

Award: Digital Information Services LLC; Potomac, MD (SBE)

Number of Qualified

Master Contractors: 12 (SBR-designated)

Number of Bids: 1 (Single Qualified Bid Received)

Amount: \$ 60,863.09 (**Retroactive**)

\$304,315.45 (Proactive)

\$365,178.54 Total

Term: 12/02/2021 - 02/02/2022 (*Retroactive*: 2-months)

02/03/2022 - 12/01/2022 (Proactive: 10-months)

MBE/VSBE Participation: 0%

Resident Business: Yes

Fund Source: 100% General

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.





REVISED

JANUARY 26, 2022

48-IT. <u>INFORMATION TECHNOLOGY</u> (cont'd)

2.0 Master Contract: Commercial Off-the-Shelf Software (COTS) 2012

2.2 Using Agency: Department of Information Technology

Description: RETROACTIVE approval for Info Builders FMIS Focus Maintenance Renewal. Focus supports the ad-hoc reporting activities of FMIS. FOCUS is housed at the Annapolis Data Center mainframe and has been used for over 20 years. FOCUS allows trained users in State agencies to create simple reports against the State's financial application. The State also has several FOCUS reports that are executed nightly, weekly, or monthly as part of the FMIS batch processing. Many R*STARS ANSWERS reports utilize FOCUS routines on the mainframe to generate the reports. It is critical to continue the maintenance contract to prevent issues with the application; F50P2600072

Award: SHI International Corp.; Somerset, NJ

Number of Qualified

Master Contractors: 1 (Functional Area III Single Qualified Master Contractor)

Number of Bids:

Amount: \$141,114.00 (**Retroactive**)

\$ 80,898.40 (Proactive)

\$222,012.40 Total

Term: 07/01/2021 - 01/26/2022 (*Retroactive*: 6-months, 25-days)

01/27/2022 - 06/30/2022 (Proactive: 5-months, 3-days)

MBE/VSBE Participation: N/A / N/A

Resident Business: No

Fund Source: 100% General

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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Yasin Mohammed 410-767-3586 yasin.mohammed@maryland.gov

49-M. MAINTENANCE CONTRACT Department of General Services

Contract ID: Unarmed Uniformed Guard Services - Southern Region; Q00R2600010

ADPICS No. 001B2600322

Contract Description: Unarmed uniformed guard services for two DPSCS office

facilities in the southern region (Dorchester and Kent Counties).

Award: Universal Security LLC, Rockville, MD (SBE)

Contract Term: 03/01/2022 - 02/28/2025 (w/two 1-year renewal options)

\$ 274,620.00 (Base: 3-years) Amount:

> \$ 91,540.00 (Renewal Option #1 1-year) \$ 91,540.00 (Renewal Option #2 1-year)

\$ 457,700.00 Total

Procurement Method: Competitive Sealed Bidding (SBR-designated)

Bids:

Bidders	Amounts
Universal Security, LLC; Rockville, MD	\$ 457,700.00
Tactical 1 Security Services; Towson, MD	\$ 510,600.00
GQ Security Services, Inc; District Heights, MD	\$1,019,702.40

Living Wage Eligible: Yes

MBE/VSBE Participation: N/A / N/A

Performance Security: N/A

Hiring Agreement Eligible: Yes

Incumbents: Same





49-M. MAINTENANCE CONTRACT (cont'd)

Performance Bond N/A

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on eMaryland Marketplace Advantage on October 28, 2021, with a Small Business Reserve (SBR) designation. Approximately, 109 potential vendors received notification of this solicitation electronically. Five bids were received and opened on November 18, 2021.

Two bids were rejected. One was deemed not responsible because they failed to provide enough satisfactory references that met the minimum qualifications. Another was deemed not responsible because they did not meet the 3-year minimum requirement for being in business.

Universal Security, LLC has been found responsible and its bid responsive. The bid pricing has been confirmed.

Fund Source:	100% General			
Approp. Code:	SC110	22	8230	(\$15,588.00)
	SC110	23	8230	(\$46,764.00)
	SC110	24	8230	(\$46,764.00)
	SC110	25	8230	(\$31,176.64)
	SC110	22	8230	(\$14,925.00)
	SC110	23	8230	(\$44,775.00)
	SC110	24	8230	(\$44,775.00)
	SC110	25	8230	(\$29,850.00)

Resident Business: Yes

MD Tax Clearance: 21-4584-0111

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Yasin Mohammed 410-767-3586 yasin.mohammed@maryland.gov

50-M-MOD. <u>MAINTENANCE MODIFICATION</u>

Department of General Services

Contract ID: Janitorial Services - Ellicott City District Court Multi-Service Center;

H00R2600013

ADPICS No.: 001B2600197

Contract Approved: DGS 51-M, 12/01/2021

Contractor: Strong Deeds, LLC; Towson, MD

Contract Description: Janitorial services at the Ellicott City District Court Multi-Service

Center.

Modification Description: Correct the contract term that was reported incorrectly on the original item approved as item DGS 51-M on the 12/01/2021 agenda. The original item listed an incorrect term of 01/01/2022 - 09/30/2024 (2-years, 9-months). The correct term is 02/01/2022 - 01/31/2025 (3-years).

Original Term: 01/01/2022 - 09/30/2024 (2-years, 9-months)

Modification Term: 02/01/2022 - 01/31/2025 (3-years)

Original Contract Amount: \$357,022.59 **Modification Amount:** \$0.00

Prior Mods/Options: N/A

Total Contract Amount: \$357,022.59

Percent +/- (This Item): N/A Total Percent Change: N/A

Original Procurement Method: Preference Provider (Community Service Provider)

MBE/VSBE Participation: N/A / N/A

Requesting Agency Remarks: This modification is being requested to correct the term that was incorrectly reported on the 12/01/2021 agenda as item DGS 51-M. All other contract terms, conditions, and price remain the same.

Fund Source: 100% General

Approp. Code: H00 22 33511 0813 (\$ 61,761.98) H00 22 33511 0813 (\$161,292.39)

H00 22 33511 0813 (\$121,926.99) H00 22 33511 0813 (\$ 57,041.23)

Resident Business: Yes

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION





Contact: Wendy Scott-Napier 410-767-4088 wendy.scott-napier@maryland.gov

51-RP. REAL PROPERTY

Department of Agriculture (File # 21-99-07#2)

Recommendation: Approve a partial release of 0.38 +/- acres of land from the operation and effect of the existing agricultural preservation easement in exchange for 0.38 +/- acres of contiguous land to be added to the existing agricultural preservation easement area by amending the Easement.

Prior Board Action: DGS Item 5-RP dated 07/19/00

Releasor: The State of Maryland, to the use of the Maryland Agricultural

Land Preservation Foundation of the Department of Agriculture

Releasee: Living Springs Farm, LLC, a Maryland limited liability company

Property: 0.38 +/- acres

Grantor: Living Springs Farm, LLC, a Maryland limited liability company.

Grantee: The State of Maryland, to the use of the Department of

Agriculture on behalf of the Maryland Agricultural Land

Preservation Foundation

Property: 0.38 +/- acres

Consideration: No Monetary Consideration

Remarks: Reference is made to Item 5-RP of this Department's Agenda of 07/19/00, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement on 150.0845 acres of land for \$302,413.250. Purchase of the easement was completed on 12/14/00. An agricultural subdivision of the land under Easement was approved by MALPF and completed on 12/10/19 which subdivided the land remaining under Easement as of such date (143.78 acres) into a parcel of 114.25 acres (Tract 1) and a parcel of 29.53 acres (Tract 2).

Board of Public Works Approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release a 0.38 +/- acre area of land (comprised of areas of 0.18 acres, 0.04 acres and 0.16 acres, respectively) from the operation and effect of the Easement on Tract 2 in exchange for the addition of a 0.38 +/- acre parcel of contiguous land (comprised of





51-RP. **REAL PROPERTY** (cont'd)

Remarks (cont'd):

areas of 0.23 acres and 0.15 acres, respectively) of equal soils to the agricultural preservation area by amending the Easement on Tract 2. In November 2020, Washington County notified MALPF that portions of the driveways located on two child lots previously released from the Easement encroached onto portions of Tract 2. The driveways are necessary to provide access to the released child lots. This request is being made to adjust the boundary lines of two previously released child lots so that the driveways are located exclusively on the child lots and do not encroach onto Tract 2, by releasing an approximately 0.38-acre area from the Tract 2 Easement property in exchange for the addition of an approximately 0.38-acre area of equal or better soils from the two previously released child lots adjacent to the Tract 2 Easement property. The Maryland Agricultural Land Preservation Foundation's Board of Trustees has approved the transaction. The appraisal unit of the Department of General Services has found that the exchange will have a net neutral effect on the value of the existing easement. Costs associated with this exchange will be paid by Living Springs, LLC.

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Wendy Scott-Napier 410-767-4088 wendy.scott-napier@maryland.gov

52-LT. TENANT LEASE Maryland 529

Recommendation: Approve a new lease for continued use of nine parking spaces.

Landlord: East Lombard Street Parking Associates, LLC

300 E. Lombard, Ste. 630; Baltimore, MD

Prior Board Actions: DGS 36-LT, 11/20/2019

Property Location: 200 East Lombard Street, Baltimore, MD

Space Type: Parking Garage (9-spaces)

Lease Type: New (Continued Use of Property)

Term: 03/01/2022-02/29/2024 (w/6-months holdover)

Annual Rent: \$16,200.00 *Rate/Month:* \$150.00 per space 100% Special Fund Source: PCA 10041 Approp. Code:

(MD 529 Investment Plan Fees)

Landlord Utilities/Custodial Responsibility: Termination for Convenience Clause: Yes

Procurement Method: Sole Source

See COMAR 21.05.05.02D; DGS Space Mgmt. Manual ¶ 6-605 E

Remarks: These spaces are to be used by Maryland 529 employees located at 217 E. Redwood Street in Baltimore City. Maryland 529 employees have been parking at this location for 10years. The number of spaces complies with the 1:2 ratio established for this area.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Wendy Scott-Napier 410-767-4088 wendy.scott-napier@maryland.gov

53-LT. TENANT LEASE

State Police Aviation Command

Recommendation: Approve a 5-year lease renewal option.

Prior Board Action: DGS 14-LT, 05/19/2010

Landlord/Owner: Talbot County Maryland, County Courthouse

11 Washington Street; Easton, MD

Property Location: 9385 Jet Lane; Easton, MD

Space Type: Hangar/Office (6,400 sq. ft.)

Lease Type: Renewal (Continued Use of Property)

Lease Term: 02/01/2022 – 01/31/2027 (w/standard 6-month holdover)

Annual Rent Office: \$65,664.00 Monthly Rate: \$5,472.00 Fund Source: \$00% Special (MEMSOF – Maryland Emergency Medical System)

Operation Fund)

Approp. Code: PCA 41603

Utilities/Custodial Responsibility: Tenant Termination for Convenience Clause: Yes

Procurement Method: Sole Source

See COMAR 21.05.05.02.D; DGS Space Mgmt. Manual 6-605 E

Remarks: The Maryland State Police Aviation Command has occupied this hangar and office space since June 2010 for its Trooper 6 Helicopter on a 24/7-day operation schedule 365 days a year. The Trooper 6 Helicopter will serve the citizens of the Upper Eastern Shore Counties in its mission of medical evacuations, law enforcement, search and rescue, homeland security and disaster assessment.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION





Contact: Deirdra Bell 410-767-4107 deirdra.bell@maryland.gov

54-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Baltimore Public Markets Corporation

Cross Street Market (Baltimore City)

"For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of HVAC infrastructure improvements at the Cross Street Market."

Maryland Consolidated Capital Bond Loan of 2021 (MISC- Chapter 63, Acts of 2021) DGS Item 21-190, (SL-059-210-038) \$ 400,000

DOS 11em 21-190, (SL-039-210-030)

Matching Fund: No match is required.

Background: Total Project \$400,000

21-190 (This Action) \$ 400,000 (Non-match)

Local Cost \$ 0

(Prior Actions: None)

Remarks:

- 1. This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- 2. The grant recipient shall consult with the Maryland Historical Trust pursuant to § 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- 3. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.

This Item was withdrawn as Item 4-CGL from the 12/15/2021 DGS Agenda.

BOARD OF PUBLIC WORKS THIS ITEM WAS:

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOU'





SUPPLEMENTAL

JANUARY 26, 2022

Contact: Michele Helms 410-379-9079 michele.helms@maryland.gov

55-IT-MOD. <u>INFORMATION TECHNOLOGY MODIFICATION</u>

Maryland State Police, Quartermaster Division

Contract ID: In-Car Video Project; W00B840003

ADPICS No.: W00B2600024

Contract Approved: DoIT 3-IT, 08/22/2018

Contract Description: To provide an in-car video solution and associated cloud based, secure storage for the gathered video files (Digital In-Car Video System).

Modification Description: Acquire and maintain body-worn camera (BWC) hardware and peripherals and provide a cloud-based storage solution to maintain audio/visual records of police officers' perspective. Cloud services shall include application(s) that provide users and supervisory personnel on-demand access to the video, plus the ability to share that video with interested parties such as allied law enforcement and court personnel. The BWC system provides a seamless connection and interaction with the current Fleet system. This modification also extends the contract term for continued use through 2025.

Award: Axon Enterprises, Inc.; Scottsdale, AZ

Contract Term: 09/04/2018 - 09/03/2023

Modification Term: 01/27/2022 - 12/31/2025

Original Amount: \$ 6,724,940.00

Modification Amount: \$ 4,420,671.70

Prior Options/Mods: N/A

Total Contract Amount: \$11,145,611.70

41% *Percent +/- Change (this item):*

Total Percent -/- Change: 41%

Procurement Method: Competitive Sealed Proposals



SUPPLEMENTAL

JANUARY 26, 2022

55-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

MBE/VSBE Participation: N/A / N/A

MBE/VSBE Compliance: N/A / N/A

Performance Security: N/A

Requesting Agency Remarks: The Maryland State Police are seeking modify the current scope of work for this contract to include hardware and services tied to acquiring and deploying BWC to provide out of vehicle audio/visual recordings of trooper interactions and services. Much like the current Fleet system, this upgrade will be capable of storing these files locally (in-vehicle) and upload the files directly to the contractor's cloud storage solution via Wi-Fi connect when the vehicle enters an MSP hot-spot area. Cloud services include application that provide users and supervisory personnel on-demand access to the video, plus the ability to share with interested parties such as allied law enforcement and court personnel. The additional system will work seamlessly with the already deployed Fleet system.

Legislation (SB600) was enacted in May 2021 requires troopers providing direct citizen contact services wear BWC. Maryland State Police are working to deploy the system by the end of July 2022.

Fund Source: 100% General

Approp. Code: W00A104

Resident Business: No.

Resident Agent: CSC; Baltimore, MD

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION



JANUARY 26, 2022



SUPPLEMENTAL REVISED

Contact: Webster Ye 410-767-6481 webster.ye@maryland.gov

56-S-MOD. <u>SERVICES MODIFICATION</u>

Department of Health

Contract ID: K-12 School COVID-19 Screening Testing; OCMP 22-19258

ADPICS No.: COJ46620 (Capital Diagnostics, LLC) and COJ46647 (Concentric

by Ginkgo Bioworks)

Contract Approved: Secretary's Agenda A12, 09/01/2021

Contractor(s): Capital Diagnostics, LLC; Laurel, MD

Concentric by Ginkgo Bioworks; Boston, MA

Contract Description: COVID-19 testing vendors in two functional areas to provide a mechanism for screening testing services at schools that do not independently contract with a lab services provider.

Modification Description: Increase funding for two of five contractors providing testing services. Functional Area 1 (FA 1) – Pooled Testing services are provided by Capital Diagnostics, LLC and Concentric by Ginkgo Bioworks. Functional Area 2 (FA 2) – Non-Pooled Testing services are provided by Capital Diagnostics, LLC. The FA 1 scope is also being modified for Concentric by Ginkgo Bioworks to address the follow-up response to a positive pooled COVID test with Point-of-Contact antigen tests.

Original Contract Term: 8/05/2021 - 7/31/2022 (w/one 1-year renewal option)

Modification Term: 1/27/2022 - 7/31/2022

Original Contract Amount: Capital Diagnostics

\$ 4,000,000 NTE (FA 1 - Base: 1-year) \$ 1,400,000 NTE (FA 2 - Base: 1-year)

\$10,800,000 NTE Total

Concentric by Ginkgo Bioworks

\$33,440,000 NTE (FA 1 - Base: 1-year)

Modification Amounts: Capital Diagnostics, LLC

\$ 7,225,065 (FA 2)

Concentric by Ginkgo Bioworks \$22,489,283 (FA 1)

\$29,714,348 Total (*This agenda item*)





SUPPLEMENTAL JANUARY 26, 2022

REVISED

56-S-MOD. SERVICES MODIFICATION (cont'd)

Prior Mods/Options: \$26,614,820 (Mod. #1: increase funding for FA2 with

Capital Diagnostics, LLC; DGS 28-S-MOD, 11/03/2021)*

*Mod. #1 also included a \$9,625,120 increase in funding for Patriot Medical Laboratories, LLC; however, the firm is not affected by the current action.

Total Contract Amount: Capital Diagnostics, LLC

\$ 4,000,000 NTE (FA 1) \$35,239,885 NTE (FA 2) \$39,239,885 Total

Concentric by Ginkgo Bioworks \$55,889,283 NTE (FA 1)

Percent +/- (**This Item**): 0.0% (Capital Diagnostics, LLC – FA 1)

516.0% (Capital Diagnostics, LLC – FA 2)

67.2% (Concentric by Ginkgo Bioworks – FA 1)

Total Percent Change: 0.0% (Capital Diagnostics, LLC – FA 1)

2517.0% (Capital Diagnostics, LLC – FA 2)

167.2% (Concentric by Ginkgo Bioworks – FA 1))

Original Procurement Method: Emergency

MBE/VSBE Participation: N/A / N/A

MBE/VSBE Compliance: N/A / N/A

Requesting Agency Remarks: MDH seeks to exercise this modification to allow above referenced vendors to provide COVID-19 screening testing services to participating entities in kindergarten through 12th grade public and private schools in Maryland. The modification adds funds to support increased numbers of participation in the testing program both in terms of participating schools and participating individuals for the duration of the school year, in accordance with participating school entities' testing plans.

It is in the best interest of the State to modify this contract to allow the broadest participation in the K-12 COVID-19 Screening Testing program and, therefore, monitor and curb transmission of COVID-19 in Maryland's K-12 school populations by adding funding for participating school entities in the school screening testing program to test in accordance with their testing plans and to accommodate the expanded participation of schools, staff, and students within the program.)





JANUARY 26, 2022

REVISED

SERVICES MODIFICATION (cont'd) **56-S-MOD.**

Agency Remarks (cont'd):

The modification to the Concentric by Ginkgo Bioworks scope of work will allow point of care (POC) testing in response to a positive pool test result instead of a PCR test. POC tests have a decreased test processing time of about 30 minutes instead of 24-48 hours for the PCR test and have a lower cost. This modification may decrease the number of quarantine days while awaiting a test result and increase in-person classroom time for students.

Fund Source: 100% Federal (PCA N1381)

32.0603 Approp. Code:

Resident Business: Yes – Capital Diagnostics, LLC

No – Concentric by Ginkgo Bioworks

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION