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BOARD OF PUBLIC WORKS

BALTIMORE, MARYLAND

January 31, 2024

10:15 a.m.

PRESENT

HONORABLE WES MOORE

Governor

HONORABLE DERECK DAVIS

Treasurer

HONORABLE BROOKE LIERMAN

Comptroller

JOHN GONTRUM

Secretary, Board of Public Works

ATIF CHAUDHRY

Secretary, Department of General Services

JOSH KURTZ

Secretary, Department of Natural Resources

THOMAS HICKEY

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

VALERIE RADOMSKY

Chief Procurement Officer, Department of Transportation

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Recording Secretary, Board of Public Works

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PROCEEDINGS

GOVERNOR MOORE: Good morning and welcome to today's Board of Public Works meeting. Now, before we get started I would like to say a few words about yesterday's news and the news that the Baltimore Orioles franchise will now have a new ownership group. And our entire administration congratulates David Rubenstein and Mike Arougheti and Orioles legend Cal Ripken, Jr. on their deal to purchase the Baltimore Orioles. And we are very much looking forward to the continuation of a strong relationship between the State of Maryland and the Baltimore Orioles.

We would like to extend our thanks to the Angelos family for their contributions to this very storied franchise and we are thrilled. We are thrilled because being able to keep the Orioles in Baltimore for a long period of time was a key priority for this administration, for this team. And we are very proud of the fact that the deal that this group solidified months ago means that regardless of this transaction, that will never change. These are the Baltimore Orioles and they are going nowhere. And we are thrilled that as a treasured part of our community that they will be here, not just for a long period of time. And I tell you as a fan, I am looking forward to the multiple World Series championships that are going to be coming. I'm looking forward to the opportunity to resign some of our stars and make sure that names like Rutschman and Holliday and Henderson continue to stay Orioles for long periods of time, and get some help in the pitching, as well as the fact that as Governor we're looking

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forward to the kind of economic momentum that this is going to bring to not just Baltimore and not just to the State of Maryland, but also to the entire region. So I am very proud today as a long time Orioles fan to say go Os, and we're looking forward to pitchers and catchers coming back in a couple of weeks and having a great season coming up.

I also would like to take a point of privilege and turn it over to Treasurer Davis for some comments as well.

TREASURER DAVIS: Good morning, everyone.

ALL: Good morning.

TREASURER DAVIS: Let me start by doing this, before I get started. There are a couple of things I wanted to mention, the passing of two colleagues.

I was -- I wasn't here when the meeting immediately after Senator Peters passed. And I wasn't sure if, to the best of my knowledge, I don't know that it was acknowledged. And I just wanted to take this opportunity first to extend my condolences to his wife and family. Senator Peters, he was a great guy, cared very much about Prince George's County, certainly his Bowie district, and really just all of his colleagues. But there are lots of things I remember about him, and I'm sure you all who had the opportunity to work with him will as well. But one thing -- it's often said that the most segregated place in America is its churches on Sunday morning. Senator Peters often visited my church, First Baptist Church of Glen Arden. It's a large megachurch, mostly African American, mostly to mean about 99 percent. But Doug would come in and he, you know, he had a great relationship with the Pastor. He would sit on the front

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row, often would address the congregants. And you could see he was at ease. He didn't feel uncomfortable. He didn't feel out of place. And in turn, that same warmth and love that, you know, he expressed while he was there, it was returned to him by the congregants as well. And that's sort of Senator Peters in a nutshell. So he is going to be greatly missed. He and I were -- he called me like in November and said he wanted me to work with him on something. I will keep that between us. But I'm going to try to, you know, carry out that final request of his and see if I can get it done. So I wanted to acknowledge that.

But then the next person, his funeral is actually Saturday, is former Delegate Rudy Cane. Rudy came in in 1998. He was the first African American, I think it's like 37B. I know it's District 37, I'm not sure if it's A or B. Rudy was the first African American to represent that district. And those of you all who knew Rudy, he was quite the gentleman, very courtly, very stately. He had just a passion and a love for the Eastern Shore. But he also cared very much about the rest of the State. You never heard a bad word about anyone to come out of Rudy's mouth. He was just an all-around great guy and what a legislator should be. You know, he reached across the aisle, you know, the whole bit. Rudy is going to be missed. And like I said, his funeral is Saturday and I hope to certainly be there to pay my respects to his family. So I just wanted to say those two things.

And then finally, and it would be remiss of me if I did not do this. Governor, we don't share the same sentiment about the information that we found out. Nothing against the new owners, but I feel lied to. I feel misled. We asked about that Orioles deal, are you up for sale? They, Peter, John Angelos came out

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on December 8th in the *Baltimore Banner* and categorically denied that they were for sale. Now, we knew something was afoot. It was in the *Huffington Post* and other publications. And they don't usually whiff that badly on something. So we knew it was there. But they felt comfortable lying anyway.

Now it is a private business and they can do what they want. But when you are asking the State for \$600 million, and on top of that you are asking for more, and you are asking for development rights, all in the name of we're going to do this for Baltimore and the State of Maryland and its people, and how much we love, and you knew you weren't going to even be there. You knew you weren't going to even be there. So it was just a lie. We can call it whatever we want. We can dress it up. You just lied. And you took advantage of, or tried to take advantage of the people that you said that you cared about and you wanted to ensure their long term viability. No, I'm not giving a pass, no matter how great the other people may be. And maybe that's why it took so long, there were dueling negotiations going on, the sale plus the negotiating with the State. It could have been -- I don't know what to believe at this point about anybody. Were they in cahoots on all of this? We always talk about transparency. It was clearly lacking in this one. No, it was beyond lacking. It wasn't just we weren't told something. We were lied to. And I can't just let that pass, that, you know, that no one is called out on that.

So, you know, it's probably the best thing for the franchise. Maryland has had some wonderful luck with sports team owners. We're batting .1000 in football and baseball.

(Laughter.)

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TREASURER DAVIS: So, you know, we've had one change, and now apparently we have another one on the horizon. So maybe our luck is due to change. But if John can hear me now, it's deeply disappointing and troubling that you could look your State in the eye and outright lie to us about your intentions. We had a right to know, given the amount of investment we were committing to this. So thank you very much. I had to say my piece. And let's get on with it.

GOVERNOR MOORE: Well, before we get on with it, I'd say that you are absolutely right. We deserve transparency and we deserve truth. And that's also why I know that, that's why making sure that the three components that we had laid out, about saying we had to be good stewards of taxpayer dollars, that we had to make sure we were creating winners on and off the field, and that we had to make sure that the Orioles were here for a long period of time. That's why it was so important to craft the deal that we did. That's why these short term deals were so dangerous. Because you are absolutely right, these are private entities. And private entities can do what private entities want to do. And so that's why the best way to preserve and protect taxpayer dollars was to make sure that the deal that was done was one that was making sure that these are the Baltimore Orioles and you are not going to turn them into the National Orioles. You are not going to turn them into anyone else. This is our team. Especially anytime that you are talking about the use of taxpayer dollars, because that's where we take the highest, highest not just privilege, but also respect for the fact that we have to protect that. So I agree. We deserve transparency.

COMPTROLLER LIERMAN: Yes, I would just add, thank you, Mr. Treasurer, for your comments, and Mr. Governor, I couldn't agree more, and

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certainly as a lifelong Orioles fan -- 57 days until Opening Day. We have the best stadium in baseball. We have the best fans in baseball. And I am confident that our new ownership team will make sure that we keep and build the best team in baseball. And so I am ready to open the door with them and look forward to working with them in the future. I am confident that our long term deal is good for taxpayers as well. So thank you.

GOVERNOR MOORE: Thank you. Thank you. We would like to change up the order a little bit, if that's okay, Mr. Secretary. Because we are joined this morning, and I'm not seeing if --

COMPTROLLER LIERMAN: -- he's over here --

GOVERNOR MOORE: -- there he is. There he is. But my friend and our partner in the work, County Executive of Montgomery County Mark Elrich. The County Executive has a very busy schedule, so we wanted to recognize him early for his remarks on the DGS Agenda and conduct a vote later on in the meeting. He has traveled all the way from Rockville to join us today to speak in support of nine capital grants in Montgomery County, DGS Items 24-CGL through Item 32-CGL that direct a number of State investments to the county, most notably Item 29, which provides \$69 million in support to support Montgomery County bus rapid transit project, and Item 24 which provides \$8.8 million in support of the county's acquisition of zero emission buses. In total we're talking about \$93.2 million in State capital to support Montgomery County through these nine items. And also, noting that this is the first time in at last this BPW that we're actually getting a PowerPoint presentation to come along with it. So this is very, very exciting. And also, I just want to say before we turn it over

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to the County Executive, I just want to say how appreciative the Lieutenant Governor and I are, and everyone in our administration, for the incredibly strong support and the partnership that we have from you and Montgomery County government for the work that we are doing arm in arm, accomplishing big things, and really showing people that this is what partnership produces when you see what partnership actually looks like. And you know, thanking you and particularly the leadership in securing the funds of members of your delegation: Senator Zucker, Senator King, Delegate Korman, former Delegate and now our Chief Legislative Officer Eric Luedtke. We look forward to continue working in partnership with you, your team, your delegation, your administration. And with that, I would like to turn it over to the County Executive.

MR. ELRICH: First of all, thank all of you, Treasurer Davis, Comptroller Lierman, and the Governor. We really do appreciate the partnership. I mean, you know, my first four years I had a very different partner, which was not really a partner. It is very different to work with a government where you're aligned and you're trying to achieve similar goals and you speak the same language and you have a similar vision for the future. So partnership is really easy in those circumstances and I really do appreciate your leadership there. You said you were going to bring changes and you were going to, you know, deal with some of the bigger underlying social issues in the State, and to me that was one of the most important thing about your campaign and the most important thing about your leadership now.

We're here to talk about some things which we think help. You know, the transit projects, particularly the BRT projects, which drive economic

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development. Because none of us can do the things we want to do in the social sphere if we do not have economic development that provides the revenues to make that possible. And so a lot of what we're talking about today is just part of that. You'll see the full extent of our network and this will give you a view of what we're actually trying to do here. But thank you very much for this opportunity. And we are upping our game. We're actually using technology, it's a novel thought. But this will give you a better idea.

So the next slide is, this gives you an idea where this money is going. As you said, \$63 million is going to the general bus rapid transit. There is another \$6 million for the Flash BRT on 355. Flash is the name we have given our BRT system. And there is another \$2.5 million related to the Great Seneca Science Corridor, where we have a lot of our life sciences industry. And that sits isolated from the Shady Grove Metro Station. So this provides a rapid transit connection into the Shady Grove Metro Station. And then we have, you know, various bike projects and pedestrian projects because we have to take care of all modes of transportation in the county.

The funding is being used to help with our federal Small Starts Grant investment that has been in progress on Veirs Mill Road for a while. The Veirs Mill Road BRT does something else important. It closes the Red Line. So it connects Wheaton to Rockville, so we have northern closure. People would not have to take, to use rapid transit, would not have to drive through the city and come back out the other end. They can go up on either side to Rockville or Wheaton and cut across. Go to the next slide.

So this kind of gives you an idea of where the county is going

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with, you know, people spend about \$2,500 a year for a congestion penalty. Our roads are definitely congested. And as much as people talk about 270, one of our points has always been once you get off 270 you are not going anywhere. And that's a fundamental problem, because all we do, all people do is speed you to an exit. But then when you want to get off the exit, you are stuck in traffic that is endless from the point where you get off the exit to downtown Silver Spring or downtown Bethesda. So our goal is to create a single transportation system that moves people throughout the county. We're looking at population growth of probably 20 percent over the next three years, and job growth of more than that. That's important for that. We are seeing a resurgence, you know, we're talking with manufacturers in Montgomery County for the first time. Manufacturing was never our lane. We've got people talking to us about manufacturing now. And we think we've got other opportunities for growth and we are driving every engine we can drive to get us to where we think we need to go. So all of this is going to help us.

The county BRT is a lot like the Light Rail line, except it is not totally in dedicated service. But most of our lines will end up in dedicated lanes. We are doing something very innovative. If you know Montgomery County, traffic is north-south in the morning and south-north in the evening. I don't need to build two lanes. I need a lane that takes buses in the peak direction and I can fit that lane around taking the peak direction. Because the regular lanes are relatively free, the bus can achieve normal speeds without having a dedicated lane. So it saves us. Right away it saves us construction costs and it's not an original idea, I stole it from other systems I've look at who are trying to deal with

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constraints like we are trying to deal with constraints.

As I said, the BRT, and then Flash is the name of our service. And we do believe it's going to spur economic growth here. And we phoned you all before, what we are up against in Virginia, where they have been able to pour literally in a decade billions of dollars into transportation systems allowing them to attract major investments to places like Tysons Corner and we have not been a match for them. So our goal is to be a match for them. And this is where they play better than we do and my goal is to play as well as they do or better.

And this map kind of shows you the significance of the totality of this project. This is not just one line. We're not asking you to build a line from here to there. If you look at this map, you see that anybody in Montgomery County is going to be able to get to job centers. And you will be able to take, somebody coming down Route 29 can cut across the county and get into the 355 corridor and go to the jobs up there. Or you are going to be able to come down and cut across the county and go to the Viva White Oak, the new project that Mr. Bramble is bringing to Viva White Oak. So we believe that there is a real synergy to this. When we first presented this to the feds many years ago, this has actually been cooking for over 15 years, the feds pointed out that this is the first system anybody had walked in and proposed. People would normally propose lines. We recognized our problem isn't a line problem, ours is a system problem. And the Red Line was built to ferry people from Montgomery County into the District for federal jobs. But none of our transportation was built to internally connect Montgomery County and drive internal economic development in Montgomery County. So this puts us in position to do a better job of driving internal economic

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development in the county.

So the benefits are, you know, we're going to get, you know, high frequency transportation, free Wi-Fi, and USB charging. We want somebody to be able to be comfortable on a bus and be able to do things they normally do that they can't do in a car. We're going to have state of the art stations where we know it's going to support economic revitalization. And it is environmentally sustainable, these buses are going to be electric and some are going to be hydrogen. The county has some of the first micro-grids in the country. We have probably the most new buses in the country. We are really driving a transition toward clean and we are continuing to drive that even as we go forward with an expanded project. And affordability is important. You know, most of our bus riders have incomes below \$35,000. And it's very different than the population that drives in the county. So this is an equity issue, to be able to make it possible for people in lower income brackets to have a decent ride to get to work, not a multi-stop, multi-bus, two-hour trip to travel something that could be traveled in 20 or 25 minutes. So this is important.

Now, people talk about the economic impact of BRT in Pittsburgh, and I've been to their BRT. In downtown, it's \$300 million of development. In the BRT corridor in Boston, it's \$650 million of development. In Ottawa, it's \$700 million of development. And 20 percent rise in residential property values around stations, so it's not unusual to see property rises in value and economic development. The thing about BRT is it's distinct from the regular bus lines. It's fixed stations and fixed routes. This is permanent. This is not changeable. Much like Light Rail, we tried to model this on the principle that somebody investing

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knows. Just like you saw a rail station there, the rail station is going to be there, this is going to be there. So make the investment here and we will continue to serve you here and make sure that you can get where you need to go.

Our targets, our climate goal targets are pretty high, 100 percent reduction by 2035. Thank you so much for your leadership on driving clean energy in the State, because the more that, some of the things you have talked about make it easier for us to achieve our goals. We were assuming we would have to do almost everything. Having a partner where we don't have to do everything is really good. I just want to point that out and thank you for that again.

We have got 389 buses in our fleet. We've got 14 in service, 100 on order, and more coming after that. And we actually have a hydrogen fueling station. We're getting hydrogen.

And again, I talked about the equity that's in public transit. It is really important for everybody to be able to get to work and, you know, at the end of the day to get home to their families. And so turning an eight-hour day into a 12-hour day because it takes so long to move around the county is not a good thing. This is an opportunity to bring people's work days down to something more livable.

So I hope you will, you know, look at this favorably. You know, we're going to be coming back with some other things we need to do. But we do appreciate your support. And it's going to make a difference in the county. And I have always felt, you know, historically Baltimore was (indiscernible) economically to the State. Nobody complained when Baltimore's money went to

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build things outside of Baltimore because it made the State stronger. I don't complain about Montgomery County money helping build things outside Montgomery County. If the State is stronger, Montgomery County is stronger. So we have a symbiotic relationship and I would like to maintain that.

GOVERNOR MOORE: Amen. Amen. County Executive, thank you. And we are excited about these investments and we are grateful for the leadership that you and your colleagues have shown in order to make this a reality. This is going to make a difference --

MR. ELRICH: Yes, sir.

GOVERNOR MOORE: -- so we appreciate you.

MR. ELRICH: Thank you.

COMPTROLLER LIERMAN: Yes, I just want to also say thank you for being here. Thank you for the thorough review of the project. They are really exciting projects. I am a big believer in BRT. I think especially with electric vehicles in the future, where we can talk about not just building a line but building a system. So I appreciate your view on that. And it is certainly not uncommon for us to review grant agreements to county and municipal governments for initiatives to improve pedestrian safety, streetscapes. I will say it's very rare to see the magnitude with which a local government has been able to leverage the capital grants program to fund some of, you know, what are major transportation initiatives. So kudos to your legislative team. They are, you know, working hard in Annapolis, partnering with you and everybody. And this is a unique use of bond funding that has been budgeted by the General Assembly in prior years. And I think really demonstrates the need that the State has for transit

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dollars. So I appreciate your work on this and look forward to it. Thanks.

MR. ELRICH: Thank you. Just a last quick on this, you know, we're talking about local taxing authority. And if we get that, it will put this project on steroids. Because when I started this project, one of the things that inspired us was Toronto, and I met the company that built their system, Bailey, and they built their system in two years because they had money at the very beginning of it. So we're willing to put even more money into this given the ability to do that. So thank you very much.

COMPTROLLER LIERMAN: Thank you.

GOVERNOR MOORE: -- report of that conversation. Thank you so much, County Executive. Thank you. Thank you. And we'll now return back to the regular order. First up, Secretary's Agenda. Secretary Gontrum, good morning.

SECRETARY GONTRUM: Good morning, Governor, and good morning to you, Madam Comptroller, and to you, Mr. Treasurer. There are five items on the Secretary's Agenda this morning and three reports of emergency procurements. I am happy to assist with answering any questions.

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

COMPTROLLER LIERMAN: No discussion.

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

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

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TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much. We will proceed with the Department of Natural Resources Agenda. Secretary Kurtz, good morning. It's good to see you.

MR. KURTZ: Good morning, Mr. Governor, good morning, Mr. Treasurer and Madam Comptroller. For the record, my name is Josh Kurtz. I am the Secretary of the Department of Natural Resources. The department has four items on the Agenda for your consideration today. Myself and staff are available to answer any questions that you may have.

GOVERNOR MOORE: Are there any comments on the DNR Agenda? Do I have a motion to approve?

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much, Mr. Secretary. Mr. Hickey, University System of Maryland. Good morning. Good to see you.

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

COMPTROLLER LIERMAN: No questions.

GOVERNOR MOORE: Do I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: So moved.

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GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much. Thank you. We're moving right along. The MDOT Agenda, Ms. Radomsky, good morning.

MS. RADOMSKY: Good morning, Governor, Madam Comptroller, Mr. Treasurer. For the record, my name is Valerie Radomsky, Chief Procurement Officer at the Maryland Department of Transportation. Today, we are presenting 11 Agenda items for your consideration. We are seeking approval of one contract action equaling approximately \$4.2 million awarded to a certified small business enterprise. We are withdrawing Item 5-IT-OPT-MOD. I do have representatives available to answer any questions.

GOVERNOR MOORE: Thank you so much. Is there any discussion on the MDOT Agenda?

COMPTROLLER LIERMAN: No questions.

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

COMPTROLLER LIERMAN: So moved.

GOVERNOR MOORE: Is there a --

COMPTROLLER LIERMAN: -- slimmer Agenda --

GOVERNOR MOORE: Is there a second? Outstanding. Thank you so much. Motion approved. Thank you. And we will conclude with the DGS Agenda. Secretary Chaudhry, good morning.

MR. CHAUDHRY: Good morning, sir. Mr. Governor, Madam Comptroller, Mr. Treasurer, for the record I am Atif Chaudhry, Secretary of the Maryland Department of General Services. Today the department is presenting 55 items on our Agenda. Our Agenda features over \$112 million in capital grants

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and loans. Some have been mentioned here today from Montgomery County.

I did want to highlight one item, which is Item 2-CGL, which provides \$4 million of State support for the Maryland Institute College of Art. MICA was founded in 1826 and is the oldest fully accredited, continuously degree granting college of art in the country. It is right here in the great City of Baltimore. So this particular grant provides systemic HVAC and plumbing upgrades to modernize necessary building systems throughout the campus.

As we continue to keep in mind our MBE participation in our contracts, our Agenda does include four contracts and renewal options to certified MBE primes totaling more than \$11 million. And we have agency representatives here to answer any questions you may have.

GOVERNOR MOORE: Thank you so much, Mr. Secretary. And I know we have two speaker requests for Item 54-S. But before we recognize Mr. Dashiell, I'd like to call up Secretary Rafael Lopez -- good morning, Mr. Secretary -- to fully present this item. And then immediately following him will be Dr. Moses Haregewoyn, the President of Automated Health Systems being recommended for award. We would like to ask all speakers to keep their comments to no more than five minutes and I will ask Secretary Gontrum to be able to keep folks to that and keep time on it. But Mr. Secretary, good morning. Good to see you.

MR. LOPEZ: Good morning, Governor. Good morning, Governor Moore, Comptroller Lierman, and Treasurer Davis. I am Rafael Lopez for the record, and I serve as the Secretary of Human Services. We respectfully request your vote to approve our award recommendation of the DHS call center contract to Automated Health Services today as part of a five-year contract after a highly competitive national competition.

Automated Health Services' President, Dr. Moses Haregewoyn, is

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present and looks forward to speaking with you about their proposal, which was ranked first overall and first in the technical evaluation. They competed in a fair and transparent process.

The current incumbent vendor, ICF Inc., is represented today by their lobbyist. Their proposal was ranked only number four out of eight overall, and fourth technically. They have filed a bid protest and appeal to the State Board of Contract Appeals. I believe it is fair to say that they would appreciate a delay today and for as long as possible to keep their 2015 contract operating.

The Maryland Department of Human Services call center currently receives over 5,000 calls a day from the 6 million Marylanders that we serve and drives the daily work of over 6,000 State team members. Just yesterday, we received 5,971 calls. Why do we know this? Because this team tracks it every single day and uses it to drive our strategy. These calls range from the basic questions, like has our child support payment been made? Or, what is the status of my case? To the dire, when a person calls our call center to say my electricity or heat has been turned off, where do I get help? How can I get help now?

The call center is one of three primary customer contact points at DHS, along with our website and the 24 county local departments of social services in every single one of the jurisdictions across this State. The data from the current call center paints a consistent picture of failing to serve Marylanders. I'll start with one number: 528,666. That is the total number of abandoned calls in 2023 alone. Over 1.9 million Marylanders tried to call the call center in 2023, and over 500,000 Marylanders gave up because they could not get someone at the current call center to pick up the phone. This included long wait times in excess of 15 minutes and peaking over 30 minutes at some times, resulting in more than 10,000 calls being abandoned per week. I know this, and my Principal Deputy Secretary knows this, and my Chief of Staff knows this, and our local directors

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know this, because we actually call the call center to test our own call center.

Every day at my direction, every single senior leader at the Department of Human Services across all 24 jurisdictions gets a sample of three customer service complaints. We choose them randomly and we do so because we are driven by our values to challenge the status quo, to move with urgency, to move with integrity, and to follow through for every single one of our Marylanders.

One, things happen consistently when you look at that data every single evening, and they are chosen from all over the State. Often the response begins with, "I called to reschedule my appointment and I could not." Or number two, "I called the call center, who put me in a work order, and there was no follow up." Or third, "I was given conflicting information by the call center versus what I got in the mail or from a local office, which is true."

What I have described is intolerable. And we have taken immediate steps to course correct in this administration. The new call center will take an innovative integrated customer service approach by including a few not novel ideas for Maryland, because they have been used across the country and across the world. We expect world class customer service here in Maryland. First, we will have an interactive voice response system and customer relationship management system, or CRM, that is fully integrated with our MDTHINK applications. Second, this system will also integrate with the local departments of social services to provide direct access to 3,200 members of our team. To be clear for the record, not until we came into office did any of our local departments of social services directors get any data about the call center at all. That is our problem, but we are course correcting every single day.

This system has also never been done in Maryland before and we are using a thoughtful, responsive, and urgent way to actually problem solve

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directly with the customer. Customers will receive the same streamlined experience whether they are walking into a local office or calling into the call center. Marylanders deserve nothing less.

The new contract also gives the department flexibility to extend the call center service hours to meet the needs of working Marylanders. New service level agreements will hold the selected vendor accountable for meeting customer service goals, including achieving a 30-second wait time for 90 percent of calls or face penalties. This is a national customer service standard, not one of our own choosing.

Modeling our value to move with urgency, DHS moved with all deliberate speed to write a new request for proposals in the first half of 2023 after assuming office, releasing our bid in August of 2023. When bids closed in October, the department dedicated full time resources to the evaluation process and completed action of eight proposals by November of 2023. We acted based on our customers' needs and requests for help to move a complex procurement from start to the present day in less than 12 months. That shouldn't be a surprise, but unfortunately it has been in Maryland. Automated Health Systems was unanimously determined to be the number one overall ranked offer by the evaluation committee. This evaluation committee, which was guided by our procurement officer, the procurement team, and the Office of the Attorney General, followed State procurement law and regulations to ensure that all eight proposals were reviewed fairly and impartially, adhering to the spirit and letter of Maryland's law.

AHS proposes its Maryland site to be located at 250 Pratt Street in Downtown Baltimore. Over 250 full-time and part-time customer service representatives will be hired from Maryland, they will be Marylanders. They fully intend and we will hold them accountable in their contract, in writing, to

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meeting the RFP's 25 percent MBE goal and hire for the first time ever, at DHS's request, a multilingual staff that will have goals to respond to our multilingual speaking customers, specifically including a Spanish language call center for employees for the first time in DHS's history. This is an increase from the existing contract's ten percent MBE requirement.

Marylanders deserve world class customer service and they deserve it now. Moving urgently to replace a failed call center is necessary to give customers the access, support, and timely answers they deserve. Resetting a password, rescheduling an appointment, and getting the same answer anywhere they go across the State in all 24 jurisdictions shouldn't be a luxury, it should be normal for Marylanders and it should be the bare minimum.

ICF will argue that they fulfilled the terms of their existing contract to the letter. That certainly is their opinion. From what we understand in speaking with many team members across our team who were here many, many years before we arrived, not once in their eight-year contract do we have a record in writing of the firm making any suggestions on how we, the Department of Human Services, can improve customer service to Marylanders. I expect more on behalf of this administration. Their contract lacks performance metrics, and we can discuss why none were included at a different time and in a different venue. And short of the five contract modifications where Maryland simply gave them more money under the previous Board of Public Works, it is hard to imagine how Marylanders can be better served. We cannot continue to subject our customers to the ill-conceived and poorly implemented call center of 2015 when we have the capacity and the willingness to set a new center for world class customer service in 2024 and moving forward.

By starting the six-month transition period to a new vendor starting tomorrow, we will have a new standard of excellence and service in place by the

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summer that will begin to transform how millions of Marylanders interact with their government. This will help the Department of Human Services make sure we do not leave anyone behind in Maryland. Additional delay due to a meritless appeal, which from our perspective and the perspective of our attorneys has no legal standing, will only reward poor performance by forcing DHS to extend the current vendor's contract. I look forward to your questions and thank you for your time.

GOVERNOR MOORE: Thank you so much, Mr. Secretary.

TREASURER DAVIS: Just a quick question.

MR. LOPEZ: Certainly.

TREASURER DAVIS: Thank you, Mr. Secretary. In a previous life, I oversaw a call center for Prince George's County so I'm familiar with that. Some of the things you were saying, it's almost cut and dry for me, to be honest. The information that you provided, do you have like the abandoned calls, how long it takes to get the phone answered relative to maybe national standards? Where do our metrics, our numbers, break in terms of best practices or industry standards for abandoned calls and how quickly calls are answered? Where are we falling in those numbers?

MR. LOPEZ: We do. And in fact, we now track daily how many total calls come into us and how many are abandoned. In fact, in 2022, which we have looked at multiple years of data that was provided to us by our vendor to compare over time. And in 2022 alone just from March through December, every single week we had more abandoned calls than answered calls. That was in 2022 alone. If we go back further, and of course it was much more challenging during the COVID pandemic, but we are looking at a pattern of this.

Now, to be clear and honest, these are distinct from looking at national standards. But Maryland did not put in place national standards to expect

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for Maryland. We want that now and moving forward.

GOVERNOR MOORE: All right. Any questions for the
Secretary?

COMPTROLLER LIERMAN: Not right now.

GOVERNOR MOORE: Thank you so much, Mr. Secretary. Dr.
Haregewoyn, welcome and we're looking forward to hearing your remarks as
well.

DR. HAREGEWOYN: Good morning, Mr. Governor --

GOVERNOR MOORE: Good morning.

DR. HAREGEWOYN: -- Madam Comptroller, and Mr. Treasurer,
my name is Moses Haregewoyn, President of Automated Health Systems. First,
on behalf of Automated Health Systems, we want to thank you for the opportunity
to finally work for the State of Maryland.

AHS has a deep and historical commitment to the State of
Maryland. AHS was founded to a contract with the Maryland Department of
Health in 1979 to provide early periodic screening, diagnostic, and treatment
services, in short it's called EPSDT, for vulnerable children. We are also grateful
for the last seven years, and while we have been handling provider enrollment and
credentialing and for the Department of Health and have successfully reported
support for over 110,000 providers into the Maryland Medicaid program so they
can provide services to the State's most vulnerable citizens.

Our performance is outstanding in our Maryland provider
enrollment call center. We have a less than one percent abandonment rate and a
rate speed to answer of 20 seconds. In our Massachusetts Mass Health contract
center project, we served 250,000 calls in the month of December with a 1.7
percent abandonment rate, and our speed to answer of one minute and seven
seconds.

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We are excited to continue our trajectory for the customer service center and deliver compassionate and professional services for children, to children and families in need. Our proposal for the Department of Human Services reflects our commitment to the State of Maryland, which helps the State's commitment to serving the State's most vulnerable citizens effectively and compassionately. We will establish an office in the Baltimore area. We are committed to 25 percent of our proposal to minority business enterprise and nine percent of our proposal to a veteran owned business. We will hire 275 employees in the Baltimore area. This commitment allows us to invest your dollars back into the State's economy. We have a longstanding history of demonstrating this commitment for other clients as well.

In Boston and St. Louis, we have created over 1,000 jobs in a program that is similar to the State of Maryland. We will provide a state of the art customer relationship management system that is built by Microsoft and is compatible with other systems and we will eliminate glitches that other bidders' systems may have.

As President, I am charged with the full responsibility of carrying out the vision of the company. As a humanitarian, this is my life's mission. We care in a comprehensive manner about our clients and the communities they serve.

To recap, we are committed to at least 275 jobs in Maryland, creating opportunities and investment in Maryland. Our system is compatible with the State of Maryland's systems and we share the State's commitment to inclusion and diversity.

Again, I wish to express my heartfelt thanks to the Department of Human Services for your choice in selecting AHS to do this very important work. We are grateful for being selected and we look forward to a strong and successful

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collaboration with the State of Maryland. Thank you.

GOVERNOR MOORE: Any questions for Dr. Haregewoyn?

COMPTROLLER LIERMAN: No. Thank you.

GOVERNOR MOORE: At this point, I'd like to call up Mr. Robert Dashiell, who is representing ICF in this matter. Mr. Dashiell, good morning.

MR. DASHIELL: Good morning, Governor Moore --

GOVERNOR MOORE: Good morning.

MR. DASHIELL: -- Madam Comptroller, Treasurer Davis. Let me first say, Governor, I think you should issue an executive order making people sit down at Ravens games.

(Laughter.)

MR. DASHIELL: I ended up watching the whole game on the big screen. I never saw the field.

Let me correct a couple things that the Secretary indicated. Number one, I'm not a lobbyist. I'm an attorney. I have been doing this for 50 years. I am a principal sponsor of H.B. 64, which was if you recall the Maryland Minority Business Program. I was the principal author of the Department of Transportation program before it became law. I am a member appointed by Senate President Ferguson to Maryland's Procurement Improvement Council, on which I serve with the Comptroller. I am not a lobbyist. I don't have a problem with lobbyists, but I am not a lobbyist.

Governor Moore, first I really want to thank you all for giving me an opportunity on behalf of my client represented here by several persons of their executive team, I really want to thank you for the opportunity to speak to you because I know that I didn't follow any of the protocols for getting this done. And the reason for that is because we didn't even know it was on the Agenda until

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last Friday. We didn't get notice from the procurement officer. We didn't get notice from the Maryland Board of Contract Appeals. We didn't get notice from anybody. It just so happened that my client was perusing the Agenda for this meeting and came across this item. We wouldn't even have known, we wouldn't have been here.

The question, if I may, before the Board today is not whether the State has a substantial interest in ensuring that these services are provided. I know Mr. Secretary didn't address that standard. But the question is whether it is necessary to award the contract now in order to protect that substantial State interest. See, because we are not here selecting among firms that aren't qualified. This, my client, ICF, you would wonder how, but was ranked four out of eight proposers, eight offerors, on the technical side, and number one on price. But with the price less than 50 percent of what you propose to pay to AHS.

Now the answer to the question as to whether it is necessary now to award this contract is of course committed to this Board's sound discretion. I will tell you, I have reviewed minutes from several Board meetings searching for some clue, some statement of uniform (indiscernible) factors to be considered by the Board in exercise of that discretion. I didn't find a list of factors to be considered. But I did find, I did find a clear statement of the substantial risk to the State's interest in ensuring that a fair and open procurement system comes, that that risk comes into play each time this issue is presented to the Board. And if I could, I want to read just from the text, the risk, and it was enunciated by a member of this Board back in 2011. This is, in fact this was then Comptroller Peter Franchot speaking.

He says, I regard the protest phase of a procurement as a fundamental and legally proscribed right of any vendor. Frankly, it's an effective check and balance. It is built into the system to confirm that integrity of the

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process. If we're going to continually short circuit this part of the process simply because it is too time consuming or too inconvenient or because we personally believe that the litigant's case is without merit, what is the point of allowing bid protests in the first place? And how do you communicate with businesses around the country to say come into Maryland and bid for our business, we have a fair and open process, if you don't have due process in the procurement process? There is a remedy and the only remedy is before the Board of Contract Appeals. It's not to litigate the case in front of this Board.

In fact, the Board of Contract Appeals, which originally began in the Department of Transportation, was meant to avoid this very thing, was meant to avoid people coming before the Board, not sworn, not under oath, not with any documentation that anybody else has seen other than perhaps the Board and declare before you that it's in the best interest of the State to award a contract to one party or another. We had that during the Agnew years. We had that during the Dale Anderson years. We stopped that with this. So what this, what the law requires, what the law requires is that before you abandon the only effective means that any vendor has for asserting its rights, which is before the Board of Contract Appeals, before you do that you must convince, you must be satisfied, you must be satisfied that it is absolutely necessary. That's why, quite frankly, that over the years you only see these cases one or two a year. I went all the way back to 2011. I'm sure there were ones before that. There was one in 2017. But in the case that I just referred you to with Comptroller Franchot, that was a case involving another client of mine, Diamond Pharmacy.

SECRETARY GONTRUM: Mr. Dashiell, if you could please conclude.

MR. DASHIELL: I'm nearly done. Okay. The, in the current contract, Mr. Secretary said there was no performance metrics for call waiting

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times. You would think since 2015 somebody would have said something to my client that said, hey, call waiting times are too much. You would think that since 2015 somebody would have said there are too many abandoned calls. The fact of the matter is that call waiting times since November of last year, which obviously was after COVID, is down to under a minute. The fact of the matter is that abandoned calls since November of 2023 are down to under one percent. And these call waiting times, Mr. Governor, are on a contract where there was no requirement. There was no requirement during that time. I know Mr. Secretary mentioned that we didn't do more than what the contract required, we didn't offer any enhancements. What he didn't say was and what there is no evidence of in reality that we didn't perform according to the contract as it was written.

SECRETARY GONTRUM: Mr. Dashiell?

MR. DASHIELL: Mr. Governor, Madam Comptroller, Mr. Davis, do not take away the opportunity for us to have our day in court. I think we have a substantial question here about what the truth really is. And there is only one way to prove that when we have an opportunity for discovery, to put witnesses on the stand under oath, and we find out what the truth is. Thank you.

COMPTROLLER LIERMAN: Thank you.

GOVERNOR MOORE: Thank you so much. Thank you, Mr. Dashiell. I'd like to call Secretary Lopez back up for concluding comments, if he wishes to make any.

MR. LOPEZ: There is so much to say and too little time. Let me be really frank. Ultimately, we are here because one of eight contractors bid on a proposal fairly and openly and ranked fourth. They lost this contract fair and square. The data that I quoted comes from ICF. It is powered by ICF. We are happy to share it with anybody, any data, on the patterns and persistence of the call center's failure. The matter of whether or not the State of Maryland allowed

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for a contract to have performance metrics, I can't speak to. I have an opinion as the current Secretary of the Department of Human Services and I would never let a multiyear contract worth millions and millions of dollars with no pathway to accountability to happen. That is distinct from this particular matter. On the issue of the call center, we stand by a fair and transparent process. The Office of the Attorney General in partnership with the Department of General Services has reviewed everything we have done and we followed the spirit and letter of the law. With that, sir, I'm happy to answer any of the questions.

COMPTROLLER LIERMAN: I'd just like to, in the letter that you sent to Mr. Dashiell's client, I don't have it in front of me, but my memory, if memory serves correct when I was looking through the materials, you did indicate in that letter that one of the reasons was for, was because of past performance. So I just want to clarify, it wasn't at the debriefing meeting that Mr. Dashiell's client first learned that one of the reasons was the past performance challenges, correct?

MR. LOPEZ: Well, I think there is more of that. Because in terms of how we keep the secretaries separate from this procurement process, I am not brought in until the very end so that I have --

COMPTROLLER LIERMAN: Right, but you have seen the letter.

MR. LOPEZ: I have seen the letter --

COMPTROLLER LIERMAN: Yes.

MR. LOPEZ: -- of course. And so, it's my understanding that ultimately past performance was one of many factors --

COMPTROLLER LIERMAN: Right.

MR. LOPEZ: -- that was described. So the reason why I specifically chose 2022 as the metrics was because ultimately it was prior to our administration asking for a look at every single one of the total calls per day and abandoned calls. We invested more money in the contract at our direction to

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make sure that that could actually happen. So the issue that referenced of whether or not any abandoned calls were looked at, they had that data every single day.

COMPTROLLER LIERMAN: Sure. Thank you for that. And you believe that you will need every moment of the next six months to transition successfully to a new --

MR. LOPEZ: Absolutely. We actually built in, separate from this particular bid protest, a six-month transition period no matter who won the contract so that we can actually properly transition to a potential new bidder.

COMPTROLLER LIERMAN: Okay. Thank you, Mr. Secretary.

MR. LOPEZ: Sure. Any other questions?

TREASURER DAVIS: I don't know whether it's a question or a comment.

MR. LOPEZ: Sure.

TREASURER DAVIS: But one of the most important functions a government can do is when its citizens call, to answer the phone. It doesn't get any more basic than that. I'm calling you for a reason. I'm not calling to ask you how your day is, or what's for lunch. I'm calling you because I have a problem. Abandoned calls, it's on the surface, but it's just that. You're on the phone, you all know how it is, you call some call center. After you have been on the phone three, four, five minutes, you get frustrated and you just hang up. That's not how a business should run and it's certainly not how a government should run, that its citizens, its constituents, are on the phone and then after a period of time they give up. For me, this isn't about, because from what I'm hearing it's really about money, you know, contracts. Who gets paid, and all of that. That comes secondary to serving the citizens of the State of Maryland, to performance. You are getting paid to perform. And if we're in any way not meeting that standard, for me, you know, we have to take corrective measures. Because this is about the

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taxpayers -- these are not, these aren't our dollars. These dollars belong to the citizens. They are paying for a service that -- and they are paying for premium service. Not anything that may be substandard, and so forth. Again, having some familiarity, I know abandoned calls are a red flag for a call center. I know wait times and, you know, for the phone to be answered, those are key metrics that any call center uses. So absent for me, absent something to refute those numbers, that's really what it comes down to, not who gets to hang on to a contract, or their rights come second to the people's rights. You know, I can't be any clearer than that. Their rights come second to the citizens' rights. So Governor, so I guess that wasn't a question. I figured it out for myself.

MR. LOPEZ: I appreciate it, Mr. Treasurer. And with your permission, I would want to say one concluding thing to tie up with what you just said. And I think the spirit and intent of this process. I mentioned to you that we have three randomly chosen complaints per day so that we can actually hold our team accountable and ourselves. I want to remind us of what those three were last night from three different parts of the State. A parent asked about the status of their child support payment for their children. A person called in about the status of their medical assistance because they need help in covering very important medical needs. And the third one was help around temporary cash assistance. This is not about ICF or AHS or any other vendors competing. This is about the three people who last night needed help and they expect us to answer our phones and they expect us to deliver. That's what this is about.

COMPTROLLER LIERMAN: Thank you, Mr. Secretary, for the detailed explanation. And you know, I think it's worth noting that although the Board has the authority to proceed with awards while under protest or appeal, as an attorney it does give me pause doing so out of respect for the established administrative and judicial process. But like my colleague, Treasurer Davis,

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noted, it's clear to me that this situation rises to the occasion where this is a policy decision in determining how we are ensuring not just that Maryland taxpayer money is spent well, but also that we are taking care of Marylanders. And so when I was reviewing the materials and reading some fairly old contract appeals cases, what I was keeping in mind was, you know, the extraordinary circumstances that we find ourselves in with this contract, the need for the transition period, and the urgent situation to ensure that we are meeting the needs of the most vulnerable Marylanders in the State right now who depend on that call being answered.

So I do want to emphasize that agencies should not look to the Board of Public Works to resolve award protests. I am sure I expect to count on one hand the number of times that this happens in my term for multiple years, and certainly appreciate the work of the Maryland State Board of Contract Appeals. They exist to resolve these issues and want to make sure that we preserve appeal rights in Maryland as the norm.

So Mr. Secretary, I really appreciate you and your team, the work that you have done, the time that you spent explaining and working with us on this. I appreciate Mr. Dashiell sharing his materials with the Board so that we could understand the challenges and look forward to hearing updates from you, Mr. Secretary, on the go live and how the contract is proceeding. So thank you. Thank you, Governor.

GOVERNOR MOORE: Thank you so much. Thank you. Is there any other discussion or comments on this item?

COMPTROLLER LIERMAN: Not for me.

GOVERNOR MOORE: Okay. Thanks, Mr. Secretary. Are there any further discussion on the DGS Agenda?

COMPTROLLER LIERMAN: No.

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GOVERNOR MOORE: Okay. Thank you, Mr. Secretary. May I have a motion to approve the Agenda?

COMPTROLLER LIERMAN: Motion to approve the DGS Agenda.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding. Thank you so much. Thank you. With that, Mr. Secretary, this concludes today's meeting. Our next meeting will be on Frederick Douglass Day --

TREASURER DAVIS: Governor, if I can real quick, I noticed a gentleman in the audience that maybe you all recognize or maybe you don't, former NBA great Dale Davis --

(Laughter.)

GOVERNOR MOORE: Good to see you, Dale.

(Applause.)

GOVERNOR MOORE: All right. That concludes today's meeting. Thank you, everybody.

COMPTROLLER LIERMAN: Thank you.

(Whereupon, at 11:14 a.m., the meeting was concluded.)