

BOARD OF PUBLIC WORKS
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SEPTEMBER 6, 2023

**MEETING LOCATION: ONLINE & STATE HOUSE, GOVERNOR'S RECEPTION ROOM
100 STATE CIRCLE, ANNAPOLIS, MD 21401**

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*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 14 individual grants under the Maryland Agricultural Cost-Share Program.

Authority: "Cost-Sharing-Water Pollution Control," §§ 8-701 to 8-705, Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Amount: \$517,744.75

Fund Source: MCCBL of 2020: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms. Item 20340*

County	Grantee	Agreement #	Amount
Allegany	Daniel C. McCusker	AT-2024-2096	\$37,800.00
	Ian T. Reikie	AT-2024-2097	\$6,100.00
		AT-2024-2098	\$7,000.00
		AT-2024-2099	\$3,100.00
		AT-2024-2100-C	\$49,600.00
Charles	David F. Lines	AT-2024-2104	\$27,900.00
Frederick	Zene A. Wolfe	MP-2024-2092-C	\$148,044.75
Queen Anne's	Madison M. G. Quillen	CH-2024-2095	\$16,700.00
		CH-2024-2118	\$9,400.00
St. Mary's	Choice Dairy Farm	PA-2024-2068	\$41,500.00
		PA-2024-2069-C	\$40,300.00
		PA-2024-2070	\$38,100.00
Talbot	Councell Ag Services	CR-2023-2906	\$37,800.00
	Mark S. Anders	CR-2024-2103	\$54,400.00

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.

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THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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*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 four individual grants under the Maryland Agricultural Cost-Share Program.

Authority: "Cost-Sharing-Water Pollution Control," §§ 8-701 to 8-705, Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Amount: \$31,906.62

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
Garrett	Rolling Vale Farms, Inc	AT-2023-2371	\$8,696.86
Howard	Herman Dunst	RS-2022-2242-R	\$2,308.70
Kent	Andrew Simmons	AT-2023-2495	\$542.00
Wicomico	INJA, Inc	PR-2021-1941B	\$20,359.06

Remarks: The Maryland Department of Agriculture has determined that these projects are eligible for cost-share funds. The projects have 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 each project. These additional costs are a result of design changes required based on site conditions encountered during construction.

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

**3. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program- Reversion***

Recommendation: That the Board of Public Works approve reverting the balances on 16 completed or cancelled projects under the Maryland Agricultural Cost-Share Program.

Authority: "Cost-Sharing-Water Pollution Control," §§ 8-701 to 8-705, Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Amount: \$89,862.43

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	Recipient	Agreement #	Amount	Status
Allegany	Robinette Farms, LLC	AT-2022-2924	\$3,167.52	Completed
Baltimore	Paul D. Greene	RS-2022-2607	\$2,357.00	Completed
Carroll	Maple Lawn, LLC	RS-2021-2484	\$932.01	Completed
	Jeffrey A. Engel	MP-2022-2200	\$12,300.00	Completed
	Ships Quarters Farm, LLC	RS-2022-2261	\$18,629.41	Completed
Frederick	Brian A. McDermott	MP-2022-2198	\$607.20	Completed
	Glenn E. Eaves, Jr	MP-2022-2194	\$11,542.00	Completed
	Hayland Farms, LLC	MP-2022-2778	\$1,975.80	Completed
	Michael R. Albaugh	MP-2021-2482	\$12,200.00	Completed
	Reaver Ridge Farm	MP-2022-2196	\$2,000.00	Completed
Harford	Kimberly A. Lewis	LS-2022-2860	\$2,212.03	Completed
Montgomery	Stanley Grain & Fertilizer, LLC	RS-2023-2788	\$645.00	Completed
		RS-2023-2793	\$975.00	Completed
Queen Anne's	Thomas E. Kunes	CH-2021-2075-C	\$3,540.66	Completed
St. Mary's	Michael A. Knott	AT-2022-2915	\$12,169.96	Completed
Talbot	Middle Spring, LLC	CR-2022-2684	\$4,608.84	Completed

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3. **DEPARTMENT OF AGRICULTURE** (cont'd)

Remarks: The Maryland Department of Agriculture has confirmed that each of these projects has either been completed or cancelled by the recipient and any unspent balance could be made available for other eligible for cost-share projects.

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Contact: Anna Lansaw 410-209-2378
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**4. BALTIMORE CITY COMMUNITY COLLEGE
*RETROACTIVE - Information Technology Contract***

Contract ID: Campus-Wide Enterprise Resource Planning (ERP) Implementation;
BCCC-20-020
ADPICS No.: COK21753

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

1. A **RETROACTIVE** modification to add additional funding to the base term of the contract to complete the implementation of system based on changes in the scope of work and modules,
2. A modification to extend the base-term of the contract by two-months to align with the executed contract,
3. A modification to decrease the original amounts for the option years,
4. BCCC exercising the first of three one-year renewal options, and
5. BCCC receiving delegated authority to exercise future renewal options without further Board of Public Works approval.

Prior Approval: DGS Item 18-IT (11/04/2020)

Contract Description: Campus-wide enterprise resource planning (ERP) implementation of an integrated software suite that will allow the College to perform its functions on one platform.

Contractor: Ellucian Company, LP
Reston, VA

Original Procurement Method: Competitive Sealed Proposals

Original Contract Term: 11/19/2020 - 09/30/2023 (w/three 1-year renewal options)

Modified Base Contract Term: 11/19/2020 - 11/30/2023 (w/three 1-year renewal options)
(this Item)

Modified Option Terms: 12/1/2023 – 11/30/2024 (Option Year 1)
(this item) 12/1/2024 – 11/30/2025 (Option Year 2)
12/1/2025 – 11/30/2026 (Option Year 3)

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4. BALTIMORE CITY COMMUNITY COLLEGE (cont'd)

Original Base Contract Amount:	\$4,913,982 (3-year Base Contract)									
Base Modification Amount: (this Item)	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">\$ 530,000</td> <td style="width: 30%;">12/01/2022 – 9/7/2023 (Base Retroactive)</td> <td style="width: 40%;"></td> </tr> <tr> <td><u>\$ 168,289</u></td> <td>9/8/2023 – 11/30/2023 (Base Proactive)</td> <td></td> </tr> <tr> <td>\$ 698,289</td> <td>(Total)</td> <td></td> </tr> </table>	\$ 530,000	12/01/2022 – 9/7/2023 (Base Retroactive)		<u>\$ 168,289</u>	9/8/2023 – 11/30/2023 (Base Proactive)		\$ 698,289	(Total)	
\$ 530,000	12/01/2022 – 9/7/2023 (Base Retroactive)									
<u>\$ 168,289</u>	9/8/2023 – 11/30/2023 (Base Proactive)									
\$ 698,289	(Total)									
Total Modified Base Amount:	\$5,612,271									
Original Option Amounts:	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">\$ 822,528</td> <td style="width: 70%;">(Renewal Option Year 1)</td> </tr> <tr> <td>\$ 822,528</td> <td>(Renewal Option Year 2)</td> </tr> <tr> <td><u>\$ 822,528</u></td> <td>(Renewal Option Year 3)</td> </tr> <tr> <td>\$2,467,584</td> <td></td> </tr> </table>	\$ 822,528	(Renewal Option Year 1)	\$ 822,528	(Renewal Option Year 2)	<u>\$ 822,528</u>	(Renewal Option Year 3)	\$2,467,584		
\$ 822,528	(Renewal Option Year 1)									
\$ 822,528	(Renewal Option Year 2)									
<u>\$ 822,528</u>	(Renewal Option Year 3)									
\$2,467,584										
Option Modification Amounts:	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">\$ 758,859</td> <td style="width: 70%;">(Renewal Option Year 1)</td> </tr> <tr> <td>\$ 782,267</td> <td>(Renewal Option Year 2)</td> </tr> <tr> <td>\$ 806,422</td> <td>(Renewal Option Year 3)</td> </tr> </table>	\$ 758,859	(Renewal Option Year 1)	\$ 782,267	(Renewal Option Year 2)	\$ 806,422	(Renewal Option Year 3)			
\$ 758,859	(Renewal Option Year 1)									
\$ 782,267	(Renewal Option Year 2)									
\$ 806,422	(Renewal Option Year 3)									
Prior Mods/Options:	N/A									
Revised Total Amount:	\$6,371,130 (Modified Base + Modified Renewal Option Year 1)									
Overall Percent +/-:	7.7%									
MBE/ VSBE Participation:	19% / 1%									
MBE/ VSBE Compliance:	25.4% / 0.399%									

Requesting Agency Remarks: The system is comprised of a Student Information System (Student Admissions, Student Accounts, Student Registration, Student Portal and Faculty Portal), Financial Management System, and Human Resource Management System. Students, Faculty and Staff will all utilize the system to varying degrees depending on their role.

Baltimore City Community College (College) is requesting additional funding to be added to the base term of the contract and to make modifications to the base contract term and renewal amounts for each year approved by the Board of Public Works. Retroactive approval is being requested for \$530,000 of the modification amount of \$698,289 to complete the implementation of the system. COVID had a major impact on the implementation timeline of the ERP system and the College did not anticipate sizeable personnel losses between 2021 to 2022 that caused significant delays to the implementation schedule of the system. Due to these reasons, additional time and material was required to retrain and implement upgraded modules to improve and minimize the impact on student services.

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4. **BALTIMORE CITY COMMUNITY COLLEGE** (cont'd)

Requesting Agency Remarks (cont'd):

The modification includes module upgrades (replacement of Analytics with Insights, and the inclusion of document management), HX integration and continuous maintenance, and additional professional services. The College has worked and coordinated with the Maryland Department of Information Technology on the recommended approach for the contract modification and delegation.

The College is requesting to modify to the original term of the contract and renewal option terms and amounts. The contract term is being modified to match the original signed contract that was awarded back in 2020; this oversight was not noticed until preparing the agenda for this modification. The renewal option amounts per year have been reduced from what was previously approved.

The College is also requesting delegated authority to exercise the remaining renewal options without bringing forth these requests to the Board each year. These renewal options will still be presented and approved by the College's Board of Trustees each year as required.

RETROACTIVE approval requested pursuant to § 11-204(c) State Finance & Procurement Article. The College 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: General Fund

Approp. Code: 06695 0861

Resident Business: Yes

MD Tax Clearance: 23-2379-1110

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ACTION AGENDA
September 6, 2023



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Contact: Gabriel Gnall 410-260-7335
gabriel.gnall@maryland.gov

5. **BOARD OF PUBLIC WORKS**
Procurement Agency Activity Report

Recommendation: That the Board of Public Works approve the Procurement Agency Activity Report submitted by:

Department of Transportation

March - June 2023

Authority: COMAR 21.02.01.05

Remarks: The content of the reports may be accessed on the Board of Public Works website: www.bpw.maryland.gov/Pages/PAAR.aspx

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

6. **BOARD OF PUBLIC WORKS**
Wetlands Licenses

Recommendation: The Board of Public Works Wetlands Administrator recommends that the Board grant licenses for projects involving dredging and/or 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

22-0728 **JOHN W. HILBERT III** – To improve navigable access by removing an existing bulkhead, removing an existing pier and associated structures, and constructing a pier, platform and mooring piles. To improve wildlife habitat by installing a groin and planting marsh vegetation.

Annapolis, Harness Creek

Special conditions: Requirements for removing existing pier and associated structures, marsh establishment area, signing and acceptance of marsh maintenance plan, annual photograph submission, County review and authorization of work above mean high water, and maintaining a turbidity curtain. Restrictions on platform area.

Wetlands Created: 5,910 square feet

TALBOT COUNTY

22-0697 **TILGHMAN ON CHESAPEAKE COMMUNITY ASSOCIATION** – To reduce shoreline erosion, create shoreline resiliency against sea level rise, and provide oyster habitat by installing a low profile stone sill, filling and grading with sand, installing concrete oyster break structures, and planting marsh vegetation.

Tilghman, Harris Creek

Special conditions: Time of year restriction. Requirements for County review and authorization of work above mean high water, signing and acceptance of marsh maintenance plan, constructing vents, annual photograph submission, and marsh establishment area.

Wetlands Created: 8,747 square feet

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*Contact: Jeffrey Fretwell 410-537-4481
jeffrey.fretwell@maryland.gov*

**7. MARYLAND DEPARTMENT OF THE ENVIRONMENT
*Supplemental Assistance Water Quality Grant***

Recommendation: That the Board of Public Works approve new funding as described.

Authority: Maryland Water Quality Financing Administration Act
Section 9-348 of the Environment Article, Maryland Code, Construction Grants or Loans; Water Quality Improvement.

Project: Town of Williamsport Sewer Line and Manhole Rehabilitation

Recipient: The Town of Williamsport

Amount: Up to \$739,107

Location: Washington County/Legislative District 1C

Project Description: The proposed project entails the rehabilitation of the Town of Williamsport’s Sewer System. The rehabilitation work will include removal, replacement, and reconnection of existing sanitary sewer lines and manholes, lateral line connections and manhole rehabilitation with casting and lids, as well as street trench repairs. The project will reduce Inflow and Infiltration in the sewer system resulting in lower treatment and pumping costs for the Town of Williamsport. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

Project Funding Sources:

CBWQ Supplemental Assistance, SWQH 61.22,	
MCCBL 2020 (20330) (<i>this Item</i>)	\$ 739,107
Local Funding	<u>\$ 151,821</u>
Total Estimated Project Cost	\$ 890,928

State Clearinghouse: MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

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Contact: Jeffrey Fretwell 410-537-4481
jeffrey.fretwell@maryland.gov

8. **MARYLAND DEPARTMENT OF THE ENVIRONMENT**
Record Correction

Recommendation: That the Board of Public Works approve a new interest rate for a previously approved loan.

Original Approval: Secretary Agenda, Item 17 (4/1/2020)

Authority: Maryland Water Infrastructure Financing Administration Act
§§ 9-1601--9-1622, Environment Article, Annotated Code of Maryland.

Project: North East Water Quality Improvement Projects – Storage Tanks/Mixers

Recipient: Town of North East

Original Financing Description:

Rate. Interest rate of 50% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2019, loan recipients received interest-rates ranging from 1.50% to 1.80%.)

Updated Financing Description:

Rate. Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2023, loan recipients received interest rates ranging from 0.80% to 0.90%).

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ACTION AGENDA
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Contact: Jeffrey Fretwell 410-537-4481
jeffrey.fretwell@maryland.gov

9. **MARYLAND DEPARTMENT OF THE ENVIRONMENT**
Record Correction

Recommendation: That the Board of Public Works approve a new interest rate for a previously approved loan.

Original Approval: Secretary Agenda, Item 7 (8/10/2022)

Authority: Maryland Water Infrastructure Financing Administration Act
§§ 9-1601--9-1622, Environment Article
Annotated Code of Maryland.

Project: Urban Stormwater Retrofit Public-Private Partnership – Phase 2

Recipient: Prince George’s County

Amount: Up to \$ 65,000,000

Location: Prince George’s County
Legislative Districts 21, 22, 23A, 23B, 24, 25, 26, 27A, 27B, 47A and 47B

Original Financing Description:

Rate. Disadvantaged community interest rate of 25% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2023, loan recipients received an interest-rate of 0.40%)

Updated Financing Description:

Rate. Interest rate of 50% of the average of the Bond Buyer 11-Bond Index for the month preceding loan closing. (Based on this formula, in fiscal year 2023, loan recipients received interest rates ranging from 1.70% to 1.90%).

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ACTION AGENDA
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Contact: Matt Lapinsky 410-729-8259
mlapinsky@menv.com

10. MARYLAND ENVIRONMENTAL SERVICE
Camp Fretterd Military Reservation, Baltimore County

- A/E Contract:** Camp Fretterd Wastewater Treatment Plant Improvements
MES Project # 1-23-2-29-5R
- Description:** Upgrades to the wastewater treatment facility at Camp Fretterd Military Reservation
- Procurement:** Competitive Sealed Bids
- Bids:**

HRI Construction LLC A/K/A M2 Construction LLC, Lancaster, PA	\$3,490,200
Lee Foundation Company Inc, Middle River, MD	\$3,576,943
W.M. Schlosser Company Inc, Hyattsville, MD	\$4,377,000
- Award:** HRI Construction LLC
- Amount:** \$3,490,200
- Term:** 450 calendar days
- MBE Participation:** 19.92%
- MBE Waiver:** 0.08%

Remarks: The Maryland Military Department (MMD) is currently planning an expansion of the Upper Campus within the boundaries of the Camp Fretterd Military Reservation to include a new Marine Corps Reserve Center (MCRC), and Maryland Department of Emergency Management (MDEM) building expansion. The existing wastewater treatment plant cannot accommodate the proposed new facilities at Camp Fretterd and need to be upgraded. Proposed upgrades include the construction of a new equalization tank, expansion of the existing wastewater treatment building and the process, and upgrades to the controls and the electrical service.

The project underwent a new bidding process due to the initial bids being invalidated. The original bids were rejected since all bids were either non-responsive to the published requirements or substantially exceeded budgeted funds. [...].

MES received a protest on this procurement by Lee Foundation on August 17, 2023. That protest has been reviewed and dismissed by MES in a response dated August 24, 2023. Lee Foundation has 10 days to appeal to MES, but nothing has been received as of this date.

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10. MARYLAND ENVIRONMENTAL SERVICE (cont'd)

Remarks (cont'd):

MES believes this procurement should move forward because the upgrade of the wastewater treatment plant is on a critical path with the construction of the Marine Corps Training Center (“MCTR”) at Camp Fretterd. The MCTR is to be completed by January 2025 and delaying this procurement would cause a delay in the full functionality of the building or require that wastewater be pumped and hauled to another plant for treatment, which will be costly to the State.

This item was approved by the MES Board of Directors at the August 24, 2023 meeting.

Fund Source: General Funds (FY 2023 PAYGO)

Appropriation Codes: PCA#12245 - \$3,490,200.00

Resident Business: No

Tax Compliance No.: 23-3167-1111

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Contact: Mathew Lapinsky 410-729-8259
mlapinsky@menv.com

11. **MARYLAND ENVIRONMENTAL SERVICE**
Point Lookout State Park, St. Mary's County

Contract ID: Point Lookout State Park – Water and Sewer System Improvements
MES Project # 1-23-2-15-5

Original Approval: Secretary's Agenda Item 13 (2/15/2023)

Award: Stormwater Management Solutions, LLC
Leonardtown, MD

Contract Description: Construction services for improvements to the water and wastewater systems at Point Lookout State Park.

Modification Description: The proposed project funding request is to address the removal of construction spoils accrued after construction inception, placement of suitable soil, and horizontal directional drilling construction services.

Contract Term: 24 Months

Original Contract Amount: \$ 8,999,999.00
Modification Amount (this Item): \$ 3,118,942.87
Revised Amount: \$12,118,941.87

Percentage Increase: 35%

MBE Goal: 19%
MBE Compliance: 3%

Remarks: The project consists of the replacement and/or rehabilitation of the water and sanitary sewer system piping network within the park. This project will include the upgrading of the accompanying wastewater pump stations. These project upgrades are needed to eliminate problems associated with water main breaks and flooding of pump stations during storm events.

Due to the soil conditions, much of the soil removed from the trenches is not suitable to be re-utilized as a structural fill material. As a result, proper backfill material needs to be purchased and the unsuitable material removed and disposed of. In addition, this change order proposes directional drilling under a historically significant Confederate Cemetery as opposed to excavating through it. An approximate \$100K reduction in project cost could be realized by elimination of the fee for archaeological monitoring required for the open cut. Also, the unknown nature of open cut through the cemetery could cause extended delays in construction if artifacts were found.

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11. **MARYLAND ENVIRONMENTAL SERVICE** (cont'd)

Remarks (cont'd):

The majority of the MBE subcontractor services consists of materials hauling and paving. Due to the sequence of construction most of these services have not been required to date. It is anticipated that the MBE services will be required in the coming months and subsequent payout to the MBEs will align with the 19% goal.

Fund Source: Natural Resources Development Fund of FY 2022 POS/Item 004 (PCA 12233 - \$2,850,000)
Natural Resources Development Fund of FY 2024 POS/Item 004 (PCA 12269 - \$268,942.86)

Appropriation Code: 22004 (PCA 12233) \$2,850,000
24004 (PCA 12269) \$268,942.86

Resident Business: Yes

Tax Compliance No.: 23-0216-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
September 6, 2023



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

12. **MARYLAND STADIUM AUTHORITY**
Hagerstown Multi-Use Sports & Events Facility
Design-Build (D/B) Services

Contract ID: CP-004-HAG-002

Recommendation: That the Board of Public Works approve the Maryland Stadium Authority awarding a construction services contract for Guaranteed Maximum Price (GMP) Package No. 6 for the Hagerstown Multi-Use Sports & Events Facility project in Hagerstown.

Prior Approvals: Secretary's Agenda, Item 16 (3/9/2022 –Design/Preconstruction)
Secretary's Agenda, Item 16 (8/31/2022 – GMP #1)
Secretary's Agenda, Item 19 (12/21/2022 – GMP #2)
Secretary's Agenda, Item 12 (3/15/2023 – GMP #3)
Secretary's Agenda, Item 15 (4/19/2023 – GMP #4)
Secretary's Agenda, Item 11 (6/21/2023 – GMP #5)

Project: Design and construction of a new Multi-Use Sports and Events Facility in Hagerstown.

Contract Description: Professional Services – Construction

Contractor: Turner Construction Company
New York, NY

Procurement Method: Competitive Sealed Proposals

Bid Package Description: GMP Package #6 – railings, millwork, tent structures, gypsum framing, doors/frames/hardware, flooring/tile, painting, specialties/lockers, furnishings, fire protection, low voltage, fencing, asphalt paving, site concrete, scoreboard, lighting fixtures/VRFs and food service equipment.

Pre-Construction Amount: \$3,306,243.53

GMP Package #1: \$7,435,405.00
GMP Package #2: \$15,255,524.00
GMP Package #3: \$9,196,255.00
GMP Package #4: \$13,676,372.00
GMP Package #5: \$8,306,602.00
GMP Package #6 (this Item): **\$24,758,647.00**

**BOARD OF PUBLIC WORKS
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12. MARYLAND STADIUM AUTHORITY (cont'd)

Revised GMP Construction

Amount: \$78,628,805.00

Revised Construction

& Preconstruction Amount: \$81,935,048.53

Term: 8/2022 – 5/2024

MBE Goal: 29% overall

Subgoals: 8% African American; 11% Women-Owned

MBE Compliance: 8%

Remarks: At the March 9, 2022 Board meeting the Stadium Authority indicated it would return to the Board with a recommendation to award construction services upon negotiating acceptable GMP packages. The Board approved the construction services contract (the “Contract”) to Turner Construction Company (“Turner”) at its meeting on August 31, 2022.

Pursuant to the Contract, the GMP for Project construction is \$56,410,062. This recommended GMP package #6 will bring total construction costs (not including pre-construction) to \$78,628,805.00. To address the increased cost, the General Assembly enacted SB 442 as Chapter 468 (2023) increasing the Stadium Authority’s bond issuing authority for Sports Entertainment Facilities from \$200.0 million to \$220.0 million. The Project will be eligible for necessary additional funding pursuant to Chapter 468. The overall funding shortfall is attributable to higher than expected preconstruction costs that included acquisition of privately owned properties necessary for the Project; as well as the above noted higher costs of labor, materials, and supplies.

This GMP includes several packages that were advertised as part of the GMP #5 procurement and were excluded from the GMP#5 submission so Turner could further align and clarify scope of the trade contractor bids. These packages include: railings, millwork, tent structures, gypsum framing, doors/frames/hardware, flooring/tile, painting, specialties/lockers, furnishings, fire protection, low voltage, fencing, asphalt paving, site concrete, scoreboard, and lighting fixtures/VRFs. This GMP also includes food service equipment.

The procurement process for the food service equipment package included in this GMP proceeded as follows:

Beginning on May 15, 2023, Turner advertised the project for trade contractor participation in the following publications/services: eMaryland Marketplace Advantage, The Blue Book, MSA’s website, Turner’s website, Maryland Washington Minority Companies Association (MWMCA) website and via direct solicitation. An MBE outreach event was conducted on site and virtually on June 8, 2023. A pre-bid site walkthrough was held on June 8, 2023. Attendees were provided with a summary of project information.

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12. **MARYLAND STADIUM AUTHORITY** (cont'd)

Remarks (cont'd):

Sealed competitive bids were received on June 28, 2023 via an electronic mail box accessible only by representatives from Turner. Post-bid scope review meetings with selected trade contractors began on June 30, 2023 to ensure that the bids were both responsive and complete. Post bid scope review meetings were conducted virtually.

GMP #6 represents the final GMP submission for the Project. Through this final GMP, Turner has committed to achieve by the completion of the project overall project MBE participation of 30.28% with 12.40% African-American participation, 11.09% Women-Owned participation, 1.26% Hispanic-American participation, and 5.53% Asian-American participation.

The MBE Compliance of 8% represents the percentage of dollars paid to date to MBE firms compared to dollars paid to date to the Prime. The majority of MBE participation occurs in the middle to later part of the project and includes, among other things, packages for steel erection; drywall and finishes; mechanical, electrical and plumbing; and food service equipment. MSA remains confident that Turner will achieve the overall goal and subgoals identified above.

Authority: Section 10-622, Economic Development Article, Annotated Code of Maryland; Senate Bill 926 of 2021

Fund Source: Non-Budgeted Funds; Hagerstown Multi-Use Sports and Events Facility tax-exempt Lease Revenue Bonds, Series 2022A, pursuant to ED 10-646.2(d)

Future Funding Source Section 10-628(x), Economic Development Article, Annotated Code of Maryland, pursuant to Chapter 468 Acts of 2023. Effective July 1, 2023

Tax Compliance No.: 23-3341-1101

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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Contact: David LaChina 443-885-3144
david.lachina@morgan.edu

13. **MORGAN STATE UNIVERSITY**
RETROACTIVE - Service - Graduate School Recruitment Initiative

Contract ID: 24/PRO-0004-S

Recommendation: ***RETROACTIVE*** That the Board of Public Works approve a marketing contract to attract prospective students to Morgan State University's graduate programs.

Award: EAB Global, Inc.
Washington, DC

Contract Term: 7/01/2023 - 6/30/2026

Amount: \$1,098,811.31

Procurement Method: Sole Source

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

Performance Bond: N/A

Fund Source: Unrestricted University Funds

Remarks: Adult Learner Recruitment (ALR) effectively carries out the recruitment of post-baccalaureate students at Morgan State University. ALR uses various means such as digital and print mail communications and social media outreach to engage potential applicants and tracks their progress until enrollment by integrating with the School of Graduate Studies applicant system.

The ownership of Adult Learner Recruitment is with EAB Global, Inc., which has been successfully operating at Morgan State University since July 1, 2020. The program aligns with the University's Strategic Plan, 2021-2030, to increase enrollment.

The continuation of EAB's Adult Learner Recruitment is being procured under the procurement method of Sole Source, which complies with the University's Procurement Policies and Procedures. Specifically, Adult Learner Recruitment is a proprietary, service and can only be obtained from one identified source. Furthermore, a continuous series of procurements from a single source over a period is advantageous as demonstrated by a cost benefit analysis demonstrating that considerations of training, replacement parts, and compatibility with existing capital investments justify the use of a sole source.

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13. MORGAN STATE UNIVERSITY (cont'd)

Remarks (cont'd):

Morgan State University is confident in the effectiveness of the program and its ability to meet the institution's needs.

RETROACTIVE approval requested pursuant to §11-204(c) State Finance & Procurement Article. Morgan State University 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.

Resident Business: No

MD Tax Clearance: 23-3297-1010

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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Contact: Jonathan Dobry 240-895-3346
jadobry@smcm.edu

14. **ST. MARY'S COLLEGE OF MARYLAND**
Encumbrance of State Capital Funds

Recommendation: That the Board of Public Works approve St. Mary's College of Maryland awarding a contract for the Ethernet cabling for the newly renovated lab space in Andrew J. Goodpaster Hall for the College's chemistry program.

Authority: Section 8-301, State Finance and Procurement Article, Annotated Code of Maryland

Description: Ethernet Cabling for the lab space at Andrew J. Goodpaster Hall building for the chemistry program.

Procurement Method: MEEC Hardware Contract Number UMD-972016, Contract Term 03/15/2017 – 03/14/2026

Award: Data Networks
Hunt Valley, MD

Amount: \$63,502

Fund Source: MCCBL 2022 (140)

Appropriation Code: 622

Tax Clearance: 23-3348-1111

Remarks: The renovation of the Andrew J. Goodpaster Hall building will address instructional and research lab and office space deficiencies for STEM disciplines. The creation of a flexible-use labs addresses the requirements of accommodating several STEM disciplines in one space, assuring effective time utilization of that space. In support of this renovation to create flexible-use labs we must upgrade the information technology capabilities. Approval will allow the College to add critical Ethernet cabling capacity and provide for the construction and installation of the data closets required to make the newly renovated labs functional for the College's programmatic needs.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
September 6, 2023



Contact: Cynthia M. Hahn 410-576-6319
chahn@oag.state.md.us

15. **MARYLAND STADIUM AUTHORITY**
General Miscellaneous

Recommendation: The Maryland Stadium Authority, through the Office of the Attorney General, requests approval to pay a settlement of all claims, including claims for attorneys' fees and costs, against defendant in the matter of *K&K Adams, Inc. v. Maryland Stadium Authority*, Circuit Court for Baltimore City, Case No. 24-C-19-004742.

Authority: Sections 12-201 and 12-501, State Government Article, Annotated Code of Maryland

Request Amount: \$350,000

Fund Source: Reimbursable Funds (Department of Housing and Community Development)

Appropriation Codes: A0368

Requesting Agency's Remarks: The Maryland Stadium Authority and the Office of the Attorney General recommend paying \$350,000 to settle all claims, including attorney's' fees and costs, as in the best interest of the State.

If this settlement is approved, a check should be issued payable to K&K Adams, Inc., in the amount of \$350,000.00. The check should be delivered to Cynthia M. Hahn, Assistant Attorney General, Office of the Attorney General of Maryland, 200 St. Paul Place, 20th Floor, Baltimore, Maryland 21202, who will deliver it to plaintiff's attorney 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

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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SUPPLEMENTAL

*Contact: Andrew Pierce 410-260-7280
andrew.pierce@maryland.gov*

**16. DEPARTMENT OF BUDGET AND MANAGEMENT
*Budget Amendments 23R-070***

Description: Approve September 2023 meeting reimbursable fund budget amendments.

Authority: Section 7-209 (e), State Finance & Procurement Article, Annotated Code of Maryland, requires Board of Public Works approval of the reimbursable fund budget amendment.

Amount: \$65,231
Amount **\$65,231 TOTAL**

DBM Remarks: The contributing (funding) agency has appropriated funds to pay for FY 2023 services provided by the receiving agency for FY 2023 as follows:

<i>Funding Agency</i>	<i>Agency Providing Services [Receiving Funds]</i>	<i>Services</i>	<i>Amount</i>
23R-070 R12A01 Accountability and Implementation Board (AIB)	INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION (IAC) R00A07	Accountability and Implementation Board to reimburse 50% cost associated with PIN 400217.	\$ 65,231
Total			\$ 65,231

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
September 6, 2023**



SUPPLEMENTAL

*Contact: Andrew Pierce 410-260-7280
andrew.pierce@maryland.gov*

**17. DEPARTMENT OF BUDGET AND MANAGEMENT
*Budget Amendments 24R-003***

Description: Approve September 2023 meeting reimbursable fund budget amendments.

Authority: Section 7-209 (e), State Finance & Procurement Article, Annotated Code of Maryland, requires Board of Public Works approval of the reimbursable fund budget amendment.

Amount: \$47,003
Amount **\$47,003 TOTAL**

DBM Remarks: The contributing (funding) agency has appropriated funds to pay for FY 2024 services provided by the receiving agency for FY 2024 as follows:

<i>Funding Agency</i>	<i>Agency Providing Services [Receiving Funds]</i>	<i>Services</i>	<i>Amount</i>
24R-003 D40W01 Department of Planning	STATE ARCHIVES D60A10	Remainder of grant funding for Indigenous Archive Project for the Eastern Shore of Maryland.	\$ 47,003
Total			\$ 47,003

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 1

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

1A. **PROGRAM OPEN SPACE LOCAL SHARE**
LOCAL PARKS AND PLAYGROUNDS INFRASTRUCTURE
Allegany County

Recommendation: Approval to commit \$248,343 for the following **development** projects.

1. Mountain Ridge High School Lower Practice Field Improvements - \$45,000

Allegany County
POS #7544-1-463 MD20230308-0185

Background: Install a stormwater drainage system and regrade the athletic field for improved play and safety at Mountain Ridge High School.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$45,000.00

2. Allegany High School Athletic Field Stairs - \$190,000

Allegany County
POS #7553-1-464 MD20230404-0248

Background: Construct concrete stairs for direct access to the Allegany High School athletic fields.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$190,000.00

3. Bel Air Community Park Pirate Ship Playground - \$13,343

Allegany County
LPPI# LPPI-1-7

Background: Purchase and install new playground equipment consistent with National Playground Safety Standards and the Americans with Disabilities Act at Bel Air Community Park.

Fund Source: Maryland Consolidated Capital Bond Loan 2022, Chapter 344, Acts of 2022
Local Parks and Playgrounds Infrastructure
Source Code: 22116 \$13,343.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 2

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

2A. **LOCAL PARKS AND PLAYGROUNDS INFRASTRUCTURE**

Anne Arundel County

Recommendation: Approval to commit \$200,000 for the following **development** project.

Truxtun Park Skate Park Renovations - \$200,000

City of Annapolis

LPPI #LPPI-2-21

Background: Renovate the skate park with new skating surface and associated amenities.

Fund Source: Maryland Consolidated Capital Bond Loan 2022, Chapter 344, Acts of 2022

Local Parks and Playgrounds Infrastructure

Source Code: 22116 \$200,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 3

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

3A. **PROGRAM OPEN SPACE LOCAL SHARE**
Garrett County

Recommendation: Approval to commit \$180,000 for the following **development** project.

Grantsville Town Park Pavilion 3 Expansion - \$180,000

Garrett County

POS #7569-11-296 MD20230728-0661

Background: Construct improvements to Pavilion 3 at Grantsville Town Park for use by the public. The project includes a roof extension, concrete pad construction and garage doors for inclement weather.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$180,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 4

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

4A. **PROGRAM OPEN SPACE LOCAL SHARE**
Howard County

Recommendation: Approval to commit \$75,000 for the following **planning** and **development** projects.

1. Howard County - 2027 Land Preservation, Parks, and Recreation Plan – \$25,000

Howard County
POS #7606-13-123 MD20230728-0654

Background: Funding to complete Howard County’s 2027 Land Preservation, Parks, and Recreation Plan to fulfill State requirements.

Fund Source: Outdoor Recreation Land Loan 2019, Chapter 570, Acts of 2018
Program Open Space Local
Source Code: 19011 \$25,000.00

2. Cedar Lane Park - Maintenance Facility/Yard Security Gate – \$50,000

Howard County
POS #7611-13-125 MD20230728-0657

Background: Design and install new perimeter fencing sections and an electronic intermittent security gate with key fob access for the maintenance yard area of the park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$50,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 5

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

5A. **PROGRAM OPEN SPACE LOCAL SHARE**
St. Mary's County

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

St. Mary's County - 2027 Land Preservation, Parks, and Recreation Plan – \$25,000
St. Mary's County
POS #7405-18-149 MD20220414-0255

Background: Additional funding to complete St. Mary's County's 2027 Land Preservation, Parks, and Recreation Plan to fulfill State requirements.

Prior Approval: \$25,000 (DNR-RP Item 4A [June 8, 2022])
\$25,000 (DNR-RP Item 6A(1) [October 12, 2022])

Fund Source: Outdoor Recreation Land Loan 2019, Chapter 570, Acts of 2018
Program Open Space Local
Source Code: 19011 \$25,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 6

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

6A. **COMMUNITY PARKS AND PLAYGROUNDS PROGRAM**

Talbot County

Recommendation: Approval to commit \$100,000.00 for the following **development** project.

Perry Cabin Park Fencing Project – \$100,000.00

Town of St. Michaels

CPP #7587-20-143 MD20230714-0614

Background: Purchase and install chain link fence around three baseball fields and one batting cage.

Fund Source: Maryland Consolidated Capital Bond Loan of 2023, Chapter 102, Acts of 2023
Community Parks and Playgrounds Program
General Obligation Bonds \$100,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 7

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

7A. **PROGRAM OPEN SPACE LOCAL SHARE**
Washington County

Recommendation: Approval to commit \$45,000 for the following **development** project.

Lions Community Park Basketball Court Updates - \$45,000
Town of Smithsburg
POS #7613-21-433 MD20230728-0662

Background: Resurface the existing basketball courts and purchase new backboards at Lions Community Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$45,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
Supplement
September 6, 2023



DNR 8

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

8A. PROGRAM OPEN SPACE STATE SHARE

Baltimore County (Schleigh)

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

Description: This mostly forested property is adjacent to Gunpowder Falls State Park with one shared boundary with the Bush Cabin Wildlands. It will be managed by the Maryland Park Service as part of Gunpowder Falls State Park. Acquisition will provide a buffer for Forest Interior Dwelling Species habitat and protect water quality in the Loch Raven Reservoir Watershed, which provides drinking water to the City of Baltimore and most of Baltimore County.

POS Scoring System: 97 out of 100 **Targeted Ecological Area:** Yes

Grantor: Jeffrey C. Schleigh and Jennifer C. Schleigh

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

Property: 1.19 +/- acres, improved POS No. 13429

Price: \$400,000

Appraisals: \$405,000 (3/1/23) – Melville P. Peters
\$366,000 (2/13/23) – Melody C. Campbell
All appraisals reviewed by Mary Lou Krozack, Review Appraiser

Stabilization funds: \$40,000

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. See Natural Resources Article §5-903(f).

Fund Source: Outdoor Recreation Land Loan of 2021, Chapter 19, Acts of 2020
Program Open Space Stateside
Source Code: 21010 \$440,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
 Department of Natural Resources – Real Property
 Supplement
 September 6, 2023



DNR 9

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

9A. RURAL LEGACY PROGRAM FUNDS
Garrett County

Recommendation: Approval to grant \$151,052.26 to **Garrett County** from Rural Legacy Funds to acquire a 48.75-acre conservation easement.

Bear Creek Rural Legacy Area – Margroff

Prior Approval: Bear Creek Rural Legacy Area approved grant for easement acquisitions: DNR-RP Item 13A (10/4/2017) \$1,380,000 for FY 2018

Project Description: Acquisition of this conservation easement will protect productive agricultural and forest lands and 1,650 linear feet of grassed and forested stream buffer along an unnamed tributary to the South Branch of Bear Creek, which is a designated Use Class III-P Nontidal Cold Water and Public Water Supply. The easement, RL No. 34705, will be held by Garrett County.

Easement Value: \$118,900.00 (\$2,438.98 per acre)

Purchase Price: \$118,900.00 (\$2,438.98 per acre)

Total Other DNR Costs:	Administrative:	\$ 3,567.00
	Incidental:	\$ 26,801.76
	Compliance:	<u>\$ 1,783.50</u>
		\$ 32,152.26

Amount Requested: \$151,052.26

Fund Sources: Outdoor Recreation Land Loan of 2022, Chapter 357, Acts of 2021
 Rural Legacy Program
 Source Code: 22012 \$151,052.26

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
 Department of Natural Resources – Real Property
 Supplement
 September 6, 2023



DNR 10

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

10A. RURAL LEGACY PROGRAM FUNDS

Somerset County

Recommendation: Approval to grant \$551,115.71 to **The Lower Shore Land Trust**, from Rural Legacy Funds to acquire a 145.22-acre conservation easement.

Dividing Creek Rural Legacy Area – Layfield Property

Prior Approval: Rural Legacy Area Grant for easement acquisitions:
 DNR-RP Item 14A (12/1/2021) \$1,005,000 for FY 2022

Project Description: Acquisition of this conservation easement will protect 145.22-acres of productive agricultural fields and forested land in the Manokin River watershed. The easement provides for over 375 linear feet of forested buffer on Long Broughton Branch. This Rural Legacy easement, RL No. 34704, will be held by the Department of Natural Resources and the Lower Shore Land Trust.

Easement Value: \$512,780.73 (\$3,531.06 per acre)

Purchase Price: \$512,780.73 (\$3,531.06 per acre)

Total Other DNR Costs:	Administrative:	\$15,383.42
	Incidental:	\$15,259.85
	Compliance:	<u>\$ 7,691.71</u>
		\$38,334.98

Amount Requested: \$551,115.71

Fund Sources: Outdoor Recreation Land Loan of 2022, Chapter 357, Acts of 2021
 Rural Legacy Program
 Source Code: 22012 \$551,115.71

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
University System of Maryland
Supplement
September 6, 2023



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

1-GM. GENERAL MISCELLANEOUS

Recommendation: That the Board of Public Works approve use of general obligation bond funding proceeds for the following contract totaling \$9,708.

Authority: State Finance and Procurement Article, Annotated Code of Maryland, §8-301.

University of Maryland, College Park for The Universities at Shady Grove
Biomedical Sciences and Engineering Education Building

Description: One (1) Amtek Fluid Bench and Experiments System.
Procurement Method: Cooperative Purchase (Howard County Public Schools)
Award: Amtek Company, Inc. Arnold, MD
Amount: \$9,708
Fund Source: MCCBL 2019: *Provide funds to complete construction and equipping of the new Biomedical Engineering Building Item 19-248*
Resident Business: Yes **MD Tax Clearance:** 23-2917-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
University System of Maryland
Supplement
September 6, 2023



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

**2-GM. UNIVERSITY OF MARYLAND BALTIMORE for
TOWSON UNIVERSITY
College of Health Professions**

Contract ID: Construction Management at Risk Services for College of Health Professions;
University Contract #C-00883

Recommendation: Approve expenditure of funds appropriated as MCCBL 2023 to previously approved Bid Packages 4 & 5 for Towson University's College of Health Professions.

Amount: \$27,955,000 (Bid Package 4)
\$ 2,740,792 (Bid Package 5)
\$30,695,792 Total

Fund Source: MCCBL 2023: Provide funds to complete construction of a new building for the College of Health Professions and demolition of Linthicum Hall, Glen Esk Counseling Center, and Dowell Health Center: Item 111, \$43,030,000.

Contractor: Gilbane Building Company, Baltimore, MD

Prior Approval: Bid Package 4 USM Item 4-C-BP (2/16/2022)
Bid Package 4 USM Item 3-GM (7/6/2022)
Bid Package 5 USM Item 5-C-BP (11/16/2022)

Project: The project involves the design and construction of a new College of Health Professions building to consolidate the Dean's Office and all Health Professions' departments and units. The new facility will house the undergraduate and graduate programs of the College of Health Professions' School of Nursing (presently Department of Nursing); Department of Audiology, Speech-Language Pathology, Department of Health Science, Department of Interprofessional Health Studies, Department of Occupational Therapy and Occupational Science Department, portions of the Department of Kinesiology; Collaborative Programs; and the Dean's Office. The space currently occupied for the aforementioned programs is insufficient for current enrollment and projected growth.

Background: Bid Package 4: Reference is made to USM Agenda Item 4-C-BP (2/16/2022) in which the Board of Public Works previously approved the University awarding Bid Package 4 for \$38,334,602, with the understanding that \$2,184,602 had been appropriated and construction work would not exceed that amount. USM Agenda Item 3-GM (7/6/2022) approved the University expending \$8,195,000 additional available appropriated funds. This was an increase from the pre-authorized amount of \$5,030,000 in the initially referenced item due to approval of allocated funds brought forward from FY 2024 funds for use in FY 2023. This Item is to approve expending \$27,955,000 now available through the MCCBL 2023 Funds. This completes the funding for Bid Package 4.

Board of Public Works
University System of Maryland
Supplement
September 6, 2023



2-GM. UNIVERSITY OF MARYLAND BALTIMORE for
TOWSON UNIVERSITY (cont'd)
College of Health Professions

Bid Package 5: Reference is made to USM Agenda Item 5-C-BP 11/16/2022) in which the Board of Public Works previously approved the University awarding Bid Package 5 for \$4,662,059, with the understanding that \$1,921,267 had been appropriated and construction work would not exceed that amount. This Item is to approve expending \$2,740,792 now available through the MCCBL 2023 Funds. This completes the funding for Bid Package 5.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Wes Moore
Governor

Aruna Miller
Lt. Governor

Paul J. Wiedefeld
Secretary

**BOARD OF PUBLIC WORKS
ACTION AGENDA
September 6, 2023**

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3 – 10, 16	Maryland Transit Administration (MTA)	5 – 17, 29 – 32
11 – 15	State Highway Administration (SHA)	18 – 28
17	Supplemental: State Highway Administration (SHA)	33

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 1

Contact: James G. Walsh 410-859-7969
jwalsh1@bwiairport.com

1-GM. MARYLAND AVIATION ADMINISTRATION
General/Miscellaneous: (Ground) Lease Agreement

Contract ID: Lease and Concession Contract for Fixed-Base Operator (FBO) facility at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport; *MAA-LC-24-003*

Contract Description: Lease of 1,359,711 square feet of exclusive land and 140,986 square feet of building and hangar space to Signature Flight Support (SFS) to operate a General Aviation (GA) FBO facility at BWI Thurgood Marshall. The FBO will provide aviation services for non-scheduled or GA operations.

Contractor: Signature Flight Support; Orlando, FL

Contract Term: 10/01/2023 – 09/30/2038 (15-years)
A five-year extension of the contract term may be granted at the option of the Maryland Aviation Administration (MAA).

Amount: SFS will pay initial Ground rent in the amount of \$1.45 per square feet per annum, based on Fair Market Value (FMV), with annual 3% inflationary adjustments. During the first five years of the contract term, Ground Rent will be abated as consideration for \$10.6 million in Ramp C rehabilitation work to be performed by SFS. The total Ground Rent abatement is \$10,467,391. Over the 15-year contract term, MAA will receive an estimated \$26.7 million in Ground Rent from SFS.

In addition, SFS will pay initial annual Building rents, based on FMV, in the amount of \$15.63 per square foot for buildings and hangars and \$9.42 for T Hangars. The first year Building Rent amount will be \$1,048,379. Building rent rates will increase by 3% each contract year. Total Building Rent to be paid by Signature over the 15-year contract term is \$34.6 million. Combined Building and Ground Rents will total \$61 million.

Additionally, SFS will remit 10.12% fuel flowage fees on all fuel sales, 5% of gross receipts for all other goods and services, and 80% of all collected airport fees to MAA.

Requesting Agency Remarks: MAA operates and manages the BWI Thurgood Marshall for the State of Maryland for the promotion, accommodation, and development of air commerce and air transportation between the Baltimore-Washington, D.C. Metropolitan Area and other cities of the United States and the world.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 2

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

Agency Remarks (cont'd):

SFS will invest no less than \$25 million in capital improvements, including the Ramp C rehabilitation, during the term of the contract. Capital investments will be amortized for 15-years. If the contract terminates before the end of the amortization period, MAA will pay the unamortized portion of the original capital investment to SFS.

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 use of State Property under State Finance and Procurement Article, §10-305.

Resident Business: No

MD Tax Clearance: 23-2797-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 3

Contact: James G. Walsh 410-859-7071
jwalsh1@bwiairport.com

2-GM. MARYLAND AVIATION ADMINISTRATION
General/Miscellaneous: (Ground) Lease Agreement

Contract ID: Lease Contract for land in the BWI North Fuel Farm and Midfield Cargo Complex (MCC) Fuel Farm; *MAA-LC-24-013*.

Contract Description: Lease of 110,573 square feet of exclusive land and 36,148 square feet of common area space to Baltimore Fuel Facilities, LLC (BFF), a BWI commercial airline fueling consortium. BFF will develop, operate, and maintain an airline fuel system at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) Airport.

Contractor: Baltimore Fuel Facilities, LLC; Wilmington, DE

Contract Term: 10/01/2023 – 09/30/2043 (20-years)

Amount: BFF will pay initial Ground rent in the amount of \$212,745.45 annually for a total of 146,721 square feet of space (\$1.45 per square feet per annum, with annual inflationary adjustments). Over the 20-year ground Lease, MAA will receive an estimated \$3.6 million in Ground Rent.

Upon the completed installation of two additional fuel storage tanks at the North Fuel Farm, BFF will also pay a New Tankage Recovery Fee in the amount of \$154,325.53 per month. This monthly fee will recover \$25,467,086 in MAA construction costs at 4% interest over twenty years (240 months). The total payment amount paid by BFF for the New Tankage Recovery Fee will be \$37,038,127.59.

Additionally, BFF will remit 10.12% fuel flowage fees to MAA for fuel sales to airlines who do not enter into contractual agreements with BFF.

Requesting Agency Remarks: MAA operates and manages the BWI Thurgood Marshall for the State of Maryland for the promotion, accommodation, and development of air commerce and air transportation between the Baltimore-Washington, D.C. Metropolitan Area and other cities of the United States and the world.

BFF, a not-for-profit business entity comprised of BWI signatory and other member airlines engaged in commercial air transportation at BWI Thurgood Marshall, desires to lease and operate fuel facilities at the North Fuel Farm and Midfield Cargo Complex fuel farm. BFF will establish and enter into interline agreements with consortium member airlines, non-member airlines, and non-contracting users. BFF Member airlines will work together to collaborate on fuel supply, storage, and operations, with the aim of collectively sharing and controlling costs.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



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

Agency Remarks (cont'd):

Because aviation fuel represents a significant expense for commercial airlines, implementing efficient fuel management systems will play a crucial role in retaining and attracting air service at BWI Thurgood Marshall. By establishing an airline fueling consortium specifically designed for the aviation community, numerous benefits can be realized at BWI Thurgood Marshall.

BFF will invest approximately \$3.9 million in improvements to operate and maintain the fuel farm facilities. Capital investments will be amortized for twenty years. If the contract terminates before the end of the amortization period, MAA will pay the unamortized portion of the original capital investment to BFF.

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 use of State Property under State Finance and Procurement Article, §10-305.

Resident Business: No
MD Tax Clearance: 23-2680-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023**



MDOT 5

*Contact: Memory Hewlett 410-767-8374
mhewlett@mdot.maryland.gov*

**3-AE. MARYLAND TRANSIT ADMINISTRATION
*Architecture/Engineering Contract***

Contract ID: Transit Corridor Planning and Project Development; *AE-21-005-A*
EPICS No.: AE21005A

Contract Description: One of three contracts to provide transit corridor planning and project development for the Maryland Transit Administration’s (MTA) multiple modes.

Award: Jacobs /
Whitman, Requardt and Associates, JV; Baltimore, MD

Contract Term: 09/21/2023 *– 09/20/2028 (*or earlier upon BPW approval)

Amount: \$20,000,000 NTE

Procurement Method: Qualification Based Selection

Proposals:

<i>Offerors</i>	<i>Technical Proposal Rating (Max 400) (Rankings)</i>	<i>NTE Price</i>
Jacobs/ Whitman, Requardt and Associates (JV) Baltimore, MD	322.5 (1)	\$20,000,000 NTE (Contract A)
Rummel, Klepper & Kahl, LLP / WSP USA Inc. (JV) Baltimore, MD	311.9 (2)	Approved -AE 08/23/2023 Contract B
The Wilson T. Ballard Company / Mead & Hunt, Inc. / Gannett Fleming, Inc. (JV) Owings Mills, MD	299.4 (3)	Approved -AE 08/23/2023 Contract C
Kimley-Horn & Associates, Inc. Baltimore, MD	275.6 (4)	N/A
AECOM Technical Services, Inc. / STV Incorporated (JV) Baltimore, MD	268.8 (5)	N/A
Wallace, Montgomery & Associates, LLP / Michael Baker International, Inc. (JV) Baltimore, MD	225 (6)	N/A

DBE/VSBE Participation 29% / N/A

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 6

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

Incumbent: N/A

Requesting Agency Remarks: This solicitation was published on eMaryland Marketplace Advantaged (eMMA) on February 28, 2022. A total of 778 firms were notified via eMMA and 500 of them were certified DBEs. A total of six engineering consultant firms submitted technical proposals in response to the solicitation. The three highest scoring firms were selected for award after (1) each technical proposal was evaluated, scored, and ranked and (2) after each price proposal was reviewed.

These services provide planning, preliminary engineering, environmental planning, and related services required for transit corridor projects on an on-call, work order basis. Several transit corridor projects are likely to advance to National Environmental Policy Act and project development phases, potentially in preparation to enter the Federal Transit Administration's Capital Investment Grants Program.

Existing and anticipated projects requiring program management and engineering consultant services include:

- Red Line Project;
- Central Regional Transit Plan Corridors;
- Southern Maryland Rapid Transit; and
- Additional Regional Transit Plan Corridors or Close Circuit Television.

MTA will allocate approximately a third of the overall contract award to support the Red Line Project, a 14- mile east to west transit rail line that will provide a connection between the Woodlawn area of Baltimore County, West Baltimore communities, downtown Baltimore, Inner Harbor East, Fells Point, Canton, and the Johns Hopkins Bayview Medical Center. The work will include:

- planning and preliminary engineering, concept design, traffic and environmental analyses, supporting stakeholder engagement, and supporting the NEPA process; and
- providing several FTE staff to directly support the following aspects of the project:
 - planning/Federal process assistance;
 - engineering review;
 - stakeholder, outreach, and communications support;
 - QA/QC; and
 - project/program management support.

Additionally, work orders associated with this contract may include site selection, site evaluation, site planning, conceptual engineering, environmental impact assessments, traffic analysis, ridership projections, communication and power systems engineering, cost estimation, etc.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



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

Agency Remarks (cont'd):

A 29% DBE participation goal has been established for this contract. No VSBE participation goal was established for the contract due to federal funding.

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

Approp. Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 23-2690-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023

REVISED



MDOT 8

Contact: Memory M. Hewlett 410-767-8374
mhewlett@mdot.maryland.gov

4-C. MARYLAND TRANSIT ADMINISTRATION
Construction Contract

Contract ID: Eastman Siding and Worton Curve Safety Project; T-1744-0150
EPICS No.: T17440150

Contract Description: Provide reconstruction of the freight tracks, turnout, cross culverts, and ditches along the Massey-Chestertown Freight Line (#149) in Kent County, Maryland.

Award: David A. Bramble, Inc.; Chestertown, MD

Contract Term: 290 Calendar Days from NTP

Amount: \$4,234,487.00 NTE

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
David A. Bramble, Inc.	\$4,234,487.00
Bullock Construction, Inc.	\$7,429,250.00

DBE/VSBE Participation: 38.76% / N/A

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

Requesting Agency Remarks: The solicitation was advertised on eMaryland Marketplace Advantage (eMMA) on July 27, 2022, electronically notifying 44 potential vendors. No vendors were directly solicited. Two bids were received and opened on September 27, 2022. The awardee provided the lowest bid, which was approximately 6.1% higher than the Engineer's Estimate of \$3,991,749.72.

The two locations to be reconstructed are west of Worton Road in Worton, Maryland and south of Chinquapin Road, which is 2.8 miles north of Chestertown, Maryland. The work involves the excavation of existing ballast to approximately 9" under the proposed ties; the undercutting of proposed top of sub-ballast; and the removal and replacement of existing railroad cross ties, rails, ballast, and all related rail components. The north turnout serving Eastman industrial plant and the ballast between the ties of the existing south turnout will be replaced. Additionally, both lead tracks to Eastman's gate will be reconstructed. The grade crossing wiring in replaced sections of track at Worton Road (MD-297) will be furnished.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 9

REVISED

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

Agency Remarks (cont'd):

Although a 28.1% DBE goal was established for this contract; however, the recommended awardee has committed to exceeding the goal by 10.66% to achieve 38.76% participation. No VSBE goal was established for the contract due to an inability to apply State programs to federally funded projects.

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 Advisory 1995-1.

Fund Source: 50% Federal; 44% Special (Transportation Trust Funds);
6% (Kent County; Department of Commerce; Delaware Central Railroad; Maryland – Delaware Railroad; Eastman Chemical Company)

Approp. Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 23-2856-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



REVISED

MDOT 10

Contact: Memory Hewlett 410-767-8374
mhewlett@mdot.maryland.gov

5-GM-MOD. MARYLAND TRANSIT ADMINISTRATION

Modification: General/Miscellaneous Contract

Contract ID: Commuter Bus Routes 305/315/325; OPS-18-002-SR
EPICS No.: CO411492

Contract Approved: MDOT 10-GM, 02/21/2018

Contract Description: Provides weekday Commuter Bus services between Columbia, Silver Spring and Washington, DC.

Modification Description: Modify the scope to increase the rate per mile from \$10.61 to \$10.94, add diesel fuel reimbursements and extend the contract for 207 days to allow time for a replacement contract to be procured.

Award: Martz Group/Gold Line, Inc.; Hyattsville, MD

Contract Term: 09/01/2018 – 08/31/2023 (5-years)

Modification Term: 09/07/2023 – 03/31/2024 (207-days)

Original Contract Amount: \$ 25,401,222.00

Modification Amount: \$ 0.00

Prior Mod/Option: \$ 0.00 (Mod. #1: contract extension, 09/01/2023 – 09/06/2023; Delegated Authority –MTA, 08/02/2023)

Total Contract Amount: \$ 25,401,222.00

Percent +/- Change: 0%

Total Percent Change: 0%

Procurement Method: Competitive Sealed Bidding

MBE/VSBE Participation: 5.4% / 0%

MBE/VSBE Compliance: 7.7% / 0%

REVISED

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

Hiring Agreement Eligible: No

Requesting Agency Remarks: The MTA is seeking approval of this modification to extend the contract period of performance through March 31, 2024 to allow for the continuity of critical Commuter Bus services while MTA completes a competitive procurement and awards a new contract. Additionally, MTA is seeking approval to reimburse the Contractor for diesel fuel on revenue miles based on AAA diesel fuel rates, increasing the rate per mile from \$10.61 to \$10.94. This rate increase is considered a material change requiring Board of Public Works approval.

The MTA is not requesting additional contract authority because sufficient contract authority remains to support the price adjustment throughout the extended period. This modification is necessary as the new solicitation cannot be completed prior to the current expiration. MTA has had a challenge in filling procurement position vacancies and maintaining staff levels. Staffing shortages combined with the extraordinary workload has made it challenging to complete some procurements in a timely manner.

Although a 5.4% MBE participation goal was established for this contract, Martz Group/Gold Line, Inc. is exceeding the goal by 2.6% to achieve 8.0% MBE compliance. No VSBE participation goal was established for this contract due to limited sub-contracting opportunities.

The services provided by the Contractor are critical to MTA's commuter bus ridership. Therefore, approving this modification to continue these essential services while procuring a replacement contract is in the best interest of the State.

Fund Source: 100% Special (Transportation Trust Funds)

Approp. Code: J05H0104

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 12

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

6-LL. MARYLAND TRANSIT ADMINISTRATION
Lease-Landlord

Recommendation: That the Maryland Board of Public Works approve the Maryland Transit Administration (MTA) leasing real property as landlord.

Authority: Transportation Article §7-204 (d) (I)
Annotated Code of Maryland

Property: MC #21-5107
Amtrak/ BWI Rail Station (± 8,097 sq ft), 7000 Amtrak Way,
Hanover, Anne Arundel County, Maryland

Landlord: State of Maryland, MTA

Tenant: National Railroad Passenger Corporation (Amtrak)

Space Type: A parcel of land and all improvements, including the ± 4,260 square feet rail passenger station, adjoining surface parking lot, directional signage, canopies, and sidewalks as described.

Lease Type: 30-year Lease Renewal

Lease Term: 10/01/2023 – 09/30/2053 (30-years)
Effective Date: 10/01/2023

Annual Rent: \$1.00 (for whole term)

Special Conditions: Tenant will pay to Landlord a forty percent (40%) portion of the net retail revenues actually received from Subleases as set forth in the Lease Agreement.

Requesting Agency Remarks: MTA is requesting the approval of a new 30-year Lease Renewal Agreement. The original Lease was approved by BPW on November 20, 2013 under 12-LL and the 4th Amendment to extend the lease was approved on August 31, 2022 under 5-LL. The current lease will expire on September 30, 2023.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 13

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

7-LT. MARYLAND TRANSIT ADMINISTRATION
Lease/Tenant

Recommendation: That the Maryland Board of Public Works approve the Maryland Transit Administration (MTA) 30-year lease for real property as the tenant.

Authority: Transportation Article, §7-204 (d) (I)
Annotated Code of Maryland

Property: MTA RE No. 1027A – Perryville, Aberdeen, Edgewood and Glenn L. Martin

Landlord: National Railroad Passenger Corporation (Amtrak)

Tenant: State of Maryland, MTA

Space Type: Land

Lease Type: Leased Premises Agreement

Lease Term: 10/1/2023 to 9/30/2053

Effective Date: 10/1/2023

Annual Rent: Perryville, Edgewood and Glenn L. Martin (Sole Use Stations)-
\$23,000 with 2% annual escalation after Year 1
Aberdeen - 40% of Gross Revenues received from any Subtenants

Requesting Agency Remarks: MTA is requesting approval of a new 30-year Lease Agreement and supplemental License Agreement in support of MARC commuter rail service and parking. BPW approved the extension of the 1991 Agreement from 30 years to 32 1/2 years with the 10th Amendment to the Amtrak Lease Agreement through September 30, 2023. The 10th Amendment was approved on August 31, 2022, under 6-LT to allow negotiations to continue on a new 30-year lease which has now been successfully completed. The supplemental License Agreement (MTA RE No. 1027B) addresses prior Lease Amendments not included in the new 30-Year Lease.

This action item is a companion to 8-LT appearing on this agenda.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 14

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

8-LT. MARYLAND TRANSIT ADMINISTRATION
Lease/Tenant

Recommendation: That the Maryland Board of Public Works approve the Maryland Transit Administration (MTA) 30-year license agreement for real property as the licensee.

Authority: Transportation Article, §7-204 (d) (I)
Annotated Code of Maryland

Property: MTA RE No. 1027B – Baltimore Pennsylvania Station, New Carrollton Station and BWI Thurgood Marshall Airport Station

Landlord: National Railroad Passenger Corporation (Amtrak)

Tenant: State of Maryland, MTA

Space Type: Land

Lease Type: License Agreement

Lease Term: 10/01/2023 - 09/30/2053 (30-years)

Effective Date: 10/01/2023

Requesting Agency Remarks: MTA is requesting approval of a new 30-year License Agreement for utility infrastructure and ticket vending machines at stations previously identified in amendments to the 1991 Amtrak Agreement. BPW approved the 10th Amendment which extended the 1991 Agreement from 30 years to 32 1/2 years through September 30, 2023. The 10th Amendment was approved on August 31, 2022, under 6-LT to allow negotiations to continue on a new 30-year lease. This supplemental License Agreement, which will run concurrently with the 30-Year Amtrak Lease (MTA RE No. 1027A), addresses prior Lease Amendments not included in the new 30-Year Lease.

Approval of this item is contingent on the simultaneous approval of companion item MDOT 7-LT appearing on this agenda.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 15

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

9-LT. MARYLAND TRANSIT ADMINISTRATION
Lease/Tenant

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

Authority: Transportation Article, § 7-204(d)(I)
Annotated Code of Maryland

Property: RE No. 1145
Eastern District Police Station, 3700 Mountain Road,
Pasadena, Anne Arundel County, Maryland

Landlord: Anne Arundel County

Tenant: State of Maryland, MTA

Space Type: Antenna Tower and Equipment Shelter

Lease Type: Intergovernmental Lease

Lease Term: 06/15/2022 – 06/14/2024 (2-years)

Effective Date: 06/15/2022

Annual Rent: \$60,000 per year (\$120,000 per term)

Requesting Agency Remarks: MTA is requesting approval of an Intergovernmental Lease Agreement (Lease) for the continued use of a tower for the MTA 490 MHz radio communications system. The site includes an equipment shelter, generator, three (3) transmit antennas, receiver antenna, microwave dish and various associative equipment. MTA and the County entered into a Lease dated September 5, 2012, for the use of County property which expired on June 14, 2022. MTA has continued its use of the property under a month-to-month holdover since June 15, 2022. The new Lease is for continued use of the property for the remainder of the two-year term.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 16

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

10-RP. MARYLAND TRANSIT ADMINISTRATION
Real Property – Surplus

Recommendation: That the Board of Public Works approve the Maryland Transit Administration (MTA) deeming real property as surplus as it is excess to the agency’s needs.

Authority: State Finance and Procurement Article, §10-305(b)(2)
Annotated Code of Maryland

Property: MC# 22-5116
Mardela Rail Line (± 33.52 ac or ± 4.19 miles), extending from Rowastico Creek, Hebron, Maryland to Brick Kiln Road, Salisbury, Maryland

Grantor: State of Maryland, MTA

Grantee: Wicomico County

Consideration: \$1.00

Appraised Value: \$760,500 – Georgia Nichols, (Selected)
\$938,100 – M. Patrick Peters, (Approved)
Casey Fitzpatrick, Review Appraiser

Special Conditions: Proceeds of any sale, lease or license of any property interests within the subject property will be received by MTA.

State Clearinghouse: The Clearinghouse conducted an intergovernmental review of the project under MD20230427-0317. It is recommended to declare the 4.19 miles of freight rail right-of-way from Rowastico Creek (Station No. 2645+53) near Hebron, MD to the intersection with Brick Kiln Rd (Station No. 2869+18) near Salisbury, MD surplus to the needs of the State, upon consideration of the Maryland Department of the Environment’s qualifying comments. None of the local or state agencies that provided review comments expressed an interest in acquiring the properties. Since no local government or unit of state government is interested in the property, the property was screened against the factors under Section 2-203(b)(1) of the Housing and Community Development Article. The property did not meet one or more of the factors; therefore, the property is not suitable for use or redevelopment as affordable housing.

DEPARTMENT OF TRANSPORTATION
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September 6, 2023



10-RP. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: The conveyance consists of ± 33.52 acres or ± 4.19 miles of idle freight railroad right-of-way (ROW) between station number 2645+53, near Rowastico Creek, Hebron, MD, and station number 2869+18, near the ROW intersection with Brick Kiln Rd, Salisbury, Wicomico County, MD. The ROW is typically 66-feet wide, but several areas are wider or narrower, per deed description in Liber 973, Page 366-367. Wicomico County is interested in acquiring the rail corridor for county-wide projects.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023**



MDOT 18

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

**11-AE. STATE HIGHWAY ADMINISTRATION
*Architecture/Engineering Contract***

Contract ID: Comprehensive Environmental & Engineering Services, Statewide,
BCS 2022-04 A and BCS 2022-04 E
EPICS No. SBCS2204A and SBCS2204E

Contract Description: Two of seven open-ended, work-order based contracts to provide comprehensive environmental & engineering services, for the State Highway Administration (SHA).

Awards: McCormick Taylor, Inc., Baltimore, MD Contract A
Century Engineering, Inc./ Contract E
Gannett Fleming, Inc. (JV); Windsor Mill, MD

Contract Term: 09/21/2023 – 09/20/2028 (5-years)

Amount: \$5,000,000 NTE each
\$10,000,000 total for this item.

Procurement Method: Qualification Based Selection

Proposals:

<i>Offerors</i>	<i>Technical Proposal Ratings (Max 100) (Rankings)</i>	<i>Awards</i>
McCormick Taylor, Inc. Baltimore, MD	86.91 (1)	\$5,000,000 NTE (Contract A)
Wilson T. Ballard Company Owings Mills, MD	86.54 (2)	Contract B
Wallace, Montgomery & Associates, LLP Hunt Valley, MD	84.35 (3)	Contract C
RS&H, Inc./ ATCS P.L.C. (JV) Towson, MD	82.87 (4)	Contract D
Century Engineering, Inc./ Gannett Fleming, Inc. (JV) Windsor Mill, MD	82.75 (5)	\$5,000,000 NTE (Contract E)
Rummel, Klepper & Kahl, LLP Baltimore, MD	81.29 (6)	Contract F
A. Morton Thomas and Associates, Inc./ A.D. Marble & Co. Inc., (JV) Towson, MD	77.46 (7)	Contract G

**DEPARTMENT OF TRANSPORTATION
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MDOT 19

11-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

Proposals (cont'd):

<i>Offerors</i>	<i>Technical Proposal Ratings (Max 100) (Rankings)</i>	<i>Awards</i>
Brudis & Associates, Inc./ Skelly & Loy, Inc. (JV) Columbia, MD	77.19 (8)	
AECOM Technical Services, Inc. Hunt Valley, MD, MD	77.17 (9)	
KCI Technologies, Inc. Sparks, MD	72.20 (10)	
WSP USA, Inc./ Johnson, Mirmiran & Thompson, Inc. (JV) Baltimore, MD	69.25 (11)	
STV Incorporated/ Stantec Consulting Services, Inc. (JV) Owings Mills, MD	67.44 (12)	
Jacobs Engineering Group, Inc. Baltimore, MD	59.23 (13)	
Barton & Loguidice, P.C. Annapolis, MD	41.27 (14)	

DBE/VSBE Participation: 28% / N/A

Incumbents: Rummel, Klepper, & Kahl, LLP; Century Engineering / Gannett Fleming (JV); McCormick Taylor, Inc.; Wallace, Montgomery, & Associates, LLP; STV / Stantec (JV); Jacobs Engineering Group, Inc.; JV of Skelly & Loy, Inc. / Brudis & Associates

Requesting Agency Remarks: On April 12, 2022, the solicitation was advertised in The Daily Record, SHA’s web page, and eMaryland Marketplace Advantage. The advertisement was for seven contracts for \$5,000,000 each not to exceed \$35,000,000 for comprehensive environmental & engineering services, Statewide for SHA. A total of 762 firms were notified via eMMA. SHA received 15 Expressions of Interest and invited 14 firms to submit technical proposals. One firm, Devine Professional Consulting Group, was ineligible for contract award and was excluded from submitting a technical proposal. SHA used qualifications-based selection and found 7 consultants eligible for contract award. There were no protests for this contract.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 20

11-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks (cont'd):

The comprehensive architectural and engineering (A/E) services pursued through this contract will include all environmental and engineering services, including but not limited to: transportation purpose and need assessments, multi-modal evaluations, logical termini/independent utility analyses, engineering feasibility and transportation planning studies, alternatives analyses, and completing all stages of project planning and development; perform environmental and engineering inventories and field surveys; perform travel forecast modelling and traffic analyses, prepare cost estimates; complete engineering through final design up to PS&E plans; perform a variety of agency, public and stakeholder involvement activities; analyze growth management issues; analyze climate change resiliency; conduct detailed environmental technical analyses for environmental documentation; prepare both draft and final environmental documents; and provide staff for on-site work as requested. The consultant will furnish all personnel, equipment, labor, computer software, materials, transportation, space, and related support facilities to perform these services support facilities to perform these services and other duties as assigned.

A 28% DBE participation goal was established for each contract within this award series. There was no VSBE goal established due to the federal funding source included for these contracts.

<i>Fund Source:</i>	80% Federal; 20% Special (Transportation Trust Funds)	
<i>Approp. Code:</i>	J02B0101 & J02B0102	See next page for Record Correction Letter dated 6/30/25
<i>Resident Business:</i>	Yes	
<i>MD Tax Clearance:</i>	McCormick Taylor, Inc. Century Engineering, Inc/ Gannett Fleming, Inc. (JV)	23-2987-0111 23-2994-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Wes Moore
Governor
Aruna Miller
Lieutenant Governor
Paul J. Wiedefeld
Secretary
William Pines, P.E.
Administrator

EXECUTIVE MEMORANDUM

TO: EXECUTIVE SECRETARY JOHN GONTRUM
FROM: SHA PROCUREMENT DIRECTOR JADA WRIGHT
SUBJECT: NOTICE OF CORRECTION – MDOT 11-AE, 09/06/2023 BPW MEETING
DATE: JUNE 30, 2025

PURPOSE OF MEMORANDUM

To advise the BPW staff of the following clerical error, a second appropriation code was inadvertently left off in the Department of Transportation’s Action Agenda item previously approved by the Board of Public Works.

MDOT Agenda 09/06/2023, Item 11-AE

Approved Approp. Code: J02B0101
Corrected Approp. Code: J02B0101 & J02B0102

Thank you for your attention to this matter. If additional information is required, please do not hesitate to contact me at (410) 545-0330 or jwright18@mdot.maryland.gov.

Requested by:



Jada Wright, Director
Office of Procurement and Contract Management

Concurrence:



Scott Pomento, P.E.
Chief Financial Officer

Approval:



William Pines, P.E.
Administrator

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023**



MDOT 21

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

**12-C. STATE HIGHWAY ADMINISTRATION
*Construction Contract***

Contract ID: Maintenance Facility Replacement and Laboratory Building Renovation at Easton – Facility Improvements in Talbot County; *TA2955129R*
EPICS No.: TA2955129R

Contract Description: This contract is for maintenance facility replacement and laboratory building renovation at Easton – Facility Improvements in Talbot County

Awards: Harkins Contracting, Inc.; Salisbury, MD

Contract Term: 09/21/2023* – 6/20/2026 (**or earlier upon BPW approval*)
(2 years, 8 months, 30 days)

Amount: \$13,148,458.00 NTE

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
Harkins Contracting, Inc.; Salisbury, MD	\$13,148,458.00
Rainbow Construction Corp. of Waldorf; Waldorf, MD	\$13,450,000.00
North Point Builders of Maryland, LLC; Beallsville, MD	\$13,550,000.00
The Whiting-Turner Contracting Company; Baltimore, MD	\$13,689,137.00
W.M. Schlosser Co., Inc.; Hyattsville, MD	\$14,766,000.00

Living Wage Eligible: No

MBE/VSBE Participation: 15.1% / 0%

Performance Security: Payment and Performance Bonds for 100% of the award amount exists for this contract.

Incumbent: None

Requesting Agency Remarks: This solicitation was advertised on eMaryland Marketplace Advantage on March 14, 2023, notifying 248 potential contractors, 42 of which were MDOT-certified Minority Business Enterprises (MBEs). Five bids were received and opened on May 25, 2023. There were no protests filed.

DEPARTMENT OF TRANSPORTATION
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MDOT 22

12-C. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks (cont'd):

State Highway Administration has confirmed Harkins Contracting, Inc's bid price.

A 15% MBE participation goal was set on this project based on various work items, however Harkins Contracting Inc. committed to a 15.07%. No VSBE participation goal was set due a lack of certified firms available to perform this work.

Fund Source: 100% Special (Transportation Trust Funds)

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 23-2225-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023**



MDOT 23

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

**13-C. STATE HIGHWAY ADMINISTRATION
*Construction Contract***

Contract ID: Elevator Renovation in SHA 211 Building in Baltimore City – Facilities Improvements; *AZ7075B29*
EPICS No.: *AZ7075B29*

Contract Description: Conduct facilities improvements, focusing on the renovation of elevators in State Highway Administration (SHA) 211 Building in Baltimore City, Maryland.

Award: Nichols Contracting, Inc.; Sandy Spring, MD

Contract Term: 09/21/2023* – 07/05/2025 (*or earlier upon BPW approval)
(1-year, 9-months, 14-days)

Amount: \$594,717.00 NTE

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

Bids:

<i>Bidders</i>	<i>Amounts</i>
Nichols Contracting, Inc.; Sandy Spring, MD	\$594,717.00

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0% (Limited Subcontracting Opportunities)

Performance Security: Payment and Performance Bonds for 100% of the award amount exists for this contract.

Incumbent: None

Requesting Agency Remarks: This solicitation was advertised on eMaryland Marketplace Advantage on May 23, 2023, notifying 1,229 potential contractors, 98 of which were MDOT-certified Minority Business Enterprises (MBEs). A single bid was received and opened on June 8, 2023. There were no protests filed for this contract.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 24

13-C. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks (cont'd):

The Engineer's Estimate for this contract was below \$500K, and the Governor's Office of Small, Minority & Women Business Affairs approved an SBR waiver on May 2, 2023. Sixty-three contractors were eligible to perform the services required according to SHA's eMMA commodity code search based on the scope of work. Of those, 20 were Certified Small Businesses, only six of which indicated an ability to fulfill the scope of work, usually as subcontractors; therefore, they were unlikely to respond.

Due to the lack of interest in the solicitation process, it is not believed that there would be advantage in readvertising this project. In addition, this work is required for Americans with Disabilities Act (ADA) accessibility compliance, delaying implementation would cause significant hardship if SHA had to reissue this solicitation.

SHA finds the recommended award amount to be fair and reasonable. After bid pricing review, discussions with NCI, and follow up market research to substantiate the total bid price, SHA has determined the single bid to be fair and reasonable.

The Maryland Department of Transportation State Highway Administration has confirmed Nichols Contracting, Inc.'s bid price.

No MBE participation goal was established for this contract due to the minimal number of firms approved with the NAICS Code to perform the work in geographical area. Each subcontracting category only revealed one firm available to perform the work. No VSBE participation goal was set due to the lack of certified firms available to perform this work.

Fund Source: 100% Special (Transportation Trust Funds)

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 23-2363-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023**



MDOT 25

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

**14-M. STATE HIGHWAY ADMINISTRATION
*Maintenance Contract***

Contract ID: Install, Repair, or Replace Traffic Barrier at Various Locations in Anne Arundel County; 4770251425

EPICS No.: 4770251425

Contract Description: Install, repair, or replace traffic barrier at various locations in Anne Arundel County, Maryland.

Award: L. S. Lee, Inc.; York, PA

Contract Term: 09/21/2023* – 12/31/2025 (*or earlier upon BPW approval)
(2-years, 3-months, 10-days)

Amount: \$3,965,953.50 NTE

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
L.S. Lee, Inc.; York, PA	\$3,965,953.50
PDI-Sheetz Construction Corporation; Linthicum, MD	\$4,566,691.00
Guardrails Etc., Inc.; Baltimore, MD	\$5,268,120.00
Long Fence Company, Inc.; Odenton, MD	\$5,761,350.00

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0% (Limited Subcontracting Opportunities)

Performance Security: Annual Renewable Performance and Payment Bonds for 100% of the award amount exists for this contract.

Incumbent: Guardrails Etc., Inc.; Baltimore, MD

Requesting Agency Remarks: This solicitation was advertised on eMaryland Marketplace Advantage on April 25, 2023, notifying 114 potential contractors, 16 of which were MDOT-certified Minority Business Enterprises (MBEs). Four bids were opened on May 25, 2023. There were no protests filed for this contract.

State Highway Administration has confirmed L.S. Lee, Inc.'s bid price.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 26

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

Agency Remarks (cont'd):

A 0% MBE goal was set for this project based on a minimal number of firms certified within the NAICS codes, to perform the sub contractable work items located in the geographical work area. There were no available VSBE firms available to perform the work.

Fund Source: 100% Special (Transportation Trust Funds)

Approp. Code: J02B0102

Resident Business: No

MD Tax Clearance: 23-2219-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023**



MDOT 27

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

**15-C. STATE HIGHWAY ADMINISTRATION
*Construction Contract***

Contract ID: Upgrade/Installation of Scale Equipment at Finzel (I-68 EB) Truck Weigh and Inspection station (TWIS) in Garrett and Allegany Counties; *GA4305123*
EPICS No.: GA4305123

Contract Description: Provide for the upgrade and/or installation of scale equipment at Finzel (I-68) TWIS in Garrett and Allegany Counties in Maryland.

Award: First Fruits Excavating, Inc.; Ridgeley, WV

Contract Term: 09/21/2023* – 03/19/2026 (*or earlier upon BPW approval)
(2-years, 5-months, 26-days)

Amount: \$1,831,422.75 NTE

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
First Fruits Excavating, Inc.; Ridgeley, WV	\$1,831,422.75
McClellan Contracting Company; Glen Burnie, MD	\$2,705,000.00

Living Wage Eligible: No

DBE/VSBE Participation: 5% / N/A

Performance Security: Payment and Performance Bonds for 100% of the award amount exists for this contract.

Incumbent: None

Requesting Agency Remarks: This solicitation was advertised on eMaryland Marketplace Advantage on March 7, 2023, notifying 1,228 potential contractors, 98 of which were MDOT-certified Minority Business Enterprises (MBEs). Two bids were opened on June 8, 2023. There were no protests filed for this contract.

The Maryland Department of Transportation State Highway Administration has confirmed First Fruits Excavating, Inc.’s bid price.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 28

15-C. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks (cont'd):

A 5% DBE participation goal has been set for this project based on DBE firms available who are located within the work area certified with the NAICS code to perform the work. Other work items were considered but not used due to the minimal number of certified firms located in the work area. No VSBE participation goal were established for this contract due to the federal funding source.

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

Approp. Code: J02B0102

Resident Business: No

MD Tax Clearance: 23-2364-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



REVISED

MDOT 29

Contact: Memory Hewlett 410-767-8374
mhewlett@mdot.maryland.gov

16-E-MOD. MARYLAND TRANSIT ADMINISTRATION
RETROACTIVE: Modification – Equipment Contract

Contract ID: Multiyear Bus Procurement for FY20 – FY24; *OPS-16-051-EQ-A&B*
EPICS No.: CO411048

Contract Approved: MDOT 24-E, 06/20/2018

Contractor: Nova Bus (US), Inc.; St. Eustache, Canada

Contract Description: Provides for the manufacturing and delivery of 40-foot transit buses (Contract A) and 60-foot articulated transit buses (Contract B) to the Maryland Transit Administration (MTA).

Modification Description: **Part A:** Seek *retroactive* approval for (1) exceeding the yearly Not-to-Exceed (NTE) contract amounts and (2) for exceeding the Producer Price Index (PPI) cap in the fourth year.

Part B: Increase contract authority to provide an economic adjustment increasing the cost per bus, provide a PPI increase beyond that which was outlined in the contract and approved previously by BPW, and modify the total quantity of buses to be purchased, from an NTE of 339 units to approximately 70 units per year.

Original Contract Terms: 06/22/2018 – 07/11/2023 (w/two 1-year renewal options)

Modification Term: **Part A:** 06/22/2020 – 07/11/2023 (**Retroactive:** 3-years, 19-days)
Part B: 09/07/2023 – 07/11/2025 (**Proactive:** Contract A only)

Original Contract Amount: \$211,771,542.00 NTE

Modifications Amounts: **Part A:** \$ 0.00 (**Retroactive**)
Part B: \$24,821,971.62 (Proactive – Contract A only)

Prior Mods/Options: \$ 0.00 (Mod. #1: Modification to correct the contract’s period of performance to properly express the two 1-year renewal option terms; MDOT 6-E-MOD, 05/03/2023)
\$ 0.00 (Renewal Option #1; 07/12/2023 – 07/11/2024; Delegated Authority – MTA, 06/16/2023)
\$ 0.00 (Renewal Option #2; 07/12/2024 - 07/11/2025; Delegated Authority – MTA, 07/13/2023)

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

Revised Contract Amount: \$236,593,513.62

Percent +/- Change: +11.7%

Overall Percent +/-: +11.7%

Original Procurement Method: Competitive Sealed Proposals

DBE/VSBE Participation: Federal Transit Administration Transit Vehicle Manufacturer

Requesting Agency Remarks: These two contracts provide for the design, production, delivery, and technical support of 40-foot (Contract A) and 60-foot (Contract B) transit buses to be delivered to MTA over a 5-year period.

Part A: The total quantity of buses procured under these contracts could not (and did not) exceed \$211,771,542.00 – the amount of capital funding that had been allocated for this procurement and approved by the Board of Public Works at the June 20, 2018 BPW meeting. However, each contract also established a not-to-exceed (NTE) amount (with annual economic adjustments applied after the first year) that limited the cost MTA could pay the contractor in a single year. Those NTEs were \$22,293,953.00 for Contract A and \$25,541,445.00 for Contract B. MTA exceeded the NTE on three separate occasions.

- Year 3 – Contract B - \$32,756,636.25 paid to the vendor
- Year 4 – Contract A - \$40,691,476.96 paid to the vendor
- Year 5 – Contract A - \$41,393,063.10 paid to the vendor

Additionally, as stated above, these contracts contained language that provided for a firm fixed price during the first 12 months of the contract before converting to an adjustable price formula based upon the United States Bureau of Labor Statistics' WPU1413 Truck and Bus Body PPI category and the base cost of goods being procured. The contract held that PPI was capped at 5%. However, in the fourth year of the contract, MTA's orders were subjected to a 7.4% PPI increase, which essentially had a domino effect on purchases in subsequent years.

RETROACTIVE approval is being requested pursuant to State Finance & Procurement Article §11-204(c). These contracts should be treated as voidable, rather than void, because: 1) all parties have acted in good faith; 2) ratification of the procurement contracts 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

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

Agency Remarks (cont'd):

Part B: This modification to Contract A provides \$24,821,971.62 in additional contract authority to address the need to purchase buses during the Renewal Option terms.

Additional funding is required due to unprecedented PPI escalations. Much of the price increase is attributed to the increase in the cost of steel and raw materials for the bus bodies. With this modification, MTA is seeking approval to grant the contractor their requested price adjustments.

This change order also modifies the total quantity of buses to be purchased, from an NTE of 339 units to approximately 70 units per year. The original price proposal and intention of the contract was always to purchase approximately 70 buses a year, but the contract incorrectly stated that no more than 339 buses would be purchased over the life of the contract.

The contract allows for the vendor to request (and for MTA to approve) a pricing adjustment of no more than 5% based on PPI category WPU1413 “Truck and Bus Bodies.”

The per bus cost increases to \$726,720.00 (23% PPI increase) and \$799,392.00 (10% PPI Increase) for Renewal Options 1 and 2, respectively. Noting that the price adjustments are larger than the previously agreed to 5% PPI cap, MTA is seeking approval to grant the contractor the requested values.

If this modification is denied, MTA risks losing its place in the Nova Bus production assembly line. Since Nova Bus is closing its U.S. manufacturing facility in Quarter 1 of 2025, MTA cannot risk any additional delays. MTA must submit its orders immediately to avoid losing its place in the bus production assembly line and to meet the bus requirements outlined in the FTA-approved bus fleet plan. Therefore, MTA has determined that it is in the best interest of the State to grant the requested modifications. A new solicitation for Battery-Electric Transit Buses is being completed for the next cohort of buses and MTA projects that it will be presented to the BPW for approval in the Fall 2023.

Contract B does not require a contract modification because MTA has received all of the 60-foot articulated transit buses that it needs and has no intention of using this contract to purchase any more buses.

For transit vehicles, the DBE goals are managed through the FTA’s Transit Vehicle Manufacturer (TVM) Program. Only eligible TVMs may bid on FTA-assisted transit vehicle procurements. MTA does not set, nor review the DBE participation goals.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023



MDOT 32

REVISED

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

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

Approp. Code: J05H0105

Resident Business: No

This agenda item was previously withdrawn from the 07/19 BPW meeting as MDOT 21-E-MOD.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

17-AE. STATE HIGHWAY ADMINISTRATION
Architecture/Engineering Contract

Contract ID: Planning, Engineering, Construction Management, and Program Support Services; Statewide *BCS 2022-09 B* and *BCS 2022-09 C*
EPICS No.: SBCS2209B, SBCS2209C

Contract Description: Two open-ended, work-order based contracts to provide planning, engineering, construction management, and program support services for traditional and alternative delivery projects in the I-495 and I-270 corridors or other projects statewide. Task assignments may be made to support other SHA Offices, any of the MDOT modes, or other agencies. These contracts will be administered by SHA’s I-495 & I-270 Program Office.

Recommendation A: Award two of three open-ended contracts to complete the series.

Recommendation B: Make corrections to the record of Contract A, approved at the July 5, 2023, BPW meeting (MDOT 7-AE), to align the contract description and contract term with Contracts B and C.

Awards: ATCS P.L.C./ Contract B
Jacobs Engineering Group, Inc. (JV); Timonium, MD
RS&H, Inc./ Contract C
Gannett Fleming, Inc./
Johnson, Mirmiran & Thompson, Inc. (JV); Owings Mills, MD

Contract Term: 09/07/2023 – 09/06/2028 (5-years)

Amount: \$75,000,000 NTE each
\$150,000,000 (for this item)

Procurement Method: Qualifications-Based Selection

Proposals:

<i>Offerors</i>	<i>Technical Proposal Ratings (Max 100) (Rankings)</i>	<i>Awards</i>
Whitman, Requardt and Associates LLP/ Rummel, Klepper & Kahl, LLP/ WSP USA Inc. (JV) Baltimore, MD	91.38 (1)	Contract A Approved 7-AE, 07/05/2023
ATCS P.L.C./ Jacobs Engineering Group, Inc. (JV) Timonium, MD	90.90 (2)	\$75,000,000 NTE (Contract B)

17-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

Proposals (cont'd):

<i>Offerors</i>	<i>Technical Proposal Ratings (Max 100) (Rankings)</i>	<i>Awards</i>
RS&H, Inc./ Gannett Fleming, Inc./ Johnson, Mirmiran & Thompson, Inc. (JV) Owings Mills, MD	88.52 (3)	\$75,000,000 NTE (Contract C)
AECOM Technical Services, Inc. Hunt Valley, MD	86.89 (4)	
Hardesty & Hanover, LLC/ LIRO Engineers, Inc./ AKRF, Inc. (JV) Annapolis, MD	76.52 (5)	

DBE/VSBE Participation: 28% / N/A

Incumbents: N/A

Requesting Agency Remarks: On July 21, 2022, the solicitation was advertised in The Daily Record, SHA’s web page, and eMaryland Marketplace Advantage. The advertisement was for three contracts for \$75,000,000 each, not to exceed \$225,000,000, to provide planning, engineering, construction management, and program support services for SHA’s I-495 & I-270 Program Office, which manages the mega-project to design, build, and maintain multi-modal improvements on the Capital Beltway and the Dwight D. Eisenhower Memorial Highway. This project was originally designated as a public-private partnership on June 5, 2019 (6/5/19, MDOT 19-GM) as amended on January 8, 2020 (6/8/20, MDOT 23-GM). A Phase P3 Agreement with Accelerate Maryland Partners was executed on August 18, 2021, (8/11/21, MDOT 11-GM), and was subsequently terminated on March 9, 2023.

A key focus for the I-495 & I-270 Program is the American Legion Bridge, which can no longer accommodate daily traffic levels and is limited in its ability to support efficient transit and alternative transportation options. While the bridge is safe, it will require repairs to rehabilitate its deck within the next decade – a disruptive construction activity that would further stress congestion on the already constrained bridge. Other critical work will advance under these contracts including further analysis of transit options, multimodal connections, and transportation demand management elements as part of the overall strategy to further support equitable access, stimulate economic growth and break the congestion bottlenecks along these important corridors. SHA also seeks to correct the record for Contract A, which was previously presented as MDOT 7-AE at the July 5, 2023, BPW meeting. This agenda item serves as a correction to the contract description and to the contract term, clarifying Contract A’s purpose and aligning all three contracts to have the same contract term upon approval of this agenda item.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
September 6, 2023

SUPPLEMENTAL



MDOT 35

17-AE. STATE HIGHWAY ADMINISTRATION (cont'd)

Agency Remarks (cont'd):

A total of 795 firms were notified via eMMA and an additional 999 firms were directly solicited to submit technical proposals. SHA received technical proposals from five firms. SHA used a qualifications-based selection method and found three consultants eligible for contract award. There were no protests for this contract.

The comprehensive architectural and engineering (A/E) services pursued through this contract will include planning, engineering, construction management, and program support services for traditional and alternative delivery projects. Task assignments may also support other SHA offices, other MDOT modes, or other state or local public agencies, provided they are within the contract scope of work and conform to all contract terms, conditions, and payment provisions.

More specifically, the scope includes the following: professional general engineering consultant services; planning, engineering, including highway, hydraulic, structure, traffic, signal, geotechnical, pavement, utility, and others as needed; project management; estimating; construction engineering, inspection, and management; permitting and compliance; environmental review, oversight, and document preparation; public communications and strategic outreach; small and disadvantaged business outreach, development, support, and monitoring; soil testing; subsurface utility exploration; survey/data collection; landscape architecture; independent design and construction auditing and quality assurance; highway operations and maintenance; tolling; and traffic and revenue studies.

A 28% DBE participation goal has been established for the contract series and each recommended awardee has committed to meeting this goal. There was no VSBE goal established due to the federal funding source included for these contracts.

<i>Fund Source:</i>	80% Federal; 20% Special (Transportation Trust Funds)	
<i>Approp. Code:</i>	J02B0101 & J02B0102	See next page for Record Correction Letter dated 6/30/25
<i>Resident Business:</i>	Yes	
<i>MD Tax Clearance:</i>	ATCS P.L.C./ Jacobs Engineering (JV) RS&H, Inc./ Gannett Fleming, Inc./ Johnson, Mirmiran & Thompson, Inc. (JV)	23-3244-1111 23-3245-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

John Gontrum



Wes Moore
Governor
Aruna Miller
Lieutenant Governor
Paul J. Wiedefeld
Secretary
William Pines, P.E.
Administrator

EXECUTIVE MEMORANDUM

TO: EXECUTIVE SECRETARY JOHN GONTRUM
FROM: SHA PROCUREMENT DIRECTOR JADA WRIGHT
SUBJECT: NOTICE OF CORRECTION – MDOT 17-AE, 09/06/2023 BPW MEETING
DATE: JUNE 30, 2025

PURPOSE OF MEMORANDUM

To advise the BPW staff of the following clerical error, a second appropriation code was inadvertently left off in the Department of Transportation’s Action Agenda item previously approved by the Board of Public Works.

MDOT Agenda 09/06/2023, Item 17-AE

Approved Approp. Code: J02B0101
Corrected Approp. Code: J02B0101 & J02B0102

Thank you for your attention to this matter. If additional information is required, please do not hesitate to contact me at (410) 545-0330 or jwright18@mdot.maryland.gov.

Requested by:

Jada Wright

Jada Wright, Director
Office of Procurement and Contract Management

Concurrence:

Scott Pomento

Scott Pomento, P.E.
Chief Financial Officer

Approval:

William Pines

William Pines, P.E.
Administrator



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**

Item#	Category	Pages
<i>1 - 15</i>	<i>Capital Grants and Loans</i>	<i>1 - 16</i>
<i>16 - 17</i>	<i>Construction</i>	<i>17 - 21</i>
<i>18 - 25</i>	<i>Services</i>	<i>22 - 41</i>
<i>26 - 34</i>	<i>Information Technology</i>	<i>42 - 63</i>
<i>35</i>	<i>Maintenance</i>	<i>64 - 65</i>
<i>36</i>	<i>General Miscellaneous</i>	<i>66</i>
<i>37</i>	<i>Real Property</i>	<i>67</i>
<i>38</i>	<i>Landlord Lease</i>	<i>68</i>
<i>39 - 40</i>	<i>Tenant Lease</i>	<i>69 - 71</i>
<i>41</i>	Supplemental: <i>Services (cont'd)</i>	<i>72</i>
<i>42</i>	Supplemental: <i>Services (cont'd)</i>	<i>77</i>



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*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 a grant agreement for the following grant:

The Board of Directors of Southwest Partnership, Inc.

Resurrect the Rec: Reopening the Poppleton Recreation Center (Baltimore City)
“For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Poppleton Recreation Center.”

<i>Maryland Consolidated Capital Bond Loan of 2022 (LSI– Chapter 344, Acts of 2022)</i>	
<i>DGS Item 547 (SL-225-220-038)</i>	\$ 250,000
<i>Maryland Consolidated Capital Bond Loan of 2022 (LHI Chapter 344, Acts of 2022)</i>	
<i>DGS Item 711 (SL-225-220-038)</i>	\$ 250,000

Matching Fund: No match is required.

Background:	Total Project	\$ 2,652,490
	22-547 (This Action)	\$ 250,000 (Non-match)
	22-711 (This Action)	\$ 250,000 (Non-match)
	Local Cost	\$ 2,152,490

(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 Sections 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



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*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 grant agreements for the following grants:

The Board of Trustees of the Calvert County Day School, Inc. dba The Calverton School

The Calverton School Building Renovations and Safety Project (Calvert County)
“For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of The Calverton School building.”

<i>Maryland Consolidated Capital Bond Loan of 2022 (MISC– Chapter 344, Acts of 2022)</i>	
<i>DGS Item 446 (SL-214-220-038)</i>	\$ 100,000
<i>Maryland Consolidated Capital Bond Loan of 2022 (LSI– Chapter 344, Acts of 2022)</i>	
<i>DGS Item 583(SL-214-220-038)</i>	\$ 300,000

Matching Fund: No match is required.

Background:	Total Project	\$ 426,000
	22-446 (This Action)	\$ 100,000 (Non-match)
	22-583 (This Action)	\$ 300,000 (Non-match)
	Local Cost	\$ 26,000

(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 Sections 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

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DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Mindy Kim-Woo 410-767-6862
mindy.kim-woo@maryland.gov*

**11-CGL. CAPITAL GRANTS AND LOANS
*Department of Health***

Recommendation: That the Board of Public Works approve a grant of \$122,307.00 to *Housing Unlimited, Inc. (Montgomery County)*.

Project: The acquisition of the real property located at 212 Marsh Hollow Place, Apt. K, Rockville, MD 20850. This project will provide housing for two individuals with psychiatric disabilities.

Appraisals:	Contract of Sale	\$162,227
	Laura G. Lamb	\$165,000
	H. Virginia Timian	\$162,227
	DGS accepted appraisal	\$162,227
	Eligible Cost	\$163,077*

*Includes the lesser of the DGS accepted value or the contract price at \$162,227.00, and the cost of the appraisals at \$850.00

Fund Source: The Maryland Department of Health has determined the grantee is responsible for providing 25% of the eligible project cost.

Total Project Cost	\$163,077
Eligible Project Cost	\$163,077
State Share (75%)	\$122,307
Grantee Share (25%)	\$ 40,770 DHCD
This Action	\$122,307 (MCCBL 2022) (CB-20810-05, 2023 Appropriation)

Remarks:

1. Grantee is a nonprofit organization and provides housing for individuals with psychiatric disabilities who are able to live independently and have annual incomes below 30% of area median income.
2. 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.
3. 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Mindy Kim-Woo 410-767-6862
mindy.kim-woo@maryland.gov*

**12-CGL. CAPITAL GRANTS AND LOANS
*Department of Health***

Recommendation: That the Board of Public Works approve a grant of \$39,870.00 to *Opportunity Ministries, Inc. (Anne Arundel County)*.

Project: The planning and design for renovations of Grantee’s facility located at 105 Padfield Boulevard, Glen Burnie, MD 21061 which facility was acquired through grant funding.

Fund Source: The Maryland Department of Health has determined the grantee is responsible for providing 10% of the eligible project cost.

Total Project Cost	\$44,300	
State Share (90%)	\$39,870	
Grantee Share (10%)	\$ 4,430	Cash in Hand
 This Acton	 \$39,870	 (MCCBL 2022 (CB-312023-01; FY 2024 Appropriation)

Remarks:

1. Grantee is a nonprofit organization.
2. The units are used to provide recovery housing for fifteen male adults.
3. 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 Anne Arundel County.
4. 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Mindy Kim-Woo 410-767-6862
mindy.kim-woo@maryland.gov*

**13-CGL. CAPITAL GRANTS AND LOANS
*Department of Health***

Recommendation: That the Board of Public Works approve a grant of \$1,000,000.00 to *Choptank Community Health System, Inc. (Denton, MD)*.

Project: The planning, renovation, construction and equipping of a real property located at 320 Hargraves Drive, Federalsburg, MD 21632 (*Caroline County*). Grantee is a Federally Qualified Health Center, providing affordable, culturally competent patient and family centered health care for all ages including pediatric. This project will allow for a state-of-the-art facility for community members to receive medical, dental, and expanded behavioral health care.

Funding Source: The Maryland Department of Health has determined the grantee is responsible for providing 83% of the eligible project cost.

Total Project Cost	\$ 5,882,353
State Share (17%)	\$ 1,000,000 (FY 2024 Appropriation)
Grantee Share (83%)	\$ 4,882,353 Capital Reserves
 This Action	 \$ 1,000,000 (MCCBL 2021, 2022)

Remarks:

1. Grantee is a Federally Qualified Health Center (FQHC).
2. Grantee provides affordable, culturally competent patient and family centered health care for individual and community wellness and this project will allow for a state-of-the-art facility for community members to receive medical, dental, and expanded behavioral health care.
3. Grantee has submitted an application for additional funding in FY 2025 and if awarded, would request continuing state participation towards this project.
4. In accordance with Subtitle 13 of Title 24 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 included in the Deed(s) or otherwise recorded among the Land Records of Caroline 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Mindy Kim-Woo 410-767-6862
mindy.kim-woo@maryland.gov*

**14-CGL. CAPITAL GRANTS AND LOANS
*Department of Health***

Recommendation: That the Board of Public Works approve a grant of \$186,873.00 to *Housing Unlimited, Inc. (Montgomery County)*.

Project: The acquisition of the real property located at 39 Ellsworth Heights Street, Silver Spring, MD 20910. This project will provide housing for three individuals with psychiatric disabilities.

Appraisals:	Contract of Sale	\$248,315
	Laura G. Lamb	\$248,600
	H. Virginia Timian	\$248,315
	DGS accepted appraisal	\$248,315
	Eligible Cost	\$249,165*

*Includes the lesser of the DGS accepted value or the contract price at \$248,315.00, and the cost of the appraisals at \$850.00

Fund Source: The Maryland Department of Health has determined the grantee is responsible for providing 25% of the eligible project cost.

Total Project Cost	\$249,165
Eligible Project Cost	\$249,165
State Share (75%)	\$186,873
Grantee Share (25%)	\$ 62,292 DHCD
This Action	\$186,873 (MCCBL 2022) (CB-20810-06, 2023 Appropriation)

Remarks:

1. Grantee is a nonprofit organization and provides housing for individuals with psychiatric disabilities who are able to live independently and have annual incomes below 30% of area median income.
2. 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.
3. 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

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WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



15-CGL. CAPITAL GRANTS AND LOANS (cont'd)

- 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Courtney League 410-767-5516
courtney.league@maryland.gov*

**16-C. CONSTRUCTION CONTRACT
*Department of General Services***

Contract ID: Aberdeen Proving Grounds Edgewood Barracks Dehumidification of buildings
4222,4227,4229; M-140-220-004
ADPICS No.: CTR014573

Contract Description: Install three additional dedicated outdoor air handling units for dehumidification at buildings 4222, 4227, and 4229 on the Aberdeen Proving Grounds Edgewood campus in Harford County.

Award: BMC Services, LLC; Baltimore, MD

Contract Term: 180 Calendar Days

Amount: \$797,750

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
BMC Services, LLC; Baltimore, MD	\$797,750
Asn-general Contracting; Dunkirk, MD	\$880,000
J F Fischer Inc.; Baltimore, MD	\$895,000
LG Construction Inc.; Perryville, MD	\$896,813
Chilmar Corporation; Baltimore, MD	\$974,396
Denver Elek; Essex, MD	\$981,000

MBE/VSBE Participation: 25% / 0%

Performance Security: Performance and payment bonds for 100% of contract amount.

Incumbents: N/A

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on eMaryland Marketplace Advantage on May 4, 2023. Six bids were received and opened on June 7, 2023, BMC Services, LLC has been found responsible and its bid responsive. The bid pricing has been confirmed.



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



16-C. CONSTRUCTION CONTRACT (cont'd)

Fund Source: 100 % Federal

Approp. Code: D50-22-05-132G78-F0

Resident Business: Yes

MD Tax Clearance: 23-2570-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Courtney League 410-767-5516
courtney.league@maryland.gov*

17-C. CONSTRUCTION CONTRACT

Recommendation: That the Board of Public Works approve the following Task Orders under previously-approved Master Contracts.

Authority: State Finance and Procurement Article,
Annotated Code of Maryland, § 13-113; COMAR 21.05.13.06

Procurement Method: Task Order under Master Contract

1.0 Master Contract: *General Construction and Related Services, Statewide*
 Contract No.: DGS-18-306-IQC
Approved: DGS 3-C, 03/28/2018
Term: 03/26/2018 - 07/25/2023
**As of publication, the remaining balance of this master contract is \$986,241.00.*

1.1 Using Agency: Department of Health
Description: Modernization of elevator 1 and 2 at Spring Grove Hospital Center in Catonsville. The current elevators have been in operation for approximately 53 years; SG-692-230-003 (IQC)
Award: Colossal Contractors, Inc.; Burtonsville, MD
Number of Qualified Master Contractors: 12
Number of Bids: 7
Bids:

<i>Bidders</i>	<i>Amounts</i>
Colossal Contractors, Inc. - Burtonsville, MD	\$ 643,200
Total Contracting, Inc. - Lanham, MD	\$ 707,500
Warwick Supply & Equipment Co., Inc. - Hunt Valley, MD	\$ 811,350
Hayes Construction Company - Phoenix, MD	\$ 821,880
Brawner Builders, Inc. - Hunt Valley, MD	\$ 822,520
Baltimore Contractor, Inc. - Glen Burnie, MD	\$ 883,476
Meltech Corporation, Inc. - Landover, MD	\$1,166,182

Amount: \$643,200
Term: 224 Calendar Days
MBE Participation: 10% / 0%
Resident Business: Yes
Fund Source: 100% General



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



17-C. CONSTRUCTION CONTRACT (cont'd)

- 1.2 *Using Agency:*** Department of General Services
Description: Repair/rebuild 30 dormers and replace windows at Annapolis Data Center in Annapolis; *BA-108-236-002*.
Award: Hayes Construction Company, Phoenix, MD
Number of Qualified Master Contractors: 12
Number of Bids: 2
Bids:

<i>Bidders</i>	<i>Amounts</i>
Hayes Construction Company; Phoenix, MD	\$ 376,370
Baltimore Contractors, Inc.; Glen Burnie, MD	\$1,200,888

- Amount:*** \$376,370
Term: 90 Calendar Days
MBE/VSBE Participation: 15% / 0%
Fund Source: 100 % General
Agency Remarks: Three bids were received and one bid was rejected because the bidder provided inadequate bid bond documents. Hayes Construction Company has confirmed their bid price and acknowledged understanding of the project specifications.

- 1.3 *Using Agency:*** Department of General Services
Description: Refurbishment of four Elevators at W. Paul Martin District Court in Salisbury. The existing four elevators are more than 32 years old and have many technological issues including the cables and elevators housings; *BC-201-211-001 (IQC)*.
Award: Warwick Supply & Equipment Co., Hunt Valley, MD
Number of Qualified Master Contractors: 7
Number of Bids: 4
Bids:

<i>Bidders</i>	<i>Amounts</i>
Warwick Supply & Equipment Co.; Hunt Valley, MD	\$1,612,700
Baltimore Contractors, Inc.; Glen Burnie, MD	\$1,709,888
Total Contracting, Inc.; Lanham, MD	\$1,818,520
Brawner Builders, Inc.; Hunt Valley, MD	\$2,077,412

- Amount:*** \$1,612,700



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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17-C. CONSTRUCTION CONTRACT (cont'd)

Term: 270 Calendar Days
MBE/VSBE Participation: 10% / 0% MBE
Fund Source: 100 % General

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



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

**18-S. SERVICES CONTRACT
*Department of Human Services, Social Services Administration***

Contract ID: Residential Child Care Services; SSA/RCCDD-24-003
ADPICS No.: N00B4600031

Contract Description: Continuity of care of one youth emergently placed with the provider.

Award: Mercy Healthcare Resources, Inc.; Pikesville, MD

Contract Term: 10/01/2023 - 06/30/2025

Amount: \$725,744

Procurement Method: Sole Source (Continuity of Care)

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Hiring Agreement Eligible: Yes

Incumbents: Same

Requesting Agency Remarks: The youth was placed via an emergency contract, Secretary's Agenda A1, 04/19/2023. Due to the unique needs of the youth, it was determined by the Baltimore City Local Department of Social Services that Mercy Healthcare Resources, Inc., continues to be the most appropriate placement as they are a Developmental Disabilities Provider that provides 24-hour community residential living in Baltimore, MD.

The Provider specializes in support for young adults 18 years and above, with challenges involving a wide array of individually designed services to youth that have Autism Spectrum Disorder (ASD), Attention-Deficit/Hyperactivity Disorder (ADHD), Combined Presentation, and Unspecified Schizophrenia Spectrum and Other Psychotic Disorder.

MBE or VSBE participation goals were not established for this contract since the specialized core services (psychiatric services/evaluations, case management, therapy, recreational therapeutic programs, educational services, etc.) are available within the facility and require specialized training, certification, and clearances.



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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September 6, 2023**



18-S. SERVICES CONTRACT (cont'd)

Agency Remarks (cont'd):

The proposed price for this contract is fair and reasonable because the price is set by the Maryland State Department of Health, Developmental Disabilities Administration, using the same established methodology in price setting for all In-State providers.

Fund Source: 100% General

Approp. Code: N00G0001

Resident Business: Yes

MD Tax Clearance: 23-0512-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Joh Sedtal 443-469-5864
joseph.sedtal@Maryland.gov*

**19-S. SERVICE CONTRACT
*RETROACTIVE - Department of Public Safety and Correctional Services***

Contract ID: Court Required Monitoring of Medical Health Provisions under Duvall Settlement Agreement; *SRV FY230014A*

Contract Description: *RETROACTIVE* approval for mutually-agreed upon Medical Health Monitor of the Department's compliance with medical health provisions of the Settlement Agreement in *Jerome Duvall, et al. v. Wes Moore, et al.* (D.Md. Civil No. 94-cv-02541) ("Duvall").

Award: Michael Puisis, D.O.,S.C.; Evanston, IL

Contract Term: 09/01/2019 - 09/06/2023 (**Retroactive**)

Amount: \$179,386.95 (**Retroactive**)

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: Unfortunately, a signed contract was never obtained and both parties worked together to perform and compensate for services in good faith. The Department became aware of this when it began preparing the sole source contract that is appearing on this agenda, DGS 20-S.

No MBE participation as this is a single element of work.

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.



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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19-S. SERVICES CONTRACT (cont'd)

Fund Source: 100% General

Approp. Code: Various

Resident Business: No

MD Tax Clearance: 23-2896-0000

BOARD OF PUBLIC WORKS

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**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Joh Sedtal 443-4695864
joseph.sedtal@maryland.gov*

**20-S. SERVICE CONTRACT
*Department of Public Safety and Correctional Services***

Contract ID: Court Required Monitoring of Medical Health Provisions under Duvall Settlement Agreement; *SRV FY230014*
ADPICS No.: Q00B4600008

Contract Description: Mutually-agreed upon Medical Health Monitor of the Department's compliance with medical health provisions of the Settlement Agreement in *Jerome Duvall, et al. v. Wes Moore, et al.* (D.Md. Civil No. 94-cv-02541)("Duvall").

Award: Michael Puisis, D.O.,S.C.; Evanston, IL

Contract Term: 09/21/23* - 03/31/24 (*Or earlier upon BPW approval)

Amount: \$128,750

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: After receiving requisite approval of the Board of Public Works on November 18, 2015, the Department executed a Settlement Agreement ("the Agreement") in Duvall under which the parties agreed that the Department's compliance with the Agreement's substantive provisions would be assessed by three mutually agreed-upon monitors - one for the medical provisions, one for the mental health provisions, and one for the physical plant provisions. Upon agreement of the parties, the federal court ordered a monitor for the medical health provisions. On June 28, 2016, the Court fully and finally approved the Agreement, and according to that Order, the Contractor is the only source that can provide the services sought and purchased by this Contract. As set forth in the Agreement, the Contractor will make on-site inspections, provide technical assistance to the Department to achieve compliance with the terms of the Settlement Agreement, and issue reports stating whether the Department has achieved substantial compliance with the terms of the Agreement.

No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities.



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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20-S. SERVICES CONTRACT (cont'd)

Fund Source: 100% General

Approp. Code: Q00A0101

Resident Business: No

MD Tax Clearance: 23-2896-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Joseph Sedtal 443-469-5864
joseph.sedtal@maryland.gov*

**21-S. SERVICES CONTRACT
*Department of Public Safety and Correctional Services***

Contract ID: Sexual Offender Treatment Services; *SRV/FY23011/BPM036982*
ADPICS No.: See Award table below

Contract Description: Provide specialized psychotherapeutic services to sexual offenders in 11 identified jurisdictions for the State of Maryland.

Awards:

<i>Awardee</i>	<i>Jurisdiction</i>	<i>Contract Term</i>
Huber Rehabilitation Services, Inc. Baltimore, MD ADPICS #: Q00B3600152 MD Tax Clearance: 23-2158-0111	Caroline County	Base Term \$83,400.00 Renewal Option #1 \$30,580.00 Renewal Option #2 \$30,580.00 Total (5 Years): \$144,560.00
	Wicomico County	Base Term: \$83,400.00 Renewal Option #1 \$30,580.00 Renewal Option #2 \$30,580.00 Total \$144,560.00
	Jurisdiction Total	\$289,120
Royal Minds, Inc. Baltimore, MD ADPICS #: Q00B3600153 MD Tax Clearance: 23-2138-0100	Allegany County	Base Term: \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Dorchester County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Garrett County	Base Term: \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Kent County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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21-S. DEPT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)

Awardee	Jurisdiction	Contract Term
Royal Minds, Inc. Baltimore, MD ADPICS #: Q00B3600153 MD Tax Clearance: 23-2138-0100	Queen Anne's County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Somerset County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Talbot County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total (5 Years): \$108,240.00
	Worcester County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Washington County	Base Term \$61,440.00 Renewal Option #1 \$23,400.00 Renewal Option #2 \$23,400.00 Total \$108,240.00
	Jurisdiction Total	\$974,160.00
	Total	\$719,760 Base Term \$271,760 Renewal Option #1 \$271,760 Renewal Option #2 \$1,263,280 Total

Contract Term: 09/07/2023 - 02/28/2026 (w/two 1-year renewal options)

Amount:

- \$ 719,760 (Base)
- \$ 271,760 (Renewal Option #1)
- \$ 271,760 (Renewal Option #2)
- \$1,263,280 Total

Procurement Method: Competitive Sealed Bidding



**DEPARTMENT OF GENERAL SERVICES
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21-S. SERVICES CONTRACT (cont'd)

Bids:

<i>Jurisdictions</i>	<i>Bidders</i>	<i>Total Bid Price</i>
Allegany County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
Caroline County	Huber Rehabilitation Services, Inc.	\$144,560
	Royal Minds, Inc.	\$183,930
	Freeland and Hildembrand Clinical and Forensic Associates	\$321,860
Dorchester County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
Garrett County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
Kent County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
	Freeland and Hildembrand Clinical and Forensic Associates	\$296,770
Queen Anne's County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
	Freeland and Hildembrand Clinical and Forensic Associates	\$296,770
Somerset County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
Talbot County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
	Freeland and Hildembrand Clinical and Forensic Associates	\$301,970
Worcester County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
Washington County	Royal Minds, Inc.	\$108,240
	Huber Rehabilitation Services, Inc.	\$140,140
Wicomico County	Huber Rehabilitation Services, Inc.	\$144,560
	Royal Minds, Inc.	\$183,930

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0%



**DEPARTMENT OF GENERAL SERVICES
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21-S. SERVICES CONTRACT (cont'd)

Performance Security: No

Requesting Agency Remarks: A notice of the availability of the Invitation for Bids (IFB) was advertised on eMaryland Marketplace Advantage on April 6, 2023. Copies of the solicitation were sent directly to 1010 prospective vendors for Sex Offender Treatment Services for 11 jurisdictions. Three bids were received and opened on May 22, 2023. Huber Rehabilitation Services, Inc. and Royal Minds, Inc. have been found responsible and their bids responsive. The bid pricing has been confirmed.

These provide specialized psychotherapeutic services and supervision of sexual offender inmates throughout the State. Specialized sexual offender assessment and treatment are essential elements of the containment approach to sexual offender management and will enable parole and probation agents to develop more appropriate supervision plans and implement more effective supervision strategies.

The treatment providers working for the programs covered by the contracts will have to meet educational and clinical experience requirements. They will provide services and notifications within time frames established by the Division of Parole and Probation (DPP), and will provide specialized treatment.

No MBE participation was established because there are no MBE vendors available in the designated areas that require services. Also no VSBE participation was established because there are no subcontracting opportunities.

Fund Source: 100 % General

Approp. Code: Q00C0201

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Joseph Sedtal 443-469-5864
joseph.sedtal@Maryland.gov*

22-S-OPT. SERVICES OPTION
*Department of Public Safety and Correctional Services
Division of Correction, Division of Parole and Probation, and
Division of Pretrial Detention and Services Contract*

Contract ID: Comprehensive Drug Testing; Q0021010
ADPICS No.: Q00B4600007

Contract Approved: DGS 27-S, 06/02/2021

Contract Description: Comprehensive drug testing program for the Division of Correction, Division of Parole and Probation, Pretrial Release Services Program and Division of Pretrial Detention.

Option Description: Exercise the second renewal option.

Award: Redwood Toxicology Laboratory, Inc.; Santa Rosa, CA

Original Contract Term: 07/01/2021 - 09/30/2022 (w/three 1-year renewal options)

Option Term: 10/01/2023 - 09/30/2024

Original Amount: \$903,437.50

Option Amount: \$722,750

Prior Options/Mods: \$722,750 (Renewal Option #1; 10/01/2022 - 09/30/2023, DGS 31-S-OPT 08/31/2022)

Total Contract Amount: \$2,348,937.50

Percent +/- (This Item): 80.00%

Total Percent Change: 160.00%

Original Procurement Method: Intergovernmental Cooperative Purchasing Agreement
Minnesota Multistate Contracting Alliance (MMCAP)
(MMS2000332)



**DEPARTMENT OF GENERAL SERVICES
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22-S-OPT. SERVICES OPTION (cont'd)

MBE/VSBE Participation: 3% / 0%

MBE/VSBE Compliance: 4.813% / 0%

Performance Security: No

Requesting Agency Remarks: The program includes a variety of drug testing technology, including rapid oral fluid testing, rapid urine testing, laboratory urine testing, laboratory confirmation of rapid tests, and laboratory urine testing for synthetic cannabinoids. The drug testing vendor furnishes all testing supplies and will provide a multi-purpose web-based platform for easy access and tracking of test results. The drug testing program also incorporates a wider range of substances to reflect the changing trends in drug use by the DPSCS offender population.

The MBE participation has been updated from the prior renewal option. DPSCS was alerted that previously reported MBE spend was not based solely on spend directed for DPSCS, but for other entities the vendor had contracted with. DPSCS has worked with the vendor to develop a formula to more accurately define the MBE spend under this contract.

Fund Source: 100% General

Approp. Code: Various

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Bryan Mroz 410-767-6821
bryan.mroz@maryland.gov*

23-S-MOD. SERVICES MODIFICATION

Department of Health, Prevention and Health Promotion Administration

Contract ID: Electronic Claims Management System; 17-15997
ADPICS No.: COK10773

Contract Approved: DoIT 8-IT, 05/25/2016

Award: Santeon, Inc.; Reston, VA

Contract Description: Continued support and maintenance for the Electronic Claims Management System (eCMS). This is a proprietary claims processing system used to process medical claims by three MDH programs, the Breast and Cervical Cancer Diagnosis and Treatment (BCCDT) Program, the Kidney Disease Program (KDP), and the Children's Medical Services (CMS) Programs.

Modification Description: Extend the contract to allow time to complete the development and implementation of the new Salesforce system.

Original Contract Term: 07/01/2016 - 06/30/2021

Modification Term: 10/01/2023 - 06/30/2024

Original Contract Amount: \$2,272,620

Modification Amount: \$ 421,580

Prior Mods/Options: \$783,240 (Mod. #1 Extension 07/01/2021 - 06/30/2023;
DGS 16-S-MOD 06/16/2021)
\$ 0 (Mod. #2 Extension 07/01/2023 - 08/31/2023 Delegated
Authority - MDH 06/07/2023)
\$0 (Mod#3 Extension 09/01/2023 - 09/30/2023 Delegated
Authority - MDH 08/10/2023)

Total Contract Amount: \$3,477,440

Percent +/- (This Item): 18.55%

Total Percent Change: 53.01%



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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23-S-MOD. SERVICES MODIFICATION (cont'd)

Original Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

MBE/VSBE Compliance: 0% / 0%

Requesting Agency Remarks: This vendor developed and has been providing support and maintenance for the Electronic Claims Management System (eCMS). It has been used by Breast and Cervical Cancer Diagnosis and Treatment (BCCDT) Program and Kidney Disease Program (KDP) to process and pay medical and pharmacy claims since September 2005.

The department initially started a new request for proposal (RFP) for services, but then halted the solicitation in order to explore a different approach of building a system in-house. However, after careful consideration, it was determined that this would be a more expensive option. As a result, the department decided to restart the competitive procurement process for market solutions.

The Salesforce based system will enable the Breast and Cervical Cancer Diagnosis and Treatment (BCCDT) Program, Kidney Disease Program (KDP), and Children’s Medical Services (CMS) to modernize, automate and integrate their current patient enrollment, case management. Provider enrollment, and claims management systems. The Salesforce system will allow the programs to replace manual processes and outdated IT systems resulting in improved IT security, staff efficiency and ultimately better customer service.

No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities

Fund Source: 33.4% General, 33.3% Federal, 33.3% Special (Cigarette Restitution Fund)

Approp. Code: F0304

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Bryan Mroz 410-767-6821
bryan.mroz@maryland.gov*

**24-S-MOD. SERVICES MODIFICATION
*Department of Health, Office of Pharmacy Services***

Contract ID: Management of Pharmacy Reimbursement Methodology; *MDH/OPASS*
16-15711

ADPICS No.: COK14239

Contract Approved: DBM 3-S, 11/02/2016

Contract Description: : Provide support to the Maryland Medicaid Pharmacy Program (MMPP) in transitioning from the current Estimated Acquisition Cost (EAC) reimbursement methodology to a new reimbursement methodology using Actual Acquisition Cost (AAC), for all participating Medicaid pharmacy providers, and provide Cost of Dispensing Services.

Modification Description: Extend the contract to allow time to complete the new procurement and add two 6-month renewal options.

Award: Myers and Stauffer LLC; Owings Mills, MD

Original Contract Term: 11/21/2016 - 11/20/2022 (w/one 1-year renewal option)

Modification Term: 11/21/2023 - 11/20/2025

Original Contract Amount: \$ 2,047,698

Modification Amount: \$ 819,133

Prior Mods/Options: \$ 380,542 (Renewal Option #1 11/21/2022 - 11/20/2023
DGS 27-S-OPT., 10/26/2022)

Total Contract Amount: \$ 3,247,373

Percent +/- (This Item): 40.00 %

Total Percent Change: 58.59%

Original Procurement Method: Competitive Sealed Proposals

MBE/VSBE Participation: 0% / 0%

MBE/VSBE Compliance: 0% / 0%



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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September 6, 2023**



24-S-MOD. SERVICES MODIFICATION (cont'd)

Performance Security: No

Requesting Agency Remarks: The Maryland Department of Health (MDH) is the State agency responsible for complying with the guidelines from the national application of Actual Acquisition Cost (AAC) based pharmacy reimbursement. AAC is the state Medicaid agency's determination of the pharmacy providers' actual prices paid to acquire drugs/products marketed or sold by specific pharmaceutical drug manufacturers. Among the recommendations was the establishment of a single national price benchmark for pharmacy reimbursement based on average drug acquisition costs (National Average Drug Acquisition Cost or NADAC). Such a benchmark provides state Medicaid agencies with a more accurate and responsive pricing methodology for covered outpatient drugs/products since it is based upon actual drug/product purchase experience. This approach to drug ingredient price determination not only provides greater accuracy and transparency in how drug/product prices are established, but it is also generally more resistant to manipulation. The National Association of State Medicaid Directors (NAMD) requested that Centers for Medicare & Medicaid Services (CMS) coordinate, develop, and support this benchmark. The Maryland Medicaid Pharmacy Program (MMPP) successfully transitioned from an Estimated Acquisition Cost (EAC) reimbursement methodology to a State-based Actual Acquisition Cost (SAAC) reimbursement methodology in CY 2017 through the services of the current contract (State-based meaning that the benchmark is relative to the State of Maryland as opposed to at the national level).

This contract provides the necessary technical and professional capabilities to:

- Support a State-based Actual Acquisition Cost (SAAC) reimbursement methodology.
- Provide a pharmacy reimbursement help desk to assist with National Average Drug Acquisition Cost (NADAC) and SAAC-based inquiries.
- Conduct Cost of Dispensing (COD) studies for outpatient/community/nursing home pharmacy providers and for specialty pharmacy providers.
- Develop and maintain SAAC-based rates for drugs/products.
- Perform an analysis on the performance of the NADAC and SAAC-based reimbursement program; and
- Assist with making changes related to SAAC-based reimbursement in the State Plan, Regulations, and the Provider Outreach and Claim Processing Manual.



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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September 6, 2023**



24-S-MOD. SERVICES MODIFICATION (cont'd)

Agency Remarks (cont'd):

The extension modification is necessary to prevent a lapse in services while the new RFP for this contract is procured, solicited, and awarded. The new RFP has had delays in the procurement and solicitation process due to the new procurement review committees and policies. The new RFP is currently under review with MDH, with an anticipated award date in fall 2023.

No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities.

Fund Source: 50 % Federal, 50 % General

Approp. Code: M00Q0103

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Mallela Ralliford 410-768-7252
mralliford@mdot.maryland.gov*

**25-S-MOD. SERVICES MODIFICATION
*Motor Vehicle Administration***

Contract ID: Vehicle Emission Inspection Program (VEIP) Management and Operations; *V-HQ-08050-S/J00B9200027*

ADPICS No: COK18985

Contract Approved: DBM 2-S, 02/18/2009

Contract Description: Management and operations of 18 centralized vehicle emissions inspection stations and ten vehicle emissions inspection self-service kiosks located in 13 counties and Baltimore City.

Modification Description: Modify scope of work to allow for regulatory framework as a result of the implementation of the January 23, 2023, COMAR 11.14.08 – VEIP regulations and increase contract authority to allow for inflation and staffing costs.

Award: Envirotest Corporation; Baltimore, MD

Original Contract Term: 08/01/2009 - 09/30/2009 Transition Period
10/01/2009 - 09/30/2014 Base (w/one 5-year Renewal Option)

Modification Term: 09/07/2023 - 09/30/2024

Original Contract Amount: \$64,221,364

Modification Amount: ~~\$1,457,370~~
\$1,475,370

See next page for
Record Correction
Letter dated 5/9/24

Prior Mods/Options: \$ 0 (Mod. #1: Project Schedule: Delegated Authority - MVA, 03/09/2009)
\$ 0 (Mod. #2: Novation Delegated Authority - MVA, 01/31/2012)
\$ 0 (Mod. #2: Novation Delegated Authority - MVA, 01/31/2012)
\$ 0 (Mod. #3: State Operating Budget (HB100) to reflect all costs for VEIP Delegated Authority - MVA, 01/24/2016)
\$ 0 (Mod. #4: Continue the VEIP self-service kiosks beyond the pilot period; Delegated Authority - MVA, 06/06/2018)



Wes Moore
Governor
Aruna Miller
Lieutenant Governor
Paul J. Wiedefeld
Acting Secretary
Christine Nizer
Administrator

MEMORANDUM

Accepted 5/21/2024- JTG

DATE: May 9, 2024
TO: John Gontrum, Executive Secretary
FROM: Dominic Edet, Deputy Director of Procurement
RE: Notice of Correction DGS Agenda Item 25-S-MOD 9/6/2023, BPW Meeting

 Digitally signed by
John Gontrum
Date: 2024.05.21
09:51:42 -04'00'

The Motor Vehicle Administration is requesting a record correction for the above-referenced subject matter previously approved by the Board of Public Works.

DGS Agenda 9/6/2023

Approved Modification Amount: \$1,457,370

Corrected Modification Amount: \$1,475,370

Approved Prior Modification:

\$ 0 (Mod. #1: Project Schedule: Delegated Authority - MVA, 03/09/2009)
\$ 0 (Mod. #2: Novation Delegated Authority - MVA, 01/31/2012)
\$ 0 (Mod. #2: Novation Delegated Authority - MVA, 01/31/2012)
\$ 0 (Mod. #3: State Operating Budget (HB100) to reflect all costs for VEIP Delegated Authority - MVA, 01/24/2016)
\$ 0 (Mod. #4: Continue the VEIP self-service kiosks beyond the pilot period; Delegated Authority - MVA, 06/06/2018)
\$64,084,272 (Renewal Option #1 10/01/2014 - 09/30/2019, DBM 9-S-OPT, 09/03/2014)
\$12,816,854 (Mod. #5: Extension 10/01/2019 - 09/30/2020 and add additional funding, DBM 10-S-MOD, 06/19/2019)
-\$ 687,000 (Mod. #6: Reduction of costs by \$196,000/month starting April 19, 2020, until VEIP service stations reopen and reduction of \$33,000/month for removal of non-labor items from Scope of Work due to COVID-19; Secretary's Agenda A16, 06/03/2020)
\$25,633,709 (Mod. #7; Extension 10/01/2020 - 09/30/2022 and add additional funding, DGS Item-19-S-MOD, 09/02/2020)
\$25,633,708.80 (Mod #8; Extension 10/01/2022 – 09/30/2024 to provide time to complete the new procurement. DGS Item-22-S-MOD, 07/27/2022)

Corrected Prior Modification:

\$ 0 (Mod. #1: Project Schedule: Delegated Authority - MVA, 03/09/2009)
\$ 0 (Mod. #2: Novation Delegated Authority - MVA, 01/31/2012)
\$ 0 (Mod. #3: State Operating Budget (HB100) to reflect all costs for VEIP Delegated Authority - MVA, 01/24/2016)
\$ 0 (Mod. #4: Continue the VEIP self-service kiosks beyond the pilot period; Delegated Authority - MVA, 06/06/2018)
\$64,084,272 (Renewal Option #1 10/01/2014 - 09/30/2019, DBM 9-S-OPT, 09/03/2014)
\$12,816,854 (Mod. #5: Extension 10/01/2019 - 09/30/2020 and add additional funding, DBM 10-S-MOD, 06/19/2019)
-\$ 687,000 (Mod. #6: Reduction of costs by \$196,000/month starting April 19, 2020, until VEIP service stations reopen and reduction of \$33,000/month for removal of non-labor items from Scope of Work due to COVID-19; Secretary's Agenda A16, 06/03/2020)
\$25,633,709.20 (Mod. #7; Extension 10/01/2020 - 09/30/2022 and add additional funding, DGS Item-19-S-MOD, 09/02/2020)
\$25,633,708.80 (Mod #8; Extension 10/01/2022 – 09/30/2024 to provide time to complete the new procurement. DGS Item-22-S-MOD, 07/27/2022)
\$ 0 (Mod. #9: Update to Security Requirement: Delegated Authority – MVA 10/20/2022)

Approved Total Contract Amount: \$193,178,277.80
Corrected Total Contract Amount: \$193,178,278

Please feel free to contact our Office if you have any questions and or require additional information. I can be reached via email at dedet@mdot.state.md.us. Thank you for your attention in this matter.

Sincerely,

DocuSigned by:

ARR4C25A30R3457

Dominic Edet; Deputy Director of Procurement

cc: Mallela Ralliford, Director of Procurement



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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September 6, 2023**



25-S-MOD. SERVICES MODIFICATION (cont'd)

Prior Mods/Options (cont'd):

	\$64,084,272 (Renewal Option #1 10/01/2014 - 09/30/2019, DBM 9-S-OPT, 09/03/2014)
	\$12,816,854 (Mod. #5: Extension 10/01/2019 - 09/30/2020 and add additional funding, DBM 10-S-MOD, 06/19/2019)
	-\$ 687,000 (Mod. #6: Reduction of costs by \$196,000/month starting April 19, 2020, until VEIP service stations reopen and reduction of \$33,000/month for removal of non-labor items from Scope of Work due to COVID-19; Secretary's Agenda A16, 06/03/2020)
	\$25,633,709.20 \$25,633,709 (Mod. #7; Extension 10/01/2020 - 09/30/2022 and add additional funding. DGS Item-19-S-MOD, 09/02/2020)
	\$25,633,708.80 (Mod #8; Extension 10/01/2022 – 09/30/2024 to provide time to complete the new procurement. DGS Item-22-S-MOD, 07/27/2022)
	\$ 0 (Mod. #9: Update to Security Requirement: Delegated Authority - MV A 10/20/2022)
<i>Total Contract Amount:</i>	\$193,178,277.80 \$193,178,278.
<i>Percent +/- (This Item):</i>	2.30%
<i>Total Percent Change:</i>	200.80%
<i>Original Procurement Method:</i>	Competitive Sealed Proposals
<i>MBE/VSBE Participation:</i>	38.45% / 0%
<i>MBE/VSBE Compliance:</i>	31.797% / 0%
<i>Performance Security:</i>	Performance Bond – 25% of the 1 Year Modification Term; Payment Bond – 30% of the Performance Bond

Requesting Agency Remarks: Since 1984, VEIP has been a cornerstone program for Maryland's air quality efforts and has been very effective in advancing the state's significant progress towards achieving its air quality goals. In an effort to continue maintaining environmental standards while enhancing customer service, new COMAR 11.14.08 – VEIP regulations were implemented and became effective January 23, 2023. The regulations modified initial testing for new vehicles from three to six years.



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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25-S-MOD. SERVICES MODIFICATION (cont'd)

Agency Remarks (cont'd):

MVA has issued three previous solicitations for the re-procurement of this contract, of which all have resulted in failed procurements. As a result, this contract has had to be extended four years past its expiration. Envirotest’s original bid price from 2008, still in effect today, was modeled with a ten year contract expectation. Over the last several years Envirotest, like many businesses in Maryland and across the US, has faced significant challenges primarily due to COVID. Most impactful has been labor availability and the commensurate large increase in prevailing wage rates. Additionally, this inflationary environment has pushed up the costs of nearly every other non-labor VEIP program expense in the last 36 months. Beyond labor, most other costs have been significantly impacted over the last couple of years due to high inflation. These cost increases have had an impact on virtually every service Envirotest provides under the existing contract, therefore the MVA is requesting this increase in contract authority, to ensure that Envirotest can continue to maintain the level of service under the current contract extension. In addition, the noncompensable material change to the contract will allow for Envirotest to do the programming changes necessary to implement the January 23, 2023, COMAR 11.14.08 – VEIP regulations, changing the testing requirement for new model year vehicles from three to six years.

Currently, the contractor is achieving a 31.797% compliance of the established 38.45% MBE participation goal. Due to the COVID-19 pandemic, VEIP stations were closed and used for COVID testing for several months following March 2020, which had a negative impact on MBE participation. Envirotest’s Project Manager has worked closely with MVA to continue the efforts outlined in their remediation plan. These efforts include aggressively recruiting and increasing technician staffing with expanded weekend and evening coverage by utilizing MBE firms Capstone Consulting, NRCS, Carmel Staffing and RGM for staffing and VEIP office painting for 18 stations. Since September 2022 (the time of the last modification) Envirotest has spent \$4.3 million dollars with MBE firms and achieved 40.41%. MVA intends to have the reprocurement of the new contract for these services advertised in the Fall of 2023 and a new contract in place prior to the expiration of the extension.

Fund Source: 100% Special (Transportation Trust)
Approp. Code: E0001 ***Resident Business:*** Yes

This Item was withdrawn as Item 30-S-MOD from the 08/23/2023 DGS Agenda.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Patti Tracey 410-260-7220
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**26-IT. INFORMATION TECHNOLOGY
*Comptroller, Office of Administration and Finance***

Contract ID: Workiva WDesk Software; *BPM038262*
ADPICS No.: E00B3600035

Contract Description: Workiva WDesk financial reporting software, a software-as-a-service (SaaS). Workiva WDesk software is used to prepare the State of Maryland Annual Comprehensive Financial Report (ACFR), the state's official financial report.

Award: SHI International Corporation; Somerset, NJ

Contract Term: 09/20/2023 - 09/19/2026

Amount: \$285,264.90

Procurement Method: Competitive Sealed Bidding (*Single responsive bid received*)

Bid:

<i>Bidder</i>	<i>Amounts</i>
SHI International Corporation, Somerset, NJ	\$285,264.90

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Carahsoft Technology Corporation, Reston, VA

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on eMaryland Marketplace Advantage on June 8, 2023 and 1,396 vendors received notification of the solicitation, four vendors were directly solicited. Two bids were received and opened on July 3, 2023. One bid was rejected because the response deviated from the requirements of the IFB. SHI International Corporation has been found responsible and its bid responsive. The bid pricing has been confirmed.

The requested product is available only through resellers and a large response to the solicitation was not expected. Comptroller emailed the three known resellers that were directly solicited to ask why they chose not to submit a bid. One vendor advised they realized they had submitted their bid to an incorrect email address, one vendor advised they were not able to receive a letter of authorization from the manufacturer, and the third vendor did not reply.



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*Contact: Yasin Mohammed 410-260-7552
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**27-IT. INFORMATION TECHNOLOGY
*Department of General Services***

Contract ID: Salesforce Licenses; *BPM035346*
ADPICS No.: 001B3600044 / CTR014878

Contract Description: Salesforce.com Software-as-a-Service products for participating State agencies.

Award: Carahsoft Technology Corporation, Gaithersburg, MD

Contract Term: 09/21/2023 - 09/20/2026 (w/two 1-year renewal options)

Amount: \$15,000,000 (Base)
\$ 5,000,000 (Renewal Option #1)
\$ 5,000,000 (Renewal Option #2)
\$25,000,000 Total

Procurement Method: Intergovernmental Cooperative Purchasing Agreement
General Services Administration (GSA) Contract No.
47QSWA18D008F

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: This Statewide contract for Salesforce Software-as-a-Service (SaaS) and Products allows State agencies to automate business processes and workflows, facilitate information management across State agencies, and improve communication with the public. Salesforce also makes sure that service upgrades, new system features, and enhancements, including mobile and social technologies, are made available to the State. Carahsoft Technology Corporation (Carahsoft) is the exclusive reseller of Salesforce licenses.

No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities.



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27-IT. INFORMATION TECHNOLOGY (cont'd)

Fund Source: Various

Approp. Code: Various

Resident Business: Yes

MD Tax Clearance: 23-2950-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Joseph Sedtal 443-469-5864
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**28-IT. INFORMATION TECHNOLOGY
*Department of Public Safety and Correctional Services***

Contract ID: Law Enforcement Driver Training Simulator Systems and Support; Q00B260002
ADPICS No.: Q00B260002

Contract Description: Four specialized driver training simulator systems, one instructor's work station, and five years of system maintenance and technical support for the Maryland Police and Correctional Training Commissions' (PCTC) Driver Training Unit.

Award: D. P. Associates, a division of L3 Technologies, Inc.;
Salt Lake City, UT

Contract Term: 09/21/2023* - 09/20/2028 (*Or earlier upon BPW approval)

Amount: \$400,300

Procurement Method: Competitive Sealed Proposals

Proposals:

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Rankings)</i>	<i>Overall Rankings</i>
D.P. Associates/L3 Technologies, Inc.; Salt Lake City, UT	1	\$400,300.00 (2)	1
Virage; Montreal, Quebec	2	\$523,100.00 (4)	2
FAAC; Anne Arbor, MI	3	\$533,099.30 (5)	3
Doron; Binghamton, NY	4	\$446,499.00 (3)	4
Forum8; Dublin, Ireland	5	\$339,210.00 (1)	5

**Technical and financial proposals were weighted equally.*

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: N/A



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28-IT. INFORMATION TECHNOLOGY (cont'd)

Requesting Agency Remarks: A notice of availability of a Request for Proposal (RFP) was advertised on eMaryland Marketplace Advantage (eMMA) on June 13, 2022. Copies of the solicitation were sent to 98 prospective vendors. Five proposals were received and all were deemed reasonably susceptible of being selected for award.

After completing technical evaluations, the Procurement Officer recommended award of the contract to D.P. Associates d/b/a L3 Technologies, Inc. (L3) considering the robust technical solution proposed. L3's simulators provide more than 100 preprogrammed training scenarios, 24 preprogrammed driving venues, a programmable cockpit that can be configured to resemble more than 20 different police vehicles, an instructor station that enables students and instructor to interactively participate in a single training scenario, and a mobile data console. DPSCS determined L3's proposal to be the most advantageous to the State and finds the price to be fair and reasonable.

No MBE participation was established for this solicitation. The hardware configurations, operating software and training courseware of the simulator systems are all proprietary designs and creations of each manufacturer. These items do not work with resellers and each is the sole provider of system installation and configuration, customer training, maintenance and technical support.

Fund Source: 100% General

Approp. Code: Q00G0001

Resident Business: No

MD Tax Clearance: 23-2640-0100

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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*Contact: Raelene Glasgow 410-767-7050
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**29-IT. INFORMATION TECHNOLOGY
*Department of Labor, Division of Unemployment Insurance***

Contract ID: Project Manager - Collecting Unemployment Taxes and Administering Unemployment Insurance; *LABOR-FY2024-001*
ADPICS No.: P00B4600004

Contract Description: Project Manager to modernize mission critical application for collecting unemployment taxes and administering unemployment insurance.

Award: N-3 Technologies, Inc.; Rockville, MD

Contract Term: 09/07/2023 - 09/08/2025

Amount: \$975,520

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: This resource is needed to maintain the institutional knowledge acquired by the project manager during the current contract to ensure that BEACON project is implemented and provided with production support.

The labor rates are closely aligned with other comparable IT service contracts. The current fully loaded hourly rate for the Project Manager is \$200. This hourly rate is slightly more at \$225. The current annual cost is \$386,880 and the new contract is \$468,000 which is a 20% increase. N-3 Technology's labor rate is still significantly below the maximum fully loaded hourly per the CATS+ Labor Rates schedule for Master Contractors with at least nine years of work experience which is \$261.78. This cost increase is below overall inflationary trends in the industry and is determined to be fair and reasonable considering the unique and crucial nature of the services being performed. N-3 Technologies has performed at a high level since being awarded the Project Manager in 2014 to oversee the UI Modernization project known as BEACON.

MBE participation was not established for this contract because the services are for a single project manager and there are no opportunities for subcontracting.



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29-IT. INFORMATION TECHNOLOGY (cont'd)

Fund Source: 100% Federal

Approp. Code: P00H0102

Resident Business: Yes

MD Tax Clearance: 23-2878-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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*Contact: Evan Gray 410-865-1326
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**30-IT. INFORMATION TECHNOLOGY
*Department of Transportation***

Contract ID: DocuSign Application; J01B460011
ADPICS No.: J01B460011

Contract Description: DocuSign application software and services. DocuSign is an electronic signature application used for timesheets, leave requests, telework plans, or documents requiring a signature.

Award: Enterprise Technology Solutions; College Park, MD

Contract Term: 09/13/2023 - 09/12/2025

Amount: \$415,044.63

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
Enterprise Technology Solutions; College Park, MD	\$415,044.63
Yotta Techive; Houston, TX	\$418,499.30
Techbomo, LLC; Waldorf, MD	\$420,065.16
Digital Information Services; Potomac, MD	\$420,526.97
Applied Technology Services; Middle River, MD	\$423,269.23
Oakland Consulting; Lanham, MD	\$425,002.29
Accel bi; Redman, WA	\$437,570.41
Tech Service Solutions, LLC; New York, NY	\$438,717.15
Alxtel; Silver Spring, MD	\$441,558.29
Vinsys Information Technology Inc.; Dulles, VA	\$448,070.55
Smart IT Pros Inc.; Rockwall, TX	\$454,564.32
VPrime Tech; Houston, TX	\$454,643.74
US Bangla; Baltimore, MD	\$475,854.01
iTech Devices; Fremont, CA	\$484,593.65
Giltr Inc.; New Hyde Park, NY	\$499,889.50
Minnodi, LLC; Frederick, MD	\$620,008.20
Government Services; Frederick, MD	\$662,274.52



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30-IT. INFORMATION TECHNOLOGY (cont'd)

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Alxtel; Silver Spring, MD

Requesting Agency Remarks: A notice of availability of an Invitation for Bids (IFB) was posted on eMaryland Marketplace Advantage on March 16, 2023 and 34 potential vendors were directly notified of the solicitation. Seventeen bids were received and opened on April 27, 2023 Enterprise Technology Solutions has been found responsible and its bid responsive. The bid pricing has been confirmed.

No MBE or VSBE participation goals were established for this contract due to the limited subcontracting opportunities.

Fund Source: 100% Special (Transportation Trust)

Approp. Code: J01B4600011

Resident Business: Yes

MD Tax Clearance: 23-2264-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Kenya DeCosta 410-767-2072
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**31-IT. INFORMATION TECHNOLOGY
*Department of Education***

Contract ID: Anonymous Tipline Software; R00R2600084
ADPICS No.: R00B4600007

Contract Description: Software-as-a-Service (SaaS) solution to receive, track, and route school-related anonymous tips such as mental health concerns, bullying, drugs, and threats of violence in the K-12 and higher education community. Includes phone, mobile application and web browsers.

Award: Navigate 360, LLC; Richfield, OH

Contract Term: 09/08/2023 - 09/07/2028 (w/two 1-year renewal options)

Amount: \$530,913.58 (Base)
\$115,927.41 (Renewal Option #1)
\$119,405.23 (Renewal Option #2)
\$766,246.22 Total

Procurement Method: Competitive Sealed Proposals

Proposals:

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Navigate 360, LLC; Richfield, OH	1	\$ 766,246.22 (2)	1
AppArmor (RAVE); Framingham, MA	2	\$ 582,500.00 (1)	2
Anonymous Alerts; White Plains, NY	3	\$1,190,000.00 (3)	3

**Technical rankings were weighted higher than financial rankings.*

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0%

Performance Security: No



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Jared DeMarinis 410-269-2840
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**32-IT. INFORMATION TECHNOLOGY
*State Board of Election***

Contract ID: Independent Automated Post-Election Audit Method 2024 and 2026 Election Cycles; *D38B460001*

Contract Description: Independent, automated solution to verify accuracy of the State's voting system. Conduct Statewide audit of all ballot images tabulated in 2024 and 2026 Primary and General Elections Includes preparing software to tabulate all election-cycle ballot combinations; tabulating images of all voted ballots; comparing results from voting system to the results from audit software; and providing a web-based portal for public to review the ballot tabulation audit results.

Award: The Clear Ballot Group, Inc., Boston, MA

Contract Term: 10/01/2023 - 12/31/2026 (w/one 1-year renewal option)

Amount: \$ 962,510 (Base)
\$1,081,635 (Renewal Option #1)
\$2,044,145 Total

Procurement Method: Sole Source

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: Post-election tabulation audits are used to verify and confirm the accuracy of a voting system's results, which serve to increase public confidence in election results, election administration, and the democratic process. Auditing voting system results is a recognized best practice in election administration and is recommended by the Presidential Commission on Election Administration.



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*Contact: Lisa McMillan 410-468-2374
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**33-IT. INFORMATION TECHNOLOGY
*RETROACTIVE - Maryland Insurance Administration***

Contract ID: Off-Site Tape Storage; *D80B3600021*
ADPICS No.: D80B3600021

Contract Description: *RETROACTIVE* approval for off-site tape storage services. The MIA performs nightly backups of its mainframe data using physical tapes to be prepared for pickup and storage at a secure off-site tape vaulting facility for disaster recovery (DR) purposes. Continuity of services is critical to ensure that the Agency has the capacity to recover data in the event of a disaster.

Award: Iron Mountain Information Management, LLC; Columbia, MD

Contract Term: 08/02/2022 - 11/30/2022 (**Retroactive**)

Amount: \$39,436.75 (**Retroactive**)

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Incumbents: N/A

Requesting Agency Remarks: Prior to the contract's termination date, the MIA notified Iron Mountain of its intent to renew the contract as of August 2, 2022. During the period of August 2, 2022 and November 30, 2022, Iron Mountain continued to provide daily transportation and storage services to the MIA. However, due to an oversight, the new contract was not executed until November 23, 2022, with an effective date of December 1, 2022. The new procurement process was not timely completed due to a breakdown in communication with the vendor and administrative oversight due to competing procurement demands. The existing contract expired without a replacement contract and before it could be modified to extend the term.

MBE participation was not established for this contract because there are no subcontracting opportunities available.



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33-IT. INFORMATION TECHNOLOGY (cont'd)

Agency Remarks (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 % Special (Insurance Industry Fees)

Approp. Code: D80Z01

Resident Business: Yes

MD Tax Clearance: 23-258-8479

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



REVISED

*Contact: Yasin Mohammed 410-260-7552
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34-IT. INFORMATION TECHNOLOGY

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 \$111,558,407.*

1.1 Using Agency: State Board of Elections
Description: Maryland Voter Registration Data Center Operations Task Order : Data Center (DC) hosting services, including hardware for several election systems, network administration, and DC migration/relocation services, and a managed services provider for the data centers. Requirements covered by this Task Order include the management and operations of the Continuity of Operations Center (COOP) data center; D38B4600003
Option Description: Exercise the final renewal option.
Award: Koniag Services Inc., Chantilly, VA (MBE)
Original Term: 01/01/2020 - 12/31/2021 (w/two 2-year renewal options)
Option Term: 01/01/2024 - 12/31/2025
Original Amount: \$3,356,999.80
Option Amount: \$3,568,074.35
Prior Options/Mods: \$ 426,133.48 (Mod. #1: Dual factor authentication for 500 tokens plus monthly subscriptions for a 3-year period and obtain a new data center facility, DGS Item 16-IT 1.0, 04/01/2020)
\$ 0 (Mod. #2: Additional 6.5 TB storage for MDVOTERS and 5TB storage for Voter Services; Delegated Authority - SBE, 09/30/2020)
\$ 10,290.19 (Mod #3: New security software to improve ability to monitor MDVOTERS network; Delegated Authority - SBE, 05/20/ 2021)



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34-IT. INFORMATION TECHNOLOGY (cont'd)

1.0 *Consulting and Technical Services Plus (CATS+) (cont'd)*

\$ 279,377.24 (Mod #4: Security enhancements and best practices for the MDVOTERS network and addresses need for expanded storage capacity; DGS 41-IT 1.2 07/28/2021)
 \$3,467,031.17 (Renewal Option #1 01/01/2022 - 12/31/2023 DGS 39-IT 1.2 10/06/2021)
 \$327,023.33 (Mod #5: Additional memory and storage capacity that will enable the application backups and refreshes. DGS 49-IT-1.2 01/25/2023)

Total Contract Amount: \$11,434,929.56
MBE/VSBE Participation: 100% (Awardee is an MBE) / 0%
MBE/VSBE Compliance: 100% (Awardee is an MBE) / 0%
Resident Business: No
Fund Source: 100% Special (County Funds)

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 \$151,063,664.*

2.1 *Using Agency:* Department of Human Services

Description: **RETROACTIVE** approval for Smartsheet, a software that offers a range of collaborative features that allows managers to track, manage, schedule, as well as assign tasks across the organization. It has a wide range of templates for IT, human resources, and product development. Users can also generate a range of reports for presentations. This software is used by the DHS Office of the Secretary for project management and also for invoice processing and approvals; *OTHS/MDTHK-24-003-C; N00P4600235.*

Award: Carahsoft Technology Corporation; Reston, VA

Number of Qualified

Master Contractors: 3 (Functional Area I)

Number of Bids: 2



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34-IT. INFORMATION TECHNOLOGY (cont'd)

2.0 *Commercial Off-the-Shelf Software (COTS) 2012 (cont'd)*

Bids:

<i>Bidders</i>	<i>Amounts</i>
Carahsoft Technology Corporation; Reston, VA	\$219,735
Insight Public Sector; Chandler, AZ	\$227,780

Amount: \$ 21,477.86 (**Retroactive**)
 \$198,257.14 (Proactive)
 \$219,735.00

Term: 07/30/2023 - 09/06/2023 (**Retroactive**)
 09/07/2023 - 08/31/2024 (Proactive)

MBE/VSBE Participation: 0% / 0%

Resident Business: No

Fund Source: 65% Federal, 35% General

Agency Remarks: This item is retroactive because the initial Purchase Order Request for Proposals (PORFP) was unsuccessful. All bids were higher than the Manufacturer's Suggested Retail Price and could not be accepted. The PORFP had to be re-issued and the Department was not able to meet the necessary due dates for placement on a Board of Public Works agenda prior to the start date of services.

No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities.

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.

2.2 *Using Agency:* Department of Information Technology

Description: **RETROACTIVE** approval to renew the NetApp warranty extension for 13 virtual machines and a 4-hour onsite premium support for 13 virtual machines. NetApp includes storage arrays that DoIT uses in their data centers for virtual machines and user data. The hardware coverage includes storage systems for file, block, and object storage. DoIT is responsible for providing Virtual Servers and file storage for over 23 State agencies; *BPM037680*.



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34-IT. INFORMATION TECHNOLOGY (cont'd)

2.0 Commercial Off-the-Shelf Software (COTS) 2012 (cont'd)

Award: CAS Severn; Laurel, MD

Number of Qualified

Master Contractors: 13 (Functional Area III)

Number of Bids: 1 (Single Bid Received)

Bid:

<i>Bidder</i>	<i>Amount</i>
CAS Severn; Laurel, MD	\$314,999

Amount: \$31,844.16 (**Retroactive**)
~~\$283,154.84~~ (Proactive)
 \$314,999.00 Total

Term: 08/01/2023 - 09/06/**2023** (**Retroactive**)
 09/07/2023 - 07/31/2024 (Proactive)

MBE/VSBE Participation: 0% / 0%

Resident Business: Yes

Fund Source: 100% Reimbursable (Using Agencies)

Agency Remarks: This item is being submitted retroactively due to a delay in issuing the solicitation. DoIT regrets having to submit retroactive agenda items, but one staff member retired, and another did not renew her contract. To eliminate retroactive approvals, DoIT is developing a contract database that will notify the agency in advance of upcoming due dates.. In order to avoid a lapse in service, DoIT is requesting retroactive approval. DoIT has taken corrective measures by putting new tracking methods in place.

The cost of support and warranty extensions offered by CAS Severn is 26.8% lower than the list prices. This price is considered fair and reasonable when compared to the NASPO Master Agreement Award with NetApp Inc., which offers a discount of 16.5% off list prices, and two other states that receive a discount of 18.0% off list prices.

No MBE or VSBE participation was established for this contract because there are no subcontracting opportunities.

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.



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34-IT. INFORMATION TECHNOLOGY (cont'd)

3.0 *Master Contract:* *Desktop, Laptops and Tablets 2015*

Contract No. 060B5400007

Approved: *DOIT 1-IT, 07/16/2015*

Term: *07/22/2015 - 07/21/2027*

***As of publication, the remaining balance of this master contract is \$51,604,816.*

3.1 *Using Agency:* Department of Human Services

Description: Purchase of 850 Dell laptops and docking stations that have more processing power and memory to efficiently run various applications concurrently to replace outdated equipment. *OTHS/OTHS-24-014-H; N00B4600015.*

Award: Bithgroup Technologies, Inc. Baltimore, MD
(MBE) (SBE)

Number of Qualified

Master Contractors: 17 (Functional Area I & IV)

Number of Bids: 2 (*SBR - Designated*)

Bids

<i>Bidders</i>	<i>Amounts</i>
Bithgroup Technologies, Inc.: Baltimore, MD	\$1,187,535
Applied Technology Services; Middle River, MD	\$1,256,300

Amount: \$1,187,535

Term: Anticipated delivery date - 09/29/2023

MBE/VSBE Participation: 100% (Awardee is an MBE) / 0%

Resident Business: Yes

Fund Source: 65% General, 35% Federal

3.2 *Using Agency:* Maryland Transportation Authority

Description: Purchase 245 Panasonic FZ-55 laptops and docking stations for the MDTA Police, Aviation Administration Police and State Police. Also extended manufacturer's warranties; *J01P3600040.*

Award: USC Canterbury Corp.; Annapolis, MD (SBE)

Number of Qualified

Master Contractors: 5 (Functional Area I and V) (*SBR-Designated*)

Number of Bids: 2



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



*Contact: Yasin Mohammed 410-767-3586
yasin.mohammed@maryland.gov*

**35-M-MOD. MAINTENANCE MODIFICATION
*Department of General Services***

Contract ID: Janitorial Services at 100 N. Eutaw Street; *COK20184*
ADPICS No.: 001B1600033

Contract Approved: DGS 29-M, 07/01/2020

Contract Description: Janitorial services at the Department of Labor Office Building at 1100 N. Eutaw Street in Baltimore

Modification Description: Extend the contract for the current location until the department relocates to their new location.

Award: Goodwill Works of The Chesapeake; Baltimore, MD

Original Contract Term: 08/01/2020 - 07/31/2023

Modification Term: 09/07/2023 - 03/31/2024

Original Contract Amount: \$ 1,666,319.48

Modification Amount: \$ 395,555.70

Prior Mods/Options: \$0 (Mod. #1 Extension 08/01/2023 - 09/06/2023. Delegated Authority - DGS, 07/25/23)

Total Contract Amount: \$ 2,061,875.18

Percent +/- (This Item): 23.74%

Total Percent Change: 23.74%

Original Procurement Method: Preferred Provider (Community Service Provider)

MBE/VSBE Participation: 0% / 0%

MBE/VSBE Compliance: 0% / 0%



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



35-M-MOD. MAINTENANCE MODIFICATION (cont'd)

Requesting Agency Remarks: This extension is needed to cover the period until the department relocates to their new office. This service is already included in the lease for the new location. DGS is satisfied with the level of services the contractor performs and reports that the contractor's exemplary service is vital to the organization. All other contract terms, conditions, provisions, and specifications remain the same.

Fund Source: 100% General

Approp. Code: P00 24428 24 0813

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



Contact: Courtney League 410-767-5516
courtney.league@maryland.gov

36-GM. GENERAL MISCELLANEOUS

Recommendation: That the Board of Public Works approve the following contract.

Authority: §8-301, State Finance & Procurement Article, Annotated Code of Maryland

1.0 Agency: Department of General Services, Historic St. Mary’s Commission
Fund Source: MCCBL 2022 *Provide funds to design and construct architectural upgrades at the State-owned facilities to improve accessibility for persons with disabilities* Item 146

1.1 Contract ID: Historic St. Mary’s City Commission Accessibility Modification at Public Relations Building; *SM-000-230-001*
Description: Analyze the Public Relations Building in Historic St. Mary’s City to design recommendations for alterations to the public parking, accessible route, building entrance-reception, and ADA-compliant toilet room.
Procurement Method: Qualification Based Selection - *DGS-17-100-IQC*
Award: Waldon Studio Architects, a Michael Graves Company; Columbia, MD
Amount: \$79,340.20
MBE/VSBE Participation: 29.9% / 0%
Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



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

**37-RP. REAL PROPERTY
*Department of Public Safety and Correctional Services***

Recommendation: Declare property surplus

Property: 10.073 Acres adjacent to 8615 Old Dorsey Run Road

Grantor: The State of Maryland to the use of the Department of Public Safety and Correctional Services

Background: Approval is requested to declare 10.073 acres of land located adjacent to 8615 Old Dorsey Run Road, surrounded by Old Dorsey Run Road, Dorsey Run Road and Giant Dr. This property is a remnant resulting from the construction of Giant Road by Howard County, and is under lease to R.L.O. Contractors, Inc. dated October 14, 2021. (DGS BPW Item 56-11, 12/1/2021). The property is not connected to any DPSCS property and is of no practical use to the Department. The Lessee has requested to purchase the property to ensure that they can continue their operations on the property. There is a stormwater management pond which straddles the two properties, and maintenance of the pond would be the responsibility of the new owner.

State Clearinghouse: The Clearinghouse conducted an intergovernmental review of the project under MD20230428-0338. It is recommended to declare the +/- 2.25 acres of land with a pond fronting on Old Dorsey Run Road in Jessup surplus to the needs of the State, upon consideration of the Maryland Department of the Environment's qualifying comments. None of the local or state agencies that provide review comments expressed an interest in acquiring the properties. Since no local government or unit of state government is interested in the property, the property was screened against the factors under Section 2-203(b)(1) of the Housing and Community Development Article. The property did not meet one or more of the factors; therefore, the property is not suitable for use or redevelopment as affordable housing.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



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

**38-LL. LANDLORD LEASE
*Department of Health &
Maryland Institute of Emergency Medical Services System***

Recommendation: Approve Supplemental Lease Agreement to update the Landlord or Lessor’s name on the lease

Prior Board Actions: DGS 48-LL, 08/12/2020 and DGS 33-RP, 03/01/2023

Landlord: The State of Maryland, to the use of the Maryland Institute for Emergency Medical Services System

Tenant: Anne Arundel County

Property Location: Hawkins Road, on the former Crownsville Hospital property

Space Type: Land

Lease Type: Modification

Term: 09/06/2023 (Modification to begin upon BPW Approval); no change to the lease term

Annual Rent: \$1.00

Utilities/Custodial Responsibility: N/A

Termination for Convenience Clause: Yes

Remarks: The Maryland Department of Health (MDH) and Anne Arundel County entered into a Lease Agreement in which the County rents a 100’ x 100’ parcel upon which they constructed a communications tower to supplement and enhance their emergency management system. The land where the parcel is located was transferred from MDH to the Maryland Institute for Emergency Medical Services System in a deed dated April 5, 2023. A Supplemental Lease Agreement has been executed to modify the lease to list MIEMSS as the Landlord / Lessor.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



REVISED

2nd Revision

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

40-LT-MOD. TENANT LEASE MODIFICATION

Department of Assessments and Taxations

Recommendation: Approve a Supplemental Lease Agreement to expand the lease footprint, approve a change order, and modify the rent abatement, and add security language.

Prior Board Action: DGS 54-LT, 08/31/2022

Landlord: AREP Candler LLC
1660 International Drive, Ste 500, McLean, VA 22102

Property Location: 115 Market Place, Stes. 123 and 200, Baltimore, Maryland 21202-4012 (aka 700 E. Pratt Street, Baltimore, Maryland 21202-4012)

Space Type: Office (increase of 1,267 sf for a total of 48,658 sf)

Lease Type: Amendment

Annual Rent: \$31,814.37 (increase)

Square Foot Rate: \$25.11

Fund Source: 100% Special
(Dedicated Purpose Account)

Appropriation Code: PCA 37003

Change Order: \$158,050

Fund Source: 100% Special
(Dedicated Purpose Account)

Appropriation Code: PCA 37003

Original Procurement Method: Competitive Sealed Proposals

See COMAR 21.05.03; DGS Space Mgmt. Manual ¶ 6-605

Remarks: This lease will relocate the Department of Assessments and Taxation from the existing State Center campus. The Supplemental Lease Agreement will expand the lease footprint by 1,267 sf to enhance the onsite IT requirements and operational needs of the agency. In addition to this space expansion, one change order is needed for [...] space plan modifications which have resulted in increased labor and material costs in the amount of \$158,050. [...]

The change order for space plan modification costs is being added to future rental payments. In addition, DGS has agreed to modify the prior 1-year rent abatement due to delays with this project to help provide the landlord with an immediate revenue stream upon State occupancy. The rent will begin upon space acceptance by DGS at half the initial rental rate for the first 24 months of the lease term. [...]



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



REVISED

2nd Revision

40-LT-MOD. TENANT LEASE MODIFICATION (cont'd)

Remarks (cont'd):

The lease is being further modified to add security language to address concerns surrounding a private tenant's existing occupancy on one of the two floors to be occupied by SDAT. Although SDAT's office entry areas will be accessed through card readers, IRS regulations require that an additional log be kept regarding access by outside State tenants on this floor.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



SUPPLEMENTAL

*Contact: Robert Sadzinski 410-260-8668
bob.sadzinski@maryland.gov*

**41-S. SERVICES CONTRACT
*Department of Natural Resources***

See next page for
Record Correction Letter dated 10/24/23

Contract ID: Technical Assistance in the Electrical Generation and Transmission – Environmental Sciences; CTR014616, CTR014616, CTR014617, *CTR014618*, *CTR014619*, *CTR014614*

ADPICS No.: ~~K00B4600011, K00B4600013, K00B4600016, K00B4600017, K00B4600018, K00B4600019~~ K00B4600050 – Spectrum; K00B4600051 - Tetra; K00B4600052 – Varsar FAB; K00B4600053 – Varsar FAD; K00B4600054 - ERM K00B4600055 – Gannett

Contract Description: Technical assistance in electrical generation and transmission – environmental sciences as it relates to siting, licensing, and operation of electric power plants and ancillary facilities including solid waste disposal sites and transmission lines within or affecting Maryland.

Functional Area A: Environmental Engineering Service

Award: Gannett Fleming Inc.; Owings Mills, MD

Amount: \$4,400,000

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Gannett Fleming; Owings Mills, MD	1	\$4,400,000 (1)	1

* *Technical factors were weighted more than the Financial factors.*

Functional Area B: Biological Sciences Services

Award: Versar, Inc.; Columbia, MD

Amount: \$3,646,917

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Versar; Columbia, MD	1	\$3,646,917 (1)	1

* *Technical factors were weighted more than the Financial factors.*



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

October 24, 2023

John Gontrum, Esquire
Executive Secretary
Board of Public Works
Louis L. Goldstein Treasury Building, Room 117
Annapolis, MD 21401-1991

Accepted 11/1/2023- JTG

John
Gontrum

Digitally signed
by John Gontrum
Date: 2023.11.01
11:12:06 -04'00'

SUBJECT: Record Correction- September 06, 2023, Board of Public Works Action Agenda

Dear Mr. Gontrum:

This is to advise you of the following change to the Board of Public Works Action Agenda Items previously approved by the Board of Public Works.

BPW- September 06, 2023

DNR 41-S -New Award

Page 149 - 153

FROM: **ADPICS#** K00B4600011 – Spectrum
K00B4600013 - Tetra
K00B4600016 – Varsar FAB.
K00B4600017 – Varsar FAD.
K00B4600018 – ERM
K00B4600019 – Gannett

TO: **ADPICS#** K00B4600050 – Spectrum
K00B4600051 - Tetra
K00B4600052 – Varsar FAB.
K00B4600053 – Varsar FAD.
K00B4600054 - ERM
K00B4600055 – Gannett

Reason: **Clerical error:** Approval Path error: FMIS Approval Path error, requiring new BPO numbers from the original

Thank you for your attention to this matter. If you need further information, please call me at 410-353-2799.

Sincerely,

Blessing Gunden

Blessing Gunden
Acting Associate Director of Procurement
Maryland Department of Natural Resources

cc: The Honorable Wes Moore
The Honorable Brooke Lierman, Esq.
The Honorable Dereck Davis



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



SUPPLEMENTAL

41-S. SERVICES CONTRACT (cont'd)

Functional Area C: Maryland Biological Stream Survey

Award: Tetra Tech, Inc.; Owings Mills, MD

Amount: \$856,472.85

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Tetra Tech Inc.; Owings Mills, MD	1	\$ 856,472.85 (1)	1

** Technical factors were weighted more than the Financial factors.*

Functional Area D: Radiological Monitoring and Analysis Services

Award: Versar, Inc.; Columbia, MD

Amount: 773,581.64

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Versar; Columbia, MD	1	\$ 773,581.64 (1)	1

** Technical factors were weighted more than the Financial factors.*

Functional Area E: Coal Combustion Byproducts

Award: Environmental Resources Management; Annapolis, MD

Amount: \$1,105,126

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Environmental Resources Management; Annapolis, MD	1	\$1,105,126 (1)	1

** Technical factors were weighted more than the Financial factors.*



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



SUPPLEMENTAL

41-S. SERVICES CONTRACT (cont'd)

Functional Area F: Long-term Cumulative Impacts Evaluation, Monitoring and Compliance

Award: Spectrum; Thurmont, MD (MBE)

Amount: \$386,794

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
Spectrum; Thurmont, MD	1	\$ 386,794 (1)	1

* *Technical factors were weighted more than the Financial factors.*

Contract Term: 10/01/2023 - 09/30/2028

Procurement Method: Competitive Sealed Proposals
(Single Proposal Received for each Functional Area)

Living Wage Eligible: Yes

MBE/VSBE Participation: 30% / 5%

Performance Security: No

Incumbents: Environmental Resources Management, Inc.; Annapolis, MD
Versar, Inc.; Columbia, MD
AKRF, Inc., Hanover MD

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage (eMMA) on March 1, 2023 and 511 prospective vendors received notification of the solicitation. Six proposals were received in response and all deemed reasonably susceptible of being selected for award. One of the incumbent vendors, AKRF, Inc., did not submit a proposal because the time it took to put together the RFP bid packet, and winning this contract would restrict them from doing private sector work related to this contract.

Per the RFP, offerors could submit proposals for one or more of the Functional Areas.

- Functional Area A – Environmental Engineering Services.
- Functional Area B – Biological Sciences Services.
- Functional Area C – Maryland Biological Stream Survey.



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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September 6, 2023



SUPPLEMENTAL

41-S. SERVICES CONTRACT (cont'd)

Agency Remarks (cont'd):

- Functional Area D – Power Plant Research Program (PPRP) Radiological Monitoring and Analysis Services.
- Functional Area E – Coal Combustion Byproducts.
- Functional Area F – Long-term Cumulative Impacts Evaluation, Monitoring and Compliance.

The contract is split into six Functional Areas, each covering a specific technical area addressed by the Power Plant Assessment Division: Functional Area A (FAA) addresses environmental engineering support for project siting; Functional Area B (FAB) addresses biological sciences support for project siting; Functional Area C (FAC) provides support to the Maryland Biological Stream Survey (MBSS); Functional Area D (FAD) supports radiological monitoring in the State related to nuclear power; Functional Area E (FAE) supports the beneficial use of Coal Combustion Byproducts, or legacy ash deposits in the State; and Functional Area F (FAF) provides for technical support with preparing the Cumulative Environmental Impact Report on a biannual basis.

For companies to build power plants and transmission lines in Maryland with lines greater than 69kV, a Certificate of Public Convenience and Necessity (CPCN) must be obtained from the Maryland Public Service Commission (PSC).

As part of this licensing process, applicants must address a full range of environmental, engineering, socio-economic, planning, and cost issues. The Power Plant Siting Act of 1971 provides a consolidated State review of CPCN applications in Maryland. The DNR Power Plant Assessment Division and the program which administers it, the Power Plant Research Program (PPRP), is responsible for managing an objective and comprehensive review and consolidated licensing recommendations based on sound science to the PSC. This is the only process with the State regulatory framework that allows a comprehensive review of all electric siting issues with the goal of balancing the tradeoffs required to provide needed electrical power at a reasonable cost while protecting the State's valuable natural resources.

To determine if the six proposed bids were fair and reasonable, DNR examined the historical price of each Functional Area. Proposed price is comparable to the price paid over multiple years, taking into consideration the applicable consumer price index (CPI).

Fund Source: 100% Special (Environmental Trust)



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
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SUPPLEMENTAL

41-S. SERVICES CONTRACT (cont'd)

Approp. Code: K00A1205

Resident Business: Yes

MD Tax Clearance: 23-2689-1111 - Environmental Resources Management
23-2577-0111 - Gannett Fleming
23-2578-0111 - Spectrum
23-2579-0111 - Tetra Tech
23-2580-1111 - Versar

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023



SUPPLEMENTAL

Contact: Krishnanda Tallur 410-767-0123
krishnanda.tallur@maryland.gov

42-S-MOD/OPT. SERVICES MODIFICATION/OPTION
RETROACTIVE – Department of Education, Division of Assessment, Accountability, and Performance Reporting

Contract ID: High School Assessments;; R00B7400064
ADPICS No.: COJ96971

Contract Approved: DBM 8-S, 03/22/2017

Contract Description: Provide test development, assessment administration, psychometric standard setting, and program management for High School Assessments for Government and Science.

Modification Description: *RETROACTIVE* to add funds to the contract.

Option Description: Exercise the first and final option renewal and to modify the existing and future contract requirements to meet new COMAR requirements.

Award: Cogna, Inc.; Dover, NH

Original Contract Term: 03/23/2017- 03/22/2023 (w/one 3-year renewal option)

Modification Term: 03/01/2022 - 09/06/2023 (**Retroactive**)
09/07/2023 - 12/31/2026 (Proactive)

Option Term: 01/01/2024 - 12/31/2026

Original Contract Amount: \$36,188,066

Modification Amount: \$3,024,272 (**Retroactive**)
\$1,200,000 (Proactive)

Option Amount: \$34,910,870



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
September 6, 2023**



SUPPLEMENTAL

42-S-MOD/OPT. SERVICES MODIFICATION/OPTION (cont'd)

Prior Options/Mods: \$ -476,249 (Mod #1: Scope of work changes; DBM 4-S-MOD, 03/06/2019)
 \$ 0 (Mod. #2: Novation; Delegated Authority - MSDE, 07/01/2019)
 \$ 0 (Mod. #3: Novation; Delegated Authority - MSDE, 09/24/2019)
 \$5,047,376 (Mod #4: 1 Amend the scope of work to account for work stoppage on assessments due to COVID-19. Extension 03/23/2023 - 12/31/2023 DGS 26-S-MOD 05/11/2022)

Total Contract Amount: \$79,990,765

Percent +/- (This Item): 108.14%

Total Percent Change: 121.04%

Original Procurement Method: Competitive Sealed Proposals

MBE/VSBE Participation: 6% / 0%

MBE/VSBE Compliance: 5.50% / 0%

Performance Security: No

Requesting Agency Remarks: The High School Assessments are designed to ensure Maryland High School graduates are prepared to pursue higher education and career paths. These rigorous assessments in Government and Science determine the student's knowledge of skills and serve as graduation requirements in Maryland. The assessments are administered three times per year.

On July 25, 2023, the Board of Education passed COMAR 13A.03.02.06, codifying the end of course (EOC) exams as 20% of a student's final grade starting in SY 2023-2024. The Code of Maryland Regulations about assessment codifies that the LS MISA and government tests are requirements for all high school students and that it has to be 20% of a student's final grade starting in school year 2023-2024, which is the school year that just started in Maryland. MSDE needs a new reporting platform in order to have these tests count as 20% of a student's final grade because the new platform will process the tests faster to get results to school districts in time for them to plug the test grade into their local grading program. MSDE is requesting approval of extending the contract, exercising the renewal option, and modifying the scope of work to meet the requirements of COMAR 13A.03.02.06.



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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SUPPLEMENTAL

42-S-MOD/OPT. SERVICES MODIFICATION/OPTION (cont'd)

Requesting Agency Remarks (cont'd):

Cognia, Inc. and the Division of Assessment, Accountability, and Performance Reporting made these changes in the scope of work for the retroactive modification in order to benefit the students in Maryland but did not realize that these changes required a formal modification through the Procurement Officer. The retroactive modification is due to managerial oversight.

Cognia, Inc. continued to provide necessary services and MSDE is satisfied with their performance. They play an important role in the success of the assessment program meeting all of the United States Department of Education (USDE)'s requirement for peer review for State assessment systems.

Additionally Cognia, Inc. meets and remains consistent with all Federal, State, and local laws, regulations, and guidelines that pertain to the needs of student populations, including special student requirements.

MSDE has taken steps to ensure this does not happen in the future by reorganizing the entire procurement staff, putting contract management tools in place to prevent any lapses in contracts. Also strengthening relationships with MSDE programs to ensure they begin the procurement process early enough and allow time for any approvals required.

The Division of Assessments, Accountability, and Performance Reporting is currently working on drafting the scope of work for a comprehensive Maryland assessment procurement, which is the reason for requesting approval of the extension request in advance. The program wants the contract with Cognia and the three other contracts for the Maryland Comprehensive Assessment Program (MCAP) to end at the same time, in order for the replacement contract to begin and allow enough for transition time.

Cognia is on track to meet the 6% MBE goal and the modified scope will provide additional work opportunities for the MBE subcontractor.

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.



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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September 6, 2023



SUPPLEMENTAL

42-S-MOD/OPT. SERVICES MODIFICATION/OPTION (cont'd)

Fund Source: 100% General

Approp. Code: R00A01.04

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION