

UNOFFICIAL COPY

FOR INFORMATIONAL PURPOSES ONLY.

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

1

---

# **BOARD OF PUBLIC WORKS**

*GOVERNOR'S RECEPTION ROOM, SECOND FLOOR, STATE HOUSE  
ANNAPOLIS, MARYLAND*

**January 29, 2025**  
**10:00 a.m.**

---

# PRESENT

## **HONORABLE WES MOORE**

Governor

## **HONORABLE BROOKE E. LIERMAN**

Comptroller

## **HONORABLE DERECK E. DAVIS**

Treasurer

## **JOHN GONTRUM**

Secretary, Board of Public Works

## **ATIF CHAUDHRY**

Secretary, Department of General Services

## **EMILY WILSON**

Director of Legislative and Constituent Services  
Department of Natural Resources

## **VALERIE RADOMSKY**

Chief Procurement Officer, Department of Transportation

## **LISA GRIGSBY**

Recording Secretary, Board of Public Works

## **HUNT REPORTING COMPANY**

Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

## CONTENTS

Subject	Agenda	Witness	Page
<b>Statements on Trump-Vance Administration Freeze of Federal Funding</b>		Governor Moore Comptroller Lierman Treasurer Davis	5
<b>Maryland Department of Health Settlement, Ranston Harvey v. Charles County Health Department</b>	SEC 17, p. 31	Treasurer Davis Christopher Gozdor	10
<b>Maryland Department of Health Settlement, Elliece Moore v. Charles County Health Department</b>	SEC 18, p. 32	Treasurer Davis Christopher Gozdor	10
<b>Maryland Department of Health Settlement, Virgie Bell v. Charles County and St. Mary's County Health Departments</b>	SEC 19, p. 33	Treasurer Davis Christopher Gozdor	10
<b>Maryland Department of Health Settlement, Michelle Curtis v. St. Mary's Health Department</b>	SEC 20, p. 34	Treasurer Davis Christopher Gozdor	10
<b>Maryland Department of Health Settlement, Dewayne Nolan v. St. Mary's County Health Department</b>	SEC 21, p. 35	Treasurer Davis Christopher Gozdor	10
<b>DNR Agenda</b>	DNR	Emily Wilson	14
<b>MDOT Agenda</b>	MDOT	Valerie Radomsky	14

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

<b>Appreciative Remarks Regarding the Work and Service of Retiring Director of Procurement Donna DiCerbo</b>		Governor Moore	15
<b>Presentation of Governor's Citation to Retiring Director of Procurement Donna DiCerbo</b>		Governor Moore	17
<b>Hand Carried Grant - Springfield Farm Manor House (Washington County)</b>	DGS 45-CGL, p. 161	Governor Moore Mayor Bill Green Comptroller Lierman	18
<b>Medicaid Dental Benefits Administrator</b>	DGS 21-IT, p. 106	Governor Moore Ryan Moran Philip Andrews Comptroller Lierman Treasurer Davis	19

---

# PROCEEDINGS

GOVERNOR MOORE: Good morning.

(Chorus of good morning.)

GOVERNOR MOORE: Welcome to today's Board of Public Works meeting. Before we begin, if it's okay, Mr. Secretary, I'd just like to take a moment to address the decision by the Trump-Vance Administration to freeze federal funding. Because what we saw play out yesterday was not just troubling, it was deeply irresponsible. And there are real consequences to these kinds of actions and these kinds of decisions.

We are still very much in the process of evaluating what exactly this freeze could and would mean for our State and all of our people in the long run. And we are deeply grateful to the federal judge that has block this freeze until this coming Monday to also get people a better chance and better understanding of what exactly is included inside of this proposal that the Trump-Vance Administration put together. But in the time we have, the commitment that we're making and we're showing is that we're going to be working around the clock to make sure that we have a full account of how our State and how our people are going to be affected by this.

But I do want to make one thing very, very clear. That the actions from this White House -- they have caused unnecessary confusion. They have caused instability for our economy, and they have caused a great deal of fear amongst Marylanders, to include Marylanders who voted for this Administration. That these actions threaten our economy, that these actions threaten our jobs. That these actions threaten the lives and the livelihoods of our first responders, of our seniors, our children, and our families.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

And to add insult to injury, all throughout the day, we just continue getting conflicting directives and conflicting reports about what this is actually going to mean and who this is actually going to impact. So this is not what responsible governance looks like. This is what chaos looks like. And I want to be clear that we are going to answer that instability that is coming from Washington with clear and calm and steady leadership of our own here in the state of Maryland.

Yesterday, Maryland joined other states in a lawsuit to block the funding freeze. That yesterday, we had a chance to meet with our entire cabinet to both hear from them and also explain what exactly it's going to mean for all of our agencies and all of our departments. And late last night, I personally spoke to county leaders on how to prepare for potential impacts of this federal freeze. And we are in constant, constant communication and consistent communication with our partners at the local, the State, and the federal levels -- and that's both Democrats and Republicans.

Our commitment to our values, our commitment to our people, our commitment to Maryland, it will not waver and we will continue to move forward in partnership to make sure that we are delivering for the people of the state of Maryland. And I also want to say that I also very much believed that we can make government more efficient and make government more effective, but by putting a halt on potentially trillions of dollars of funding for things like schools and hospitals and police departments is not how you get there.

So if the Trump-Vance Administration is serious about making government more efficient, I suggest they take a look at what we're doing here in Maryland. We're digging into data and we're taking a targeted approach to tackling structural challenges and save taxpayers' money. We're looking at evidence of what works and evidence of what doesn't. And we are looking for the

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

7

basic understanding of show us things that are effective and sustainable, and we will support them. And if things are not effective and sustainable, we will not.

It is targeted. We're making sure that government agencies are not paying different amounts of money for the same IT equipment. We are making sure we're doing things like lead management and ensuring that every single usage of government dollars is being used wisely and accountable. We're getting into the weeds because that's where real reform is actually possible. We need to be bold, but we're not going to be reckless. And for the third year in a row, our budget proposal will decrease the general fund and not increase it to maximize taxpayer dollars while still preserving essential programs and services.

So I want everyone in our state to hear me loud and clear. The directives that we've laid out the day after the election, they have not changed. We will continue to deliver for the people of Maryland. We will continue to defend our Constitutional rights. We will continue to grow our economy. And we will continue to restore faith in our institutions, our public servants, and our democracy.

Because I believe deeply that that is the best antidote to the chaos. The best antidote to chaos is calm. In partnership with my colleagues on the Board, Comptroller Lierman, Treasurer Davis, Attorney General Brown, the General Assembly, our local government leaders, we will continue to provide real results for working families, even when the winds are harsh and the storm is fierce.

With that, I want to pause and offer any time to my colleagues as well.

COMPTROLLER LIERMAN: Sure. Thank you, Mr. Governor. Thank you for your leadership and thank you for your unwavering calm in the face of a chaotic storm that we will be in over the next few years.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

As Maryland's Comptroller, I stand ready to partner with our Governor, our Treasurer, and our General Assembly leaders, as well as our county and elected leaders. I am charged by our State's constitution to exercise general superintendents of the fiscal affairs of the State. The decision by the Trump Administration to attempt to freeze the disbursement of federal grants is deeply concerning because of its potential impact on our residents, our communities, our businesses and nonprofits, and because of the chaotic nature of the announcement.

The directives of the initial memo could have blocked funding for: public safety grants to law enforcement, disaster relief to communities around the country, federally-funded transportation projects, funding to address substance use disorders, biomedical research, emergency preparedness grants, grants for Head Start for childcare for K-12 schools including for career and technical assistance for higher-ed students and work-study programs, community health centers, small business loans, funds to care for veterans, and more. The list goes on and on.

In Maryland, money is authorized through our budget process. One that is going on now, as you all know. And agencies begin to spend down money once July 1st starts. My agency works with the Treasurer and pushes out payments and checks to our grantees, contractors, and more. Like I do, state comptrollers across the country do the same. Yesterday, I was in touch with my counterparts through the National Association of State Comptrollers and will keep in touch with my finance director counterparts across the country as we make our way through the coming months of uncertainty.

According to our Agency's single audit, during the 2023 fiscal year, the federal government awarded more than \$23 billion in grant funding to the State of Maryland. Over the next several months, we'll be putting together more information in our next audit about FY-24 grants from the federal

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)



To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

9

government. In this new world, it will also be important for agencies to keep the federal grants they are relying on in mind. We must be mindful of budgeting out years ahead and assuming federal programs will still exist. They may not.

I am resolute in my support for our federal, state, and local government workforce, our private businesses, and our nonprofit partners. I look forward to continuing to work in partnership with Governor Moore, Attorney General Brown, Treasurer Davis, and our General Assembly leaders as well as our government partners throughout the country to monitor and assess the impact of this Administration's policies on our state and work to mitigate the impact on our residents and on our economy. Throughout this current challenge and future ones, my agency will do everything we can to ensure Maryland communities are resilient and that our state is well positioned for long-term economic growth and success for all. Thank you.

TREASURER DAVIS: Good morning, everyone. Good morning. I'm going to be real brief. There's really not a lot I can add to what the Governor and Comptroller have said. This is to no -- what has taken place has been -- should be of no surprise to anyone. This is where we are and this is where we're going to be at least through the next four years.

I pledge to you and certainly in my -- I had a meeting with the Comptroller staff and with Secretary Grady and her staff. The State is prepared. We're on track. We know what our fiscal position is. We know what funding that we have available, how liquid we can get when we need to be. So we'll be prepared for whatever comes, but I just stress to everyone just to remain calm. This is, again, not a surprise to anyone where we are and it shouldn't be a surprise that this is where we're going to be.

Periodically, we're going to have the unexpected -- we should come to expect the unexpected. We should come to expect that things are going

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

10

to just get chaotic from time to time. And it's just something that we've got to navigate. So while the events yesterday were disappointing, they were to -- they should be to no one's surprise, absolutely no one. We're being disingenuous, if we say we are or whatever. We know what we're dealing with and we're going to govern ourselves accordingly.

So Governor, Comptroller, and everyone else -- I know that we're not going to forget our number one mission, which is to serve the citizens of the state of Maryland to the best of our ability. I know that you know all the State employees -- everybody is going to level up and do the very best that we can. And that's all that we can do.

So again, thank you for your leadership, Governor. Thanks, you know, to all of our agencies. Madam Comptroller, for just keeping the ship steady. And you know we'll do -- we'll continue to do what we were elected to do.

GOVERNOR MOORE: Thank you, both. With that, we're going to go ahead and get started with the business of the day.

Mr. Secretary, good morning. Thank you.

MR. CHAUDHRY: Thank you, Governor. Good morning. And good morning to you, Mr. Treasurer and Madam Comptroller. There are 21 items on the Secretary's Agenda this morning. I'm happy to answer questions.

Yes, sir?

TREASURER DAVIS: This will be brief, and I'm not going to sort of beat this down. But just to sort of illustrate a point I'd like to talk about or call up briefly, Items 17 through 21.

MR. CHAUDHRY: This is the Health Departments at St. Mary's and Charles Counties. I won't get into the substance of -- well, I hope I don't -- the substance of these settlements. But the thing that's sort of disconcerting to me

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

11

is that we've had 16 employees, you know, not a case here or a case there. 16 employees have filed EEOC complaints involving, you know, these two counties -- discrimination complaints against these two counties.

Now, one I believe was let go or left service, whatever the case may be. But it appeared -- and then, I think one other may have been disciplined, but is that -- were these two -- I guess what I'm asking, were these two the root of the problem or were there others? Because the concern here is that these settlements amount, while everyone knows how I feel about that, these were not large sums of money, but they do add up.

And if we had the same people in place still leading and heading these departments and the same supervisors, how do we know we're not going to be here again in a year, or six months, or 18 months? What's being done?

And I hope to goodness I don't hear that it's just training. Because speaking to people in a derogatory tone and retaliation -- do we really need to be trained on that or is that just common sense? We know not to do those things. We just think we're above the law or whatever the case may be. We choose to act in a certain way because we're not fearful of any reprisal or repercussions or consequences.

So what steps have been taken? I guess the question is what steps have been taken to ensure we don't have another 16 employees coming complaining that they've been mistreated?

MR. GOZDOR: My name is Chris Gozdor and I'm an Assistant Attorney General here on behalf of the Maryland Department of Health on these Items 17 through 21. And I'm happy to answer your questions.

So there's been a couple of things done because part of what led to the issue was documentation and follow-up with complaints. So we have -- the first thing we have is regular PEPs for folks, performance evaluations. We also

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

12

have directed -- the Department has directed the local health departments to -- when they get these complaints, follow up on them and report them to MDH, the Office of Equal Opportunity Programs, so they can be properly followed up there. Because that was an issue as well. There was some various training being put into place. St. Mary's County has implemented a diversity, equity, and inclusion program and it's --

TREASURER DAVIS: Are they going to lose funding?

MR. GOZDOR: Well, they have a committee for it. I don't know where the fund -- if the funding is State-funded or not. They do have that program and they created a policy for their folks in St. Mary's County and their local health department.

Similarly in the Charles County Health Department, there is a -- partly through some of these allegations, a new health officer came into play. Came into -- excuse me -- to take over that Department, pardon me, through some of these allegations. And she's also working on creating a diversity training and bringing in speakers to talk with folks.

And so I think the thing that's important to keep in mind here is with these new programs, these new policies put into place, we haven't seen any new allegations, new complaints with either the Maryland Civil Rights Commission or the Equal Employment Opportunity Commission.

TREASURER DAVIS: Fair enough, and I'll just close on this point. I'm glad these steps have been taken. And certainly, you know, I'm a little leery of folks needing training. To me, if you rise to the level of being a supervisor or higher, these are kind of basic things you should know to do to document and how you conduct yourself. And if you need to be training -- trained on that, you're not ready to be a supervisor to begin with.

So you know, I think we don't just accept promotions. And you

know, I just -- I guess I'm just talking now. I know this isn't your responsibility. But when you accept certain positions, you're in a certain responsibility that comes with that. And if you -- like I said, if you don't know to document certain behaviors and the way to govern yourself with dealing, you know, with, I guess, problem employees or whatever the case may be, then I question your ability to be a supervisor. And quite frankly, I question those that put you in a supervisory position.

So I hope we're stressing that, you know, it's -- there are a lot of things that go into leadership roles. And before we give those out and before we accept those, we accept all that comes with that as well. So with that, I'm done.

GOVERNOR MOORE: Thank you. Is there any other discussion for the Secretary's Agenda? May have a motion to approve the Secretary's Agenda?

COMPTROLLER LIERMAN: Motion to approve the Secretary's Agenda.

GOVERNOR MOORE: Is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding, thank you so much. Let's give a second. Thanks, guys.

TREASURER DAVIS: They didn't want to hear the rest of it.  
(Laughter.)

GOVERNOR MOORE: The rest will be fascinating, guys. I don't know I you know.

COMPTROLLER LIERMAN: That's (indiscernible).

TREASURER DAVIS: You don't want to hear about these capital loans and grants?

(Laughter.)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

GOVERNOR MOORE: Perfect. All right --

COMPTROLLER LIERMAN: Josh stayed.

(Laughter.)

GOVERNOR MOORE: We'll proceed with the DNR Agenda.

Good morning.

MS. WILSON: Good morning.

GOVERNOR MOORE: Good to see you.

MS. WILSON: Guess they don't want to hear about recreation and  
conservation.

(Laughter.)

MS. WILSON: It's very important to me. Emily Wilson,  
Maryland Department of Natural Resources. Thank you. Good morning,  
Governor, Mr. Treasurer, Madam Comptroller. We have six items on our Real  
Property Agenda today for your consideration. Happy to try to answer any  
questions.

GOVERNOR MOORE: Are there any questions or comments?

All right, may I have a motion to approve the DNR Agenda?

COMPTROLLER LIERMAN: Motion to approve the DNR  
Agenda.

GOVERNOR MOORE: Is there a second?

COMPTROLLER LIERMAN: Second.

GOVERNOR MOORE: Outstanding, thank you.

MS. WILSON: Thank you.

GOVERNOR MOORE: Thank you. We do not have any items on  
the USM agenda, so we will proceed with MDOT.

Ms. Radomsky, good morning.

MS. RADOMSKY: Good morning, Governor, Madam

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

15

Comptroller, and Mr. Treasurer. For the record, my name is Valerie Radomsky, Chief Procurement Officer for the Department of Transportation. Today, we are presenting 14 agenda items for your consideration and withdrawing Item 15.

We're seeking approval of two awards to certified small business enterprises valued at approximately 1.2 million, one award to a certified small and minority business valued at approximately 894,000, and one award to a duly certified disadvantaged and small business enterprise at 20 million. We have representatives available to answer any questions you may have.

GOVERNOR MOORE: Thanks, Ms. Radomsky. We have a lot of great items in here. But before we dive in to a discussion on the full agenda, I would ask that you would allow me to take a moment to pay tribute to Ms. Donna DiCerbo, who is the Director of Procurement at the Maryland Transportation Authority, who is retiring at the end of this month after a remarkable 43-year career.

(Chorus of applause.)

GOVERNOR MOORE: I'd say I was incorrect, Ms. DiCerbo said it's actually 44.

MS. DICERBO: 44.

GOVERNOR MOORE: That's right. She's like, "I'm getting my full 44." And you've earned that. And I can say I have to figure out what laws are you all violating at MDOT, if this is your 44th year.

(Laughter.)

GOVERNOR MOORE: There's some child labor laws we need to get to at the Board of Public Works.

MS. DICERBO: Back in the day.

GOVERNOR MOORE: Ms. DiCerbo has served the State of Maryland in several ways throughout her distinguished career. She started her

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

career in March of 1981 with the Maryland Department of Health and soon after graduating high school. And in addition to her current role, she has held positions with the Department of General Services and the Maryland Aviation Administration.

Since 2012, Ms. DiCerbo has overseen MDTA's procurement efforts, ensuring that the State's valuable dollars are used to create and maintain a first-rate transportation network for all Maryland commuters, travelers, and all of our tourists. In addition, Ms. DiCerbo served in several leadership positions within the Maryland Public Purchasing Association, a professional network of state procurement officials, and was elected as president of the Association in 2018.

Through the MPPA, Ms. DiCerbo started a program in which she visited high schools and job fairs to encourage Maryland students to explore procurement internships and career opportunities channeling her passion and expertise for procurement into a lasting legacy of leadership and mentorship. That we have a whole pipeline of people who are in this work thanks to your commitment to them.

And if her service resume didn't demonstrate your tireless dedication to state service strongly enough, after the collapse of the Key Bridge, she decided to delay her plans to retire by six months so she could help get the necessary contracts in place to begin the State's critical rebuild project. You exemplify what it means to lead through service, to lead through all circumstances, and to make sure that the people are the ones that we will support always.

We are grateful that you have chosen to devote your life to this state. This state is better because you raised your hand. And I know we all wish you nothing but the best in this well-deserved retirement. So at this time, I would

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)



To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

like to invite Ms. DiCerbo to the dais to join Comptroller Lierman, Treasurer Davis, and I, as we present you a Governor's citation to recognize your incredible career and immeasurable contributions to the State.

(Chorus of applause.)

GOVERNOR MOORE: Are there any questions or comments on the MDOT Agenda?

COMPTROLLER LIERMAN: Not from me.

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

COMPTROLLER LIERMAN: Motion to approve the MDOT Agenda.

GOVERNOR MOORE: And is there a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding, thank you so much.

MS. RADOMSKY: Thank you.

GOVERNOR MOORE: Thank you. 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'm Atif Chaudhry, Secretary of the Maryland Department of General Services. Today, the Department is presenting 45 items on our agenda, including one report of an expedited procurement and one hand-carry item.

The one hand carry item is a grant to the Mayor and Town Counsel of the Town of Williamsport. And the town will be purchasing and renovating the Springfield Farm Manor House in order to complete their Colonial Village Project. This historic site was once owned by the founder of the town, and the

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

site has deep historical roots and great significance to the town of Williamsport. And the site will be purchased and renovated so it can be open to the public for everyone to enjoy.

We will be withdrawing one item today, that is Item 43-IT-OPT/MOD. Our agenda does feature 15 capital grants and loans totaling over \$8 million. As we continue to keep an eye on minority business participation in our contracting, our agenda does include three contract awards and modifications to certified minority businesses totaling more than \$3 million. Also, our agenda does include three contract awards and modifications to certified veteran owned businesses as well totaling more than \$4 million. We have agency representatives here to answer any questions you may have.

GOVERNOR MOORE: Wonderful, thank you so much. And I think we have Mayor Green here from Williamsport.

Good morning, Mr. Mayor. Come on up. And the mayor is here to speak in support of Item 45-CGL.

Mr. Mayor, it's great to see you.

MAYOR GREEN: Thank you, Governor, Mr. Treasurer, Madam Comptroller. Really nervous about this. We've worked on this for years. The historical significance of Springfield Farm is older than our country. It goes back, that date, from an American Indian settlement into a man born in poverty, raised by his brother-in-law, becomes a brigadier general for the Continental Army -- one of George Washington's best friends. It has seen all the action of all conflicts on American soil. So it's huge.

COMPTROLLER LIERMAN: Exciting.

GOVERNOR MOORE: It is. I want to thank you for your leadership and thank you for being there to speak -- to speak in support. It matters. Thank you so much, Mr. Mayor. Thank you.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

I would also like to call up Item 21-IT. A request from the Maryland Department of Health to award a \$21 million contract to DentaQuest of Maryland to administer dental benefits for eligible Medicaid participants. And I understand we have a speaker here for this. But first, I'd like to recognize Deputy Health Secretary Ryan Moran to introduce the item.

Deputy Secretary, great to see you.

MR. MORAN: Good to see you, too. Good morning, Governor Moore, Comptroller Lierman, and Treasurer Davis. It's always a pleasure. For the record, my name is Ryan Moran. I'm the Deputy Secretary of Healthcare Financing and the State's Medicaid director.

As you are aware, Maryland law gives the Board the authority to approve a contract in spite of a bid protest, if the Board concludes that the executing the contract without delay is necessary to provide for a sufficient transition time between vendors and thus protect the substantial State interests of Marylanders. Today, we are strongly recommending that DentaQuest of Maryland serve as Maryland's next dental administrative service organization, or DASO, beginning on February 1st, 2025.

In this particular case, the substantial State interest is clear and fully aligned with our values to move with urgency and integrity to serve the oral health needs of Marylanders. Of most importance, my particular north star, choosing DentaQuest is in the best interests of the 1.6 million Marylanders that are enrolled in Medicaid and the 1,600 dental providers that serve them. The DASO is responsible for critical administrative services for dental care providers that deliver care to Medicaid members. Those services include the management of dental authorizations, utilization reviews, and claims processing.

In Maryland, everyone with full Medicaid coverage is eligible for dental care. And in 2024, over 600,000 Marylanders received dental services

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

20

through the Maryland Medicaid Program. Two organizations have gone through an evaluation for this particular contract, DentaQuest and SKYGEN, which is the incumbent vendor. The evaluation committee unanimously recommended awarding this contract to DentaQuest, who I would note ranked first across all technical evaluation criteria. DentaQuest has also performed similar DASO functions in Maryland previously, as well as in other states.

Even as a hearing is pending with the Board of Contract Appeals, today's vote is crucial. The approval, in spite of the bid protest, is necessary to protect the interests of the State and the Maryland Department of Health to ensure an efficient and effective transition period between the vendors. DentaQuest is by far the best choice for Maryland dental providers and the nearly 1.6 million Marylanders enrolled in the program. If approved today, I can guarantee you that the Department will be laser focused and committed to a successful transition. And we respectfully request your vote, and I'm happy to answer any questions you may have.

GOVERNOR MOORE: Thanks, Deputy Secretary. We'll proceed with Mr. Philip Andrews, who was representing SKYGEN, who is also a signed up to speak in opposition of this item. And we ask that the comments please be limited to no more than three minutes. And Secretary, keep time on that.

Mr. Andrews, good morning.

MR. ANDREWS: Yes. Good morning, Governor, Madam Comptroller, and Mr. Treasurer. I appreciate the opportunity to speak on behalf of my client, SKYGEN USA, LLC. My name is Phil Andrews.

As this Board well knows, the COMAR regulation at issue here states the general rule, which is that this Board does not award a contract while a timely bid protest appeal is pending. There is an exception, and the exception is limited to the agency demonstrating to this Board that substantial State interests,

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

and I emphasize the plural in the language, will be impaired if contract award doesn't occur immediately.

But the reason I'm about to tell you that the substantial State interest burden has not been met by the Department of Health. SKYGEN's been the incumbent since January of 2016. Its protest appeal, and I know this is not the place to litigate protest appeals, but I'll just tell you that one of its protest grounds is that the Department failed to do the required trade-off analysis. This case called L-1 Credentialing that requires that. Because when any agency is going to pay more -- it's \$3 million more. If you're going to pay more for a contract, basically have to justify why. And it does that through a trade-off analysis. That wasn't done here.

So not only is there a hearing on the merits of this in three months on April 30th, this is not one of those situations where you're being asked, well, you may have to wait a year until the Board of Contract Appeals hears the case. Hearing on the merits is April 30th. But more importantly, and this is not in your action agenda item, the Board just scheduled a hearing on SKYGEN's dispositive motion on this trade-off analysis issue. And that hearing is scheduled for February 28th, less than a month. So the whole point of the regulation is to provide due process. Due process is available, and here and soon.

And let me tell you why the substantial State interest piece doesn't apply here. Let's go back to December 4, the Department of Health was before this Board and asked to extend SKYGEN's current contract six months plus six months. Why? Continuity of service, to ensure continuity of service and ensure a smooth transition. That's all you were told and you approved it. December 18th, to SKYGEN's surprise, the Agency came back and said, oh, we need to award the contract right now. It can't wait. Why? Wait for it, continuity of service and smooth transition.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

That item got pulled. Now, you have today's item. It says the same thing and they've added the sentence. The sentence they've added says, "SKYGEN has presented challenges throughout the course of the contract." It doesn't tell you why in the action agenda item. We've inquired, we were told two things. That there have been ten corrective action plans over the course of this complicated Medicaid contract, and that there have been liquidated damages.

The corrective action plans, that's not a substantial State interest in this situation. Why? Most of those occurred before 2019. In 2023, there were no corrective action plans. And the only correction action plan last year occurred in the context of the CrowdStrike outage, which --

MR. GONTRUM: That's three minutes, Mr. Andrews. Thank you.

MR. ANDREWS: -- the CrowdStrike outage liquidated damages, \$3,000 a month. It's less than 4/10ths of one percent of the contract amount.

MR. GONTRUM: Thank you, Mr. Andrews.

MR. ANDREWS: I appreciate the Board's consideration and urge you not to award the contract. Thank you.

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

Deputy Secretary Moran, I'd like to call you back up for any additional comments that you'd like to make as well after --

MR. MORAN: No additional comments. I'll just refer to the Maryland Dental Coalition letter, which I think was sent to the Board, which is the leading voice of dental providers and consumers in the state of Maryland, that provided insight to some of the challenges related to SKYGEN. I also would say that the Department respects the process and stands by the evaluation that the Department conducted.

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

And I will also reiterate that this procurement that we went through -- procurements, I think, are a process about the future. First, we believe in the vendor that's before you, DentaQuest, to be able to be a vendor that will effectively process claims, process authorizations, have system controls in place to complete auditing processes, and most importantly, build out a network of dental providers in the State to protect our most vulnerable residents and their oral health needs.

COMPTROLLER LIERMAN: Can I ask?

GOVERNOR MOORE: Please, please.

COMPTROLLER LIERMAN: Thanks for being here, Mr. Moran. And thank you very much for meeting with my team before bringing this and for the detailed explanation and conversation on it.

Can you remind us again how many Marylanders receive coverage through this program?

MR. MORAN: So every single Marylander who's enrolled in full Medicaid coverage, which were just south of 1.6, are eligible to receive dental services. In 2024, the most recent year, we had more than 630,000 that received at least one dental service. So both adults, kids -- everybody in the program.

COMPTROLLER LIERMAN: And is this -- this program, is it correct that it is -- has something to do with the Maryland Healthy Smiles Dental Program that we passed in 2022.

MR. MORAN: Yes. Yes.

COMPTROLLER LIERMAN: So that's when we expanded -- the General Assembly and the State voted to expand this program; is that correct?

MR. MORAN: That's absolutely right. So the dental program across the State of Maryland prior to the General Assembly support and passage of that program in 2022 was limited to dental coverage for kids as well as some

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

subpopulations of particular adults. That legislation insured that dental coverage went to every single Marylander, which was full coverage, in the adult population.

COMPTROLLER LIERMAN: All right. So from some of my colleagues in the General Assembly, I have heard that their constituents are having real challenges to find eligible providers. Is that something that you anticipate changing under a new contract? Because it feels like an urgent and substantial interest, if 1.6 million people can't find dental coverage easily?

MR. MORAN: So part of one of the key responsibilities of the contract is to work with the statewide administrator to build out that network of dental providers. There's a multi-factor strategy that DentaQuest has put forward and committed to the Department to build that out. We absolutely feel that that's one of the key reasons that's necessary in terms of the State interest to continue to build out the program, given that the expansion is relatively recent and new.

COMPTROLLER LIERMAN: All right. And this protest, I think, was originally filed back in July, right? And I mean we already deferred this item from the December agenda; is that correct?

MR. MORAN: That's correct, at the time.

COMPTROLLER LIERMAN: So they're, in my opinion, has been plenty of time for -- certainly, I've never heard of us having to wait years, as Mr. Andrews suggested, for the Board of Contract Appeals. So I'm not sure why if this was so important, it wasn't expedited, frankly. But thank you for being here, and thanks for the explanation.

MR. MORAN: Thank you, Madam Comptroller.

TREASURER DAVIS: If I can, let me just sort of back up a little bit. Under the modifications of the current contract, what are the terms? What is the current term in the contract that you all are working under?

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)



To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

MR. MORAN: So the current incumbent vendor has a contract in place that has options to ensure that we have dental coverage under the incumbent vendor through the end of the year.

TREASURER DAVIS: The end of 2025?

MR. MORAN: The end of 2025. And one of the other items that addressed in terms of the substantial state interest, is to ensure that with those options that are available in this particular calendar year is that we can ensure a successful transition. I will remind the Board of the Department moving forward with short transitions with other vendors, particularly claims processing, which I would agree with Phil, it's very complex parts of systems that did not go well because there was not an extensive transition time period. So the ability is to start that process right now.

TREASURER DAVIS: Well, how much time would be required for a successful transition?

MR. MORAN: Currently, at the moment, we're expecting a six-to-ten-month transition with this particular award.

TREASURER DAVIS: Six to ten months?

MR. MORAN: Yes, so let me just be more clear. Through the end of this particular calendar year, ten months.

TREASURER DAVIS: And this is scheduled to be heard April 30th?

MR. MORAN: That's correct.

TREASURER DAVIS: Do you know -- and maybe because I'm unfamiliar -- how long could you expect after the hearing has been held for decision to be made? Is there a general timeline that contract appeals before rendering a decision?

MR. MORAN: I asked that question of our counsel this morning

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

of understanding sort of the timeline? My understanding is that even with the hearing that's going to happen in November, there's obviously going to be proceedings of a final analysis that will be provided. So I don't expect that to be in April at that particular time. There will be a time for us -- for that outcome to be heard, from my understanding.

TREASURER DAVIS: I was clear it wasn't going to be April because it's scheduled to be heard April 30th. I meant, I mean, May, June? Do we have any idea?

MR. MORAN: I don't have an estimated time frame and would have to defer to our attorneys.

TREASURER DAVIS: When you talk about transition, how much of that is required to work with the new vendor versus maybe just some internal things that you have to do? Because I'm trying to drill down on the six to ten months. How much of it would require working directly who you're going to -- the next vendor is going to be versus just some things you need to do internally?

MR. MORAN: Daily, 24/7 around the clock working with the next vendor. In fact, if awarded successfully today, the Department will stand up a governance structure that we have used to transition these complex vendors. And we will begin work immediately to ensure that we have successful processes. This involves multi teams working together in terms of systems, information technology, working with providers in terms of communication, ensuring they're registered with the particular new system. You absolutely need that elongated timeline that I cite to ensure that this is successful.

TREASURER DAVIS: Thank you.

GOVERNOR MOORE: I think, Secretary Gontrum, I think we're going to separate Item 21.

TREASURER DAVIS: I'm okay.

HUNT REPORTING COMPANY  
Court Reporting and Litigation Support  
Serving Maryland, Washington, and Virginia  
410-766-HUNT (4868)  
1-800-950-DEPO (3376)

To expedite access to BPW records, we post unofficial transcripts as soon as we receive them.  
When the Office has verified the transcript, we will remove the UNOFFICIAL designation.

GOVERNOR MOORE: Okay. I take that back.

So may I have a motion to approve the full agenda?

COMPTROLLER LIERMAN: Motion to approve the DGS

Agenda.

GOVERNOR MOORE: May I have a second?

TREASURER DAVIS: Second.

GOVERNOR MOORE: Outstanding, thank you so much.

This concludes today's meeting of the Board of Public Works. Our next meeting is Wednesday, February 12th. We are adjourned. Thank you so much, everybody.

(Whereupon, at 10:42 a.m., the meeting was concluded.)