
STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

June 7, 2023
10:04 a.m.

PRESENT

HONORABLE WES MOORE

Governor

HONORABLE JOHN MARTIN

Chief Deputy Treasurer

HONORABLE BROOKE LIERMAN

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

JOSELYN JOHNSON

Director of Procurement at Towson University,
University System of Maryland

LISA GRIGSBY

Recording Secretary, Board of Public Works

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PROCEEDINGS

GOVERNOR MOORE: Good morning.

ALL: Good morning.

GOVERNOR MOORE: It's good to see everybody on this hazy, cloudy, Canadian inspired morning. And welcome to our Board of Public Works meeting.

First, I'd like to welcome Deputy Treasurer John Martin to the table, who is filling in for Treasurer Davis. Yesterday was Treasurer Davis' birthday. But we're going to celebrate a whole week for him, so he's not in today as well. But also, I'd like to say he's also not here because there are some celebrations taking place, some graduations taking place in the Davis household. So on behalf of everybody here, we just want to say to the Treasurer, who I know is looking on, congratulations and happy birthday, and but we are very, very glad to have Deputy Treasurer Martin here. And thank you. And with that, Mr. Secretary, let's get started, and good morning.

SECRETARY GONTRUM: Good morning, and good morning to you, Madam Comptroller, Chief Deputy Treasurer Martin. There are 25 items on the Secretary's Agenda and five reports of emergency procurements. Item 25 is a supplemental item from Morgan State University. It's the contract for the phase two of the project to repair the steam and condensate lines in the Academic Quad. It was withdrawn at the April 19th meeting.

Appendix Item A4 and A5 are hand-carried emergency reports from the Department of Health for contract awards for emergency medications to protect individuals' reproductive rights.

I'm happy to assist with answering any questions.

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GOVERNOR MOORE: Great. Thank you so much. And speaking of that, I would like to just take a moment to highlight Items A4 and A5, which are the reports about the emergency procurement from the Department of Health to procure 30,000 doses of Mifepristone in response to the federal court ruling that took place in April, which frankly jeopardized access to this critical drug for women and families here in Maryland and across the nation, something that has been available for decades, but because of this ruling we now know is under a very unique and distinct attack. And what we saw from this was this was yet another assault on women's reproductive rights and women's reproductive freedoms. And the Moore-Miller administration in partnership with our colleagues in the Legislature, and our colleagues on this Board, we are united in ensuring that the State of Maryland remains a safe haven for abortion access and quality reproductive healthcare.

And at my direction, and under Secretary Herrera Scott's leadership, the Maryland Department of Health moved quickly to secure these doses to establish a stockpile and to ensure if the need arose that access to these essential drugs would not be compromised at all here in the State of Maryland. And so I want to personally thank Secretary Herrera Scott and her team at MDH for working with urgency and speed to be able to deal and respond to this unfortunate, to this unnecessary, and to this misguided crisis that was created by this federal court ruling in the State of Texas.

And so I do want to just take a moment just to once again be very, very clear that reproductive freedom is non-negotiable, that my administration will continue to defend and protect women's reproductive freedom and access to essential healthcare here in the State of Maryland, full stop. And so with that, if my colleagues have any comments as well, I would love to --

COMPTROLLER LIERMAN: Thank you. Thank you so much,

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Governor. I really appreciate it. You know, it's interesting, when I was running for office, this is not in my prepared remarks, when I was running for office, people sometimes asked why should the Comptroller care about abortion rights? And I think we have that here today. You know, these decisions matter. And this is a really important opportunity and, you know, for Maryland to double down in expressing its support for women and our reproductive choices. As a former Planned Parenthood intern and member of the board of NARAL Pro-Choice Maryland, this is something I care deeply about. And by moving quickly when the federal court system created uncertainty around the future use and availability of Mifepristone, the emergency stockpile will preserve this medication as an important option for individuals seeking safe reproductive healthcare here in the State of Maryland. Every level of government has been proactive in protecting reproductive healthcare in Maryland and I want to thank the General Assembly for its efforts this past session and Attorney General Brown for championing the legal fight against these rulings, which threaten the health and well-being of women across the country. As a member of the Board of Public Works, I am very proud to support this emergency procurement to protect abortion care here in the State of Maryland. And I just want to thank you so much, Governor, for your leadership, and also Secretary Herrera Scott for really leading the way on this. Thank you for protecting women.

GOVERNOR MOORE: Thank you. And thank you for your leadership as well. Thank you for your leadership as well. Deputy Treasurer?

DEPUTY TREASURER MARTIN: Sure. Good morning, everyone. In speaking to the Treasurer about these Agenda items, he is fully supportive and echoed many of the sentiments expressed here by the Governor and the Comptroller as it relates to this Agenda item. However, he did want me to ask a few questions as it relates to the procurement itself in light of some of the

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emergency purchases made by MDH during COVID. So there are two questions the Treasurer wanted me to ask.

GOVERNOR MOORE: Absolutely. And so I would like to ask Deputy Secretary Mroz. Good morning.

MR. MROZ: Good morning. Good morning, Comptroller, and Governor Wes Moore, and Chief Deputy Martin, thank you for this opportunity. I am Bryan Mroz. I am the Deputy Secretary of the MDH Healthcare System and Operations, and I am here for questions.

DEPUTY TREASURER MARTIN: Thank you. So the two questions the Treasurer wanted to pose, and thank you for all the due diligence you did do, is (indiscernible) purchase from a reputable source? And since you all are stockpiling for several years, are there any issues with expiration dates on the products?

MR. MROZ: Those are very good questions. Yes, so there were two separate purchases. One went through University of Maryland, and also one was directed from the vendor itself. So they are very clearly reputable sources as it was the direct vendor for the product on those. We are watching those expiration dates and we have coordinated our supply to match those dates. And we have talked to vendors about making sure that we could rotate that supply if these were not used to ensure that they don't expire.

DEPUTY TREASURER MARTIN: That's all I had. Thank you.

GOVERNOR MOORE: Thank you. Thank you. Is there any further discussion on the Secretary's Agenda?

COMPTROLLER LIERMAN: Could I just make a note on --

GOVERNOR MOORE: Please.

COMPTROLLER LIERMAN: Agenda Item 6, which has to do with wetlands permits for approval. You know, just a few weeks ago, the U.S.

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Supreme Court, not the Maryland Supreme Court, the U.S. Supreme Court issued a troubling decision in *Sackett v. EPA* that narrows the definition of waters of the USA, and therefore may restrict federal authority to regulate certain wetlands. This decision will have serious implications on the ability to regulate the health of the coastal bays and isolated wetlands throughout the Chesapeake Bay region.

Fortunately here in Maryland, we have State wetlands protections in place that are not dependent on federal laws. But these rules may need strengthening to ensure that we are safeguarding wetlands to the greatest extent and that we can enforce our wetlands laws that we have on the books already. We can't look to the federal government for the enforcement that we used to be able to look to. So I'm excited to collaborate with the Governor, the Treasurer, the General Assembly to make sure we're strategizing on the best path forward to protect the Bay. Thanks so much, Governor, and thank you to all of our, our Wetlands Administration at the BPW and all folks who work to protect our wetlands here in Maryland. Thank you.

GOVERNOR MOORE: Thank you. And thank you for that. Are there any other comments? Okay. May I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

DEPUTY TREASURER MARTIN: Second.

GOVERNOR MOORE: Outstanding. Thank you so much. Next up, we have the Department of Natural Resources. Secretary Kurtz, good morning.

MR. KURTZ: Good morning. Thank you very much for having me. Good morning, Madam Comptroller, Deputy Treasurer, and Mr. Governor. For the record, my name is Josh Kurtz. I'm the Secretary of the Department of Natural Resources. Today, the department has 15 items for your consideration.

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I'm really excited about all of the -- it really runs the gamut of land acquisition, protection, development of parks. We have a really incredible, the McFadden Learn and Play in Baltimore City that we're very excited about. So I think this really shows the breadth of work that happens in the protection space and making sure that we are being equitable with our access to our open spaces. So thank you. I'm happy to take any questions, as well as my staff.

GOVERNOR MOORE: Thank you so much. Is there any questions or comments on the DNR Agenda?

COMPTROLLER LIERMAN: No.

GOVERNOR MOORE: No? Okay. If not, may I have a motion to approve?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

DEPUTY TREASURER MARTIN: Second.

GOVERNOR MOORE: Outstanding. Thank you so much, Mr. Secretary. Next up, the University System of Maryland. Joselyn Johnson from Towson University is filling in for Mr. Hickey. And Ms. Johnson, it is good to see you. Good morning.

MS. JOHNSON: It's good to see you. Good morning, Governor, Madam Comptroller, and Mr. Deputy Treasurer. Again, I'm Joselyn Johnson representing the University System of Maryland. We have three items for your consideration this morning and we are more than happy to answer any questions that you may have.

COMPTROLLER LIERMAN: No questions for me.

DEPUTY TREASURER MARTIN: No questions.

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

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COMPTROLLER LIERMAN: So moved.

DEPUTY TREASURER MARTIN: Second.

GOVERNOR MOORE: Outstanding.

MS. JOHNSON: Thank you.

GOVERNOR MOORE: Thank you, Ms. Johnson. Good morning. And for, so we will proceed to the MDOT Agenda. And Ms. Radomsky, good morning. Good to see you again.

MS. RADOMSKY : Good morning. Great to see you. Good morning, Governor, Madam Comptroller, Mr. Deputy Treasurer. For the record, I'm Valerie Radomsky, Chief Procurement Officer for the Maryland Department of Transportation. The department is presenting 29 items today for your consideration. I did want to share a note regarding our Item 8.

The MDOT Maryland Port Administration is requesting the Board's approval to exercise a renewal option on its contract for operations and management of the World Trade Center in Baltimore in November of 2024. The overall terms, dates, and value of the option remain unchanged. In the interests of being proactive, the Port recognizes that if it were to be required to reprocure these services in lieu of exercising the option next year, the procurement process could take up to 18 months to complete. We have representatives available to answer any questions you may have.

COMPTROLLER LIERMAN: Could I --

GOVERNOR MOORE: Please --

COMPTROLLER LIERMAN: Thank you so much for providing that information. I appreciate it. I mean, I think it is worrisome that it could take 18 months to procure a new contract and really points for me for some changes to our procurement changes. Would you agree with that?

MS. RADOMSKY: Definitely.

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COMPTROLLER LIERMAN: Okay. And that concern is why you are bringing this so early?

MS. RADOMSKY: It is.

COMPTROLLER LIERMAN: Okay. And do you know how long it took to procure this original contract? Was it close to 18 months?

MS. RADOMSKY: It was between 12 and 18 months.

COMPTROLLER LIERMAN: Okay. Okay.

MS. RADOMSKY: We tried to allow time in case we receive a protest.

COMPTROLLER LIERMAN: Right. Okay. Yeah, I mean, I think it's an indication to us and the Procurement Improvement Council and others that there is work to be done. So I appreciate that.

On Item 15, which is the MARC Third Party Operations Services for the Penn Line, there is, so this is a renewal option, so I understand that, you know, there isn't a lot of change in this. But could you just explain, you know, why the MBE participation is so low? I understand there is limited subcontracting. Could you explain that?

MS. RADOMSKY: Absolutely. So back in 2017, when this was first advertised by Maryland Transit Administration, the goal, they actually issued a waiver. So only 1.55 percent of the work could be subcontracted because the actual operation of the train line could not be subcontracted out to any minority businesses, only the janitorial work. The maintenance of the bathrooms, of basically where the crew works out of, and transportation to get the crew to and from the site, was the only work on that entire contract. So MTA acknowledged that, yes, Amtrak could not subcontract out. So they did issue a waiver, which as you know, MDOT does not do very often. We issued zero waivers all of last year. But they did issue the waiver. And they are actually, it doesn't sound like

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much, they are actually exceeding the 1.55 --

COMPTROLLER LIERMAN: Right. Yes, I saw that.

MS. RADOMSKY : -- .4 currently. The original goal was 4.96 when we advertised in '17.

COMPTROLLER LIERMAN: Okay. Thank you for explaining that.

MS. RADOMSKY : Sure.

GOVERNOR MOORE: Are there any other questions or comments for Ms. Radomsky? Okay. Do I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: Move to approve.

DEPUTY TREASURER MARTIN: Second.

MS. RADOMSKY : Thank you.

GOVERNOR MOORE: Thank you. And as always, last but certainly not least, Secretary Chaudhry, good morning.

MR. CHAUDHRY: Thank you. Good morning, Mr. Governor, Madam Comptroller, Mr. Deputy Treasurer. For the record, I am Atif Chaudhry, Secretary of the Maryland Department of General Services. Today the department is presenting 72 items on our Agenda. We are withdrawing one item, that is 9-CGL. Our Agenda features over \$24 million in capital grants and loans. I just wanted to highlight just a couple of them here.

Item 12-CGL is \$500,000 for the League for People with Disabilities for the expansion of the Cold Spring Lane facility. And previously, \$750,000 was issued in grants to this particular location for this project here, which helps support people with physical, cognitive, and developmental disabilities and their families. So a very important cause.

I also wanted to highlight Item 17-CGL, which is \$2.4 million for

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UPMC Western Maryland for the comprehensive design, construction, and renovation to create a new heart and cardiovascular institute in Western Maryland. This new space will consolidate three separate cardiac services into one space, which will help facilitate more efficient patient flow as well as communication and expand services there.

And lastly, I wanted to highlight Item 22-AE, which is a \$1.4 million contract for design services for the new State Police Barrack L located in Forestville, Maryland. The scope of this overall \$13.7 million project includes demolition of the existing barrack and construction of a new barrack and garage as well. When complete, this new barrack will contain a total of approximately 20,000 square feet of new state of the art facilities for State Police in that region. And this is one of our future many projects that will comply with the 20/40 carbon neutrality requirements for the State of Maryland, which in this particular project we'll use electrification for heating and cooling and other options, so there will be no reliance on fossil fuel at this site except for generator. So a great new initiative using new and modern technology.

We've got agency representatives available to answer any questions you may have about the DGS Agenda.

GOVERNOR MOORE: Great. Thank you so much. And I do want to also compliment you on the carbon neutrality work that is being done. It is important and it's noticeable. And I think even more with the Police Barracks. That is not just going to help with recruitment and retention and just space and capacity, it is also helping to lead the charge about how we just think about these projects going forward. So thank you and well done.

And also, and very briefly, before I call up Items 5-CGL and also 18-CGL, which are important investments that we are making in Baltimore City, I also just want to take a moment just to take a bit of a step back and reflect on the

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work that has been done here in partnership with this Board, with our partners on the Board, and specifically the impact that it has had on the City of Baltimore. I know I see Chief of Staff James is here and it is good to see you, Mayor Scott's Chief of Staff, and thank you for joining us today as well.

Since the start of this administration, since the start of this Board configuration, and through strategic investments with City government, with nonprofit organizations, and also with private sector partners, we consistently try to demonstrate a very sincere commitment through the City of Baltimore, and being a very strong and active and very vocal partner for the City of Baltimore, you know, in this time. And whether it is the \$400 million Stadium Authority bonds that we authorized last month for capital improvements to M&T Bank Stadium, or \$3 million towards Rash Field, or the \$2 million for the National Blacks in Wax, funding for new schools, the 21st Century School programs, including the new Frederick Douglass High School, this Board and this administration and this State government, is proudly embracing its role as a partner and also just a vital ally in the work that we are doing and showing that we are going to be unapologetically pro-Baltimore. And the truth is that this is our ninth Board of Public Works meeting to date, and we are just getting started where we have directed almost half a billion dollars of State investments to governmental, nonprofit, and private sector stakeholders who are directly involved in shaping Baltimore's future. And I am very proud to partner with a fellow Baltimorean, our Comptroller, and I know Treasurer Davis, who while he is a Prince Georgian, shares our commitment to Baltimore and to the Baltimore region. And while people can look at it and say that, you know, it's easy for you all to say that, of course you say that, you're Baltimoreans, the truth is, we are not doing this because we are Baltimoreans. We do this because we understand math. It is the State's largest city. And we need to make sure that we are being good

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partners inside of this work. Because as you are watching the Baltimore region continue to grow, the State of Maryland will as well. It's math. And so we are excited about the investments that you're leading on, the investments that we are doing here in partnership.

And today, we are advancing two additional investments that I am incredibly excited about. One is Item 5-CGL, and that is the \$7.5 million capital grant to the Waterfront Partnership of Baltimore. And that is to support the revitalization of and the improvements to the iconic Inner Harbor Promenade, and as one of the most popular and most enjoyed public spaces, not just in Baltimore, but also in the entire State of Maryland for both residents and also visitors alike. This investment that we are making today and this partnership is going to be critical in ensuring that the promenade will continue to be enjoyed for generations to come and we are pleased to be joined today by Laurie Schwartz, who is the President of the Waterfront Partnership for Baltimore and is spearheading this incredibly, incredibly exciting work. And Laurie, if it's okay, we would love to ask you to join. It is great to see you, as always. And thank you for your leadership and for taking the time here today.

MS. SCHATZ: Mr. Governor, Brooke Lierman, Comptroller, Deputy Treasurer, it's a true honor to be here today to speak before you, and even a greater honor to hear your words about Baltimore City. It just brings tears to my eyes. Thankfully, I'm not a very emotional person typically. But you know, after spending my career in helping to boost Baltimore in a variety of different ways, it's incredibly meaningful. So thank you so much.

In brief, Baltimore's Inner Harbor was redeveloped in the late seventies. Harborplace opened in 1980. The Promenade was completed in 1976. And today, it has pretty much outlived its useful life. And so we are incredibly excited to have this \$7.5 million going toward rebuilding of the Promenade,

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which is not only in need of rebuilding but in elevation, lifting the elevation to mitigate the impact of sea level rise. In fact, in 2012 NOAA issued a study saying Baltimore and Annapolis led the nation in cities that had increased flood days, nuisance flood or sunny day flood days, up to 920 percent increase in flood days. So it's time. Annapolis is meeting that need and Baltimore is about to, with your commitment.

So we want to thank you. Along with the rebuilding of the Promenade and David Bramble and MCB's rebuilding and reimagining Harborplace, the City is about to enter its second renaissance for the Inner Harbor. So thank you so much.

GOVERNOR MOORE: Amen.

COMPTROLLER LIERMAN: Thank you, Laurie, for being here and for all your leadership.

GOVERNOR MOORE: Thank you, Laurie, thank you. And Item 18-CGL, and this is another exciting development project over in South Baltimore. It is the Warner Street Entertainment District, and through this item the State is directing \$3 million to support this absolutely game-changing project that once it is completed will feature world class amenities that generate economic revenue, good paying jobs, and excitement for not just the City, but for the entire State. And my administration is proud to be a partner and a supporter of this project. And I want to commend and thank all of the stakeholders that made this happen, that got it here, and for all the people who are going to be working hard to bring this to fruition in the years going forward. And so, with that, are there any comments from my colleagues?

COMPTROLLER LIERMAN: Really exciting projects, thank you, Mr. Secretary.

GOVERNOR MOORE: Wonderful. Wonderful. And we have a

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speaker request in support. Thank you so much, Mr. Secretary. We have a speaker request in support of Item 1-CGL, which is a \$1.5 million capital grant to the Benedictine School, and that's over in Ridgely. And while we had our wonderful Lieutenant Governor, who was not able to be here today, visited the Benedictine School in April -- no, you can say it again because it was a great visit. But she did, I was just speaking with her, and she had a message that she wanted to send both to you and the people of this incredible organization. And it is just an opportunity to provide a measure of hope and opportunity for Marylanders with developmental and intellectual disabilities. And the Lieutenant Governor did want me to share that she was able to see firsthand how the capital funding will allow Benedictine to update their residence halls, which date back to the 1960s, into modern dormitories that meet the needs of the community that the former convent now serves. And this funding will allow Benedictine residents to have a warm and welcoming residence that meets the unique needs of sensory students in addition to increasing levels of services that the Executive Director Scott Evans and his wonderful staff are able to provide to Benedictine students.

So I hope that I did not take everything that you were going to say, Bruce. But it is wonderful to see you. Good morning. And I know you are here to speak on behalf of Benedictine School, but it's great to see you.

MR. BEREANO: Well, it's wonderful to be seen, Governor. Mr. Governor, Madam Comptroller, Mr. Deputy Treasurer, for the record, Bruce Bereano. I'm here on behalf of Benedictine School as a registered lobbyist in strong support. And I want to thank the Secretary as well of this grant provided by the previous administration but continued by your administration. Because I will be coming back in the future because you, Mr. Governor, and your administration and your secretaries were kind enough in your budget to give an additional \$2 million, which the Legislature gave another half a million dollars, so

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that this past session was \$2.5 million added to the \$1.5 from the previous administration. All a part of a several year project, as you indicated, to redevelop the Benedictine School, which was established in 1959. It is part of the school system of the State of Maryland. All of the 16 residents, most of them that live there, are students that unfortunately the public school system cannot teach or take care of. And so they go to Benedictine. And severe autism and other developmentally disabled situations.

The Lieutenant Governor was just fabulous last April 18th, a Friday, she spent an hour there and it was very moving, very miraculous. Benedictine cannot thank you enough by having the Lieutenant Governor there and really seeing what the State's money is doing. And we will be back because we are not done. It's shovel ready, it's working. But we just wanted to take this moment to publicly thank your administration for what you did this past session and what the Lieutenant Governor did. And I really hope that at some point, maybe you, Governor, in your travels, can come by and Madam Comptroller as well. And this is truly an example of (indiscernible) leave nobody behind. Thank you.

GOVERNOR MOORE: Thank you. And I look forward to it. But sincerely, the Lieutenant Governor literally came back buzzing after the visit. So thank you.

MR. BEREANO: Perhaps on one of your trips to MACo or what have you. But I'll bug your administration, I will.

GOVERNOR MOORE: Got it.

MR. BEREANO: Have a good day, everyone.

GOVERNOR MOORE: We will, Bruce. Thank you so much.

(Laughter.)

GOVERNOR MOORE: Thank you. Of course, of course.

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COMPTROLLER LIERMAN: Thank you, Bruce. Thanks, Governor. Thank you, Governor. I just wanted to make a quick comment on Item 40, and several successive ones. I wanted to mention and just call out Secretary Lopez and Deputy Secretary White for their new leadership at the Department of Human Services and the attempts to correct serious, serious, serious challenges of the State's residential childcare system. The Moore administration has inherited a huge crisis that as Marylanders I think if everybody knew what was going on would be really ashamed. And it impacts some of the most vulnerable children in our State who deserve compassionate and appropriate care and in fact are legally required to have that. As a Delegate I brought up time and time again the lack of space and care options available to our youth and families and elevated the concerns of advocates. And actually, you have appointed a new Deputy Secretary Resnick, who worked on this with me. So while I have concerns about the general practice of bringing a large number of contracts under one Agenda item, I'm pleased to see that these contracts and the provider rate setting reform that will accompany them demonstrates that the Department of Human Services is finally prioritizing Maryland's foster children. And I look forward to continued updates from the department as it improves the residential childcare system and eliminates the practice of placing youth with complex behavioral needs in hospitals or institutions when it is not medically necessary. So thank you, Governor, and thank you, Secretary Lopez.

GOVERNOR MOORE: Thank you so much, Madam Comptroller. Thank you. And I echo. Thank you, Secretary. Thank you. May I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: Move to approve.

DEPUTY TREASURER MARTIN: Second.

GOVERNOR MOORE: Outstanding. Thank you so much. Thank

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you so much, Mr. Secretary. And this concludes today's Board of Public Works meeting. The next meeting is going to be on June 21st. Thank you all. Have a wonderful day, and we are officially adjourned.

(Whereupon, at 10:30 a.m., the meeting was concluded.)