
BOARD OF PUBLIC WORKS

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

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PRESENT

HONORABLE ARUNA MILLER

Lieutenant 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

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

LISA GRIGSBY

Recording Secretary, Board of Public Works

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PROCEEDINGS

LIEUTENANT GOVERNOR MILLER: Good morning, everyone.

(Chorus of Good Morning.)

LIEUTENANT GOVERNOR MILLER: So I'm excited -- I'm excited to be hosting today's Board of Public Works meeting.

And so before we get started, I want to take a moment to acknowledge the passing of former Lieutenant Governor Melvin "Mickey" Steinberg for his -- you know, he started from his service in the U.S. Navy to serving as Senate President of the State Senate, to his role as Maryland's fifth Lieutenant Governor from 1987 to 1995. Through it all, he remained focused on strengthening our state and expanding opportunity for Marylanders.

The Lieutenant Governor's Office carries a 50-year -- 56-year history, and Mickey Steinberg was part of that story. I'm honored to carry that history with me as Maryland's 10th Lieutenant Governor. On behalf of the Governor, this Board, and the people of Maryland, our thoughts are with his family and loved ones during this very difficult time. And in that spirit, we carry forward the work he helped advance.

With that, let's get started with the business of the day. Good morning, Secretary Gontrum.

MR. GONTRUM: Good morning, Madam Governor, Madam Comptroller, and Mr. Treasurer. There are 15 items on the Secretary's Agenda this morning and one report of an emergency procurement contract award. I'm happy to assist with answering any questions.

LIEUTENANT GOVERNOR MILLER: Great. Thank you, Mr.

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Secretary.

Are there any questions on the Secretary's Agenda?

COMPTROLLER LIERMAN: I'm --

LIEUTENANT GOVERNOR MILLER: Okay.

COMPTROLLER LIERMAN: Sorry, I just have one comment.

LIEUTENANT GOVERNOR MILLER: Sure.

COMPTROLLER LIERMAN: Great. Thank you, Madam

Governor.

Governor, I wanted to offer a few brief clarifying remarks on Item 15. And I believe we have one of my Deputy Comptrollers, Rachel, here as well -- if we have any questions.

As many of you know, the General Assembly enacted the first-in-the-nation Digital Advertising Gross Revenues Tax in February of 2021 to help modernize Maryland's education system -- or to help fund modernization of the education system and provide a stable funding source for long-term investments in Maryland schools. Since then, the legality of this tax has been challenged in federal and State courts.

What is before the Board today is a settlement agreement related to attorneys' fees for one of the four claims presented in federal court, the only claim that the plaintiffs prevailed on. The Fourth Circuit held that the pass-through prohibition under Section 7.5-102(c) of the Tax General Article violates the First Amendment. That provision prevents a taxpayer from, and I quote, "directly passing on the cost of the tax imposed under this section to a customer who purchases the digital advertising services by means of a separate fee, surcharge, or line item".

The Fourth Circuit's ruling has no impact on other provisions of the administration or enforcement of the Digital Advertising Gross Revenues Tax.

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We're awaiting a decision from the Maryland Tax Court on other challenges to the tax. My office remains committed to the equitable and fair administration of the entirety of Maryland's tax code, including the Digital Advertising Gross Revenue Tax, to provide the resources necessary to support our communities and provide Marylanders with the resources to build a prosperous future. I would like to commend the Office of the Attorney General for its unwavering commitment to representing the State in this ongoing litigation and in negotiating these attorneys' fees.

Thanks for the support on the item. Thank you, Governor.

LIEUTENANT GOVERNOR MILLER: Absolutely. Thank you, Madam Comptroller.

So may I have a motion to approve the Secretary's Agenda?

COMPTROLLER LIERMAN: So moved.

LIEUTENANT GOVERNOR MILLER: Is there a second?

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR MILLER: Thank you.

Now, we're going to proceed to the Department of Natural Resources Agenda. Good morning, Secretary Kurtz.

MR. KURTZ: Good morning, Madam Governor, Madam Comptroller, and Mr. Treasurer. For the record, Josh Kurtz, Secretary of the Department of Natural Resources. The Department has six items on our agenda for your consideration. And my team and I are happy to answer any questions you may have.

LIEUTENANT GOVERNOR MILLER: Great. Thank you, Secretary. But I do have a question for you. So how did the black bear cub tagging go this year?

COMPTROLLER LIERMAN: Yes, yes.

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MR. KURTZ: Well, we had -- we had seven sows this year. We were -- we've had -- I think the average is a little bit lower than normal. We're normally around 3.8. We've been closer to three for this year. But seeing some really healthy bears, really healthy bear populations.

We were out there last weekend in Garrett County. But another successful year, and we're transitioning now to GPS collars. So now, we can actually track the range of these bears. So we're going to learn a lot more from our bear biologists. So yeah, everything's going great.

LIEUTENANT GOVERNOR MILLER: Wonderful. So for those of you -- if you have never experienced the tagging of the bear cubs, it's definitely worth doing. So perhaps next year, when the Secretary does this again, you may want to sign up. Thank you so much, Mr. Secretary.

Is there any discussion on the DNR Agenda?

COMPTROLLER LIERMAN: Nope.

LIEUTENANT GOVERNOR MILLER: So may I have a motion to approve the agenda?

COMPTROLLER LIERMAN: Motion to approve the -- motion to approve the DNR Agenda.

LIEUTENANT GOVERNOR MILLER: Is there a second?

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR MILLER: Thank you.

Next up, the University System of Maryland. Good morning, Mr. Hickey.

MR. HICKEY: Good morning, Governor, Mr. Treasurer, and Madam Comptroller. Tom Hickey representing the University System of Maryland. There are four items for your consideration, and I'm happy to answer any questions you have.

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LIEUTENANT GOVERNOR MILLER: Thank you, Mr. Hickey.
Is there any discussion on the USM Agenda?

COMPTROLLER LIERMAN: Governor, on the advice of counsel from the State Ethics Commission, I will be recusing myself from Item 4-RP.

LIEUTENANT GOVERNOR MILLER: Thank you.

If there's no further discussion, Secretary Gontrum, let's pull Item No. 4 for a separate vote and discussion. Let's first take up the remainder of the USM Agenda, excluding Item No. 4.

May I have a motion to approve?

COMPTROLLER LIERMAN: Motion to approve the USM Agenda.

LIEUTENANT GOVERNOR MILLER: Is there a second?

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR MILLER: Next, we'll give the Comptroller an opportunity to recuse herself from the room.

(Comptroller exits meeting room.)

LIEUTENANT GOVERNOR MILLER: Now, we'll consider Item No. 4, which is a request from the University of Maryland, Baltimore to approve a 99-year ground lease for a private developer to build market-based rental residential buildings.

Mr. Hickey, it's my understanding that this item will result in 1,300 new beds on the University campus among other developments around the campus. This seems like a major investment in West Baltimore. I know you're joined this morning by University President Bruce Jarrell.

Can President Jarrell share more about this investment?

MR. JARRELL: Thank you, Madam Governor, Mr. Treasurer.
It's my pleasure to be here. My name is Bruce Jarrell. I'm President of the

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University of Maryland, Baltimore.

Early in the Moore Administration, Governor Moore came to visit UMB to see about our plans and how he could help. We told him about our vibrancy plan, which was an initiative to enliven the northern end of our campus -- the Vibrancy Initiative. I'm here today to present to you the signature element of that vibrancy vision, the West Lexington Corridor Development Project. This project is transformational. It takes long underutilized University and therefore State land, much of it has been sitting dormant for decades, and converts it to a vibrant community to strengthen both our University and Baltimore.

It's a once-in-a-generation opportunity and reshapes the northern end of our campus. It will have, in fact, 1,300 new residential beds. These are market-rate beds, not dormitories, we're talking about. There's significant public realm improvements and 25,000 square feet of new retail space in that location. We want this to be an area that's attractive for people to live, to learn, and to work in the region.

But I would add, it's much more than that. It's a catalyst for revitalizing Baltimore's Downtown West Side. This will return long land banked parcels to the City's tax rolls and inject new economic energy into the area, an area that I believe has been waiting a long time for meaningful reinvestment. People won't just walk through UMB to go to the Orioles game. They will live, they will work, they will stay. They will contribute to the businesses.

The strength of this partnership will be very significant and the most important part is that it's based upon private investment. At least \$263 million across two phases, \$160 million in phase one alone and 95 percent of this investment will be private investment. Under this agreement, the investor will also assume \$17 million in deferred maintenance for a University property relieving the State of that burden. And another \$12 million we will receive as

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upfront ground rent for across both phases.

The University's financial commitment to this is limited to improvements that will benefit the campus -- sidewalks, better lighting, public-facing art, and make the District more welcoming. Your approval of this 99-year ground lease is essential to unlocking the full potential of these properties. It allows us to bring private capital to bear on public goals that also align with the University's mission. And I want to emphasize that our commitment to community engagement will continue.

Our goal is simple: to build a District that is inclusive, accessible, and economically productive for all who work, and live, and study in Baltimore. In short, it brings private investment, it enlarges the City's tax base, it makes it safe and walkable, and it boosts our ability to recruit and retain Maryland's future professional workforce. We respectfully request that the Board's approval to advance this transformational initiative occur.

Thank you and I'm happy to answer any questions.

LIEUTENANT GOVERNOR MILLER: Thank you so much, Mr. President. It's great to see you. I don't know how many of you know this, but I always tease President Jarrell about the fact that he's an engineer, he's a medical doctor, he's the president of a university. It's quite intimidating every time you walk into a room, President Jarrell, but thank you. Thank you so much for your extraordinary leadership, and I'm excited to see how West Baltimore and UMB benefit from this lease.

Are there any discussions on this item?

TREASURER DAVIS: He had me at hello.

(Laughter.)

LIEUTENANT GOVERNOR MILLER: So if there's no further discussions, may I have a motion to approve Item 4 on the USM Agenda?

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TREASURER DAVIS: So moved.

LIEUTENANT GOVERNOR MILLER: I will second. The item passes 2:0 with the Comptroller recusing herself.

MR. JARRELL: Thank you very much.

(Comptroller enters meeting room.)

LIEUTENANT GOVERNOR MILLER: Welcome back, Madam Comptroller.

COMPTROLLER LIERMAN: I didn't run away.

(Laughter.)

LIEUTENANT GOVERNOR MILLER: Now, we're going to proceed to the MDOT Agenda. Good morning, Ms. Radomsky.

MS. RADOMSKY: Good morning, Governor, Madam Comptroller, and Mr. Treasurer. For the record, my name is Valerie Radomsky, Chief Procurement Officer for the Maryland Department of Transportation. Today, we are presenting 18 agenda items for your consideration. And we have representatives available to answer any questions you may have.

LIEUTENANT GOVERNOR MILLER: Thank you so much, Ms. Radomsky.

Is there any discussions on the MDOT Agenda?

COMPTROLLER LIERMAN: Nope.

TREASURER DAVIS: I do.

COMPTROLLER LIERMAN: Yeah?

TREASURER DAVIS: Oh.

COMPTROLLER LIERMAN: Go ahead. No, go ahead.

TREASURER DAVIS: 5-GM. Yes, 5-GM-MOD. Modification. Who can I ask questions about on that? Is that you?

MS. RADOMSKY: I have Administrator Arnold --

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TREASURER DAVIS: Okay.

MS. RADOMSKY: -- virtually today.

TREASURER DAVIS: All right.

I guess my first question is when was the request made to have this before the Board of Public Works?

(Pause.)

COMPTROLLER LIERMAN: You might know that too, Valerie.

MS. RADOMSKY: Sure, I can. I can. I was seeing she was popping up there.

COMPTROLLER LIERMAN: There she is.

MS. RADOMSKY: Yes, it was. It was submitted regular. It was submitted regular order -- submitted four and a half weeks ago to my office, but she can tell you when her office started preparing it on its way to the Board.

TREASURER DAVIS: I guess my question is when was it requested a -- maybe, I guess, this is long term, to have it placed on the Board of Public Works Agenda?

MR. GONTRUM: We received this item, Mr. Treasurer, on the normal publication schedule for the Board's agenda, which would have been two Fridays ago.

TREASURER DAVIS: Two weeks ago?

MR. GONTRUM: Yes, sir.

TREASURER DAVIS: So it took two weeks to get on our agenda?

MR. GONTRUM: It was placed on the agenda public -- shared with your offices and the public two Fridays ago, sir.

TREASURER DAVIS: Is that -- has there been a problem for MTA to get stuff on the Board's agenda? I mean, does it -- has there been a

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situation of where it's taking weeks and months to get on the agenda, or does it normally get on in a timely fashion?

MR. GONTRUM: Not that we see, Governor (sic). There's a whole internal MDOT process that takes place before they're willing to -- or they're able, willing to --

TREASURER DAVIS: Yeah. No, I'm aware of that. That's --

MR. GONTRUM: But no. No, to answer your question.

TREASURER DAVIS: -- (indiscernible).

MR. GONTRUM: To answer your question, no. There's not been issue with MTA items being added late as supplemental items or hand-carried items. The MDOT items have been added in the ordinary course. We rarely see supplemental items and hand-carried items from MTA, so they've been able to get along with the normal publication schedule.

MTA has been able to submit their items. Has it always been the case in the past? MTA did have a spate of retroactive items years ago and issues. But as of right now, as far as I'm aware, everything is functioning as should, Governor -- Treasurer.

COMPTROLLER LIERMAN: And to be clear, that two weeks are -- sorry, for interjecting -- is statutory. Like there's a statutory requirement because we want the public to see what's coming, right? So there is a requirement that the agenda be posted -- what's the number of days?

MR. GONTRUM: So I think best practice is ten days before the meeting.

COMPTROLLER LIERMAN: Ten days?

MR. GONTRUM: And then, you want to revise it. You can revise it up until the meeting, but you want to do it as soon as practical when you know there's going to be changes under the Open Meetings Act (indiscernible) Madam

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Comptroller.

TREASURER DAVIS: The reason why I'm asking -- and I'm a bit off topic, so I'll get back on -- is because I know that there's been a request to exempt MTA items from the Board of Public Works. And it was my assumption when that type of request is made, you know, an agency is having issues with the timeliness of the Board of Public Works being able to do things. And we often get blamed for things that it's not our doing.

All right. The rest of you all are just a part of this now so y'all can relax. I'm, you know, venting now. But the Board of Public Works gets blamed for things not being timely, for not -- you know, whatever -- for not coming in. And in this instance -- and that's why I asked historically is it on the Board of Public Works. Because we do have a bill in the General Assembly that's requesting to move MTA projects out of the Board of Public Works.

And you know, I'm a little -- and the timeliness was an issue, then I get why the request. But if it's not, now I'm wondering, you know, what is the real reason then? Why are we avoiding the Board of Public Works, if we're not having an issue with getting things through? So that's the nature, I'm not asking for anybody to comment on that. I wanted to just sort of put that out there and let us reflect on exactly what it is that we're asking and why.

So thank you, Governor and Comptroller, for indulging me and letting me -- letting me ask that question.

COMPTROLLER LIERMAN: Thank you, Mr. Treasurer.

Director Arnold, we love seeing you. We would love to see more of Director Pines as well. And Valerie, we always like having you here, too.

MS. ARNOLD: Thank you.

LIEUTENANT GOVERNOR MILLER: Okay. Well, if there's no further discussion, may I have a motion to approve the MDOT Agenda?

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TREASURER DAVIS: Governor, I'm going to -- I'm going to vote no on this one. So it's for you, Madam Comptroller.

LIEUTENANT GOVERNOR MILLER: Okay.

COMPTROLLER LIERMAN: So take the GM one out? Take that one out?

TREASURER DAVIS: Yes.

COMPTROLLER LIERMAN: Okay.

LIEUTENANT GOVERNOR MILLER: Okay. So taking this item out --

MR. GONTRUM: Item 5? Yep. Yes, ma'am.

COMPTROLLER LIERMAN: I'll move the MDOT Agenda with the exception of 5-GM, favorable.

LIEUTENANT GOVERNOR MILLER: Okay.

TREASURER DAVIS: And I'll second.

COMPTROLLER LIERMAN: No. No, you -- oh yeah, you -- yes, sorry. Go ahead. Yes, yes.

LIEUTENANT GOVERNOR MILLER: All right. Thank you.

COMPTROLLER LIERMAN: And then for Item 5, I will move the adoption of Item 5-GM for approval.

LIEUTENANT GOVERNOR MILLER: And I will second.

COMPTROLLER LIERMAN: Great.

TREASURER DAVIS: And I will vote no. I'll be recorded as voting no.

COMPTROLLER LIERMAN: Okay. Great.

LIEUTENANT GOVERNOR MILLER: Thank you.

MS. RADOMSKY: Thank you.

LIEUTENANT GOVERNOR MILLER: Thank you so much.

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Let's conclude with the DGS Agenda. Good morning, Secretary Chaudhry.

MR. CHAUDHRY: Good morning, Madam Governor, Madam Comptroller, and Mr. Treasurer. For the record, I'm Atif Chaudhry, Secretary of the Maryland Department of General Services. Today, the Department is presenting 40 items on our agenda. We will be withdrawing one item, that item is 22-IT. Our agenda does feature 12 capital grants and loans totaling more than \$4.6 million.

I did want to highlight one in particular and that's Item 3-CGL, which provides \$100,000 to the Board of Directors of the National Center on Institutions and Alternatives, which provides unconditional care to a diverse population including people with intellectual, developmental, and emotional disabilities; people reentering society from incarceration; at-risk youth, and adults with complex needs. Funds will be used to renovate homes to make them more accessible, and their main building to enhance their programs.

As we continue to keep an eye on our minority business participation, our agenda does feature four contract actions to certified minority businesses totaling more than \$2.3 million. And we have three contract actions to certified small businesses totaling more than \$1.9 million. And we have agency representatives here to answer any questions you may have.

LIEUTENANT GOVERNOR MILLER: Thank you so much, Mr. Secretary.

Do you have any questions?

COMPTROLLER LIERMAN: I did have -- are we withdrawing Item 22? Did I miss that?

MR. CHAUDHRY: Yes, 22 is being withdrawn.

COMPTROLLER LIERMAN: Great. Thanks.

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Do you want to go first?

LIEUTENANT GOVERNOR MILLER: Sure, I'd like to take a moment to highlight Item No. 12.

This is a \$1.5 million capital grant to support the creation of the Springsong Museum in Montgomery County led by Rachel Carson Place of Wonder. At its core, this is about more than a building -- a museum. It's about reconnecting people, especially young people, to the natural world through the life and legacy of Rachel Carson.

Rachel Carson wasn't just a scientist or an author. She changed the way we see our world. As a Montgomery County resident, she helped spark what we now know as the modern environmental movement. Her book, *Silent Spring*, challenged the status quo. It raised awareness about the dangers of pesticides, led to major policy changes, and helped inspire the creation of the Environmental Protection Agency. That's the power of one voice grounded in science and guided by purpose.

Item No. 12 will support the planning and design of the Springsong Museum, which is expected to welcome about 40,000 visitors each year. It will serve as a place for education, reflection, and inspiration connecting people to conservation, ecology, and responsibility we all share to protect our environment.

Madam Comptroller, do you have comments on any items?

COMPTROLLER LIERMAN: Thank you. I'm excited to go visit that museum.

LIEUTENANT GOVERNOR MILLER: Good.

COMPTROLLER LIERMAN: Yeah.

LIEUTENANT GOVERNOR MILLER: I'm glad to hear that.

COMPTROLLER LIERMAN: Great. I just have a couple questions for Interim Secretary Brown-Burnett.

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Hi, good morning.

(Pause.)

COMPTROLLER LIERMAN: My questions are on Items 16 through 18 and Item 40. First, thank you for stepping up to do this. I really appreciate your diligence and willingness to take on a challenge and for all of your work.

Items 16 and 17, as you know, involve out-of-state placements, which of course always, you know, raise heightened awareness and concerns because we're sending our young people away to other placements out of state. And so you know, I do know that the Department -- you know, in the past, we've talked about monitoring meaningful oversight and how that works across state lines.

And given that these young people will be in Texas and Indiana, I'm just wondering if you could recap again for me how the Department does ensure sort of the regular, you know, regular monitoring of the situation, how these kids are doing. You know, making sure they're safe, making sure they can stay in touch with any family, et cetera.

MS. BROWN-BARNETT: Good morning. For the record, my name is Gloria Brown-Burnett, Interim Secretary for the Department of Human Services. And thank you for your question.

We take great lengths to make sure that our children are safe, no matter where they are placed, including monthly monitoring visits by their social worker, quarterly monitoring visits by the Social Services Administration, and regular check-ins with licensing in the state where they are placed. In addition, we have regular check-ins with our children and provide them opportunities to stay in touch with their social workers.

COMPTROLLER LIERMAN: Thank you.

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Turning to Items 18 and 40, this is a big one. These contracts represent over a billion dollars invested in stabilizing placements, reducing hospital overstay, and ensuring youth have safe and therapeutic environments. That scale is significant. I know that putting this together was not an easy task, so thank you for your diligence and work.

Just a couple questions, right? It's a big, big, big thing -- a big item, so I want to make sure I understand everything. And I thank you for talking with my team, you know, before the meeting as well. Could you talk a little bit about how the Department evaluated the quality, safety, and regulatory compliance for the providers? Like what is the process that you all use as you're looking through and doing an evaluation?

MS. BROWN-BARNETT: Well, for both items all services -- all vendors procured for services must adhere to federal and State policies and regulations. The one-on-one service providers were selected through a competitive request for proposals, which set requirements for staff including at least 21 years of age, possession of a valid driver's license, must pass federal and State background checks and child welfare history screening including fingerprints issued by the Criminal Justice Information System, and meet certain education and experience requirements.

The one-to-one services staff also are required to be available to provide services 24 hours a day, those same providers, seven days a week and possess training and therapeutic crisis intervention -- crisis prevention intervention, safe crisis management, medicine management, first aid, and CPR prior to any -- delivery of any services.

For the RCC, provider -- the -- I'm sorry, residential care services. All staff, including employees, consultants, and subcontractors, must be cleared through the Child Protective Services Registry and background checks within the

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jurisdictions where the member resides. The RCC agencies are also required to possess a current valid Maryland driver's license from the Department -- I'm sorry, not driver's license. Maryland license from the Department of Human Services Office of Licensing and Monitoring, the Department of Juvenile Services Licensing and Monitoring, or the Maryland Department of Health Developmental Disabilities Administration. And be --

COMPTROLLER LIERMAN: I'm going to stop you there for one second. So you -- so DHS, DJS, or MDH Disabilities Administration.

(Indiscernible) you have to also be licensing this? Okay. This entity. And that's like a whole separate -- whole separate project (indiscernible)? Okay.

MS. BROWN-BARNETT: Did you want to hear more?

COMPTROLLER LIERMAN: Sure.

MS. BROWN-BARNETT: With respect to licensure history, RCC providers, like all licensed programs, may experience citations or infractions from time to time. These instances are addressed through the Department's oversight and corrective action processes. The Department takes all licensure concerns seriously and will take additional enforcement actions up to and including sanctions or contract termination.

COMPTROLLER LIERMAN: And seeing that the Department reviews whether any of these providers had licensing issues or had any serious incidents prior to recommending award under this contract?

MS. BROWN-BARNETT: Absolutely, for in-state and out-of-state.

COMPTROLLER LIERMAN: And none of these do. Thank you. I do want to acknowledge the progress that you all are making. You know, under this Administration, you have seen an 86 percent increase in kinship caregivers in the past year. That's important progress that I think we have

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to celebrate. And I think you agree -- you would agree to that one case in a hospital overstay or hotel overstay is still too many, right?

And I think some of the recent incidents we've seen underscore how urgent this work remains. A little history. When I was in the General Assembly in 2020, I had a bill on this, HB 1382, to end hospital and hotel overstays. It didn't pass, but I did think that at the time we were on the path toward ending these practices. And it's -- it is challenging and disheartening to see that we are still confronting these issues.

So just sort of two sort of direct questions for you to understand where we are and how much farther we have to go. Can DHS affirm today that the State is not returning to hoteling our youth?

MS. BROWN-BARNETT: Absolutely. And the October 2025 directive prohibits our local offices from facilitating any stays in unlicensed settings, including hotels.

COMPTROLLER LIERMAN: Okay. And second, what is the Department's timeline or target date for eliminating hospital overstays for youth who are medically ready for discharge?

MS. BROWN-BARNETT: It would be irresponsible of me to stand here and give you a date. What I can say is that today's contracts are an important step forward in expanding our capacity. Hospital overstays, obviously, are a byproduct of not having enough resources both in-state, and as a last resort, out-of-state. And so these contracts, along with the work we continue to do to incentivize the types of placements that we need for our children, move us much closer to ending hospital overstays.

COMPTROLLER LIERMAN: And when do you think you or the agency will be in a position to tell us what -- by what date there will be no more hospital stays overstays, the same way that you have said that about hotels?

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MS. BROWN-BARNETT: We are working closely with the Speaker and with Delegate Griffith on the legislation that they are proposing, and we'll be in alignment with whatever is passed. And we're working that that way.

COMPTROLLER LIERMAN: Okay. Thank you. Thanks so much.

Thank you, Governor.

LIEUTENANT GOVERNOR MILLER: Okay.

Madam Secretary, is there anything else that you'd like to highlight this morning?

MS. BROWN-BARNETT: I would just like to share that these contracts -- these one-to-one contracts are historical for both the State and the Department because it's, for the first time, we will have very clear guidelines for who will be a provider for our children and how we expect them to behave.

In addition, the other set of contracts gives us the opportunity to push back on our provider partners when they don't accept our children into their placements. And so it gives us a little bit more teeth and footing to be able to move this work forward.

LIEUTENANT GOVERNOR MILLER: Thank you so much.

So are there any questions on these items?

TREASURER DAVIS: I have a question --

LIEUTENANT GOVERNOR MILLER: Sure.

TREASURER DAVIS: -- Governor, on Item 20.

MR. CHAUDHRY: Thank you, Mr. Treasurer. We have a representative from the Maryland Department of Health here to answer questions on Item 20.

MR. HACKETT: Good morning, Madam Governor, Madam Comptroller, and Mr. Treasurer. For the record, Clint Hackett with the Maryland

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Department of Health. I serve in the capacity of the Deputy Secretary for Operations. I'm happy to take questions on this item.

TREASURER DAVIS: Thank you. Thank you.

I just had a question. Basically, it boils down to what's going on. And by that I mean we awarded this contract in the face of a protest because we -- at least for me -- when I do that, I'm assuming that -- one, that -- or I've been told that, you know, the protest is unlikely to succeed. And two, that it's important that we get this moving forward.

We awarded this contract in January of 2025 -- in December of 2025, after initially the successful bidder saying that they needed six months for a transition period. And then, the Department and the winning bidder decided that they needed 12 months. In December, we were told that we needed another three months. And now, we're here today saying that we need another five months. So that's -- when this is up, it would have been nearly two years.

And we're -- on top of that, we're paying \$3 million more than the current, the incumbent contract holder. So if I'm adding all of this together, which started out with the winning bidder saying they only needed six months, we're now saying that we need 20 months. We're paying \$3 million more than we're currently paying -- or \$3 million more than the current incumbent had proposed. And what we're being told as part of this is that we're having technological issues.

What's going on?

MR. HACKETT: Yes, that's a really fair question. So what I would say is that when we came to the Board in January of 2025, our emphasis in requesting the award in spite of the protest -- you have it absolutely correct -- is we were looking for as much runway as possible to be able to have a seamless transition from the incumbents to the new vendor. We have a number of things that we have to do in terms of the transition, but you are you are quite right, the

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technological piece of this is where we're experiencing some delays. So what we noted towards the end of last year is we had some concerns, challenges, in I would say -- I would prioritize and say in two specific areas. We were having some concerns with the ability to do data migration from the existing system to the new system. So what that boils down to is we're having issues with moving member data, benefit data, authorization data from one system to the next.

And it has come to the point, just let me reassure you, where myself and the Deputy Secretary for Medicaid, we are in daily meetings with the vendor trying to guide them to get to the place where we will have some stability. So we feel that those concerns where there's some -- still some work to do, those are being remediated appropriately. The primary issue that is, I would say, the root cause of the additional requests for time is I would characterize it as sort of maybe a misunderstanding in one of our primary requirements for the transition.

Folks within the State of Maryland have 12 months from the time of receiving service to file their claim. And so our expectation was that the new vendor would process all of those claims. So even if they go live 1/1, 3/1, 7/1, whatever is the date, they would basically go back a year and still be able to process those claims. That was not their understanding. They believed that --

TREASURER DAVIS: Let me stop you right there. Stop you right there. That's kind of basic. How come we weren't clear on that at that time? Whether it's -- they thought it was going to start 1/1 of this year, and we thought they were going to do it before? That's kind of a basic thing that we should have been clear on.

Why are we finding that out -- or at this point, you know, we realize that there's an issue. They thought one thing and we thought another on a very basic item there.

MR. HACKETT: Yeah, we believe that we were plain in our

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request for proposal. So that is something that we have had conversations with the vendor on. We've done corrective action plans.

TREASURER DAVIS: I'll stop you right there. You thought -- the State thought they were very clear on this. The State thought that they were going to be ready, as they said, within a six-month period. The State agreed to make it a one-year transition period. Then, the State agreed to make it a 15-month transition period. And now, the State is asking to give them a 20. Why are we still in this contract?

MR. HACKETT: I would say that this -- we can be -- we can -- I can assure you that this is not going to be an ongoing us coming to you.

TREASURER DAVIS: It already has been.

MR. HACKETT: This is -- this is the last -- the last time for us.

TREASURER DAVIS: You're right.

MR. HACKETT: We really want to make sure that, you know, they have until this last time to try to meet the requirements. And we are internally looking at all of our options for where you go next, but we are -- we're hopeful that we will be able to make this new date.

TREASURER DAVIS: It just feels like we're just being led down a rabbit hole at this point. We just -- what's that thing? We're in a hole and we just keep digging.

MR. HACKETT: I understand.

TREASURER DAVIS: And at some point -- when do we go we made a mistake or this isn't going to work and we just cut our losses?

MR. HACKETT: I understand and we are -- I can assure you that those considerations are being held.

COMPTROLLER LIERMAN: Yeah, I'd also just emphasize that, you know, I think sometimes we can get into this place as a State where we feel

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like we have no choices. We have to keep going. But we have leverage. I mean, if a company is not upholding their end of the bargain that we've contracted with, we're the State of Maryland. We can go out and tell every other Department of Health across the country how poorly this vendor behaved and to warn them never to hire them, right? This company's reputation is on the line, and it feels like they're not acting like it.

MR. HACKETT: I understand. And I think what you guys are saying makes a lot of sense, and it's good guidance for us as we move forward. Thank you. Additional questions for me?

TREASURER DAVIS: I'm good.

Madam Secretary, we need to separate that one out as well.

COMPTROLLER LIERMAN: Okay.

MR. HACKETT: Thank you.

LIEUTENANT GOVERNOR MILLER: Pull that item, please?

So if there's -- Mr. Secretary, did you have additional information?

MR. CHAUDHRY: No, I was just going to say go ahead and -- we'll ask to that one to be pulled, the item.

LIEUTENANT GOVERNOR MILLER: Okay.

MR. CHAUDHRY: Thank you.

LIEUTENANT GOVERNOR MILLER: So having that item separated, may I have a motion to approve the DGS Agenda?

COMPTROLLER LIERMAN: So moved.

LIEUTENANT GOVERNOR MILLER: Is there a second?

TREASURER DAVIS: Second.

LIEUTENANT GOVERNOR MILLER: Thank you.

Thank you, Mr. Secretary.

MR. GONTRUM: We're not doing a separate vote?

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When you say separate out, are we withdrawing that item or we are deferring it?

TREASURER DAVIS: We were just going to break that one out for a separate vote.

MR. GONTRUM: That's what I thought. We need a motion on Item 20.

LIEUTENANT GOVERNOR MILLER: Okay. So is there a motion on Item 20?

COMPTROLLER LIERMAN: Move favorable.

LIEUTENANT GOVERNOR MILLER: Move favorable, all right.

TREASURER DAVIS: And explaining my no vote on this. See, oftentimes we have these conversations and then we vote yes. And it's as if nothing ever really happened, we keep going the same way we are. I'm hoping that a 2:1 vote on this gets some people's attention that needed attention. And maybe if we have to come back again, already knowing we're down one vote -- you know, potentially there would be a second no vote.

So while I understand the importance of this particular contract and the need to go forward, I think after voting in face of a protest to support this a year ago and voting to extend the contract three months in December -- I think, from my perspective, we've done all that we needed to do on this. And now, it's start -- it's time to start sending the message that this isn't acceptable. And that, you know, we're down one and you know you can't lose anymore.

So if you need to come back again in what, June or whenever it is five months from now, maybe September, that you may not get that second vote. And you know, here we are. So that's an extended explanation, but that's why. I do understand the importance of the contract, but I can't keep, you know,

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complaining and then voting yes.

MR. CHAUDHRY: Mr. Treasurer, I will make sure that the Department of General Services also follows up with the Health Department to make sure we're viewing this from a contract management standpoint and reviewing their options and their implementation as well.

TREASURER DAVIS: Thank you.

COMPTROLLER LIERMAN: Yeah.

LIEUTENANT GOVERNOR MILLER: Thank you, Mr. Secretary. And thank you, Mr. Treasurer.

So the Comptroller moved favorable for this Item No. 20, and I will second it. Thank you, all.

COMPTROLLER LIERMAN: You're using the wrong terminology. I'm not moving favorable, is it? I'm moving to adopt? I'm moving to approve?

TREASURER DAVIS: Favorable.

COMPTROLLER LIERMAN: I'm going back to my delegate days.

(Laughter.)

LIEUTENANT GOVERNOR MILLER: All right.

COMPTROLLER LIERMAN: Thanks. And thank you -- I'll just say thank you, Mr. Treasurer.

I agreed with all of the comments that the Treasurer made and, you know, I look forward to seeing this -- never seeing this item again.

(Laughter.)

LIEUTENANT GOVERNOR MILLER: Okay. So that concludes today's meeting on the Board of Public Works. The next meeting will be April 1st. Thank you, all. And we are adjourned.

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(Whereupon, at 10:49 a.m., the meeting was concluded.)