
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

August 23, 2023
10:13 a.m.

PRESENT

HONORABLE WES MOORE

Governor

HONORABLE DERECK DAVIS

Treasurer

HONORABLE ANDREW SCHAUFELE

Chief Deputy Comptroller

JOHN GONTRUM

Secretary, Board of Public Works

ATIF CHAUDHRY

Secretary, Department of General Services

JOSH KURTZ

Secretary, Department of Natural Resources

VALERIE RADOMSKY

Chief Procurement Officer, Department of Transportation

THOMAS HICKEY

Director of Procurement and Real Property Initiatives,
University System of Maryland

LISA GRIGSBY

Recording Secretary, Board of Public Works

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PROCEEDINGS

GOVERNOR MOORE: Good morning. It's good to see everybody. It's good to see that Fall has arrived early here in Maryland with this lack of humidity. We will take it and we will enjoy it. And we are very excited to get started with today's meeting.

First thing, we want to, as we start the business of the day, we want to say of course, as always, thank you and great seeing you, Mr. Treasurer. But also, also welcome the member who is going to be joining us today, Andy Schaufele, who is the Chief Deputy Comptroller and is attending on behalf of Comptroller Lierman this morning. Andy, it's great to have you here.

MR. SCHAUFELE: Thank you, Mr. Governor.

GOVERNOR MOORE: And welcome to the table. We are grateful to have you. And so with that, we will get started with the Secretary's Agenda. Secretary Gontrum, good morning. It's great to see you.

SECRETARY GONTRUM: Same to you, Governor. It's great to see you as well. And good morning to you, Mr. Treasurer and Mr. Chief Deputy Comptroller. There are 14 items on the Secretary's Agenda this morning and four reports of emergency procurements. I'm happy to assist with answering any questions.

GOVERNOR MOORE: Wonderful. Thank you so much. Is there any discussion to the Secretary's Agenda?

MR. SCHAUFELE: None.

GOVERNOR MOORE: No?

TREASURER DAVIS: No.

GOVERNOR MOORE: Okay. And so may I have a motion to

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approve the Agenda?

MR. SCHAUFELE: Motion to approve.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much, Mr. Secretary. And first we will proceed with the Department of Natural Resources Agenda. Secretary Kurtz, it's great to see you as always.

MR. KURTZ: Good morning, Mr. Governor, Mr. Treasurer, Mr. Chief Deputy Comptroller. For the record, my name is Josh Kurtz. I'm the Secretary of the Department of Natural Resources. Today, the department is presenting 16 items for your consideration. We have a rather large package for Rural Legacy today, which we are really excited about. That's going to be our funding for FY '24 for the program. This is the highest amount that has ever been allocated for Rural Legacy and it goes directly towards investing in our rural economies. And we are very excited to have this. This money is moved through our Rural Legacy areas across the State and so far it has protected over 121,000 acres of land that directly contributes to our rural economies, as well as protecting our natural resources, especially when you look at what it's done in the agricultural space. Pairing that with the Maryland Agricultural Land Preservation Foundation really has done a fantastic job protecting our rural economies. So we're excited about that, and all of the other items on our Agenda. I'll be happy to take any questions that you all might have.

GOVERNOR MOORE: No, this is great. And thank you. And I have to tell you, for that program, it is an incredibly important program and it really does just underscore the State's continued partnership with local governments in preserving farmlands and forests and also all of our natural areas. So we're very, very excited about the program.

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And is there any further discussion on DNR's Agenda?

MR. SCHAUFELE: No discussion here.

GOVERNOR MOORE: Okay. So may I have a motion to approve the Agenda?

MR. SCHAUFELE: So motioned.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much. And thank you to the entire team, Secretary Kurtz. Thank you.

Next up, University System of Maryland. Mr. Hickey, good morning. Good to see you.

MR. HICKEY: Governor, how are you?

GOVERNOR MOORE: Outstanding.

MR. HICKEY: Mr. Treasurer and Mr. Chief Deputy Comptroller, Tom Hickey representing the University System of Maryland. We have one lonely item on our Agenda today for your consideration --

(Laughter.)

MR. HICKEY: -- answer any questions.

GOVERNOR MOORE: Lonely but mighty, lonely but mighty. Are there any questions?

MR. SCHAUFELE: No questions.

GOVERNOR MOORE: Okay. May I have a motion to approve the Agenda?

MR. SCHAUFELE: So motioned.

GOVERNOR MOORE: And is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thanks so much, Mr.

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Hickey. Good to see you.

We will proceed with the MDOT Agenda. Hi, Ms. Radomsky, good to see you.

MS. RADOMSKY : Good morning, Governor, great to see you, too. Good morning, Governor, Mr. Treasurer, Mr. Chief Deputy Comptroller. I'm Valerie Radomsky, Chief Procurement Officer at the Maryland Department of Transportation. Today we are presenting 15 items for your consideration. We have representatives available to answer any questions you may have.

GOVERNOR MOORE: Great. Do we have any questions on the MDOT Agenda?

MR. SCHAUFELE: No questions.

GOVERNOR MOORE: Okay. Is there a motion to approve?

MR. SCHAUFELE: Motion to approve.

GOVERNOR MOORE: And is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thanks so much, Ms. Radomsky. And we will conclude with the DGS Agenda. Secretary Chaudhry, good morning.

MR. CHAUDHRY: Good morning, sir. Good morning, Mr. Governor, Mr. Chief Deputy Comptroller, Mr. Treasurer. For the record, I am Atif Chaudhry, Secretary of the Maryland Department of General Services. Today the department is presenting 54 items on our Agenda. We are withdrawing one item, Item 30-S-MOD. And our Agenda does feature over \$26 million in capital grants and loans. I did want to highlight just two very quickly.

Item 5-CGL, which provides \$2 million in support of the Kennedy Krieger Institute for the construction of a new Innovation Care Center in Baltimore City. This new center will be a flexible (indiscernible) facility that will

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address the ever changing needs of the pediatric healthcare landscape, including patient mental healthcare needs in the City. This new construction will allow Kennedy Krieger to expand existing therapy programs as well as create new additional programs.

Lastly, I wanted to highlight Item 15-CGL, which provides \$100,000 in State support for the Indian Head Grocery Initiative to fund the efforts to bring a right sized grocery store to the Town of Indian Head in Charles County. This project will renovate five vacant buildings and lots into a mixed use development, which is desperately needed in the area. And the project will be anchored by a right sized full service grocery store and an ice cream store, as well as a second floor which will house new housing units for working families. The adjacent lots will be revitalized from overgrown lots into parking spaces, community rain garden, and other greenspace, and I do want to note that there was a prior authorization for \$300,000 for this particular item.

As we continue to monitor MBE contract participation, we did want to highlight that on this particular Agenda we have three contracts with new awards to MBE primes totaling over \$1.5 million. We have agency representatives here to answer any questions you may have.

GOVERNOR MOORE: Great. Thank you so much. Thanks, Mr. Secretary. And I actually would like to highlight two pieces and specifically two capital grants for two incredible organizations in Baltimore. And the first is Item 12-CGL, and that is the \$600,000 grant to support the capital improvements that are taking place at the historic Hippodrome Theatre; and Item 20-CGL, which is the \$1 million grant to support the capital projects at the Maryland Science Center.

I want to just highlight both of these two items because these are not just, you know, cultural and also educational gems that we have within

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Baltimore and the Baltimore region, but also things that I think really do epitomize a measure of momentum and movement and the importance of these types of institutions to our society and to our larger culture. And just say how excited we are about that work.

I also want to highlight Item 21-CGL, which directs \$3.5 million in capital support, and that is for the Burtonsville Crossing Shopping Center project. You know, the Burtonsville community has been working to revive its town center and revive that economic engine really since the great recession. So we are talking about a long period of time. And this is going to be a catalytic piece of that measure of revitalization. It struggled to secure a lot of the private investments and the kind of businesses that the, and the kind of amenities that the residents have been calling for for a long period of time and also that the residents deserve. And so after more than 15 years of hard work and 15 years of partnership between elected officials, residents, the business community, the nonprofit community, this item really does represent a new renaissance in many ways for Burtonsville. And this is the kind of hard work and the kind of partnership that is going to move the State forward in a collection of different ways and make sure that every single zip code can benefit from this kind of partnership and this kind of work. And this really is about helping Maryland to win this decade.

I want to give a couple of shout-outs on this project. One to our Chief Legislative Officer Eric Luedtke, who worked closely with his legislative colleagues during his time in the House. But Eric was also very clear that even though we were stealing him and bringing him to the second floor during the administration, this was an important project. And he continued to be engaged and involved in it.

And also we're very pleased to be joined here today by the Senator

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from District 14, Craig Zucker -- hi, Craig -- who really has championed this project for so many years. Today is a real tribute to hard work. Today is also a real tribute to leadership skills. So we love to be able to welcome you and just say, not just welcome you, acknowledge you, have you come up to the podium, if you'd like. But again, just thank you for your leadership. Progress doesn't happen by accident. It happens because people push for it. And so I just want to say thank you for that.

SENATOR ZUCKER: Well, thank you very much, Governor. For the record, Senator Craig Zucker. From my time in elected office, I know I should probably stop talking at that point because, like the Governor said, but I am here also representing Delegate Anne Kaiser, Delegate Bernice Meriku-North, Delegate Pam Queen, and of course, even though he is not necessarily in elected office, my other teammate Delegate Eric Luedtke because this really was a team effort and it has been going on for a while.

But Governor, I think one of the things that you highlighted, Mr. Chief Deputy Comptroller, Mr. Treasurer, Madam Lieutenant Governor, it's great to be in front of you today, it really was community led. And I know, Governor, you personally know the area very well and it has been a great partnership with the State and with your agencies. We appreciate Mr. Welsh's help here as well as Mr. Gontrum, and also the partnership with Edens. But these counties are a very diverse area and the real investment that we are making in this project reflects what the people want and what they deserve. So with that, I would kindly ask the Board to approve this item and it's our first step in fulfilling the dreams that the Burtonsville area community wants. Thank you very much. Of course, I would be happy to answer any questions.

GOVERNOR MOORE: Are there any questions?

MR. SCHAUFELLE: No questions. I'll second your comments on

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Senator Zucker. Always hardworking, always smart. We always appreciate his work.

TREASURER DAVIS: (Indiscernible.)

(Laughter.)

TREASURER DAVIS: None.

(Laughter.)

GOVERNOR MOORE: I love this Board. Senator, sincerely, thank you. Thank you for being here. Thanks for the leadership. And we are collectively delighted to advance this project. So thank you so much.

And actually, I would like to highlight one more capital grant, sorry. And that is Item 8-CGL. And that directs \$700,000 to the Asian American Center of Frederick to support capital improvements at the center. It is wonderful, wonderful to see you, Ms. Chung. This organization is led by the indefatigable Elizabeth Chung, who just, you know, your leadership and your vision is just absolutely remarkable and so necessary. And this is an organization that provides valuable resources and support for assisting immigrants in our communities, and that includes help and also equity based solutions and services. Our fantastic Lieutenant Governor has had many opportunities to engage with this terrific organization. And we really are so pleased to be advancing this grant to support this important work. So I know I speak on behalf of not just my fantastic partner in the work, but on behalf of all of us in the State to say thank you, kudos, and job well done. And not just wanted to both acknowledge you, but also if you'd like to say anything at the podium, we would be honored.

MS. CHUNG: Good morning, Governor, thank you. And thank you so much. Good morning, Mr. Treasurer Davis and also Chief Deputy Comptroller Andrew Schaufele. Thank you.

So yes, AACFC is a nonprofit organization for 20 years. We really

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want to mention, Governor, that having a place where we can build just one part of the center to begin our early education center. So I should note that all of us as immigrants, education is so important to us. So the early childhood education is definitely (indiscernible). But I also wanted to, on behalf of our community, to thank, you know, the Governor, and you know, our legislators and our support from the State that for the immigrant communities, oftentimes nonprofits, we went to Goodwill, we went to the, you know, the flea market. But this time, you provide us a place where we can begin to build and it's really ours. The immigrant community works hard and they deserve the best. And I want you to know, Governor, we are putting the tax dollars the best way that we can. We are building the future for Maryland and for generations to come. So thank you to all my staff, I wanted to, and my board members, just to acknowledge, express our gratitude to all of you, you know, for the support you have given us. So and thank you to the secretaries also for the faith you have in us. Thank you, Lieutenant Governor, for your support. You know that you will put it in a good place and build for the futures of our county, as well as for our State. Thank you so much for all of you.

GOVERNOR MOORE: Bless you and thank you so much. And to you and also to the Board members here, I just want to take a moment and say thank you so much for the work --

(Applause.)

GOVERNOR MOORE: Thank you. And if I could take one more quick point of privilege. I looked up and saw Will over here, Will Tilburg. I just wanted to also just publicly acknowledge you and your work, the Acting Director of the Maryland Cannabis Administration is here.

I don't have any questions on Item 47, per se. But I do just want to give a public acknowledgment to you and your entire team for the work that you

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all have done. And it has not just been important work. It really has been nation leading work in the way that you have helped to foster and push this entire roll-out. Because everything that you have done, that you have been able to accomplish, it has been done because you have focused on coordination, you have focused on transparency, you have focused on fulfillment of vision, and you have been focusing on speed. And every single one of those things have been on display and your leadership has just been absolutely imperative. And you know, you have been coordinating with the Comptroller's Office, with the Treasurer's Office, you know, our office, and you really have shown that Maryland is going to lead and that Maryland really is taking the step forward, where (indiscernible) in the words of Jay-Z, "difficult takes a day, impossible takes a week." And you have been able to roll this thing out in a really, really powerful fashion. So I want to thank you, the team, all the other incredible stakeholders, the General Assembly, the Comptroller's Office, the Treasurer's Office, for the continued work and partnership. And also, I want to thank someone who is sitting here to my left, the person who has been representing our office, Manny Welsh. Manny, your partnership, leadership, and vision has been absolutely invaluable in all of this. And I can tell you the fact that Maryland is leading the charge on how this thing has played out, your fingerprints are not just all over it, but your hard work and your focus is a huge part of the reason that we are where we are. So I want to just publicly acknowledge you and say thank you. And it's an honor to have you as a teammate.

(Applause.)

GOVERNOR MOORE: Are there any other items for discussion on the DGS Agenda?

MR. SCHAUFELLE: No discussion.

TREASURER DAVIS: Governor?

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GOVERNOR MOORE: Please.

TREASURER DAVIS: I'd like to talk about Item 26-S, the Center for Tobacco Use, Prevention, and Control.

MR. CHAUDHRY: We have representatives from the Maryland Department of Health here to answer any questions you may have.

DR. KALYANARAMAN: Good morning.

TREASURER DAVIS: Good morning, sir. Let me start with I noticed it's a \$17.1 million contract, a five-year single bid contract. Why? Let me start there. Why? Why wasn't this put out to bid?

DR. KALYANARAMAN: So for the record, I'm Nilesh Kalyanaraman, the Deputy Secretary for Public Health, Maryland Department of Health. So, Mr. Treasurer, this was put out to bid. We had a vendor solicitation and engaged with 17 vendors. We got three interested participants and only one put in a bid. This bid actually came in at a slightly, their best and final offer was actually a slightly lower point than we were willing to accept. So we got, for this bid we have additional services. This vendor is the one that we currently have. So we are going to be getting additional services beyond what we currently have, particularly targeting a number of different higher risk groups, LGBTQ, low income, homeless populations, and rural populations as well. There is also a focus on making sure there is both English and Spanish language services available at all times. So it wasn't just a sole source. There was only one bid. But it did meet all of our requirements.

TREASURER DAVIS: That's sort of concerning. Generally when you have contracts of this size, unless there is some sort of specific nature to it, I would think we would have multiple people bidding on it. Is there something in this contract, the way it's written, that makes it difficult for other providers to participate? If we really have nothing to compare it against, how do we know we

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are getting full value for our money? Again, at \$17 million, you would think people would be jumping at it. And then when I move down and I sort of read that (indiscernible) in terms of when we get to the MBE, and I'll get to that in a second, but it mentions due to the specific nature of the scope of services, tobacco cessation counseling, the prime vendor will perform all counseling services. What is specific about tobacco cessation? A lot of people can do that. But what is specific about this that apparently only the prime vendor can do that?

DR. KALYANARAMAN: So at the national level, there is only a handful of vendors who do this work. So this, because it is a statewide contract, it is a 24/7 availability on the Quitline, there isn't a wide body of vendors who can instantly jump into that space. The Quitline is a national model. The Surgeon General's Office provides updates periodically about best practices and what a Quitline should provide and how it should do that. In the most recent Surgeon General's report on this in 2020, there were a number of items that were highlighted, including providing multimodal nicotine replacement therapy, providing combination therapy, both counseling and medications, providing direct follow up multiple times to improve engagement. So there are technical elements that need to be provided as part of an effective quit line. And so we are following those national standards that came out of the Surgeon General's Office about what are the standards that we are looking to have, and then we expect semi-annual reports from the vendor on how they are meeting their objectives.

TREASURER DAVIS: And then I guess finally I want to ask, and about the MBE participation. And I hold my office equally accountable. Item 4 that we had earlier -- we are still on this item. But on Item 4, that was an item we had a few weeks ago at our last meeting that came from my office, the Maryland 529 Program, and I saw that our MBE participation was five percent, five or six percent, and I thought that was unacceptable. So I held it and basically told the

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folks that if they couldn't get it to an acceptable goal, that we would have to rebid it until we could get there. And they figured out how to get it to an acceptable goal and that's why it was before us today. I bring that up to say in a \$17.1 million contract, all we could do is five percent MBE? If my math is correct, that's about \$850,000 out of a \$17.1 million contract. We couldn't do any better than that?

DR. KALYANARAMAN: So the core services, Mr. Treasurer, are the counseling that happens through the Quitline. There are, as you note, five percent is MBE, and about 2.5 percent of that is to design, the design of the services to ensure that they are responsive to a wide range of populations, and then another 2.5 percent of that is going towards evaluations to make sure that we are reaching our objectives.

We did put in thought into how to increase that. But the core contract is to provide those counseling services and there isn't, there aren't a lot of other facets to that work beyond that core mission.

TREASURER DAVIS: Again, we were told the same thing on a different one, and that once the threat of the contract not being awarded, the vendor magically found a way --

DR. KALYANARAMAN: Mm-hmm.

TREASURER DAVIS: -- to increase the MBE goal. I think if we don't push, if we don't lean on it, then they will just say, I mean -- let me let that go. The point being, I hope we're not accepting at face value when people tell us they can't do this or that, because I have found, and like I said we have a real live evidence of this, when the threat that the contract may be rebid, they figure out how to get a respectable goal. So I hope that we just sort of keep that in mind, that people will tell us anything. But they can do better, if it is the threat of the loss of the contract. And that has sort of been proven. And it's not just about

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money, because I also have a very, very close family member who because of tobacco use has undergone in the last five years lung cancer surgery and currently is going through radiation for throat cancer. So this is not just a contract to me. I mean, it's very personal, deeply personal. But beyond that, I still have a job to do. And my job is to make sure, at least part of it, that not only are we getting full value for our dollars, that everyone has an opportunity to share and, you know, in the State's economy, if you will. And I just think we could have done better with this than five percent. And I know if we had that threat of loss of contract, they would have done better. So I will, you know, put that under editorial and I will let it go at that. And I'm certainly happy to support it. But, you know, I'm always going to harp on that. Maybe that's what I could say. I'm always going to harp on the MBE numbers, everybody. So if we're not meeting that, you're going to hear from this old goat, I'm telling you. It's going to come up every single time. Thanks, Governor.

GOVERNOR MOORE: Thank you. Thank you. Well said.

Thanks, Deputy Secretary.

DR. KALYANARAMAN: Thank you.

GOVERNOR MOORE: Are there any other points of discussion on the DGS Agenda?

MR. SCHAUFLELE: No discussion.

GOVERNOR MOORE: Okay. Wonderful. Is there a motion to approve the Agenda?

MR. SCHAUFLELE: Motion made.

GOVERNOR MOORE: Great. Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. This concludes today's BPW meeting. The next meeting will be on September 6th. Enjoy the rest of

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August, everybody, and thank you so much.

(Whereupon, at 10:39 a.m., the meeting was concluded.)

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