

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
July 16, 2008

BOARD OF PUBLIC WORKS
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JULY 16, 2008

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, JULY 16, 2008**

The Board of Public Works met in the Assembly Room, Goldstein Treasury Building, Annapolis, Maryland, on Wednesday, July 16, 2008.

Board Members present:

The Honorable Martin O'Malley, Governor
The Honorable Nancy K. Kopp, Treasurer
The Honorable Peter Franchot, Comptroller

Also present:

Al Collins, Secretary, Department of General Services
T. Eloise Foster, Secretary, Department of Budget & Management

CONSTRUCTION:

General Construction Project Contingency Fund 1988
Maryland Consolidated Capital Bond Loan of 1999
Maryland Consolidated Capital Bond Loan of 2000
Maryland Consolidated Capital Bond Loan of 2001
Maryland Consolidated Capital Bond Loan of 2002
Maryland Consolidated Capital Bond Loan of 2003
Maryland Consolidated Capital Bond Loan of 2004
Maryland Consolidated Capital Bond Loan of 2005
Maryland Consolidated Capital Bond Loan of 2006
Maryland Consolidated Capital Bond Loan of 2007
Maryland Consolidated Capital Bond Loan of 2008

On items where payments are to be made from proceeds of the above listed bond issues, full regard is given to the provisions of each Act and its prospective amendments.

Except as otherwise provided in these Acts, before the State agency or institution responsible for an individual item may begin work with funds secured under the Act, the agency or institution shall provide satisfactory assurances to the Board of Public Works that the work described in the individual items can be completed with the funds specified for that item.

If federal funds are available to help accomplish any project identified in these Acts, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds secured under these Acts, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in these Acts, not to expand its scope.

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

Contact: Patti Konrad (410-260-7920)
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1. BONDS

Submission of a recommendation by the State Treasurer for the adoption of the attached resolutions concerning the sale of \$415,000,000 State of Maryland General Obligation Bonds, to be known as the State and Local Facilities Loan of 2008, Second Series, dated as of the date of delivery, expected to be July 28, 2008, (collectively, the "Bonds").

- Ratifying and approving:
 - (i) The Preliminary Official Statement dated June 27, 2008.
 - (ii) The Summary Notice of Sale published in the Bond Buyer on July 3, 2008.
 - (iii) The resolutions authorizing the Bond Sale adopted on June 11, 2008.
- Accepting electronically transmitted bids for the purchase of the Bonds.
- Determining Banc of America Securities, LLC as the successful bidder and awarding sale of the Bonds to the winning syndicate with a true interest cost of 3.857473% and a premium of \$36,862,704.96.
- Ordering the sale of the Bonds at the rates set forth in the successful bid.
- Authorizing and approving the issuance of the final Official Statement.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED ✓

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

LOUISE LAWRENCE (410) 841-5873
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2. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program Grant Requests

Submission of a request by the Maryland Department of Agriculture for approval of 35 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2006 (Appropriation Number 06071):

Agreement #	Recipient	County	Amount \$
AT-2008-3493	LEO F. MILLER	Garrett	66,700
AT-2008-3574	MARTIN BROTHERS PARTNERSHIP	Harford	2,600
AT-2008-3702	HARVEY MC GRADY	Cecil	1,700
AT-2008-3703	HARVEY MC GRADY	Cecil	1,300
AT-2008-3704	HARVEY MC GRADY	Cecil	1,300
CH-2008-3477	HILLS DAIRY PARTNERSHIP	Kent	700
CR-2008-3612	EDWARD F. SCLICHTER	Talbot	1,100
LS-2008-3365	RALPH B. BALL	Harford	13,400
LS-2008-3692	VERONIQUE J. MALLET	Harford	15,300
MP-2007-2588	SAVAGE ACRES FARM	Montgomery	4,500
MP-2008-3496	MEHRLE H. RAMSBURG, JR	Frederick	14,900
MP-2008-3593	JANICE M. TOBERY	Frederick	6,900
MP-2008-3597	HUEBNER FAMILY PARTNERSHIP	Frederick	2,300
MP-2008-3622	FRANKLIN E. THOMPSON	Frederick	19,400
MP-2008-3626	JACOB R. RAMSBURG, JR	Frederick	20,200
MP-2008-3627	JANICE M. TOBERY	Frederick	2,000
MP-2008-3700	BYRON D. STAMBAUGH	Carroll	5,300
MP-2008-3701	BYRON D. STAMBAUGH	Carroll	27,100
MP-2008-3727	CATHERINE S. VIRTZ	Carroll	17,400
MP-2008-3752	LAURA M. GAISIOR	Carroll	2,400
MP-2008-3782	ROBERT E. BASSLER, SR	Carroll	700
MP-2008-3783	JERRY L. WATT	Carroll	11,200
PA-2008-3459	WALTER L. WELLS	Calvert	13,100
PR-2008-3302	HAROLD A. LITTLETON	Worcester	37,300
PR-2008-3691	WILLIAM J. DRYDEN	Somerset	35,000
PR-2008-3705	RANDY M. PATEY	Wicomico	22,700
PR-2008-3714	MARTIN R. VITELLI	Somerset	100,100
PR-2008-3740	SUNWOO NAM	Worcester	35,000
PR-2008-3753	CHINH C. NGUYEN	Worcester	22,000
RS-2008-3278	ALLEN W. CLOSE	Baltimore	5,900

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

2. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program Grant Requests (cont'd)

Agreement #	Recipient	County	Amount \$
RS-2008-3607	DAVID L. ROSE	Baltimore	15,800
RS-2008-3608	DAVID L. ROSE	Baltimore	7,500
RS-2008-3780	CAB, LLC	Carroll	6,200
RS-2008-3781	CAB, LLC	Carroll	5,800
WM-2008-3693	ERIC C. SPATES	Montgomery	5,800

Total Submission Amount : 550,600

The Maryland Department of Agriculture has determined that each of these projects is eligible for cost-share funds. Each project has received technical certification from the appropriate Soil Conservation District Office. The farmer has signed the requisite cost-share agreement and accepts the grant conditions.

Authority: "Cost-Sharing - Water Pollution Control" is a program allowing persons to seek State cost-sharing funds for projects that will reduce agriculturally related non-point sources of water pollution. Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

Funding Source: The Maryland Consolidated Capital Bond Loan of 2006 provides a source of funds for the cost-share program. Under this appropriation "\$4,578,000 may be used by the Board of Public Works to provide grants for the projects to control agriculturally related non-point sources of pollution."

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

LOUISE LAWRENCE (410) 841-5873
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3. DEPARTMENT OF AGRICULTURE

Maryland Agricultural Cost-Share Program Additional Funding Requests

Submission of a request by the Maryland Department of Agriculture for approval of **ADDITIONAL FUNDING** of 2 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2005 (Appropriation Number 05119):

ADDITIONAL FUNDING:

Agreement #	Recipient	County	Amount \$
MP-2008-3531	LONNIE W. LUTHER	Montgomery	788.00
RS-2007-2268	TROYER FARMS	Baltimore	3,282.56
Total Additional Funding Amount :			4,070.56

The Maryland Department of Agriculture has determined that each of these projects is eligible for cost-share funds. Each project has received technical certification from the appropriate Soil Conservation District Office. The farmer has signed the requisite cost-share agreement and accepts the grant conditions.

Additional funds are requested for these projects to offset additional costs realized at the completion of the project. These additional costs are a result of design changes required based on site conditions encountered during construction, design changes to improve project effectiveness, or because the level of co-cost share funding originally anticipated was not available when the project was completed.

Authority: "Cost-Sharing - Water Pollution Control" is a program allowing persons to seek State cost-sharing funds for projects that will reduce agriculturally related non-point sources of water pollution. Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

Funding Source: The Maryland Consolidated Capital Bond Loan of 2005 provides a source of funds for the cost-share program. Under this appropriation "\$5,500,000 may be used by the Board of Public Works to provide grants for the projects to control agriculturally related non-point sources of pollution."

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**JULY 16, 2008****SECRETARY'S AGENDA**

Contact: Sheila McDonald 410-260-7335
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4. BOARD OF PUBLIC WORKS
Procurement Agency Activity Reports

Submission of the Procurement Agency Activity Reports by:

- A. Department of Public Safety and Correctional Services, May 2008
- B. Department of Transportation, May 2008
- C. Department of General Services, May 2008

to the Board of Public Works in accordance with COMAR 21.02.01.05 (Procurement Regulations).

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307

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5. MARYLAND ENVIRONMENTAL SERVICE *Greenbrier State Park*

CONSTRUCTION/CONTRACT: Sanitary sewer collection system rehabilitation
MES Project #08-05-34

AWARD: Pleasants Construction, Inc.
Clarksburg, MD

CONTRACT DESCRIPTION: Rehabilitate approximately 6800 ft of 6- and 8-inch sanitary sewer mains and laterals using cured-in-place-pipe lining method; perform one sanitary sewer main point repair using traditional trenching method; and rehabilitate nine sanitary sewer manholes.

CONTRACT TERM: 120 calendar days

CONTRACT AMOUNT: \$356,260.00

PROCUREMENT METHOD: Competitive Sealed Bids

BIDS

Pleasants Construction, Inc.	Clarksburg, Maryland	\$356,260.00
New Hope Pipe Liner, LLC	Hackettstown, New Jersey	\$371,163.50
Tri-State Grouting, LLC	Bear, Delaware	\$406,671.00
Am-Liner East, Inc.	Sterling, Virginia	\$425,508.80

MBE PARTICIPATION: 11%

REMARKS: The solicitation contained a 10% Minority Business Enterprise subcontract goal. Five bids were received but one was nonresponsive as it was submitted with a 0% MBE subcontract participation rate. That bidder failed to make a good-faith effort to meet the MBE goal because most of the firms it contacted were not MDOT-certified for the type of work required and it did not provide adequate time as required by the regulations to the subcontractors to provide quotes. Pleasants Construction, Inc., the recommended contractor has committed to 11% MBE participation.

BOARD OF PUBLIC WORKS**JULY 12, 2008****SECRETARY'S AGENDA****5. MARYLAND ENVIRONMENTAL SERVICE (cont'd)**
Greenbrier State Park

FUND SOURCE: MCCBL of 2006
APPROPRIATION CODE: 065MCCBL 06, PCA # 10943
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 08-0752-1111

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:**APPROVED****DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

Contact: Charles C. Jackson 240-895-4412
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6. ST. MARY'S COLLEGE OF MARYLAND *Glendening Hall/ Goodpaster Hall*

DESCRIPTION: In accordance with the provisions of the State Finance and Procurement Article, Section 12-202, Annotated Code of Maryland, Board of Public Works approval is requested for the following capital equipment expenditure related to Glendening Hall (New Student Services Building) and to Goodpaster Hall (New Academic Building).

Glendening Hall Capital Equipment

<u>Equipment</u>	<u>Award</u>	<u>Amount</u>
Task chairs, David Edward lounge furniture and filing cabinets	Maryland Correctional Enterprises	\$ 58,000
Teknion office desks, bookcases, and conference tables (MCE waiver received 06/19/08)	Atlantic Corporate Interiors	\$300,000
Haworth side chairs (MCE waiver received 06/19/08)	Price Modern	\$ 57,000
Literature and brochure racks, recycling centers	Peter Pepper	\$ 7,000
Herman Miller side chairs	American Office	\$ 600
Outdoor teak benches	Park Place	\$ 11,000
Exterior trash and recycling receptacles	Victor Stanley	\$ 4,500
Exterior cast aluminum building signs	Lake Shore Industries	\$ 1,800

FUND SOURCE: M.C.C.B.L 2008 (Approp. Code 08073)
"Provide Funds to equip the new Student Services Building"

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

6. **ST. MARY'S COLLEGE OF MARYLAND** (cont'd)
Glendening Hall/ Goodpaster Hall

Goodpaster Hall Capital Equipment

<u>Equipment</u>	<u>Award</u>	<u>Amount</u>
Outdoor teak patio furniture	Smith & Hawken	\$7,000
Outdoor teak benches	Park Place	\$3,500

FUND SOURCE: M.C.C.B.L 2007 (Approp. Code 07100)
 "Provide Funds to equip the new Academic Building."

REMARKS: Total proposed expenditures for this agenda item is \$450,400. All solicitations for capital equipment have been in accordance with the procurement policies for St. Mary's College of Maryland.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
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7. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works revise its approval of the closure by the Baltimore City Board of School Commissioners of:

Elmer A. Henderson Elementary School #101

2.79 acres

1101-25 North Wolfe Street

Baltimore City 21213

Reference is made to Secretary's Agenda Item 9 (February 28, 2007) in which the Board approved the closure of the Elmer Henderson School with two conditions – that the Baltimore City Government: (1) assume the outstanding State bond debt of \$280,540; and (2) obtain prior approval from the Board before transferring the facility.

The IAC met on June 26, 2008 and now recommends that the Board revise the approval to:

- Adjust the amount of outstanding State debt to \$252,787;
- Suspend for one year the requirement that Baltimore City pay the debt; and
- Continue to require that the Baltimore City Government must obtain the approval of the Board of Public Works before transferring any right, title or interest of any portion of the facility.

Background: When the Board of Public Works approved the Elmer Henderson School closure, it acted on an IAC recommendation that the City assume \$280,540 in outstanding debt; this amount included general fund grants in the amount of \$27,753. However, the amount of outstanding debt assumed should comprise bond proceeds only and not include general funds. Excluding the State's general revenue contribution to the facility reduces the outstanding debt to be assumed by Baltimore City from \$280,540 to \$252,787.

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

7. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

The IAC is recommending that the Board suspend the repayment requirement for one year from the date of this Item. Baltimore City states that it intends to transfer the property to East Baltimore Development Initiative (EBDI) to be used as a public school to serve Baltimore City students under a contractual arrangement with the Baltimore City Board of School Commissioners. Under the Education Law, a transferred facility that is used as a public school may be exempt from the requirement to repay outstanding State debt.

If the Baltimore City Schools have not finalized a contract to operate the facility as a public school within one year from the date of this Item, the IAC will recommend to the Board that Baltimore City repay the outstanding bond debt. Further, Baltimore City may not transfer the facility to EBDI or any other party until the Board has approved such transfer.

Authority: COMAR 23.03.02.23; Sections 5-301 and 5-308, Annotated Code of Maryland.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

Contact: David Lever 410-767-0610
dlever@msde.state.md.us

8. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works revise its approval of the closure by the Baltimore City Board of School Commissioners of:

Dr. Lillie M. Jackson #315 (Alternative Elementary #288)

4.97 acres

1504 Ashburton Street, Baltimore 21216

Reference is made to Secretary's Agenda Item 17 (May 21, 2008) in which the Board approved the closure of the Lillie Jackson School with two conditions – that the Baltimore City Government: (1) assume the outstanding State bond debt of \$52,745; and (2) obtain prior approval from the Board before transferring the facility.

The IAC met on June 26, 2008 and now recommends that the Board revise the approval to:

- Adjust the amount of outstanding State debt to \$0; and
- Continue to require that the Baltimore City Government must obtain the approval of the Board of Public Works before transferring any right, title or interest of any portion of the facility.

Background: When the Board of Public Works approved the Lillie Jackson School closure, it acted on an IAC recommendation that the City assume \$52,745 in outstanding debt; this total amount comprised general funds. However, the amount of outstanding debt assumed should comprise bond proceeds only and not include general funds. Excluding the State's general revenue contribution to the facility reduces the outstanding debt to be assumed by Baltimore City from \$52,745 to \$0.

Authority: COMAR 23.03.02.23; Sections 5-301 and 5-308, Annotated Code of Maryland.

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

Contact: Patti Konrad 410-260-7920
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9. **STATE TREASURER**
State Debt Terminations

Recommendation: That the Board of Public Works authorize for publication in the *Maryland Register*, the automatic terminations of State debt authorizations listed in Sections A and B below. These terminations reduce the State's authority to issue general obligation bonds in the amount of \$113,697.23 and, at the same time, reduce the State's spending authority as shown for the capital projects listed. All the affected agencies and grantees were notified in writing of the impending terminations on June 21, 2007 and January 16, 2008.

The Office of the Comptroller, the State Treasurer's Office, the Department of Budget and Management (Office of Capital Budgeting), and the Department of General Services have reviewed this request and concur.

Background: State law provides "Except to the extent that money authorized by an enabling act for a State project or program has been encumbered by the Board, an authorization of State debt shall automatically terminate 7 years after the date of the authorization, unless...the Board unanimously grants a temporary exception for 1 year."

Authority: Section 8-128, State Finance and Procurement Article, Maryland Code.

A. The following authorizations for State projects were not encumbered within the seven-year time period and have terminated by operation of law on June 1, 2008:

	<u>Amounts Terminated</u>	<u>Original Authorizations</u>
1) <i>Maryland Consolidated Capital Bond Loan of 1994 Chapter 115 of the 1994 Laws of Maryland, Amended by Chapter 131-1995; 125-1996; 170-1996; 660-1997; 138-1998; 212-1999; 508-2000; 290-2002 Laws of Maryland:</i>		
<i>Department of Natural Resources – Deep Creek Lake State Park Loan of 1994</i>	\$39.91	\$1,487,000.00
2) <i>Maryland Consolidated Capital Bond Loan of 1996 Chapter 125 of the 1996 Laws of Maryland, Amended by Chapter 660-1997; 138-1998; 212-1999; 508-2000; 290-2002; 204-2003 Laws of Maryland:</i>		
<i>Department of Housing and Community Development - Maryland Historical Trust Loan of 1996</i>	\$18,000.00	\$800,000.00

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

9. **STATE TREASURER** (cont'd)
State Debt Terminations

A. State authorizations terminated on June 1, 2008, continued:

	<u>Amounts Terminated</u>	<u>Original Authorizations</u>
3) <i>Maryland Consolidated Capital Bond Loan of 1997 Chapter 660 of the 1997 Laws of Maryland, Amended by Chapter 138-1998; 212-1999; 508-2000; 111-2001; 290-2002; 204-2003; 432-2004; 46-2006 Laws of Maryland:</i>		
<i>State Office Center – Baltimore Security Enhancements Loan of 1997</i>	\$26,582.00	\$448,000.00
4) <i>Maryland Consolidated Capital Bond Loan of 1999 Chapter 212 of the 1999 Laws of Maryland, Amended by Chapter 508-2000; 111-2001; 290-2002; 204-2003; 432-2004; 46-2006; 544-2006; 336-2008 Laws of Maryland:</i>		
<i>General State Facilities – Abate Asbestos Loan of 1999</i>	\$14,737.07	\$1,800,000.00
5) <i>Maryland Consolidated Capital Bond Loan of 2000 Chapter 508 of the 2000 Laws of Maryland, Amended by Chapter 111-2001; 290-2002; 204-2003; 445-2005; 46-2006; 488-2007; 336-2008 Laws of Maryland:</i>		
<i>Maryland Correctional Pre-release System – Central Laundry Boiler Plant Loan of 2000</i>	\$6,630.00	\$3,695,000.00
6) <i>Maryland Consolidated Capital Bond Loan of 2001 Chapter 111 of the 2001 Laws of Maryland, Amended by Chapter 290-2002; 46-2006 Laws of Maryland:</i>		
a) <i>Baltimore City Community College – Main Building, Liberty Campus Loan of 2001</i>	\$0.10	\$1,460,000.00
b) <i>Morgan State University – Communication Center and Pedestrian Bridge Loan of 2001</i>	\$6,726.81	\$1,192,000.00
c) <i>Department of Juvenile Justice – Juvenile Justice Facilities Loan of 2001</i>	\$14,115.13	\$559,000.00

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

9. **STATE TREASURER** (cont'd)
State Debt Terminations

A. State authorizations terminated on June 1, 2008, continued:

	<u>Amounts Terminated</u>	<u>Original Authorizations</u>
d) General State Facilities -Underground Heating Oil Storage Tank Replacement Program Loan of 2001	\$867.58	\$500,000.00
e) Department of Environment – Chesapeake Bay Water Quality Project Fund – Nutrient Removal Loan of 2001	\$1.31	\$17,354,000.00
f) Department of Environment – Comprehensive Flood Management Grant Program Loan of 2001	<u>\$9,047.42</u>	\$1,250,000.00
TOTAL	<u>\$96,747.33</u>	

B. The following grant authorizations were not encumbered within the seven-year time period and have terminated by operation of law on June 1, 2008:

	<u>Amounts Terminated</u>	<u>Original Authorizations</u>
1) Prince George's County – Top Banana Home Delivered Groceries Inc. Loan of 1999 Chapter 251 of the 1999 Laws of Maryland	\$15,747.90	\$120,000.00
2) Prince George's County Detention Center Loan of 2000 Chapter 508 of the 2000 Laws of Maryland	<u>\$1,202.00</u>	\$1,176,000.00
TOTAL	<u>\$16,949.90</u>	

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 16, 2008

SECRETARY'S AGENDA

APPENDIX

Report of emergency contracts awarded by various agencies in accordance with **COMAR 21.05.06** (Title 21 - State Procurement Regulations) and reported in accordance with **COMAR 21.02.01.05(A)(3)**.

Individual reports enclosed.

BOARD OF PUBLIC WORKS

JULY 16, 2008

APPENDIX

SECRETARY'S AGENDA

Contact: Dennis J. Krysiak (410) 625-5655
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REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

STATE RETIREMENT AGENCY OF MARYLAND

State Retirement Agency of Maryland

CONTRACT: Actuarial Consulting Services
ADPICS NO. G20P8200091

CONTRACT TYPE: Services

DESCRIPTION: Actuarial consulting services to advise agency's board of trustees concerning board's certification of employer contribution rates.

PROCUREMENT METHOD: Emergency

OFFERS:

Mercer (US), Inc. \$328,000.00
Baltimore, MD

Cheiron, Inc. \$338,000.00
McLean, VA

AWARD: Cheiron, Inc.

AMOUNT: \$338,000.00

TERM: May 9, 2008 – December 31, 2008

MBE PARTICIPATION: 0%

BOARD OF PUBLIC WORKS

JULY 16, 2008

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

FUND SOURCE: 100% Special Funds
Appropriation Code: G20J01.01

REMARKS:

Nature of Emergency: The State Retirement Agency (SRA) had an immediate need for a new actuary because it had to terminate its relationship with its incumbent actuary. SRA's actuary is crucial to its statutory functions: in accordance with State law, the actuary must prepare annual actuarial valuations of the Retirement System by December 1; certify employer contribution rates before December 1; prepare special and unscheduled actuarial calculations, including new entrants, withdrawals, and transfers in the System; and provide actuarial advice on a regular and frequent basis. Based on past experience, a new actuary requires about six months to program the System's benefit structure in order to prepare the annual actuarial valuation and to certify the employer contribution rates.

Because a significant amount of work must be completed before the December 1 deadline, there was insufficient time to complete the standard procurement process. The lack of an actuary created an emergency that affects the welfare of the Retirement System, the State budget process, and the citizens.

Basis for Selection: SRA awarded the contract to Cheiron, Inc. After reviewing both offerors' proposals for emergency actuarial services, SRA determined that the terms of Cheiron's proposal were more advantageous to the State. The other offeror would not agree with certain contract terms established by the Agency. Certain key personnel at Cheiron, Inc. assigned to work on this contract have considerable experience performing valuations and providing actuarial consulting services for plans of similar size and scope, and have familiarity with the State Retirement and Pension System. Because of this, Cheiron, Inc. was able to meet SRA's timeline and demonstrated a commitment to do so.

BOARD OF PUBLIC WORKS

JULY 16, 2008

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1 (cont'd)

REMARKS: (cont'd)

This contract will last approximately seven months, the time needed to cover the annual actuarial valuations and provide actuarial consulting services until a replacement actuary is retained through a standard (non-emergency) procurement process.

TAX COMPLIANCE NO.: 08-1192-0111

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:**REPORT ACCEPTED**

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

ITEM 1A

COMMUNITY PARKS AND PLAYGROUNDS INITIATIVE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008:

Approval is requested to commit \$310,477.00 for the following **development** projects located in **Caroline County**. Funding will come from the Community Parks and Playgrounds Initiative's MCCBL proceeds as noted.

1. **Denton Elementary School Playground - \$281,109.00 - CPP #5402-5-154**
MD20080516-0485

Remove outdated metal play structures and install new playground equipment that meets current ADA and safety regulations.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$281,109.00

2. **Federalsburg Marina Park (Town of Federalsburg) - \$29,368.00 - CPP #5406-5-155**
MD20080521-0513

Construct additional playground equipment at the park that meets current ADA and safety regulations.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$29,368.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

ITEM 2A

COMMUNITY PARKS AND PLAYGROUNDS INITIATIVE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008:

Approval is requested to commit \$84,340.00 for the following **development** project located in the **Town of Hurlock, Dorchester County**. Funding will come from the Community Parks and Playgrounds Initiative's MCCBL proceeds as noted.

Hurlock North Main Street Park - \$84,340.00 - CPP #5404-9-140 - MD20080516-0488

Develop a playground at a new park to benefit the town residents and neighboring areas.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$84,340.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

ITEM 3A

COMMUNITY PARKS AND PLAYGROUNDS INITIATIVE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008:

Approval is requested to commit \$188,072.00 for the following **development** project located in the **Town of Mountain Lake Park, Garrett County**. Funding will come from the Community Parks and Playgrounds Initiative's MCCBL proceeds as noted.

Crystal Spring Boardwalk Trail - \$188,072.00 - CPP #5390-11-172 - MD20080521-0512

Expand the handicapped accessible trail by 1,350 feet to include both asphalt and boardwalk sections. Improvements will include bench seating along the trail and at the observation deck.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$188,072.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

ITEM 4A
PROGRAM OPEN SPACE LOCAL SHARE:

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

Approval is requested to commit \$74,270.00 for the following **development** project located in **Montgomery County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Cabin John Indoor Tennis Courts - \$74,270.00 - POS #5410-15-621 - MD20080515-0479
Resurface six courts at the indoor tennis facility to ensure the safety of players and class participants.

FUND SOURCE: Program 81.20.04 Item 000 \$74,270.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A**BOARD OF PUBLIC WORKS****July 16, 2008****Secretary's Agenda**

Contact: James W. Price
 cprice@dnr.state.md.us
 (410) 260-8426

ITEM 5A**PROGRAM OPEN SPACE LOCAL SHARE:****MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2003:**

Approval is requested to commit \$353,450.00 for the following **acquisition and development** projects located in **Prince George's County**. Funding will come from the Program Open Space Local Share that is allocated to the County and MCCBL proceeds as noted.

1. **Riverdale Community Center Acquisition (Rivertech Properties, LLC) - \$331,200.00**
POS #5376-16-688 - MD20080515-0478

Acquire 1.59 acres of land as an addition to the Riverdale Community Recreation Center. The additional property will enable the Maryland-National Capital Park and Planning Commission to plan for facilities that will alleviate overcrowding within the existing park and enhance the park entrance.

Appraised Value: Charles W. White, IFAS \$318,000.00
 Richard N. Pierce \$346,400.00

Property Cost: \$325,000.00

Incidental Costs: \$ 6,200.00

FUND SOURCE: Program 81.20.04 Item 140 \$ 261.00
 Program 81.20.04 Item 000 \$ 3,477.00
 Program 81.20.04 Item 816 \$326,260.00
 Program 89.22.26 Item 416 (MCCBL 2003) \$1,202.00

2. **Boyd Park Development Phase 5 (Town of Cheverly) - \$22,250.00 - POS #5383-16-691**
MD20080430-0409

Reconstruct the deteriorated basketball court including replacing the surface and backboards.

FUND SOURCE: Program 81.20.04 Item 000 \$22,250.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

ITEM 6A

COMMUNITY PARKS AND PLAYGROUNDS INITIATIVE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008:

Approval is requested to commit \$200,000.00 for the following **development** project located in **Talbot County**. Funding will come from the Community Parks and Playgrounds Initiative's MCCBL proceeds as noted.

Neavitt/Bellevue Community Parks - \$200,000.00 - CPP #5405-20-109
MD20080521-0514

Relocate the existing playground equipment located at Neavitt Park to Bellevue Park and then construct a new playground at Neavitt Park. Both parks will be enhanced to meet the current ADA and safety requirements.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$200,000.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

ITEM 7A

PROGRAM OPEN SPACE LOCAL SHARE:

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

Approval is requested to commit \$32,011.00 for the following **development** projects located in the **City of Pocomoke, Worcester County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Winter Quarters Golf Course: Parking Lot, Cart Path and Playground Equipment**
\$11,753.00 - POS #5154-23-180 - MD20070806-0846

Pave the clubhouse parking area and cart path on 6 holes and install handicapped accessible play equipment, benches, and picnic tables. Program Open Space funds totaling \$36,460.00 were previously approved by the Board of Public Works on the Secretary's Agenda. These additional funds are being requested due to construction costs being higher than anticipated.

FUND SOURCE: Program 81.20.04 Item 000 \$11,753.00

2. **Cypress Park: Skateboard Area and Playground Equipment**
\$20,258.00 - POS #5156-23-187 - MD20070806-0848

Upgrade the park with a new skateboard area and install new playground equipment, benches, picnic tables, and new aluminum bleachers. Program Open Space funds totaling \$42,600.00 were previously approved by the Board of Public Works on the Secretary's Agenda. These additional funds are being requested due to development costs being higher than anticipated.

FUND SOURCE: Program 81.20.04 Item 000 \$20,258.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

Contact: James W. Price
cprice@dnr.state.md.us
(410) 260-8426

ITEM 8A

COMMUNITY PARKS AND PLAYGROUNDS INITIATIVE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008:

Approval is requested to commit \$295,000.00 for the following **development** projects located in **Baltimore City**. Funding will come from the Community Parks and Playgrounds Initiative's MCCBL proceeds as noted.

1. **Andover and North Hill Park Playground - \$65,000.00 - CPP #5407-24-246**
MD20080516-0486

Renovate the existing playground and passive area to improve park safety, accessibility, and increase park user enjoyment. New playground elements include a multi-age structure, rubber safety surfacing, ADA walkway, and site work.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$65,000.00

2. **George Washington Elementary School Playground - \$120,000.00 - CPP #5408-24-247**
MD20080516-0484

Install playground equipment at an existing, empty elementary school yard to provide a safe location for children to play during recess and after school.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$120,000.00

3. **William McAbee Park Playground - \$110,000.00 - CPP #5409-24-248 - MD20080516-0487**

Renovate the existing park playground to improve park safety and accessibility, resolve maintenance problems between the playground and wading pool, and increase park user enjoyment.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$110,000.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

July 16, 2008

Secretary's Agenda

ITEM 9A
SALE OF FOREST PRODUCTS:

Contact: Jack Perdue
jperdue@dnr.state.md.us
(410) 260-8505

Submission of a request by the Department of Natural Resources for the approval by the Board of Public Works of the following timber sale pursuant to the Forest Products Sales Policy adopted by the Board on March 2, 2005.

PROJECT NAME: Potomac Garrett State Forest – Garrett County
SALES DESIGNATION: PG-04-08
AREA DESCRIPTION: 22 acres / Compartment # 42
DESCRIPTION: This harvest involves 22 acres of a mature hardwood forest. This management practice will provide retain 4 to 6 trees per acre, specifically selected for their wildlife habitat values. The harvest will produce conditions suitable for the growth and development of a young, healthy and vigorously growing seedling /sapling forest stand. This sale includes 211,228 board feet of sawtimber and 193 cords and used the One-Step Method sales procedure. No bond money was used in the purchase of this land.

PROCUREMENT METHOD: Competitive Sealed Bid

PROPOSALS RECEIVED: 4

Coastal Lumber Company (WV)	\$130,824.51
Jim C. Hamer Co. (WV)	\$111,000.00
Wood Products, Inc. (MD)	\$95,700.00
Penn West Trading Company (WV)	\$95,028.00

AWARD: Coastal Lumber Company

AMOUNT: \$130,825.00

ESTIMATED VALUE: \$93,680.00

Board of Public Works Action: The above referenced item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT

ITEM: 1-S

Agency Contact: Sherry Alban
(410) 706-3145
salban@Miemss.org

DEPARTMENT/PROGRAM:

MIEMSS
Public Information & Media Services

CONTRACT ID:

D53R7200029;
Impaired Drivers Awareness Media Campaign Year I
ADPICS NO. D53B9200003

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: Request for retroactive approval of the initial Impaired Drivers Awareness Media Campaign targeted to males ages 18 to 34 to provide information to reduce impaired driving crashes and fatalities through televised Public Service Announcements, a web/internet campaign and public awareness special events.

AWARD:

Pinnacle Communications Resource Co., LLC
Baltimore, MD
MBE Certification No. 01-345

TERM:

8/14/2007 - 12/31/2007

AMOUNT:

\$83,387

PROCUREMENT METHOD:

Competitive Sealed Proposals

BID OR PROPOSALS

See Attachment

MBE PARTICIPATION:

100% (Contractor is a Maryland Certified MBE)
25% Subcontracting Goal

PERFORMANCE SECURITY:

None

INCUMBENT:

None

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*. In addition, a Notice of Availability and a copy of the RFP were sent directly to four prospective vendors, all of which were Maryland firms in the Baltimore Metropolitan area.

Five proposals were received in response to the RFP. One proposal was deemed not reasonably susceptible of being selected for award due to non-compliance with general submission requirements of the RFP. The agency was not aware that additional Department of Budget and Management (DBM) approval was needed after receiving DBM approval for issuance of the RFP on 6/15/2007. Thus, the agency internally awarded the contract to Pinnacle. The agency understands for future contracts that due to the dollar amount of the contract award, additional approval is required.

The purpose of the contract was to provide the target market audience of males between the ages of 18 and 34 in the State of Maryland with information which will reduce impaired driving crashes and fatalities. This was accomplished through: two 30-second Public Service Announcements (PSAs) which began airing 10/15/2007 (Press Event at Martin State Airport MSP Aviation Division) and 11/18/2007 (Raven's Football Game at M & T Stadium); a web/internet campaign promoted via the television campaign to include impaired driving statistics; a public event awareness schedule and to serve as a link to other State agencies and impaired driving prevention partners such as Mothers Against Drunk Drivers and Students Against Drunk Drivers; and four public awareness special events to include demonstrations of Emergency Medical Services responses to crashes, impaired driving simulators and displays for educational purposes by State and private partners throughout the state.

The recommended contractor, Pinnacle Communications Resource Co., LLC (Pinnacle), was determined to be most advantageous to the State as the highest ranked technical offeror and the lowest in price. Pinnacle's creative approach to increase impaired driving awareness by use of multiple media venues presented an effective impact which was superior to the other proposal responses received. Actual success of the contract included a media schedule which ran 2,537 spots of the campaign (originally proposed at 856 spots) and a web impression delivery of 1,114,089 hits for the web/internet campaign (originally targeted at 300,000).

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

FUND SOURCE 100% Federal Grant Funds

APPROP. CODE: D53T00.01

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 08-1424-1111

DBM REMARKS:
11-204(c) State Finance & Procurement Article.

Retroactive approval requested pursuant to

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 1-S (Cont.)

ATTACHMENT

4B
BPW 7/16/2008

BID OR PROPOSALS (Cont.):

COMPANY	TECHNICAL RANK	FINANCIAL RANK	FINANCIAL PRICE	OVERALL RANK *
Pinnacle Communications Resource Co. LLC Baltimore, MD MBE	1	1	\$83,387	1
WBAL TV Baltimore, MD	2	2	\$84,000	2
Design House Washington, DC MBE	3	3	\$100,000	3
Cloudburst Group Landover, MD	4	4	\$149,693	4

NOTE: * Technical factors and financial factors had equal weight in the overall ranking determination.

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT

ITEM:	2-S	Agency Contact: Sherry Alban (410) 706-3145 Salban@Miemss.org
DEPARTMENT/PROGRAM:	MIEMSS Public Information & Media Services	
CONTRACT ID:	D53R8200015; Impaired Drivers Awareness Media Campaign Year II ADPICS NO. D53B9200002	
CONTRACT DESCRIPTION:	Request for approval of the follow-up Impaired Drivers Awareness Media Campaign targeted to males ages 31 to 40 to provide information to reduce impaired driving crashes and fatalities through televised Public Service Announcements (PSAs), a web/internet campaign and public awareness special events.	
AWARD:	Pinnacle Communications Resource Co., LLC Baltimore, MD MBE Certification No. 01-345	
TERM:	7/17/2008 - 6/30/2009	
AMOUNT:	\$90,000	
PROCUREMENT METHOD:	Competitive Sealed Proposals	
BIDS OR PROPOSALS:	Only 1 proposal received (See Requesting Agency Remarks)	
MBE PARTICIPATION:	100% (Contractor is a Maryland Certified MBE) 25% Subcontracting Goal	
PERFORMANCE SECURITY:	None	
INCUMBENT:	Same	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and the MIEMSS website. A total of 175 prospective vendors received a Notice of Availability and a copy of the RFP directly via *eMarylandMarketplace.com*; 147 of which were Maryland firms and 41 of which were MBEs.

While eight prospective offerors attended the Pre-proposal Conference, the agency received only one proposal. Four prospective vendors who did not submit proposals were contacted, of which one response indicated that the scope of work was beyond their capacity and three responses indicated that other commitments precluded them from submitting a proposal at that time. The Agency determined that the other prospective bidders had reasonable opportunity to respond.

The purpose of the contract is to provide a follow-up to the initial campaign which targeted males ages 18-34 in the State of Maryland with information which will reduce impaired driving crashes and fatalities (See Item 1-S of this Agenda). The target market audience for this follow-up campaign is males between the ages of 31 and 40 in the State of Maryland. As with the first campaign, information will be provided which will reduce impaired driving crashes and fatalities. This will be accomplished through: two 30-second PSAs which will begin airing September 1, 2008 (Labor Day) and February 1, 2009 (43rd Annual Super Bowl); the continual development of a web/internet campaign component to support and promote the television campaign to include impaired driving statistics, a public event awareness schedule and to serve as a link to other State agencies and impaired driving prevention partners such as Mothers Against Drunk Drivers, Students Against Drunk Drivers, Washington Regional Alcohol Program, Maryland State Police and trauma center prevention advocates; and two public awareness special events to include demonstrations of Emergency Medical Services responses to crashes, impaired driving simulators and displays for educational purposes by State and private partners throughout the state.

The contractor will be responsible for purchasing air-time for the PSAs in order to acquire the specific air-time needed to reach the target audience; scheduling television interviews and creating partnership opportunities for emergency personnel/local law enforcement/local businesses participations; creating a campaign planning calendar; developing and distributing campaign collateral materials and incentives via Community Traffic Safety Programs (outreach programs established by the Maryland Highway Safety Office) and business partners; and developing an outdoor advertising component of the campaign to include billboards, displays via public vehicles (such as magnets), street banners and marquees.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

The recommended contractor, Pinnacle Communications Resource Co., LLC (Pinnacle), was awarded the contract for the initial campaign. This initial federal grant-funded media campaign was successful beyond expectation due to the contractor's creative approach and outreach through multiple venues. Its integrated marketing communications skills delivered a single message through multiple channels: "Drunk Driving – It's been Done to Death". Elements of the campaign include 856 television PSAs, campaign posters and signage placed on commercial and local government vehicles and on movie theater marquees and billboards. The agency seeks to award this contract to the incumbent given the success of the previous contract, the vendor's experience and expectations based on the initial contract scope of work, and the agency's belief that the vendor's price is fair and reasonable. Additionally, besides being a certified MBE, Pinnacle's proposal fully satisfies the 25% MBE participation goal utilizing three MDOT Certified Minority Businesses.

FUND SOURCE	100% Federal Grant Funds
APPROP. CODE:	D53T00.01
RESIDENT BUSINESS	Yes
MD TAX CLEARANCE	08-1424-1111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT

ITEM: 3-S

Agency Contact: Robert Howells
(410) 230-8789
rhowells@msla.state.md.us

DEPARTMENT/PROGRAM:

Maryland State Lottery Agency (MSLA)
Sales Division

CONTRACT ID:

2008-21;
Replacement Parts, Maintenance, and Related
Services for Instant Ticket Vending Machines
(ITVM)
ADPICS NO. E75B8200014

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: Contract to provide replacement parts, maintenance and other related services to the Lottery's 951 existing Instant Ticket Vending Machines (ITVM).

AWARD:

GTECH Corporation
Providence, RI

TERM:

7/17/2008 - 10/31/2008 (W/6 one-month renewal options)

AMOUNT:

\$232,000 (3.5 Months; Base Contract)
\$ 66,500 (1 Month; Option #1)
\$ 66,500 (1 Month; Option #2)
\$ 66,500 (1 Month; Option #3)
\$ 66,500 (1 Month; Option #4)
\$ 66,500 (1 Month; Option #5)
\$ 66,500 (1 Month; Option #6)
\$631,000 (Total 9.5 Months)

PROCUREMENT METHOD:

Sole Source

BIDS OR PROPOSALS:

N/A

MBE PARTICIPATION:

30%

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

PERFORMANCE SECURITY: \$100,000

INCUMBENT: Same

REQUESTING AGENCY REMARKS: This Fixed Unit Price-Indefinite Quantity contract provides maintenance services and repair parts for all 951 Instant Ticket Vending Machines (ITVM) presently owned by the Lottery, which are located at various Lottery Retailer locations throughout the State. These ITVMs are of various models encompassing 8-bin, 12-bin, 16-bin, 20-bin and 24-bin designs. In order to fully utilize these ITVMs and keep them operational, the maintenance services provided by this contract are required.

The ITVMs were manufactured by and are proprietary to the Contractor. The Contractor is the only vendor that can provide all of the replacement parts and maintenance services required for these ITVMs. Therefore, this is a sole source contract.

The Lottery had anticipated entering into a new long term sole source contract with GTECH Corporation to replace its previous two ITVM maintenance contracts with GTECH, both with the expiration date of 6/17/2008. However, due to significantly higher than expected prices proposed by GTECH for maintenance of these older machines, the Lottery revisited the plan for this project and determined it to be more cost effective to procure new replacement ITVMs with warranty and maintenance services included. An RFP is in preparation and expected to be issued in July 2008. It is anticipated that new ITVMs with advanced technology and reduced maintenance requirements will be more cost effective overall than attempting to maintain the 951 existing, aging ITVMs at escalating expenses. New ITVMs will contribute to increased Lottery sales and revenue.

To cover the gap until a contract for new ITVMs can be awarded, the Lottery is requesting approval to enter into this short term contract with GTECH for maintenance of the existing ITVMs. From the expiration of the prior maintenance contracts with GTECH on 6/17/2008 until this new short term contract becomes effective, the Lottery has established a plan to perform the minimum essential ITVM maintenance with its own existing staff but has concerns that ITVM performance, and consequently ticket sales, may suffer if full-scale professional maintenance services are not resumed. It is the Lottery's intention to replace the old ITVMs as quickly as possible, hence the very short base term of this contract with renewal options to cover unexpected delays.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

FUND SOURCE: 100% Special (Lottery Proceeds)

APPROP. CODE: E75D00

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 07-0054-1111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

ITEM:	4-S	Agency Contact: Michael Cuber (410) 767-1585 CuberM@dhhmh.state.md.us
DEPARTMENT/PROGRAM:	Health and Mental Hygiene (DHMH) Office of the Inspector General – Program Integrity Unit (OIG)	
CONTRACT ID:	DHMH-OPASS 09-9777; An Automated Fraud and Abuse Tracking System for the Office of Inspector General ADPICS NO. M00B9200096	
CONTRACT DESCRIPTION:	Contract to provide an effective and efficient case tracking, reporting and storage system to maintain and manage healthcare fraud investigative cases of the OIG Program Integrity Unit.	
AWARD:	Aithent, Inc. New York, NY	
TERM:	8/1/2008 – 7/31/2010 (W/2 one-year renewal options)	
AMOUNT:	\$294,040 (2 Year Base Contract) \$102,520 (1 Year; 1 st Option) <u>\$102,520</u> (1 Year; 2 nd Option) \$499,080 Total (4 Years)	
PROCUREMENT METHOD:	Competitive Sealed Proposals	
BIDS OR PROPOSALS:	See Attachment	
MBE PARTICIPATION:	None (See Requesting Agency Remarks below)	
INCUMBENT:	N/A	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

REQUESTING AGENCY REMARKS: A Notice of Availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*, and the DHMH web sites. Copies of the solicitation notice were mailed to eight prospective vendors, none of which were Maryland firms or MBE firms.

The Office of the Inspector General (OIG), Medicaid Program Integrity, solicited proposals from qualified offerors to provide an effective and efficient case tracking, reporting and storage system to maintain and manage healthcare fraud investigative cases of the OIG Program Integrity Unit. Currently, the unit utilizes a manual, paper system. The current case management tracking database system in use is limited in its ability to interface with other internal tracking database systems utilized within the OIG.

The recommended vendor will own the software and will maintain the web-based system. The procurement also required the vendor to provide training of OIG staff. The Department will own the data. This item was procured as a service although it has an IT component.

The Department received four proposals in response to the RFP. All offerors were determined to be responsible and their proposals deemed reasonably susceptible for award.

It is the recommendation of the Department that the contract be awarded to Aithent, Inc. because its proposal was ranked #1 overall with the lowest price and the #2 technical proposal. The #1 technical offeror was twice as expensive as the #2 technical offeror. The technical differences between #1 and #2 were not significant enough to warrant the extra price. It is the decision of the Department that Aithent, Inc. represents the most advantageous offer to the State.

The goal of the DHMH is to improve the health status of every Maryland resident and to ensure access to quality healthcare. Maryland's healthcare delivery system consists of public and private hospitals, nursing homes, outpatient clinics, home healthcare services, hospices, providers, and health educators, among others. It is the mission of the OIG to protect the integrity of DHMH and promote standards that benefit the citizens of Maryland and program beneficiaries. To ensure that the mission is upheld, the OIG conducts numerous audits, reviews, investigations and trainings annually within Maryland's healthcare community.

The Program Integrity Unit is tasked with the mission of ensuring that the integrity of the Maryland Medical Assistance Program is maintained, producing cost savings without reducing recipient eligibility standards and benefits while identifying and eliminating recipient and provider fraud, waste and abuse.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

Due to the limited pool of vendors and subcontracting options, no MBE participation goal was established.

FUND SOURCE: 100% Federal
(Centers for Medicare & Medicaid Transformation Grant)

APPROP. CODE: M00A0101

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 08-1421-0000

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-S (Cont.)

ATTACHMENT

BIDS OR PROPOSALS (Cont):

<u>Offeror</u>	<u>Technical Rank</u>	<u>Two Year Base Contract</u>	<u>1st Option (Third Year)</u>	<u>2nd Option (Fourth Year)</u>	<u>Financial Total (Rank)</u>	<u>Overall* Rank</u>
Aithent, Inc. New York, NY	2	\$294,040	\$102,520	\$102,520	\$ 499,080 (1)	1
CGI Technologies & Solutions, Inc. Cleveland, OH	3	\$410,000	\$195,000	\$195,000	\$ 800,000 (2)	2
North American Software Consultancy Inc. Ellicott City, MD	4	\$485,000	\$180,000`	\$180,000	\$ 845,000 (3)	3
Health Management System/Fraud Exchange New York, NY	1	\$608,228	\$266,775	\$266,775	\$1,141,778 (4)	4

*Note: Technical factors had greater weight than financial factors in the overall ranking determination.

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT

ITEM: 5-S

Agency Contact: Albert Annan
(410) 767-0114
aannan@msde.state.md.us

DEPARTMENT/PROGRAM:

Education (MSDE)
School and Community Nutrition Program Branch

CONTRACT IDS:

R00R8200593;
Storage of USDA Donated Foods
ADPICS NOs. R00B8200053 (Area 1)
R00B8200054 (Area 2A)
R00B8200055 (Area 2B)
R00B8200056 (Area 3)

CONTRACT DESCRIPTION: Multiple Award contracts for the storage and handling of the United States Department of Agriculture (USDA) donated foods for distribution to schools and not-for-profit organizations in Maryland.

AWARDS:

Area 1:
(Eastern Region - Frozen/Dry Food Storage)
Lankford-SYSCO Food Services, LLC
Pocomoke City, MD

Area 2A:
(Central Region – Frozen Food Storage)
Merchants Terminal Corporation
Baltimore, MD

Area 2B:
(Central Region – Dry Food Storage)
Overflo Warehouse LLC
Baltimore, MD

Area 3:
(Western Region - Frozen/Dry Foods Storage)
SYSCO Food Services of Baltimore, LLC
Jessup, MD

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

TERM: 7/30/2008 - 7/29/2011 (W/2 one-year renewal options)

AMOUNTS:

Area 1:
\$200,000 (3 Years; Base Period)
\$ 90,000 (1 Year; 1st Renewal Option)
\$110,000 (1 Year; 2nd Renewal Option)
\$400,000 Total (5 Years)

Area 2A:
\$ 850,000 (3 Years; Base Period)
\$ 325,000 (1 Year; 1st Renewal Option)
\$ 310,000 (1 Year; 2nd Renewal Option)
\$1,525,000 Total (5 Years)

Area 2B:
\$ 850,000 (3 Years; Base Period)
\$ 300,000 (1 Year; 1st Renewal Option)
\$ 325,000 (1 Year; 2nd Renewal Option)
\$1,475,000 Total (5 Years)

Area 3:
\$375,000 (3 Years; Base Period)
\$145,000 (1 Year; 1st Renewal Option)
\$175,000 (1 Year; 2nd Renewal Option)
\$695,000 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment for Area 2, the only area with multiple bids

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

PERFORMANCE SECURITY:	Area 1:	\$14,000
	Area 2A:	\$50,000
	Area 2B:	\$17,000
	Area 3:	\$25,000

INCUMBENT:	Area 1:	Same
	Area 2A:	Same
	Area 2B:	Same
	Area 3:	Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Copies of the solicitation notice were mailed directly to 17 prospective vendors, all of which were Maryland firms and none were MBE firms. However, 15 MBE firms were listed on eMM. In addition, a copy of the solicitation was sent to the governor's Office of Minority Affairs.

Previously approved by the Board of Public Works (BPW), the services for the USDA food storage were maintained centrally with two contracts, one for nonperishable/dry, canned foods and one for refrigerated/frozen foods. In July 2007, MSDE began a pilot program for the eastern and western parts of the State through two small procurement contracts with a term of one year. The eastern region was for \$9,000 and the western region was for \$18,000. These two contracts included storage and delivery. It was determined through the success of the pilot program that in order to better serve clients in the outlying areas of the State, the services of this procurement would be divided into three areas:

Area 1 – Eastern: Worcester, Somerset, Wicomico, Dorchester, Caroline, Talbot, Queen Anne's and Kent Counties.

Area 2 – Central: Baltimore City, Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Charles, Harford, Howard, Montgomery and St. Mary's Counties.

Area 3 – Western: Garrett, Allegany, Washington, Frederick, and Prince George's* Counties.

*Area 3 included Prince George's County to add volume to the western region to ensure that all the schools in the area could utilize the USDA Commodity program to its maximum potential with weekly deliveries. The USDA has minimum delivery requirements for its commodities.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

The Eastern region must double up on deliveries of certain commodities (bi-weekly instead of weekly) in order to meet the minimum delivery requirements.

The purpose of these multiple award contracts is to engage commercial warehouses in three regional locations in Maryland with Area 2 divided into subsets A for frozen foods and B for dry foods to store the donated foods in order to reduce distribution and transportation cost for recipients. Bidders could bid on one, two or all areas.

Eight bids were received in response to the IFB. Two bids were received for Area 1; however one bidder was deemed not responsible because it did not meet minimal storage space and other technical requirements. Three bids were received for Area 2A; however the lowest bidder was rejected after a late withdrawal of its bid was accepted by the Office of the Attorney General. Two bids were received for Area 2B (See Attachment). Only one bid was received for Area 3.

Awards are recommended as follows:

Area 1 – Lankford Sysco Food Services, LLC is recommended for award because it was the only responsible bidder for storage and distribution of frozen and dry foods for the eastern region. Lankford is responsible and its bid meets the technical requirements set forth in the IFB. Also, Lankford's price has been deemed fair and reasonable and other prospective bidders had a reasonable opportunity to respond to the solicitation.

Area 2A – Merchant Terminal Corporation is recommended for award because it had the lower bid for storage and distribution of frozen foods for the central region. Merchant is responsible and its price has been deemed fair and reasonable.

Area 2B – Overflo Warehouse, LLC is recommended for award because it had the lower bid for storage and distribution of dry foods for the central region. Overflo is responsible and its price has been deemed fair and reasonable.

Area 3 – Sysco Food Services of Baltimore, LLC is recommended for award because it was the only bid received for storage and distribution of frozen and dry foods for the western region. Sysco is responsible and its bid meets the technical requirements set forth in the IFB. Also, Sysco's price has been deemed fair and reasonable and other prospective bidders had a reasonable opportunity to respond to the solicitation.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

The facilities of all four vendors recommended for award have been inspected and found to have all the required health inspection certification, equipment and processes in place for efficient storage and distribution of the foods.

MSDE is responsible for the administration of federally supported nutrition assistance programs that provide a safety net to help sponsors in schools, residential child care institutions, charitable institutions and adult day care programs to meet the nutritional needs of their participants throughout the State. Under the programs, MSDE receives and distributes donated USDA foods to the sponsors to help defray the cost of providing nutrition assistance program meals. Contracts with commercial warehouses are maintained to provide centralized points of receipt, storage, and distribution of USDA donated dry, refrigerated and frozen surplus foods to sponsors. Sponsors contact MSDE for the availability of foods and to place orders. MSDE notifies the storage warehouse to provide specified quantities of food to the given sponsor recipient. The recipient provides transportation for the pickup of its food from the warehouse in the central region for Areas 2A and 2B. The warehouse contractor is required to provide delivery services for the eastern and western regions for Areas 1 and 3.

The warehouse bills MSDE for the storage costs of the food quantities disbursed based on the rates contained in the contract. MSDE bills the recipients directly for the storage and/or distribution costs. This process allows the warehouses to maintain one centralized contact through MSDE for payments. MSDE is able to track and monitor food distribution and receive funds back from the recipients.

These contracts are also utilized by the Department of Human Resources (DHR) for the storage of foods distributed to needy families, soup kitchens, food pantries and food banks under The Emergency Food Assistance Program (TEFAP).

There was no MBE participation goal established for this contract because a centralized point of storage is required. There are no components of the contract that could be subcontracted. The services provided are only for storage and distribution of the foods. Transportation for pick up of food from the central region warehouses is provided by the recipients. The vendors for the eastern and western regions would be at a competitive disadvantage to subcontract delivery services already on its delivery route and would subsequently drive up the prices charged to the State.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

FUND SOURCE: 100% Reimbursable (Recipient Organizations)

APPROP. CODE: R00A0102

RESIDENT BUSINESSES Yes for all

MD TAX CLEARANCES: 08-0209-1110 - Lankford Sysco Food Services
08-0202-1112 - Merchants Terminal Corp.
08-0201-0002 - Overflo Warehouse
08-0210-1110 - Sysco Food Services of Baltimore

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM

5-S (Cont.)

ATTACHMENT

21B
BPW 7/16/2008**BIDS OR PROPOSALS (Cont):**

AREA 2A: CENTRAL REGION OF MARYLAND STORAGE OF FROZEN FOOD	MERCHANTS TERMINAL Baltimore, MD			SYSCO OF BALTIMORE Jessup, MD		
	YEAR 1 *C.W.T.	YEAR 2 C.W.T.	YEAR 3 C.W.T.	YEAR 1 C.W.T.	YEAR 2 C.W.T.	YEAR 3 C.W.T.
STORAGE OF FROZEN FOODS PER MONTH	1.51	1.56	1.64	4.50	4.75	5.00
RECEIVING, STORING AND ISSUE OF DRY FOODS ONE TIME CHARGE INCLUDING UNLOADING FREIGHT, STORAGE AND ISSUANCE	3.05	3.19	3.40	6.88	7.13	7.38
RANK OVERALL	1			2		

AREA 2B :CENTRAL REGION OF MARYLAND STORAGE OF DRY FOOD	OVERFLO WAREHOUSE Baltimore, MD			SYSCO OF BALTIMORE Jessup, MD		
	YEAR 1 *C.W.T.	YEAR 2 C.W.T.	YEAR 3 C.W.T.	YEAR 1 C.W.T.	YEAR 2 C.W.T.	YEAR 3 C.W.T.
STORAGE OF DRY FOODS PER MONTH	0.64	0.68	0.72	2.50	2.75	3.00
RECEIVING, STORING AND ISSUE OF DRY FOODS ONE TIME CHARGE INCLUDING UNLOADING FREIGHT, STORAGE AND ISSUANCE	1.95	2.05	2.15	5.00	5.25	5.50
RANK OVERALL	1			2		

* C.W.T. means per one hundred pounds of weight

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT MODIFICATION

ITEM:	6-S-MOD	Agency Contact: Luci Sager (410) 468-2374 lsager@mdinsurance.state.md.us
DEPARTMENT/PROGRAM:	Maryland Insurance Administration (MIA) Property and Casualty Unit (P&C)	
CONTRACT ID:	D80R4200036; Actuarial Consulting Services Property and Casualty ADPICS CO NO. COA65757	
CONTRACT APPROVED:	12/1/2004 by DBM and reported on the December 2004 PAAR	
CONTRACTOR:	Merlinos & Associates Norcross, GA	
CONTRACT DESCRIPTION:	Contract to provide Actuarial Consulting Services for Property and Casualty to review certain rate and rate related filings to determine compliance with the Annotated Code of Maryland Regulations.	
MODIFICATION DESCRIPTION:	Request for retroactive approval of a contract modification to increase the contract not-to-exceed amount by \$50,000.	
TERM OF ORIGINAL CONTRACT:	12/1/2004 - 11/30/2005 (W/3 one-year renewal options)	
TERM OF MODIFICATION:	3/20/2008 – 11/30/2008	
AMOUNT OF ORIGINAL CONTRACT:	\$50,000 NTE	
AMOUNT OF MODIFICATION:	\$50,000 NTE (8 Months; 10 Days)	
PRIOR MODIFICATIONS/OPTIONS:	\$150,000 (See Attachment)	
REVISED TOTAL CONTRACT AMOUNT:	\$250,000 NTE	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): 100%

OVERALL PERCENT +/-: 100%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for retroactive approval of a contract modification to increase the not-to-exceed amount in the last renewal option year. The MIA anticipates an increased need for Actuarial Services as a result of its consumer protection efforts. Additionally the cost for actuarial services is billed to the subject of examination pursuant to Insurance Article Section 2-207 (c).

This contract was originally approved by the Department of Budget and Management (DBM) since the total contract value including the three one-year renewal options would not exceed \$200,000. Each option year was also approved by DBM. However, in March 2008, MIA requested to increase the not-to-exceed amount by an additional \$50,000. At that point the contract value exceeded DBM's approval delegation and required BPW approval.

Unfortunately, due to several clerical errors in the ADPICS system, it was not realized by MIA or DBM that the new contract value was \$250,000. Therefore, this modification was only approved by DBM. When the March 2008 PAAR was being reviewed for submission to the BPW, DBM found the error and removed the item from the PAAR and notified MIA that this item required BPW approval.

The MIA is extremely satisfied with the performance of Merlinos & Associates. Merlinos & Associates has been flexible and supported the increased needs of the Actuarial Property and Casualty Unit and because of its success, the not-to-exceed amount needs to be increased.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-MOD (Cont.)

FUND SOURCE: 100% Special
(Insurer's Assessments & Fees)

APPROP. CODE: D80Z01

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 08-1439-0001

DBM REMARKS:
11-204(c) State Finance & Procurement Article.

Retroactive approval requested pursuant to

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 6-S-MOD (Cont.)

ATTACHMENT

25B
BPW 7/16/2008

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Option #1	\$50,000	Exercised the first renewal option as contained in the original contract for the period 12/1/2005 – 11/30/2006. Approved by DBM.
Option #2	\$50,000	Exercised the first renewal option as contained in the original contract for the period 12/1/2006 – 11/30/2007. Approved by DBM and reported on the February 2007 PAAR.
Option #3	\$50,000	Exercised the third renewal option as contained in the original contract for the period 12/1/2007 – 11/30/2008. Approved by DBM and reported on the September 2007 PAAR.
Total	<u>\$150,000</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** James P. Wallace
(410) 767-1194
jwallace@dat.state.md.us

DEPARTMENT/PROGRAM: Assessments & Taxation (SDAT)
Information Technology

CONTRACT ID: DAT 0059; E50B3200034;
Reproduction and Sale of DAT DATA
ADPICS NO. COA79426

CONTRACT APPROVED: 7/16/2003 DBM BPW Agenda Item 1-S

CONTRACTOR: Specprint, Inc.
Timonium, MD

CONTRACT DESCRIPTION: Revenue generating contract for the
reproduction and sale of copies of the Department's master data sets in a variety of media
formats.

MODIFICATION DESCRIPTION: Approval request to extend the contract by
approximately six months to allow time for the award of a new contract.

TERM OF ORIGINAL CONTRACT: 7/27/2003 – 7/26/2008 (5 Years)

TERM OF MODIFICATION: 7/27/2008 – 1/31/2009 (6 Months; 5 Days)

AMOUNT OF ORIGINAL CONTRACT: \$1,000,000 Est.

AMOUNT OF MODIFICATION: \$0 (See Requesting Agency Remarks below)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$1,000,000 Est.

PERCENT +/- (THIS MODIFICATION): 0%

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

OVERALL PERCENT +/-: 0%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: This is a Revenue generating contract for the reproduction and sale of copies of the Department's master data sets in a variety of media formats. The Agency is requesting an approximately six month extension under the current terms of the agreement to allow for the continued sale of SDAT master file data until a new contract award.

As part of its function, SDAT receives and stores information in its Real Property, Sales, Corporate Charter and Uniform Commercial Code (UCC) data files. The public has an interest in and requests this information for many different reasons. SDAT provides this information through the current contract agreement with Specprint, Inc.

Revenues received since the start of this contract total \$785,932 (FY04 - \$156,407; FY05 - \$156,226; FY06 - \$166,462; FY 07 - \$160,977; and FY 08 - \$145,860 thru May 31). With average sales of \$13,320 monthly, the Agency anticipates that this trend will continue during the extension period. Revenue from sales over the six month extension period should be approximately \$79,920. Since the original contract value was \$1 million, no additional revenue receipt authority is requested for this modification in order to not distort the total contract value. (With this modification the total estimated revenue generated under this contract will be \$865,852.) However the value for the six month extension is over \$50,000, therefore the modification is being brought to the Board of Public Works for approval.

Specprint, Inc. has been providing data reproduction and sales services for SDAT for the past 10 years. Specprint, Inc. is providing services in accordance with the contract specifications by responding to sales requests and monthly reporting requirements in a timely manner.

The Agency expects to complete the IFB process leading to a new contract and make an award no later than February 2009. In the meantime, continuation of this revenue-producing contract is in the best interest of the State as it continues to produce revenue and serves the public and businesses.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: E50C0004

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1293-1111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 8-S-MOD **Agency Contact:** Cheryl Heilman
(410) 402-7182
HeilmanC@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Spring Grove Hospital Center

CONTRACT ID: DHMH-OPASS 05-008793-2;
Full Laboratory Services
ADPICS NO. COA76784

CONTRACT APPROVED: 6/1/2005 DBM BPW Agenda-Item 7-S

CONTRACTOR: Quest Diagnostics, Inc.
Baltimore, MD

CONTRACT DESCRIPTION: Contract to provide supplemental laboratory services to Spring Grove Hospital Center when laboratory services are needed during hours when the on-site lab is not open or due to lack of equipment/testing capability. This contract was modified in October 2007 to add full laboratory services 24 hours per day, 7 days per week, due to closing of the Spring Grove Hospital Center (SGHC) laboratory.

MODIFICATION DESCRIPTION: Request for retroactive approval to modify the current contract for full laboratory services by increasing the amount of funding and extending the term of contract by approximately four months to allow time for the resolution of a protest on the new procurement for full laboratory services.

TERM OF ORIGINAL CONTRACT: 6/2/2005 - 5/31/2008 (W/2 one year renewal options)

TERM OF MODIFICATION: 6/1/2008 – 9/30/2008

AMOUNT OF ORIGINAL CONTRACT: \$360,000

AMOUNT OF MODIFICATION: \$75,000 (4 Months)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$167,000 (See Attachment)
REVISED TOTAL CONTRACT AMOUNT: \$602,000
PERCENT +/- (THIS MODIFICATION): 20.83%
OVERALL PERCENT +/-: 67.22%
ORIGINAL PROCUREMENT METHOD: Multi-Step Competitive Sealed Bidding
MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for retroactive approval to modify the current contract for full laboratory services by increasing the amount of funding and extending the term of contract by approximately four months to allow time for the resolution of a protest on the new procurement for full laboratory services.

Since the original contract was for supplemental laboratory services, the Department felt it was better to solicit a new Invitation For Bids (IFB) rather than exercise the first of two renewal options available on the contract. The goal was to have the new procurement completed in March 2008 for award approval; however, there has been a protest on the potential award of the new contract. DHMH received the protest letter on 4/16/2008, and the protest was denied on 4/23/2008. The vendor appealed this denial to the Maryland State Board of Contract Appeals, but no hearing date has been set.

Because of the Appeal, DHMH provided notice to the contractor on 5/12/2008 (prior to the expiration date of the existing contract) to extend the contract by four months. However, because the value of the four month extension modification exceeds \$50,000, this modification required prior approval by the BPW. Because this oversight has now been recognized, the Department is requesting after-the-fact approval of the contract extension and the increased contract amount.

In order to prevent a disruption of vital patient care services at SGHC, the modification is needed. This extension will create no change in the type of service currently being provided by the vendor, only an extension of the term which results in additional laboratory tests being performed during the four month period at the same price per test as currently being paid. Quest Diagnostics, Inc. will continue to provide full laboratory services.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S-MOD (Cont.)

Quest Diagnostics, Inc. has continued to provide consistent service to SGHC. It has continued to provide SGHC with dependable service and accurate billing. All STAT orders have been picked up and results are received within the agreed upon time frames. The onsite equipment which provides these results has always been properly maintained. Full training is available as needed for all staff. If problems arise, there is always open communication. Physicians report that if "abnormal results" are received on a testing, the repeat test is performed within a timely manner with no complications.

FUND SOURCE:	100% General
APPROP. CODE:	M00 L0901
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	08-0546-1001

DBM REMARKS: Retroactive approval requested pursuant to
11-204(c) State Finance & Procurement Article.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 8-S-MOD (Cont.)**ATTACHMENT**

BPW 7/16/2008

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1 \$167,000

Increase in laboratory tests currently being performed due to Spring Grove Laboratory closing for the period 10/1/2007 – 5/31/2008. Approved on the 9/12/2007 DBM BPW Agenda Item 17-S-MOD.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$308,546,871 Cumulative Total
(See Attachments 1 & 2)

REVISED CONTRACT AMOUNTS: \$531,173,763 Cumulative Total
(See Attachments 1 & 2)

PERCENT +/- (THIS MODIFICATION): 0%

OVERALL PERCENT +/-: +8.84%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: See Attachment 1

REQUESTING AGENCY REMARKS: There are six contracts or modules to provide inmate medical care throughout the State's correctional system. Through these six contracts, the Department will continue to administer and monitor an Inmate Health Services System that provides routine, specialty, inpatient and emergency care services to the Baltimore City pretrial and Maryland's sentenced populations. These modules create a comprehensive, patient centered/case management health care delivery system for DPSCS. The six contracts are summarized as follows:

- A. Comprehensive primary and infirmary medical services
- B. Primary psychiatric care and mental health infirmary care services
- C. Dental services
- D. Pharmacy Services
- E. Utilization management services for inpatient hospital and infirmary care
- F. Electronic patient health record and tele-medical system to support and track health care services for inmates.

It is important to note these contracts were designed to improve the level of care over the prior contracts in response to Department of Justice standards and decrees to reach generally accepted community standards and to provide for continuity and consistency of care in all DPSCS facilities.

The original contract cost estimates were built on projections that proved to be inaccurate and resulted in unanticipated expenditures in mental health, pharmaceuticals, and utilization management (contracts B, D, and E).

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

The unanticipated rise in mental health expenditures is a direct result of increased staffing in the Baltimore Service Delivery Area in order to accommodate staffing provisions of the settlement agreement with the United States Department of Justice.

The unanticipated rise in pharmaceutical expenditures is a direct result of an extraordinary increase in treatment for Hepatitis C this fiscal year. By way of comparison, treatment of inmates for Hepatitis C, in aggregate terms, rose from 77 inmates in FY 2007 to 138 inmates in FY 2008. During that same period expenditures for Hepatitis C treatment rose from \$861,663 to \$2,688,082, resulting in a budgetary shortfall. The Department does not foresee this situation leading to another modification in the coming fiscal year, as an additional \$3 million was approved for FY 2009 for HIV/Hepatitis C testing and treatment.

The rise in utilization management expenditures is a direct result of an unanticipated increase in referrals of inmates to "outside" physician consultations and inmate hospitalizations during the fiscal year.

Because of the retroactive nature of this item the second renewal option is being included in the total contract values even though the options were not effective until after the term of this modification. The renewal options were effective as of July 1st and approved by the BPW on the 6/11/2008 DBM BPW Agenda Item 14-S-OPTION. The total amounts of the six contracts are all inclusive of previous actions.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: Various

RESIDENT BUSINESS: Yes (A, D & F); No (B, C & E)

MD TAX CLEARANCE: See Attachment 1

DBM REMARKS: Retroactive approval requested pursuant to
11-204(c) State Finance & Procurement Article.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Mod Information Contract IDS: Q0005057A-F

Vendor	Original Contract Amount	Mod #1	Mod #2	Mod #3	Mod #4	1 st Renewal Option (1 Year)	Mod #5	2 nd Renewal Option (1 Year)	Revised Total Contract Amount
(A) Correctional Medical Services, Inc. St. Louis, MO (Local Office in Hagerstown, MD) (Medical Care Services) ADPICS NO. COA85739 MBE PARTICIPATION: 20% MD Tax Clearance: 08-1136-0111	\$125,638,937	N/A	\$0	(\$13,079,482)	\$0	\$62,956,839	(\$2,200,000)	\$65,530,886	\$238,847,180
(B) MHM Correctional Services of MD., Inc. Vienna, VA (Mental Health Services) ADPICS NO. COA85643 MBE PARTICIPATION: 10% MD Tax Clearance: 08-1130-1111	\$22,495,152	\$0	\$0	(\$3,289,895)	\$0	\$10,959,034	\$100,000	\$11,737,365	\$42,001,656
(C) FCM-MTC Joint Venture, LLC Centerville, UT (Dental Services) ADPICS NO. COA83168 MBE PARTICIPATION: 30% MD Tax Clearance: 08-1130-0001	\$17,340,240	N/A	\$0	(\$3,322,253)	\$0	\$8,648,030	(\$1,250,000)	\$7,768,705	\$29,184,722
(D) Correct Rx Pharmacy Services Linthicum, MD (Pharmacy Services) ADPICS NO. COA85652 MBE PARTICIPATION: 20% MD Tax Clearance: 08-1132-1111	\$31,958,458	N/A	\$0	\$7,804,432	\$0	\$24,131,340	\$1,950,000	\$27,219,572	\$93,063,802
(E) Wexford Health Sources, Inc. Pittsburgh, PA (Utilization Mgt. Services) ADPICS NO. COA85663 MBE PARTICIPATION: 5% MD Tax Clearance: 08-1133-0000	\$21,967,007	N/A	\$0	\$31,552,919	\$0	\$32,082,440	\$1,550,000	\$34,562,156	\$121,714,522
(F) Correctional Medical Services, Inc. St. Louis, MO (Local Office in Hagerstown, MD) (Electronic Patient Records Services) ADPICS NO. COA85783 MBE PARTICIPATION: 50% MD Tax Clearance: 08-1136-0111	\$3,227,098	N/A	\$0	\$4,206	\$0	\$1,641,253	(\$150,000)	\$1,639,324	\$6,361,881
GRAND TOTAL OF ALL 6 CONTRACTS:	\$222,626,892	\$0	\$0	\$19,669,927	\$0	\$140,418,936	\$0	\$148,458,008	\$531,173,763

PRIOR MODIFICATIONS /OPTIONS (Cont):

Contracts Q0005057A-F Cumulative Totals for Mods and Options:

Mod. #1	\$0	Mod for Contract Q005057B only to make changes in staffing patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 – 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda Item 12-S-MOD.
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2006 – 6/30/2007.
Mod #3	\$ 19,669,927	Mod to clarify portions of the Statement of Work in a non-material change increasing or reducing the original amount of the not to exceed limits for the period 5/12/2007 – 6/30/2007. Approved on the 6/6/2007 DBM BPW Agenda Item 26-S-MOD/OPTION.
Mod #4	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2007 – 6/30/2008.
Option #1	\$140,418,936	Exercised the first Renewal Options on the Contracts for one year for the period 7/1/2007 - 6/30/2008. Approved on the 6/6/2007 DBM BPW Agenda Item 26-S-MOD/OPTION.
Option #2	\$148,458,008	Exercised the second Renewal Option on the Contract for one year for the period 7/1/2008 – 6/30/2009. Approved on the 6/11/2008 DBM BPW Agenda Item 14-S-OPTION.

\$308,546,871 Cumulative Total for all 6 Contracts
See Attachment 1 for breakdown of previous actions.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 10-GM

Agency Contact: Larry Williams
(410) 260-7195
larryw@dbm.state.md.us

DEPARTMENT:

Budget and Management (DBM)
Division of Procurement, Policy
& Administration (DPPA)
Fleet Administration Unit (FAU)

AMOUNT OF REQUEST:

N/A

DESCRIPTION:

Standards for FY 2009.

Request for approval of Motor Vehicle Purchase

REQUESTING AGENCY REMARKS: In accordance with Section 3-502 State Finance and Procurement Article, DBM is responsible for approving and submitting to the BPW for approval of Purchase Standards for motor vehicles for use by the Executive Branch of State Government during FY 2009. Vehicle types included are similar to those approved for FY 2008. About 95% of the State's vehicle acquisitions are covered by the Purchase Standards presented with this Agenda item. Purchase Standards will be submitted throughout the remainder of FY 2009 as they are developed for low volume, special purpose motor vehicles.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 11-S-MOD **Agency Contact:** Debi Chronister
(410) 767-2211
dchronister@choosemaryland.org

DEPARTMENT/PROGRAM: Business & Economic Development
(DBED)
Division of Tourism, Film & the Arts
(DTFA)
Division of Business Development (DBD)

CONTRACT ID: T00B9200001 new BPO against
T00B8200002 (Second Renewal Option);
Call Center Services Contract
T00B4200001 – original contract
ADPICS NO. COA92776

CONTRACT APPROVED: 6/18/2003 BPW Agenda Item 13-S

CONTRACTOR: C R Dynamics, Inc.
Baltimore, Maryland

CONTRACT DESCRIPTION: Contract to provide all services associated
with a full-service call center to meet the tourism development, sales and marketing, and
advertising and promotional needs of DBED's Divisions of Tourism, Film and the Arts, and
Business Development. The vendor will provide information to callers in response to direct
response ads and all toll-free numbers advertised to promote DBED's tourism; film and arts
marketing; and advertising programs.

MODIFICATION DESCRIPTION: Approval request to modify the contract by
extending the term for approximately six and one half months with no additional funds to allow
time to perform a new competitive sealed procurement and award a new contract.

TERM OF ORIGINAL CONTRACT: 7/1/2003 - 6/30/2006 (W/2 one-year renewal
options)

TERM OF MODIFICATION: 7/17/2008-2/28/2009 (6 ½ Months)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S-MOD (Cont.)

AMOUNT OF ORIGINAL CONTRACT:	\$2,548,979
AMOUNT OF MODIFICATION:	\$0 (See Requesting Agency Remarks below)
PRIOR MODIFICATIONS/OPTIONS:	\$1,699,319
REVISED TOTAL CONTRACT AMOUNT:	\$4,248,298
PERCENT +/- (THIS MODIFICATION):	0%
OVERALL PERCENT +/-:	0%
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals
MBE PARTICIPATION:	100% (Contractor is a Maryland Certified MBE) 25% Subcontracting goal

REQUESTING AGENCY REMARKS: Request for approval to extend the current contract for a full-service call center for approximately 6 ½ months to allow time to complete a second procurement and award a new contract. The Department performed and completed a competitive procurement in time to be awarded before the expiration of the current contract; however, there were no responsive proposals received or responsible offerors. This extension will ensure continuity of service to Maryland's travelers and business customers.

The existing contract provides a full-service call center to meet the tourism development, sales and marketing, and advertising and promotional needs of DBED's Divisions of Tourism, Film and the Arts, and Business Development, including providing detailed information to callers in response to direct response ads and all toll-free numbers advertised to promote DBED's tourism; film and arts marketing; and advertising programs.

The estimated price to provide the requested call center services for the 6 ½ month period of this modification will be \$70,000. However, no new funding authorization is being requested with this modification because there is still approximately \$617,806 remaining on the contract. The expenditures on the contract have declined due to a change in technology. Fewer call-center calls have occurred due to an increase in the use of the Internet to contact DBED to request tourism materials.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S-MOD (Cont.)

C R Dynamics, Inc. has provided exemplary call center services for the past five years.

FUND SOURCE: 100% General

APPROP. CODE: T00G0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1167-0111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 11-S-MOD (Cont.)

ATTACHMENT

BPW 7/16/2008

PRIOR MODIFICATIONS /OPTIONS (Cont):

Mod #1	\$ 0.00	Modification to allow call center services to include inbound calls received on the 1-888-ChooseMD phone line and to provide event RSVP services for DBED's Division of Business Development. For the period 10/6/2005 – 6/30/2006. No additional funding was requested because the expenditures on this contract have declined due to a change in technology. Approved on the 10/5/2005 DBM BPW Agenda Item 3-S-MOD.
Option #1	\$ 849,659.50	Exercised the first renewal option effective 7/1/2006 – 6/30/2007. Approved by DBM.
Option #2	\$ 849,659.50	Exercised the second renewal option effective 7/1/2007 – 6/30/2008. Approved by DBM.
Mod #2	\$ 0.00	Bridge contract to extend the term of the contract until the next available BPW meeting to seek approval from the BPW to extend the term for additional time. For the period 7/1/2008 – 7/16/2008. No additional funds were requested since the original contract still had \$627,806.27 in unused funds; however, payments made to the vendor during this time period were estimated to be approximately \$10,000. Approved by DBED.
Total	<u>\$1,699,319.00</u>	

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM: 12-GM

Agency Contact: Daniel O'Brien
(410) 767-1860
dobrien@oag.state.md.us

DEPARTMENT:

Department of Health and Mental Hygiene

AMOUNT OF REQUEST:

\$193,771.00

DESCRIPTION:

DESCRIPTION: Request for payment of attorneys’ fees with interest as awarded pursuant to 42 U.S.C. § 1988 by the U.S. District Court (D. Md.) to the plaintiffs, a group of federally-qualified health centers (“FQHC”s), in *Chase Brexton Health Services, Inc., et al. v. Maryland Department of Health and Mental Hygiene*, No. 03-CV-1548 (MSG), in which the district court held, and the U.S. Court of Appeals affirmed, that Maryland’s Medicaid program had improperly limited the recovery of costs by FQHCs.

FUND SOURCE:

50% General; 50% Federal

APPROPRIATION CODE:

M00Q0103.T368

REQUESTING AGENCY REMARKS: FQHCs are entitled under federal law to reimbursement for reasonable expenses incurred in delivering health care services to Medicaid recipients in underserved areas. The Department calculated full payment rates for each FQHC but reduced these rates in accordance with certain cost containment methodologies. The FQHCs filed suit seeking to remove these reimbursement limits and received a favorable decision from the federal district court, which was affirmed on appeal.

As prevailing parties, the FQHCs were entitled to an award of reasonable attorneys' fees. The Department contested the amount of fees claimed by the FQHCs. After considering the Department's arguments, the district court issued the final award of fees with interest, payment of which is requested in this agenda item.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 12-GM (Cont.)

If this request is approved by the Board, a check in the amount of \$193,771 should be made payable to "Feldsman, Tucker, Leifer, Fidell LLP," the FQHCs' counsel in this proceeding. The check should be delivered to Daniel O'Brien, Principal Counsel and Assistant Attorney General, Room 302, 300 West Preston Street, Baltimore, Maryland 21201 who will deliver the check to opposing counsel and obtain the appropriate documents needed to finalize this matter.

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM:	13-S-MOD	Agency Contact: Brenda Rose (410) 767-5204 roseb@dhmh.state.md.us
DEPARTMENT/PROGRAM:		Health and Mental Hygiene (DHMH) Office of Health Services Medical Care Programs (OHS)
CONTRACT ID:		DHMH-OPASS-05-8519-5 Bill Audits for Hospital Inpatient Claims ADPICS NO. COA92123
CONTRACT APPROVED:		7/7/2004 DBM BPW Agenda Item 1-S
CONTRACTOR:		Integrated HealthCare Auditing Services Laurel, MD
CONTRACT DESCRIPTION:		Revenue producing contract to recover erroneous payments to hospitals.
MODIFICATION DESCRIPTION:		Request to extend the current contract for six months to allow time, if necessary, to re-solicit and award a new contract.
TERM OF ORIGINAL CONTRACT:		8/1/2004 – 7/31/2008
TERM OF MODIFICATION:		8/1/2008 – 1/31/2009
AMOUNT OF ORIGINAL CONTRACT:		\$820,000
AMOUNT OF MODIFICATION:		\$500,000
PRIOR MODIFICATIONS/OPTIONS:		\$1,603,000 (See Attachment)
REVISED TOTAL CONTRACT AMOUNT:		\$2,923,000
PERCENT+/- (THIS MODIFICATION):		+60.98%

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 13-S-MOD (Cont.)

OVERALL PERCENT +/-: +256.46%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE)

REQUESTING AGENCY REMARKS: Request for approval to extend the term of the contract by six months in order, if necessary, to re-solicit and award a new contract. A Request For Proposals (RFP) was published on 3/11/2008 with a new award to be made prior to the end of the contract term. When the potential award was submitted to DBM on 6/2/2008 for final review, there were questions as to possible errors in the solicitation. In order to allow time for a final determination as to the outcome of the solicitation or to complete a new procurement, this six months extension is being requested.

DHMH's Office of Health Services (OHS) has the task of monitoring hospital claims to identify and recover erroneous payments from hospitals. The contractor performs bill audits for inpatient claims paid by the Maryland Medicaid Program hospitals by comparing medical records and hospital itemized bills to the program payment history. The contractor's goal is to find the differences between the records and the bills. The contractor receives a percentage of the total amount recovered. Since 2004, this amount has been charged directly to the hospital and recovered from their future payments.

The total amount recovered for the past two years plus the current year was as follows:

- FY2006 - \$1,771,857 with the contractor receiving \$441,101;
- FY2007 - \$2,604,545 with the contractor receiving \$599,040; and
- FY2008 - \$2,262,447 (through 4/16/08) with the contractor receiving \$520,363.

The agency is very satisfied with the performance of the contractor. The contractor has taken direction from the agency in the performance of their contract, providing an assessment of the impact of the changes that have been made and making recommendations on additional improvements, with minimal regard on the impact on their work load when changes require them to complete more duties. The contractor has been able to take a very politically sensitive task (taking money away from hospitals) and has been successful in completing this function without causing too much dissatisfaction from the hospitals, while increasing the rate the money is

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 13-S-MOD (Cont.)

returned to the State. The contractor has partnered with the agency in trying different means for completing their tasks, has responded to the agency when additional requests are made on them, and has approached their functions with an emphasis on customer service.

FUND SOURCE: 100% Special (Revenue Generating)

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-0898-0111

Board of Public Works Action - The above referenced Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

49B

ITEM: 13-S-MOD (Cont.) **ATTACHMENT** BPW 7/16/2008

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod #1	\$ 500,000	Modification to identify additional savings based on reimbursements of ancillary charges for the term 3/1/2005 – 7/30/2008. Approved on the 2/16/2005 DBM BPW Agenda Item 8-S-Mod.
Mod #2	\$ 0	Modification to update the work flow process to be consistent with changes made in the previous modification, effective 10/24/2005 – 7/31/2008. Approved by DHMH.
Mod #3	\$ 503,000	Modification based on over attainment of recoveries for the period 2/11/2008 – 7/31/2008. Approved on the 1/30/2007 DBM BPW Agenda Item 6-S-Mod.
Mod #4	\$ 600,000	Modification based on a continued over attainment of recoveries for the period 5/28/08 – 7/31/2008. Approved on the 5/21/2008 DBM BPW Agenda Item 24-S-Mod.
Total	<u>\$1,603,000</u>	

UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 1-AE

Agency Contact: James Salt
(301) 445-1987
jsalt@usmd.edu
USM Rep: James Stirling

INSTITUTION:

University of Maryland, College Park for
Frostburg State University

CONTRACT ID:

Architectural and Engineering Design Services
Lane Center Renovation & Expansion
Frostburg State University
Contract No. B-132579-N
Project No. 06-229-164-00

DESCRIPTION: Full service Architectural and Engineering Design Services for the Lane Center renovation and expansion which consists of a 65,687 GSF /38,459 NASF renovation and a 8,344 GSF /7,090 NASF expansion of the existing building. The project will increase the size of the bookstore and kitchen, provide a student organization center, add meeting and assembly space, add a fitness center, relocate the Diversity Center, reorganize and increase office spaces, and reconfigure the circulation patterns in the building to optimize services. Related site work, utility improvements and associated storm water management are included. The project will reorganize, modernize, and increase space and provide an attractive and dynamic facility for student activities and community events. The scope includes the design services for LEED Silver Level Certification. The estimated construction cost for this project is \$13.3 million.

AWARD:

Cochran, Stephenson and Donkervoet
Baltimore, MD 21201

TERM:

Design 12 months 07/16/08-07/16/09
Construction Administration Phase: 16 months from construction award

AMOUNT:

\$1,550,000

PROCUREMENT METHOD:

USM Procurement Policies and Procedures for
Architectural and Engineering Services Selection.

UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 1-A/E (continued)

PROPOSALS:

	<u>Score</u>	<u>Rank</u>
Cochran, Stevenson and Donkervoet	84.0	1
Grimm & Parker Architects	80.7	2
Murphy & Dittenhafer Architects	71.0	3
Smith Group, Inc.	70.0	4
Ayers SaintGross	62.7	5

MBE PARTICIPATION: 25.8%

PERFORMANCE SECURITY: N/A

REMARKS: This project was advertised on *eMaryland Marketplace*. Fifty-five firms expressed interest and downloaded copies of the Request for Proposal. Eleven proposals were received and evaluated. The Qualification Committee recommended that the five highest-ranked firms be invited to make oral presentations. Following completion of oral presentations, the highest-ranked firm (Cochran, Stephenson and Donkervoet) was recommended for selection, subject to successful completion of fee negotiations.

The RFP called for a two-phase approach to negotiations. It was necessary to perform program verification to determine if the project could be accomplished within the funding limit of \$13.3 million. The A/E was first required to submit a proposal for performance of a program verification phase, which was accepted by the University and performed by the A/E for a total of \$150,002. Subject to successful completion of the program verification phase, the A/E was then invited to submit its fee proposal for all phases of design. The proposed award amount of \$1,550,000 reflects the fee for completion of all phases of design; all of which will be accepted by the University at award of the contract.

Cochran, Stephenson and Donkervoet brings a strong, experienced and integrated design team to the project. Its associated firm, Sasaki Associates, brings extensive student union design experience. The team demonstrated that it has successfully delivered projects with Construction Management at Risk construction delivery and with LEED design requirements. The proposal demonstrated CSD understanding of the cost and schedule requirements for this project.

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 1-A/E (continued)

REMARKS: (continued)

Facilities Management/ Department of Architecture, Engineering & Construction at the University of Maryland, College Park will manage the Architect/Engineer's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE:	Academic/Auxiliary Facility Revenue Bonds	\$ 1,285,000
	Current Unrestricted Funds	\$ 265,000

APPROP CODE: RR30B26

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1367-1111

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ARCHITECT/ENGINEER SERVICES CONTRACT

ITEM: 2-A/E

Agency Contact: James Salt
301-445-1987
jsalt@usmd.edu
USM Rep: James S. Stirling

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Architect-Engineer Design Services
Fraternity/Sorority Renovation Phase VIII
University of Maryland, College Park
B-000407-N
Project No. 05-190-685-00

CONTRACT APPROVED: Indefinite Delivery Contracts-A/E Services
USM Item 5-A/E 12/20/2006

TASK ORDER DESCRIPTION: Complete design services to renovate two sorority houses – #173 & 174 (typical 20,645 GSF/17,455/NSF) – on Graham Cracker Row. The buildings were originally constructed in 1963/64 and no major modifications have occurred since construction. Interior renovations will include demolishing the interior spaces and installing new electrical/data/fire alarms, sprinklers, mechanical and plumbing systems, and new interior finishes. Exterior renovations will include roofing replacement/repairs, painting, and patching. Sustainable design principles will be used where possible. Estimated construction cost for this project is \$9.5 million.

AWARD: Design Collective, Inc.
Baltimore, MD 21202-3121

TERM: Design 9 months 07/16/08–04/16/2009
Construction Administration Phase: 13 months from construction award

AMOUNT: \$1,128,699

PROCUREMENT METHOD: Task Order issued under approved IDC A-E contract
USM Item 5-A/E 12/20/2006

MBE PARTICIPATION: 24.7%

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 2-A/E (continued)

PERFORMANCE SECURITY: N/A

REMARKS: The Board of Public Works approved the award of an indefinite delivery contract to Design Collective, along with four other contractors, for full-service architect and engineering design services in support on new construction, minor construction, and renovation projects. [USM Item 5-A/E 12/20/2006.] In that Item, the Board approved a maximum of \$2 million in cumulative orders per contractor each year. Task orders under the IDC A/E program are assigned on a rotating basis, with fees negotiated on the basis of pre-approved hourly rates.

Design Collective, Inc. brings a strong, experienced, integrated design team to the project. Its proposal demonstrates its understanding of the cost and schedule requirements. Its resume of completed projects indicates that it can complete the project successfully. Design Collective submitted an acceptable fee proposal and the University recommends that the Board approve the University issuing a task order under the IDC A/E contract. Design Collective has proposed 24.7% MBE participation; exceeding the established goal of 20% MBE participation for this project.

All phases of design are included in the award amount for this Task Order.

Facilities Management/ Department of Architecture, Engineering & Construction at the University of Maryland, College Park will manage the Contractor's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE: Academic/Auxiliary Facility Revenue Bonds

APPROP CODE: N/A

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1366-1111

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 3-C

Agency Contact: James Salt
301-445-1987
jsalt@usmd.edu
USM Rep: James S. Stirling

INSTITUTION:

University of Maryland, College Park

CONTRACT ID:

Construction Management (CM) at Risk Services
Elevator for the Main Administration Building
University of Maryland, College Park
Contract No. B-000339-K
Project No. 03-084-281-00

CONTRACT APPROVED:

On Call CM Services (USM Item 2-C 8/31/05)
Renewal Option #1 (USM Item 1-C OPT 8/01/07)

TASK ORDER DESCRIPTION: Construction management services for both pre-construction and construction phase to install elevator within the central lobby in the Main Administration Building; provide an ADA-compliant accessible entrance to the facility; upgrade various building systems required to support the elevator installation (*e.g.*, new electrical service); and perform various code compliance issues. Estimated construction cost for this project is \$1.5 million.

AWARD:

Skanska USA Building, Inc.
Rockville, MD 20850

TERM:

3 months pre-construction phase (7/16/08 – 10/15/08)
8 months construction phase

AMOUNT:

\$32,699 (Preconstruction Phase Only)

PROCUREMENT METHOD:

Task Order Issued under On-Call Contract (see remarks)

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 3-C (continued)

PROPOSALS:

	<u>Evaluated Price</u>
Skanska USA Building, Inc Rockville, MD 20850	\$242,660
J. Vinton Schafer & Sons, Inc. Abington, MD 21009	\$368,200
P. J. Dick, Inc. Reston, VA 20190	\$385,002
Plano-Coudon, LLC Baltimore, MD 21230	\$520,000

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: Equal to the contract amount

REMARKS: The project was competed among the approved On-Call Construction Management contractors. The evaluated price reflects preconstruction phase fee, construction phase fee, and the general conditions. The University estimate for the scope included in the evaluated price was \$285,000.

A Task Order will be awarded initially for the pre-construction services. Upon completion of the design/pre-construction phase, the contractor will submit a guaranteed maximum price (GMP) for the installation. If acceptable to the University, the University will recommend the GMP to the Board and then modify the task order to incorporate the GMP.

The University has established a 25% MBE goal for this project. There is no MBE participation in the pre-construction phase, which involves a limited scope totaling \$32,699 to be performed by the contractor. The 25% MBE subcontract participation will be included in the GMP proposal, which will add an estimated \$1.5 million in construction work to the contract.

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 3-C (continued)

REMARKS: (continued) Facilities Management/ Department of Architecture, Engineering & Construction at the University of Maryland, College Park will manage the Contractor's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE: Access Maryland Funds

APPROP CODE: R30B22

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-0410-1111

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

REAL PROPERTY: Acquisition by Purchase

ITEM: 4-RP

Agency Contact: James Salt
301-445-1987
jsalt@usmd.edu
USM Rep: James Stirling

INSTITUTION: University of Maryland University College

DESCRIPTION: Board of Public Works approval is requested for the University of Maryland University College to purchase 1616 & 1440 McCormick Drive in Largo. This property is located in the Inglewood Business Community, Prince George's County near the intersection of I-495/95 and Route 202 and approximately 20 minutes from UMUC's Adelphi campus. The acquisition includes a 236,000 GSF building on approximately 20 acres of land, with 898 parking spaces.

PROPERTY: 1616 & 1440 McCormick Drive
Largo, Maryland 20774

GRANTOR: Largo Corporate Center I LLC

GRANTEE: State of Maryland for the Use of the University System of Maryland on behalf of its constituent institution, University of Maryland University College.

APPRAISED VALUE:	<u>Associated Appraisers</u>	<u>Lipman Frizzell & Mitchell</u>
	\$40,258,000	\$39,700,000
FUND SOURCE:	MCCBL 2006, Item 055	\$13,815,000
	MCCBL 2007, Item 070	\$ 1,185,000
	Plant Funds	\$23,000.000
APPROP. CODE:	R30B30	
CONSIDERATION:	\$38,000,000	

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 4-RP (continued)

REMARKS:

- The proposed acquisition is consistent with UMUC's Facilities Master Plan.
- The proposed acquisition will allow the University to consolidate its academic units and academic support units that now occupy 100,000 square feet of leased space at three locations.
- The units and departments to occupy the new building include: the Graduate School of Management and Technology, the School of Undergraduate Studies, Admissions, Advising, Enrollment Management, Student Affairs, Faculty Affairs, Instructional Support Services, Course Development, DOD Relations, Security Studies, Exams and Testing, Library Services, as well as classrooms and student support services.
- The Grantor's manager, MTM Builder/Developer, Inc., currently holds certain rights and powers with respect to the properties in the Inglewood Business Community (*e.g.*, design approval) but has agreed to assign them to Grantor before settlement of the Agreement of Sale. In the Agreement of Sale, the Grantor assigns those rights and powers to UMUC by a Partial Assignment of Declarant's Rights. Approval of this Item will authorize UMUC to accept this Partial Assignment and delegate to the UMUC President the authority to sign the Partial Assignment and to exercise the rights and powers as provided in the Assignment.
- The Agreement of Sale includes estoppel certificates from the grantor and its manager containing important representations and factual information about the property.

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

INFORMATION TECHNOLOGY CONTRACT

ITEM: 1-IT

Agency Contact:
Ted King 410-581-4037
tking@mail.mpt.org
Robert Krysiak (410-260-7179)
rkrysiak@dbm.state.md.us

DEPARTMENT/PROGRAM: Maryland Public Television (MPT)
Technology Division

CONTRACT ID: R15R8200310
Fundraising Software
ADPICS BPO NO. R15B9200026

CONTRACT DESCRIPTION: Contract to acquire fundraising database software to
assist MPT with fundraising activities.

AWARD: Blackbaud Inc. d/b/a Target Software
Charleston, SC

TERM: 7/16/2008 – 7/15/2011

AMOUNT: \$735,868.00

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (see Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

INFORMATION TECHNOLOGY CONTRACT

ITEM: 1-IT (cont'd)

REMARKS: MPT seeks to award a sole source contract to Blackbaud, Inc. to acquire fundraising database software. The software, Team Approach, is a unique product that was created specifically for public television stations in major markets. The development of the software emerged from a Public Television Task Force on Funding spearheaded by the Public Broadcasting Service in the 1990s. PBS studied stations' fundraising needs, particularly those in the major markets with large donor bases, and teamed with WNET in New York and Target Software to develop software to assist major market stations in fundraising activities. MPT is ranked ninth in market share among the top forty PBS stations. MPT's current fundraising software, Allegiance, is used primarily for smaller PBS member stations.

Because no major market station other than MPT uses Allegiance, MPT does not receive the benefit of economies of scale, best practices, and the experiences and input from similarly situated PBS stations that use Team Approach.

An MBE participation goal was not assigned to this contract. The contractor will perform all required work, including installation and training.

FUND SOURCE: 100% Special Funds

APPROP. CODE: R15P00

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 08-1490-111

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

INFORMATION TECHNOLOGY CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 2-IT-MOD

Agency Contact:

Dorothy Rice (410) 767-7024
drice@dhmh.state.md.us
Robert Krysiak (410-260-7179)
rkrysiak@dbm.state.md.us

DEPARTMENT/PROGRAM:

Health & Mental Hygiene (DHMH)
Information Resources Management
Administration (IRMA)
Computer Operations Division (COD)

CONTRACT ID:

DHMH-OPASS-05-8466-8;
Data Entry Services
ADPICS NO.: M00B9200109

CONTRACT APPROVED:

8/11/2004 DBM-BPW Item 7-IT

CONTRACTOR:

Highland Data Services
Blue Grass, VA

CONTRACT DESCRIPTION:

Contract to provide data entry and 100% key verification services for Department's Public Health, Medical Assistance, Vital Records programs.

OPTION/MODIFICATION DESCRIPTION: (1) Exercise the fourth and final one-year renewal option. (2) Modify the contract to increase funding for the final renewal option.

TERM OF ORIGINAL CONTRACT:

8/16/2004 – 8/15/2005 (W/4 one-year
renewal options)

TERM OF OPTION/MODIFICATION:

8/16/2008 – 8/15/2009

AMOUNT OF ORIGINAL CONTRACT:

\$207,657

AMOUNT OF OPTION/MODIFICATION:

\$216,720.28 (Option)
\$325,000.00 (Mod)
\$541,720.28 Total (1 Year)

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 2-IT-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$905,160.84 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$1,654,538.12

PERCENT +/- (THIS MODIFICATION): +156.5%

OVERALL PERCENT +/-: +279.3%

MBE PARTICIPATION: None

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REMARKS: Request for approval to continue the existing contract by exercising the fourth and final one-year renewal option and modify the contract to add additional funding to the option. The additional funding is required because of a dramatic increase in the volume of Medicaid Universal Bill In-Patient/Out-Patient (UBIP/OP) documents submitted to the contractor for processing. In addition, a backlog of documents from the Kidney Disease Program (KDP) will require processing in the next option year.

The data entry services provided under this contract includes key entry of paper forms into electronic format of documents for the Medical Assistance, Public Health, General Accounting and Vital Records programs. Once converted to electronic format, the data is transmitted to the Annapolis Data Center for processing.

During the first three years of the contract, the contractor processed an average of 157,000 UBIP/OP records per year. Also, the KDP submitted an average of 32,000 documents annually for processing. During the current contract year, August 2007 through May 2008, the contractor has processed more than 700,000 records. Projections indicate that more than 1,500,000 UBIP/OP records could be processed during the next option year of the contract requiring the need to request additional funding through a modification.

The increased volume in UBIP/OP and KDP documents is the result of large backlogs of documents in the Medicaid and Kidney Disease program which were previously processed within the Department. Because of reductions in data processing staff, the documents were processed by the contractor.

**SUPPLEMENT D
DEPARTMENT OF INFORMATION TECHNOLOGY
ACTION AGENDA**

ITEM: 2-IT-MOD (Cont.)

REMARKS: (cont'd)

The critical and time sensitive nature of the services provided under this contract and the lack of viable alternatives makes it necessary for DHMH to request the renewal of the contract with Highland Data Services. Highland Data Services has provided exceptional service in performing under this contract.

The Department expects to begin a solicitation for a new contract in August of 2008 with an award by June of 2009.

FUND SOURCE:	77% Federal; 23% General (<i>opt</i>) 75% Federal; 25% General (<i>mod</i>)
APPROP. CODE:	M00C0103 (<i>opt</i>) M00Q0103 (<i>mod</i>)
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	08-1382-0000

BOARD OF PUBLIC WORKS ACTION: THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 2-IT-MOD (Cont.)

ATTACHMENT

6D

BPW 7/16/2008

PRIOR MODIFICATION/OPTIONS (Cont.)

Mod #1	\$0	No cost modification to increase the pre record price for Three document types. Increased per record processing price for three documents (Fetals, FMIS, UBIP/OP) due to discrepancy between estimated number of records per document in solicitation and actual number of records being processed by vendor. For the period from 3/1/2005 to 8/15/2005.
Opt. #1	\$216,720	Exercise the first of four one-year renewal options for the period from 8/16/2005 to 8/15/2006.
Mod #2	\$0	Revised pricing for two documents due to formatting changes and added one additional document to the contract No change in overall price of the contract. Formatting changes to documents identified as "Cancer" and "Kidney" resulted in additional key strokes by vendor to process; price was adjusted accordingly from \$0.55 to \$1.51 (Cancer) and \$0.31 to \$1.69 (Kidney); new document identified as "Children's Medical Services" added to contract at price of \$1.31 per document. For the period from 8/31/2005 to 8/15/2006.
Opt. #2	\$216,720	Exercise the second of four one-year renewal options for the period from 8/16/2006 to 8/15/2007.
Mod #3	\$ 45,000	Modification to provide additional funding for Option #2, Year 3 of the contract. The additional funding is necessary due to previous increases in document data processing price and high volume of work. For the period from 7/15/2007 to 8/15/2007.
Opt #3	\$216,720	Exercise the third of four one-year renewal options for the period 8/16/2007 to 8/15/2008

ITEM: 2-IT-MOD (Cont.)

ATTACHMENT

7D
BPW 7/16/2008

PRIOR MODIFICATION/OPTIONS (Cont.)

Mod #4	\$210,000	Emergency modification to provide additional funding for option #3 due to the sudden and unanticipated increase in the number of Medicaid UBIP/OP records submitted for processing. (July 2, 2008 Secretary's Agenda, Appendix 1).
	\$905,160	Total

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION:

ITEM: 1-C-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-CO-05-025
Sanitary Sewer and Access Road Improvements
Phase II at BWI Marshall
ADPICS NO. CO227249

CONTRACT APPROVED: Item 1-C, DOT Agenda 06/20/07

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Bidding**

CONTRACTOR: C.A. Murren & Sons Mid Atlantic, LLC
Dulles, VA

MODIFICATION: Modification No. 2 provides for additional costs associated with unusually high precipitation that rendered soil on site unusable, re-sequencing to work around the saturated soils while constructing the sanitary sewer, unexpected high ground water, and discovery of a natural spring that flows into the construction site.

AMOUNT: \$620,000.00

ORIGINAL CONTRACT AMOUNT: \$2,364,775.00

REVISED CONTRACT AMOUNT: \$3,234,775.00

PERCENTAGE INCREASE: 26% (MOD # 2)
36% (Overall)

ORIGINAL MBE PARTICIPATION: 19%

REMARKS: The site consists primarily of clay soils, which are suitable for road construction when dry, but unsuitable when saturated. Unusually heavy, near-record rains in the winter of 2007-2008 have saturated the clay soils, which cannot feasibly be dried out for re-use. Approximately 4,000 cubic yards of saturated clay will need to be removed from the site, and replaced with a like quantity of dry material. Despite the heavy winter rains, the contractor has installed the new 3,500-foot sanitary sewer. To do so, however, the saturated clay soils had to be reworked, stockpiled, and stabilized. This extra work delayed the contractor by 150 days, which added costs for rescheduling and re-sequencing the original contract work. At the south end of the site, the contractor encountered several areas of high, near-surface ground water that prevented grading for the access road. The problem was solved in some areas by adding under-drains to allow the water to pass harmlessly under the road, and in other areas by rerouting the road around the wet spots. In addition, while excavating for one of the new sanitary manholes, the contractor uncovered a natural spring that flows into the site.

ITEM: 1-C-MOD (Continued)

BPW – 07/16/08

The water from the spring threatened to wash out the manhole and sewer pipe in that area, so a sub-drain and diversion has been designed to carry the water away harmlessly.

FUND SOURCE: 100% Special Funds Budgeted to MAA
APPROPRIATION CODE: J06I0003
MD TAX CLEARANCE: 08-1518-0110
RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Robert P. Gay - (410) 545-0433
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BPW – 07/16/08

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Construction)

ITEM: 2-C-MOD

STATE HIGHWAY ADMINISTRATION:

CONTRACT ID: AA4465129
Construct Public Sewer Connection to SHA
Hanover Complex at MD 176 & MD 652 in Anne
Arundel County
ADPICS NO. AA4465129

CONTRACT APPROVED: Item 1-C, DOT Agenda 12/20/2006

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Bidding**

CONTRACTOR: Schummer Inc.
Mayo, MD

MODIFICATION: Modification No. 2 will provide additional funding to compensate the contractor for work required to remediate for hazardous materials discovered during excavation for the sewer line.

AMOUNT: \$685,130.31

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02

ORIGINAL CONTRACT AMOUNT: \$1,896,496.00

REVISED CONTRACT AMOUNT: \$ 2,715,336.64

PERCENTAGE INCREASE: 36% (MOD #2)
40% (Overall)

ORIGINAL MBE PARTICIPATION: 7%

REMARKS: On the 2/27/08 Agenda presented for Change Order No. 1, SHA notified the BPW that during excavation for the sewer line a large amount of unsuitable and contaminated soil was encountered and needed to be remediated by a future change order.

Change Order No. 2 required reestablishing survey control, removal of hazardous material, additional dewatering, trenching, moving a man-hole and storm drain and associated additional concrete and paving work.

ITEM: 2-C-MOD (Continued)

BPW – 07/16/08

MD TAX CLEARANCE:

08-1614-0111

RESIDENT BUSINESS:

Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

Robert P. Gay 410-545-0433
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BPW -- 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 3-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2007-06 A
 Planning, Design, Integration and Project Development
 Services, CHART
 ADPICS NO. SBCS0706A

CONTRACT DESCRIPTION: This is the last of the three (3) open-end projects to provide Planning, Design, Integration and Project Development Services for the Coordinated Highway Action Response Team (CHART).

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;**
 recommendation approved by the Transportation
 Professional Services Selection Board on July 3, 2008.

AWARD: Jacobs Engineering Group Inc.
 Baltimore MD

AMOUNT: \$2,000,000.00

TERM: Four (4) Years (ending July 1, 2012)

DBE PARTICIPATION: 23%

PROPOSALS:	<u>Technical Proposal Rating (Max 790)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Jacobs Engineering Group Inc. Baltimore, MD	622	1	\$2,000,000.00
Telvent Farradyne, Inc. Rockville, MD	603	2	Contract B BPW Approval 06/25/08
Daniel Consultants, Inc. / Integrated Control Systems, Inc. / DMJM Harris, Inc. Columbia, MD	600	3	Contract C BPW Approval 05/21/08
Siemens ITS Baltimore, MD	577	4	N/A

ITEM: 3-AE (Continued) **BPW – 07/16/08**

PROPOSALS (Cont'd:	<u>Technical Proposal Rating (Max 790)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
IBI Group Boston, MA	550	5	N/A
Delcan Corporation Atlanta, GA	533	6	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page. A total of six (6) engineering consultant firms submitted technical proposals for this project, four (4) of which are Maryland firms.

The Consultant shall provide services to supplement the CHART staff which may include, but not be limited to: freeway and corridor traffic systems management studies, long-range planning, capacity and delay analysis, signal systems studies, traffic engineering studies and traffic data collection services.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 08-1480-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Robert P. Gay (410) 545-0433
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BPW -- 07/16/08

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 4-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2007-07D
Survey and Engineering Services for District 3
ADPICS NOS.: SBSC0707D

CONTRACT DESCRIPTION: This is the first of six (6) open-end task order contracts to provide survey and engineering services in District 3.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on July 3, 2008.

AWARD: Rummel, Klepper & Kahl, LLP
Baltimore, MD

AMOUNT: \$1,500,000.00

TERM: Four (4) Years (ending April 1, 2012)

DBE PARTICIPATION: 23%

PROPOSALS:

	<u>Technical Proposal Rating (Max 660)</u>	<u>Technical Ranking</u>	<u>Negotiated Price</u>
Whitman, Requardt & Associates, LLP Baltimore, MD	458	1	Contract C
Rummel, Klepper & Kahl, LLP Baltimore, MD	486	2	\$1,500,000.00
STV Incorporated Baltimore, MD	451	3	Contract E
McCormick Taylor, Inc. Baltimore, MD	432	4	Contract F
PB Americas, Inc. Baltimore, MD	419	5	Contract G

ITEM: 4-AE (Continued)

BPW – 07/16/08

PROPOSALS (Cont'd):

	<u>Technical Proposal Rating (Max 660)</u>	<u>Technical Ranking</u>	<u>Negotiated Price</u>
Century Engineering, Inc. Hunt Valley, MD	417	6	Contract H
Johnson, Mirmiran and Thompson, Inc. Sparks, MD	403	7	N/A
KCI Technologies, Inc. Hunt Valley, MD	397	8	N/A
Dewberry and Davis, LLC Baltimore, MD	368	9	N/A
A. Morton Thomas and Associates, Inc. Rockville, MD	368	10	N/A
Greenhorne and O'Mara, Inc. Baltimore, MD	316	11	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page. A total of eleven (11) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms.

The Consultant will perform various survey and engineering services, which may include but are not limited to: field investigations, land surveys, hydrologic and hydraulic services, drafting, engineering reports, metes and bounds right-of-way plats, final design, preparation of contract plans, documents and specifications and estimates.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 08-1521-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Robert P. Gay 410-545-0433
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BPW – 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 5-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2007-23 B
 Field Inspection, Evaluation and Management for
 Painting and Cleaning of Steel Bridges, Statewide
 ADPICS NO. SBCS0723B

CONTRACT DESCRIPTION: This is second of the two (2) open-end contracts to provide field inspection, evaluation and management for painting and cleaning of steel bridges for the Bridge Inspection and Remedial Engineering Division.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on July 3, 2008.

AWARD: KTA-Tator, Inc.
 Pittsburgh, PA

AMOUNT: \$500,000.00

TERM: Four (4) Years (ending July 1, 2012)

DBE PARTICIPATION: 0% (single element of work)

PROPOSALS:	<u>Technical Proposal Rating (Max 470)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Greenman-Pedersen, Inc. Annapolis Junction, MD	316	1	Contract A BPW Approval 06/25/08
KTA-Tator, Inc. Pittsburgh, PA	302	2	\$500,000.00
Greenhorne & O'Mara, Inc. Laurel, MD	293	3	N/A
Alpha Corporation Baltimore, MD	291	4	N/A

ITEM: 5-AE (Continued)**BPW – 07/16/08**

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA Web Page. A total of four (4) engineering consultant firms submitted technical proposals for this project, three (3) of which are Maryland firms.

The Consultant will perform field inspections, manage paint inspectors, provide expert advice and testing and training services concerning paint coatings of steel bridges, Statewide.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 08-1475-0001

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 6-M

THE SECRETARY'S OFFICE

CONTRACT ID: MDOT-OP-08-002
 Comprehensive Building Maintenance and
 Preventative Maintenance Services
 ADPICS NO. MDOT08002

CONTRACT DESCRIPTION: This Contract is to provide maintenance and preventative maintenance services to the Maryland Department of Transportation's headquarters building and surrounding grounds located in Hanover, Maryland.

AWARD: AAA Complete Building Services Inc.

AMOUNT: \$2,535,000.00 (\$1,638,277.74 (Fixed Fee) and
 \$896,722.26 (NTE))

TERM OF CONTRACT: Three (3) years plus two one (1) year renewals

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

AAA Complete Building Services Inc. \$1,638,277.75
 Washington, DC

Facility Site Contractors \$1,922,090.64
 Middle River, MD

Meridian Management Corp. \$1,922,217.00
 Ponte Vedra, FL

United Management Services, Inc. \$1,950,521.89
 Linthicum Heights, MD

MBE PARTICIPATION: 54%

PERFORMANCE SECURITY: Fidelity Bond (security services)

ITEM: 6-M (Continued)

BPW – 07/16/08

REMARKS: The Solicitation was advertised on eMaryland Marketplace. Sixty (60) contractors were notified for this project on eMaryland Marketplace; eleven (11) of which were MDOT Certified MBE firms. The MBE overall participation goal in the solicitation was 30% and subgoals of 5% for women-owned MBE firms and 10% for African American-owned businesses. AAA Complete Building Services exceeded the overall goal and both subgoals.

Firms were asked to provide a fixed fee for basic building maintenance and preventative maintenance services and labor rates for additional services such as non-routine and emergency repairs, additional security personnel, and snow removal (other than the first snow fall event). The Contract Amount is based on our budgeted amount for these services. It includes the fixed fee amount and estimated additional services. The additional services component will be on a not-to-exceed basis at the labor rates set forth in Contractor's bid.

FUND SOURCE: 100% Special Funds Budgeted to TSO

APPROPRIATION CODE: J019280

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1616-1110

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Suzette Moore - (410) 859-7792
smoore2@bwiairport.com

BPW -- 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT:

ITEM: 7-M

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MC-08-004
 Landside Grounds Trash Pick-up at BWI Marshall
 ADPICS NO. MAAMC08004

CONTRACT DESCRIPTION: This contract provides trash removal services at approximately 31 locations at BWI Marshall. These areas primarily include the roadside, ramps and medians, on Aviation Boulevard and Amtrak Way, security and perimeter fencing areas, runway clear zones and light lanes, and the BWI hiker/biker trail.

AWARD: The Arc of Baltimore
 Baltimore, MD

TERM OF CONTRACT: Three (3) years after NTP, with one (1) two (2) year renewal option.

PROCUREMENT METHOD: Preference Provider
 (Certified Sheltered Workshop)

AMOUNT: \$823,934.56

MBE PARTICIPATION: 100%

REMARKS: This procurement was submitted and approved by the Maryland Rehabilitative Program Pricing and Selection Committee on June 13, 2008.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO6100002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1524-1110

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Suzette Moore - (410) 859-7792
smoore2@bwiairport.com

BPW – 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 8-M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-09-001
 Consolidated Mechanical Systems/PlaneMate
 Operations & Maintenance at BWI Marshall
 ADPICS NO MAAMC09001

CONTRACT DESCRIPTION: This contract provides for labor, equipment, experience and technical expertise to maintain approximately 400 mechanical equipment/systems at BWI Marshall, to include passenger loading bridges, inbound and outbound baggage claim conveyors, vestibule and other automatic door systems, power gates, and PlaneMate operations and maintenance.

AWARD: Signature Flight Support Corporation
 Baltimore, MD

AMOUNT: \$10,730,163.20 (3 years)

TERM OF CONTRACT: Three (3) Years after NTP, with two (2), two (2) year renewal options

PROCUREMENT METHOD: **Competitive Sealed Proposals**

PROPOSALS:	<u>Technical Ranking</u>	<u>Financial Offer Ranking</u>	<u>Overall Ranking</u>
Signature Flight Support Corp. Baltimore, MD	1	\$10,730,163.20 (1)	1
FMC Technologies – Airport Services Ogden, UT	2	\$20,268,590.20 (2)	2

MBE PARTICIPATION: 22%

REMARKS: The number of firms capable of performing the specialized work that is required under this contract is very limited. Several firms that purchased specifications but did not submit a proposal stated they were not qualified to maintain all the specified mechanical systems included in the contract.

To encourage competition the MAA advertised on eMaryland Marketplace, the MAA Website, fourteen (14) MBE firms, and solicited eight (8) firms directly. Six (6) sets of specifications were sold and two (2) proposals were received.

ITEM: 8-M (Continued)**BPW – 07/16/08**

FMC Technologies – Airport Services were debriefed on June 17, 2008.

The recommended Offeror is exceeding the 18 % MBE goal by 4%.

APPROPRIATION CODE: JO6I0002

FUND SOURCE: 100% Special Funds Budgeted to MAA

RESIDENT BUSINESS: Yes

TAX COMPLIANCE NO.: 08-1513-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Robert P. Gay 410-545-0433
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BPW -- 07/16/08

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 9-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: AX5047414
 Miscellaneous Roadway Structure Repairs at Various
 Locations in Baltimore & Harford Counties
 ADPICS NO. AX5047414

CONTRACT DESCRIPTION: This Contract consists of providing labor, materials and equipment necessary to perform structural repairs on roadways at various locations in Baltimore & Harford Counties.

AWARD: PDI-Sheetz Construction Corp.
 Linthicum, MD

AMOUNT: \$1,980,701.00 NTE

TERM OF CONTRACT: July 28, 2008 through December 31, 2010

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

PDI-Sheetz Construction Corp. Linthicum, MD	\$1,980,701.00
Brawner Builders, Inc. Hunt Valley, MD	\$1,980,853.51
Allied Contractors, Inc. Baltimore, MD	\$2,687,990.00
Concrete General, Inc. Gaithersburg, MD	\$3,057,130.00
The Marksmean Company Baltimore, MD	\$3,582,480.00

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: Payment and Performance Bonds for 100% of the award amount exist for this contract

ITEM: 9-M (Continued)

BPW -- 07/16/08

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Two-hundred twenty nine (229) contractors were notified for this project on eMaryland Marketplace; Forty-one (41) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

Two (2) MDOT certified firms are being used to meet the 6% MBE Goal. The Prime is also an MDOT Certified MBE.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1449-1112

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Robert P. Gay 410-545-0433
rgav@sha.state.md.us

BPW -- 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 10-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4260671410
 Application of Herbicide Solutions along Roadways at
 Various Locations in Carroll County
 ADPICS NO. 4260671410

CONTRACT DESCRIPTION: This Contract consists of the application of herbicide
 solutions along roadways at various locations in Carroll County.

AWARD: Evergreen Services, Inc.
 Greenbelt, MD

AMOUNT: \$271,125.00 NTE

TERM OF CONTRACT: July 28, 2008 through November 1, 2010

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Evergreen Services, Inc. Greenbelt, MD	\$271,125.00
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Asplundh Tree Expert Co. Odenton, MD	\$334,332.00
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Angel Systems Great Mills, MD	\$589,320.00
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MBE PARTICIPATION: 0% (single element of work)

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Seventy-one (71) contractors were notified for this project on eMaryland Marketplace; Eight (8) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

100% of the work will be performed by a DGS Certified Small Business.

ITEM: 10-M (Continued)**BPW – 07/16/08**

FUND SOURCE: 100% Special Funds Budgeted to SHA
APPROPRIATION CODE: J02B0102
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 08-1454-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

Robert P. Gay 410-545-0433
rgay@sha.state.md.us

BPW – 07/16/08

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 11-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4272161410
 Median & Roadside Mowing and Trimming at Various
 Locations in Washington County
 ADPICS NO. 4272161410

CONTRACT DESCRIPTION: This Contract consists of median & roadside mowing and
 trimming at various locations in Washington County.

AWARD: Mann's Construction, Inc.
 Hancock, MD

AMOUNT: \$241,200.00 NTE

TERM OF CONTRACT: July 28, 2008 through June 30, 2010

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Mann's Construction, Inc. Hancock, MD	\$241,200.00
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Outdoor Contractors, Inc. Williamsport, MD	\$321,600.00
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Kinion, LLC Columbia, MD	\$473,440.00
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MBE PARTICIPATION: 0% (single element of work)

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One-hundred seventy-one (171) contractors were notified for this project on eMaryland Marketplace; Twenty-one (21) of which were MDOT Certified MBE's.

All bids are a result of Contractor submitted unit prices or labor rates extended by SHA estimated quantities.

100% of the work will be performed by a DGS Certified Small Business.

ITEM: 11-M (Continued)

BPW – 07/16/08

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1453-0111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:**APPROVED**

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

118

Suzette Moore – (410) 859-7792
smoore2@bwiairport.com

BPW – 07/16/08
REVISED

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 12-M-OPT

MARYLAND AVIATION ADMINISTRATION

ORIGINAL CONTRACT NO. & TITLE: MAA-MC-2006-006
Solid Waste Removal and Recycling
Services at BWI Marshall and MTN
ADPICS NO: CO225408

ORIGINAL CONTRACT APPROVED: Item 8-M, DOT Agenda 08/10/05

CONTRACTOR: Allied Waste Services
Baltimore, MD

CONTRACT DESCRIPTION: This contract provides for solid waste removal and disposal, and recycling collection and disposal program at BWI Marshall and MTN Airports.

CONTRACT TERM: Renewal as provided in the original Contract extends the term for a period of two (2) years from 10/01/08 through 09/30/10.

AMOUNT: \$ 2,602,667.49

PROCUREMENT METHOD: Competitive Sealed Bidding

ORIGINAL CONTRACT AMOUNT: \$ 3,890,523.14

REVISED CONTRACT AMOUNT: \$ 6,493,190.63

PERCENTAGE INCREASE: 66%

ORIGINAL MBE PARTICIPATION: 0%

RENEWAL OPTION MBE PARTICIPATION: **20%**

REMARKS: The rates in this renewal are consistent with the original contract with a 4.0% Consumer Price Index increase. This renewal is the first of two (2) renewal options.

This contract requires the contractor to be experienced in operating trash removal services, and also providing a comprehensive recycling program. The Contractor is also required to be familiar with working within the airport operations area and able to perform work without an escort.

Allied Waste Services (Allied) performed all phases of the contract in a timely matter and has a very strong management team. The Contractor performs maintenance PM's monthly, responds to

ITEM: 12-M-OPT (Continued)

**BPW – 07/16/08
REVISED**

maintenance calls in a timely matter, check electrical service, hydraulic service, and for structural damage if any to the compactors.

During the term of this contract, MAA has won two (2) awards for their recycling program. Allied Waste Services has long standing relationships with local landfills and therefore realizes significant cost savings and competitive fees for using those facilities.

The MBE Goal on the original contract was 0%; however Allied has agreed to sub-contract out 20% of the work to an MDOT certified MBE.

This Item was previously and submitted as Item 15-M-OPT on the 6/11/08 DOT Agenda.

FUND SOURCE:	100% Special Funds Budgeted to MAA
APPROPRIATION CODE:	JO6I00002
MD TAX CLEARANCE:	08-1218-1000
RESIDENT BUSINESS:	Yes

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Suzette Moore – (410) 859-7792
Smoore2@bwiairport.com

BPW—07/16/08

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

SERVICE CONTRACT

ITEM: 13-S

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-SV-08-007
 Comprehensive Information Technology Services at BWI
 Marshall and MTN State Airports
 ADPICS NO. MAASV08007

DESCRIPTION: These contracts provide comprehensive on-call Information Technology (IT) related services for the MAA Office of Airport Technology, which may include updating the Airport Technology Master Plan; updating the MAA IT Disaster Recovery Plan; providing Return on Investment (ROI); providing Systems Development Life Cycle (SDLC) support services consistent with the State of Maryland SDLC; and providing project management services consistent with the Project Management Institute.

AWARD:

URS Corporation (Contract A)
 Hunt Valley, MD

Faith Group, LLC (Contract B)
 St. Louis, MO

Ross and Baruzzini (Contract C)
 St. Louis, MO

AMOUNT: \$2,000,000.00

TERM OF CONTRACT: Three (3) years after NTP, with one (1) two (2) year renewal option

PROCUREMENT METHOD: **Competitive Sealed Proposals**

PROPOSALS:

	<u>Technical Ranking</u>	<u>Financial Offer Ranking</u>	<u>Overall Ranking</u>
Ross and Baruzzini St. Louis, MO	2	\$3,360,000.00 (2)	1
Faith Group, LLC St. Louis, MO	3	\$3,457,500.00 (3)	2
URS Corporation Hunt Valley, MD	4	\$2,927,500.00 (1)	3
Convergent Strategies, Inc. Chadds Ford, PA	1	\$3,527,500.00 (4)	4

ITEM: 13-S (Continued)**BPW—07/16/08****MBE PARTICIPATION:**

25% MBE (Contract A & B)

29% MBE (Contract C)

REMARKS: The Solicitation was advertised on eMarylandMarketplace on February 21, 2008, on the MAA website, and in the February 2008 editions of the Airports Council International, and the American Association of Airport Executives.

The award is being recommended to three (3) firms. Tasks will be assigned to the contractors based on technical expertise and utilizing the hourly rates submitted in the cost proposals.

The award amount is based upon available and estimated budgeted funds for the 3-year base period of the Contract. The financial offer cost was for evaluation purposes only, and was based upon a model number of labor hours by job classifications as detailed in the RFP, and fixed hourly bid rates for those classifications. These labor rates are firm for the base period of the Contract.

The contract amount is based on the final budget amount. None of the contractors have a guaranteed minimum or maximum amount, except for the overall budget limitation.

The MBE goal for this contract is 25%. Contract C is exceeding the goal by 4%.

FUND SOURCE:

100% Special Funds Budgeted to MAA

APPROPRIATION CODE:

J0610003 \$1,000,000.00

J0610002 \$1,000,000.00

RESIDENT BUSINESSES:

Yes (Contract A)

No (Contract B & C)

TAX COMPLIANCE NO.:

Ross and Baruzzini

08-1494-0111

Faith Group, LLC

08-1485-0000

URS Corporation

08-1486-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:
APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

Suzette Moore – (410) 859-7792
Smoores2@bwiairport.com

BPW—07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

SERVICE CONTRACT

ITEM: 14-S

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-SV-08-008
 Operation of Airport Shuttle Bus/Van Services at
 BWI Marshall
 ADPICS No. MAASV08008

CONTRACT DESCRIPTION: This contract provides for the operation of shuttle bus/van service for BWI patrons between the Airport Terminal Building, public parking facilities, and the BWI Rail Station Parking Facility. The operation also includes service to employee parking lots and other Airport facilities designated or constructed during the term of the Contract. The Contractor shall operate the BWI Marshall shuttle bus/van service seven (7) days a week, 24 hours per day.

AWARD: First Transit, Inc.
 Cincinnati, OH

TERM OF CONTRACT: Three (3) years (beginning September 1, 2008)
 w/one (1), 2-year Renewal

AMOUNT: \$44,849,764.00

PROCUREMENT METHOD: **Competitive Sealed Proposals**

PROPOSALS:	<u>Technical Ranking</u>	<u>Financial Offer Ranking</u>	<u>Overall Ranking</u>
First Transit, Inc. Cincinnati, OH	2	\$44,849,764.00 (3)	1
Veolia Transportation Services, Inc. Oak Brook, IL	1	\$48,393,018.00 (4)	2
MV Transportation Fairfield, CA	3	\$41,909,791.00 (1)	3
Ampco System Parking Cleveland, OH	4	\$44,334,906.00 (2)	4

MBE PARTICIPATION: 28%

REMARKS: The Solicitation was advertised on eMaryland Marketplace, on AAAE, International Parking Institute, and the Airport Ground Transportation Association's websites.

ITEM: 14-S (Continued)**BPW – 07/16/08**

First Transit's proposal was technically superior to all other proposals except Veolia's, whose costs after best and final offers (BAFOs), were substantially higher. First Transit was selected based on a combination of their technical and financial offer. First Transit offers the experience of providing shuttle service at eight major airports in the U.S., and is the incumbent for Shuttle Bus/Van services at BWI Marshall. First Transit's proposal includes an excellent training and emergency procedures program, and they have an experienced management and operational team.

This Item was previously submitted and withdrawn as Item 20-S on the 4/30/08 DOT Agenda.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J0610002

RESIDENT BUSINESS: No

TAX COMPLIANCE NO.: 08-0198-0111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED ✓

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

John Thornton (410) 631-1002
jthornton@marylandports.com

BPW – 07/16/08
REVISED

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

RENEWAL OPTION: (Service)

ITEM: 15-S-OPT

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 210002-S
 Marine and Landside Terminal Operations
 Seagirt Marine Terminal
 ADPICS NO. CO225946

ORIGINAL CONTRACT APPROVED: Item 15-S, DOT Agenda 09/19/01

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

CONTRACTOR Ports America Baltimore, Inc.
 Baltimore, MD

MODIFICATION: Modification No. 13 exercises two (2) six-month extension options, extending the current contract term from **November 1, 2008** to October 31, 2009, with an increase of \$41,600,000 in the not-to-exceed value of the contract.

AMOUNT: \$41,600,000.00 NTE

ORIGINAL CONTRACT AMOUNT: \$174,878,940.00 NTE

REVISED CONTRACT AMOUNT: \$296,704,224.00 NTE

PERCENTAGE INCREASE: 23.8% (MOD #13)
 70% (Overall)

ORIGINAL MBE PARTICIPATION: 1%

PERFORMANCE SECURITY: \$10,000,000.00

REMARKS: Under this contract, Ports America Baltimore, Inc. ("Ports America") provides stevedoring and other marine and landside terminal services at Seagirt Marine Terminal. The contract allows the MPA, through Ports America, to provide services to shipping lines loading or unloading containers at Seagirt. Shipping lines pay the MPA various fees for services on MPA facilities, and the MPA in turn pays Ports America for its services.

ITEM: 15-S-OPT (Continued)**BPW – 07/16/08**

REMARKS: The initial term of the contract was November 1, 2001 – October 31, 2007, with the MPA having the option to renew the contract for an additional six-year term. Under Modification No. 9, approved by the Board on March 21, 2007, Item 11-S-MOD, the contract was extended for one year for an amount not to exceed (“NTE”) \$48,846,476.00. In addition, the MPA was granted options to extend the contract for two additional six-month periods for NTE \$25,000,000.00 and \$25,300,000.00, respectively, upon a determination by the Maryland Port Commission (“MPC”) that exercise of a six-month option is necessary to protect the interests of the State. The extensions granted under Modification No. 9 were intended to give the State time to determine what course of action to take at the expiration of the contract on October 31, 2007: whether to exercise the six-year option, procure a new contract, or pursue some other route for fulfilling customer needs such as a lease of part or all of the facility to a terminal operator who would then provide services for the benefit of the shipping lines.

Exercise of the two six-month options is now necessary because no decision has been made as to what course of action to follow, and there is insufficient time remaining, before the contract expires on October 31, 2008, to complete a new procurement. The MPA has calculated that the appropriate increase in the NTE value should be \$41,600,000 during the renewal period rather than \$50,300,000. At its regular public meeting on July 1, 2008, the MPC determined that exercise of both six-month options at NTE \$41,600,000 is necessary to protect the interests of the State.

The established MBE goal for the contract is 1%. Ports America has achieved nearly double that amount, paying MBE subcontractors over \$4.5 million, mainly for fuel. In addition, 72% of the contract cost is paid by Ports America directly to labor provided by the International Longshoremen’s Association (ILA), and 40% of the ILA workforce is minority. Therefore, of the \$226 million paid under this contract to date, 40% of the labor cost - over \$65 million - has been paid to ILA minority employees (in addition to the \$4.7 million paid to MBE subcontractors).

This Item was previously submitted and withdrawn from the 6/11/08 DOT Agenda has Item 5-S-OPT.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03/D0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1171-1111

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

George E. Fabula, Jr. (410) 767-3698
gfabula@mtamaryland.com

BPW – 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 16-RP

MARYLAND TRANSIT ADMINISTRATION: University of Baltimore Parking Lot
 1201 Mount Royal Avenue
 Baltimore City MD

DOCUMENTS: Covenant Agreement and Easement Agreement

EXPLANATION: The Maryland Transit Administration (MTA) to grant a Temporary Grading and Construction Easement to the Grantee with the consent of the Covenant Agreement in relation to Grantee's efforts to develop the University of Baltimore's (UB) parking lot with mixed-use development.

SPECIAL CONDITIONS: None

GRANTOR: Maryland Transit Administration

GRANTEE: University of Baltimore and BA Bolton Yards, LLC

CONSIDERATION: \$10.00

REMARKS: This item is associated with the University System of Maryland's (USM) Action Agenda that was presented and approved by the Maryland Board of Public Works on July 2, 2008, as Item 1-RP. On September 12, 2007, as Item 9-RP under USM's Agenda, BPW approved a 65-year ground lease between UB, as landlord, and BA Bolton Yards, LLC, as tenant, for the 4.2-acre Bolton Yards surface parking lot. The parties entered into a public/private partnership arrangement to develop the property as mixed-use residential and commercial space that includes below-market rate parking for UB students and faculty. The development site is adjacent to MTA's Mount Royal Light Rail Station and Penn Station Light Rail Extension.

The Covenant Agreement is required by the Baltimore City Fire Code as defined in Table 704.8 of the 2006 International Building Code for MTA and Grantee to maintain a fire separation distance of thirty-feet (30') from any façade.

The Easement Agreement to Grantee is required as part of the overall development activities in close proximity to MTA property.

Board of Public Works' approval is requested for the real property interest contained in the enclosed Covenant Agreement and Easement Agreement.

BOARD OF PUBLIC WORKS ACTION – THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Robert Gay – 410-545-0433
rgay@sha.state.md.us

BPW -- 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 17-RP MMC# 07-2130

STATE HIGHWAY ADMINISTRATION: Located on US 40 Pulaski Highway and White Marsh Blvd

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of SHA.

The property to be conveyed consists of $\pm$ 8.1434 acres and is being conveyed at the appraised value to the lone adjoining owner.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland
State Highway Administration

GRANTEE: State of Maryland
Maryland Transportation Authority

CONSIDERATION: \$130,300.00

APPRAISED VALUE: \$130,300.00, Bruce Dumler, fee appraiser
Reviewed and approved by Don Wakefield,
Chief Appraisal Review Section (one
appraisal, one review appraisal per form 19)

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (g)(2) (i) of the Transportation Article, Annotated Code of Maryland.

The Budget and Taxation Committee and the House Appropriations Committee were notified on May 6, 2008.

SHA is concurrently requesting permission to dispose and execution of the Deed.

The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

Robert Gay – 410-545-0433
rgay@sha.state.md.us

BPW – 07/16/08

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 18-RP MMC# 08-2181

STATE HIGHWAY ADMINISTRATION: Located on MD 175 just east of MD170 across from the Odenton Shopping Center, Anne Arundel County

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to release an existing perpetual drainage easement and accept a replacement drainage easement which is relocated to a proximate area, as described, which still meet the needs of SHA. The existing easement covers an area of 0.128 acres (5477 sq. ft.) and the proposed replacement easement will cover an area of 0.147 acres (6402 sq. ft.).

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland,
 State Highway Administration - *present existing easement.*

Henry Davis Eutsler and Monie R. Eutsler, Trustees of the Henry Davis Eutsler Revocable Trust, under Trust Agreement dated 02/06/96 - *replacement easement.*

GRANTEE: Henry Davis Eutsler and Monie R. Eutsler, Trustees of the Henry Davis Eutsler Revocable Trust, under Trust Agreement dated 02/06/96 - *existing easement.*

State of Maryland,
 State Highway Administration - *replacement easement.*

CONSIDERATION: \$2,000.00 Administrative Costs

APPRAISED VALUE: Existing easement – 5,477 sq. ft./0.126 acres @ \$12.05 @ 90% = \$59,398 or \$59,400 rounded.

Proposed replacement easement – 6,402 sq. ft./0.147 acres @ \$12.05 @ 90% = \$69,430 or \$69,450 rounded.

Antoinette Wineholt, fee appraiser. Reviewed and approved by Shelby J. Hicks, SR/WA SHA Review Appraiser (one appraisal, one review appraisal per form 19).

ITEM: 18-RP (Continued)**BPW – 07/16/08**

REMARKS: Approval of this exchange conveyance is requested in accordance with the Section 8-309 (e), (4), ii-iii and (5) i-ii of the Transportation Article, Annotated Code of Maryland.

SHA is concurrently requesting permission to dispose and execution of the Deed. The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

Robert Gay – 410-545-0433

BPW – 07/16/08

rgay@sha.state.md.us

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 19-RP MMC#08-2198

STATE HIGHWAY ADMINISTRATION Located behind the SHA the District 7 Maintenance Facility, south side of MD 85 (Buckeystown Pike, 2 miles south of Frederick, Frederick County, MD.

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described which is excess to the needs of the State Highway Administration.

This is an extension of time to construct an access road for SHA District 7 Maintenance Shop.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: APM, LLC a Maryland Limited Liability Company

CONSIDERATION: \$500.00

APPRAISED VALUE: \$0.00

REMARKS: Approval of conveyance is requested in accordance with Section 8-309 of the Transportation Article, Annotated Code of Maryland.

The Board of Public Works approved an agreement between the State Highway Administration (SHA) and APM, LLC on November 15, 2000. In the agreement dated August 30, 2000 between SHA and APM, LLC, the SHA agreed to convey to APM LLC, 0.0805 acres (3,508 SF.) of land, plus or minus, and in return APM will grant SHA a .483 acre (21,069 SF) perpetual easement for ingress and egress over a new access road to be constructed by the grantee. The shared access road was supposed to be finished by August 29, 2008.

The APM, LLC is requesting an extension until August 29, 2010 to complete the access road. SHA District 7 has reviewed the ramifications of the proposed time extensions and has no objections to this extension.

SHA is currently requesting permission to dispose and execution of the deed.

The deed has been forwarded to the Executive Secretary, Board of Public Works' for execution.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE REFERENCED ITEM WAS:

APPROVED**DISAPPROVED****DEFERRED****WITHDRAWN****WITH DISCUSSION****WITHOUT DISCUSSION**

Robert Gay – 410-545-0433
rgay@sha.state.md.us

BPW -- 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 20-RP MMC# 08-2173

STATE HIGHWAY ADMINISTRATION: An old roadbed located on the east side of I-81 and the west side of relocated MD 63, 0.5 mile east of Williamsport, Washington County, MD

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of SHA.

The property to be conveyed consists of $\pm$ 0.62 acres and is being conveyed at the appraised value to the sole adjoining owner

SPECIAL CONDITIONS: None

GRANTOR: State Highway Administration

GRANTEE: Bowman Spielman LLC, a MD Limited Liability Company

CONSIDERATION: \$62,200.00

APPRAISED VALUE: \$62,200.00, Kent Kesecker, fee appraiser.
 Reviewed and approved by Harry Bowman,
 Appraisal Review Section (one appraisal, one
 review appraisal per form 19)

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (F) (1) (ii) of the Transportation Article of the State Procurement Article of the Annotated Code of Maryland. SHA is concurrently requesting permission to dispose and execution of the Deed. The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

This is a conveyance of a roadbed of MD 63 that was abandoned by the SHA in 1966. The roadbed provides the only means of access to the grantees property. It does not provide access to any other property.

The subject property is not capable of an independent use because of its narrow configuration.

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

132

Suzette Moore – (410) 859-7792
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BPW -- 07/16/08

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

GENERAL/MISCELLANEOUS:

ITEM: 21-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-08-012

NATURE OF REQUEST: To lease land for shuttle bus office and operation center (Center) and shuttle bus parking area for the contractor providing the shuttle bus service for public and employee parking patrons between the Airport Terminal Building and the BWI Marshall parking lots.

CONTRACTOR: First Transit, Inc.
 Cincinnati, OH

REVENUE: \$3,008.00/annum (subject to annual Consumer Price Index adjustments) based on an initial ground rent of \$0.94 per square foot per annum.

DURATION: September 1, 2008, through August 31, 2011, with one (1) two (2) year options

REMARKS: This Lease Agreement provides for the lease of land improved with a shuttle bus office and operations center (Center). The Center was constructed at BWI Marshall in 1996 at a cost of \$261,163.71 by a prior shuttle bus operator Globe Ground North America (GlobeGround) LLC (formerly Hudson Aviation Services, Inc). The Contractor as the shuttle bus operator under the previous contract (DOT Agenda Item 8-S, 04/13/05 BPW), purchased GlobeGround's unamortized investment at a cost of \$145,272.31 based on an amortization period of twenty (20) years commencing March 4, 1996 to the termination date. The Book Value of the Center as of the commencement date of this Lease is \$102,322.24. The Contractor is responsible for the maintenance and utilities of the Center. In the event the Contractor ceases to be the MAA's Shuttle Bus Operator under Contract No. MAA-SV-08-008, or a succeeding contract, this Lease shall immediately terminate and either the MAA or the successor Shuttle Bus Operator, if any, will purchase the Center from the Contractor for the Book Value of the Center and title to Center will immediately pass to the purchaser. The Center after an amortization period of twenty (20) years, will become the property of the MAA.

This Item was previously submitted and withdrawn as Item 39-GM on DOT's April 30, 2008 Agenda.

TAX COMPLIANCE NO: 08-0198-0111

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED ✓

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

133

T. Suzette Moore – (410) 859-7792
Smoore2@bwiairport.com

BPW -- 07/16/08

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

GENERAL/MISCELLANEOUS:

ITEM: 22-GM

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-LC-08-013

NATURE OF REQUEST: To license fifty (50) buses to the Licensee to provide shuttle bus services for public and employee parking patrons between the Airport Terminal Building and the BWI parking lots.

LICENSEE: First Transit, Inc.
Cincinnati, OH

REVENUE: One Dollar (\$1.00) per year for the full term of the Lease.

DURATION: September 1, 2008, through August 31, 2011, with one (1) two (2) year options exercisable by the MAA.

REMARKS: The Operation of Airport Shuttle Bus/Van Services at BWI Marshall, (DOT Agenda Item 14-S, 07/16/08 BPW) provides that the MAA-owned buses would be licensed to the Licensee for the Licensee's use in performing the transportation services set forth in the Operation of Airport Shuttle Bus/Van Services at BWI Marshall Contract. Licensee, at its expense, is responsible for operating and maintaining the shuttle buses.

This Item was previously submitted and withdrawn as Item 40-GM on DOT's April 30, 2008 Agenda.

TAX COMPLIANCE NO: 08-0198-0111

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION - THE ABOVE-REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED ✓

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONTRACT MODIFICATION (A/E Services)

ITEM 1-A/E-MOD

JUDICIARY OF MARYLAND

Rockville District Court
Rockville, Maryland

ORIGINAL CONTRACT NO. AND TITLE

Project No.: BC-725-992-002
ADPICS No.: COA89017
A/E Design Services to Construct
District Courthouse in Downtown
Rockville

ORIGINAL CONTRACT APPROVED

Item 1-AE; BPW June 23, 2004

ORIGINAL PROCUREMENT METHOD

Maryland Architectural and
Engineering Services Act

ARCHITECT\ENGINEER

J.A. Ammon & Associates, Inc. w/
DMJM Design (JV)
Baltimore, MD

MODIFICATION – Change Order No. 7 provides for additional A/E services to update construction documents and A/E estimate for the new District Courthouse. Consultant will also re-file various permits, connection applications, and Forest Conservation plans necessary for the project. Finally, the modification incorporates updated consultant rates for the provision of the required services.

MODIFICATION AMOUNT

\$ 136,185.00

ORIGINAL CONTRACT AMOUNT

\$ 4,246,312.97

CHANGE ORDERS PREVIOUSLY APPROVED

\$ 133,772.85

REVISED CONTRACT AMOUNT

\$ 4,516,270.82

PERCENTAGE INCREASE

3.21% (Individually)
6.36% (Cumulatively)

ORIGINAL MBE PARTICIPATION

20%

FUND SOURCE

Item 011, MCCBL 2004

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONTRACT MODIFICATION (A/E Services)

ITEM 1-A/E-MOD

REMARKS

The 95% Construction Documents were originally completed February 2006. Since that time, the 2006 Building Codes have been adopted by the State. Drawings completed in 2006 under the 2003 Code require revisions to ensure compliance with current code. Several equipment changes to the 2006 plans and specs must also be reviewed and possibly updated.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion ✓

Without Discussion

BC-725-992-002 AE Mod-cfox

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M

DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

Deer's Head Hospital Center
Salisbury, Wicomico County

CONTRACT NO. AND TITLE

Project No.: H-453-070-001
ADPICS No.: 001B8900715
Elevator Upgrades

DESCRIPTION - The contractor shall provide all labor, equipment, materials, and supplies necessary to upgrade the central elevator to include control systems, motors, hoist way equipment, hall stations, cabs, cabling and associated components at the Deer's Head Hospital. Alternate 1 provides for identical work to be accomplished for the east elevators of the hospital.

PROCUREMENT METHOD

Competitive Sealed Bidding
(Single Bid Received)

<u>BIDS OR PROPOSALS</u>	<u>BASE BID</u>	<u>ALT. # 1</u>	<u>TOTAL BASE + ALT 1</u>
Delaware Elevator, Inc. Salisbury, MD	\$258,287.22	\$256,276.00	\$514,563.22

AWARD

Delaware Elevator, Inc.

AMOUNT

\$514,563.22

TERM

180 Days from Notice to Proceed

MBE PARTICIPATION

20%

PERFORMANCE BOND

100% of Full Contract Amount

REMARKS

This solicitation was advertised and bid on eMaryland Marketplace (eMM). Notice of Availability was also posted on the DGS Bid Board. In an effort to gain more interest in the project among the contractor community, the bid date was extended. It was recorded that six (6) contractors attended the on-site pre-bid meeting and submitted questions to the procurement officer. At the conclusion of the extended bid period, however, only one (1) bid was received.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M

REMARKS

Approval of this item will allow for the complete renovation of the central and east elevators at the hospital. The renovation will include the elevator system upgrades, new electrical and HVAC systems, as well as upgrades to the elevator machine rooms.

The need of the facility to provide for reliable elevator service is paramount for their capability to provide patient care. Elevators are used to transport patients and staff, deliver medication, food and supplies. The elevators operating in the facility currently are over sixty years old and have had several failures in the past few months requiring emergency repairs.

The recommended contractor has committed to achieving the 20% MBE goal established for his project.

It has been determined that other prospective bidders had a reasonable opportunity to respond to this solicitation and it is in the State's best interest to award the contract to the single responsive and responsible bidder.

FUND SOURCE

Item 008 CA 2007

TAX COMPLIANCE NO.

08-0535-1111

RESIDENT BUSINESS

Yes

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

H-453-070-001_CC_BPW_jk

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

Deer's Head Hospital Center
Salisbury, Wicomico County

CONTRACT NO. AND TITLE

Project No.: H-000-070-001
ADPICS No.: 001B8900718
Modify Access for Emergency
Ambulance and Mobility Vehicles

DESCRIPTION - The contractor shall provide all labor, equipment, materials, and supplies necessary to modify and construct a new driveway access for emergency and mobility vehicles to include clearing, grading, asphalt paving, sidewalks, six (6) parking bays, and area lighting. The lighting is high intensity discharge metal halide lamps for safety purposes. These lights match the existing fixtures and are designed to provide only down light. The construction of the new driveway access will allow a complete looped access to the entrance of the Deer's Head Hospital.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Mike Davidson Excavating, LLC – Goldsboro, MD
American Paving Corporation – Salisbury, MD

AMOUNT

\$215,412
\$297,618

AWARD

Mike Davidson Excavating, LLC

AMOUNT

\$215,412

TERM

120 Days from Notice to Proceed

MBE PARTICIPATION

10%

PERFORMANCE BOND

100% of Full Contract Amount

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

REMARKS

This solicitation was advertised and bid on eMaryland Marketplace. Notice of Availability was also posted on the DGS Bid Board.

Approval of this item will allow for the installation of a new driveway/access road which will enable an orderly flow of emergency vehicles without restricting access to the facility. Presently, when an emergency occurs, any vehicle occupying the area at the front entrance must back out before an emergency vehicle can enter.

The recommended contractor has committed to achieving the 10% MBE goal assigned to this project due to its location and limited subcontracting opportunities.

FUND SOURCE

Item 008 CA 2008

TAX COMPLIANCE NO.

08-1015-1110

RESIDENT BUSINESS

Yes

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

H-000-070-001_CC_BPW_jk

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

DEPARTMENT OF GENERAL SERVICES

Baltimore Public Buildings and
Grounds
201, 300, 301 W. Preston Street and
2100 Guilford Avenue
Baltimore, MD

CONTRACT NO. AND TITLE

ADPICS No.: 001B9200018
Elevator Maintenance Services

DESCRIPTION – The contractor shall furnish all labor, materials, equipment, insurance, permits, etc., necessary to provide for repairs, adjustments, emergency services, preventive maintenance, and inspection services for the 18 passenger and 3 freight elevators and one (1) dumbwaiter at the State Office Buildings located at 201, 300 and 301 W. Preston Street and 2100 Guilford Avenue, Baltimore. The term of the contract is for a three (3) year period beginning August 1, 2008 through July 31, 2011.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

ThyssenKrupp Elevator Corporation – Linthicum, MD
Elcon Enterprises, Inc. - Upper Marlboro, MD
GC Jones Elevator Company, Inc. – Forestville, MD
Otis Elevator Company - Baltimore, MD
Delaware Elevator Services – Salisbury, MD

AMOUNT

\$307,886.85
\$311,740.00
\$331,850.00
\$353,629.00
\$936,751.00

AWARD

ThyssenKrupp Elevator Corporation

AMOUNT

\$307,886.85

MBE PARTICIPATION

5%

PERFORMANCE BOND

N/A

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

REMARKS

This solicitation was advertised and bid on eMarylandMarketplace. Notice of Availability was also posted on the DGS Bid Board. Thirty-six (36) vendors registered on eMarylandMarketplace received notification of the solicitation by e-mail.

ThyssenKrupp Elevator Corporation was determined to be the lowest responsive and responsible bidder, has met the 5% sub-contracting goal assigned to the solicitation, and has confirmed their bid price.

FUND SOURCE

DGS Operating Funds
H00 33351 0812

TAX COMPLIANCE NO.

08-1381-1111

RESIDENT BUSINESS

Yes

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Bpbg elevator BPW Agenda.doc

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONTRACT MODIFICATION (Maintenance)

ITEM 5-M-MOD

DEPARTMENT OF GENERAL SERVICES

Maryland State House
Annapolis, Maryland

ORIGINAL CONTRACT NO. AND TITLE

Project No.: BA-491-020-001
ADPICS No.: COA89504
HVAC and Interior Piping
Renovations (Re-Bid)

ORIGINAL CONTRACT APPROVED

Item 3-M; BPW January 30, 2008

ORIGINAL PROCUREMENT METHOD

Competitive Sealed Proposals

CONTRACTOR

Coakley & Williams Construction,
Inc. - Gaithersburg, Maryland

MODIFICATION – Change Order No. 8 covers the costs of the following for the State House Piping project:

- | | |
|---|--------------|
| A) Remove and replace the existing emergency generator with a new 400KW diesel generator and all subsequent related components necessary to run the system. Tie into the existing systems in need of emergency power. | \$534,037.53 |
| B) Remove and replace the existing dry sprinkler system located on the second floor with a new wet sprinkler system. | \$139,476.96 |
| C) Remove and replace the existing “cloth covered wire” from the existing electrical circuitry located on the First Floor with new code compliant wiring. | \$64,926.50 |
| D) Remove and replace the existing “cloth covered wire” from the existing electrical circuitry located on the Second Floor with new code compliant wiring. | \$66,558.16 |
| E) Design and install restroom fixtures, new ceiling, floors, wall, and HVAC to accommodate new women’s restroom on the Ground Floor. | \$154,778.85 |
| F) Material cost to install new wrapped duct work in lieu of the existing lined duct work. | \$37,269.15 |
| G) Remove and replace the existing “cloth covered wire” from the existing electrical circuitry located in the Attic with new code compliant wiring. | \$58,327.50 |

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONTRACT MODIFICATION (Maintenance)

ITEM 5-M-MOD

- | | |
|--|-------------|
| H) Remove and replace the existing wireless smoke detector system located on the First Floor with a new hard-wire system. | \$65,867.15 |
| I) Remove and replace the existing "cloth covered wire" from the existing electrical circuitry located in the Basement with new code compliant wiring. | \$79,970.34 |

<u>TOTAL MODIFICATION AMOUNT</u>	\$1,201,212.14
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<u>ORIGINAL CONTRACT AMOUNT</u>	\$8,370,030.00
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<u>CHANGE ORDERS PREVIOUSLY APPROVED</u>	\$ 397,942.07
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<u>REVISED CONTRACT AMOUNT</u>	\$9,969,184.21
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<u>PERCENTAGE INCREASE</u>	14.35% (Individually) 19.10% (Cumulatively)
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<u>ORIGINAL MBE PARTICIPATION</u>	25%
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<u>FUND SOURCE</u>	\$ 45,488.42 - Item 013; MCCBL 2006 \$621,686.19 - Item 034; MCCBL 2007 \$534,037.53 - Item 035; MCCBL 2007
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REMARKS

This change order incorporates work that was unknown at the time of contract award and could not have been identified until the exterior walls were removed as well as modifications to the first level of the State House to add a restroom facility that previously did not exist. Approval of the change order will also provide for the replacement of the emergency generator for the State House with one that has the capacity to support the critical building systems during power outages, is within current code requirements, and industry standards. The existing system is undersized for the needed capacity.

The contract term will not be extended for the work or changes which are the subject of this modification.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

BA-491-020-001 CO8.wpd

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 6-RP

CANAL PLACE AUTHORITY

Allegany County

REFERENCE

Board of Public Works approval is requested for an easement conveyance in connection with landscaping/parking improvements over a 14.17+/- foot-wide strip of land adjacent to property owned by the Canal Place Authority and leased long-term for development of a hotel and restaurant and redevelopment of the 4-story Footer Dye Works Building in Cumberland, Maryland.

The easement parcel contains .21 +/- acres which is an undeveloped part of the Trestle Walk Property acquired by the Authority from the State Highway Administration on September 28, 2000. The parcel runs at the rear of the former Footer Dye Works/Jonway/Hajoca Building Property and the former Cumberland Electric Property, which were acquired by the Authority on January 26, 1998 and February 7, 2002, respectively.

Conveyance of the easement will ensure improvement and long-term maintenance of the strip of land between the hotel and Footer Building development and the Trestle Walk which has already been redeveloped. Improvement and maintenance of the easement area will be at the sole cost of the developer. The Canal Place Authority will retain the right to use the easement property for uses not-inconsistent with the developer's permitted use of the property, including for access to maintain and repair the Trestle Walk. The easement will expire automatically upon termination of the long-term lease for the Footer Dye Works Building and Cumberland Electric Properties.

GRANTOR

Canal Place Preservation and
Development Authority

GRANTEE

Cumberland (Wineow Street) Hotel,
LLC

PROPERTY

.21 acres +/- unimproved

PRICE

\$0

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 6-RP

REMARKS

1. The Canal Place Preservation and Development Authority recommends approval of this easement.
2. The Canal Place Preservation and Development Authority approved conveyance of this easement on June 17, 2008, subject to BPW approval.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn ✓

With Discussion

Without Discussion

Trestle Walk BPW

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 7-RP

DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES

Baltimore City Prison Expansion
Request to Condemn Ground Rent
Interests in former Center City
Storage Property, Baltimore City
File # 00-4023

REFERENCE

Board of Public Works approval is requested to enter into condemnation proceedings to acquire and extinguish six (6) ancient ground rent interests on the former Center City Storage property. The ancient ground rent interests must be acquired by the State in order for Baltimore City to close three (3) adjoining right-of-ways and allow demolition and construction to commence on the site of the proposed Baltimore City Prison expansion.

The ground rent interests are dormant and owned by ancient owners. They lie on parcels located east of the Baltimore City Prison on the former Center City Storage property, and adjoin three (3) right of ways, namely Graves Street, Freys Alley and an unnamed 4'6" alley that intersects Freys Alley. The acquisition of these ground rent interests is necessary because Baltimore City will not approve the request to close these streets or issue necessary right of entry permits for demolition work until condemnation proceedings are initiated to close the ground rent interests.

Approval is also requested for the deposit of the State's estimate of just compensation for the ground rent interest. The funds will be deposited with the Circuit Court for Baltimore City as required for the initiating of condemnation proceedings. Based upon appraisals dated February 18, 2008, the ground rents' total estimated value is \$5,750.00. Should a higher amount be required and/or awarded by the Circuit Court, subsequent Board of Public Works approval will be sought.

All pleadings, title and transfer agreements are subject to legal review.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 7-RP

BACKGROUND

Reference is hereby made to Board of Public Works Item 4-RP approved on October 20, 2004; Item 6-RP approved on July 5, 2006; and Item 6-GM approved on August 1, 2007. Item 4-RP approved a request to enter into condemnation proceedings for the purpose of acquiring a .97 acre parcel owned by Center City Storage, necessary for the expansion of the Baltimore City Prison. Item 6-RP approved the inquisition award and purchase of the Center City Storage property. Finally, Item 6-GM approved an agreement between DPSCS and the Mayor and City Council of Baltimore for the closing of Graves Street, Freys Alley and an unnamed 4'6" alley intersection Freys Alley.

GRANTORS

Ancient /unknown owners

GRANTEE

The State of Maryland, to the use of
the Department of Public Safety and
Correctional Services

PROPERTIES

Creamer to Millechop (1) ground
rent per ED 5/439 dated 7/22/1852
Redemption Amount \$1,050

Price to Hunt (1) ground rent per
GES 201/487 dated 2/20/1860
Redemption Amount \$950

Price to Sullivan (1) ground rent per
AM 321/314 dated 11/13/1866
Redemption Amount \$2,333.33

Price to Dunn (1) ground rent per
GES 219/164 dated 2/20/1860
Redemption Amount \$466.67

Price to Cozine (1) ground rent per
ED 34/485 dated 4/25/1853
Redemption Amount \$500

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 7-RP

Creamer to Coney (1) ground rent
per ED 6/473 dated 2/21/1852
Redemption Amount \$450

TOTAL AMOUNT OF REDEMPTION

\$5,750.00

APPRAISED VALUES

\$5,750.00 Staff Appraiser – William
T. Beach – 2/18/08

FUND SOURCE

Item 066, MCCBL 2005
(DPSCS capital Funds)"Pre-Trial
Detention and Services, Property
acquisition and demolition"

REMARKS

The Department of Public Safety and Correctional Services recommends approval of this
condemnation action.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Gravesstreetgroundrentcondemn7-16bpw

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 8-RP

DEPARTMENT OF NATURAL RESOURCES

Marian Hardy Property
Washington County

REFERENCE

Board of Public Works approval is requested to accept an Agreement of Sale of behalf of Program Open Space to purchase a 34 +/- acre unimproved parcel that adjoins South Mountain State Park. The property is located on Park Hall Road in Boonsboro. The primary purpose of this acquisition is to address existing management needs of the park. Acquisition will also support wildlife and forest cover in the area, and provide passive recreational opportunities to hike, hunt, bird watch, and explore history. Additionally, it will also provide a natural buffer for the Appalachian National Scenic Trail.

The Attorney Generals Office has approved the Agreement of Sale. Title and transfer documents are subject to legal review.

GRANTOR

Marian Hardy, Trustee of the Marian Hardy Trust and Ann Brooke Holt, Trustee of the Ann Brooke Holt Trust

GRANTEE

The State of Maryland, to the use of the Department of Natural Resources

PROPERTY

34 +/- acres improved

PRICE

\$306,000.00

APPRAISED VALUES

\$250,000.00 – James L. Randall –
Fee Appraiser – 5/11/07
Reviewed by Rollin E. Westholm

\$340,000.00 – Richard L. Bowers –
Fee Appraiser – 5/17/07
Reviewed by Rollin E. Westholm

\$306,000.00 – Rollin E. Westholm –
Staff Appraiser – 6/18/07

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 8-RP

FUND SOURCE

POS – Item 812003, Item 400 (FY07)

REMARKS

The Department of Natural Resources recommends approval of this acquisition.

BPW Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Hardybpw7-16

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 9-RP

DEPARTMENT OF NATURAL RESOURCES

Walter B. Grove et al
350.7748 acres, Rices Place
Charles County
File # 4111

REFERENCE

Board of Public Works approval is requested to accept an Assignment of an Agreement of Sale on behalf of Program Open Space from The Conservation Fund to purchase the Grove Farm with title vested in the name of the State of Maryland, to the use of the Department of Natural Resources. The property consists of 350.7748 +/- acres of waterfront property located on the Wicomico River in eastern Charles County. This property is just south of Zekiah Swamp Natural Environment Area along the western shoreline of the Wicomico River.

Board approval is also requested to reimburse The Conservation Fund (TCF) a total of \$124,209 for the following costs related to this acquisition: Administrative Fee (\$90,000); Environmental Hazard Assessment (\$2,350); Closing Costs (\$434); Fuel Oil Tank Removal and Replacement (\$15,575); and Appraisal Fees (\$15,850).

Applying the new Program Open Space Targeting system, this acquisition lies within a designated High Priority Conservation Area and received a high ecological ranking scoring 93 points.

The Assignment and Agreement of Sale have been approved by the Office of the Attorney General. Title and transfer documents are subject to legal review.

GRANTOR

The Conservation Fund

GRANTEE

State of Maryland, to the use of
the Department of Natural Resources

PROPERTY

350.7748 +/- acres - improved

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 9-RP

REMARKS

4. The Wicomico River is one of nine rivers designated as a Scenic River under the Maryland Scenic Rivers Act. The river was designated because the river or portions of it and related land areas possess outstanding scenic, geologic, ecologic, historic, recreational, agricultural, fish, wildlife, cultural and other similar resource values. The Scenic Wild Rivers Act mandates the preservation and protection of natural values associated with designated rivers and encourages agencies to take whatever actions necessary to protect and enhance the qualities of the river.

More recent legislation established the Captain John Smith Chesapeake National Historic Trail – the first national water trail in the United States. The Wicomico River is incorporated in this trail. In addition, the Department of Natural Resources also has established the Lower Potomac Water Trail that includes the Wicomico River.

Acquisition of the Grove Farm will support the intent of both the Captain John Smith Chesapeake National Historic Trail and the Scenic Rivers Act, compliment the Lower Potomac Water Trail, safeguard wildlife habitat and the water quality of the Chesapeake Bay, and provide public access to the water and new opportunities for primitive camping, environmental education, and recreation.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

file # 00-4111 Grove BPW

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 10-RP

DEPARTMENT OF NATURAL RESOURCES

Maryland Marine Properties Wildlife
Management Area
Somerset County

REFERENCE

Board of Public Works approval is requested to accept from Larry E. Leese – the plaintiff in the matter of *Leese v. Department of Natural Resources*, Circuit Court for Somerset County, Case No. 19-C-05-010523 – a Deed Of Perpetual Easement (the “Easement”) in a dirt and gravel roadway that provides access for DNR and the general public to the Maryland Marine Properties Wildlife Management Area (the “Maryland Marine W.M.A.”) in Somerset County. Pursuant to a Settlement Agreement entered between Mr. Leese and DNR, acceptance of the Easement will finally resolve this litigation.

BACKGROUND

In 2005, Mr. Leese filed suit to block DNR and the public’s access to a dirt and gravel roadway (the “Roadway”) that commences at Back Shelltown Road, a county-maintained road, traverses Mr. Leese’s property for approximately 600 yards before coming to a fork, a left at which enters upon the Maryland Marine W.M.A. As with other W.M.A.s, DNR maintains the Maryland Marine W.M.A. for wildlife management purposes, the planting of wildlife feed plots, and for seasonal public hunting. DNR acquired the W.M.A. through separate purchases in 1969 and 1985, and it consists of over 1,000 acres. The Roadway is the only land access to the W.M.A.

Mr. Leese contends that since the Roadway lies entirely upon his property he can restrict access to it at the point where the Roadway intersects with Back Shelltown Road. The Roadway has never been deeded as a right-of-way, and Somerset County has never dedicated it as a public road. The issue in this case is whether the Roadway has become a public road by prescription through use by the public feely for a period of at least 20 years. The Office of the Attorney General advises that there are complicated issues of fact and law that make the outcome of this case far from certain should it proceed to trial.

As detailed in the Settlement Agreement, the parties have agreed, conditional upon BPW approval, to a maintenance plan for the Roadway. Under the Agreement, DNR will competitively bid a “roadway improvement project” that will improve drainage, grade, and re-surface the Roadway with gravel.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM 10-RP

Mr. Leese will contribute \$7,500 towards this project, with the remainder of an estimated \$40,000 being paid out of DNR's previously appropriated Critical Maintenance Fund. DNR utilizes this Fund for, among other things, periodic maintenance of similar access roads across the State. Following completion of the "roadway improvement project," DNR will assess Roadway conditions for serviceability every four years for repairs as needed, as it does with other access roads, and DNR alone will be responsible for making such repairs. In return, Mr. Leese grants the Easement to DNR, which will permit unlimited access in perpetuity by DNR and the public to the W.M.A. from Back Shelltown Road.

GRANTOR

Larry E. Leese

GRANTEE

The State of Maryland, to the use of
the Department of Natural Resources

PROPERTY

1.357 +/- acres Perpetual Easement

PRICE

\$0

REMARKS

The Department of Natural Resources recommends approval of the Settlement Agreement through acceptance of the Easement.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Leesebpw.doc

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 11-LT

DEPARTMENT OF HUMAN RESOURCES

(Baltimore City Department of Social Services)

<u>Landlord</u>	Merritt-LA1, LLC 2066 Lord Baltimore Drive Baltimore, Maryland 21207	Baltimore Baltimore City
------------------------	--	-----------------------------

Property Location 2913-3031 East Biddle Street
Baltimore, Maryland 21213

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	105,655
<u>Duration</u>	5 Years	<u>Effective</u>	August 1, 2008		
<u>Annual Rent</u>	\$1,505,583.70	<u>Square Foot Rate</u>	\$14.25		
		<u>Prev. Sq. Ft. Rate</u>	\$11.82 (Avg.)		
		<u>Effective Sq. Ft. Rate</u>	\$17.25		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$14.95 (Avg.)		

<u>Utilities Responsibility</u>	Tenant
<u>Custodial Responsibility</u>	Tenant
<u>Previous Board Action(s)</u>	08/30/95 – Item 34-L; 08/04/99 – Item 45-L; 02/27/02 – Item 18-L

<u>Fund Source</u>	<u>General 40%</u>	<u>Federal 60%</u>	<u>Total</u>
FIP 33.07.00.02	\$174,647.71	\$261,971.56	\$ 436,619.27
CWS 33.07.00.03	\$379,407.09	\$569,110.64	\$ 948,517.73
AS 33.07.00.04	\$ 48,178.68	\$ 72,268.02	\$ 120,446.70
Total	\$602,233.48	\$903,350.22	\$1,505,583.70

Special Conditions

1. The lease contains escalation/de-escalation for real estate taxes.
2. The lease contains one (1) option renewal for five (5) years.
3. The lease incorporates 282 parking spaces at no cost.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 11-LT

REMARKS

1. This space has been used since November 1995 as a Social Service office offering Family Investment, Foster Care, Adoption Services, and Day Care programs to clients in Baltimore City.
2. Through negotiations the Department of General Services Office of Real Estate secured a rental rate reduction of \$1.62 per net usable square foot resulting in a rental cost avoidance of \$855,805.50 over the term of the lease.
3. The lease contains a termination for convenience clause.
4. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland, this space was handled as a renewal of an existing lease without the solicitation of additional offers, however a new lease document has been executed. The Department of General in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

File No: 1019

0716ebld.ecp

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT

DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES

(Parole and Probation Office of Criminal Supervision)
(Drinking Driver Monitor Program)

Princess Anne
Somerset County

Landlord H&M Rentals
 PO Box 1914
 Salisbury, Maryland 21802

Property Location 11672 Somerset Avenue
 Princess Anne, Maryland 21853

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	2,292
<u>Duration</u>	5 Years	<u>Effective</u>	August 1, 2008		
<u>Annual Rent</u>	\$33,577.80	<u>Square Foot Rate</u>	\$14.65		
		<u>Prev. Sq. Ft. Rate</u>	\$14.20		
		<u>Effective Sq. Ft. Rate</u>	\$16.65		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$15.45		

Utilities Responsibility Tenant
Custodial Responsibility Landlord
Previous Board Action(s) 12/04/02 – Item 12-L

Fund Sources

Criminal Supervision	General 35.03.02 32110 Aobj 1310 - \$31,093.04
DDMP	General 35.03.02 32260 Aobj 1310 - \$ 2,484.76

Special Conditions

1. The lease contains escalations/de-escalations for janitorial service and real estate taxes.
2. The lease incorporates eight (8) use-in-common parking spaces at no cost to the State.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT

Remarks

1. This space has been used since June 2003 as client contact offices for the Division of Parole and Probation Office of Criminal Supervision, and the Drinking Driver Monitor Program.
2. The lease contains a termination for convenience clause.
3. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland, the above lease was handled as a renewal of an existing space, without the solicitation of additional offers. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

File No: 3930

0716some.ecp

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT

DEPARTMENT OF HEALTH AND MENTAL HYGIENE
DEPARTMENT LABOR, LICENSING AND REGULATION
DEPARTMENT OF JUVENILE SERVICES
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

Baltimore City

Landlord Fallsway Properties, LLC
Edison Parking Corporation, its Manager
100 Washington Street
Newark, New Jersey 07102

Property Location 560 N. High Street
Baltimore, Maryland 21202

<u>Space Type</u>	Parking	<u>Lease Type</u>	New	<u>Number of Spaces</u>
<u>Duration</u>	2 Years	<u>Effective</u>	August 1, 2008	DHMH 20
<u>Annual Rent</u>	\$303,072	<u>Rate/Space/Month</u>	\$77.00	DLLR 123
		<u>Prev. Rate/Space/Mo</u>	\$72.00	DJS 169
				DPSCS 16
				TOTAL 328

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) 02/19/03 Item 6-L; 01/07/04 Item 8-L; 2/15/04 Item 8-L
 04/19/06 Item 14-L

Fund Source

DPSCS - 100% General PCA32110 Aobj 7050; DJS-100% General SUB PROG 4110 Aobj 0705
DLLR - 10% General 15% Special 75% General; DHMH 100% Federal G101G Aobj 0802

REMARKS

1. Previously, the above agencies individually leased parking at this facility at various intervals. To better manage and streamline the parking, the Department of General Services, Office of Real Estate consolidated all agencies utilizing this parking facility into a new single lease agreement. The Department of Health and Mental Hygiene is an addition under the new agreement.
2. The number of spaces complies with the 1:3 ratio established for this area.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT

REMARKS

3. The lease contains a termination for convenience clause.
4. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland, the above lease was handled as a renewal of an existing space, without the solicitation of additional offers; however a new lease document has been executed. The Department of General services, in conjunction with the using Agencies, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

File No: 4052

0716high.kr

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT (Revised)

MARYLAND INSTITUTE FOR EMERGENCY
MEDICAL SERVICES SYSTEMS

Hagerstown
Washington County

Landlord ARES Investment Group, LLC
818 Bowman Avenue, Suite B
Hagerstown, Maryland 21740

Property Location 201 South Cleveland Avenue
Hagerstown, Maryland 21740

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	1,060
<u>Duration</u>	5 Years	<u>Effective</u>	August 1, 2008		
<u>Annual Rent</u>	\$14,840	<u>Square Foot Rate</u>	\$14.00		
		<u>Prev. Sq. Ft. Rate</u>	\$10.00		
		<u>Eff. Sq. Ft. Rate</u>	\$14.00		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$10.00		

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) 11/19/97 – Item 34-L; 01/08/03 – Item 11-L

Fund Source 100% Special D53T00.01

Special Conditions

1. The lease contains escalations/de-escalations for utilities, janitorial service, and real estate taxes.
2. The lease incorporates three (3) use-in-common parking spaces at no cost to the State.
3. The lease contains one (1) option renewal for five (5) years.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT (Revised)

Remarks

1. This space has been used since December 1997 as a Regional Training Office of the Emergency Medical Services (EMS) pre-hospital providers and for the storage of patient care equipment awaiting pick-up and delivery.
2. Through negotiations the Department of General Services secured a rental cost savings of \$19,239.00 over the term of the lease by reducing the Landlord's originally proposed rental rate by \$3.63 per square foot.
3. The lease contains a termination for convenience clause.
4. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland, this space was handled as a renewal of an existing lease without the solicitation of additional offers, however a new lease document has been executed. The Department of General in conjunction with the using Agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

File No: 3437

0716south.ecp

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT

MARYLAND INSTITUTE FOR EMERGENCY
MEDICAL SERVICES SYSTEMS

College Park
Prince George's County

Landlord Strickland Properties, LLC.
1212 Brambling Court
Bradenton, Florida 34212

Property Location 5111 Berwyn Road
College Park, Maryland 20740

<u>Space Type</u>	Office	<u>Lease Type</u>	Renewal	<u>Square Feet</u>	1,366
<u>Duration</u>	5 Years	<u>Effective</u>	August 1, 2008		
<u>Annual Rent</u>	\$15,026	<u>Square Foot Rate</u>	\$11.00		
		<u>Prev. Sq. Ft. Rate</u>	\$ 9.45		
		<u>Eff. Sq. Ft. Rate</u>	\$12.25		
		<u>Prev. Eff. Sq. Ft. Rate</u>	\$10.51		

Utilities Responsibility Landlord
Custodial Responsibility Tenant
Previous Board Action(s) 07/03/03- Item14-L; 06/24/98- Item 22-L

Fund Source 100% Special D53T00.01

Special Conditions

1. The lease contains an escalation for real estate tax.
2. The lease incorporates four (4) parking spaces.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT

REMARKS

1. This space has been used as the Region V field office for the training, testing, and certification of volunteer medical personnel for fire and police departments and civil organizations since 1998.
2. The lease contains a termination for convenience clause.
3. In accordance with the State Finance and Procurement Article, Annotated Code of Maryland, this space was handled as a renewal of an existing lease without the solicitation of additional offers. The Department of General Services, in conjunction with the using agency, recommends the approval of this item.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

File No: 3448

0716berw.dc

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LICENSE AGREEMENT

ITEM 16-L

DEPARTMENT OF GENERAL SERVICES

Licensee LFB Glen Burnie Partnership, t/a La Fontaine Bleu
7410 S. Ritchie Highway
Glen Burnie, Maryland 21061

Property Location 7410 S. Ritchie Highway (Parking Area "A")
7500 Ritchie Highway (Parking Area "B")
Glen Burnie, Maryland 21061

<u>Space Type</u>	Parking	<u>Type</u>	New
<u>Duration</u>	10 Years	<u>Effective</u>	July 20, 2008
<u>Annual Fee</u>	None		

Utilities Responsibility N/A
Custodial Responsibility N/A
Previous Board Action(s) 11/10/82 – Item 49-L; 12/17/97 Item 46-L

History

On November 10, 1982, as Item 49-L, the Board of Public Works approved a Reciprocal Lease Agreement for parking for a term of fifteen (15) years. Under the agreement, the State utilized 160 parking spaces, at no charge, at the La Fontaine Bleu, 7514 S. Ritchie Highway, Glen Burnie. In turn, La Fontaine Blue utilized 200 parking spaces, at no charge, at the Glen Burnie Multi-Service Center located at 7500 Ritchie Highway. On December 17, 1997, as Item 46-L, the Board of Public Works approved a renewal lease for an additional ten (10) year period under the same terms and conditions.

The Department of General Services is now seeking Board of Public Works approval for a new Reciprocal License Agreement for another ten (10) year term.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LICENSE AGREEMENT

ITEM 16-L

Special Conditions

1. The agreement provides for the State's use of La Fontaine Bleu's parking lot daily from 6:00 a.m. to 6:00 p.m. when the Multi Services Center is open. The reciprocal use by La Fontaine Bleu is from 6:00 p.m. to 6:00 a.m. on the State's parking lot.
2. There is no monetary consideration under this agreement.
3. Either party shall have the right and option to terminate this Agreement, in whole or in part upon giving ninety (90) days prior written notice of its intent.
4. La Fountain Bleu shall maintain comprehensive liability insurance and property damage in the amount of \$500,000, naming the State as an additional insured.
5. La Fountain Bleu shall defend, indemnify and hold harmless the State against any and all loss, cost, damage, claim, expense or liability arising from this agreement.
6. Either party shall have the right to temporarily suspend this agreement by providing 72 hours advance notice.

Board of Public Works Action – The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

File No.: 1474

0716rite.kr

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

BOARD OF TRUSTEES OF THE
DORCHESTER COUNTY
HISTORICAL SOCIETY, INC.

902 LaGrange Avenue
Cambridge, Maryland 21613

PROJECT NO. AND TITLE

SL-035-040-038
Construct a New Museum Building

DESCRIPTION

In accordance with the provisions of the Maryland Consolidated Capital Bond Loan – Local Senate Initiatives - Dorchester County Historical Society Museums Loan of 2007, Chapter 488, Acts of 2007, which provided a matching grant of \$50,000 to the Board of Trustees of the Dorchester County Historical Society, Inc. for the construction, including related parking and landscaping, of a new history museum and the acquisition, construction, and capital equipping of a heating and air conditioning system at the Neild Museum, both located in Cambridge, Board of Public Works approval is requested for capital expenditures for the following contracts:

A. Installation of brick sidewalks.

PROCUREMENT METHOD

Small Procurement

AWARD

Natural Concepts Landscape
Vienna, MD

AMOUNT

\$6,962.40

B. Purchase and installation of a heating, ventilation, and air conditioning system.

PROCUREMENT METHOD

Small Procurement

AWARD

Guy Edgar's Heating and Air Conditioning
East New Market, MD

AMOUNT

\$13,850.00

FUND SOURCE

\$20,812.40 - MCCBL - LSI - Dorchester
County Historical Society
Museums Loan of 2007

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

REMARKS

The grantee used eligible expenditures to meet their match requirement.

No State funds will be disbursed until after such time as the Maryland Historical Trust has advised the Board that it has completed its review of the project.

No State funds will be disbursed until the grantee has presented suitable evidence to the Comptroller that it has expended the required matching funds for this project. After the grantee has met this requirement, all future invoices will be submitted to the Comptroller, who will disburse the State portion in amounts equal to the invoices submitted.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Bpw 071608 docohistsocmus.fv

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

DEPARTMENT OF AGING

South Carroll Senior Center
59 Mineral Hill Road
Sykesville, Maryland 21784

PROJECT NO. AND TITLE

AE-005-010-038
South Carroll Senior Center

DESCRIPTION

In accordance with the provisions of the Maryland Consolidated Capital Bond Loan - Senior Citizens Activities Centers Loan of 2001, Chapter 111, Acts of 2001 and Maryland Consolidated Capital Bond Loan - Senior Citizens Activities Centers Loan of 2006, which provided matching grants of \$174,000 and 426,000, respectively, to support the construction costs associated with developing a new senior center on a County owned parcel of land, Board of Public Works approval is requested for capital expenditures toward the following construction contract for the new facility that will be approximately 25,000 gross square feet, on Mineral Road in the southeast corner of Carroll County. The new facility will provide additional activity spaces and greater parking for an increasing senior population.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDDERS

	<u>AMOUNT</u>
Roy Kirby & Sons, Inc. - Baltimore, MD	\$7,843,800
Keller Brothers, Inc. - Mt. Airy, MD	\$8,005,615
Warner Construction - Frederick, MD	\$8,038,408
Mullan Contracting - Lutherville, MD	\$8,295,125
Palmer Construction - McConnellsburg, PA	\$8,481,800
Harkins Builders - Marriottsville, MD	\$8,605,755

AWARD

Roy Kirby & Sons, Inc.

AMOUNT

\$7,843,800

MBE PARTICIPATION

0%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

<u>FUND SOURCE</u>	\$ 174,000 - MCCBL - Senior Citizens Activities Centers Loan of 2001
	\$ 426,000 - MCCBL - Senior Citizens Activities Centers Loan of 2006
	\$7,243,800 - Carroll County

REMARKS

No State funds will be disbursed until after such time as the Maryland Historical Trust has advised the Board that it has completed its review of the project.

No State funds will be disbursed until the grantee has presented suitable evidence to the Comptroller that it has expended the required matching funds for this project. After the grantee has met this requirement, all future invoices will be submitted to the Comptroller , who will disburse the State portion in amounts equal to the invoices submitted.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

Bpw 071608 south carroll senior center.fv

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Main Street Housing, Inc.
1521 South Edgewood Street
Baltimore, Maryland 21227

PROJECT NO. AND TITLE

CB-MHA-20904-01 Main Street Housing
Acquisition of 456 Centre Street
Cumberland, Maryland

DESCRIPTION

Board of Public Works approval is requested for a State grant of \$105,388 to assist Main Street Housing, Inc., a nonprofit organization, in the cost of acquiring and renovating a four-unit apartment building at 456 Centre Street, Cumberland, Maryland. Main Street Housing has a contract of sale to purchase this property for \$129,000 in fee. The building contains one two-bedroom unit and three single-bedroom units that will provide housing for five psychiatrically disabled individuals. Two appraisals were obtained for this property; both have been reviewed by the Department of General Services. The appraisals are as follows:

Giuliana M. Van Tyne - \$131,540
Donald Carter - \$140,000

Based on these appraisals, the Department of General Services approved the fair market value of the real estate at \$131,540 in fee.

Eligible project costs are \$140,518. This includes \$129,000 for acquisition; \$10,393 for renovation; and \$1,125 for appraisals. These costs will be funded as follows:

\$35,130 (25%) - Applicant's Share
Cash Reserves

\$105,388 (75%) - State's Share
\$2,000 - Maryland Consolidated Capital Bond Loan
2002, Community Health Facility Funds

\$8,320 - Maryland Consolidated Capital Bond Loan
2004, Community Health Facility Funds

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

\$43,010 - Maryland Consolidated Capital Bond
Loan 2006, Community Health Facilities
Funds

\$52,058 - Maryland Consolidated Capital Bond
Loan 2007, Community Health Facilities
Funds

REMARKS

Main Street Housing, Inc. provides housing to individuals with psychiatric disabilities. Lack of affordable housing is a problem in helping the chronically mentally ill remain in the community. The individuals who will reside in these units will receive support services to ensure that they remain in the community and not in State institutions. Rents for these units will not exceed 35% of each individual's income. Most individuals who will reside in these units receive Supplemental Security Income (SSI), which is currently \$637 per month.

In accordance with Subtitle 6 of the Health-General Article of the Annotated Code of Maryland, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Allegany County.

No State funds will be disbursed until the grantee has presented suitable evidence to the Comptroller that it has expended the required matching funds for this project. After the grantee has met this requirement, all future invoices will be submitted to the Comptroller, who will disburse the State portion in amounts equal to the invoices submitted.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL

DEPARTMENT OF HEALTH
AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Total Health Care, Inc.
1501 Division Street
Baltimore, MD 21217

PROJECT NO. AND TITLE

CB- FQHC-243 Total Health Care
Division Street Renovation

DESCRIPTION

Reference is made to the October 18, 2006 Board of Public Works meeting wherein the Board approved Department of General Services Agenda Item 21-CGL for capital expenditures for the renovation of 2,240 square feet of space in a building at 1501 Division Street, Baltimore, Maryland. Board of Public Works approval is requested to revise the fund source as follows:

FROM: \$102,300 (75%) - State's Share

Maryland Consolidated Capital Bond Loan 2004,
Federally Qualified Health Centers

TO: \$102,300 (75%) - State's Share

Maryland Consolidated Capital Bond Loan 2005,
Federally Qualified Health Centers

Reason: Typographical Error

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

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DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21 - CGL

MARYLAND HIGHER
EDUCATION COMMISSION

NAME OF GRANTEE/BORROWER Prince George's Community College
Largo, Maryland

AUTHORITY Procedures and Guidelines adopted by
MHEC 06/02/92 and approved by
BPW 06/17/92

PROJECT NO. AND TITLE CC-08-MC98/02-331
Replace Major Systems Facilities
Management Building
Project Closeout

DESCRIPTION

The following amount represents an unexpended balance from a construction allocation previously approved by the Board of Public Works from the Maryland Consolidated Capital Bond Loan of 2002. Board of Public Works approval is now requested to revert the unexpended balance from this loan year. This will conclude the State's participation in the eligible costs of this project.

<u>BPW Date and Item Number</u>	<u>Fund Source to be reverted</u>	<u>Amount</u>
BPW 07/30/03, Item 32-CGL	MCCBL 2002 Item123	\$5,623

The State has paid Prince George's Community College an amount less than the State share of the total approved BPW allocation. Accordingly, the Maryland Higher Education Commission and the Department of General Services request this unspent balance be reverted to the fund year as indicated.

Board of Public Works Action - The above referenced Item was:

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

331BPWcloseout.doc

There being no further business, the meeting was adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sheila McDonald". The signature is written in a cursive style with a large, stylized "M" for McDonald.

Sheila C. McDonald, Esq.
Executive Secretary

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