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STATE OF MARYLAND
BOARD OF PUBLIC WORKS
ANNAPOLIS, MARYLAND

May 17, 2023
10:04 a.m.

PRESENT

HONORABLE WES MOORE

Governor

HONORABLE DERECK DAVIS

Treasurer

HONORABLE BROOKE LIERMAN

Comptroller

JOHN GONTRUM

Secretary, Board of Public Works

ATIF CHAUDHRY

Secretary, Department of General Services

VALERIE RADOMSKY

Chief Procurement Officer, Department of Transportation

JOSH KURTZ

Secretary, Department of Natural Resources

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, everyone.

ALL: Good morning.

GOVERNOR MOORE: It's good to see everybody. Welcome to today's meeting of the Board of Public Works. And without further ado, let's go ahead and get started with the business of the day. First up is the Secretary's Agenda. So good morning, Secretary Gontrum. Great to see you, as always, and please proceed.

SECRETARY GONTRUM: Good morning, Governor, nice to see you as well. And good morning to you, Mr. Treasurer and Madam Comptroller. We have 14 items on the Secretary's Agenda this morning and six reports of emergency procurements. At the request of the applicant, I am withdrawing Item 7, a tidal wetlands license at U.S. Naval Air Station Patuxent River, leaving 13 items, leaving 13 items and six reports of emergency procurements. A couple of notes, emergency report A6 is a supplemental item. That is a report from the Department of Veterans Affairs and an emergency procurement contract award for Management Services at Charlotte Hall Veterans Home. We also have speaker requests on Items 4 and 14 for Mr. Veney, an erroneously incarcerated individual who these items recommend the Board provide compensation to. We also have a speaker request on Item 8 from Delegate McComas in support of the Department of Emergency Management's Volunteer Company Assistance Fund loan to the Abingdon Fire Company.

GOVERNOR MOORE: Great. Thank you. Thank you so much, Mr. Secretary. Thank you. And I would actually like to discuss a number of items on this Agenda, but first I'd like to be able to call up Item A6, and that is

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the report for the emergency procurement for the Department of Veterans Affairs to award a new management services contract for Charlotte Hall Veterans Home.

As everyone in this room is aware, as people who have been following the Board of Public Works pretty much throughout the entire time of this group, a few months ago I announced that the MDVA was terminating its contractual relationship and agreement with the current management services contractor for Charlotte Hall after discovering significant deficiencies, including reports of both abuse and negligence. And our administration under the tremendous leadership of Secretary Woods has been working literally non-stop to address these incredibly alarming issues at Charlotte Hall and identifying a new management services contractor. And resolving a lot of these issues both in the short term and also in the long term has been an amazingly complicated process for quite a few reasons, and one that has required involvement from several agencies all throughout State government.

So I just want to take a moment to salute Secretary Woods, to your team, to the Office of State Procurement, to the countless individuals all throughout State government who have played an important role in getting us to this moment. And I also want to take a personal moment of pleasure to thank my colleagues, thank the Comptroller, thank the Treasurer, for the remarkably strong partnership in making this happen and really defining what it means to move in partnership, as my administration moves with intentionality and speed to make sure that we are correcting these issues and that we are providing our veterans the level of support and the level of care that they have very, very richly earned. We owe it to our veterans to get this right. We owe it to their families to get this right. We owe it to the service that they conducted to our State to get this right and to our country to get it right. And we owe it to move with the kind of speed that it requires. Because the truth is, when they signed up to serve our country

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they didn't ask us to wait. So we're not going to do the same to them now. And so today's action by the Board represents a significant step, a significant step forward as we are going to rewrite this chapter in the history of Charlotte Hall. And so, with that, I would like to take a moment to recognize Secretary Woods. And I know Secretary Woods would like to make some remarks about this. But I turn the microphone over to you, Secretary, and I know I speak on behalf of the Comptroller and also the Treasurer with deep and sincere thanks. Thank you.

MAJOR WOODS: Well, thank you very much, Governor Moore, for your continued engagement and leadership as we work through this complex issue at Charlotte Hall. Your support and confidence are very much appreciated.

Treasurer Davis and Comptroller Lierman, your thoughtful and probing questions throughout this process have helped to shape and improve the solutions that we have come up with to improve the lives and the care of the veterans at Charlotte Hall. So I thank you for that and I look forward to keeping you informed throughout this process as we have a lot more decisions to make that will benefit from your wisdom along the way.

With regard to Item A6, I am pleased to report that on May 10th, we entered into a management contract with the new contractor PruittHealth. PruittHealth is a family owned long-term care provider with more than 50 years of experience providing quality healthcare. They manage 105 nursing homes and six veteran homes throughout the southeast United States. Ten of their locations were recently recognized as Best Nursing Home for 2022-2023 by U.S. News and World Report. All the veteran homes that PruittHealth manages are recipients of the Joint Commission's Gold Seal of Approval for meeting the highest safety and quality healthcare standards.

Our hope is that Charlotte Hall will someday join these ranks as among the best in the nation. This is what the residents of Charlotte Hall

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absolutely deserve. To the deeply committed staff at Charlotte Hall, I would say this: many of you have cared for our veterans through the pandemic and through difficult circumstances. We appreciate your dedicated service to our residents. You are vital in this transformation to improve health and quality of life outcomes for our residents.

I will say simply that this contract milestone is a first step in a journey to honor the commitment to the residents of Charlotte Hall. It is an important and necessary step, but it is only the first one.

In closing, I want to acknowledge the guiding ethos to this administration: to leave no one behind. To me, this solemn pledge starts with the most vulnerable Marylanders. That includes the residents of Charlotte Hall. There is no greater work that the department can work on right now or that this administration can focus on than to make sure that we get this question right and solve this problem for the veterans at Charlotte Hall. So thank you very much and I'm happy to take questions.

GOVERNOR MOORE: Any questions?

COMPTROLLER LIERMAN: No questions. Thank you, Mr. Secretary.

GOVERNOR MOORE: I'll tell you, our veterans couldn't have a better champ than you and this leadership and this team. So as one, I want to take a personal point to say thank you. And to say, I mean, literally, and I know, I mean, we are literally talking about you and your team doing everything from spending time at Charlotte Hall to being able to call up all of these contractors and being able to really probe them and understand that they understand the assignment. You all have been remarkable, so thank you. Thank you so much.

MAJOR WOODS: Thank you.

GOVERNOR MOORE: Next, I would just like to take a moment

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to discuss Item 12 and Item 13, as well, which are recommendations for the Maryland Stadium Authority and that's to advance two important items to begin capital improvements at M&T Bank Stadium. For Item 12, Item 12 is a recommendation to issue up to \$450 million in bonds which will finance capital projects at M&T Bank Stadium that will address maintenance needs along with capital enhancements and deliver improvements and amenities for both fans and also guests. And Item 13 is a recommendation to award a pre-construction services contract to begin the long series of projects. And I want to also just give a special shout out to MSA on this for the work and the diligence, and also if you look at it for the significant MBE participation that was done on this contract. It was noticeable. And it really does underscore the very strong partnership that the State of Maryland has and will continue to have with the Baltimore Ravens. Hopefully, it also means posting up a championship in the stadium pretty soon. And we are pleased and very, very excited to be able to advance this item today to ensure that M&T Bank Stadium will continue to serve as a vital cultural, a vital economic, and a vital entertainment asset for Baltimore and also for the State of Maryland for years to come. And I see him over there. I want to acknowledge Brandon Etheridge, it is good to see you, who is the general counsel for the Baltimore Ravens, who is also joining us this morning. Thank you for coming in and making the time. And please also convey our deep appreciation and excitement for this incredibly important partnership with the Ravens. And we are looking forward to success on and off the field for years to come. So please express our thanks to everybody on the team.

MR. ETHERIDGE: Thanks so much for having me.

GOVERNOR MOORE: Lastly, I would like to call up Item 4 and Item 14, and that is payments totaling over \$812,000 to Mr. David Veney, pursuant to the Walter Lomax Act. This is the gentleman who we walked in with

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a little bit earlier on. And today, Mr. Veney will become the 20th Marylander in the Board's history to receive compensation for being wrongfully charged, convicted, or incarcerated.

In 1997, he was charged and convicted with first degree rape and first degree burglary for crimes that he didn't commit. And because of his wrongful conviction and incarceration, he spent 2,853 days behind bars, nearly nine years of his life, unfairly and unjustly taken away from him and from his family, from his friends, from his loved ones, and from his community. We cannot put a price tag on what you lost. The time that would have been spent going out with friends and family and going into museums or going to dinner, giving back to your community, to the lives of others. And we all know that that is time that you will never be able to get back. But the payments that we are authorizing today, they do represent a formal acknowledgment from the State of Maryland for the injustice that was caused.

So I want to take a moment just to recognize your perseverance and your presence. I want to take a moment to recognize your name. And as we said before, that we want the State to see your face. And it breaks my heart to know what you have gone through. And I know that I speak for the entire State when I say that I am deeply sorry, that none of this should have happened. And we are honored by your presence today, and would be honored if you would like to come to the podium and also share a few words as well. But thank you for being here.

MR. VENEY: Good morning, and thank you, Governor Moore. Forgive me, I don't know protocol in this situation. And I certainly wasn't expecting all of this. But thank you, Governor, thank you to each of you who had a part of this. I also want to thank Mr. Patrick Gilbert in Wicomico County and Ms. Dykes as well, who were an integral part in seeing this through.

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For me, it started in 1996 with the accusation. To walk into my home at the time, and the first thing that I see was my face in the T.V., wanted for a rape that I certainly did not commit and then later found out never happened at all. It has been a burden that I can't articulate and I'm thankful that 26 years later I was finally vindicated. I have been fortunate and blessed to have the support of a strong family who instilled in me values of faith in God and belief in the good that he has placed in me. So those were some of the reasons that I was able to endure what I won't even try to explain today. Not just going through while being incarcerated, but even after being released and the conviction being overturned, still having the time that I could not account for and therefore it left me ineligible for a reentry program because I could not prove that I was convicted or incarcerated.

So again, faith has kept me. God has allowed me to soar to heights that I would not even believe were possible prior to. I currently serve as interim director of homeless services in Leesburg, Virginia, with no degree, just a passion for helping people. That has brought me and it was opened doors and I have been privileged and honored to be able to give back to serve those who are most vulnerable, not just in Virginia, but in Maryland as well. God has opened doors that I have been able to serve individuals who have come out of prison and are trying to get reacquainted with society, with workforce development, and job training, and housing and other things. So from the inside, I've been fighting. And this moment, as big as it is for me, is just as big for those who are connected to me. Because the plan is that one day we will be here having a conversation about some grants for some projects that we're looking to operate and open here in Maryland as well.

I thank you all again. I'm not going to take up too much time. I am overwhelmed. I am extremely grateful. The apology means so much to me.

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This moment means so much to me. So thank you again.

(Applause.)

GOVERNOR MOORE: Thank you. And your presence here means everything to us. Because the truth is, after what you have endured and gone through, there is a whole lot of directions that you could have gone in. The fact that you have devoted your life to supporting others, and the fact that you spent your time here talking about what can be done for others, is such a remarkable testament to who you are and what a gift you are. So thank you. Thank you. Do you --

COMPTROLLER LIERMAN: Thank you for being here, Mr. Veney. I don't have too much to add. But it's really an honor to have you here today. I also extend my deepest apologies. And I think we all know that we have an imperfect justice system, which was why it was so important, and you know, I know the Treasurer and I and others were proud to pass the Walter Lomax Act several years ago to make sure that there was no question that when our justice system fails Marylanders, that there was a way for them to receive not a grant, but compensation, right? And we know that compensation can never fully make up for the time that you have lost with your family, but it is incredibly heartening to see, to watch the work that you are doing now. I am excited to follow and be a part of anything, you know, that you are doing.

My previous life was as an attorney. And I will say, I litigated many cases over the years. But by far, the most humbling case that I litigated was representing a man who had been wrongfully convicted and spent 24 years in prison. And I learned so much from him and was so amazed every day, watching him do the work that he was doing and not hold it and go and live his life. And you clearly are doing the same and it is really incredible. So thank you for your work.

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I also wanted to thank the staff. This is the first case under the Walter Lomax Act that we have had as a new Board of Public Works. And the BPW staff prepared a really important and excellent memo explaining the contours of the Walter Lomax Act. And so I just had sort of one quick question that I wanted to clarify for folks. Because you will see if folks are looking at the, if you are looking at the Agenda item, you will see the payment schedule that will, the compensation schedule. And I think not everybody is familiar with how or why we compensate in that way. So I thought it would be helpful for the Board's general counsel, Mr. Bohannon, to just clarify how the responsibility for the setting the payment schedule, how that is accomplished, so that people here understand where this is coming from through the Walter Lomax Act and the OAH. So Mr. Bohannon, if you could give us a couple of minutes, thank you.

MR. BOHANNON: Thank you very much. Good morning. Again, for the record, David Bohannon, general counsel to the Board. So to answer that, the Act speaks in terms of setting maximum boundaries for the Board in terms of how payments are going to be done. It contemplates an immediate payment within 60 days of the Board having received an order from an administrative law judge. That immediate payment is one year median salary as calculated by the U.S. Census Bureau. In this case, that is approximately \$90,000. So we need to get that to Mr. Veney in a few days from now.

After that, the remaining balance is left to the discretion of the Board in terms of the installment payments for that. The Board has up to six fiscal years to make that payment. As part of the administrative law judge process, the Office of Administrative Hearings can decide whether or not an accelerated schedule is in the interests of the individual and then can make that as a recommendation to the Board. So it is up to the Board ultimately to decide what the schedule is in terms of following up those later installment payments. But it

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usually has, and in every case so far, has received a recommended expedited payment schedule from the administrative office.

Now, when we receive that, we work very closely with colleagues at the Department of Budget and Management in order to figure out can we accommodate that within the current budget in the upcoming budget cycle, as well as to get it programmed for any fiscal years in the future beyond that. So we have adjusted some of those payments in the past based off of the current budget cycle, but we have never extended the overall number of payments or the overall length of the payments. So just in terms of trying to make sure that we actually have the money to cut a check, we have kind of gone, we don't have it this month, but we will have it two months from now. So that's --

COMPTROLLER LIERMAN: Thank you. I appreciate sort of the operationalizing of this very important work. So Mr. Veney, thank you again for being here. And if you need any tax help, you let us know, okay?

(Laughter.)

COMPTROLLER LIERMAN: We're here for you. Thank you.
Thank you.

MR. BOHANNON: If I may just take a moment of personal privilege, I just want to say, I served for many years as a prosecutor. And being involved in this process for the last five years has been one of the highlights of my service to the Board, and I want to thank each of you for allowing me to be part of that. So thank you.

COMPTROLLER LIERMAN: Thank you.

GOVERNOR MOORE: Thank you all so much. And lastly, I believe we have Delegate Susan McComas and I think is joining virtually, if we have her on board. And actually she is speaking in support of Item 8.

DELEGATE MCCOMAS: Yes, can you hear me?

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GOVERNOR MOORE: Yes. Hey, Delegate, good morning.

Thank you for joining us.

DELEGATE MCCOMAS: Okay. I appreciate you allowing me at the last minute. I was not aware of this until the Board of Public Works informed me, their staff, and then I said, well is anybody coming? And they said no. And I just wanted to emphasize how important this is, basically because Abingdon Fire Company deals with a lot of accidents on Route 40, but more importantly I-95. And they have two fire departments. A lot of the fire departments in Harford County are volunteer. And so anything that gets them to the emergency quickly is most important. A lot of, I mean, we have a lot of traffic that goes through 95 and Route 40. And it is basically the East Coast corridor. I mean, it's the main line for highways. So this is really important. And I just wanted to emphasize the importance of it and the fact that we have a lot of military assets, Aberdeen Proving Ground, Edgewood Arsenal, and probably some I'm not aware of. But and we do seem to have a lot of accidents. Because I listen to the radio and there's always lots of accidents on 95 and lots of backups. So I just wanted to emphasize the importance of it. Don't ask me any technical questions because I won't be able to answer it. But this is definitely important and I think it's important for the State, not just for Harford County or the Abingdon Fire Company. So thank you so much. I appreciate you allowing me to speak.

GOVERNOR MOORE: Delegate, thank you. It's great to see you. And thank you so much for making the time. And also just lifting this up and adding your voice to this. It is an incredibly important issue. And you are right about the military assets that we have within the county and all the other assets, you know, non-military that are inside the county as well. So your support for the incredible volunteer fire companies and everything and all the assets there, we're grateful, because you are right. It's not just about the county. This is impacting

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the entire State. So thanks so much for making the time this morning.

DELEGATE MCCOMAS: And actually, the United States, too.

So if there is any federal --

(Laughter.)

DELEGATE MCCOMAS: -- check those out as well. Thank you so much.

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

COMPTROLLER LIERMAN: Would you mind if I --

GOVERNOR MOORE: Please.

COMPTROLLER LIERMAN: -- I just had a couple of points on, we have a couple of items, 10 and 11, from Morgan State University. And I feel like I would be remiss if I just didn't take an opportunity to express my appreciation to Executive Vice President Sidney Evans for his years of dedicated service to Morgan State University and extend my well wishes to him on his journey. He is going to the National Urban League. So I'm sorry not to overlap with him more than we have, but excited for him. And I also wanted to congratulate Morgan State on its historic enrollment growth. What we are addressing in 10 and 11 are items on housing. And I think, you know, we know that we have a housing shortage in the State of Maryland. And Morgan State is really being creative here by leveraging financing through the U.S. Department of Education's Historic Black College and University capital financing program to renovate some of their legacy buildings to add more housing, which is a huge need for their students. And I'd say, I know we have a member of the Appropriations Committee, Delegate Mark Edelson, here today. There is a lot of work to do for our universities to make sure that they having housing available for our students, you know, whether it is in College Park or Baltimore or wherever.

So I just really commend Morgan State for jumping on this and moving forward.
And I'm happy to support it. So thanks.

GOVERNOR MOORE: Hear, hear. Hear, hear. May I have a
motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Thank you. So next up, we have
Department of Natural Resources. And I was just getting ready to introduce Ms.
Wilson until I see a very familiar face is back. Secretary Kurtz, welcome back,
dad.

COMPTROLLER LIERMAN: Yeah, a little tired? A little tired?
(Laughter.)

GOVERNOR MOORE: How was Samantha's Mother's Day?

COMPTROLLER LIERMAN: Yeah.

MR. KURTZ: Good. You know, first one. He slept a lot, which I
think is what everybody was looking for --

(Laughter.)

MR. KURTZ: I finally got to have the hot dog and --

(Laughter.)

GOVERNOR MOORE: Great to see you back. We're looking
forward to you bringing River for a future meeting.

MR. KURTZ: Yeah, I was thinking about strapping him in but --

(Laughter.)

COMPTROLLER LIERMAN: Do it, do it, do it.

(Laughter.)

MR. KURTZ: Mr. Governor, Madam Comptroller, Mr. Treasurer,

my name is Josh Kurtz, for the record, Secretary of the Department of Natural Resources. The department has nine Agenda items to present to you today for your consideration. I'm available for questions and so is my staff.

GOVERNOR MOORE: Wonderful. Thank you. Is there any discussion on the DNR Agenda?

COMPTROLLER LIERMAN: I just want to give a shout out on 7A, Program Open Space, going to help rebuild the Patterson Park Observatory and Pagoda. I think that was one of my last bond bills. So I'm excited to be on the other side of it now.

GOVERNOR MOORE: And if there are no other questions, may I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Great. Thank you so much. Mr. Secretary, great to see you. Thank you. Next up, University System of Maryland. Mr. Hickey, good to see you, as always. And please proceed.

MR. HICKEY: Good morning, Governor --

GOVERNOR MOORE: Good morning.

MR. HICKEY: -- Mr. Treasurer, Madam Comptroller, Tom Hickey, representing the University System of Maryland. We have three items on the Agenda for your consideration and I'm happy to answer any questions.

COMPTROLLER LIERMAN: No questions.

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

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding.

MR. HICKEY: Thank you so much.

GOVERNOR MOORE: Thank you. Next up, we have the MDOT Agenda. Ms. Radomsky, as always, great to see you. Good morning.

MS. RADOMSKY : Great to see you as well, Governor. Good morning, Governor, Madam Comptroller, Mr. Treasurer. For the record, I'm Valerie Radomsky, Chief Procurement Officer for the Maryland Department of Transportation. The department is presenting 12 items today for your consideration. We are withdrawing Items 5 and 9-GM-MOD at this time. Representatives are available to answer any questions that you may have.

GOVERNOR MOORE: If no questions, may I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Okay. Is there a second?

TREASURER DAVIS: Second.

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

MR. CHAUDHRY: Good morning.

GOVERNOR MOORE: Good seeing you.

MR. CHAUDHRY: Thank you. Good morning, Mr. Governor, Madam Comptroller, Mr. Treasurer. For the record, I am Atif Chaudhry, Secretary for the Maryland Department of General Services. Today, the department is presenting 51 items on our Agenda. We are withdrawing one item, that is Item 15-CGL. Our Agenda features over \$28.7 million in capital grants in loans. I just want to highlight just a couple of them.

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I wanted to highlight Item 11-CGL. That is a \$952,000 grant for the design, renovation, and equipping of the admissions department at Sheppard Pratt's Health System in Towson.

I also wanted to highlight Item 18-CGL, which is \$11 million to Johns Hopkins Hospital for the planning, design, and construction and equipping of a new medical research facility for them, which will allow them to integrate researchers with the hospital's clinical facilities.

I also wanted to highlight 19-CGL, which is \$5 million to Kennedy Krieger Institute for the design and construction of a new Southern Maryland campus to provide special education services in these underserved communities in Southern Maryland.

And lastly, I wanted to highlight Item 44-LL, and that is a lease expansion for warehouse space for the Department of Aging for their durable medical equipment program. And this really allows them to expand this program. And it really provides valuable services to the community by providing durable medical equipment to all Marylanders with any illness, injury, or disability, regardless of their age, at little or no cost. And all equipment is cleaned there, cleaned, sanitized, and prepared for distribution. So a great program, and we're happy that we're able to help facilitate additional space for them to expand the program.

We have agency representatives here to answer any questions you may have.

GOVERNOR MOORE: Great. Great Agenda. Are there any questions?

COMPTROLLER LIERMAN: I would just like to make a quick comment.

GOVERNOR MOORE: Go ahead.

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COMPTROLLER LIERMAN: I just want to first say thank you to the Secretary, who very quickly helped us make sure that our staff, who work overnight in the Annapolis Data Center, so the Annapolis Data Center supports many of the agencies around the State and our mainframe are staffed 24/7, right? Overnight staff. And the Secretary stepped up to help make sure that we can keep them in their parking spots so they could stay safe. So I just really appreciate you jumping on that. Thank you. And also, Item 43, I'm the newest Board member of the Maryland Agricultural Land Preservation Foundation, which has my favorite acronym, MALPF. So I'm really excited, no very pleased to support the acquisition of these easements. So thank you, Mr. Secretary.

MR. CHAUDHRY: Thank you.

COMPTROLLER LIERMAN: Thank you, Governor.

GOVERNOR MOORE: Mr. Treasurer?

TREASURER DAVIS: If I can, Governor, Item 29-C, the Catonsville District Court. What happened?

COMPTROLLER LIERMAN: Good question.

MR. CHAUDHRY: I'm happy to give you an overview of that. So it was a new construction project there. Soon after the building opened, we started experiencing some HVAC issues there, maintaining building temperature, etcetera. So we started initiating repairs on the building and to address various malfunctioning equipment, etcetera. But these mechanical failures continued to persist. And so also we had additional challenges with supply chain issues and other things repairing some of this equipment. So in order to properly maintain temperatures and for continuity of operations, we installed a temporary chiller on site in late summer of 2022. And once that was stabilized, the building was stabilized, then we started to do an investigation into it. And we really started to do a thorough investigation into the construction documents, meaning the

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contractor and subcontractors, and doing the investigation with an outside consultant in order to determine sort of what the issues were. And all along the process we were making repairs with the interior mechanical systems of the building.

So in February of '23, we determined that although there was some debris in the system that may have contributed to some of the malfunctions, really it was, there is a possibility that there is a design flaw or design issue with the system that may be causing issues with the mechanical systems and cooling there. So we have initiated a contract to hire an engineer, a forensic engineer, to come in, do an analysis, do a comprehensive analysis to determine is there a design issue or a construction issue that may have been missed during construction that is causing these types of issues and we are right now in the process of awarding that contract, which will take about 100 days to complete. So we're also working with the AG's Office very closely throughout this process. So if there is any potential liability associated with either the design or construction, we are able to pursue that litigation as necessary to seek reimbursement associated with any of these costs.

TREASURER DAVIS: Okay. And it just caught my attention because the original contract amount, it was low enough that it didn't need to come before BPW, and now the modification amount is nearly double what the original, what the original contract was for. So that was the genesis of my question, what happened, that it's such a significant, but obviously, you know, we need to do what we need to do. But I was curious as to why it ballooned so much.

MR. CHAUDHRY: Sure. And great question, sir. And I think part of that issue was we were hoping to put the temporary chiller in for a short period of time to do the analysis and make some repairs, and then pull the temporary equipment off site, which is very typical for what happens in these

types of scenarios. But we weren't able to make the repairs and that's why as this progressed, and we started bringing in a forensic analysis consultant associated with this, it has dragged on, which is causing us to have this temporary chiller on for an extended period of time.

TREASURER DAVIS: Thank you.

MR. CHAUDHRY: Sure.

GOVERNOR MOORE: Thank you, Mr. Treasurer. Any other questions or comments for the Secretary? Great. May I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: And can I hear a second?

(Laughter.)

GOVERNOR MOORE: You knew it was coming. Thank you all so much. Thank you very much, Mr. Secretary. And that concludes today's meeting of the Board of Public Works. The next meeting of the Board will be June 7th. Thank you so much and we are officially adjourned.

(Whereupon, at 10:38 a.m., the meeting was concluded.)