

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS

August 5, 2009

BOARD OF PUBLIC WORKS
TABLE OF CONTENTS
AUGUST 5, 2009

I. ITEMS SUBMITTED ON THE SECRETARY’S AGENDA

Bonds (State Treasurer)	4
Department of Aging	5-8
Department of Agriculture	
Agricultural Cost Share Program	9-10
Board of Public Works	
Wetlands Licenses	11
Maryland Environmental Service	12-16
Morgan State University	17
Department of Natural Resources	18
St. Mary’s College.....	19
Department of Public Safety and Correctional Services.....	20-25
Board of Public Works/Wetlands License	26
State Treasurer	27-28
APPENDIX	29-36
SUPPLEMENT A - Program Open Space	37-45
SUPPLEMENT B - Budget & Management.....	46-76
SUPPLEMENT C - University System of Maryland	77-84
SUPPLEMENT D – Department of Information Technology.....	85-87

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

Construction Contracts.....	88
Maintenance Contracts.....	89-93
General Miscellaneous.....	94

III. ITEMS SUBMITTED ON THE DEPARTMENT OF GENERAL SERVICES AGENDA:

Construction Contract Modification	95-96
Maintenance Contracts and Modifications	97-100
General Miscellaneous.....	101-102
Real Property	103-108
Leases	109-114
Capital Grants and Loans	115-126

INDEX	128-129
-------------	---------

**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, AUGUST 5, 2009**

The Board of Public Works met in the Assembly Room, Goldstein Treasury Building, Annapolis, Maryland, on Wednesday, August 5, 2009.

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 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
Maryland Consolidated Capital Bond Loan of 2009

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

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Patti Konrad (410-260-7920)
pkonrad@treasurer.state.md.us

1. BONDS

Submission of a recommendation by the State Treasurer for the adoption of the attached resolutions concerning the sale of \$485,000,000 State of Maryland General Obligation Bonds, to be known as the State and Local Facilities Loan of 2009, Second Series, consisting of:

Second Series A - \$235,000,000
Second Series B - \$200,000,000, and
Second Series C - \$50,000,000 Federally-Taxable Build America Bonds

dated as of their date of delivery, expected to be August 18, 2009 (collectively, the "Bonds").

- Ratifying and approving:
 - (i) The Preliminary Official Statement dated July 20, 2009.
 - (ii) The Summary Notices of Sale for the Second Series B Bonds and the Second Series C Bonds published in the Bond Buyer on July 23, 2009.
 - (iii) The resolutions authorizing the Bond Sale adopted on June 17, 2009.
- Approving the Bond Purchase Agreement with Citigroup Global Markets, Inc., on behalf of itself and as a representative of a group of Underwriters for the purchase of the Second Series A Bonds.
- Ordering the sale of the Second Series A Bonds at the rates agreed to in the Bond Purchase Agreement.
- Accepting electronically transmitted bids for the purchase of the Second Series B Bonds and the Second Series C Bonds.
- Determining J. P. Morgan Securities, Inc. as the successful bidder of the Second Series B Bonds with a winning bid of 2.929263.
- Determining J. P. Morgan Securities, Inc. as the successful bidder of the Second Series C Bonds (Federally Taxable Build America Bonds) with a winning bid of 4.620959.
- Ordering the sale and issuance of the Second Series B Bonds and the Second Series C Bonds at the rates set forth in the successful bids.
- 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

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact Wiley Finch. 410-767-1115
wgf@ooa.stste.md.us

2. DEPARTMENT OF AGING
Cumberland Senior Center

The Secretary of Aging recommends the following grant:

Recipient: City Of Cumberland

Project Name: Cumberland Senior Center

Amount: \$560,000

Purpose New Construction

ProjectFunding: Maryland Consolidated Capital Bond Loan 2008 (\$280,000)
 Maryland Consolidated Capital Bond Loan 2009 (\$280,000)

Fund Source:

HUD Loan	\$1,400,000
State – DHCD (Community Legacy)	200,000
State – Bond	100,000
State – CDBG	405,000
State – Dept. of Aging (MCCBL) (this action)	560,000
County/Local	200,000
ARC	300,000
Gifts/Pledges	225,000
HRDC Funds	<u>340,000</u>
TOTAL	\$3,730,000

Project Description: The City of Cumberland and the Allegany County Human Resource Development Commission, Inc (HRDC) will construct a new 6,795 gross square foot senior center at 125 Virginia Avenue in Cumberland to replace the existing Cumberland Senior Center. The new center will be built on a City of Cumberland owned parcel of land. The current senior center is operated by the HRDC. The HRDC leases the current site, but must relocate because its lease expires soon and will only be renewed on a month-by-month basis to allow relocation of the new facility.

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

**2. DEPARTMENT OF AGING
*Cumberland Senior Center***

Project Description: (cont'd)

The current facility has several deficiencies including inadequate temperature control, a hazardous main entrance, non-ADA compliant bathrooms, an inadequate elevator and insufficient program space. The new facility will successfully address these deficiencies. The new facility will also have increased program space, its own commercial kitchen, and dedicated on-site parking.

The Department of Aging has determined that this cost includes sufficient amounts for the project to conform to existing building, fire, handicapped access and all other code requirements, and that the project can be completed with the funds being requested.

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

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

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact Wiley Finch. 410-767-1115
wgf@ooa.stste.md.us

3. DEPARTMENT OF AGING
Salisbury-Wicomico Senior Center

Recommendation: That the Board of Public Works approve further funding to the City of Salisbury for the **Salisbury-Wicomico Senior Center** in the amount of \$200,000 to cover the increase in scope and cost of the project.

Fund Source: Maryland Consolidated Capital Bond Loan 2009 (\$200,000)

Project Funding:

Cash/Pledges	400,000
State – Dept. of Aging (MCCBL FY 07) (previously approved 1/2/08)	600,000
State – Dept. of Aging (MCCBL FY 09) (this action)	200,000
State – Capital Grant	1,500,000
State – Bond	125,000
Wicomico Co FY07 & FY09	1,000,000
Salisbury – CDBG PY 06-08	296,753
Wicomico – CDBG	550,000
Weinberg Foundation	1,500,000
Henson Foundation	500,000
Parsons Foundation	600,000
Perdue Foundation	<u>20,000</u>
TOTAL	\$7,291,753

Project Description: As a result of the increase in scope and cost of this project, the City of Salisbury and Wicomico County are requesting additional State funds in the amount of \$200,000 from the Senior Citizens Activities Centers Capital Improvement Grants Program. The physical footprint (actual land area for the entire site including building, parking area and storm water management area) has increased from 4 acres to 10.74 acres. This is due in part to the increased size of the building, but also to the actual parking needs, area for expansion of the facility and the squaring-up of the lot for access to public utilities.

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

**3. DEPARTMENT OF AGING
*Salisbury-Wicomico Senior Center***

Project Description: (cont'd)

The increases in costs from the time of the original grant award are also associated with an increase in materials, fuel, and labor costs. The square footage costs increased from the estimated \$138/sf to \$178.05 sf. The A/E costs increased from an estimated \$190,000 to an actual \$516,000. This reflects the actual bid approved for A/E Services, the cost of additional land surveys, review fees, document preparations, and value engineering and redesign costs. It also reflects increased costs due to the increase in size and scope of the project.

Other increases include the cost of land mitigation, review fees, and equipment costs. These increases are based upon actual bids accepted and proposals received by MAC, Inc. since the initial grant award.

The Department of Aging has determined that this cost includes sufficient amounts for the project to conform to existing building, fire, handicapped access and all other code requirements, and that the project can be completed with the funds being requested.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

LOUISE LAWRENCE (410) 841-5873
lawrenl@mda.state.md.us

4. DEPARTMENT OF AGRICULTURE***Maryland Agricultural Cost-Share Program Grant Requests***

Submission of a request by the Maryland Department of Agriculture for approval of 11 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2009 (Appropriation Number 09083):

Agreement #	Recipient	County	Amount
AT-2009-3024	JESSE L. SHIPE	Allegany	17,200
AT-2009-3481-B	MICHAEL E. TRUITT	Worcester	35,000
MP-2009-3517	MARY I. D. SMITH	Carroll	13,300
MP-2009-3522	JOSEPH A. SCHWARTZBECK, JR	Carroll	25,800
NW-2009-3511	LIVA R. DECESARE	Dorchester	300
PA-2009-3269	UNIV. OF MD, AG EXP. STATION	Howard	4,300
PA-2009-3270	UNIV. OF MD, AG EXP. STATION	Howard	2,800
PA-2009-3301	CARLA S. MILLING	Calvert	16,600
PA-2009-3472	SCHWEISS FARMS, LLC	Prince George's	8,800
RS-2009-3442	LIPPY BROTHERS, INC	Baltimore	6,500
RS-2009-3443	LIPPY BROTHERS, INC	Baltimore	5,000
Total Submission Amount			135,600

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 2009 provides a source of funds for the cost-share program. Under this appropriation "\$7,000,000 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

AUGUST 5, 2009

SECRETARY'S AGENDA

LOUISE LAWRENCE (410) 841-5873
lawrenl@mda.state.md.us

5. 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 2006 (Appropriation Number 06071):

Agreement #	Recipient	County	\$	Amount
CH-2009-2880-B	R & H PROPERTIES PARTNERSHIP	Queen Anne's		31,500.00
CR-2008-3027	RONALD D. SPIERING	Caroline		320.03
Total Submission Amount				31,820.03

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 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

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
 dmoore@comp.state.md.us

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

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

Authority: Title 16, Environment Article, Maryland Code; COMAR 23.02.04.

ANNE ARUNDEL COUNTY

08-0188 ROGERS HEIGHTS, LLC – To construct a stone revetment, a timber pier, finger pier and walkway, and stone sand containment structures, and to emplace clean fill sand for marsh establishment – Weems Creek, Annapolis

09-0689 RODNEY HOLT – To remove a sunken barge and emplace stone scour protection – Chesapeake Bay, near Annapolis

BALTIMORE CITY

09-0840 BROWNS WHARF LLC – To construct a 19-slip marina with floating piers and finger piers – Patapsco River

QUEEN ANNE'S COUNTY

08-1225 QUEEN ANNE'S COUNTY CO. PARKS & RECREATION – To construct and backfill replacement bulkhead, a timber handicap access pier and catwalk, to replace an existing boat ramp, and to dredge a channel – Shipping Creek, Stevensville

TALBOT COUNTY

09-0372 WILLS NEW GENERATION TRUST – To emplace stone edging and stone revetment and to construct two stone groins – Broad Creek, St. Michaels

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

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

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307
efrke@menv.com

8. MARYLAND ENVIRONMENTAL SERVICE
Eastern Correctional Institution Wastewater Treatment Plant

A/E CONTRACT MES Project #10-05-05
 Design and Bid Phase Services for New Headworks
 Facility

DESCRIPTION Develop wastewater process and mass balance calculations, which will determine the volumes needed for proper treatment in each component of the wastewater treatment plant. Also includes design of a new wastewater headworks building that will incorporate a screening system (screenings grinder, a mechanical bar screen, screenings washer, conveyor and compactor), a new wet well, and new pumps and electrical controls as well as design of modifications to the existing headworks facility to serve as a back-up facility. The A/E will prepare bid documents and assist MES in answering technical questions during the bid phase.

AWARD Post, Buckley, Schuh & Jernigan, Inc., Beltsville, MD

TERM OF CONTRACT 6 months from notice to proceed

CONTRACT AMOUNT \$232,675.00

PROCUREMENT METHOD MES A/E Short List

MBE PARTICIPATION 30%

REMARKS The wastewater from the prison contains plastics, aluminum foil, food wrappers, and fabric fibers, which can clog pumps and ruin equipment if not properly screened. The wetwell in the current pump station is 20 feet below grade, the same elevation as the sewer coming into the wastewater plant. The solids constantly jam or knock blades off the grinder in the existing headworks. This results in solids reaching the mechanical bar screen, which is in a nearly vertical position due to the depth of the pump station. Light materials, such as the plastics, fall off the screen back into the wastewater on the other side and reach the treatment process downstream, causing failures of mixers and pumps.

BOARD OF PUBLIC WORKS

AUGUST 5,2009

SECRETARY'S AGENDA

8. MARYLAND ENVIRONMENTAL SERVICE (cont'd)
Eastern Correctional Institution Wastewater Treatment Plant

REMARKS (cont'd)

The A/E will design a new headworks building with a larger wastewater channel and wetwell to allow the installation and subsequent maintenance of properly sized screening equipment.

FUND SOURCE	MCCBL of 2007 and 2008
APPROPRIATION CODE	088 MCCBL 07 (PCA #10960) -\$44,618.60 060 MCCBL 08 (PCA #10980) - \$188,056.40
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE	09-2234-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307
efrke@menv.com

9. MARYLAND ENVIRONMENTAL SERVICE
Springfield State Hospital Center

CONSTRUCTION/CONTRACT MOD MES Project #06-05-29
 Wastewater Collection System Upgrade

ORIGINAL BPW APPROVAL DATE May 3, 2006

CONTRACTOR Schummer, Inc.
 P.O. Box 360
 Mayo, MD

ORIGINAL CONTRACT DESCRIPTION Install new sewer mains and appurtenances, cured-in-place liners, several manholes and an additional connection from the new water transmission main to the existing Carroll County water main.

DESCRIPTION OF MODIFICATION Additional work caused by unknown underground utilities and obstructions.

TERM OF ORIGINAL CONTRACT 270 calendar days

TERMS OF MODIFIED CONTRACT No change

ORIGINAL CONTRACT AMOUNT \$690,494.00

MODIFICATIONS TO DATE \$37,430.43

AMOUNT OF THIS MODIFICATION \$67,500.00

REVISED TOTAL CONTRACT AMOUNT \$795,424.40

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

**9. MARYLAND ENVIRONMENTAL SERVICE
*Springfield State Hospital Center***

PERCENTAGE INCREASE 8%

MBE PARTICIPATION 15%

REMARKS: Springfield Hospital Center has been in existence for more than 75 years. There are many utility lines buried throughout the property, including water, sewer, steam, gas, electric, telephone, and fiber optic, and not all are mapped. The contractor made use of a utility locating firm, but in some areas they were unable to locate the lines. In another instance, a fiber optic line was located and marked, however it had been installed either at or barely below grade and then paved over. Contractor was peeling back the asphalt and the fiber optic cable was stuck to the asphalt and subsequently damaged. This change order compensates contractor for the additional work that was a result of improperly mapped and/or unknown underground utilities and obstructions.

FUND SOURCE MCCBL of 2004 and 2005

APPROPRIATION CODE 083MCCBL 04, PCA # 10920 (\$378,739.55)
107 MCCBL 05, PCA# 10931 (\$450,646.45)

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 09-2156-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Churchill Wortherly 443-885-3074
 cwortherly@moac.morgan.edu

10. MORGAN STATE UNIVERSITY

Recommendation: Approve the revised capital project management and internal controls and procedures developed by Morgan State University.

Background: On February 8, 2008, the Office of Legislative Audits issued a Fiscal Compliance Audit Report in connection with an audit of Morgan. The OLA report summarized an audit conducted during the period between November 1, 2003 and January 31, 2007, and identified deficiencies related to MSU's management and oversight of its capital improvement projects. In response to the OLA Report, the General Assembly (Joint Chairman's Report – 2008) added language to the capital budget for fiscal year 2009 that restricted MSU's use of authorized funds. Specifically, the General Assembly required MSU to revise its procedures related to capital project management and internal controls before seeking release of the restricted funding.

MSU, with the assistance of a management consultant, revised its capital management and internal controls and procedures to address the concerns of the General Assembly. These revised capital management and internal controls and procedures are set forth in a report produced by MSU's management consultant – *Summary of Revised Capital Project Management and Internal Controls and Procedures* (MSU Report). The MSU Report recommends changes to MSU's internal controls, management procedures, and staffing. Notably, the MSU report did not recommend any changes to MSU's Procurement Policies and Procedures, which the Board approved at its September 21, 2005 meeting (*Morgan Item 1-GM*).

MSU submitted its Report and supporting documentation to OLA for its review and comment. After reviewing the MSU Report and related documentation, OLA has determined that MSU has adequately addressed the issues raised in the OLA Report. Further, OLA has provided the Senate Budget and Taxation Committee and House Appropriations Committee with its comments on the MSU submissions, and both Committees, after reviewing OLA's comments and various MSU submissions, have determined that MSU has addressed the requirements set forth in the Joint Chairman's Report – 2008.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Meredith Lathbury 410-260-8450
mlathbury@dnr.state.md.us

11. DEPARTMENT OF NATURAL RESOURCES
Broad Creek Forest Legacy Easement

RECOMMENDATION: That the Board of Public Works approve the acquisition of a Forest Legacy conservation easement on 376+ acres of the Broad Creek Memorial Boy Scout Reservation, Harford County.

BACKGROUND: Reference is made to Secretary's Agenda Item 16 (Oct. 1, 2008), in which the Board exempted the Broad Creek Forest Legacy Easement project from Sections 4-412, 4-415(b)(1), 4-415(c) and 4-416, State Finance and Procurement Article, *Public Improvements and Land Acquisition*. In approving that exemption, the Board authorized the Department of Natural Resources to acquire the easement based on one appraisal and without review by DGS.

PROPERTY: Broad Creek Memorial Scout Reservation: 376.6457 acre property located in Harford County primarily comprising forest land.

GRANTOR: Baltimore Area Council of the Boy Scouts of America

GRANTEE: State of Maryland for the Use of the Department of Natural Resources

APPRAISED VALUE: \$3,255,000 (Westholm & Associates, LLC)

FUND SOURCE: Federal Funds (100%)

CONSIDERATION: \$3,255,000

REMARKS: The Baltimore Area Council of the Boy Scouts of America owns the Broad Creek Memorial Scout Reservation, a 1,666-acre property comprising mostly forest. Both the State of Maryland and the USDA Forest Service have targeted the property for protection. Harford County presently owns a conservation easement over approximately 389 acres of Broad Creek. DNR's proposed acquisition of a Forest Legacy Conservation Easement on 376.6457 acres will allow the Boy Scouts to use up to 28 acres for structures associated with a Boy Scout camp. The USDA Forest Service will fund DNR's acquisition through a federal Forest Legacy Program grant. The USDA will pay the funds directly to the property owner. This acquisition of a Forest Legacy Conservation easement will protect significant farmland, forest resources, and riparian buffers.

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN
WITH DISCUSSION WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Charles C. Jackson 240-895-4412
ccjackson@smcm.edu

12. ST. MARY'S COLLEGE OF MARYLAND
Bruce Davis Theater Renovation

DESCRIPTION: In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, Board of Public Works approval is requested for the following capital equipment expenditures related to the Bruce Davis Theater Renovation.

<u>Equipment</u>	<u>Award</u>	<u>Amount</u>
Flat file storage cabinet (Received waiver from Maryland Correctional Enterprises)	U.S. Business Interiors	\$2,200

FUND SOURCE: 072 MCCBL 2008
"Provide funds to renovate and equip the Bruce Davis Theater"

REMARKS: Total proposed expenditures for this agenda item is \$2,200. All solicitations for capital equipment have been in accordance with the procurement policies for St. Mary's College of Maryland.

This item was previously submitted as Item 22 on July 22, 2009.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

**13. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
*North Branch Correctional Institution (NBCI)***

DESCRIPTION Pursuant to BPW Advisory P-01-99, this is a request to use the design/build method for the construction of the Maryland Correctional Enterprises Upholstery Plant project at the North Branch Correctional Institution-Cumberland (NBCI).

CONTRACT NO. & TITLE KN-000-100-C02
Maryland Correctional Enterprises (MCE)
Upholstery Plant

PROCUREMENT METHOD Competitive Sealed Proposals
(COMAR 21.05.03.02)

FUND SOURCE MCCBL 2009, Item 048
(MCE Upholstery and Re-Upholstery Plant)

REMARKS: This project involves design and construction of a new, one story building approximately 20,000 square feet. The building construction will be a pre-engineered metal building with related site work and utilities. This project will offer inmates work opportunities and will reduce inmate idleness. There are more than 1,000 inmates currently housed at NBCI.

The Department intends to use the design/build process for the project so that the work can be accomplished by fast tracking and completing this needed facility sooner.

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

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

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

**14. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
*Patuxent Institution (PATX)***

DESCRIPTION: Pursuant to BPW Advisory P-01-99, this is a request to use the design/build method to replace windows and doors at the Patuxent Institution, DD Building, in Jessup.

CONTRACT NO. & TITLE	KD-000-100-C01 Defective Delinquent (DD) Building Windows and Doors Replacement
PROCUREMENT METHOD	Competitive Sealed Proposals (COMAR 21.05.03.02)
FUND SOURCE	MCCBL 2009, Item 049 (DC Building Fire Safety Improvements and DD Building Windows Replacement Project)

REMARKS: This project involves design, demolition and construction of more than 800 windows and doors of various types and sizes.

This building when fully occupied, houses more than 700 inmates, and therefore phased construction is required to minimize inmate relocation.

The Department intends to use the design/build process for the project so that the work can be accomplished by fast tracking and completing this needed facility sooner.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

**15. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)
*Patuxent Institution (PATX)***

AWARD Greenbridge Construction, Inc.
AMOUNT \$133,900 (Base Bid Plus Add Alternates #1, 2 & 3)
GOVERNMENT ESTIMATE \$175,000
PERFORMANCE BOND 5% of Contract Amount
PERFORMANCE PERIOD 90 Calendar Days
START DATE August 12, 2009
END DATE November 12, 2009
FUND SOURCE Item 065 MCCBL 2003
(Patuxent Institution Fire Safety Improvements)
MBE PARTICIPATION 19.53%

REMARKS The solicitation was announced online on *eMarylandMarketplace* on 5/26/2009 and distributed to the Governor's Office of Minority Affairs. This project is needed to supply constant temperature domestic hot water for inmate showers and toilet sinks. Installation of new hot water storage tanks and replacement of existing hot water circulating pumps will ensure constant hot water temperature. Existing instant hot water heaters with controls do not supply constant temperature hot water. Modifications to existing hot water controls will eliminate this problem. Alternate #1, 2 and 3 will improve the existing building deficiencies and improve water infiltration problems.

TAX COMPLIANCE NO. 09-2192-0001

RESIDENT BUSINESS Yes

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

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

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: S.K. Kulkarni, P.E. (410) 585-3027
skulkarni@dpscs.state.md.us

16. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
Maryland Correctional Training Center (MCTC)

CONTRACT NO. & TITLE KA-000-080-I01
 Construction Inspection and Testing Services for
 Replacement of Steam Distribution-System
 Maryland Correctional Training Center
 Adpics No. 603B0400002

DESCRIPTION Construction Inspection and Testing Services required for Quality Assurance during the Construction of the Replacement of Steam Distribution-System.

PROCUREMENT METHOD Multi-Step Sealed Bidding

BIDS OR PROPOSALS**Amount**

Potowmac Engineers, Inc.
 Capitol Heights, Maryland

\$248,082.00

Sidhu Associates, Inc.
 Hunt Valley, Maryland

\$248,200.00

Alpha Tau Mechanical Solutions
 Silver Spring, Maryland

\$437,064.00

AWARD

Potowmac Engineers, Inc.

AMOUNT

\$248,082.00 NTE

GOVERNMENT ESTIMATE

\$250,000.00

PERFORMANCE BOND

Not required for this contract.

PERFORMANCE PERIOD

510 Calendar Days

TERM

August 10, 2009-January 3, 2011

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
dmoore@comp.state.md.us

17. BOARD OF PUBLIC WORKS
Wetlands License 09-0655

Approval is requested of the following application for a wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case has been classified as an extraordinary case because a public informational hearing was held. The Board of Public Works' Wetlands Administrator recommends that a license be granted as indicated. The Department of the Environment fully concurs with this recommendation.

Authority: Title 16, Environment Article, Maryland Code; COMAR 23.02.04.

CALVERT COUNTY

09-0655 DOMINION COVE POINT LIQUID NATURAL GAS
PIER REINFORCEMENT AND EXPANSION

To install steel pile mooring dolphins and steel piles; to replace gangways, service cranes, and docking control system; construct a walkway off the existing platform; maintenance dredge a mooring area; transport dredged material for beach nourishment, marsh and habitat restoration; and provide for maintenance dredging.

Chesapeake Bay, 2100 Cove Point Road & Cove Point Natural Heritage Area, Lusby

- Application received – January 6, 2009
- Public hearings held – March 26, 2009 and May 27, 2009
- Hearing comment period closed – May 27, 2009
- MDE Report and Recommendation received – July 24, 2009

Term: The Wetlands Administrator recommends that the Board grant this license with a 20-year period. The Wetlands Administrator, the Maryland Department of the Environment, and the Army Corps of Engineers worked with applicant to develop an *Adaptive Management Plan*, a plan for monitoring the project and taking any remedial actions that may be required. Due to the complexity of this plan, it is recommended that the permit be granted for the 20-year period. The *Adaptive Management Plan* itself is in effect for 25 years.

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN
 WITH DISCUSSION WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Patti Konrad (410)260-7920
pkonrad@treasurer.state.md.us

18. **STATE TREASURER**
Equipment Master Lease—Modification

RECOMMENDATION: That the Board of Public Works approve modifying the 2007 Equipment Master Lease-Purchase Financing which provides financing of up to \$100 million, on a consolidated basis under a lease-purchase financing arrangement, of equipment acquisition by State agencies. This modification provides lower financing rates for August 2009 transaction than the rate the Contractor originally bid.

CONTRACT APPROVED: January 2, 2008, Secretary's Agenda Item 13

TERM: December 1, 2007, through June 30, 2011

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bids

CONTRACTOR: Grant Capital Management, Inc.

MBE PARTICIPATION: Due to the nature of the financing, the MBE goal was established as utilization of minority firms as escrow agents when escrow accounts are required. The Contractor, Grant Capital Management, Inc., is itself a minority-owned firm and received MDOT MBE Certification on 2/13/2008.

FUND SOURCES: Agency Operating Budgets

REMARKS: Under the original solicitation, bidders submitted bids as a percentage (discount) of the 3, 5 and 10-year Treasury Constant Maturities Index. Volatility in the financial markets over the last sixteen months reduced historical yields of Treasury Constant Maturities to the extent that earlier this year, **the Treasurer determined the Treasury Constant Maturities are** invalid as an index to determine actual market costs of lease financings. Although the ongoing financial market turmoil has eased somewhat with regard to the longer term (10 year) Treasury Constant Maturities Index used for the State's energy lease financings, the shorter term (3 to 5 year) Treasury Constant Maturities Index used for the State's equipment lease financings is still considered unsettled. The perceived instability in the shorter term portion of this Index has resulted in the Contractor's formally stated inability to close equipment lease financings based on the Contractor's original bid rates. The Contractor has, however, been able to secure funding for a pending equipment lease financing for several State agencies totaling \$6,356,528.33 using the Treasury Interest Rate Swaps Index, which is considered to be more stable and more closely related to market rates. Using the Swaps Index will result in a lower cost to the State for this financing.

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

18. STATE TREASURER (cont'd)
Equipment Master Lease--Modification

The State Treasurer's Office is preparing a new solicitation for future equipment lease financing.

In order to avoid additional delays and the costs associated with such delays in the pending financing of equipment for the various State agencies, and to reduce the State's costs for the August 2009 Financing, the State Treasurer's Office recommends approval of the modification to the Equipment Master Lease.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

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

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: Jane Bailey 410-767-4307
Jane.Bailey@dgs.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF GENERAL SERVICES

Inner Harbor Buildings & Grounds-Civic Plaza Building

CONTRACT TITLE: Emergency Repairs To Chillers
ADPICS No. 001B9200897

CONTRACT TYPE: Maintenance

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: April 24, 2009

BIDS:

Johnson Controls, Inc. \$54,539.90
Ijamsville, MD

AWARD: Johnson Controls, Inc.

AMOUNT: \$54,539.90

CONTRACT AWARD DATE: April 24, 2009

MBE PARTICIPATION: N/A

FUND SOURCE: HOO.33429.0812

REMARKS:

Nature of Emergency: This facilities chiller plant was undergoing energy conservation replacement of one of the two chillers. Chiller #2 had been dismantled to prepare for removal and replacement. Chiller #1 was to carry the load but would not operate properly. Several major attempts to repair Chiller #1 were made with no success. It was necessary to put Chiller #2 back on line and replace Chiller #1 under the Energy Conservation project. The cost of the emergency includes the cost to dismantle Chiller #1.

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 1 (cont'd)**

Basis for Selection: Contractor was working on site under the energy program and was available to immediately perform the work necessary to bring the A/C system on line.

Reason for late report: Contractor did not provide the costs for the repairs and the dismantling of the additional chiller for over 30 days. Negotiations and confirmations of prices caused the delay in completing the emergency report within the specified time period.

TAX COMPLIANCE NO.: 09-1897-1111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: Heather H. Polzin 410.767.8073
hpolzin@psc.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 2**

PUBLIC SERVICE COMMISSION

CONTRACT TITLE: Consulting Services
Constellation Energy Group, Inc. and Electricité de France
International, SA Transaction (Modification # 1)
PSC #08-01-09 ADPICS NO. COB61168

CONTRACT TYPE: Services

AWARD: OCI Resources, Inc. d/b/a Overland Consulting

DESCRIPTION: Assist Public Service Commission's technical staff: (1) respond to issues identified in Commission Case No. 9173, Order No. 82407 as it pertains to the Commission's inquiry into a proposed CEG/EDF transaction; (2) provide legal assistance in reviewing the transactional documents connected with the CEG/EDF transaction, and flag issues of importance in the transaction documents; and (3) review Baltimore Gas and Electric Company's current ring fencing protocol.

MODIFICATION DESCRIPTION: Assist technical staff in preparation for Phase II proceeding in Case No. 9173, including discovery, preparation and presentation of reply testimony, post-rebuttal discovery, cross examination of witnesses during adjudicatory proceedings, and brief preparation.

DATE ORIGINAL EMERGENCY DECLARED: February 20, 2009

EMERGENCY REPORT ACCEPTED BY BPW: June 3, 2009 (Sec. Appx. No. 4)

DATE NEW EMERGENCY DECLARED: June 18, 2009

MODIFICATION AWARD DATE: June 26, 2009

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (continued)

ORIGINAL AMOUNT:	\$948,820
MODIFICATION AMOUNT:	\$200,000
ORIGINAL TERM:	2/20/09-12/30/09
MODIFIED TERM:	2/20/09-12/30/10
MBE PARTICIPATION:	2.5%
FUND SOURCE:	100% Special: Public Utility Regulation Fund
APPROPRIATION CODE:	C90G0001

REMARKS:

Nature of Emergency: This is a modification to an emergency contract. The Commission initially instituted a proceeding to, among other things, determine whether a proposed transaction between Constellation Energy Group Inc. and Electricité de France International, SA required the Commission's formal approval. The Commission recognized that its staff, lacking the expertise to review this complex business transaction, needed the consulting services that formed the basis of the underlying contract. The information from CEG and EDF posited that the transaction did not need Commission approval; because of this, the original emergency contract did not include the review and examination required by Public Utility Companies Article, § 6-105, Annotated Code of Maryland.

By Order issued June 11, 2009, the Commission concluded that the proposed transaction does require authorization under Public Utility Companies Article, § 6-105. This conclusion requires the Commission to examine and investigate the transaction within 180 days. The Commission established a schedule requiring: EDF to file an application and testimony by June 19, 2009; CEG to file its testimony in support of the application by June 24; and all other parties, including its technical staff to file reply testimony by August 5. The schedule further establishes aggressive dates for discovery, rebuttal testimony and briefing. Adjudicatory proceedings are scheduled for the third and fourth weeks in August; briefs are due September 2, 2009.

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 2 (cont'd)**

REMARKS: (cont'd)

This modification: (a) extends the contract duration one year; and (b) adds \$200,000 in funds to cover a change in the scope of the original contract.

Basis for Selection: Overland Consulting was selected on the basis of the firm's work under the original contract, the firm's extensive experience in electric company acquisitions and its team of technical members representing all relevant disciplines, including finance, operations, affiliate review, customer service and safety, legal and public interest/cost-benefit analysis, plus attorneys.

TAX COMPLIANCE NO.: 09-2165-0000

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: BJ Said-Pompey (410) 339-5013
bjsaid-pompey@dpscs.state.md.us

REPORT OF EMERGENCY PROCUREMENT**ITEM:** Appendix 3**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES**

Division of Pretrial Detention and Services

CONTRACT TITLE: BCDC – Electrical Repairs
 ADPICS NO. Q00P9204685

CONTRACT TYPE: Maintenance

DESCRIPTION: Furnish all materials, equipment, and labor to restore electrical power to the Men's Detention Center at the Baltimore City Detention Center.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: September 27, 2008

BIDS:

Primo Electric Company \$71,785.08
 Glen Burnie, MD

Global Electric Construction Services \$86,520.00
 Raleigh, NC

AWARD: Primo Electric Company

AMOUNT: \$71,785.08

CONTRACT AWARD DATE: September 27, 2008

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 3 (continued)

MBE PARTICIPATION: 0%

FUND SOURCE: 100% General Funds
Appropriation Code: 53140 8090

REMARKS:

Nature of Emergency: Services needed to restore electrical power at the Baltimore City Detention Center caused by waters from torrential rain. As a result, an emergency was declared in order to prevent serious danger to the community and staff.

Basis for Selection: DPSCS selected Primo Electric Company because they offered the lowest hourly rate and were able to commence work on the same day that the electricity went out.

Late Report: While the emergency repairs were made in a timely manner this report of emergency procurement was delayed. First, the procurement officer failed to prepare an accurate initial report in a timely manner. Then issues related to Maryland State Tax ID numbers and tax payment status arose. Finally the report was misplaced by our agency's procurement unit and found when preparing for year end reports.

TAX COMPLIANCE NO.: Not in Compliance

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

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

ITEM 1A
PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit \$1,320,954.00 for the following **acquisition and development** projects located in **Anne Arundel County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Stadium Renovations - Broadneck High School - \$150,454.00 - POS #5625-2-268 MD20090320-0289**

Design and installation of artificial turf playing surface at Broadneck High School. Anne Arundel County Recreation and Parks and Anne Arundel County Public Schools have entered into a Joint-Use Agreement for this project. The scope of work will include removal of existing turf field, addressing underground utilities beneath the field, fine grading, construction of the perimeter curb, installation of the artificial turf playing surface and painting of lines and markings. The new synthetic turf is permeable with no surface runoff. The existing crown on the natural turf has been minimized to further contain water within the permeable field surface. No new impervious areas are being created and the permeability of the field is being increased by the new stone base that will help to mitigate heavy down-pours. Funds totaling \$271,596.00 were previously approved by the Board of Public Works on the Secretary's Agenda.

FUND SOURCE: Program 8 1.20.04 Item 102 \$150,454.00

2. **South River Greenway (Blake Green Property) - \$1,170,500.00 - POS #5664-2-270 MD20090612-0799**

Acquire 72.38 acres to be part of the planned 878 acre South River Greenway. Identified as an important migratory bird area by the U.S. Fish and Wildlife Service, the property is mostly wooded with steep slopes and floodplain areas along Bacon Ridge Branch; the headwaters of the South River. Currently the County owns 82 acres and is pursuing four additional parcels.

Appraised Value: Antoinette Wineholt \$1,070,000.00
Brice Worthington \$1,085,000.00

Property Cost: \$1,077,500.00

Incidental Costs: \$ 93,000.00

FUND SOURCE: Program 81.20.04 Item 000 \$350,757.55
Program 81.20.04 Item 802 \$819,742.45

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

Approved Disapproved Deferred Withdrawn
With Discussion Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

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

ITEM 3A
PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit \$84,737.00 for the following **development** project located in **Howard County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Robinson Nature Center - \$84,737.00 - POS #5279-13-80 - MD20071023-1072

Design and construct the County's first public nature center. The 20,000± sq. ft. facility will be a state of the art, educational facility housing a planetarium, several classrooms, a laboratory, discovery room, an auditorium, and related facilities. Program Open Space funding in the amount of \$9,439,550.00 will be requested through yearly installments as funds become available. This is the third installment request. Funds totaling \$1,227,545.50 were previously approved by the Board of Public Works on the Secretary's Agenda.

FUND SOURCE: Program 81.20.04 Item 813 \$77,962.46
 Program 81.20.04 Item 113 \$ 6,774.54

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

Approved Disapproved Deferred Withdrawn
 With Discussion Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

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 \$495,300.00 for the following **acquisition and development** projects located in **Montgomery County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Takoma Park Community Center Auditorium Renovation (City of Takoma Park)**
\$442,500.00 - POS #5638-15-634 - MD20090612-0796

Renovate an old City Council chambers into a multi-purpose auditorium, as part of the larger Takoma Park Community Center project which is adjacent to the space to be renovated. The new community center, built as an expansion of the City's old municipal building, contains a dance studio, game room, art room, senior room, teen center, and rooms for after school programs and summer camps. The old chambers is the largest room in the center, but is a poor space for performances, summer camp, and other recreation activities. This project will allow the reuse of an existing facility to address the recreation needs of the community.

FUND SOURCE: Program 81.20.04 Item 915 \$442,498.50
 Program 81.20.04 Item 000 \$ 1.50

2. **Dolores Miller Park (Town of Laytonsville) - \$52,800.00 - POS #5666-15-638**
MD20090612-0792

Acquire 1 additional acre for the existing 15 acre park. The parcel may be used for environmental education and natural resource conservation.

Appraised Value: Charles P. Martin \$102,000.00
 Harold R. Gearhart \$110,000.00
Property Cost: \$110,000.00
Incidental Costs: \$ 2,950.00

FUND SOURCE: Program 81.20.04 Item 815 \$52,798.50
 Program 81.20.04 Item 000 \$ 1.50

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

Approved
 Disapproved
 Deferred
 Withdrawn
 With Discussion
 Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

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

ITEM 5A
PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit \$461,000.00 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.

1. **Riversdale Historic Site - Humphrey Property - \$236,000.00 - POS #5598-16-712 MD20090612-0795**

Acquire a 5,200 sq. ft. improved lot located on the historic block surrounding Riversdale Historic Site. Riversdale, a National Historic Landmark, is often referred to as the Calvert Mansion because it was owned by George Calvert, a member of Maryland's founding family. As restored, Riversdale offers a glimpse into the early 19th century life of both the owners of the estate and the servants and slaves who worked there. Acquisition of this site is one step towards consolidation of all property within the block surrounding the historic mansion.

Appraised Value: Paul E. Spruill & Associates \$242,500.00
Charles W. White, IFAS \$225,000.00
Property Cost: \$233,750.00
Incidental Costs: \$ 2,250.00

FUND SOURCE: Program 81.20.04 Item 816 \$236,000.00

2. **Buddy Attick Park Master Plan Improvements (City of Greenbelt) - \$225,000.00 POS #5661-16-727 - MD20090612-0789**

Improve the existing parking lot and gateway that serves the 80± acre municipal Buddy Attick park. Improvements include redesign of the existing parking lot, curb and gutter, park signage, landscaping, and bioretention areas. Emphasis will be placed on minimizing environmental impacts by using innovative materials (i.e., rain gardens, bioretention areas, etc.) and native plantings.

FUND SOURCE: Program 81.20.04 Item 816 \$225,000.00

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

Approved

Disapproved

Deferred

Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

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

ITEM 7A

COMMUNITY PARKS AND PLAYGROUNDS INITIATIVE:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2008:
MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2009:

Approval is requested to commit \$339,933.00 for the following **development** projects located in Somerset County. Funding will come from the Community Parks and Playgrounds Initiative's MCCBL proceeds as noted.

1. **Garland Hayward Park Development (Town of Princess Anne) - \$143,933.00**
CPP #5398-19-79 - MD20090720-1053

Construct a walking/jogging trail and install fencing, signage, and night-friendly security lighting for the park. The proposed outdoor recreational lighting system is designed to perform its intended function, be energy efficient, and minimize light pollution.

FUND SOURCE: Program 89.22.42 Item 051 (MCCBL 2008) \$143,933.00

2. **Crisfield Municipal Park Gazebo (City of Crisfield) - \$50,000.00 - CPP #5710-19-82**
MD20090625-0866

Construct a gazebo overlooking the marsh and river to serve as an adult meditation area. The Town will incorporate the use of rain barrels and rain gardens or vegetative swales to control stormwater runoff.

FUND SOURCE: Program 89.22.45 Item 064 (MCCBL 2009) \$50,000.00

3. **Crisfield Municipal Park Playground (City of Crisfield) - \$89,000.00 - CPP #5711-19-83**
MD20090625-0865

Install a creative thinking playground with rocks, a tunnel, bridge, and a wooden ship sitting on ocean blue rubber safety mulch with a ramp and slide. Handicapped-accessible playground equipment will also be installed along with a raised sand box and trails landscaped with indigenous plants. Stormwater management will consist of vegetative swales and rain gardens.

FUND SOURCE: Program 89.22.45 Item 064 \$89,000.00

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

ITEM 7A (con't)

4. **Crisfield Municipal Park Picnic Area (City of Crisfield) - \$57,000.00 - CPP #5712-19-84 MD20090612-0798**

Construct three picnic pavilions overlooking the scenic vistas of Crisfield. Parking will be provided with limited impervious surfaces. Stormwater management will be addressed with the use of vegetative swales and rain gardens. Rain barrels will be incorporated into the pavilions to reduce stormwater runoff.

FUND SOURCE: Program 89.22.45 Item 064 \$57,000.00

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

Approved	Disapproved	Deferred	Withdrawn
With Discussion ✓		Without Discussion	

PROGRAM OPEN SPACE - SUPPLEMENT AGENDA

BOARD OF PUBLIC WORKS

AUGUST 5, 2009

SECRETARY'S AGENDA

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

ITEM 8A
RURAL LEGACY PROGRAM FUNDS:

Approval is requested to grant to Wicomico County \$309,794.92 for the following projects from Rural Legacy Funds.

PROJECT NAME: Quantico Creek Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$750,000 FY 2007 grant on the October 4, 2006 Program Open Space Agenda Item 6A for easement acquisitions in Wicomico County.

PROJECT DESCRIPTION:

McDonald - \$309,794.92

Acquisition of this 110.06 acre conservation easement located in the Quantico Creek Rural Legacy Area of Wicomico County preserves agricultural and forest land. Water quality will be protected through permanent riparian buffers along the Nanticoke River, a tributary of the Chesapeake Bay. The easement will be held by the Wicomico County Council and the Maryland Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$286,249.68 – RL Contribution - \$2,600.85. (Wicomico County is contributing \$21,918.32 for a total value of \$308,168.00 - \$2,800.00 per acre.)

<u>TOTAL OTHER COSTS:</u>	\$23,545.24	
<u>ADMINISTRATIVE:</u>	\$ 8,587.49	
<u>INCIDENTAL:</u>	\$10,664.00	(\$3,250.00 – Appraisal \$3,200.00 - Appraisal \$1,152.50 – Survey \$3,061.50 – Title Work)

COMPLIANCE: \$ 4,293.75

AMOUNT REQUESTED: \$309,794.92

FUND SOURCE: Program 81.20.04 Item 000 \$309,794.92 (FY 2007)

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: 1-S (Cont.)

Edwards and Kelcey, Inc. (MTA-1098B)
\$4,058,100.00 (3 Years; Base Contract)
\$1,448,100.00 (1 Year; 1st Renewal Option)
\$1,489,950.00 (1 Year; 2nd Renewal Option)
\$6,996,150.00 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment 1

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: None

INCUMBENTS: Booz Allen Hamilton, Inc.
Baltimore, MD

AECom Consult, Inc.
Fairfax, VA

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com* and *www.mtmaryland.com*. In addition, a copy of the notice and the RFP were sent directly to 211 prospective vendors (188 via the website *eMarylandMarketplace.com* and 23 via a direct email distribution), 46 of which were Maryland firms and 63 of which were MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Five proposals were received in response to the RFP. Three of the proposals were deemed reasonably susceptible of being selected for award. The two proposals deemed not reasonably susceptible of being selected for award were eliminated and their financial proposals were returned unopened.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

The RFP provided for the award of two separate contracts for Consultants to provide technical services necessary for the completion of various policy planning projects on an “as needed” basis. The two firms offering the most advantageous proposals shall be designated as Consultants “A” and “B” respectively. Each of the successful contractors must be able to perform all of the elements in the Scope of Services, although individual project tasks will vary in terms of size, schedule and complexity. A Task Order RFP (TORFP) will be issued to both consultants to establish and define the specific disciplines required for the task. Both Consultants will be asked to submit technical and price responses for the given task. Based upon an evaluation of these proposals a task order will be issued to either Consultant A or Consultant B to perform the specified work. The types of services and tasks to be provided under this contract include: Management/Organizational Development; StateStat Requirements; Managing for Results and Attainment Report; Integrated Planning and Management Data Systems; Internal and External Peer Review; Federal and State Legislation; and Service Development.

The two offerors recommended for award were determined to be the highest ranking technical offerors and were lowest in price. An analysis of the technical ranking indicates that the top two ranked firms submitted proposals that described their capability and expertise to provide quality policy, business and transit management service strategies to enhance the MTA objectives and goals. The two recommended offerors for contract awards are Booz Allen Hamilton, Inc. and Edwards and Kelcey, Inc.

Booz Allen Hamilton, Inc., and Edwards and Kelcey, Inc. demonstrated a clear understanding of the MTA’s needs and illustrated a solid response to the MTA’s Scope of Services in their response to the RFP, which demonstrated their understanding of the services to be provided. Both Consultant firm’s experience, qualification of key personnel and performance on similar projects was demonstrated strongly in their technical proposal.

The MTA requires the assistance of a consultant to improve current data collection and management systems, identify opportunities to improve transit service currently operated by the MTA, eliminate redundant data systems and management efforts, identify budgetary cost savings through data analysis and reporting on other transit agency experience, recommend more efficient resource (human, financial, technical) allocation across the MTA, and investigate potential internal control weaknesses. MTA does not have sufficient staff to assist with these critical functions. This contract is the most cost-effective and efficient use of resources to protect the MTA and the State from fraud, inefficient management decisions, and unnecessary expenditures.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

The contract also provides a contingency for the completion of Policy, Business and Transit Management Services and various policy planning projects that commenced prior to the expiration date of the contract. In the event a task order(s) is issued but not completed prior to the expiration date of the contract, the contractor will continue with completion of the task order at no additional cost to the State. All terms, conditions and pricing shall remain the same and in full effect. The extension period may not exceed 6 months past the expiration date of the contract.

Both Booz Allen Hamilton and Edwards and Kelcey Inc. have committed to the 25% MBE goal, with classification sub-goals of 7% for African-American owned and 5% for women-owned businesses established by MTA for this solicitation.

FUND SOURCE: 80% Federal;
20% Special (Capital Equipment and Facilities)

APPROP. CODE: J00H01.05

RESIDENT BUSINESS: Yes for both

MD TAX CLEARANCE: 09-2154-1111 (Booz Allen Hamilton)
09-2212-0001 (Edward and Kelcey)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BIDS OR PROPOSALS (Cont.):

Offeror's Name	Technical Rank	Financial* (Rank)	Overall** Rank
Booz Allen Hamilton, Inc. Baltimore, MD	1	\$6,254,154 (1)	1
Edwards and Kelcey Baltimore, MD	2	\$6,997,743 (2)	2
PB Baltimore, MD	3	\$8,727,735 (3)	3

Note: * Based upon a model in the RFP of fixed unit prices and estimated labor hours, which were created to allow a proper comparison of financial proposals.

**Technical factors had more weight than financial factors in the overall award recommendation

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Dan Katz
443-357-1321
dkatz@mdsp.org

DEPARTMENT/PROGRAM: Maryland Department of State Police
Forensic Science Division (FSD)

CONTRACT ID: W00SO254345;
DNA Database Analysis
ADPICS NO. W00B0400001

CONTRACT DESCRIPTION: Provide Short Tandem Repeats (STR) analysis of DNA Database Samples from convicted offenders. These DNA samples provide evidence profiles when entered into the Combined DNA Index System (CODIS) that are investigative tools that can lead to the identification of perpetrators of violent crimes.

AWARD: The Bode Technology Group
Lorton, VA

TERM: 8/6/2009 - 8/31/2014

AMOUNT: \$5,000,000 Est.

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 5% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Orchid Cellmark
Nashville, TN

**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*, reaching 227 potential vendors, which included 52 Maryland firms and 14 MBEs, and posted on the MDSP bid board. A copy of the solicitation notice was mailed directly to one Maryland DNA laboratory. A copy was also sent to the Governor's Office of Minority Affairs.

Two proposals were received in response to the RFP. Both were deemed reasonably susceptible of being selected for award. The proposal received from The Bode Technology Group was determined to be the more advantageous offer to the State with the number one technical ranking and the lower price. Therefore award is recommended to The Bode Technology Group.

The success and continuation of the CODIS DNA Database is dependent upon the quality of the database, namely the accuracy of the data entered. The integrity of the program is crucial to the investigation of criminal cases. A reported error that resulted in the arrest of a wrongly accused individual or the release of the actual perpetrator would jeopardize the future of the CODIS DNA Database. It would further put into question the quality assurance program of the entire FSD as well as create doubt for evidence presented in court.

The *Award Amount* above and the *Offer Amount* shown in the Attachment are different. The *Offer Amount* was based upon a weighted pricing model for different types of tests to be performed. The *Award Amount* is based on funding and historical usage. This is an indefinite quantity, fixed unit price contract. The Contractor will be paid the individual prices for the different tests as submitted on the financial proposal.

Because of the chain of custody issues, subcontractors are not allowed to perform the direct services provided in this contract; however, a 5% MBE participation goal was established for this contract to provide lab supplies.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: W00A0101

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1988-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 2-S (Cont.)

ATTACHMENT

BPW 8/5/2009

BIDS OR PROPOSALS (Cont):

<u>Offeror</u>	<u>Tech. Rank</u>	<u>Financial Price (Rank) *</u>	<u>Overall Rank **</u>
The Bode Technology Group Springfield, VA	1	\$152.25 (1)	1
Orchid Cellmark Nashville, TN	2	\$152.37 (2)	2

Note:

*The Financial Price was based upon a weighted model for different types of possible tests to be performed.

** Technical factors had greater weight than financial factors in the overall award determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 3-S-OPTION **Agency Contact:** Luci Sager
410-468-2374
LSager@mdinsurance.state.md.us

DEPARTMENT/PROGRAM: Maryland Insurance Administration (MIA)
Examination and Auditing Unit (E & A)

CONTRACT ID: D80R7200008;
Examination and Auditing
Financial Examinations
Six Functional Areas
ADPICS NO. D80B0400001

CONTRACT APPROVED: 8/22/2007 DBM BPW Agenda Item 1-S

CONTRACTORS: See Attachment 1

CONTRACT DESCRIPTION: Multiple-award contract to assist the MIA in conducting financial examinations of insurance companies, health maintenance organizations, and managed care organizations at least once every five years. The six functional areas of assisting the MIA are Property and Casualty - Actuarial Services, Reinsurance Services, EDP Audit Services, Life and Health - Actuarial Services, Investment Services, and Tax Services.

OPTION DESCRIPTION: Approval request to exercise the second of the three one-year renewal options as contained in the original contracts to ensure adequate availability of services for six primary contracts and six back-up contracts.

TERM OF ORIGINAL CONTRACT: 8/23/2007 – 8/22/2008 (w/3 one-year renewal options)

TERM OF OPTION: 8/23/2009 – 8/22/2010

AMOUNT OF ORIGINAL CONTRACT: \$1,430,000 (1 Year)

AMOUNT OF OPTION: \$1,430,000 (1 Year)

PRIOR MODIFICATIONS/OPTIONS: \$1,477,500 (See Attachment 2)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S-OPTION (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$4,337,500

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

REQUESTING AGENCY REMARKS: Request for approval to exercise the second of three renewal options as contained in the original contracts to ensure adequate availability of services in the six functional areas.

The MIA is extremely satisfied with the performance of the contractors. The contractors have demonstrated their expertise, have been flexible in supporting MIA's Examination and Auditing Unit, and have trained professional staff assigned in the various examination and auditing services. These vendors provide specialized support on an as needed basis in conjunction with routine (every five years) and targeted (exam of a specific area of financial concern) exams of insurance companies, health maintenance organizations, and managed care organizations licensed in Maryland. These specialized skills do not exist within the MIA.

The MIA anticipates a continued need for examination and auditing services due to redomestication of Maryland domestics to other jurisdictions, redomestications of foreign companies from other jurisdictions to Maryland, and the need to conduct examinations of Maryland domestics more frequently than once every five years. Redomestication of an insurance company changes the state responsibility of that insurance company. Generally, the insurance company is the domestic of the state where the principal offices are maintained.

It is in the best interest of the State to exercise the renewal option in lieu of a new procurement based on the quality of service being provided and the good pricing achieved through the contracts. In reviewing the Consumer Price Index (CPI) for hourly rates for the six functional areas, for the period from March 2008 through March 2009, the hourly rates had increased by 0.38%, whereas the rates on the contracts have remained the same.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S-OPTION (Cont.)

FUND SOURCE: 100% Special (Payment is by the insurance companies being examined)

APPROP. CODE: D80Z0101

RESIDENT BUSINESS: Yes for RSM McGladrey Inc., INVOTEX Group, SMART Business Advisory and Consulting, LLC; No for all others

MD TAX CLEARANCE: See Attachment 1

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 3-S-OPTION (Cont.)

ATTACHMENT 1

CONTRACTORS (Cont.):**Lewis & Ellis**

Richardson, TX

Prime: Property and Casualty

Prime: Life and Health

Back-up: Reinsurance Services

MD Tax Clearance: 09-2048-0000

RSM McGladrey

Timonium, MD

Prime: EDP Audit Services

Prime: Investment Services

Prime: Tax Services

MD Tax Clearance: 09-2305-1011

INS Regulatory Services

Philadelphia, PA

Prime: Reinsurance Services

Back-up: Life and Health

MD Tax Clearance: 09-2182-0011

Invotex Group

Baltimore, MD

Back-up: Investment Services

MD Tax Clearance: 09-2049-0111

Pinnacle

Garden City, NJ

Back-up: Property and Casualty

MD Tax Clearance: 09-2050-0000

SKB & Associates

Malvern, PA

Back-up: EDP Audit Services

MD Tax Clearance: 09-2340-0001

**SMART Business Advisory &
Consulting, L.L.C.**

Towson, MD

Back-up: Tax Services

MD Tax Clearance: 09-2051-0110

ITEM: 3-S-OPTION (Cont.)

ATTACHMENT 2

14B
BPW 8/5/2009

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Option #1	\$1,430,000	Exercised the first of three one-year renewal options as contained in the original contracts for the period 8/23/2008 – 8/22/2009. Approved on the 8/20/2008 DBM BPW Agenda Item 7-S-OPTION.
Mod. #1	\$47,500	Modified the contract to add funds due to a large special exam of an urgent nature being performed in January 2009 for the period from 1/14/2009 to 8/22/2009. Approved by DBM and reported on the January 2009 DBM PAAR.
Total	<u>\$1,477,500</u>	

DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT RENEWAL OPTION

ITEM: 4-S-OPTION **Agency Contact:** Terry Niswonger
410-537-7520
tniswonger@mdta.state.md.us

DEPARTMENT/PROGRAM: Transportation Authority (MdTA)
Division of Communications

CONTRACT ID: MDTA 10632339;
Advertising, Marketing and Public Relation
Services
ADPICS NO. J01B9200010

CONTRACT APPROVED: 8/30/2006 DBM BPW Agenda Item 5-S

CONTRACTOR: Strategix/Noble-Steed (SNS)
Hunt Valley, MD

CONTRACT DESCRIPTION: Contract for Advertising, Marketing and
Public Relation Services to support MdTA public outreach initiatives.

OPTION DESCRIPTION: Approval request to exercise the first of two
one-year renewal options as contained in the original contract under the same terms and
conditions to provide Advertising, Marketing and Public Relation Services to support MdTA
public outreach initiatives.

TERM OF ORIGINAL CONTRACT: 9/1/2006 – 8/31/2009 (w/2 one-year
renewal options)

TERM OF OPTION: 9/1/2009 – 8/31/2010

AMOUNT OF ORIGINAL CONTRACT: \$6,000,000 (3 Years)

AMOUNT OF OPTION: \$0 (1 Year)
(See Requesting Agency Remarks below)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$6,000,000

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25% (Excluding Media Purchases)

REQUESTING AGENCY REMARKS: Request for approval to exercise the first of two one-year renewal options as contained in the original contract. It is in the State's best interest to exercise the renewal option based upon the following reasons:

- Strategix/Noble-Steed (SNS) Marketing's successful performance in developing effective marketing campaigns and products, particularly the Spike and OtisSM campaigns for Bay Bridge safety and summer travel and creation of the Bay Bridge web site and email alert system.
- SNS efforts have produced measurable results with a variety of stakeholders, including promotion of 1-877-BAYSPAN and baybridge.com for 24/7 bridge traffic conditions. During CY2008 and the first six months of CY2009, more than 2.0 million calls came into 1-877-BAYSPAN, and baybridge.com logged around 520,000 unique visitors. In addition, more than 5,000 registrants are signed up to receive email alerts from baybridge.com. These alerts are issued to inform drivers of major traffic incidents, bridge closures, construction and significant news items.
- SNS also secured nearly \$620,000 in value-added marketing for media buys at no cost to the Authority and have utilized State-certified MBE subcontractors on significant projects that included the redesign and customer services of the website baybridge.com. The site's news ticker, traffic alerts, email alerts and 1-877-BAYSPAN audio (visitors can click to hear the current audio message) are vital to the stakeholder outreach and congestion management efforts for the Bay Bridge.
- Authority and SNS staffs have developed a solid partnership based on professionalism and trust. The consultant's team has an excellent understanding of the Authority's core business and values and translates that understanding into their services with minimal education on the Authority's part.
- SNS provided substantial value and cost-effective services even before the economic recession by submitting prices for the majority of the contract's labor categories lower than the other offerors for the CSP. Plus, as evidenced by a June 2009 phone survey of local marketing firms, SNS continues to provide the Authority with highly competitive rates that are generally low for today's marketplace.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S-OPTION (Cont.)

- The SNS team has delivered vital marketing of Maryland's transportation services and issues with integrity, fiscal responsibility and measured results and has declined seeking a rate increase with this contract renewal, which amounts to \$12,443 in cost savings.

The sustention needs of the State's transportation infrastructure continue to grow significantly at a time when security, capacity and financing needs are changing rapidly. Approving this renewal option will provide continuity in service, branding and messaging for critical business, education and safety efforts for Maryland's citizens at cost-effective rates.

The estimated amount of payments to the Contractor during the one-year renewal option period will be approximately \$2,000,000; however, there is approximately \$2,000,000 remaining of authorized funding from the base contract period. So as not to overstate the entire contract value, no additional funding is being requested for this renewal option.

FUND SOURCE:	100% Special (Toll Revenues)
APPROP. CODE:	J00J00.41
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-2139-1111

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 RENEWAL OPTION

ITEM: 5-S-OPTION **Agency Contact:** BJ Said-Pompey
410-339-5013
Bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS)
Division of Parole and Probation (DPP)

CONTRACT ID: DPSCS Q0006064;
DPSCS Drug Testing Services (FY10)
ADPICS NO. Q00B9200381

CONTRACT APPROVED: 8/9/2006 Agenda Item 5-S

CONTRACTOR: Kroll Laboratory Specialists, Inc.
Richmond, VA

CONTRACT DESCRIPTION: Contract to perform Drug Testing Services
for urine samples collected by the Agency from Parolees and Probationers.

OPTION DESCRIPTION: Approval request to continue existing drug
testing services by exercising the second of three one-year renewal options as contained in the
original contract.

TERM OF ORIGINAL CONTRACT: 8/15/2006 – 7/31/2008 (w/3 one-year
renewal options)

TERM OF OPTION: 9/1/2009 – 8/31/2010 (See Attachment)

AMOUNT OF ORIGINAL CONTRACT: \$645,600 (2 Years)

AMOUNT OF OPTION: \$322,800 (1 Year)

PRIOR MODIFICATIONS/OPTIONS: \$349,700 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$1,318,100

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MBE PARTICIPATION: 5% (See Requesting Agency Remarks)

REQUESTING AGENCY REMARKS: Request for approval to continue the Drug Testing Services for urine samples collected by the Agency for Parolees and Probationers by exercising the second of three one-year renewal options as contained in the original contract.

The original vendor, Scientific Testing Laboratories, Inc. was acquired by Kroll Laboratories, Inc. (Kroll). As of 3/26/2007, a novation agreement was executed between the Department and Kroll, in which Kroll accepted full responsibility for the performance of the Contract.

The mission of the Division of Parole and Probation (DPP) is to help make communities safe through supervising/monitoring offenders who are serving or completing sentences in the community. The Division's employees supervise/monitor approximately 66,000 offenders who are under mandatory (a non-discretionary release from prison required by law after a criminal offender has served his/her sentence, less diminution of confinement credits), parole, or probation supervision in communities throughout Maryland.

Approximately 40,000 offenders who are under the supervision of the Division have special conditions for drug treatment that include Drug Testing. Offenders are tested on different schedules which vary from two times per week to random samples. Without drug testing there is the potential for offenders to engage in criminal behavior, and the Division's ability to break the cycle of drug use, drug addiction and crime is limited. Currently, an average of 6,039 tests are conducted each month and approximately 21% of the tests are positive. Inmates who test positive face sanctioning that can range from a reprimand to the issuance of a warrant, which can lead to incarceration.

It would be advantageous to the State to continue these critical services with the current vendor. Kroll has not altered the way the contract has progressed within the last three years. The vendor has honored the prices established for the renewal options for these services. The agency is satisfied with Kroll's performance on the Contract. Kroll is performing as expected by meeting all established requirements.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.)

Kroll has made every effort to achieve the MBE participation goal of 5%. They have previously tried to purchase paper products from a Maryland MBE/DBE and the shipping costs restricted participation. They are currently seeking lab supplies from another MBE, since the direct services under this contract are not able to be subcontracted.

FUND SOURCE: 100% General
APPROP. CODE: Q00C0202
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 09-1817-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 5-S-OPTION (Cont.)

ATTACHMENT

BPW 8/5/2009

PRIOR MODIFICATIONS /OPTIONS (Cont):

Mod. #1	\$26,900	Modification to extend the contract for one month from 8/1/2008 – 8/31/2008, in order to properly present the request for approval of the execution of the first renewal option to the BPW. Approved by DBM and reported on the July 2008 DBM PAAR.
Option #1	\$322,800	Exercised the first of three one-year renewal options as contained in the original contract for the period 9/1/2008 – 8/31/2009. Approved on the 8/20/2008 DBM BPW Agenda Item 8-S-OPTION.
Total	<u>\$349,700</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 6-S-OPTION **Agency Contact:** Patti McQuade
410-767-1740
mcquadep@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Health Services (OHS)

CONTRACT ID: DHMH-OPASS 08-9626;
External Quality Review of
Managed Care Organizations (MCOs);
ADPICS NO. M00B0400195

CONTRACT APPROVED: 8/22/2007 DBM BPW Agenda Item 4-S

CONTRACTOR: Delmarva Foundation
Easton, MD

CONTRACT DESCRIPTION: Contract to perform external quality review
organization services for the HealthChoice Managed Care Organizations (MCO).

OPTION/MODIFICATION DESCRIPTION: Approval request to exercise the first of two
one-year renewal options as contained in the original contract and modify the contract to reduce
the renewal option price for Option #1. (See Requesting Agency Remarks below.)

TERM OF ORIGINAL CONTRACT: 9/1/2007 - 8/31/2009 (w/2 one-year
renewal options)

TERM OF OPTION/MODIFICATION: 9/1/2009 - 8/31/2010

AMOUNT OF ORIGINAL CONTRACT: \$1,653,736 (2 Years)

AMOUNT OF OPTION/MODIFICATION: \$908,147 (Option)
(\$ 19,864) (Modification)
\$888,283 Total (1 Year)

PRIOR MODIFICATIONS: \$23,112 (See Attachment)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-OPTION (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$2,565,131

PERCENT +/- (THIS MODIFICATION): -1.20%

OVERALL PERCENT +/-: +0.20%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 20%

REQUESTING AGENCY REMARKS: Request for approval to exercise the first of two one-year renewal options as contained in the original contract and modify the contract to reduce the renewal option price for Option #1.

The DHMH Office of Health Services (OHS) is charged with the task of meeting the statutory and regulatory requirements of the Federal Medicaid Program for the performance of all external quality review activities as detailed in 42 CFR 438, Subpart E. The contractor must be a federally qualified External Quality Review Organization (EQRO) and must be independent from the State Medicaid Agency and any provider that is subject to audit. This option renewal will continue to provide HealthChoice (Maryland's statewide mandatory managed care program for eligible Medicaid recipients) and Acute Care (brief treatment of a severe episode of an illness/disease) with External Quality Review Organizations functions as mandated by the Federal regulation 42 CFR 438.310.

Effective 4/1/2009, a modification was executed on this contract that added a new function, Encounter Data Audit, and clarified an existing function, the EPSDT Audit. The modification approved by DHMH was for the base term of the contract. These functions will continue during the renewal options. So, for Option #1 the additional funding needed would be \$54,584 on top of the \$853,563 proposed in the original contract for a total of \$908,147. However, the Contractor agreed to an overall 2% price reduction (\$19,864) for Option #1.

It is in the best interest of the State to exercise the renewal option with Delmarva Foundation because the Contractor consistently exceeds all contractual requirements and expectations in quality of product, timeliness, and staffing. Delmarva has proven to be an exceptional partner with the Department, always supporting the Department's goals and demonstrating cooperation and flexibility to adjust to unexpected needs or issues.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-OPTION (Cont.)

Also, Delmarva has exceeded the MBE participation goal established for the contract with 28.25% compliance and all indications are that it will continue to meet the goal for the renewal option.

FUND SOURCE: 75% Federal; 25% General
APPROP. CODE: M00Q01.03
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-2129-1119

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 6-S-OPTION (Cont.)

ATTACHMENT

BPW 8/5/2009

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1

\$23,112.08

Modification to the contract for two changes: (1) to perform an encounter data audit using medical records to validate the accuracy of the coding; and (2) to perform all EPSDT medical record reviews on-site in the provider's office for the period from 4/1/2009 – 8/31/2009. Approved by DHMH.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 7-GM **Agency Contact:** Steve Brooks
410-767-0010
steve.brooks@msde.state.md.us

DEPARTMENT/PROGRAM: Maryland State Department of Education (MSDE)

FUND SOURCE: 100% Federal

APPROP. CODE: R00A0123

AMOUNT OF REQUEST: \$766,231

DESCRIPTION: Approval request to create 18 new positions pursuant to §7-236, State Finance and Procurement Article and Chapter 484, HB100, Acts of 2009 (the Budget Bill for FY 2010). This provision enables the Board of Public Works to authorize the creation of up to 200 positions within the Executive Branch. The provision also stipulates that the numerical limitation does not apply to positions entirely supported by funds from federal or other non-State sources. All 18 positions are supported with 100% federal funds and therefore do not count against the 200 positions the Board of Public Works is able to create in FY 2010.

<u>Qty</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries & Wages</u>
11	Vocational Rehab Specialist I	12/3 @ \$ 35,700 =	\$392,700
2	Physician Program Specialist	35/base @ \$106,269 =	\$212,538
2	Office Secretary III	10/base @ \$ 28,434 =	\$ 56,868
1	Computer Network Specialist	17/base	\$ 43,725
1	Administrative Aide	11/base	\$ 30,200
1	Administrative Specialist II	11/base	\$ 30,200
18	Total		\$766,231

REQUESTING AGENCY REMARKS: Approval of this Item will create 18 positions in the Disability Determination of Services program at the Maryland State Department of Education.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-GM (Cont.)

Claims for federal disability benefits in Maryland are expected to increase five percent in federal fiscal year 2010 and seven percent in federal fiscal year 2011. Due to a very high and sustained level of disability claims, over 7,500 claims for federal disability benefits are unable to be assigned to a disability examiner due to a shortage of examiners. As a result of the insufficient workforce capacity, the number of total claims pending in Maryland has increased over the first six months of the federal fiscal year from 13,668 to 18,383. As a result, the Social Security Administration has requested MSDE to increase the Disability Determination of Services staff to account for the increase in workload. The Social Security Administration will reimburse MSDE for 100% of the costs associated with the new positions.

The American Recovery and Reinvestment Act of 2009 (ARRA) includes an additional \$500 million for the Social Security Administration to help address the increasing disability and retirement workloads resulting from the economic downturn and the baby boomer retirement wave.

DBM REMARKS: The Secretaries of DBM and the Maryland State Department of Education have certified that funds are available for the new positions for which approval is requested outside the Rule of 200. If the Board approves this request, 27 positions will have been approved outside the Rule of 200 for FY 2010.

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: 8-S **Agency Contact:** Horacio Tablada
410-537-3305
htablada@mde.state.md.us

DEPARTMENT/PROGRAM: Maryland Department of the Environment (MDE)
Land Management Administration
Lead Poisoning Prevention Program

CONTRACT NO. & TITLE: U00B0400004;
Qualified Offer and Lead Education/Outreach
Assistance
ADPICS NO. U00B0400004

CONTRACT DESCRIPTION: Contract to assist in the implementation of the Lead Poisoning Prevention Program by providing qualified offer assistance statewide to tenants and rental property owners regarding rights, responsibilities, and resources established and required by the Maryland's Reduction of Lead Risk in Housing law, set forth in Title 6, Subtitle 8 of the Environment Article of the Annotated Code of Maryland. (See Requesting Agency Remarks below.)

AWARD: Coalition to End Childhood Lead Poisoning
Baltimore, MD

TERM: 8/6/2009 – 8/5/2014 (5 Years)

AMOUNT: \$1,268,360 NTE

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one proposal received

MBE PARTICIPATION: 10.26% (See Requesting Agency Remarks below)

MBE WAIVER: 14.74% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 8-S (Cont.)

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandMarketplace.com*. This notice went to 102 vendors, of which 64 are Maryland firms and 21 are MBEs. A copy of the notice was also sent to the Governor's Office of Minority Affairs. By law, only not-for-profits are allowed to respond to this solicitation.

Qualified Offer and Lead Education/Outreach Assistance services are needed for both tenants and property owners to improve their understanding through education and for the implementation of the Reduction of Lead Risk in Housing Act by facilitating cooperative, non-confrontational communication. Maryland's Reduction of Lead Risk in Housing law, set forth in Title 6, Subtitle 8 of the Environment Article of the Annotated Code of Maryland, which went into effect in 1996, is complex and makes significant changes to property owners' legal obligations and tenants' tort rights under previous laws. The standard of care includes registering certain properties, performing lead hazard reduction treatments, educating tenants, and making a "Qualified Offer" (a monetary settlement) to children who first record a blood lead level of 15 µg/dl or more in a compliant property. (The CDC has established a blood lead level of 10 µg/dl or less as safe.)

Services performed for this contract will include telephone and/or in-person consultations with tenants and property owners, referrals and coordination with various government agencies and community services, and on-site visits to tenants' homes. The contractor will submit periodic written status reports to the Department and interact with the Department to establish and maintain services.

MDE received one proposal in response to the RFP, which was from the incumbent, Coalition to End Childhood Lead Poisoning (Coalition). Over MDE's twelve years of experience with lead poisoning prevention outreach and education contract solicitations, MDE has found that only the Coalition responds.

The Coalition's proposal was determined to be reasonably susceptible of being selected for award and its financial proposal was deemed fair and reasonable. Also, it was determined that other prospective offerors had a reasonable opportunity to respond to the solicitation.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 8-S (Cont.)

The Coalition has been the contractor for the MDE Lead Poisoning Prevention Program (Program) since 1997. MDE's long-standing partnership with this strong advocacy organization has resulted in ongoing outreach and education not only to families statewide in targeted areas, but also to the Program's targeted audiences such as: health care providers to improve their childhood blood lead testing rates; pre-1950 rental property owners to improve compliance with the law; and lawyers and judges to improve their understanding and enforcement of Maryland's Reduction of Lead Risk in Housing law. In 2007, the Coalition conducted or presented at 191 trainings or health fairs that directly provided education and educational materials to 17,000 individuals and fifteen Property Owner Trainings. In 2008, the Coalition provided direct assistance to 694 Tenants and Property Owners to make and respond to Notices of Defect and Notices of Elevated Blood Lead Level, and the Coalition's lawyers represented forty-four tenants in Rent Court for cases of Rent Escrow, Retaliatory Eviction, or HB1245 (support of the Reduction of Lead Risk in Housing Law).

The Coalition is committed to the creation of resources, programs, and policies to prevent childhood lead poisoning and home-based environmental health hazards. They work in collaboration with families, community organizations, educators, government agencies, insurers, property owners, and health care providers to construct real, attainable and cost-effective means to create lead-safe and healthy homes. The Coalition is dedicated to the primary prevention of childhood lead poisoning and the creation of healthy home environments that eradicate environmental and social injustices and result in healthier children, better school performance, the revitalization of the housing stock and more productive communities.

Under the previous MDE contracts, the Coalition has established a clientele of nearly 100 families with lead poisoned children that have received Qualified Offer assistance. These families need to be followed over a period of years to ensure that they receive resources.

During the period of time that the Coalition has provided services to extend MDE's reach with respect to lead poisoning prevention, there have been significant improvements in children's lead health and compliance by residential rental property owners, as noted below.

- Of the 106,452 children under 6 years of age tested statewide in 2008, 0.7% or 713 children had an Elevated Blood Lead (EBL) level equal or greater than 10 µg/dl. (Of those, 489 children had an EBL level for the first time.)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 8-S (Cont.)

- In 1993, the EBL rate was 23.9%; in 1998, the EBL rate was 8.7%; and in 2003, the EBL rate was 2.2%.
- In Baltimore City in 2008, of the 18,622 children under 6 years of age tested, 2.5% or 468 children had an EBL level equal or greater than 10 µg/dl. (Of those, 302 children had an EBL level for the first time.)
- In 1993, the EBL rate in Baltimore City was 33.9%; in 1998, the EBL rate was 22.2%; and in 2003, the EBL rate was 6.4%.

An MBE goal of 25% was established in the RFP. The Coalition was not able to meet the 25% goal and requested a partial waiver of the goal. After review, MDE was satisfied that the Coalition made a good faith effort by hiring MBE subcontractors to perform some of the education/outreach work. Therefore, the Department granted the waiver for this contract, and the goal is now 10.26%.

FUND SOURCE: 100 % Special (Lead Poisoning Prevention Fund)
APPROP. CODE: U00.A06.01
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1893-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 1-C-MOD

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Design/Build w/ Guaranteed Maximum Price
Oakland Hall Dormitory with Satellite Central Utility
Building (SCUB)
Contract No. B-142490-K
Project No. 08-344-782-00

CONTRACT APPROVED: USM Item 8-C, (10/15/08): Pre-Approval for Design-Build
USM Item 2-C, (12/17/08): Design/Pre-Construction
Award

CONTRACTOR: Clark/Design/Build, LLC
Bethesda, MD

CONTRACT DESCRIPTION: Design and construction management services for the New Residence Hall (Oakland Hall) with a Satellite Central Utilities Building (SCUB). The project is to provide a 650-bed undergraduate student residence hall. The SCUB will be incorporated within the residence hall structure serving the new residence hall and future buildings in the vicinity with steam and chilled water. The estimated total project cost for design and construction of this facility is \$88 million.

MODIFICATION DESCRIPTION: To incorporate the first of two Guaranteed Maximum Price packages for construction of selected items of work. The scope of GMP #1 includes schedule critical work on the site, such as preliminary site and utilities work. GMP #1 includes 6 of 56 total trade contract packages planned for this project. The remaining 50 trade contract packages will be competitively bid and a separate modification to incorporate GMP #2 will be submitted to the Board for approval.

TERM OF ORIGINAL CONTRACT: 28 months from design thru construction completion (12/17/08 – 4/19/11)

TERM OF MODIFICATION: No change. Work will be completed within the original schedule.

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 1-C-MOD (continued)

AMOUNT OF ORIGINAL CONTRACT: \$2,957,946

MODIFICATIONS TO DATE: \$ 15,772

AMOUNT OF MODIFICATION: \$5,075,242

REVISED CONTRACT AMOUNT: \$8,048,960

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 30% (Design Phase)
35% (Construction Phase) [GMP #1: 37%]

PERFORMANCE BOND: Equal to contract amount

REMARKS: Contractor submitted an acceptable GMP #1 proposal. The University seeks Board approval to modify the contract to incorporate the GMP #1 into the contract and commence construction. GMP #1 includes the construction phase CM fee, general conditions, and construction trade packages associated with this scope of work.

The new Oakland Hall residence hall is being designed and constructed to achieve LEED Gold certification.

Facilities Management/ Department of Capital Projects at the University of Maryland, College Park will manage the DBC's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE: Dormitory: \$80 million – UMCP Plant Funds
SCUB: \$8 million – USM Academic/Auxiliary Facility Revenue Bonds

APPROP CODE: R30B22

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 1-C-MOD (continued)

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-2100-0000

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 2-C MOD Agency Contact: James Salt
301 445-1987
jsalt@usmd.edu
USM Rep: James Stirling

INSTITUTION: University of Maryland, College Park for
Salisbury University

CONTRACT ID: Construction Management at Risk Services
Franklin P. Perdue School of Business
Salisbury University
Contract No. B-133216-K
Project No. 06-229-708-00

CONTRACT APPROVED: USM Item 7-C 06/06/07 (Pre-Construction Phase)

CONTRACTOR: Holder Construction Group, LLC
Herndon, VA

CONTRACT DESCRIPTION: Construction management services for both pre-construction/design and construction phases for the Franklin P. Perdue School of Business at Salisbury University. The 64,910 NASF / 112,800 GSF project includes related site work, utility improvements, on-site water management, landscaping, pedestrian and vehicular circulation, and parking. The new facility will contain classrooms, laboratories, office facilities, business and information research center, auditorium, meeting rooms, and an executive education center. The construction estimated cost for this project is \$40 million

MODIFICATION DESCRIPTION: Incorporate the Guaranteed Maximum Price which includes construction service fee, general conditions, and all trade packages.

TERM OF ORIGINAL CONTRACT: Pre-construction phase 22 months
(06/06/07-04/05/09)
Construction 24 months

TERM OF MODIFICATION Construction Phase – 672 Calendar Days
(08/05/09-06/08/11)

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 2-C MOD (continued)

AMOUNT OF ORIGINAL CONTRACT:\$ 347,400

MODIFICATIONS TO DATE: \$ 365,388

AMOUNT OF MODIFICATION: \$38,277,388

REVISED CONTRACT AMOUNT: \$38,990,176

PROCUREMENT METHOD Competitive Sealed Proposals

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: Payment and Performance bonds at 100% of the contract amount

REMARKS: Contractor has submitted an acceptable GMP Proposal. The University seeks Board approval to modify the contract to incorporate the GMP into the contract and proceed with construction of the Perdue School of Business, Salisbury University. Construction funds for this project were split in the State Capital Improvement Program between FY 2010 and FY 2011 preauthorized during the 2009 legislative session.

The Contractor has exceeded the MBE goal of 25% on this project by committing to MBE participation of 27.2%. The Perdue School of Business project is being designed and constructed to achieve LEED Silver certification.

The 6,000 square foot now vacant former University Police Building is within the buildable area of the project and is intended to be razed. The Clearinghouse conducted an intergovernmental review of the project under MD20090513-0614 and has recommended to change the use, and demolish the former University Police Building, which is no longer occupied, to facilitate the construction of the new Perdue School of Business Building.

Facilities Management/ Department of Capital Projects at the University of Maryland, College Park will manage the Construction Manager's work with procurement support from the University's Department of Procurement and Supply.

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 2-C MOD (continued)

FUND SOURCE:	MCCBL 2009, Item 061	\$28,000,000
	MCCBL 2010 (Projected)	\$10,277,388
APPROP CODE:	N/A	
RESIDENT BUSINESS:	No	
MD TAX CLEARANCE:	09-2168-1111	

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

LICENSE

ITEM: 3-L

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

INSTITUTION: University of Maryland Eastern Shore

DESCRIPTION: Board of Public Works approval is requested for the University of Maryland Eastern Shore to enter into a license agreement with SunEdison Origination3, LLC for 20 years for the use of approximately 20 acres of its unimproved land for the purpose of establishing a solar farm that will deliver approximately 10% of the university's electricity consumption.

LICENSOR: University of Maryland Eastern Shore

LICENSEE: SunEdison Origination3, LLC

UNIVERSITY PROPERTY: Approximately 20 acres

REMARKS:

1. Background: UMES seeks to stabilize utility costs, promote energy conservation by reducing its carbon footprint, meet the State's requirement that 20% of energy consumption come from renewable sources by 2022 (including at least 2% from solar energy), meet the President's Climate Commitment, increase awareness of renewable energy options within its campus and regionally, and foster economic development in green technologies. To that end, UMES released a Request for Proposals to solicit interest in establishing a solar farm on campus. SunEdison Origination3, LLC submitted the best technical and financial proposal and was selected to negotiate a license agreement with UMES for the purpose of establishing a solar farm.

2. Scope: SunEdison Origination3, LLC will install solar panels on approximately 20 acres of undeveloped land on the UMES campus. This proposed facility would be rated at 2.4 Megawatts (MW) (one of the largest on the east coast) and is projected to generate 3,482,000 kiloWatt-hours (kWh) of electricity in its first full year of operation. This represents approximately 10% of the University's current annual power consumption. SunEdison Origination3, LLC will pay for the \$14 million estimated cost of installation including the solar panels and transformers and all associated maintenance and repair costs. Neither UMES or the University System of Maryland will bear any capital costs.

**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 3-L

REMARKS: (cont'd)

3. **Fiscal Impact:** In Fiscal Year 2009 UMES electricity costs were \$0.0995 per KWh. Once the solar farm is operational, UMES will purchase electricity starting at \$0.0875 per kWh with an annual escalation rate of 2%. Historically, the rate of increase for electricity in the State has been 5%. UMES anticipates a lower flat rate over time because the solar farm will produce energy during peak usage times when electricity is most expensive off the grid. In year 20, the energy cost would be \$0.1275 per kWh. UMES anticipates annual savings of approximately \$40,000.

SunEdison Origination3, LLC is able to provide significant price reductions in both the capital improvement and rate as a result of tax credits offered through a federal government program and through the sale of the Renewable Energy Credits. These credits would be made available to the University for purchase in year six of its agreement with SunEdison Origination3, LLC. In order to take advantage of this reduction in cost, the solar farm must be fully operational by December 31, 2009. Construction would begin in August 2009 to meet this schedule.

4. **Regents Approval:** The University System of Maryland Board of Regents has approved this transaction.

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

ITEM: 1-IT MOD

Agency Contact:

Marcus Filson (410 230-3325)

filsonm@djs.state.md.us

Robert Krysiak (410-260-7179)

Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Juvenile Services

CONTRACT ID:

QQ-01106 By Loudoun County, VA.
ADPICS NO. COB65264

CONTRACT APPROVED:

08/01/2008

CONTRACTOR:

iSECURETRAC Corporation
Omaha NE

CONTRACT DESCRIPTION: Leasing of Global Positioning System (GPS) with monitoring units and equipment for youth in the Juvenile Justice System who are either awaiting court hearings, on probation, or are receiving aftercare services. This system is a component of the Violence Prevention Initiative (VPI) program that provides supervision and tracking of youth while they are residing at home in Baltimore City and surrounding county communities.

MODIFICATION DESCRIPTION:

- (1) Extend contract for six months to give time to procure a new agreement.
- (2) Reduce the number of GPS units from 300 to 175.

TERM OF ORIGINAL CONTRACT:

8/15/2009 – 8/14/2009

TERM OF MODIFICATION:

08/15/2009 - 02/14/2010

AMOUNT OF ORIGINAL CONTRACT:

\$119,355

AMOUNT OF MODIFICATION:

\$349,073

PRIOR MODIFICATIONS/OPTIONS:

See Attachment

REVISED TOTAL CONTRACT AMOUNT:

\$1,098,862.00

PERCENT +/- (THIS MODIFICATION):

292%

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

ITEM: 1-IT MOD (Cont.)

OVERALL PERCENT +/-: 820%

ORIGINAL PROCUREMENT METHOD: Intergovernmental Cooperative Purchasing Agreement

REMARKS: DJS initiated a VPI program in September 2008 in order to enhance the monitoring and tracking of youth in the Juvenile Justice System who are living in their homes in Baltimore City and the surrounding counties. A component of the VPI is the use of a GPS that employs the use of monitoring equipment that is affixed to youth in the program. iSECURETRAC was selected as the contractor to provide the GPS. DJS evaluated three systems and equipment providers under contract to provide GPS in other states. iSECURETRAC's GPS was determined to be the best system to meet the needs of the VPI. DOIT approved the contract to lease 60 units as within its delegated authority. DJS later added 240 units to the scope by modifying the contract on an emergency basis.

Currently there are 300 units in use under the contract. DJS expects to reduce the number of GPS units to 175 during the extended period. The reduction of units is based primarily on expected funding limitations.

This modification is to extend the current contract for six months to allow time for a comprehensive evaluation of systems currently available.

FUND SOURCE: 100% General Funds

APPROP. CODE: V00G0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-2342-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 1-IT-MOD (Cont.)

ATTACHMENT

3D
8/5/09
(SUPPLEMENTAL)

PRIOR MODIFICATIONS/OPTIONS:

Mod. #1 \$49,136

Modification of the contract to add 30
additional GPS units for the contract term.
Approved by DoIT, 11-17-08

Mod. #2 \$581,298

Emergency modification to add 240
GPS Units for the contract term.
Appendix No. 3 BPW 5/6/2009

\$630,434

Grand Total

W. Stanley Lane (410) 767-3355
slanel@mtamaryland.com

BPW – 08/05/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION (Construction)

ITEM: 1-C-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-0586-0140
MARC Point of Rocks Station Parking Area
Expansion
ADPICS NO. CO248831

ORIGINAL CONTRACT APPROVED: Item 7-C, DOT Agenda 11/15/06

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Bidding**

CONTRACTOR: Concrete General, Inc.
Gaithersburg, MD

MODIFICATION: Change Order No. 01 is the final settlement of changes, claims and bid quantity adjustments. The estimated quantities are adjusted to reflect actual quantities used in the contract. There is no item extension to this contract.

AMOUNT: \$(450,193.84) CREDIT

ORIGINAL CONTRACT AMOUNT: \$4,287,599.30

REVISED CONTRACT AMOUNT: **\$3,837,405.46**

PERCENTAGE DECREASE: -11% (C.O. #001)

ORIGINAL DBE PARTICIPATION: 25%

ORIGINAL TERM: 580 Calendar Days

FUND SOURCE: 80% Federal Funds
20% Special Funds Budgeted to MTA.

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

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

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

W. Stanley Lane (410) 767-3355
slane@mtamaryland.com

BPW – 08/05/09
REVISED

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT:

ITEM: 2-M

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-8000-0284
Light Rail Vehicle Car Body Repair Services
ADPICS NO. T80000284

CONTRACT DESCRIPTION: This contract provides light rail car maintenance and light rail vehicle car body repair services. The Contractor shall provide all necessary parts, labor, tools, material, and supervision as required for repairing damaged light rail vehicles for the MTA Light Rail System.

AWARD: Coach Works, LLC
Towson, MD

TERM: August 15, 2009 – August 14, 2012 (3 years)

AMOUNT: \$ 885,000.00

PROCUREMENT METHOD: **Competitive Sealed Bidding**
(Single Bid Received)

MBE PARTICIPATION: 5%

PERFORMANCE SECURITY: N/A

REMARKS: This Solicitation was advertised on eMaryland Marketplace and on MTA’s website on 4/15/09. Five (5) firms were directly solicited via email of which three (3) were Maryland firms. One (1) firm submitted a bid as a result of this Solicitation. **Coach Works, LLC is a certified Maryland SBE.** The MTA determined that the bid price was fair and reasonable.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0504

RESIDENT BUSINESS: No

TAX COMPLIANCE NO: 09-2107-1110

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

APPROVED **DISAPPROVED** **DEFERRED** **WITHDRAWN**
WITH DISCUSSION **WITHOUT DISCUSSION** 89

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

BPW - 08/05/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 3-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BA1185129
Roof Replacement for the Administration's Owings Mills Shop in Baltimore County
ADPICS NO. BA1185129

CONTRACT DESCRIPTION: This contract consists of the replacement of the existing roof at SHA's Owings Mills Shop in Baltimore County.

AWARD: SGK Contracting Services, Inc.
Baltimore, MD

AMOUNT: \$267,000.00 NTE

TERM OF CONTRACT: August 17, 2009 through November 30, 2009

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

SGK Contracting Service, Inc. Baltimore, MD	\$267,000.00
Interstate Corporation Rockville, MD	\$268,000.00
J & K Contracting, Inc. Capitol Heights, MD	\$278,000.00
Xpert Xteriros, Inc. Huntingtown, MD	\$280,777.50
Boblits Enterprises Hughesville, MD	\$286,600.00
Simpson of Maryland, Inc. Hanover, MD	\$287,000.00
Autumn Contracting, Inc. Alexandria, VA	\$287,536.00

ITEM: 3-M (Continued)

BPW – 08/05/09

BIDS (Cont'd):

Cole Roofing Co., Inc. Baltimore, MD	\$305,861.00
Sustainable Services Corp. Baltimore, MD	\$347,000.00
Ruff Roofers, Inc. Baltimore, MD	\$352,280.00

MBE PARTICIPATION: 24%**PERFORMANCE SECURITY:** Payment and Performance Bonds for 100% of the award amount exist for this contract

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page on 4/7/09. One-hundred seventy six (176) 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.

The roof comes with a manufacturer's 20-year guarantee of workmanship, labor, and materials, including full coverage for the 20 year period, with no dollar limitation of repair costs, no penal sum and no proration of repair costs. The Contractor has a 5-year guarantee of workmanship, materials and performance including all roof insulation / installation work, membrane work, sheet metal work, finishing work, duct installation membrane covering work, caulk and sealant installation, and all other work that is covered and / or not covered in the roof membrane manufacturer's guarantee.

FUND SOURCE: 100% Special Funds Budgeted to SHA**APPROPRIATION CODE:** J02B0101**RESIDENT BUSINESS:** Yes**MD TAX CLEARANCE:** 09-1627-0001

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

W. Stanley Lane – 410-767-3355
slane1@mtamaryland.com

BPW – 8/05/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 4-M-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-8000-0120B
Removing & Recycling of Used Petroleum
ADPICS NO: T-8000-0120B

ORIGINAL CONTRACT APPROVED: Item 4-M, DOT Agenda 10/06/2004

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Bidding**

MODIFICATION: Change Order No. 3 provides additional funding to the existing contract for the removing and recycling of used petroleum products.

AWARD: Safety-Kleen Systems, Inc.
Baltimore, MD

AMOUNT: \$ 92,000.00

ORIGINAL CONTRACT AMOUNT: \$636,903.30

REVISED CONTRACT AMOUNT: \$1,163,705.50

PERCENTAGE INCREASE: 14.4% (Change Order No. 3)
82.7% (Overall)

ORIGINAL TERM: 10/20/04 – 10/19/07

REVISED TERM: 10/20/07 – 10/19/09

ORIGINAL MBE PARTICIPATION: 0%

PERFORMANCE SECURITY: N/A

REMARKS: The contract provides for the cleaning and inspection of the parts cleaning equipment, replacement of sink filter traps, and installation of new solvent at various locations designated by the MTA. The contract also provides for the cleaning of separators, traps, and pits in the maintenance areas and the bus washhouse. This also provides for the removal and proper disposal of waste oil and other contaminants.

ITEM: 4-M-MOD (Continued)

BPW -- 8/05/09

Additional funds are needed to provide for the continuance of the contract services to the end of the contract term. Two issues combined to drive the use of the contract beyond its original amount. The increase in washing of the buses increased the amount of sediment and oils that entered the collections system. This required more cleaning to assure proper function of the oil/water separator systems. Secondly, as a response to an EPA audit finding and a stormwater management tool, the drains from the shops to the sanitary system required cleaning and inspections and tests proving the discharge of industrial water did not enter the stormwater system.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-2123-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 5-GM

THE SECRETARY'S OFFICE

RECOMMENDATION: That the Board of Public Works authorize that General Obligation Bond funds in the amount of \$55,000,000, as authorized by the Maryland Consolidated Capital Bond Loan of 2009 (Chapter 485, Laws of Maryland of 2009) (“Chapter 485”), be encumbered to provide funds, through the Maryland Department of Transportation (“MDOT”), to the Maryland Transportation Authority (the “Authority”) for costs related to the construction of an east-west, controlled access, tolled highway linking the US 1/I-95 corridor in Prince George’s County with I-270/I-370 in Montgomery County (the Intercounty Connector).

Funds will be expended for portions of Contract No. AT3765A60 and Contract No. AT3765C60 for the Intercounty Connector.

BACKGROUND: Section 4-321(e)(2)(i) of the Transportation Article of the Annotated Code of Maryland (2008 Replacement Volume), as amended by the Budget Reconciliation and Financing Act of 2009 (Chapter 487 of the Laws of Maryland of 2009) requires that a transfer in the amount of \$55,000,000 be made either from the General Fund or from General Obligation Bond proceeds to the Authority in Fiscal Year 2010 to provide a portion of the funds for the Intercounty Connector. Chapter 485 authorized the issuance of General Obligation Bonds in the amount of the required \$55,000,000, with the proceeds to be expended for that purpose “on approval of the Board of Public Works”. Funds were not appropriated for a cash transfer from the General Fund to the Authority. This Agenda Item requests approval for the encumbrance of General Obligation Bond funds in the amount of \$55,000,000 to provide that amount through MDOT to the Authority in FY 2010 for the Intercounty Connector.

REMARKS: This action is in accordance with the enabling legislation, the Maryland Consolidated Capital Bond Loan of 2009, and complies with the tax-exempt bond provisions of the Internal Revenue Code.

Invoices will be submitted by the Authority to MDOT for the disbursement of funds.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD (revised)

HISTORIC ST. MARY'S CITY
COMMISSION

St. Mary's City, MD.

CONTRACT NO. AND TITLE

Project No. SM-000-001-002;
St. John's Archaeological Site Exhibit
ADPICS NO. COB68429

ORIGINAL CONTRACT APPROVED

12/14/2005 DGS/BPW Item 2-C

CONTRACTOR

Konover Construction/Kronenberger and
Sons Restoration Inc. (Joint Venture)
Columbia, MD.

CONTRACT DESCRIPTION

This contract provides for the construction of an exhibit complex to preserve the archaeological remains and interpret the history of the seventeenth century house built by the first secretary of the Maryland Colony and used as a meeting place for the colonial legislature.

MODIFICATION DESCRIPTION

Change Order 9 is a credit to the State in the amount of one hundred thousand dollars (\$100,000.00).

TERM OF ORIGINAL CONTRACT

12/15/2005-11/22/2009

TERM OF MODIFICATION

N/A

AMOUNT OF ORIGINAL CONTRACT

\$6,472,300.00

AMOUNT OF MODIFICATION

-\$100,000.00 (Credit)

PRIOR MODIFICATIONS/OPTIONS

\$79,346.00

REVISED TOTAL CONTRACT AMOUNT

\$6,451,646.00

PERCENT +/- (THIS MODIFICATION)

-1.54%

OVERALL PERCENT

-0.31%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT MODIFICATION

ITEM 3-M-MOD

DEPARTMENT OF NATURAL RESOURCES Matapeake Marine Terminal
Queen Anne’s County, MD.

CONTRACT NO. AND TITLE Project No. F-018-050-010;
Install Water Hook-Up
ADPICS NO: COB66904

ORIGINAL CONTRACT APPROVED 10/1/2008 DGS/BPW Item 2-C

CONTRACTOR Advanced Fire Protection
Glen Burnie, MD.

CONTRACT DESCRIPTION Work to include addition and replacement of
water main, sprinkler, fire alarm, and security system with minor architectural and electrical
modifications; incidental work on four (4) buildings at Matapeake Marine Terminal.

MODIFICATION DESCRIPTION Change Order No. 4 to extend the
completion date of the original contract by 75 calendar days and to replace approximately 950
linear feet of existing 6” and 8” cast iron main water line piping by means of open trench
method.

TERM OF ORIGINAL CONTRACT 270 days from Notice to Proceed

TERM OF MODIFICATION 8/28/2009-11/10/2009 (75 calendar days)

AMOUNT OF ORIGINAL CONTRACT \$437,800.00

AMOUNT OF MODIFICATION \$140,538.00

PRIOR MODIFICATIONS/OPTIONS \$30,853.00

REVISED TOTAL CONTRACT AMOUNT \$609,191.00

PERCENT +/- (THIS MODIFICATION) 32.10%

OVERALL PERCENT 39.15%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 4-GM

REFERENCE

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval of the use of General Obligation Bond funding for the contract(s) noted below, is hereby requested.

A. University of Maryland/Horn Point

DESCRIPTION

This project provides construction phase schedule review services of the baseline construction schedule and monthly schedule updates for the duration of the contract for the construction of a pile supported 70' x 300' concrete pier, 52 - 12' diameter fiberglass oyster tanks and 2 buildings, a laboratory and a mechanical room.

CONTRACT NO. AND TITLE

Project No.: UE-630-060-001;
Construction of Oyster Facilities at
University of Maryland/Horn Point
ADPICS NO. 001B9200911

PROCUREMENT METHOD

Maryland Architectural and
Engineering Services Act

AWARD

Johnson, Mirmiran & Thompson
Sparks, MD.

AMOUNT

\$42,320.00

FUND SOURCE

MCCBL 2007/ITEM 042

B. Department of General Services

Maryland State Police
Easton Barrack "I"
Easton, MD.

CONTRACT NO. AND TITLE

Project No.: B-000-092-001
ADPICS No.: 001B9200891
New Ethanol Fuel Station Installation

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 4-GM (Cont.)

BIDS OR PROPOSALS

BASE BID

Evans Builders, Inc.
Salisbury, MD.

\$48,860.00

AWARD

Evans Builders, Inc.
Salisbury, MD.

AMOUNT

\$48,860.00

FUND SOURCE

MCCBL 2007/ITEM 032

REMARKS:

The construction estimate was \$ 45,000.00 and the construction time period is 90 Calendar Days.

D. Maryland Public Television (MPT)

DESCRIPTION

Approval is requested to revise a previously approved item to reflect different Capital Funds. (See Remarks below). The agenda item appeared on the 7/1/2009 DGS/BPW agenda

REMARKS

Item 9-GM (D) on the above mentioned BPW agenda was for the use of capital appropriation funding for equipment to monitor the new digital television transport streams in its Master Control headquarters in Owings Mills. The reassignment of funds will allow MPT to make available remaining CA funds for reversion.

Board of Public Works approval is now requested to revise the fund source from \$116,420.00 ITEM #102 CA2002-Advanced Television Equipment to \$116,420.00 ITEM #031 MCCBL 2004-Statewide Digital Interconnection Network System

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 5-RP (Cont.)**GRANTEE**The State of Maryland, to the use of the
Department of Natural Resources**PROPERTY**

313.75 +/- acres unimproved

PRICE

\$627,500.00

APPRAISED VALUES

\$627,500.00 – (1/09/09) – Melville E. Peters – Fee Appraiser – Reviewed by William Beach

\$690,000.00 – (11/26/08) – William R. McCain – Fee Appraiser – Reviewed by William Beach

FUND SOURCESPOS Land Acquisition Opportunity Loan of
2009 \$160,123.00
USFWS NAWCA Grant \$467,377.00
POS FY 2010 81.20.03 \$20,800.00 (See
Special Condition 1 below)**SPECIAL CONDITION**

1. Approval is requested for reimbursement of the following expenses to The Nature Conservancy totaling \$20,800.00.
 - a. Administrative Fee: \$ 18,825.00 (3%)
 - b. Environmental Phase I \$ 1,975.00

Total \$ 20,800.00

REMARKS

- 1 The Department of Natural Resources recommends approval of this acquisition.
- 2 This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 97 on the Program Open Space ecological scoring system.
- 3 The Governor has requested that the board of Public Works borrow money and incur special obligation indebtedness through a special loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 as provided in Chapter 419 of the Laws of Maryland 2009.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 5-RP (Cont.)

- 4 This action authorizes the Comptroller to establish a spending authorization and advance funds needed to complete the transaction; requesting the use of bonds authorized under Program Open Space Acquisition Opportunity Loan of 2009

Note: This item appeared on the 5/20/2009 DGS/BPW agenda as item 10-RP and also on the 6/17/2009 DGS/BPW agenda as item 15-RP and were withdrawn.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 6-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land
Preservation Foundation
File # 13-80-05
Howard County, MD.

REFERENCE

Reference is made to Item P-17 of this Department's Agenda of May 20, 1981, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (hereinafter, "MALPF") to acquire an agricultural preservation easement over 332+/- acres of land for \$390,100.00. Purchase of the easement was completed on August 12, 1981 over 332 acres of land, more or less. In 1984, MALPF approved an agricultural subdivision of the land, thereby creating two parcels of 189.683 acres and 142.317 acres, respectively. The present request concerns the 189.683 acre parcel.

BACKGROUND

The MALPF program began acquiring its first easements in 1980. In the early years of the program, one acre parcels around existing dwelling sites were routinely excluded from the operation and effect of the Deed of Easement at the time of Easement purchase, and were subdividable from the farm. Consequently, many of the farms that came under MALPF Easements early in the program have "holes" in the middle of them to which the MALPF Easements do not apply. The subject farm is one of those on which two 1 acre parcels surrounding existing dwellings were excluded from the Easement. One of those dwellings has since burned down, and the land under it returned to agriculture. The owner of the farm seeks to build a new house, but in a different location from the currently excluded 1 acre site.

REQUEST

Board of Public Works Approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release 1.00 acre of land (hereinafter "Parcel A") from the operation and effect of said agricultural preservation easement in exchange for 1.00 acre of land (hereinafter "Parcel B") to be added to the agricultural preservation area by placing it under a Deed of Easement. Both Parcel A and Parcel B are the same class of soils. Because the location of Parcel A is in the middle of the farm, the MALPF Board of Trustees has approved the transaction with the condition that Parcel A may not be subdivided or conveyed off from the remainder of the farm in order that one of the "holes" in the farm will be closed. Approval by the Board of Public Works with the same condition is requested. In addition, because an agricultural subdivision of the original Easement over 332 acres has occurred, a new "overlay" Easement encumbering a newly configured 189.683 acre farm will be required of the landowner.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 7-LT

JUDICIARY OF MARYLAND
(District Court and Administrative
Office of the Court)

Annapolis
Anne Arundel County

Landlord Annapolis Commerce Park Limited Partnership
c/o The Bernstein Companies
3299 K Street N.W., Suite 700
Washington, DC. 20007

Property Location 903 and 905 Commerce Road
2020A, 2020, 2002F, 2004A, 2002D & 2000 Industrial Drive
Annapolis, MD. 21401

<u>Space Type</u>	Office & Warehouse	<u>Lease Type</u>	Renewal	<u>Square Feet</u>
<u>Duration</u>	10 Years	<u>Effective</u>	September 1, 2009	District Court 51,678
<u>Annual Rent</u>	\$935,418.00	<u>Square Foot Rate</u>	\$16.50	AOC <u>5,014</u>
		<u>Eff. Sq. Ft. Rate</u>	\$20.50	Total 56,692
		<u>Prev. Sq. Ft. Rate</u>	\$12.63	
		<u>Prev. Eff.Sq.Ft.Rate</u>	\$15.76	

Utilities Responsibility Tenant

Custodial Responsibility Tenant

Previous Board Actions 07/29/87 – 34-L; 07/11/90 – 43-L; 03/06/91 – 47-L; 03/04/92 – 9-L;
06/30/93 – 17-L; 08/24/94 – 21-L; 08/14/96 – 30-L; 08/27/97 – 34-L;
11/14/01 – 50-L; 10/30/02 – 8-L; 08/11/04 – 28-L.

Fund Source C00 10 C0004 01 AOBJ 1301

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes.

2. The lease incorporates use-in-common parking spaces.

Remarks

1. This space is used for training, conference center, warehousing, administrative offices and file storage.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 7-LT (Cont.)

- 2. The leased space has been reduced by 9,907 net usable square feet eliminating \$163,465.50 in annual rent costs.
- 3. The lease contains a termination for convenience clause.
- 4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. 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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 8-LT (Cont.)

Remarks

1. This office serves as a full service location that is committed to providing family centered services to children and families in efforts to achieve well-being through ensuring self-sufficiency, support, safety and permanency. This office is responsible for establishing, monitoring, and enforcing court orders in Dorchester County relative to child support issues. The agency also provides citizens with resources and services to maximize their well-being and self-determination in addition to working to prevent abuse, neglect, and exploitation of vulnerable citizens which include the poor, the children, the aged, the disabled and the sick In addition, it provides services that help low income families to obtain and maintain work, support employment, promote quality healthcare coverage, food assistance, energy assistance and other economic benefits for families.

2. Through several months of negotiations, the Department of General Services was able to reduce the renewal rate of \$15.65 to \$14.87 for the first five (5) years and \$15.00 for years six (6) through ten (10) resulting in an average rate of \$14.94 over the term. The reduction created a yearly savings of \$28,091.17 and \$140,458.85 over the first five years of the term.

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LICENSE AGREEMENT**ITEM** 9-L**DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT**

(International Operations)

Baltimore City

Licensee Maryland/Israel Development Center, Inc.**Property Location** World Trade Center
401 E. Pratt Street, 7th Floor
Baltimore, MD. 21202

<u>Space Type</u>	Office	<u>Type</u>	New	<u>Square Feet</u>	420
<u>Duration</u>	One (1) Year	<u>Effective</u>	August 10, 2009		
<u>Annual Fee</u>	\$1.00				

Utilities Responsibility Licensor**Custodial Responsibility** Licensor**Fund Source** N/A**Background**

The Maryland Israel Development Center, Inc. (MIDC) is a non-profit organization which supports the mission of the Department of Business and Economic Development (DBED) through the promotion of international trade and joint ventures between Maryland and Israeli businesses and research institutions. To this end, DBED will provide the Licensee with 420 net usable square feet of office space within the DBED leased space at the World Trade Center and grant to the Licensee a sum not to exceed \$175,000.00 to establish US operations.

Special Conditions

1. The Licensee may request to extend this license for a period of one (1) year subject to 120 day prior written notice to the Licensor.
2. Licensee shall have the use of certain furniture and equipment during the term of the license and shall be responsible for the replacement of any damaged or destroyed property caused by the negligence of the Licensee.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LICENSE AGREEMENT

ITEM 9-L (Cont.)

- 3. The Licensee shall maintain during the term of the license, commercial general liability insurance with limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate.
- 4. The Maryland Department of Transportation/Maryland Port Administration consents to the granting of this license.

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 10-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

Howard Community College

Athletic Fields and Nature Trail Phase V - Construction

The proposed project involves renovations to the existing athletic fields required to upgrade to Title IX standards and includes excavation, grading, fencing and installation of FieldTurf multi-purpose field.

\$466,466.00

Maryland Consolidated Capital Bond Loan of 2003, Item #033	\$ 45,153.43
Maryland Consolidated Capital Bond Loan of 2004, Item #025	\$ 111,625.16
Maryland Consolidated Capital Bond Loan of 2005, Item #019	\$ 309,687.41
CC-14-MC00/03/04/05-355	

MATCHING FUND Howard Community College – \$466,466.00

Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND

	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$2,400,297.00	\$ 1,200,000.00	\$ 1,200,297.00
This Action	\$ 932,932.00	\$ 466,466.00	\$ 466,466.00
Previous Action –21 CGL, 02/28/07	\$ 774,000.00	\$ 387,000.00	\$ 387,000.00
Previous Action –28 CGL, 03/24/04	\$ 693,365.00	\$ 346,534.00	\$ 346,831.00

REMARKS :

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 06/02/92 and approved by BPW 06/17/92.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Prince George’s Community College and signed by local authorities.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 10-CGL (Cont.)

- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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 11-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

Howard Community College

‘A’ Building/Smith Theater Renovation - Furniture & Equipment

The proposed project involves the renovation of the existing building to accommodate additional arts and humanities, administrative offices, ADA and improving circulation.

\$791,500.00

Maryland Consolidated Capital Bond Loan of 2007, Item #045.

CC-14-MC04/06-374

MATCHING FUND Howard Community College – \$791,500.00

Cost sharing is 50% State share, 50% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND

	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$12,114,000.00	\$6,057,000.00	\$6,057,000.00
This Action	\$ 1,583,000.00	\$ 791,500.00	\$ 791,500.00
Previous Action –22 CGL, 10/03/07	\$ 9,774,000.00	\$4,887,000.00	\$4,887,000.00
Previous Action –20 CGL, 11/30/05	\$ 757,000.00	\$ 378,500.00	\$ 378,500.00

REMARKS

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 6/2/1992 and approved by BPW 6/17/1992.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Prince George’s Community College and signed by local authorities.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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 12-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

Board of Directors of the Babe Ruth Birthplace Foundation (Baltimore City)
Babe Ruth Birthplace & Museum
“For the design, construction, renovation, and equipping of improvements to the Babe Ruth Birthplace & Museum.”
\$250,000.00
Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005)
DGS Item 032 (SL-079-050-038)

NON-MATCHING FUND 08/10/05 Agenda, Item 15-CGL

<u>BACKGROUND</u>	Total Project	\$750,000.00
	05-032 (This Action)	\$250,000.00
	Local Cost	\$500,000.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) Invoices should be submitted to the Department of General Services for the disbursement of funds for non-matching grants.

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 13-CGL

RECOMMENDATION

That the Board of Public Works grant the Chesapeake & Ohio Canal National Historical Park (“Park”) a temporary exception for one year from the automatic termination of funds authorized under the bond bill authorization: Washington County – Chesapeake & Ohio Canal National Historical Park Loan of 2007, Chapter 488, Acts of 2007, DGS Item G168 (SL-074-070-038).

AUTHORITY

The State Finance Law provides: “If, within 2 years after the date of an authorization of State debt, evidence that a required matching fund will be provided has not been presented to the Board or no part of the project or program for which the enabling act authorized the State debt is under contract and the Board has not encumbered money for any part of the project or program, the authorization terminates unless:

- (1) The enabling act provides otherwise; or
- (2) *In an emergency, the Board unanimously grants a temporary exception for a period of 1 year.*

Section 8-128(a), State Finance and Procurement Article, Annotated Code of Maryland.

BACKGROUND

The 2007 Maryland Consolidated Capital Bond Loan (MCCBL) authorized a grant of general-obligation bond proceeds to the Chesapeake & Ohio Canal National Historical Park for planning, design, and repair to the towpath in the Big Slackwater section of the Chesapeake and Ohio National Historical Park, Downsville. This project will repair the only break in the towpath along the canal. The 184.5 mile canal symbolizes the time in American history when 4,000 miles of canal were built in the 18th and 19th centuries. The MCCBL requires the Park to convey a historic easement to the Maryland Historical Trust. However, the Park is a federal entity and may not grant an easement of federal land to the State.

The Park submitted its grant application, evidence of match, and signed grant agreement to the Department of General Services, agent for Board of Public Works capital grants program, before the June 1, 2009 automatic termination of 2007 MCCBL funds. However, the Park did not, for the reason stated above, grant the State the easement required by the bond bill. The Park was not aware, in complying with the deadline that it would have to obtain a legislative amendment to the bond bill to remove the easement requirement.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL (Cont.)

Because the Park did submit its request timely but is barred by federal law from complying with the easement conveyance, a one year extension of the authorization is recommended so that the Park may obtain an amendment to the bill in the 2010 legislative session.

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 14-CGL

RECOMMENDATION That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

*Board of Directors of the Prince George’s County Delta Alumnae Foundation, Inc.
(Prince George’s County)*

Delta Alumnae Community Development Center

*“For the acquisition, planning, design, construction, and capital equipping of a
community development center, located in Prince George’s County.”*

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2007 (LHI - Chapter 488, Acts of 2007;
amended Chapter 707, Acts of 2009) DGS Item G075, (SL-055-070-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2009. The Board of Directors of the Prince George’s County Delta Alumnae Foundation, Inc. has submitted documentation that it has \$179,005.57 in a financial institution to meet the matching fund requirement for this project. Documents for certification of match were received by the Department of General Services prior to May 31, 2009.

BACKGROUND

Total Project	\$500,000.00
07-G075 (This Action)	\$100,000.00
08-G178 (Future Action)	\$150,000.00
Local Cost	\$250,000.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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 15-CGL

RECOMMENDATION: That the Board of Public Works certify matching funds, enter into a grant agreement, and authorize that funds be encumbered for the following grant:

Board of Directors of the Baltimore Regional Initiative Developing Genuine Equality, Inc. (BRIDGE), (Baltimore City)

East Baltimore Housing Community

“For the acquisition of vacant properties for an affordable housing community, located in Baltimore City.”

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2007 (LSI - Chapter 488, Acts of 2007)
DGS Item G108, (SL-073-070-038)*

MATCHING FUND: The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2009. The Board of Directors of BRIDGE, Inc. is utilizing the value of property located between 2125 – 2230 Jefferson Street to meet the matching fund requirement for this project. The Department of General Services, Real Estate Office, has reviewed the appraisals for these lots and has approved a total value of \$171,800.00. The Board of Directors of BRIDGE, Inc. has also submitted documentation that it has \$272,000.00 of allowable expenditures for the acquisition of property located at 2408 – 2422 E. Fayette Street in Baltimore. The Department of General Services, Real Estate Office, has reviewed the appraisals and has approved a value of \$115,500.00. Documents for certification of match were received by the Department of General Services prior to May 31, 2009.

Board of Public Works approval is also requested to reimburse the Board of Directors of BRIDGE, Inc. \$100,000.00 for eligible expenditures.

<u>BACKGROUND:</u>	Total Project	\$1,378,723.00
	07-G108 (This Action)	\$ 100,000.00
	Local Cost	\$1,278,723.00

REMARKS:

(1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-CGL (Cont.)

(2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

(3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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 16-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

*Board of Directors of the Red Wiggler Community Farm (Montgomery County)
Red Wiggler Community Farm*

“For the renovation, repair, construction, and reconstruction of the Red Wiggler Community Farm, located in Montgomery County.”

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005)

DGS Item G119

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2005 (Chapter 445, Acts of 2005)

DGS Item G120 (SL-078-050-038)

MATCHING FUND 02/01/06 Agenda, Items 10-CGL and 11-CGL

<u>BACKGROUND</u>	Total Project	\$420,000.00
	05-G119 (This Action)	\$100,000.00
	05-G120 (This Action)	\$ 50,000.00
	Local Cost	\$270,000.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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 17-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

Mayor and City Council of the City of Rockville (Montgomery County)
Rockville Community Center
“For the design, construction, and capital equipping of the Rockville Community Center, located in Rockville.”
\$125,000.00 - encumber \$125,000.00
Maryland Consolidated Capital Bond Loan of 2006 (LSI - Chapter 46, Acts of 2006)
DGS Item G108
\$125,000.00 - encumber \$125,000.00
Maryland Consolidated Capital Bond Loan of 2006 (LHI - Chapter 46, Acts of 2006)
DGS Item G161 (SL-069-060-038)

MATCHING FUND 03/21/07 Agenda, Items 17-CGL, J and K

<u>BACKGROUND</u>	Total Project	\$4,664,858.00
	06-G108 (This Action)	\$ 125,000.00
	06-G161 (This Action)	\$ 125,000.00
	Local Cost	\$4,414,858.00

REMARKS

- (1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (2) The grant recipient shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, State Finance and Procurement Article, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

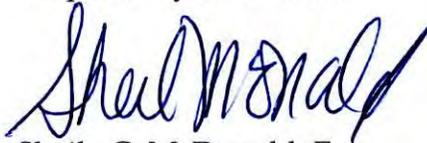
WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of August 5, 2009 was adjourned.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Sheila McDonald". The signature is written in a cursive style with a prominent initial "S" and a long, sweeping underline.

Sheila C. McDonald, Esq.
Executive Secretary

INDEX
AUGUST 5, 2009

Aging, Department of.....	5-8
Agriculture, Department of	
Agricultural Cost Share Program.....	9
Agricultural Land Preservation Foundation	107
Business & Economic Development, Department of.....	113
Education, Department of.....	71
Environment, Department of	73
Environmental Service, Maryland.....	12-16
General Services, Department of	101
Public Buildings & Grounds, Baltimore.....	30
Capital Grants and Loans	
Babe Ruth Birthplace & Museum (Baltimore City).....	118
Chesapeake & Ohio Canal National Historical Park (Washington).....	119
Delta Alumnae Community Development Center (Prince George's)	121
East Baltimore Housing Community (Baltimore City).....	122
Red Wiggler Community Farm (Montgomery).....	124
Rockville Community Center (Montgomery).....	125
Health & Mental Hygiene, Department of.....	67
Higher Education Commission, Maryland	
Community Colleges	
Howard Community College.....	115,117
Human Resources, Department of	111
Insurance Administration, Maryland	55
Judiciary	109
Juvenile Services, Department of.....	85
Maryland, University System of	
Maryland, University of	101
College Park Campus	77
Eastern Shore Campus	83
Salisbury State University	80
Morgan State University	17
Natural Resources, Department of	18,97-100,104
Program Open Space.....	37-44
Rural Legacy Program	45
Planning, Department of	
Historical Trust	
St. Mary's City	95

INDEX
AUGUST 5, 2009

Public Safety & Correctional Services, Department of.....	35
Corrections, Division of	
Eastern Correctional Institute	102
Maryland Correctional Training Center.....	24
North Branch Correctional Institute (Cumberland)	20
Parole & Probation, Division of.....	63
Patuxent Institute	21
Public Service Commission	32
Public Works, Board of	
Wetlands Administration	11,26
St. Mary's College of Maryland	19
State Police, Department of	51,101
Transportation, Department of	94
Highway Administration	90
Maryland Transit Administration.....	46,88-89,92
Transportation Authority, Maryland	60
Treasurer, State	
Bonds	4,27