

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
July 1, 2009

BOARD OF PUBLIC WORKS
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JULY 22, 2009

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, JULY 1, 2009**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, July 1, 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
David Romans, Deputy Secretary, Department of Budget & Management

CONSTRUCTION:

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

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

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

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

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

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

Maryland Agricultural Cost-Share Program Grant Requests

Submission of a request by the Maryland Department of Agriculture for approval of 24 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-2009-3249	JOHN RICHARD KNOTT, JR.	St. Mary's	3,700
AT-2009-3250	JOHN RICHARD KNOTT, JR.	St. Mary's	12,400
AT-2009-3272	RIGDON FARMS	Harford	7,400
AT-2009-3273	RIGDON FARMS	Harford	8,800
AT-2009-3367	JOHNNY R. JONES	Garrett	10,400
AT-2009-3394	BARBARA J. MC DONALD	St. Mary's	6,000
AT-2009-3395	BARBARA J. MC DONALD	St. Mary's	1,800
AT-2009-3396	BARBARA J. MC DONALD	St. Mary's	2,200
AT-2009-3397	BARBARA J. MC DONALD	St. Mary's	4,000
AT-2009-3409	JOHNNY R. JONES	Garrett	1,600
AT-2009-3448-B	JAMES E. PORTER, JR	Worcester	35,000
AT-2009-3454-B	ALVIN B. LANE, JR	Queen Anne's	35,000
LS-2009-3297	KIMBERLY A. LEWIS	Harford	6,500
MP-2008-3534	LONNIE W. LUTHER	Montgomery	3,600
MP-2009-3284	NJR, LLC	Frederick	2,000
MP-2009-3337	CHARLES R. KRIETZ	Frederick	7,000
MP-2009-3437	WILLIAM W. WOLFE	Frederick	7,300
NW-2009-3460	EDWIN H. COLLINS, SR	Caroline	5,400
PR-2009-3402-B	JAMES R. LAIRD, JR	Somerset	13,500
PR-2009-3403-B	MY TRAN	Somerset	35,000
PR-2009-3408-B	CHANG S. YOUN	Somerset	35,000
PR-2009-3417-B	CYNTHIA P. BEAUCHAMP	Somerset	35,000
RS-2009-3432	THOMAS E. COLE	Baltimore	5,000
SA-2009-3205	OLDFIELD POINT FARMS, LLC	Kent	18,700
UP-2009-3428	DONALD L. BEARD	Washington	10,100
UP-2009-3429	DONALD L. BEARD	Washington	34,600
UP-2009-3456	NEVIN K. LEWIS	Washington	26,300
UP-2009-3457	NEVIN K. LEWIS	Washington	8,600
Total Submission Amount			\$381,900

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

1. DEPARTMENT OF AGRICULTURE *Maryland Agricultural Cost-Share Program Grant Requests* (Continued)

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

JULY 1, 2009

SECRETARY'S AGENDA

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2. 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 13 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2006 (Appropriation Number 06071):

Agreement #	Recipient	County	Amount \$
AT-2008-3387	TULIP FOREST FARMING CORP, INC.	Kent	325.85
AT-2009-2629	GERRET S.VAN COPELAND	Kent	208.35
AT-2009-2678	RIVER FARMS, INC.	Kent	397.30
MP-2009-2701	WARNER BROTHERS, INC.	Frederick	231.93
MP-2009-2844	DOROTHY I. STRICKHOUSER	Carroll	4,498.85
MP-2009-3215	LEASE BROTHERS	Carroll	213.65
MP-2009-3217	LEASE BROTHERS	Carroll	1,214.65
MP-2009-3264	BYRON D. STAMBAUGH	Carroll	1,167.88
MP-2009-3265	BYRON D. STAMBAUGH	Carroll	4,100.00
MP-2009-3289	KEITH E. WARNER	Carroll	4,305.53
MP-2009-3311	COLIN M. O'MEARA	Carroll	595.95
PR-2009-2933	HENRY TRAN	Somerset	1,198.17
Total Submission Amount			\$19,845.66

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

JULY 1, 2009

SECRETARY'S AGENDA

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3. BOARD OF PUBLIC WORKS

The Maryland Zoo in Baltimore – Fiscal Year 2010 Grant Funds

Recommendation: That the Board of Public Works approve an amendment to the grant agreement between the State and the Maryland Zoo in Baltimore that will permit grant funds authorized by the fiscal year 2010 Budget Bill to be disbursed. The 2010 Budget Bill contains a grant of \$5,225,218 for the Zoo.

Approval of this item will amend the grant agreement to add \$5,225,218 in fiscal year 2010 grant funds. Funds will be disbursed promptly except \$250,000 which will be disbursed toward the end of the fiscal year.

Background: In 2004, the General Assembly directed that “any payments due by the State for the Baltimore Zoo under a lease or sublease agreement shall be included in the annual budget for the Board of Public Works.” [State Finance and Procurement Article, section 10-206, Maryland Code.]

Since then, the Board has approved the following grants to the Maryland Zoo in Baltimore:

- \$2,860,000 grant in fiscal year 2006 (Sec. Agenda Item 10, July 6, 2005)
- \$5,600,000 in FY 2007 (Sec. Agenda Item 5, July 5, 2006; Sec. Agenda Item 11, April 4, 2007)
- \$5,000,000 in FY 2008 (Sec. Agenda Item 2, July 11, 2007; Sec. Agenda Item 15, April 2, 2008)
- \$5,142,242 in FY 2009 (Sec. Agenda Item 4, August 6, 2008, DBM Agenda Item 17-GM, October 15, 2008, Sec. Agenda Item 1, May 6, 2009)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**JULY 1, 2009****SECRETARY'S AGENDA**

Contact: Mary Jo Childs 410-260-7335
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4. **BOARD OF PUBLIC WORKS**
Procurement Agency Activity Report

Submission of the Procurement Agency Activity Reports by:

Department of Budget and Management, February and March 2009

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact: Mary Jo Childs, 410-260-7335
mchilds@comp.state.md.us

5. BOARD OF PUBLIC WORKS *State Procurement Regulations*

Recommendation: That the Board of Public Works take final action to adopt amendments to the State Procurement Regulations.

Description: The 2008 General Assembly passed legislation creating the Department of Information Technology. The Department is a control agency for State information technology.

Amendments to COMAR 21.02.01 will delegate procurement authority for information technology to the Department of Information Technology comparable to the authority delegated to the other control agencies. With this proposal, the Board delegates authority to the Secretary of Information Technology to approve:

- Information technology contracts in the amount or \$200,000 or less
- Sole source contracts in the amount of \$100,000 or less
- One-bid contracts in the amount of \$50,000 or less
- Contract modifications in the amount of \$50,000 or less
- Renewals of proprietary software licenses

The Board approved the publication of the proposed amendments at its February 18, 2009 meeting (Secretary's Agenda, Item 6). The amendments were published in the April 24, 2009 edition of the *Maryland Register*. No public comments were received.

Action: Approval of this Item adopts the amendments as proposed. The amendments become effective ten days following publication of Notice of Final Action in the *Maryland Register*.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
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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

- | | |
|---------|---|
| 09-0106 | <u>ROBB MERRITT</u> – To emplace sand, groins and stone revetment and fill, grade and plant marsh vegetation – Broad Creek, Pasadena |
| 09-0675 | <u>DIMITRI SFAKIYANUDIS</u> – To mechanically maintenance dredge a slip area – Selby Bay |
| 09-0689 | <u>RODNEY HOLT</u> – To remove a sunken barge and emplace stone scour protection – Chesapeake Bay, near Annapolis |
| 09-0705 | <u>ANDREW & ANN BARRETT</u> – To mechanically maintenance dredge an area off the main channel and to provide for periodic maintenance dredging for six years – Aberdeen Creek, Annapolis |
| 09-0716 | <u>MICHAEL SPIVEY & CORRI GOLDMAN</u> – To emplace a stone revetment – South River, Edgewater |
| 09-0101 | <u>JANICE HANSEN</u> – To emplace stone revetments and stone sill – Brewer Creek, Annapolis
Emergency license was issued on September 2, 2008, pursuant to §9-202(c)(2), Title 16 Environmental Article. No opposition was expressed during public comment period. |

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

6. **BOARD OF PUBLIC WORKS** (cont'd)
Wetlands Licenses

KENT COUNTY

09-0619

CHESAPEAKE MARSHLANDS NATIONAL WATERFOWL REFUGE COMPLEX – To construct stone groins, edging and breakwaters, to fill, grade, and plant marsh vegetation, and to create an oyster reef area by emplacing crushed aggregate on the river bottom for oyster spat – Chester River

WORCESTER COUNTY

09-0839

U.S. COAST GUARD CIVIL ENGINEERING UNIT – To repair a breakwater, to maintenance dredge an area, and to provide for periodic maintenance dredging for six years – Sinepuxent Bay, Ocean City
Emergency license was issued on November 10, 2008, pursuant to §9-202(c)(2), Title 16 Environmental Article. No opposition was expressed during public comment period.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

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

7. **BOARD OF PUBLIC WORKS**
Wetlands License 08-1478
Wetlands License and Water Column Lease

Approval is requested of the following application for wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland. This case has been classified as extraordinary because a water column lease is requested. The Board of Public Works' Wetlands Administrator recommends that a lease and 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.

DORCHESTER COUNTY

08-1478 RICHARD BALLING – To install anchored oyster floats approximately 3-foot wide by 3-foot long in an approved 3.98-acre area and place bags on the remaining 4.02 acres of the existing 8-acre bottom lease area all extending a maximum of 650 feet channelward of the mean high water line. Little Choptank River, Cambridge

- Application Received: May 23, 2008
- Public Comment Period Ended: December 1, 2008
- MDE Report and Recommendation Received: February 27, 2009
- Water Quality Approval Granted By MDE: June 8, 2009

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact: Rehena Rentuma 410-260-7851
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8. **BONDS**

Recommendation: That the Board of Public Works submit for publication in the *Maryland Register* the terminations of State debt authorizations listed. These terminations, by operation of law, reduce the State's authority to issue general obligation bonds in the amount of \$540,000 and at the same time, reduce the State's spending authority as shown for the capital projects listed. The Office of the Comptroller, the Department of Budget and Management (Office of Capital Budgeting) and the Department of General Services have reviewed this request and concur.

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

- A. *Gaudenzia at Woodland Avenue Loan of 2006*
\$100,000
Chapter 46 of the Acts of 2006, Local House Initiatives
- B. *Cecil County 4-H Animal Display Barn Loan of 2007*
\$100,000
Chapter 488 of the Acts of 2007, Local House Initiatives
- C. *Family Cultural Enrichment Community Center Loan of 2007*
\$125,000
Chapter 488 of the Acts of 2007, Local House Initiatives
- D. *Family Cultural Enrichment Community Center Loan of 2007*
\$100,000
Chapter 488 of the Acts of 2007, Local Senate Initiatives
- E.

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

8. **BONDS** (cont'd)

F. *Garrett Performing Arts Center Loan of 2007*

\$50,000

Chapter 488 of the Acts of 2007, Local Senate Initiatives

G. *Norbel School Loan of 2007*

\$50,000

Chapter 488 of the Acts of 2007, Local Senate Initiatives

H. *Oakley Cabin Restoration Loan of 2007*

\$15,000

Chapter 488 of the Acts of 2007, Local Senate Initiatives

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3567
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9. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new loan** up to \$2,000,000 to the Town of Boonsboro for the **Wastewater Treatment Plant Biological Nutrient Removal and Enhanced Nutrient Removal Upgrade and Expansion** project in Washington County (Legislative District 2B). The loan will be repaid in a period not to exceed 20 years following project completion, at an interest rate of 1.00%. To secure this debt, the Town of Boonsboro will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.

Project Description: The project entails the planning, design and construction of Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) facilities at the existing Boonsboro Wastewater Treatment Plant. The BNR and ENR improvements will include Sequential Batch Reactors, tertiary filtration, chlorination/dechlorination facility and sludge digestion. These improvements will allow the existing wastewater treatment plant to achieve an effluent with Total Nitrogen permit limit of 3 mg/l and a Total Phosphorous of 0.3 mg/l. This project will also expand the treatment plant from 0.46 mgd to 0.53 mgd to accommodate planned growth. The purpose of the project is to reduce nutrients to Antietam Creek (a tributary to the Potomac River) and ultimately the Chesapeake Bay.

Project Funding Sources:

Water Quality State Revolving Loan Fund (this action)	\$ 2,000,000
BNR Grant NR 07.22 (previously approved 2-28-2007)	\$ 2,601,676
USDA Funding	\$ 7,000,000
Local Share	\$ 954,718
TOTAL ESTIMATED PROJECT COST:	<u>\$12,556,394</u>

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. This project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3567
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10. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve further funding to the City of Bowie for the **Bowie Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) Upgrade** project in Prince George's County (Legislative District 23A). The project involves multiple sources of funding which are being provided over several years based on the project schedule.

A. Grant Increase up to \$8,267,000 – Bay Restoration Fund (BR-NR 06.16)

B. New Loan up to \$1,800,000 – Water Quality State Revolving Loan Fund. The loan will be repaid not to exceed 20 years following project completion, at an interest rate of 1.00%. To secure this debt, the City of Bowie will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.

Project Description: The project involves planning, design and construction of Enhanced Nutrient Removal (ENR) facilities at the existing 3.30 million gallons per day (mgd) Bowie Wastewater Treatment Plant (WWTP). The ENR improvements include conversion of the existing oxidation ditches to a 5-stage Bardenpho Process with mechanical aerators including new influent pumps, control building, effluent filter facility, secondary clarifier improvements, UV disinfection system, and supplemental Alkalinity feed system. Upon completion of the ENR upgrade, the Bowie WWTP will be capable of achieving an effluent with Total Nitrogen goal of 3 mg/l and a Total Phosphorous of 0.3 mg/l.

Project Funding Sources:

Water Quality State Revolving Loan Fund (this action)	\$ 1,800,000
Bay Restoration Fund Grant BR-NR 06.16 (this action)	\$ 8,267,000
Bay Restoration Fund Grant BR-NR 06.16 (most recent action 12/06/06)	\$ 600,000
BNR Grant NR 06.16 (previously approved 11/03/04)	\$ 56,250
Local Share	<u>\$ 63,123</u>
TOTAL ESTIMATED PROJECT COST:	<u>\$10,786,373</u>

Bay Restoration Funds may be expended using multi-year appropriations based on project schedule and will be used only for eligible ENR costs, as determined by the Department.

BOARD OF PUBLIC WORKS**JULY 1, 2009****SECRETARY'S AGENDA****10. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

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

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3567
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11. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$250,000 to the Town of Williamsport for the **Williamsport Inflow and Infiltration Reduction** project in Washington County. (Legislative District 2A). The source of these grant funds is the Bay Restoration Fund.

Project Description: This project involves the rehabilitation of a portion of the Williamsport area wastewater collection system including repair and/or replacement of defective sewer lines and manholes.

Project Funding Sources:

Bay Restoration Fund Sewer Rehabilitation Grant BR-CR 02.22 (this action)	\$250,000
Bay Restoration Fund Sewer Rehabilitation Grant BR-CR 02.22 (future action)	<u>\$150,000</u>
TOTAL ESTIMATED PROJECT COST:	<u>\$400,000</u>

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

MDE has determined this project to be consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

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12. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$300,000 to the **Life in Jesus, Inc.** in Frederick County for the upgrade of on-site sewage disposal systems with nitrogen reducing technologies consistent with the Bay Restoration Fund Act legislation. (Legislative District 4A)

Project Description: The project involves the design and construction of a Wastewater Treatment Plant (WWTP) that uses sequencing batch reactors technology. The plant will treat an average flow of 18,993 gpd.

Project Funding Sources:

Bay Restoration Fund – On-site Sewage Disposal Systems	\$300,000
Local/Life in Jesus, Inc.	<u>\$ 80,143</u>
TOTAL ESTIMATED PROJECT COST:	<u>\$380,143</u>

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act.

This project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

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13. **DEPARTMENT OF NATURAL RESOURCES:**
Maryland Environmental Trust

The Maryland Environmental Trust recommends that the Board of Public Works ratify the following:

Donation of a perpetual conservation easement to the Maryland Environmental Trust by the **ESTATE OF BRICE MCADOO CLAGETT** on a 254.925-acre property in Anne Arundel County. (Estimated Easement Value: \$1,224,000)

To estimate the easement value, MET multiplies the number of acres in the proposed easement by the average per-acre value of easements MET accepted in that county or region in the previous year. (The previous year's average per-acre value is derived by totaling the appraised values for MET easements in a region and dividing by the number of acres).

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

Contact: Elizabeth Buxton 410-514-7900
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14. DEPARTMENT OF NATURAL RESOURCES

Maryland Environmental Trust

Recommendation: Maryland Environmental Trust recommends that the Board of Public Works ratify the following:

- A. An amendment to a conservation easement that the Maryland Transportation Authority granted to MET, dated January 30, 1989 and recorded in the Land Records of Harford County at Liber 1533, Folio 1038.
- B. A Memorandum of Understanding among Harford County; 95-543, LLC and Bren Mar I, LLC (Developers); and MET, which sets forth certain conditions to MET's approval of the easement amendment.

Background: Reference is made to Secretary's Agenda Item 8 (Dec. 21, 1988) in which the Board ratified the donation of a conservation easement to MET by the Maryland Transportation Authority on an 18.3-acre property located at the interchange of I-95 and Route 543 in Harford County.

Project Description: The developers propose to construct an office complex on property adjacent to the encumbered property to meet demand for office space in Harford County as a result of BRAC. The developers request MET to approve them installing public water and sewer lines across the encumbered property that will connect to a Harford County system. Harford County Executive David R. Craig has designated the water/sewer line construction as a fast track BRAC-related item. The proposed sewer line/water line would require a 40-foot wide corridor through the existing forest for a length of 750 to 1,000 feet. The trench average depth would be 18 feet. The corridor would account for 3.8% of the forested easement area (0.689 acres or 30,000 square feet). MdTA and the Harford County Department of Public Works support this request.

The proposed amendment will: (1) add Harford Land Trust, Inc. as a co-grantee of the easement; (2) increase the stream buffer along James Run from 50 feet to 300 feet; and (3) permit the construction, installation, inspection, repair, operation, and maintenance of a water main/sewer line along a 40-foot corridor.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 1, 2009

SECRETARY'S AGENDA

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

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

DESCRIPTION: 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>
Audience Seating Platform System	Staging Concepts Inc	\$ 79,000
Audience Seating Chairs, Chair	Maryland Correctional Enterprises	\$ 26,000
Dollies, File Cabinets, Tables, Chairs, and Desk		\$105,000

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

REMARKS: The procurement of the audience seating platforms is a sole source procurement approved in accordance with the St. Mary's College Procurement Policy and Procedures. The award to Maryland Correctional Enterprises is based on the procurement preference requirements.

AUTHORITY: State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**JULY 1, 2009****SECRETARY'S AGENDA**

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

16. ST. MARY'S COLLEGE OF MARYLAND
Goodpaster Hall

DESCRIPTION: Board of Public Works approval is requested to encumber capital funds in the amount of \$3,000 to procure and install an electric meter in support of the Goodpaster Hall Measurement and Verification project.

AMOUNT: \$3,000

TERM: July 1, 2009 to September 1, 2009

FUND SOURCE: MCCBL 2004 (020)

APPROP. CODE: R14-622

REMARKS: Reference is made to the measurement and verification services that (Secretary's Agenda Item 12, April 1, 2009) require the installation of an additional electric meter in Goodpaster Hall. The College will procure the electric meter in accordance with the College's procurement policy.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT

ITEM:	1-S	Agency contact: James P. Wallace 410-767-1249 jwallace@dat.state.md.us
DEPARTMENT/PROGRAM:		Assessments & Taxation (SDAT) Information Technology
CONTRACT ID:		DAT 0074; Reproduction and Sale of DAT data ADPICS NO. E50B9200044
CONTRACT DESCRIPTION:		Approval request of a revenue-generating contract for the reproduction and sale of the Department's master file data sets.
AWARD:		Specprint, Inc. Timonium, MD
TERM:		7/2/2009 – 7/1/2012 (w/2 one-year Renewal Options)
AMOUNT:		\$360,000 Est. (3 Years; Base Contract) \$120,000 Est. (1 Year; 1 st Option) <u>\$120,000</u> Est. (1 Year; 2 nd Option) \$600,000 Est. Total Revenue Generated
PROCUREMENT METHOD:		Competitive Sealed Proposals
PROPOSALS:		See Attachment
MBE PARTICIPATION:		25%
PERFORMANCE SECURITY:		None
INCUMBENT:		Same

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: Request for approval of a revenue-generating contract for the reproduction and sale of copies of the Department's master data sets in a variety of media formats. As part of its function, SDAT receives and stores information in its Real Property, Sales, Corporate Charter and Uniform Commercial Code (UCC) data files. The public has an interest in, and requests this information for many different reasons.

A notice of the availability of the Request for Proposals (RFP) was posted on *eMarylandMarketplace.com* (eMM). The Department also posted the RFP to the SDAT website and forwarded notice to the Governor's Office of Minority Affairs. Over 300 companies received the RFP via eMM, of which 150 were Maryland firms and 109 were MBE firms.

Three offers were received in response to the RFP, each of which was determined to be reasonably susceptible of being selected for award. The proposal submitted by Specprint, Inc., the incumbent, was determined to be the most advantageous to the State with the #1 technical ranking and #2 financial ranking. The lowest priced offeror was approximately 9% lower in price, but was ranked #3 technically. Since by the terms of the RFP technical factors had greater weight in the overall award determination than financial factors, the technical superiority of Specprint was determined to exceed the 9% price differential of the lowest priced offeror. Specprint, Inc. has been in the business since 1980. Their experience reproducing and selling data spans over 10+ years, which included contracts with SDAT, as well the Department of Planning. Specprint, Inc. is the supplier of real property data information for Conn., Del., NH, NC, Ohio, Penn., SC, Virginia, and WV, in addition to Maryland.

Further, as the incumbent for this contract, Specprint has established the potential for generating approximately \$13,000 monthly in revenues to the State. Revenues received during the prior 5-year agreement totaled \$794,122 (FY04 - \$156,407; FY05 - \$156,226; FY06 - \$166,462; FY07 - \$160,977; FY08 - \$154,050).

The award amount is based upon the estimated revenue generated to the State based upon historic and projected sales of the data sets. SDAT estimates that total sales for the next five years during this new contract period to be \$1,500,000 or \$300,000 yearly. Approximately 60% of the sales will go to cover the Contractor's expenses (financial proposal per data set) and 40% of the sales will go to the State's revenue or approximately \$10,000 per month. This estimate takes into account a reduction in sales during 2008 and 2009.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

FUND SOURCE: N/A (There is no cost to the State since this is a revenue producing contract. Revenue is added to the General Fund.)

APPROPRIATION CODE: E50C0004

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-0038-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BIDS/PROPOSALS (Cont.):

Offerors	Technical Ranking	Financial Offer	Financial Ranking *	Overall Ranking **
Specprint, Inc. Timonium, MD	#1	\$707,127.50	#2	#1
National Computer Services Consultants, Inc. Baltimore, MD	#3	\$643,975	#1	#2
Quality Associates, Inc. Gaithersburg, MD	#2	\$785,050	#3	#3

Note: * The financial offers were based upon a model of historic yearly sales and annual units for the different categories of files/data sets to be copied and sold. Offerors were to provide the prices per data set they would charge to the State to copy and distribute the data sets. There is an approved price schedule that lists the amounts that the Contractor will charge the customer for services. The Contractor will deduct its monthly expenses from the monthly gross sales and remit the balance to SDAT as revenue to the State.

** Technical factors had more weight than financial factors in the overall ranking determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

INCUMBENT: ZHA, Inc.
Annapolis, MD

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on the *eMarylandMarketplace.com* website reaching 878 firms, of which 201 were certified MBE firms and 62 were Maryland firms. Copies of the solicitation notice were directly sent to 112 certified MBE firms found to match those services in the scope of work, of which 11 were Maryland firms. A copy of the solicitation was also sent to the Governor's Office of Minority Affairs.

Six proposals were received in response to the RFP, all of which were deemed reasonably susceptible of being selected for award.

The purpose of this contract is to obtain the services of experienced consultants who will provide advisory services related to the use and development of real property owned by MDOT's modal administrations. This contract award will provide MDOT with contractor support and resources that will provide technical support in the areas including, but not limited to: land use planning; development planning; valuation; engineering; architecture; market analysis; marketing services; financial and transactional analysis; environmental analysis; and negotiations.

STV is recommended for award as the offeror most advantageous to the State. STV was ranked highest technically of the six offerors and offered the 2nd lowest financial offer price. Only the offeror ranked last (6th) technically was lower in price and only by less than 3%. Since by the terms of the RFP technical factors had greater weight than financial factors in the overall award determination, STV is overall ranked as the most advantageous offeror. STV's proposal addressed the State's functional and technical requirements in great detail. STV has a wealth of knowledge, experience and expertise in providing real estate consulting services, both from the prime consultant firm representatives, as well as those represented by the Project Manager and the team's sub-consultant firms.

The Financial Offer is based upon fixed labor hours calculated through a model of estimated usage for seven categories of labor, as contained in the RFP. The Contractor can request a Consumer Price Index increase to the fixed price hourly labor rates of up to five percent during each two-year renewal option period by submitting a written request to the Procurement Officer at least sixty (60) calendar days prior to the intended effective date.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

The Department set a 25% MBE goal for this solicitation, but, STV committed to 27% MBE participation.

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J01 A0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1520-1112

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 2-S (Cont.)

ATTACHMENT

8B
BPW 7/1/2009

BIDS/PROPOSALS (Cont.):

<u>Offeror</u>	<u>Tech Rank</u>	<u>Financial Offer / 3 Year Base Contract [Est.]</u>	<u>Financial Offer / 1st 2-Year Option [Est.]</u>	<u>Financial Offer / 2nd 2-Year Option [Est.]</u>	<u>Total 7 Year * Financial Offer [Est.]/Rank</u>	<u>Overall ** Rank</u>
STV, Inc. Baltimore, MD	1	\$1,814,400 (2)	\$ 1,270,080	\$ 1,333,584	\$ 4,418,064 (2)	1
Bay Area Economics Silver Spring, MD	2	\$2,546,902 (4)	\$ 1,782,831	\$ 1,871,973	\$ 6,201,706 (4)	2
Robert Charles Lesser & Co. Bethesda, MD	3	\$3,162,180 (6)	\$ 2,213,526	\$ 2,324,202	\$ 7,699,908 (6)	3
CB Richard Ellis Washington, DC	4	\$2,731,765 (5)	\$ 1,912,236	\$ 2,007,847	\$ 6,651,848 (5)	4
Basile Baumann Prost Cole & Assoc. Annapolis, MD	5	\$2,329,222 (3)	\$ 1,630,455	\$ 1,711,978	\$ 5,671,656 (3)	5
EDAW, Inc. Alexandria, VA	6	\$1,768,695 (1)	\$ 1,238,087	\$ 1,299,991	\$ 4,306,772 (1)	6

Note: * The Financial Offer is based upon a model of estimated usage for seven categories of labor, as contained in the RFP.
The 2 two-year renewal option amounts are an estimate based on a 5% Consumer Price Index (CPI) increase for each of the two option periods.

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

DEPARTMENT OF BUDGET AND MANAGEMENT ACTION AGENDA

SERVICES CONTRACT

ITEM: 3-S

Agency Contact: Leona Spencer
410-767-5178
spencerl@dhmh.state.md.us

DEPARTMENT/PROGRAM:

Health and Mental Hygiene (DHMH)
Office of Systems, Operations & Pharmacy

CONTRACT ID:

DHMH/OPASS #10-10222;
Scanning Services for Claims Processing and
Recoveries
ADPICS NO. M00B0400109

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: Approval request for a contract to scan documents for storage and retrieval, with reports to send information to the Maryland Medicaid Information System (MMIS) and/or a retrievable CD/Server.

AWARD:

iScan, A Division of Humanim, Inc.
Columbia, MD

TERM:

7/06/2009 – 7/05/2010

AMOUNT:

\$592,656

PROCUREMENT METHOD:

Preferred Provider

BIDS OR PROPOSALS:

N/A

MBE PARTICIPATION:

100% (Contractor is a Maryland Certified MBE)

PERFORMANCE SECURITY:

None

INCUMBENT:

Same

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

REQUESTING AGENCY REMARKS: The Office of Systems, Operations and Pharmacy (OSOP) must have its documents scanned for retrieval and storage purposes. iScan, a Division of Humanim, Inc. which is the incumbent, will scan, save and provide the Department access to records that must be kept for specific periods of time, without keeping the paper documents on site.

This contract is divided into four parts. The first part requires the vendor to scan citizenship and identity documents. While scanning the documents the system will build a report that will be imported into the Medicaid Management Information System (MMIS) allowing Medicaid staff to verify required citizenship documentation and which level of verification has been received so the recipient will continue to receive services without interruption. The second part of this contract requires the vendor to scan the claims/attachments to a CD, using the vendor's equipment, using appropriate software to scan multiple documents under one index number for storage and retrieval. The third part of this contract is scanning closed recoveries files, using the vendor's equipment, for retrievable documents for storage and easy access to client data. The fourth part of this contract is scanning records for the Primary Adult Care Program for storage and easy access to client data.

In accordance with COMAR 21.11.05.04, the Pricing and Selection Committee For the Employment Works Program has certified the prices for this contract as fair market at a not-to exceed value of \$592,656 for providing optical scanning services.

The vendor, iScan, has accurately and effectively solved many issues in retrieval and storage of documents for the Department. This contract started as a one-year trial to see if an outside vendor could provide the scanning services for storage and retrieval of claims documents. Also, iScan provided a solution for citizenship and identity paperwork so it can be saved, retrieved and migrated into the Maryland Medicaid Information System (MMIS). It has moved quickly and diligently to set up the equipment and modify the software used to accommodate the Department's needs. As a result of iScan's successful service, two other units were added to the previous contract and continue with this new contract. Failure to award this contract would interrupt satisfactory service to the Department to this much-needed task.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

FUND SOURCE: 25% General, 75% Federal

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1596-1110

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: 4-S

Agency Contact: James R. Jones
410-724-3102
jonesj@dhmh.state.md.us

DEPARTMENT/PROGRAM:

Health and Mental Hygiene (DHMH)
Clifton T. Perkins Hospital Center

CONTRACT ID:

Clinical Laboratory Services Contract
DHMH-OPASS- 08-10224;
ADPICS NO. M00B9200687

CONTRACT DESCRIPTION:

CONTRACT DESCRIPTION: Request for retroactive approval of a Contract to provide all clinical laboratory testing and services not performed by the DHMH Laboratory Administration for the patients at Clifton T. Perkins Hospital Center.

AWARD:

Quest Diagnostics, Inc.
Baltimore, MD

TERM:

3/1/2008 – 10/31/2009

AMOUNT:

\$192,880

PROCUREMENT METHOD:

Sole Source

BIDS OR PROPOSALS:

N/A

MBE PARTICIPATION:

None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY:

None

INCUMBENT:

Same

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

REQUESTING AGENCY REMARKS: The Clifton T. Perkins Hospital Center (CTPHC), located in Jessup, Howard County, Maryland is an integral part of the health services system of the State of Maryland. CTPHC provides treatment for patients who require in-patient treatment in a maximum-security hospital. CTPHC also conducts pretrial evaluations of defendants referred by the Courts in criminal matters. CTPHC provides the State of Maryland with forensic and other specialized services for the benefit of persons with a mental disorder or disability, the Criminal Justice System, other Mental Health Treatment Centers, and provides for the safety and security of the Community. The CTPHC medical and professional staffs use Laboratory Services to evaluate and provide treatment services to patients. The Maryland Department of Health and Mental Hygiene, Mental Hygiene Administration administers CTPHC. The CTPHC has an average daily inpatient population of 210 patients and is accredited by The Joint Commission.

The Department of Health and Mental Hygiene (DHMH), on behalf of the Clifton T. Perkins Hospital Center, is requesting retroactive approval of a Sole Source contract for clinical laboratory services at the Center. The vendor for this contract is Quest Diagnostics. The original contract with the vendor had a term of 3/1/2005 through 2/28/2008 with two, one-year renewal options; however, neither of the option years, scheduled to begin 3/1/2008 and 3/1/2009, were formally exercised due to an oversight by a staff member. This oversight was discovered around May 21, 2009.

The Department of Health and Mental Hygiene (DHMH) and Clifton T. Perkins Hospital Center are requesting approval for a retroactive contract from 3/1/2008 through 10/31/2009 for clinical laboratory services at Clifton T. Perkins Hospital Center in Jessup, MD. The vendor Quest Diagnostics Inc. has been performing this service without a break since implementation of the contract on 3/1/2005.

The Medical staff at CTPHC are very pleased with Quest Diagnostic services.

There are no sub-contractible items/services within the scope of this solicitation. Therefore, no MBE participation goal was established for this solicitation.

A solicitation for a new contract will be issued by July 1, 2009 and a new award is expected to be recommended within four months. So this approval request is only for the period when the options should have been exercised through the necessary period to obtain a new contract.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: M00L1001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1841-1001

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM:	5-S-OPTION	Agency Contact: Joan Marshall 443-769-1024 jmarshall@collegesavingsmd.org
DEPARTMENT/PROGRAM:		College Savings Plans of Maryland
CONTRACT ID:		08-01; Marketing Agent ADPICS: R60B9200006
CONTRACT APPROVED:		7/2/2008 DBM BPW Agenda Item 2-S
CONTRACTOR:		The Redhead Companies, Inc. Ellicott City, MD
CONTRACT DESCRIPTION:		Contract to provide marketing services to the College Savings Plans of Maryland.
OPTION DESCRIPTION:		Approval request to exercise the first of two one-year renewal options as contained in the original contract.
TERM OF ORIGINAL CONTRACT:		7/2/2008 - 7/1/2009 (w/2 one-year renewal options)
TERM OF OPTION:		7/2/2009 - 7/1/2010
AMOUNT OF ORIGINAL CONTRACT:		\$300,000
AMOUNT OF OPTION:		\$270,000 (1 Year)
PRIOR MODIFICATIONS/OPTIONS:		None
REVISED TOTAL CONTRACT AMOUNT:		\$570,000
ORIGINAL PROCUREMENT METHOD:		Competitive Sealed Proposals
MBE PARTICIPATION:		25%

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S-OPTION (Cont.)

REQUESTING AGENCY REMARKS: Request for approval to exercise the first of two one-year renewal options as contained in the original contract.

Renewal of Redhead's contract is strongly recommended in lieu of a new procurement. It is in the best interest of the State for several reasons. First is that Redhead has an in-depth understanding of the College Savings Plans of Maryland and our marketing and public relations needs from their work on our behalf over the past four years. This level of knowledge would take another firm time to develop.

Redhead has provided a high level of professional account servicing and has been responsive to our needs. Third, Redhead used a new and creative approach in the marketing materials that they developed for us during the past year that effectively responded to the difficult environment in investment markets and similar challenges in the economy. This new creative approach contributed to a 9% increase in new enrollments in the Prepaid College Trust during the past year.

FUND SOURCE: 100% Non Budgeted (Fund 07)

APPROP. CODE: R60H0041

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1695-1111

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:	6-S-OPTION	Agency Contact: Joan Marshall 443-769-1024 jmarshall@collegesavingsmd.org
DEPARTMENT/PROGRAM:		College Savings Plans of Maryland
CONTRACT ID:		Financial Advisory Services, 06-01; ADPICS NO. R60B9200007
CONTRACT APPROVED:		7/26/2006 DBM BPW Agenda Item 13-S
CONTRACTOR:		Mercer Investment Consulting Richmond, VA
CONTRACT DESCRIPTION:		Contract to provide financial advisory services for college savings funds under the control of the CSPM Board.
OPTION DESCRIPTION:		Approval request to continue existing services by exercising the second and final two-year renewal option as contained in the original contract.
TERM OF ORIGINAL CONTRACT:		7/26/2006 - 7/25/2007 (w/2 two-year renewal options)
TERM OF OPTION:		7/26/2009 - 7/25/2011
AMOUNT OF ORIGINAL CONTRACT:		\$125,000 (1 Year)
AMOUNT OF OPTION:		\$230,000 (2 Years)
PRIOR MODIFICATIONS/OPTIONS:		\$230,000 (See Attachment)
REVISED TOTAL CONTRACT AMOUNT:		\$585,000
ORIGINAL PROCUREMENT METHOD:		Competitive Sealed Proposals
MBE PARTICIPATION:		None (See Requesting Agency Remarks)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S-OPTION (Cont.)

REQUESTING AGENCY REMARKS: Request for approval to continue existing services by exercising the second and final two-year renewal option as contained in the original contract. The renewal of this contract is in the best interest of the State, since Mercer has provided a high level of service to the College Savings Plans of Maryland Board to enable them to perform their fiduciary responsibilities for both of the State's college savings plans with the aid of an expert level of investment market information, advice, and recommendations. Mercer has provided the deliverables required pursuant to the contract in a timely manner as specified by the Board and staff of the College Savings Plans of Maryland. Their staff assigned to the contract has fully addressed issues in a professional manner. The depth of their organization has allowed them to provide the College Savings Plans of Maryland with top quality research and analysis on the various issues that have been reported to them.

A 5% MBE goal was established for the RFP, but a complete waiver was requested and granted for the original award; so actually the MBE participation is none for this option renewal.

FUND SOURCE: 100% Non Budgeted (Fund 07)

APPROP. CODE: R60H0041

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1694-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 6-S-OPTION (Cont.)

ATTACHMENT

19B
BPW 7/1/2009

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Option # 1 \$230,000

Exercised the first of two 2 year renewal options as contained in the original contract for the period 7/26/2007 to 7/25/2009. Approved retroactively on 8/01/07 DBM BPW Agenda Item 6-S-OPTION.

Total \$230,000

DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Anne Timmons
410-767-4710
atimmons@dbm.state.md.us

DEPARTMENT/PROGRAM: Budget and Management (DBM)
Office of Personnel Services & Benefits
(OPSB)
Employee Benefits Division (EBD)

CONTRACT ID: F10R5200126;
Flexible Spending Accounts For Maryland
State Employees and Retirees
ADPICS NO. COB54099

CONTRACT APPROVED: 6/1/2005 DBM BPW Agenda Item 3-S

CONTRACTOR: SHPS Human Resource Solutions, Inc.
Louisville, KY

CONTRACT DESCRIPTION: Contract for Third Party Administrative
Services for Flexible Spending Accounts (FSA) for health care and dependent care programs for
Maryland State employees and satellite agency employees. FSAs provide employees with pre-
tax dollars to cover health care expenses not covered by insurance and dependent care expenses.

MODIFICATION DESCRIPTION: Approval request to increase the Not-to-
Exceed amount on the original contract based upon increased enrollment in the FSA program.

TERM OF ORIGINAL CONTRACT: 7/1/2005 - 6/30/2010

TERM OF MODIFICATION: 7/1/2009 - 6/30/2010

AMOUNT OF ORIGINAL CONTRACT: \$1,245,165 NTE (5 Years)

AMOUNT OF MODIFICATION: \$228,835 NTE (1 Year)

DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

ITEM: 7-S-MOD (Cont.)

PRIOR OPTIONS/MODIFICATIONS: \$10,000 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$1,484,000 NTE

PERCENT +/- (THIS MODIFICATION): +16.13%

OVERALL PERCENT +/-: +16.93%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 15%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract to increase the Not-to-Exceed amount on the Flexible Spending Accounts (FSA) based upon increased enrollment in the program.

The original BPW contract award was estimated based on maintaining enrollment levels at 5,162 in the Healthcare account and 1,263 in the Dependent Care account. The program, however, has seen a significant rise in popularity since the contract began in July 2005. Healthcare spending account enrollment has risen from 5,222 enrollees in July 2005 to 7,718 enrollees as of April 2009, a 47.8% increase. Dependent Care enrollment has risen from 1,217 in July 2005 to 1,587 in April 2009, a 30.4% increase. The administrative fees offered by SHPS Human Resource Solutions, Inc. provided an annual 1.2% reduction. The fee for the period beginning July 1, 2009 will be approximately 4.8% lower than the fee paid in the first year of the contract.

This is the last year of the contract. The Department is in the process of preparing a new solicitation in order to award a new contract before 7/1/2010. This modification ensures that the Maryland State employees and satellite agency employees are able to continue using the FSA program without interruption.

During this contract term, SHPS Human Resource Solutions, Inc. has performed these services for the State in a satisfactory manner by working with the Employees Benefits Division as a partner to provide the best service possible for the participants as evidenced by the increase in popularity of the program by State employees.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S-MOD (Cont.)

FUND SOURCE: 100% Reimbursable

APPROP. CODE: F10A0240

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1874-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 7-S-MOD (Cont.)

ATTACHMENT

23B
BPW 7/1/2009
(REVISED)

PRIOR OPTIONS/MODIFICATIONS (Cont.):

MOD #1	\$0.00	Modification to clarify contract grace period, coordination of reimbursements throughout the contract and at termination, and communication services for the period 3/9/2006 – 6/30/2010. Approved by DBM.
MOD #2	\$10,000	Modification to allow the contractor to review each FSA reimbursement claim transmitted by the Dept. and provide a recommendation for resolution of the FSA reimbursement claim for the period from 5/11/2006 – 9/30/2006. Approved by DBM.
MOD #3	\$0.00	Modification to clarify the requirement of support written documentation/certification by the Participant for expenses incurred for the period 5/2/2007 – 6/30/2010. Approved by DBM.
MOD #4	\$0.00	Modification to change the delivery date requirement for the Annual Settlement, Utilization and Forfeiture Report for the plan year ending the previous June 30 th from 12/1 to 12/31 for the period 1/8/2009 – 6/30/2010. Approved by DBM.
Total	<u>\$10,000</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 8-GM **Agency Contact:** Steve Brooks
410-767-0010
steve.brooks@msde.state.md.us

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

FUND SOURCE: 72% Federal Funds
24% General Funds
4% Special Funds

APPROP. CODE: R00A01

AMOUNT OF REQUEST: N/A

DESCRIPTION: Approval request to create 13 new positions pursuant to §7-236, State Finance and Procurement Article and Chapter 484, HB 100, 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. Of the 13 positions, nine 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>
9	Education Program Specialist I	21/15 @ \$82,514 =	\$ 742,626
2	Education Program Specialist II	22/15 @ \$88,030 =	\$ 176,060
1	Education Program Supervisor	22/15	\$ 88,030
1	Education Program Manager	23/15	\$ 93,932
13	Total		\$ 1,100,648

REQUESTING AGENCY REMARKS: Approval of this Item will create 13 positions in the Maryland State Department of Education. Nine of the new positions will be in the Division of Instruction, while the remaining four are in the Divisions of Assessments and Accountability, Special Education, Early Childhood, and Student, Family, and School Support. The individuals will manage a number of programs such as the Voluntary State Curriculum, Statewide Assessments program, Special Education compliance, Reading First, and Early Childhood Development.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-GM (Cont.)

All 13 positions will be filled with existing loaned educators on contract with MSDE from Local Education Agencies (LEAs). During the 2009 Legislative Session, the General Assembly requested that MSDE closely examine its use of loaned educators and the number of these costly contracts. MSDE has identified potential in-sourcing consistent with this recommendation.

Funds allocated in the FY 2010 Legislative appropriation for the loaned educator contracts will be used to support the new positions.

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 within the Rule of 200 and outside the Rule of 200. If the Board approves this request, four positions will have been approved within the Rule of 200 for FY 2010 and nine 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

**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: Joe Evans

INSTITUTION: University of Maryland, Baltimore for Towson University

CONTRACT ID: Construction Management at Risk Services for the Towson University
Campus-Wide Site and Safety Improvement Project, Phase I, RFP, 2006-22BS

CONTRACT APPROVED: 10/31/07 USM BPW Agenda Item 1-C
06/25/08 USM BPW Agenda Item 3-C Mod
05/06/09 USM BPW Agenda Item 2-C Mod
06/03/09 USM BPW Agenda Item 1-C Mod

CONTRACTOR: The Whiting-Turner Contracting Company
Baltimore, Maryland

CONTRACT DESCRIPTION: Construction Management (CM) firm to provide professional management and construction services during pre-construction and construction of the Campus-Wide Site and Safety Improvement Project Phase, I. The project includes a new campus gateway, a new entrance plaza and pedestrian improvements, a new storm water management facility and other safety and ADA improvements.

MODIFICATION DESCRIPTION: Award GMP #4 to construct an exterior grand stairway located between Hawkins and Psychology buildings that will also house a 1500 kilovolt ampere emergency generator. Work includes landscape, utilities/earthwork, concrete, masonry, miscellaneous metals, waterproofing, painting, drywall/doors, mechanical, fire protection, electrical, partial CM general conditions, partial CM-GMP contingency and partial CM construction fee.

TERM OF CONTRACT: November 1, 2007 through December 31, 2010

AMOUNT OF ORIGINAL CONTRACT: \$180,690 (pre-construction fees only)

AMOUNT OF MODIFICATION: \$4,547,786

PRIOR MODIFICATIONS: \$2,758,976

REVISED TOTAL CONTRACT AMOUNT: \$7,487,452

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

ITEM: 1-C MOD (continued)

PERFORMANCE BOND: A 100% Performance Bond is required.

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
(Single offer received)

MBE PARTICIPATION: 25%

REMARKS: This project is for site and safety improvements on Towson University's campus. This portion of the project provides construction of an exterior grand stairway located between Hawkins and Psychology buildings. A 1500 kilovolt ampere emergency generator, oil tanks and electrical delivery and switch systems will be housed under the stairs. These stairs will become a vital component of the main pedestrian east-west walkway in this area of campus. The scope of the work includes site, masonry, electrical, concrete, plumbing, HVAC, carpentry and fire alarm systems. Awards of trade contracts for GMP #4 are based on low bid and MBE participation.

Whiting-Turner has achieved 17.3% MBE participation for this portion of the project. Three or more GMPs are expected for the balance of the trade work. The estimated cost of this project is \$15,500,000.

FUND SOURCE: MCCBL 2008 Item 043

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-0448-1111

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**

REAL PROPERTY

ITEM: 2-RP

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

INSTITUTION:

University of Maryland, College Park

DESCRIPTION: Board of Public Works approval is requested for two real property transactions: the first is to swap a land parcel with Maryland-National Capital Park & Planning Commission; the second is to sell the newly-acquired land parcel to a private developer. Reference is made to USM Item 11-RP (May 6, 2009), in which the Board declared both parcels surplus in anticipation of this exchange and sale. The USM Item notified the Board that the University would return in 45 days for approval to dispose of both parcels.

Transaction # 1: Exchange of a State-owned land parcel for a comparable, adjacent parcel owned by Maryland-National Capital Park & Planning Commission. Upon exchange, the former University property will be combined with contiguous M-NCPPC property and developed as North Gate Park, a long planned joint development between M-NCPPC, UMCP and SHA.

Transaction # 2: Sale of former M-NCPPC parcel to private developer so that it may be assembled with contiguous property to facilitate construction of a new 900-bed student housing project.

The University and M-NCPPC properties are each approximately one acre of undeveloped land located north of the University's North Gate entrance at US 1 and Campus Drive near the Paint Branch in Prince George's County.

UNIVERSITY PROPERTY (Parcel One):

1.03 Acres on U.S. Route 1 at North Gate
College Park, Prince George's County

APPRAISED VALUE:

David Lamb \$450,000
Turlington \$270,000

M-NCPPC PROPERTY (Parcel Two):

1.07 Acres on U.S. Route 1 at North Gate
College Park, Prince George's County

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

ITEM: 2-RP (continued)

APPRAISED VALUE:	David Lamb	\$450,000
	Turlington	\$250,000

CONTRACT AMOUNT:	Transaction #1:	Parcel One and Two:	Even Exchange
	Transaction #2:	Parcel Two Sale:	\$285,000

REMARKS:

1. *Background:* The University of Maryland, College Park has a student housing shortage. The University seeks to address the shortfall through private development of student-housing facilities adjacent to the University. The University owns a one acre parcel (Parcel One) adjacent to a one acre parcel of land owned by M-NCPPC (Parcel Two). M-NCPPC has agreed to exchange its parcel for the University-owned parcel. Upon State ownership of Parcel Two, the University intends to sell Parcel Two to the developer who will then assemble it with contiguous developer-owned land for the purpose of constructing a 900-bed student-housing facility. For the housing facility to be available to students by Fall 2011, the developer must take control and begin construction by Summer 2009. The University seeks Board approval to exchange its Parcel One for ownership of Parcel Two and approval to sell Parcel Two to the private owner/developer immediately upon ownership of Parcel Two in order to accommodate design and construction schedules for the student housing.

2. *No Effect On Resources:* The exchange of real property and subsequent sale to the private developer for development as student housing project will result in no impact on University-, USM-, or State-resources including debt capacity.

3. *Consideration:* The swap of Parcel One and Parcel Two with MNCPPC will be an even exchange. The University will sell Parcel Two to the developer based on appraisals. Proceeds from the sale will go toward environmental improvements along the Paint Branch stream bed, contiguous with the campus.

4. *Authority:* Section 10-305, State Finance and Procurement Article, Maryland Code. The Board declared both parcels to be surplus State real property on May 6, 2009 following an intergovernmental review and State Clearinghouse recommendation.

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

ITEM: 2-RP (continued)

REMARKS: (continued)

5. *Clearinghouse Review:* By letter dated April 14, 2009 and addendum dated May 4, 2009, The Clearinghouse for Intergovernmental Review recommended to exchange 1.03 acres of land, along U.S. Route 1 in College Park, with the M-NCPPC in Prince George's County and further recommended to declare the newly acquired parcel as "surplus State-owned real property" and to offer to sell the land to a private developer. The amended May 4 recommendation, "that efforts should be made to identify and make available to the State Highway Administration the necessary land needed for future roadway widening along the US 1 roadway prior to the transfer of any of the parcels," has been incorporated as a contract requirement.

6. *Maryland Historic Trust Review:* Both parcels are undeveloped, having no known historic significance.

7. *Legislative Committees' Review:* By letter dated May 18, 2009, the Budget Committees have reviewed the proposed transactions and recommend that the USM proceed to BPW with a contract to execute the land exchange, acknowledging without comment that UMCP will sell the exchanged land to a private developer to construct student housing.

8. *Regents Approval:* The University System of Maryland Board of Regents has approved the contemplated transactions.

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**

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 3-RP

INSTITUTION: Coppin State University

DESCRIPTION: The Board of Public Works is requested to approve the purchase by Coppin State University of property located in Baltimore City for the proposed Science and Technology Center.

PROPERTY: 1820 Thomas Avenue, Baltimore

GRANTOR: Rhonda R. Brown, P.C.

GRANTEE: State of Maryland to the use of the University System of Maryland on behalf of its constituent institution Coppin State University.

APPRAISED VALUE:

Lipman Frizell Mitchell	\$64,000.00
Colliers Pinkard	\$67,000.00

FUND SOURCE: MCCBL 2008, Item 047

PRICE:

Acquisition:	\$ 65,000.00
Relocation:	\$ 36,246.00
Total	\$101,246.00

REMARKS: This property is being purchased to support growth at Coppin State University and to provide a site for the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Performance Building. This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

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 OPTION

ITEM: 4-C-OPT

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

On-Call Design/Build Contracting Services
RFP #85145MM

CONTRACT APPROVED:

6/21/06 USM BPW Agenda Item 1-C

CONTRACTORS:

Plano-Coudon, LLC
2101 Washington Blvd.
Baltimore, MD 21230

John W. Brawner Contracting Co., Inc.
6 North Park Drive
Hunt Valley, MD 21030

North Point Builders, Inc.
4210 North Point Blvd.
Baltimore, MD 21222

Rusky & Company Builders, Inc.
8477 Fort Smallwood Road
Pasadena, MD 21122

DESCRIPTION: On Call Design/Build contracting services for construction projects for the University System of Maryland institutions in the Baltimore region on an as needed "on call" basis. The design/build method was pre-approved by BPW on 10/5/05, Item 3-GM.

TERM OF ORIGINAL CONTRACT:

7/1/2006 – 6/30/2007 (with 4 one-year renewal options)

TERM OF OPTION:

7/1/2009- 6/30/2010 (option year 3:
1 remaining renewal option)

AMOUNT OF ORIGINAL CONTRACT:

\$4,000,000 estimated annually
No single project will exceed \$500,000

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

ITEM: 4-C-OPT (continued)

AMOUNT OF OPTION: \$4,000,000 estimated annually

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

PERFORMANCE SECURITY: 100% performance bond for projects over \$100,000.

REMARKS: This contract has been effective in meeting short lead-time projects that require a quick response. Each contractor has a successful performance track record, including MBE compliance. The hourly rates of the option period remain unchanged from the initial contract rates. As projects come up, the work distribution will be handled as follows: The University will commence rotation with the highest awarded firm until \$200,000 in projects is reached or exceeded by a particular project. Once the dollar amount is reached with the on call contractor, the University will contact the next on call contractor on the list with the next project until another \$200,000 in projects is reached or exceeded by a particular project and so on. At the beginning of each renewal year, rotation commences with the top-ranked firm.

FUND SOURCE: Various Institutional Funds

RESIDENT BUSINESSES: Yes

TAX COMPLIANCE NO: 09-1825-1111 (Plano-Coudon, LLC)
09-1826-1111 (J.W. Brawner, Inc.)
09-1827-1111 (North Point Builders, Inc.)
09-1828-0111 (Ruskey & Company Builders, Inc.)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 1-IT

Agency Contact:

Thomas Booker (410) 767-6578

BookerT@dhhm.state.md.us

Robert Krysiak (410-260-7179)

Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Health & Mental Hygiene (DHMH)

CONTRACT I.D.:

DHMH/OPASS 10-10180

Maintenance Service and Support for
Pharmacy Tracking

ADPICS NO. M00B0400061

DESCRIPTION: Maintenance services for licensed software that provides pharmacy tracking and the drug interaction services modules for the Hospital Management Information System (HMIS).

AWARD:

Netsmart New York, Inc.
Great River, NY

TERM:

07/21/2009 – 07/20/2010

AMOUNT:

\$181,740 (1 Year)

PROCUREMENT METHOD:

Sole Source

BIDS OR PROPOSALS:

N/A

MBE PARTICIPATION:

None (See Remarks)

INCUMBENT:

Same

REMARKS: DHMH has used the Pharmacy Tracking System (PTS) for several years. Maintenance is critical to support the system. A breakdown of the PTS could negatively affect patient safety because a key function provided by the PTS is an electronic drug-to-drug interaction checking function. Additionally, the Joint Commission requires electronic drug-to-drug interaction checking to maintain hospital accreditation. Loss of Joint Commission accreditation could lead to a major loss of billing revenues from Medicare and Medicaid.

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

ITEM: 1-IT (Cont.)

Netsmart has performed to the satisfaction of DHMH with timely services and knowledgeable support staff. Maintenance support has kept PTS operational for daily patient drug dispensing and for providing access to the pharmacy data files for reporting purposes.

Due to proprietary nature of the services to be provided there are no subcontracting opportunities; thus there is no MBE participation goal.

FUND SOURCE:	100% Gen.
APPROP. CODE:	M00L0101
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	09-1489-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

ITEM: 2 IT-MOD **Agency Contact:** W. Stanley Lane
(410) 767-3355
Slanel@mtamaryland.com
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Transportation (MDOT)

CONTRACT NO. & TITLE: MTA – 1215;
Depot Management Software for Bus
Operations Scheduling Network
ADPICS NO. J05B8200009

CONTRACT APPROVED: 2/27/2008 DBM/BPW Agenda Item 4-IT

CONTRACTOR: Trapeze Software Group
Scottsdale, AZ

DESCRIPTION: Provide for expansion and enhancement of the current Trapeze OPS (Operations) Bus Depot Management System and INFO-Web internet based trip planning software, including maintenance and support.

MODIFICATION DESCRIPTION:

- Obtain the Trapeze INFO Publish software module including support and maintenance services
- Customize and modify the current OPS system to support four critical work flow areas.

TERM OF ORIGINAL CONTRACT: 3/1/2008 – 2/28/2011 (W/1 two-year renewal option)

TERM OF MODIFICATION: 7/01/2009 - 2/28/2011

AMOUNT OF ORIGINAL CONTRACT: \$1,593,041

AMOUNT OF OPTION/MODIFICATION: \$491,559 (1 Year, 8 Months)

PRIOR MODIFICATIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$2,084,600

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

2 IT-MOD (Cont.)

PERCENT (+/-) THIS MODIFICATION: 31%
OVERALL PERCENT (+/-): 31%
ORIGINAL PROCUREMENT METHOD: Sole Source
MBE PARTICIPATION: 3.78%

REMARKS: Request for approval to add the INFO Publish module to the bus operations software package currently within the scope of the original contract. The INFO Publish software package was one of several optional modules that were included in the original price negotiations with Trapeze. This module will allow the MTA to move forward in electronic support and automation of bus scheduling information.

Additionally, Trapeze will customize the existing OPS software system to replicate the functions of the current obsolete software system by supporting timekeeping, bidding, dispatch and yard management which are four critical work flow areas of bus operations.

Trapeze Software Group has consistently performed well in the scheduling and installation of all software and related equipment procured under this contract.

FUND SOURCE: 80% Federal Funds
20% Special (Transportation Trust Fund)
APPROP. CODE: J05 H0105
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 09-1935-1001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 3-IT

Agency Contact: Albert Annan
(410) 767-0114
aannan@msde.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Education (MSDE)

CONTRACT ID:

R00R8204304;
Excess Broadcasting Channel Capacity Leasing
ADPICS NO. R00B9200081

DESCRIPTION: Revenue-generating contract to lease excess capacity on four educational television broadcasting channels to a vendor to be used for broadband high speed Internet access and mobile communications. The lease allows no-cost access to public and private educational institutions within a 35-mile radius from the transmission tower at Station WNC 845, 5202 River Road, Bethesda.

AWARD:

Clearwire Spectrum Holdings III LLC
Kirkland, WA

TERM:

7/1/2009 - 6/30/2039

AMOUNT:

N/A (See Remarks Below)

PROCUREMENT METHOD:

Competitive Sealed Bidding

BIDS OR PROPOSALS:

Clearwire Spectrum Holdings III LLC

INCUMBENT:

Nextel Communications, Inc.

REMARKS: A notice of the availability of the Request for Proposals was advertised in the *Maryland Contract Weekly* and on *eMaryland Marketplace.com*. Copies of the solicitation notice were mailed directly to 17 prospective contractors, of which 5 were Maryland firms. A copy of the notice was also sent to the Governor's Office of Minority Affairs.

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

ITEM: 3-IT (Cont.)

Only one proposal was received which was from Clearwire Spectrum Holdings III LLC. The proposal was determined to be susceptible of being selected for award and reasonable. The proposed use of the channels for Internet and broadband communications is consistent with conventional usage. A survey of non-responses disclosed no interest at this time.

MSDE holds licenses to eight Education Broadband Services channels for use by public schools systems and other public institutions of higher education. Four of the channels (WHR 917) are located at 3900 Hooper Avenue in Baltimore and the other four (WNC 845) at 5202 River Road in Bethesda. Current FCC rules allow the Educational Broadband Services channels to provide broadband, data, wireless mobile in addition to broadcasting. Through this agreement, MSDE will lease the unused excess channel capacity available in Bethesda area to Clearwire for use as broadband high speed communication access (internet, data, mobile and video conferencing). The agreement also provides access to the channels at no cost to educational institutions including both public and private schools within the 35-mile radius of the Bethesda site.

Payments to the State from Clearwire are as follows:

\$ 4,800,000 (Years 1-5)
\$ 5,700,000 (Years 6-10)
\$ 6,600,000 (Years 11-15)
\$ 7,800,000 (Years 16-20)
\$ 9,000,000 (Years 21-25)
\$10,200,000 (Years 26-30)
\$44,100,000 Total (30 Years)

In addition to the payments, Clearwire will provide MSDE in-kind contribution of equipment and services with value of \$250,000 to revamp and boost reception of communications in the public schools and also provide free services for public schools within the service area.

There was no MBE sub goal established for this solicitation. This is a revenue-generating contract with no subcontracting opportunities available.

FUND SOURCE: Revenue Generating

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

ITEM: 3-IT (Cont.)

APPROP. CODE: N/A

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1723-1101

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 4-IT

Agency Contact: Chuck Bristow
(410) 865-1040
cbristow@mdot.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Transportation (MDOT)

CONTRACT ID:

Resource Sharing Agreement
ADPICS NO. J01B9200310

DESCRIPTION:

Resource-sharing agreement for a non-exclusive right to install and maintain telecommunications equipment and services on a State-owned tower located in Baltimore County.

AWARD:

Cricket Communications
Washington DC

TERM:

7/01/2009 – 6/30/2019 (w/4, five-year renewal options)

AMOUNT:

N/A (see Remarks below)

PROCUREMENT METHOD:

N/A

MBE PARTICIPATION:

N/A

REMARKS: Cricket Communications will compensate the State for providing Cricket with a non-exclusive right to install and maintain its telecommunications equipment on an MDOT/State Highway Administration's tower located at Interstate 695 and Greenspring Avenue in Baltimore County.

In accordance with Annotated Code of Maryland Article 2-111, Cricket Communications will pay the State Highway Administration's Transportation Trust Fund annual compensation as follows:

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

ITEM: 4-IT (Cont.)

\$ 414,283 (10 years; Base Contract)
\$ 276,652 (5 years; 1st Renewal Option)
\$ 336,587 (5 years; 2nd Renewal Option)
\$ 409,512 (5 years; 3rd Renewal Option)
\$ 498,231 (5 years; 4th Renewal Option)
\$1,935,265 (Total 30 Years, value to the State)

As required under Section 3-405(c) of the State Finance and Procurement Article, this item has been submitted to the Legislative Policy Committee for review and comment; the Committee concurred on June 9, 2009. Public notice has been posted on *eMarylandMarketplace.com*.

FUND SOURCE:	Revenue Generating
APPROP. CODE:	N/A
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-1758-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

ITEM: 5-IT

Agency Contact: Chuck Bristow
(410) 865-1040
cbristow@mdot.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Transportation (MDOT)

CONTRACT ID: Resource Sharing Agreement
ADPICS NO. J01B9200309

DESCRIPTION: Resource-sharing agreement for a non-exclusive right to install and maintain telecommunications equipment and services on a State-owned tower located in Montgomery County.

AWARD: Cricket Communications
Washington DC

TERM: 7/01/2009 – 6/30/2019 (W/4, five-year renewal options)

AMOUNT: N/A (see Remarks below)

PROCUREMENT METHOD: N/A

MBE PARTICIPATION: N/A

REMARKS: Cricket Communications will compensate the State for providing Cricket with a non-exclusive right to install and maintain its telecommunications equipment on an MDOT/State Highway Administration's tower located at Interstate 495 and Connecticut Avenue in Montgomery County.

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

ITEM: 5-IT (Cont.)

In accordance with Annotated Code of Maryland Article 2-111, Cricket Communications will pay the State Highway Administration's Transportation Trust Fund annual compensation as follows:

\$ 512,661 (10 years; Base Contract)
\$ 342,344 (5 years; 1st Renewal Option)
\$ 416,513 (5 years; 2nd Renewal Option)
\$ 506,754 (5 years; 3rd Renewal Option)
\$ 616,546 (5 years; 4th Renewal Option)
\$2,394,818 (Total 30 Years, value to the State)

As required under Section 3-405(c) of the State Finance and Procurement Article, this item has been submitted to the Legislative Policy Committee for review and comment; the Committee concurred on June 9, 2009. Public notice has been posted on *eMarylandMarketplace.com*.

FUND SOURCE:	Revenue Generating
APPROP. CODE:	N/A
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-1758-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

ITEM: 6-IT

Agency Contact: Chuck Bristow
(410) 865-1040
cbristow@mdot.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Transportation (MDOT)

CONTRACT ID: Resource Sharing Agreement
ADPICS NO. J01B9200308

DESCRIPTION: Resource sharing agreement for a non-exclusive right to install and maintain telecommunications equipment and services on a State owned tower located in Montgomery County.

AWARD: Cricket Communications
Washington DC

TERM: 7/01/2009 – 6/30/2019 (W/4, five-year renewal options)

AMOUNT: N/A (see Remarks below)

PROCUREMENT METHOD: N/A

MBE PARTICIPATION: N/A

REMARKS: Through this agreement, Cricket Communications will compensate the State for providing Cricket Communications with a non-exclusive right to install and maintain its telecommunications equipment on an MDOT/State Highway Administration's tower located at Interstate 270/Washington National Pike and Montrose Road in Montgomery County.

In accordance with Annotated Code of Maryland Article 2-111, Cricket Communications will pay the State Highway Administration's Transportation Trust Fund annual compensation as follows:

\$ 410,453 (10 years; Base Contract)
\$ 274,095 (5 years; 1st Renewal Option)
\$ 320,652 (5 years; 2nd Renewal Option)
\$ 405,726 (5 years; 3rd Renewal Option)
\$ 493,629 (5 years; 4th Renewal Option)
\$1,917,381 (Total 30 Years, value to the State)

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

ITEM: 6-IT (cont'd)

As required under Section 3-405(c) of the State Finance and Procurement Article, this item has been submitted to the Legislative Policy Committee for review and comment; the Committee concurred on June 9, 2009. Public notice has been posted on *eMarylandMarketplace.com*.

FUND SOURCE: Revenue Generating

APPROP. CODE: N/A

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1758-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND TRANSPORTATION AUTHORITY

CONTRACT ID: IC-2210-000-006/7R
Inter-County Connector Western Operations
Facility

CONTRACT DESCRIPTION: The proposed contract provides for the site development including grading, storm water management facility, utility installations and construction of an administration and single bay light maintenance building, salt storage dome, fueling island, and temporary police offices to support the Intercounty Connector project in Montgomery County, Maryland.

AWARD: Brawner Builders, Inc
Hunt Valley, MD

AMOUNT: \$4,398,481.00

CONTRACT TERM: 270 Calendar days

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Brawner Builders, Inc. Hunt Valley, MD	\$4,398,481.00
Commercial Interiors, Inc. Hanover, MD	\$4,400,000.00

MBE PARTICIPATION: 30%

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

REMARKS: The Engineer's Estimate for this contract is \$3,443,395.31.

The Solicitation was advertised on eMaryland Marketplace. A total of nine (9) firms (all Maryland firms) purchased the Invitation for Bids contract documents. Five (5) firms submitted bids for evaluation.

This project is a re-bid. Invitation for Bid enhancements include Green Building standards and provides contractor incentives for timely construction in order to meet the critical operational needs of the Intercounty Connector (ICC) project.

ITEM: 1-C (Continued)

BPW -- 07/01/09

This project will be constructed to provide administrative, maintenance, operations, and security support functions for the new Intercounty Connector (ICC) toll facility in Montgomery County and Prince Georges County. The first segment of the new roadway from I-270/I-370 to MD97 (Georgia Avenue) is scheduled to open to traffic in the Fall of 2010. The completion of construction and occupancy of this support facility prior to the official roadway opening is critical to the Authority.

The work to be performed under this contract consists of the furnishing of all labor, equipment and materials necessary to complete civil site development work and building construction including but not limited to: installation of erosion and sediment control devices; preliminary and final grading; construction of a storm water management pond; installation of storm drain conveyance systems including inlets, manholes, and concrete pipes; installation of site utilities including water, sanitary sewer, electric, and communications; installation of pavement including graded aggregate base, asphalt pavement, concrete curb and gutters; installation of site lighting, security cameras and perimeter fencing; landscaping including ground coverings, scrubs, and trees; construction of a maintenance building to provide administrative office space and a single light maintenance/storage bay; installation of a police modular office; construction of a 3942 ton capacity salt storage dome; and installation of a fuel island and fuel storage tanks.

March-Westin Company MD Division filed a protest of the rejection of its bid on April 27, 2009. The Authority denied the protest May 26, 2009. The MSBCA has confirmed that no appeal was filed by the June 5, 2009 cut-off date.

FUND SOURCE:	MdTA CIP Funds
APPROPRIATION CODE:	29.10.02.01
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-1341-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Angelo Perseghin (410) 631-1171
aperseghin@marylandports.com

BPW – 07/01/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Construction)

ITEM: 2-C-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 505806
 Remote Video Surveillance System and Enhanced
 Terminal Perimeter Security
 ADPICS NO. CO220669

ORIGINAL CONTRACT APPROVED: Item 1-C, DOT Agenda 8/10/05

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Proposals**

CONTRACTOR: Adesta, LLC
 Omaha, NE

MODIFICATION: Modification No. 5 provides for an administrative increase to the contract period documented in FMIS to accommodate the actual defined work days specified in the contract. This is being done to process progress and final acceptance payments after all closeout and warranty requirements have been satisfied.

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$5,508,677.59

REVISED CONTRACT AMOUNT: \$9,556,723.56

PERCENTAGE INCREASE: 0.0% (MOD #5)
 73.5% (Overall)

ORIGINAL TERM: 540 Work Days
184 Work Days (Modification No. 4)
 724 Work Days (Total)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: This contract provides for the design and installation of a new remote video surveillance system and enhancements to physical perimeter barriers throughout the Maryland Port Administration's (MPA) marine terminals. The new surveillance system provides perimeter, terminal, gate and waterside surveillance, and allows security personnel to effectively respond to intrusions and unlawful or suspicious activities. The enhanced barriers provide additional protection from unauthorized access onto MPA facilities.

ITEM: 2-C-MOD (Continued)

BPW -07/01/09

There is no extra work to be performed through this modification. This modification provides only for additional time in FMIS to accommodate the work days provided in the contract and sufficient time to process payments to the contractor for work satisfactorily performed and accepted in accordance with the contract requirements.

The original contract was for 540 work days and 184 work days were added through Modification No. 4 for a total of 724 workdays. Work days provided for in the contract were incorrectly converted to calendar days on the original BPW Agenda Item which did not cover the full time of performance that was specified in the contract bid documents. Approval of this modification will adjust the contract completion date in FMIS to January 31, 2010.

FUND SOURCE:	80% Federal Port Security Program Funds 20% Special Funds Budgeted to MPA
APPROPRIATION CODE:	J03-D0002
MD TAX CLEARANCE:	09-1765-1111
RESIDENT BUSINESS:	No

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 3-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4271241409SB
Roadside Mowing, Trimming and Litter Pickup along
Primary & Secondary Roadways at Various Locations in
the Churchville Shop Area, Harford County, Maryland
ADPICS NO. 4271241409

CONTRACT DESCRIPTION: This Contract consists of roadside mowing/trimming and
litter pickup along primary and secondary roadways at various locations in the Churchville Shop Area.

AWARD: Expert Landscape Management Corp.
Edgewood, MD

AMOUNT: \$358,192.50 NTE

TERM OF CONTRACT: July 13, 2009 through December 31, 2009

PROCUREMENT METHOD: **Competitive Sealed Bidding**
(Small Business Reserve)

BIDS:

Expert Landscape Mngt. Corp. \$358,192.50
Edgewood, MD

Green Thumb Landscaping, Inc. \$402,142.50
Severn, MD

Consolidated Services, Inc. \$668,599.75
Abingdon, MD

Tote-It, Inc. \$1,070,573.00
Baltimore, MD

MBE PARTICIPATION: 7%

PERFORMANCE SECURITY: None

ITEM: 3-M (Continued)

BPW – 07/01/09

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One-hundred seventy-one (170) contractors were notified for this project on eMaryland Marketplace; Twenty-four (24) of which were MDOT Certified MBE's.

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

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

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1851-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 07/01/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 4-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 4273H41409SB
 Median & Roadside Mowing, Trimming and Litter Pickup
 along Primary & Secondary Roadways in the Hereford
 Area West of I-83 in Baltimore County, Maryland
 ADPICS NO. 4273H41409

CONTRACT DESCRIPTION: This Contract consists of median & roadside mowing,
 trimming and litter pickup along primary and secondary roadways in the Hereford Shop area, West of I-83
 in Baltimore County.

AWARD: H. F. Huber & Son, Inc.
 Baltimore, MD

AMOUNT: \$202,171.00 NTE

TERM OF CONTRACT: July 13, 2009 through December 31, 2009

PROCUREMENT METHOD: **Competitive Sealed Bidding
 (Small Business Reserve)**

BIDS:

H. F. Huber & Son, Inc. \$202,171.00
 Baltimore, MD

Expert Landscape Management \$224,611.50
 Edgewood, MD

BHK Lawn Maintenance, Inc. \$237,514.00
 Finksburg, MD

Green Thumb Landscaping, Inc \$295,600.00
 Severn, MD

Tote-It, Inc. \$339,905.00
 Baltimore, MD

Consolidated Services, Inc. \$380,090.00
 Abingdon, MD

Earn Contractors \$734,200.00
 Gaithersburg, MD

ITEM: 4-M (Continued)

BPW – 07/01/09

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One-hundred seventy-one (171) contractors were notified for this project on eMaryland Marketplace; Twenty-four (24) of which were MDOT Certified MBE's.

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

100% of the work will be performed by a Certified Small Business/Minority Business Enterprise.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1852-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (Service)

ITEM: 5-S-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 210002-S
Marine and Landside Terminal Services -
Seagirt Marine Terminal
ADPICS NO. CO241257

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

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Proposals**

CONTRACTOR: Ports America Baltimore, Inc.
Baltimore, MD

MODIFICATION: Modification No. 18 extends the current contract for an additional six months (11/1/09 – 4/30/10) and increases the value by not-to-exceed \$20 million. It also grants the MPA the option to extend for up to six additional one-month periods for amounts not-to-exceed \$3.3 million per month.

AMOUNT: \$20,000,000.00 NTE

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

REVISED CONTRACT AMOUNT: \$316,704,224.00 NTE

PERCENTAGE INCREASE: 11% (Modification 18)
81% (Overall)

ORIGINAL TERM: 11/01/01 – 10/31/07
11/01/07 – 10/31/08 (Modification 9)
11/01/08 – 10/31/09 (Modification 13)

ORIGINAL MBE PARTICIPATION: 1%

ITEM: 5-S-MOD (Continued)

BPW – 07/01/09
REVISED

REMARKS: Under this contract, Ports America Baltimore, Inc. provides stevedoring and other marine and landside terminal services at Seagirt Marine Terminal. The contract allows the MPA, through Ports America, to provide services to shipping lines loading or unloading containers at Seagirt. Shipping lines pay the MPA various fees for services on MPA facilities, and the MPA in turn pays Ports America for its services. Modification 18 will extend the contract for an additional six months and grant MPA six additional one-month options to renew in order to prevent an interruption of services and disruption of terminal operations pending the outcome of the MPA's recently-issued solicitation for a public-private partnership terminal operator. **By approving this Item, the Board grants MPA authority to exercise the six, one-month options, without further Board approval.**

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03/D0001

MD TAX CLEARANCE: 09-1480-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

EQUIPMENT CONTRACT

ITEM: 6-E

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: T-1120-0140
 Bus Fluids/Fuel Management System
 ADPICS NO. T11200140

DESCRIPTION: The contract provides for acquisition and installation of an automated bus fuel/fluids management system to monitor fluid usage relative to bus operation for the various locations of the MTA Metro Bus Divisions.

AWARDS: S & A Systems, Inc.
 Rockwall, TX

TERM OF CONTRACT: Two (2) Years from Notice to Proceed
 (August 1, 2009 through July 31, 2011)

AMOUNT: \$1,124,723.00

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Multi-Step, One Bid Received)

MBE PARTICIPATION: 18%

PERFORMANCE SECURITY: Performance Bond, 100% Contract Amount

REMARKS: The contract was advertised in eMaryland Marketplace. Seven (7) firms were notified directly of the advertisement of the solicitation package. One (1) was a Maryland firm. A pre-bid conference and site visit was held on August 12 & 13, 2008 with six (6) vendors attending resulting in one (1) addendum being published. Three (3) Multi-step Bids were received on September 16, 2008 along with two "no bids."

The award was based on evaluation of the submissions by a three (3) member panel consisting of the Project Manager, the Bus Maintenance Director and the Equipment Engineering Chief. The evaluations included positive responses to the requirements as well as the vendor's business profile and experience completing projects of similar scope. The evaluation committee was not privy to the bid pricing submitted by each vendor with their proposal although two (2) of the respondents did not submit bid pricing in a separate sealed envelope as directed in the solicitation. Upon completion of the evaluations the bid pricing for the remaining acceptable respondent was opened revealing pricing within the engineers estimate and competitive with the two remaining respondents.

ITEM: 6-E (Continued)**BPW – 07/01/09****REVISED**

The two respondents failing to meet the minimum requirements of the solicitation were sent letters outlining their issues whereupon one of those respondents protested the evaluation results. The protest was denied at the agency level without appeal. Therefore, the MTA recommends moving forward with the award of this project to allow effective monitoring of the fluid and fuel usage at four locations, Bush Division, Kirk Division, Northwest Division and Eastern Division, utilized as Bus Division fueling and maintenance facilities through the MAXIMO System.

The Fuel Management System will keep MTA in compliance with U.S. Environmental Protection Agency (EPA) requirements, avoid fuel leaks and guard against environmental mishaps when storing fuel at various MTA bus depots. The Fuel Management System incorporates certified automatic leak detection that meets and/or exceeds EPA requirements. Alarms warn operators of issues such as low fuel inventory, high water amounts, or detection of a leak.

The Contractor is exceeding the 17% MBE goal by 1%.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05-H0105

TAX COMPLIANCE NO.: 09-1853-0000

RESIDENT BUSINESS: No

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

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

Bob Huber (410) 631-1142
bhuber@marylandports.com

BPW – 07/01/09

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

LANDLORD LEASE

ITEM: 7-LL

MARYLAND PORT ADMINISTRATION

TENANT: Mayor and Commissioners of Cambridge, Maryland
 307 Gay Street
 P.O. Box 255
 Cambridge, Maryland 21613

PROPERTY LOCATION: Byrne and Franklin Streets

SPACE TYPE: Land and Improvements LEASE TYPE: Amendment

DURATION: Five (5) years EFFECTIVE: July 7, 2009

ANNUAL RENT: \$12.00

UTILITIES RESPONSIBILITY: City of Cambridge

CUSTODIAL RESPONSIBILITY: City of Cambridge

SPECIAL CONDITIONS: On July 7, 1994, the Maryland Port Administration (MPA) entered into a lease for a term of fifteen (15) years with Sailwinds Park, Inc. for the development of approximately 9.0 acres of land and improvements with the intentions of developing "Sailwinds Park at Cambridge – Proposal for the Economic Development of the Region." Throughout the term of the lease, Sailwinds Park, Inc. was unable to complete any development on the site and requested that the MPA assign the lease to the City of Cambridge. On June 1, 2001, the MPA granted the request that the lease and all terms for development, be assigned to the Mayor and Commissions of the City of Cambridge to continue with the original economic development plans.

The City of Cambridge now desires to develop this site and additional surrounding properties in accordance with the "Cambridge Waterfront 2020" development plan and has requested that the original lease be extended for an additional term of five (5) years. The MPA desires to grant this lease extension and work with the City towards completion of that development. Once all agreements regarding the development have been concluded, the MPA will dispose of the property, to either the developer or the City of Cambridge at fair market value.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 07/01/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM 8-RP

MMC #06-5020

MARYLAND TRANSIT ADMINISTRATION: Land along MD Rte. 176 (Dorsey Road) at I-97 located in Cromwell, Anne Arundel County MD

EXPLANATION: Request for the Board to approve the land exchange between the Maryland Transit Administration (MTA) and the Roman Catholic Archdiocese of Baltimore on behalf of the Holy Trinity Church.

The Holy Trinity Church approached MTA seeking to acquire a small parcel adjacent to their offices, via a land exchange, in order to expand their employee parking lot. MTA has agreed to the land exchange for an Archdiocese parcel to assist in the development of a Bio-retention facility to accommodate the Cromwell Light Rail Station and Maintenance Facility.

PARTIES: MTA and Roman Catholic Archdiocese of Baltimore

CONSIDERATION: \$16,000.00 (negotiated amount)

VALUE: \$94,700.00 – Value to the parcel received by the Roman Catholic Archdiocese of Baltimore.

REMARKS: In accordance with COMAR 14.24.05, the property has been cleared under the State Clearinghouse process. In accordance with the State Finance and Procurement Article, Section 10 305, MTA notified the Senate Budget and Taxation Committee, as well as the House Appropriations Committee of the proposed conveyance.

Legislative Notice was given on June 27, 2007 and more than 45 days have elapsed. The Board approved the MTA property as surplus on February 13, 2008, as Item 10-RP.

SPECIAL CONDITIONS: The property being conveyed from MTA to the Church was originally conveyed from the State Highway Administration (SHA) to MTA, as part of the Cromwell Light Rail Station property conveyance. SHA has joined into this Quit Claim Deed for the purpose of concurring that this transaction does not constitute an event for which the land being conveyed should revert to SHA in connection with the contingency provision in the SHA Conveyance Deed if this property ceased to be used for a transportation purpose or other public purpose and waiving any right to bring an action to reclaim the land being conveyed.

ITEM:

8-RP (Continued)

BPW – 07/01/09

SUMMARY: MTA anticipates conveying a parcel containing 0.871 +/- acre of land to the Archdiocese in exchange for a parcel containing 0.6413 +/- acre of land. The Archdiocese has incurred numerous financial expenses to develop the subdivision plats and administered the Anne Arundel County Subdivision process on behalf of MTA to gain county approval. These expenses would typically be incurred by MTA through a standard project.

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

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

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 9-RP MMC# 09-5033

MARYLAND TRANSIT ADMINISTRATION:

DESCRIPTION: Board of Public Works approval is requested for the proposed easement.

PROPERTY LOCATION: Light Rail At-Grade Crossing
Clipper Mill Industrial Park
Baltimore City MD

GRANTOR: Maryland Transit Administration

GRANTEE: Clipper Limited Partnership, LLLP and Clipper Mill, LLC

TYPE: At-Grade Vehicular Crossing and 31,775 square feet of MTA railroad right-of-way.

TYPE: Quitclaim Easement

TERM: Perpetuity

CONSIDERATION: \$65,635.00 (Easement Amount)

One-Time Reconstruction Contribution from Grantee to MTA for costs and expenses related to the reconstruction of the subject railroad crossing in the amount of \$130,000.00.

SPECIAL CONDITIONS: None

REMARKS: In accordance with COMAR 14.24.05, approval is requested to grant a perpetual easement to Grantee for continued access to the Clipper Mill Industrial Park in Baltimore City MD. The Maryland State Clearinghouse conducted an intergovernmental review of the subject request and recommended to grant the easement.

Since 1985, Clipper Mill Industrial Park (CMIP) has licensed a portion of MTA's railroad right-of-way (ROW) in some form as access to and from the industrial park for day-to-day operations. CMIP is planning to renovate their historic building into apartments or condominiums with an investment between \$10 and \$20 million. CMIP's lender stated the current License Agreement, which can be terminated by MTA with sufficient notice, does not allow a stable legal requirement by CMIP to finance the project. Since 2004 MTA and CMIP have been in negotiations over this access and the agreed method is a Quitclaim Easement from MTA to CMIP for continued access.

The one-time contribution from CMIP to MTA for reconstruction of the at-grade crossing was initiated by MTA due to CMIP's delivery trucks. The turning radius of the subject crossing was not sufficient for CMIP's delivery trucks and in some situations, those trucks were stuck and the light rail system was temporarily shutdown. The project completed by MTA resolved this situation and CMIP agreed to reimburse a portion of MTA's the costs and expenses.

Board of Public Works' approval is requested for the real property Easement Agreement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 10-RP MMC# 09-2237

STATE HIGHWAY ADMINISTRATION: The existing and replacement easements are located at the North West side of MD 413 (Maryland Ave) at North side of MD 460 (Hall Hwy) in Somerset County.

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested for SHA to relinquish the existing perpetual easement for drainage of 4,567 SF to Crisfield Plaza, LLC in exchange for a replacement perpetual easement of 3,391 SF from Crisfield Plaza, LLC.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Crisfield Plaza, LLC

CONSIDERATION: \$2,500.00 (Administrative Costs)

APPRAISED VALUE: \$50,326.00 Joan Derby & W. Fitzhugh Turner, fee appraiser
Reviewed and approved by Bill Caffrey, Chief of Appraisal Review.

REMARKS: Approval of conveyance is requested in accordance with the Section 8-309 (f)(1)(ii) of the Transportation Article, Annotated Code of Maryland.

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

The replacement easement will hold a drainage system that will be more efficient than the existing easement currently maintained by SHA. The new easement will be maintained by the Grantee. This will result in an engineering and maintenance savings for the state. Therefore, the Grantee will be charged administrative fees only.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

James W. Peiffer (410) 865-1211
jpeiffer@mdot.state.md.us

BPW – 07/01/09

DEPARTMENT OF TRANSPORTATION ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 11-RP MMC# 04-8007

MARYLAND TRANSIT ADMINISTRATION: Reisterstown Plaza Metro station in Baltimore City

EXPLANATION: As provided for in the State Finance and Procurement Article, Section 10 305, the Department requests the surplus of 11.2831 acres+/- at 6100 Wabash Avenue in Baltimore City for the purpose of commencing a transit oriented development (TOD) by locating a division of the Social Security Administration at this Metro Station.

SPECIAL CONDITIONS: The property will be conveyed to the General Services Administration with covenants dictating its perpetual development and use as a TOD.

STATE CLEARINGHOUSE: In accordance with COMAR 14.24.05, the property will be cleared under the State clearinghouse process prior to July 1, 2009.

LEGISLATIVE NOTICE: In accordance with the State Finance and Procurement Article, Section 10-305, the Senate Budget and Taxation Committee as well as the House Appropriations Committee were notified on May 13, 2009.

GRANTOR: State of Maryland, Maryland Transit Administration

GRANTEE: US Department of General Services (GSA)

CONSIDERATION: The price of transfer to GSA is \$6 million. While the appraisal reflects a land value of \$3.1 million, the price also accounts for the replacement of existing surface parking and an on-site MTA Police facility. In addition, the property will be subject to the following easements:

- The property will be developed according to transit-oriented design principles.
- Certain permanent easements are granted to the MDOT for the use, installation and maintenance of common facilities, such as pedestrian areas, common roadways, common utilities and the Metro Station.
- Certain uses are prohibited on the property regardless of whether permitted by zoning or not. These include, but are not limited to: vehicle repair and servicing facilities, gasoline storage facilities, blood banks, pawn shops, massage parlors, and skating rinks.

APPRAISED VALUE: The appraised value of the property is \$3,101, 600 as of an appraisal completed on July 20 2008 by Bruce Dummmler.
 Reviewed, approved and selected by Paul Mazelis, Appraisal Review Division, State Highway Administration. One other appraisal was reviewed by Mr. Mazelis.

ITEM:

11-RP (Continued)

BPW – 07/01/09

REMARKS: Property to be sold to the U.S. General Services Administration for use to develop a U.S. Social Security Administration Headquarters as part of a transit oriented development project at the site.

The Maryland Department of Transportation (MDOT), Office of Real Estate and the U.S. General Services Administration (GSA) have negotiated an Assignable Purchase Agreement (Agreement) to convey a +/- 11.2831 +/- acre portion of the Maryland Transit Administration's (MTA) 36-acre property at the Reisterstown Plaza Metro Station, located at 6100 Wabash Avenue in Baltimore City, to GSA for use as a U.S. Social Security Administration (SSA) office building. The MDOT Office of Real Estate requests a surplusing of a portion of the site to the Board of Public Works (BPW) in July 2009 and recommends entering into the Agreement in August 2009.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (General/Miscellaneous)

ITEM: 12-GM-MOD

MARYLAND TRANSPORTATION AUTHORITY: Electronic Toll Collection-Next Generation, (ETC-NG) System

CONTRACT ID: MA-549-000-006
MdTA Electronic Toll System Replacement and Operation

ORIGINAL CONTRACT APPROVED: Item 15-GM, DOT Agenda 10/19/05

CONTRACTOR: ACS State and Local Solutions
Baltimore, MD

DESCRIPTION: Modification No. 10 will provide the de-installation of nine (9) Lane Entry Gates currently installed at the mid-point of the Toll Lanes and the reinstallation of these gates at the entrance to each of the Toll Lanes at the William Preston Lane Jr. Memorial Bridge (Bay Bridge).

DURATION: November 30, 2005 to December 1, 2014

AMOUNT: \$170,838.42

ORIGINAL CONTRACT AMOUNT: \$183,986,635.00

REVISED CONTRACT AMOUNT: \$232,184,538.42

PERCENTAGE INCREASE: .093% (MOD No. 10)
26.168% (Overall)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: Additionally, this item will allow the contractor to provide engineering and technical support for the Harry W. Nice Memorial Bridge (HWN) Toll Booth Replacement Project to de-install ETC equipment and wiring in three (3) toll booths and reinstalling and testing the ETC equipment and wiring after the new booths are installed.

Modification No.10 is composed of \$253,788.42 in extra work by the contractor and includes the deletion of unused items from the original contract totaling \$82,950. The net addition to the contract is \$170,838.42.

The MBE, AVA Electrical, will be performing 32.05% of this modification.

ITEM: 12-GM-MOD (Continued)**BPW – 07/01/09**

The Authority has reviewed ACS's proposal and has determined this submission to be acceptable.

This Item was previously submitted and withdrawn from the 6/17/09 DOT Agenda as Item 24-GM-MOD.

FUND SOURCE:	100% Toll Revenue
APPROPRIATION CODE:	29.10.02.01
MD TAX CLEARANCE:	09-1720-1111

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 1-EP

DEPARTMENT OF VETERAN AFFAIRS

Charlotte Hall Veterans Home
 St. Mary's County, MD.

ORIGINAL CONTRACT NO. & TITLE

Project No. :EC-003-080-003
 Phase II- Maryland Department of
 Veteran Affairs August 08
 ADPICS NO. 001B9200900

ORIGINAL PROCUREMENT METHOD

Competitive Sealed Proposals
 DGS-06-EPC-IDC-5.0

CONTRACTOR

NORESCO LLC.
 Baltimore, MD.

DESCRIPTION PHASE I

The Indefinite Delivery Contract (IDC) approved by the Board of Public Works on April 18, 2007, awarded contracts to multiple vendors. Under the IDC provisions, if the State decides to proceed to the Phase II, the Phase II award is subject to BPW approval. Additionally, under provisions of the IQC, if the State intends to award Phase II it shall be awarded to the same company that accomplished the Phase I.

DESCRIPTION PHASE II

On December 4, 2007, the Department of General Services Procurement Review Board approved the award of Phase 1 of this energy performance contract to NORESKO LLC. under provision of the Indefinite Delivery Contract (IDC) approved by the Board of Public Works on November 14, 2007. Board of Public Works approval is now requested to award Phase II of this project based on the Phase I study conducted by NORESKO LLC.. Under the IDC provisions, if the State decides to proceed to the Phase II, the Phase II award is subject to BPW approval. Phase II requires NORESKO LLC. to furnish detailed engineering, construction, start-up, training, maintenance services, and a savings guarantee for the approved Energy Performance Contracting Program

PHASE 1 CONTRACT APPROVED

DGS Procurement Review Board,
 August 5, 2008

CONTRACT AMOUNT

\$798,238.00

AWARD

NORESCO LLC.
 Baltimore, MD.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 1-EP (Cont.)

PERFORMANCE BOND

\$756,950.00 (capital cost, including Phase I Study)

FUND SOURCE

\$646,950.00 Energy Performance Contracting Master Lease Purchase Agreement
 \$150,000.00 SALP
 \$ 1,288.00 MDVA Operating Budget (over 14.5 years)
 \$798,238.00 Total Funding

REMARKS

Under Phase I of this project, NORESKO LLC. developed comprehensive energy efficiency and guaranteed savings program to assist the Department of Veteran Affairs (MDVA) in achieving a reduction in energy consumption through the installation of capital equipment and the implementation of maintenance services. A detailed engineering study was completed, including specific recommendations, equipment layouts, preliminary specifications, construction cost, yearly maintenance costs, and guaranteed energy and energy related savings. That study was determined to have met the objectives of the RFP and found acceptable. In accordance with provisions of the approved IDC contract, NORESKO LLC., the firm who performed the acceptable Phase I study, is now the only firm invited to perform the Phase II work implementing the Phase I plan.

Final capital and maintenance costs were negotiated by The Department of General Services (DGS), and represent fair market value for these services. The energy performance project will support the Department of Veteran Affairs facility operation by implementation of energy conservation and facility improvements that will significantly improve the environmental comfort at the Charlotte Hall Veteran's Home. All project costs will be funded through guaranteed energy-related costs.

SCOPE OF WORK

This project will provide improvements at Charlotte Hall and the Academic Building to reduce energy use and minimize operating costs including:

- Lighting system upgrades that will retrofit and / or replace existing fluorescent luminaries with more efficient T8 technology as well as retrofit incandescent luminaries to compact fluorescent technology or replace them entirely with new luminaries that utilize either compact fluorescent or linear fluorescent lamps.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 1-EP (Cont.)

- Water source heat pump replacements that include the labor for installation of certain water source heat pumps (WSHP) with installation kits that MDVA already has in its stock for the Charlotte Hall facility. In addition to installing the certain existing stock units, the project will furnish and install new WSHPs with installation kits.

Funding Summary

	Project Cost	SALP Funded Cost	Financed Cost	Agency Operating Cost*
Phase I Feasibility Study	\$ 40,000.00	\$ 0.00	\$ 40,000.00	\$ 0.00
Design/Construction	\$716,950.00	\$110,000.00	\$606,950.00	\$ 0.00
Maintenance (over 14.5 years)	\$ 1,288.00	\$ 0.00	\$ 0.00	\$1,288.00
NORESCO LLC.	\$758,238.00	\$110,000.00	\$646,950.00	\$1,288.00
Construction Inspection (DGS):	\$ 40,000.00	\$ 40,000.00	\$ 0.00	\$ 0.00
M&V (DGS over 14.5 years):		\$ 0.00	\$ 0.00	\$ 0.00
Project Total:	\$798,238.00	\$150,000.00	\$646,950.00	\$1,288.00

* The entire cost carried by the Department of Veteran Affairs is supplied from the savings, with a net positive cash flow to MDVA.

The projected cash flow assumes a 3.52% interest rate on the \$646,950.00 in financed capital funding through the Energy Performance Contracting Master Lease-Purchase Agreement. SALP funding of \$150,000.00 will also be used to fund this project. MDVA will also fund \$1,288.00 in measurement and verification (M&V) services from energy and energy-related savings. It is anticipated that the payback period for the entire project will not exceed 14.5 years, and will be 100% self-funded from guaranteed energy and energy related savings.

NORESCO LLC. has met the State MBE requirements for this project of 30%.

ENERGY PERFORMANCE, PHASE II

The Maryland Energy Administration supports the recommendation of the Phase II award to NORESO LLC..

Annual Energy and Water Reduction
Electricity = 525,543 kWh

CO2 (Greenhouse Gas) =	721,571 lbs.
SO2 (Sulfur Dioxide) =	5,299 lbs.
NOX =	1,844 lbs.

TAX COMPLIANCE NO. 09-1964-1111

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (REVISED)

DEPARTMENT OF GENERAL SERVICES

Statewide Contract

CONTRACT NO. AND TITLE

Debris Removal for Emergency Situations;
 Region A, Project No.DGSSO252322
 Region B, Project No.DGSSO252377
 Region C, Project No.DGSSO252378
 Region D, Project No.DGSSO252379
 Region E, Project No.DGSSO252380
 ADPICS NOS.:
 001B0400020 (DRC Emergency Services)
 001B0400023 (TFR Enterprises, Inc.)
 001B0400022 (Omni Pinnacle, LLC)
 001B0400021 (AshBritt Reconstruction)

DESCRIPTION -

Quantity Contract (IQC) to provide on call, as needed, statewide emergency debris removal services; excluding hazardous materials, with the State of Maryland for Regions A, B, C, D and E. (See Remarks for definitions of regions). Additionally, this will include associated State agencies and political subdivisions located within or compromising these regions respectively.

Approval is requested for this Indefinite

PROCUREMENT METHOD

Competitive Sealed Bid

BIDS OR PROPOSALS

AMOUNT

Region A (Western Maryland)

DRC Emergency Services, LLC, Mobile, AL.	\$159,662.50
TFR Enterprises, Inc., Leander, TX.	\$195,492.50
Omni Pinnacle, LLC, Pearl River, LA.	\$208,463.50
AshBritt Reconstruction Services, Inc., Pompano Beach, FL.	\$341,037.50

Region B (National Capitol)

DRC Emergency Services, LLC, Mobile, AL.	\$159,662.50
TFR Enterprises, Inc., Leander, TX.	\$195,492.50
AshBritt Reconstruction Services, Inc., Pompano Beach, FL.	\$341,037.50

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.) (REVISED)

Region C (Central Maryland)

DRC Emergency Services, LLC, Mobile, AL.	\$159,662.50
TFR Enterprises, Inc., Leander, TX.	\$195,492.50
AshBritt Reconstruction Services, Inc., Pompano Beach, FL.	\$341,037.50

Region D (Southern Maryland)

DRC Emergency Services, LLC, Mobile, AL.	\$171,313.00
TFR Enterprises, Inc., Leander, TX.	\$202,580.00
AshBritt Reconstruction Services, Inc., Pompano Beach, FL.	\$349,812.50

Region E (Eastern Shore)

DRC Emergency Services, LLC, Mobile, AL.	\$159,662.50
TFR Enterprises, Inc., Leander, TX.	\$195,492.50
AshBritt Reconstruction Services, Inc., Pompano Beach, FL.	\$341,037.50

AWARDS

DRC Emergency Services, LLC.
 Mobile, AL. (All Regions, \$809,963.00)
 TFR Enterprises, Inc.
 Leander, TX. (All Regions, \$984,550.00)
 Omni Pinnacle, LLC.
 Pearl River, LA.
 (Region A only \$208,463.50)
 AshBritt Reconstruction Services, Inc.,
 Pompano Beach, FL.
 (All Regions, \$1,713,962.50)

TERM

7/6/2009-7/5/2010 (W/4 one-year renewal
options)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.) (REVISED)

AMOUNT

\$ 904,656.00 Region A *
\$ 696,192.50 Region B *
\$ 696,192.50 Region C *
\$ 723,705.50 Region D *
\$ 696,192.50 Region E *
\$ 3,716,939.00 Total Base Contract (1 year)
\$ 3,716,939.00 (1st renewal option)
\$ 3,716,939.00 (2nd renewal option)
\$ 3,716,939.00 (3rd renewal option)
\$ 3,716,939.00 (4th renewal option)
\$18,584,685.00 Est.Total (5 years))
(*prices are for evaluation purposes only.)

MBE PARTICIPATION

Goal to be established Project by Project
with a minimum goal of 25% on task orders
of \$50,000 or more

PERFORMANCE BOND

100% of contract amount (NTE \$200,000)

REMARKS

A notice of the availability of the Indefinite Quantity Contract (IQC) was advertised and bid on *eMarylandmarketplace.com* and the *DGS Bid Board*. Sixty-six (66) vendors were contacted through eMM and four (4) vendors were directly solicited for each solicitation. Four (4) priced bids were received for Region A (Western Maryland) and three (3) responsive priced bids for Regions B (National Capital) Region C (Central Maryland), Region D (Southern Maryland) and Region E (Eastern Shore).

The State is awarding multiple debris removal and disposal contracts to multiple contractors for each identified region on an as needed basis in order to have immediate availability in the aftermath of a major disaster. The objective is to secure the services of experienced contractors capable of clearing and removing large volumes of disaster generated debris from large areas in a timely cost effective manner.

These contracts will provide statewide emergency debris removal services for the State of Maryland; by region, for the removal, clearing, handling, hauling, sorting, storage and disposal of disaster generated debris, excluding: hazardous materials, household garbage and household hazardous waste, from public property and public right of ways immediately after a hurricane, and other natural or man-made events.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.) (Revised)

Debris removal is to be completed within ninety (90) days and disposal and recycling operations within one-hundred-eighty (180) days following such disasters. Contractor will be required to participate in disaster recovery training and/or exercises.

These contracts are awarded as standby contracts and will be activated only in the face of an emergency. As such no compensation will accrue to the contractor unless or until a contract is activated via a task order, either in anticipation of a natural or man-made disaster or immediately after. As a result no up-front state funding is required.

One hundred twenty (120) days prior to the end of the first year and at the end of any exercised option, the contractor may request, in writing, a cost adjustment to be in effect for the two (2) subsequent years of the contract. Any proposed increases in price shall not exceed the rate of inflation as determined by the Consumer Price Index for all urban consumers (CPI-U)-U.S. City average all items 1982 84=100 published by the Bureau of Labor Statistics at the time of the request.

A task order request will initially be sent to the lowest bidder based on prices received for these contracts.

Deleted Text

DRC Emergency Services, LLC, TFR Enterprises, Inc., Omni Pinnacle, LLC and AshBritt Reconstruction Services, Inc. are determined to be responsive and responsible bidders. The awarded vendors were evaluated and have confirmed their bid prices.

FUND SOURCES

Various approved budget accounts

RESIDENT BUSINESSES

No for all

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 2-M (Cont.) (REVISED)

TAX COMPLIANCE NO

09-1509-0001 (DRC Emergency Services)
09-1585-0000 (TFR Enterprises, Inc.)
09-1637-0000 (Omni Pinnacle, LLC)
09-1510-0002 (AshBritt Reconstruction)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M

DEPARTMENT OF GENERAL SERVICES

Baltimore State Office Complex,
 Inner Harbor State Office Complex and the
 District Courts (20 Facilities)

CONTRACT NO. AND TITLE

Emergency Generator Maintenance
 Services;
 ADPICS NO. 001B0400018

DESCRIPTION

Board of Public Works approval is requested
 for a contract to provide emergency generator maintenance services at the Baltimore State Office
 Complex, Inner Harbor State Office Complex and the District Courts (20 facilities) for a period
 of five (5) years.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Curtis Engine & Equipment, Inc.
 Baltimore, MD.
 Johnson & Towers, Inc.
 Baltimore, MD.

BASE BID

\$463,700.00

\$607,102.90

AWARD

Curtis Engine & Equipment, Inc.
 Baltimore, MD.

TERM

8/1/2009 – 7/31/2014

AMOUNT

\$409,200.00 (5 years)

MBE PARTICIPATION

5%

BID BOND

5% of Base Bid

PERFORMANCE BOND

\$81,840.00

PAYMENT BOND

\$81,840.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 3-M (Cont.)

REMARKS

This solicitation was advertised with 5% Minority Business Enterprise Goal and bid on eMaryland Marketplace. Notice of availability was also posted on the DGS Bid Board. Two (2) bids were received.

The recommended contractor, Curtis Engine & Equipment, Inc., has been found responsive and responsible and has confirmed their bid.

The work to be accomplished under this contract shall consist of furnishing emergency generator maintenance services including; automatic transfer switches and all associated equipment at the various locations throughout the State under the authority of Facilities Operations and Maintenance Department of General Services.

The award amount includes the cost for preventive maintenance services of \$298,200.00 and forty-eight (48) full load bank test of \$111,000.00. The \$16,000.00 for rental of temporary replacement generator, if required and the \$38,500.00 for emergency service calls and labor cost for repairs not covered by preventive maintenance during the term of the contract is excluded from the contract amount. The actual cost for rental of replacement generator and emergency calls and repairs will be billed at fixed rates established in the contract bases on services provided.

FUND SOURCES

DGS Operating Funds;
H00 33351 0812 - \$109,000.00
H00 33409 0812 - \$ 23,600.00
H00 33439 0812 - \$ 32,400.00
H00 33511 0812 - \$ 16,200.00
H00 33551 0812 - \$ 17,000.00
H00 33481 0812 - \$ 18,600.00
H00 33491 0812 - \$ 14,400.00
H00 33501 0812 - \$ 14,400.00
H00 33471 0812 - \$ 17,000.00
H00 33521 0812 - \$ 18,600.00
H00 33571 0812 - \$ 15,200.00
H00 33541 0812 - \$ 14,400.00
H00 33449 0812 - \$ 12,600.00
H00 33531 0812 - \$ 14,400.00
H00 33591 0812 - \$ 14,800.00
H00 33461 0812 - \$ 14,400.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 3-M (Cont.)**FUND SOURCES (Cont.)**

H00 33561 0812 - \$ 12,600.00

H00 33581 0812 - \$ 14,800.00

H00 33601 0812 - \$ 14,800.00

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

09-1679-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

Clifton T. Perkins Hospital Center (CTPHC)
 Jessup, MD.

CONTRACT NO. AND TITLE

Housekeeping Services;
 ADPICS NO. 001B9200819

DESCRIPTION

Approval is requested for a contract to provide housekeeping services at the Clifton T. Perkins Hospital Center, a maximum security forensic psychiatric hospital for DHMH which will include approximately 190,462 net cleanable square-feet.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Associated Building Maintenance Co., Inc.
 Crofton, MD.
 Jani-King of Baltimore
 Glen Burnie, MD.

BASE BID

\$1,969,877.16

\$2,373,840.00

AWARD

Associated Building Maintenance Co., Inc.
 Crofton, MD.
 (Certified MDOT MBE #90-612)

TERM

7/15/2009 – 7/14/2012 (3 Years)

AMOUNT

\$1,969,877.16 (3 years)

MBE PARTICIPATION

100% Prime Contractor/25% Sub Contractor

HIRING AGREEMENT ELIGIBLE

Yes (1)

PERFORMANCE BOND

100% of the Full Annual Contract Amount

PAYMENT BOND

100% of the Full Annual Contract Amount

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M (Cont.)

REMARKS

This solicitation was advertised as a Competitive Sealed Bidding Procurement with 25% of Minority Business Enterprise Goal and bid on *eMaryland Marketplace*. Notice of availability was also posted on the *DGS Bid Board*. The recommended contractor Associated Building Maintenance Co., Inc., has been found responsive and responsible and has confirmed their bid.

This contract is a performance based contract that requires the contractor to adhere to general standards of cleanliness and performance exceptions. Also, the contractor is responsible for helping the center remain in compliance with The Joint Commission for health, safety and cleaning requirement. The work under this contract will cover housekeeping tasks on a daily basis.

By letter dated October 8, 2008, the Maryland Rehabilitation and Employment Program have waived interest in the contract. The contractor is required to purchase supplies from Blind Industries and Services of Maryland.

FUND SOURCE

M00MJ35G-0854
(DHMH Operating Funds)

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

09-1173-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE**

Walter P. Carter Center (WPCC)
Baltimore, MD.

CONTRACT NO. AND TITLE

Unarmed Guard Services;
ADPICS NO. 001B9200862

DESCRIPTION

Board of Public Work's approval is requested for a contract to provide unarmed uniformed guard services at the Walter P. Carter Center located at 630 Fayette Street, Baltimore, MD.

PROCUREMENT METHOD

Competitive Sealed Bidding
(Small Business Reserve)

BIDS OR PROPOSALS

AMOUNT

Phoenix Technologies LLC. Lorton, VA.	\$336,066.56
Brown's Security Services Baltimore, MD.	\$347,160.00
BTI Security Silverspring, MD.	\$366,718.56
Dunbar Security Baltimore, MD.	\$391,657.12
Amazing Security & Investigation, LLC. Wheaton, MD.	\$405,061.44
Flagship Investigations Columbia, MD.	\$406,349.92
Elite People Protective Service Baltimore, MD.	\$410,441.60
America Security Company, LLC. Upper Marlboro, MD.	\$421,825.44
I.W.G. Protection Services Baltimore, MD.	\$453,060.64
Legal Services Associates, Inc. Baltimore, MD.	\$454,631.36

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

<u>BIDS OR PROPOSALS (Cont.)</u>	<u>AMOUNT</u>
Metropolitan Protective Landover Hills, MD.	\$460,177.28
Philadelphia Protection Oreland, PA.	\$488,144.16
Trinity Protection Services, Inc. Largo, MD.	\$496,903.68
Engles & Engles Security Services LLC. Bowie, MD.	\$557,424.00

<u>PROCUREMENT METHOD</u>	Competitive Sealed Bidding
<u>AWARD</u>	Phoenix Technologies LLC. Lorton, VA. (Registered SBR #SB08-3384)

<u>AMOUNT</u>	\$336,066.56 (1 year)
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<u>TERM</u>	7/2/2009 – 6/30/2010
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<u>MBE PARTICIPATION</u>	10%
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<u>PERFORMANCE BOND</u>	N/A
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<u>HIRING AGREEMENT ELIGIBLE</u>	Yes (2)
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<u>REMARKS</u>	This solicitation was advertised and bid on eMarylandplace as a Small Business Reserve solicitation. Notice of availability was also posted on the DGS Bid Board. The recommended Contractor, Phoenix Technologies LLC, is registered with the Department of General Services' Small Business Reserve (SB08-3384). Phoenix Technologies LLC, has been found responsive and responsible and has confirmed their bid.
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<u>FUND SOURCE</u>	M00L030132.12.03 (DHMH Operating Funds)
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DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M (Cont.)

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

09-1761-1110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 6-E

MARYLAND PUBLIC TELEVISION

Maryland Public Television (MPT)
Owings Mills, MD.

CONTRACT NO. AND TITLE

Transmitter Control System;
ADPICS NO. 001P0400001

DESCRIPTION

Contract approval requested for the provision of a transmitter-monitor and control system to Maryland Public Television in Owings Mills, MD.

PROCUREMENT METHOD

Competitive Sealed Bid

BIDS OR PROPOSALS

Statmon Technologies Corp, Milford OH.
Comm-Struction and Services LLC, Bel Air MD.

AMOUNT

\$233,593.40
\$256,478.40

AWARD

Statmon Technologies Corp
Milford OH.

AMOUNT

\$233,593.40

MBE PARTICIPATION

None

PERFORMANCE BOND

N/A

REMARKS

This contract is for the supply only of a transmitter monitor and control system for the MPT, Owings Mills location. This procurement was bid through eMaryland Marketplace.

FUND SOURCE

CA 2002, Item 102-Advanced Television Equipment

RESIDENT BUSINESS

No

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT**ITEM** 6-E (Cont.)**TAX COMPLIANCE NO.**

09-1863-0000

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 7-E

MARYLAND PUBLIC TELEVISION

Maryland Public Television (MPT)
Owings Mills, MD.

CONTRACT NO. AND TITLE

Satellite System;
ADPICS NO. 001P9902178

DESCRIPTION

Contract approval for the supply and installation of a satellite system for Maryland Public Television located in Owings Mills, MD.

PROCUREMENT METHOD

Competitive Sealed Bid

BIDS OR PROPOSALS

Only one acceptable bid received

AWARD

Globecomm Systems Inc
Laurel, MD.

AMOUNT

\$544,105.00

MBE PARTICIPATION

2%

PERFORMANCE BOND

N/A

REMARKS

This contract is for the supply and installation of a satellite system for the MPT, Owings Mills location. This procurement was bid through eMaryland Marketplace and had a 2% MBE goal. This is due to a large portion of the cost of the project is for equipment. Globecomm met this goal and is subcontracting 2% to a MDOT Certified MBE: Kayden Premier Enterprises Inc, Baltimore, MD MDOT certification #08-495. Only one acceptable bid was received for this solicitation. The amount of the bid was deemed fair and reasonable. Therefore, the award was made to the recommended contractor.

FUND SOURCE

CA 2002, Item 102-Advanced Television Equipment

RESIDENT BUSINESS

Yes

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT**ITEM** 7-E (Cont.)**TAX COMPLIANCE NO.**

09-1725-1110

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

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 8-GM

**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Information Technology and
Communications Division (ITCD)
Reisterstown, MD.

CONTRACT NO. AND TITLE

Uninterrupted Power System (UPS)
ADPICS NO. COB49851

On the May 6, 2009 DGS/BPW agenda, the Board approved Item 3-M. This was a contract for cell materials, equipment and the performing of all labor with which to provide nominal emergency and preventive maintenance for the Uninterruptible Power System (UPS) at the Information and Technology Center at DPSCS headquarters in Reisterstown, MD.

The purpose of this Action Agenda Item is to correct the record of the term of the contract approved on the aforementioned item. The correct term of the contract is 7/1/2009-6/30/2012 and not 6/30/2011 as reflected in the referenced agenda items. All other terms and conditions shall remain the same.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM (Revised)

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. Department of General Services

DESCRIPTION

Contractor shall furnish all labor, materials, equipment and services necessary to install a new Ethanol Fuel Station, complete with a 6,000 Gallon above-ground double wall tank, single hose dispenser, and all necessary control systems. The government estimate for this project is \$160,000.00. This project was procured through an Indefinite Quantity Contract with a 15% MBE participation goal assigned. John W. Brawner achieved the 15% MBE goal.

CONTRACT NO. AND TITLE

B-000-091-001;
 New Ethanol Fuel Station Installation
 Maryland State Police Barrack "H"
 La Plata, MD.

PROCUREMENT METHOD

Competitive Sealed Bidding (IQC)

AWARD

John W. Brawner Contracting, Inc.

AMOUNT

\$132,653.00

FUND SOURCE

MCCBL 2008/ITEM 014

B. Department of General Services

DESCRIPTION

This is an anticipated amount for construction inspection services, subject to necessary extensions, in the event the construction takes longer than expected to complete. Construction inspection services are required to ensure compliance with the requirements of the construction contract.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM (Cont.) (REVISED)

CONTRACT NO. AND TITLE

Project No. – PO-183-040-001;
 Provide Funds to Construct A New
 Hagerstown Barrack and Garage. Maryland
 State Police – Hagerstown Washington
 County, Maryland

AMOUNT

\$93,942.60

FUND SOURCE

Item 802; MCCBL 2009

C. Howard County District Court/MS

DESCRIPTION

The government estimate for this project is \$108,100.00. This project was procured as SBR procurement with a 10% MBE participation goal assigned. Subsurface Technologies, Inc. is certified as an SBR company and plans to exceed the MBE goal by achieving 10.1% (\$9,500.00) MBE sub-contracting participation. This project complies with State and Federal mandates regarding the replacement of underground steel fuel oil storage tanks.

CONTRACT NO. AND TITLE

Project No.: BC-736-081-003;
 Replacement of Underground Oil
 Storage Tanks

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Subsurface Technologies, Inc.
 New Windsor, MD.

AMOUNT

\$94,125.00

FUND SOURCE

MCCBL 2006 ITEM 012

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM (Cont.) (REVISED)

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.

D. Maryland Public Television (MPT)

DESCRIPTION

Contractor shall furnish Electronic Studio Equipment that provides the capability to monitor the new digital television transport streams in its Master Control headquarters in Owings Mills. This system also integrates with another transmitter monitoring and control system, critical to daily operations and control of MPT's high power digital transmitters.

MPT's Engineering department has identified Pixelmetrix as the system of choice as it provides the information and reporting format we require as well as integrates into the existing control systems. The system is available from multiple vendors in the television industry allowing for competitive bidding.

CONTRACT NO. AND TITLE

Pixelmetrix DV Station Remote
Monitors-ADPICS NO. R15B9200144

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Trock Media Solutions, LLC
Orlando, FL.

AMOUNT

\$116,420.00

FUND SOURCE

ITEM #102 CA2002-Advanced
Television Equipment

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM (Cont.) (REVISED)

E. Maryland Public Television (MPT)

DESCRIPTION

The dismantling and removal of a Maryland Public Television (MPT) one-hundred seventy-foot self-supporting broadcast television tower with associated concrete foundation and site improvements on top of Eagle Rock Mountain in Oakland, Garrett County, Maryland. Tower location Coordinates: 39-24-14N 79-17-37W.

CONTRACT NO. AND TITLE

Tower Equipment Installation Services
Master Contract.
Task order work # 6-5-09 WGPT – Eagle
Rock, DBM SITE ID # R1511001.
ADPICS NO. 060B9800047

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Wolf Contractors, Inc

AMOUNT

\$36,761.00

FUND SOURCE

ITEM #102 CA2002-Advanced
Television Equipment

F. Maryland Public Television (MPT)

DESCRIPTION

Removal of the existing d incandescent lighting system and the installation of new LED based lighting system on three Maryland Public Television (MPT) broadcast towers. The towers are located at 2123 Dixon Road, Frederick, MD 21701, 310 Deer's Head Blvd, Salisbury, MD 21801, and 11668 National Pike, Clear Spring, MD 21722.

CONTRACT NO. AND TITLE

Tower Equipment Installation Services
Master Contract.
Task order work # 6-5-09 WGPT – MPT-
TWR, DBM SITE ID # R1511001.
ADPICS NO. 060B9800047

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL/MISCELLANEOUS

ITEM 9-GM (Cont.) (REVISED)

PROCUREMENT METHOD

Competitive Sealed Bidding

AWARD

Wolf Contractors, Inc

AMOUNT

\$75,905.00

FUND SOURCE

ITEM #102 CA2002-Advanced
Television Equipment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 10-GM

MARYLAND DEPARTMENT OF PLANNING Jefferson Patterson Park and Museum
(Maryland Historical Trust) Calvert County

CONTRACT NO. AND TITLE HT-000-100-001;
Riverside Interpretive Trails and Exhibit
Stations

DESCRIPTION Board of Public Works approval is requested to encumber \$150,000.00 to provide for the Jefferson Patterson Park and Museum's (JPPM) procurement of labor, materials, and supplies associated with archaeological survey, analysis, and recordation costs related to the construction of the Riverside Interpretive Trail and Exhibit Structures (RITES) Project at JPPM. This archaeological survey and testing program will identify buried historical resources in the RITES Trail area, and mitigate any damage to these resources that might result from the trail construction.

The archaeological data will also guide the development of historical building reconstructions and interpretive signs for educational purposes along the trail. Professional staff from the Maryland Archaeological Conservation Laboratory at JPPM will supervise the RITES Project Archaeological survey. Following is a description and summary of anticipated services and materials to be acquired.

AMOUNT

1.	Contractual Archaeologists (4 crew, 54 weeks)	\$135,251.00
2.	Specialized Technical and Testing Services	\$ 11,749.00
3.	Supplies, Materials, Reproduction	<u>\$ 3,000.00</u>
		\$150,000.00

FUND SOURCE

Item 12, MCCBL 2009
"Provide funds to design and construct a system of trails and exhibits at the Jefferson Patterson Park and Museum"

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 10-GM (Cont.)

REMARKS

Due to the highly specialized and historical nature of the project, the JPPM staff (Maryland Historical Trust) will be in charge of and will administer this work. State finance and procurement procedures will be followed in the procurement of services, equipment, supplies and documentation will be maintained for audit purposes.

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 11-RP

**CANAL PLACE PRESERVATION
AND DEVELOPMENT AUTHORITY**

Allegany County Project
File# 00-8432

REFERENCE

Board of Public Works approval is requested to convey a right of way for telecommunication service to the new Fairfield Inn and Suites in Cumberland, MD. The Fairfield Inn and Suites is owned and operated by Cumberland (Wineow Street) Hotel, LLC., which is a tenant of the Canal Place Preservation and Development Authority.

The 5-foot wide right of way runs across a portion of right of way approved to the Potomac Edison Company dba Allegany Power by the Board of Public Works on April 1, 2009 (Item # 8-RP). The property covered by the right of way contains .0242 acres, more or less, over a portion of the property acquired by the Authority from Roger Schlossberg, Assignee of Canal Place Investors, LLC. for the purpose of foreclosure and collection, effective February 27, 2002 (BPW approval December 12, 2001 and July 21, 2004).

GRANTOR

Canal Place Preservation and Development Authority

GRANTEE

Verizon Maryland, Inc.

PROPERTY

.0242 acre +/- unimproved

PRICE

\$1.00

REMARKS

1. The Canal Place Preservation and Development Authority recommends approval of the conveyance.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20090428-0482 and has recommended to grant a right of way of +/- 1,075 square feet, through the land of Canal Place Preservation and Development Authority, to Verizon Maryland, Inc. Verizon Maryland, Inc. plans to provide telecommunication service to the new Fairfield Inn and Suites that is owned and operated by Cumberland (Wineow Street) Hotel, LLC. Cumberland (Wineow Street) Hotel, LLC. is a tenant of the Canal Place Preservation and Development Authority.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 11-RP (Cont.)

4. The Canal Place Preservation and Development Authority approved conveyance of this right of way on April 21, 2009, subject to BPW approval.

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 12-LT

DEPARTMENT OF ASSESSMENTS AND TAXATION
(Somerset County Office)

Princess Anne
Somerset County

Landlord 11545 Somerset Center, Inc.
10840 Market Lane, Building A, Suite 5
Princess Anne, MD. 21853

Property Location 11545 Somerset Avenue
Princess Anne, MD. 21853

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	2,373
<u>Duration</u>	5 Years	<u>Effective</u>	August 1, 2009		
<u>Annual Rent</u>	\$33,625.41	<u>Square Foot Rate</u>	\$14.17		
<u>Prev. Annual Rent</u>	\$33,625.41	<u>Prev. Square Foot Rate</u>	\$14.17		

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) 8/5/1998 – 49-L; 10/1/2003 - 17-L

Fund Source
E50C0002 PCA – 26901 Object – 1301 100% General Funds

History/Administrative Review

An administrative review of the lease file for this location revealed that the agency has continually occupied the leased space since November 1, 1998. The contractual six month lease holdover period expired on April 30, 2009. Now, therefore, the Board is requested to retroactively approve the leasing of this space for the 90 day period from May 1, 2009 to July 31, 2009 pursuant to the State Finance and Procurement Article 11-204 9c).

Special Conditions

1. The lease contains escalations/de-escalations for real estate taxes, utilities and custodial services.
2. The lease contains one (1) option renewal for a term of five (5) years.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 12-LT (Cont.)

3. The lease incorporates five (5) reserve parking spaces free of charge.

Remarks

1. The space has been used since November 1, 1998 as the Somerset County Assessment Office.
2. The lease contains a termination for convenience clause.
3. Through negotiations the Department of General Services secured a rental cost savings of \$45,442.95 over the term of the lease by reducing the Landlord's originally proposed rental rate by \$3.83 per net usable square foot.
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 13-LT-OPT

**MARLYLAND INSTITUTE FOR EMERGENCY MEDICAL
SERVICES SYSTEMS (MIEMSS)**

Anne Arundel County

Lessor/Owner Anne Arundel County
 2660 Riva Road, 3rd Floor
 Annapolis, MD. 21401

Property Location Solley Road & Fort Smallwood Road
 Pasadena, MD. 21122

<u>Space Type</u>	Tower Space	<u>Lease Type</u>	Option Renewal
<u>Duration</u>	5 years	<u>Effective</u>	July 16, 2009
<u>Annual Rent</u>	\$1.00		

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Action(s)</u>	7/11/01 Item 29-L

Special Conditions

1. The Tenant shall use the demised premises in connection with its function of providing emergency medical services and for no other use.
2. The Tenant shall be responsible for all maintenance and repair of its equipment.
3. The Tenant shall maintain at its expense, throughout the term, insurance against loss or liability in connection with bodily injury of one or more persons as a result of any one accident or disaster no less than \$1,000,000.00 and \$500,000.00 on property damage.
4. This lease contains a termination for convenience clause

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 13-LT-OPT (Cont.)

Remarks

1. MIEMSS shall maintain and operate radio equipment as part of the MIEMSS emergency communication system serving Anne Arundel County.

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 14-LT-OPT

MARYLAND DEPARTMENT OF TRANSPORTATION
(Motor Vehicle Administration)

Loveville
St. Mary's County

Landlord/Owner Kulbeer K. Dhillon
21975 Phillips Drive
Leonardtown, MD. 20650

Property Location Town of Loveville
Leonardtown, MD. 20650

<u>Space Type</u>	Ground Lease	<u>Lease Type</u>	Renewal	<u>Land Area</u>	+/- 21,780
<u>Duration</u>	5 Years	<u>Effective</u>	November 1, 2009		
<u>Annual Rent</u>	\$6,098.40	<u>Square Foot Rate</u>	\$0.28		
		<u>Previous Square Foot Rate</u>	\$0.25		

Previous Board Action 10/24/2001 - 27-L; 05/17/2009 – 9-L
Fund Source J04E0001 Object/Sub-object:1301 100% Special Funds

Special Conditions

1. The lease contains one (1) renewal term of five (5) years.

Remarks

1. The one half acre site has been used since 1996 as a Motor Vehicle test course in support of the state owned Motor Vehicle Administration. This facility provides all MVA services including practical driver's license testing, new tags and tag renewal.
- 2 The Motor Vehicle Administration processed 94,422 transactions at this location in fiscal year 2008.
2. The lease contains a termination for convenience clause.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT-OPT (Cont.)

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

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 Chimes, Inc.

(Baltimore City)

Chimes School

"For the acquisition, planning, design, construction, repair, renovation, and capital equipping of the Chimes School, a special education facility, located in Baltimore City."
\$250,000.00

Maryland Consolidated Capital Bond Loan of 2007 (LHI, Chapter 488, Acts of 2007)
DGS Item G019, (SL-069-070-038)

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 Chimes, Inc. has submitted documentation that it has \$250,000.00 of allowable expenditures for the acquisition of property located at 4810 Seton Drive in Baltimore City to meet the matching fund requirement for this project. The Department of General Services, Real Estate Office, has reviewed the appraisal and has approved a value of \$3,850,000.00. *Documents were received by the Department of General Services prior to May 31, 2009.*

BACKGROUND

Total Project	\$2,750,000.00
07-G019 (This Action)	\$ 250,000.00
Local Cost	\$2,500,000.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-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 approval is also requested to reimburse the Board of Directors of The Chimes, Inc. \$250,000.00 for eligible expenditures.

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 Bainbridge Development Corporation, Inc.
 (Cecil County)*

Historic Tome School

"For the planning, design, renovation, stabilization, and repair of the Historic Tome School for Boys, located at the former Bainbridge Naval Training Center in Cecil County."

\$100,000.00

*Maryland Consolidated Capital Bond Loan of 2004 (Chapter 432, Acts of 2004)
 DGS Item G101, (SL-056-040-038)*

MATCHING FUND 04/05/06 Agenda, Item 14-CGL

BACKGROUND

Total Project	\$431,275.00
04-G101 (This Action)	\$100,000.00
Local Cost	\$331,275.00

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:

Board of Directors of Lions Camp Merrick, Inc. (Charles County)

Lions Camp Merrick

"For the renovation of the recreational hall and arts and crafts buildings at Camp Merrick, located in Nanjemoy."

\$100,000.00 – encumber \$46,274.68

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

DGS Item G084, (SL-009-050-038)

MATCHING FUND 06/07/06 Agenda, Item 26-CGL

<u>BACKGROUND</u>	Total Project	\$222,892.00
	05-G084 (This Action)	\$ 46,274.68
	05-G084 (Prior Actions)	\$ 53,725.32
	Local Cost	\$122,892.00

(Prior Actions: 6/7/06 Agenda, Item 26-CGL; 11/28/07 Agenda, Item 17-CGL; 6/11/08 Agenda, Item 27-CGL)

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 18-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 Commissioners of the Housing Authority of Calvert County
(Calvert County)*

Project ECHO Homeless Shelter

"For the planning, design, construction, and capital equipping of Project ECHO Homeless

Shelter, located in Prince Frederick."

\$250,000.00

*Maryland Consolidated Capital Bond Loan of 2007 (LHI, Chapter 488, Acts of 2007)
DGS Item G123, (SL-070-070-038)*

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 Department of General Services, Real Estate Office, has reviewed the appraisal for 480 Main Street in Prince Frederick which includes the land on which the shelter will be built and has approved a total improved value of \$987,000.00 with a land value of \$506,000.00. The Board of Commissioners of the Housing Authority of Calvert County is utilizing 43.46% of the land for the project site at a value of \$220,000.00 and \$43,775.00 of in-kind contributions for a total of \$263,775.00 to meet their matching fund requirement for this project. *Documents were received by the Department of General Services prior to May 31, 2009.*

BACKGROUND

Total Project	\$2,295,365.00
07-G123 (This Action)	\$ 250,000.00
Local Cost	\$2,045,365.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-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 19-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 Empire Homes of Maryland, Inc. (Baltimore City)

Restoration Gardens

"For the planning, design, renovation, construction and capital equipping of a youth supportive housing facility, located in Baltimore City."

\$150,000.00

Maryland Consolidated Capital Bond Loan of 2007 (LSI, Chapter 488, Acts of 2007)

DGS Item G116, (SL-071-070-038)

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 Empire Homes of Maryland, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$154,135.87 in eligible expenditures to meet the matching fund requirement for this project. *Documents were received by the Department of General Services prior to May 31, 2009.*

BACKGROUND

Total Project	\$5,589,835.00
07-G116 (This Action)	\$ 150,000.00
Local Cost	\$5,439,835.00

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 20-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 Suitland Family and Life Development Corporation
(Prince George's County)*

Suitland Technology Center

"For the construction and capital equipping of the Suitland Technology Center, located in Suitland."

\$75,000.00

*Maryland Consolidated Capital Bond Loan of 2007 (LSI, Chapter 488, Acts of 2007)
DGS Item G160, (SL-043-060-038)*

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 Suitland Family and Life Development Corporation has submitted evidence in the form of canceled checks and invoices that it has \$150,978.35 in eligible expenditures to meet the matching fund requirement for this project. *Documents 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 the Suitland Family and Life Development Corporation \$75,000.00 for eligible expenditures

BACKGROUND

Total Project	\$2,403,595.00
07-G160 (This Action)	\$ 75,000.00
07-G077 (Prior Action)	\$ 75,000.00
06-G180 (Prior Action)	\$ 100,000.00
08-G103 (Future Action)	\$ 50,000.00
08-G188 (Future Action)	\$ 100,000.00
Local Cost	\$2,003,595.00

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.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-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 21-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

The Department of Health and Mental Hygiene (DHMH) recommends approval of a Waiver of Priority Declaration and Subordination Agreement on behalf of Upper Bay Counseling and Support Services, Inc. (Upper Bay).

At its meetings on December 12, 2007 (DGS Agenda Item 26-CGL) and February 13, 2008 (DGS Agenda Item 26-CGL), the Board approved grants of \$1,505,625.00 and \$136,716.00, respectively, for a total grant of \$1,642,341.00 to assist Upper Bay in the cost of acquiring and renovating a commercial condominium unit at 600-626 Revolution Street, Havre de Grace, MD. 21078. The building houses Upper Bay's outpatient mental-health clinic and its psychiatric rehabilitation program. As is required for this type of grant, Upper Bay recorded the State's right of recovery in the Land Records of Cecil County.

In order to pay off higher interest loans, restructure its debt on the building, and establish a line of credit, Upper Bay has negotiated a new loan with Harford Bank for \$1,400,000.00. The new loan interest rate is 6.75% for the initial three years of the twenty-year amortization period. Included in the loan is a \$250,000.00 line of credit at Prime + 1%, adjusted daily, with a floor of 5.5%. The new loan will save Upper Bay approximately \$36,000.00 per year in interest costs. However, Harford Bank is unwilling to enter into a new mortgage with Upper Bay unless the State agrees to subordinate its legal and equitable rights to the lien of a new Deed of Trust (Health Article, §24.706, Annotated Code of Maryland).

An Assistant Attorney General for DHMH has reviewed and approved the agreement for legal sufficiency.

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 22-CGL (Revised)

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Georgetown Apartments, Inc.
 230 West Patrick Street
 Frederick, MD. 21701

PROJECT NO. AND TITLE

MHA-CB-09-806-03;
 Georgetown Apartments, Inc.- Window
 Replacement and Repair

DESCRIPTION

for the following:

Board of Public Works approval is requested

- (1) A state grant of \$53,475.00 to assist Georgetown Apartments, Inc., a nonprofit organization, in the cost of replacing and repairing windows in a three-story eight-unit apartment building at 100 East Third Street, Frederick, MD. 21701. The apartment building provides housing for fourteen psychiatrically disabled individuals.
- (2) Approval is requested for a Waiver of Priority and Subordination Agreement. Georgetown Apartments, Inc. has a financing agreement with the U.S. Department of Housing and Urban Development (HUD) with the condition that the State agree to subordinate its right of recovery to HUD's first deed of trust in the amount of \$581,800. The loan amount was for the acquisition and renovation of the property
- (3) Capital expenditures toward the contract to install twenty-five new wood windows and repair 22 existing windows.

PROCUREMENT METHOD

Competitive Bidding

BIDDERS

Trionfo Builders, Inc., Phoenix, MD.

AMOUNT

\$71,300.00

Linden Contracting, Inc, Stevensville, MD.

\$87,410.00

AWARD

Trionfo Builders, Inc.
 Phoenix, MD.

AMOUNT

\$71,300.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL (Revised)

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Kirkland Homes, Inc.
 230 West Patrick Street
 Frederick, MD. 21701

PROJECT NO. AND TITLE

MHA-CB-09-806-02;
 Kirkland Homes, Inc. - Renovate four
 residential properties

DESCRIPTION

for the following:

Board of Public Works approval is requested

(1) A state grant of \$79,000 to assist Kirkland Homes, Inc., a nonprofit organization, in the cost of renovating two duplexes (4 units with three bedrooms each) at 203-205 and 237-239 West Wilson Boulevard, Hagerstown, MD. 21701. Both properties are two-story duplexes with a basement and will provide housing for twelve psychiatrically disabled individuals.

(2) A Waiver of Priority and Subordination Agreement. Kirkland Homes, Inc. has a financing agreement with the U.S. Department of Housing and Urban Development (HUD) with the condition that the State agree to subordinate its right of recovery to HUD's first deed of trust in the amount of \$789,600.00. The mortgage amount includes \$575,000.00 for acquiring the properties and \$214,600.00 for renovation and other costs associated with acquiring the two properties.

(3) 203 -205 Wilson Boulevard - Capital expenditures toward the construction contract to renovate the duplex. Site improvements will include adding a new concrete walk, a new concrete ramp and landing to the rear of the house; new concrete landing and stairs to the front of the house, and an asphalt apron at the rear of the property. Exterior improvements include new asphalt-shingled roof, gutters and downspouts, and new guard rails to an exterior porch. Interior improvements will include hanging new doors in the basement and second levels, adding new kitchen appliances to the first level, adding a platform lift on the basement and first levels, adding a handicap-accessible bedroom and bathroom on the basement level, adding new vinyl flooring and carpet; and painting the houses throughout. Plumbing work will include installing appliances, and adding a toilet, sink, and shower in the basement level. Electrical work will consist of adding additional receptacles, exhaust fans, light fixtures, switches, and hard-wiring smoke detectors.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL (Cont.) (Revised)

237-239 West Wilson Boulevard - Capital expenditures toward the construction contract to renovate the duplex. Exterior improvements include adding new guardrails to the front porch. Interior renovations include hanging new doors in the basement level, adding new kitchen appliances to the first level, replacing the bathtub and tub-surround, adding new vinyl flooring and carpeting, and painting all walls.

Plumbing work includes installing new appliances, replacing the hot water heater, removing and replacing toilet flush mechanisms and faucet drain assemblies. Electrical work will consist of adding additional receptacles, exhaust fans, light fixtures, switches, and hard-wiring smoke detectors.

PROCUREMENT METHOD

Negotiated

AWARD

Trionfo Builders, Inc.
Phoenix, MD.

AMOUNT

\$225,180.00* 203-205 W. Wilson
\$ 52,820.00* 237-239 W. Wilson
 \$278,000.00 Total Contract

FUND SOURCES

\$199,000.00 (71.58%)	Applicant's Share Mortgage - U.S. Department of Housing and Urban Development
\$ 79,000.00 (28.42%)-	State's Share
\$ 12,805.00	MCCBL 2006, Community Health Facility Funds
\$ 66,195.00	MCCBL 2008, Community Health Facility Funds

REMARKS

*Matching funds for this project are being provided partly by a U.S. Department of Housing and Urban Development 811 mortgage. As part of the process in applying for a HUD loan, HUD required Way Station, Inc., the sponsoring organization, to form a project team. The team included a developer (Way Station, Inc.), an architect (Cobalt Architects, Ltd.), and a contractor (Trionfo Builders, Inc.) The team, along with a HUD representative, walked through the identified properties and developed a scope of work.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL (Cont.) (Revised)

Once the scope was determined, the general contractor bid out each of the individual trades to develop a project cost. Before HUD approved the loan, HUD also required that Building Consultants, Inc. of Columbia, MD., prepare an independent cost analysis of the proposed project budget. Based on this review, Building Consultants has certified that the costs are reasonable for the proposed scope of work. Trionfo Builders, Inc. was chosen to participate in the project team based upon prior experience in rehabilitating Way Station properties.

Kirkland Homes is a newly formed nonprofit for the specific purpose of purchasing and renovating the two duplexes. HUD regulations require that project sponsors form separate nonprofit corporations to own and operate projects funded under Section 811 of the National Affordable Housing Act of 1996. The sponsor, Way Station, Inc., is a provider of mental health psychiatric residential and rehabilitation day services to individuals with serious mental illness.

In accordance with Section 24-606(d), Health-General Article, *Annotated Code of Maryland*, BPW approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded in the land records of Washington County before the State makes any funds available for the project.

No State funds will be disbursed until after such time as the loan recipient has presented suitable evidence to the Comptroller that it has expended its portion of the required matching funds for the project. After the loan recipient has met this requirement, all future invoices will be submitted to the Comptroller, who shall disburse the State portion in amounts equal to the invoices submitted.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Revised)

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Maher Homes, Inc.
 230 West Patrick Street
 Frederick, MD. 21701

PROJECT NO. AND TITLE

MHA-CB-09-806-01;
 Maher Homes, Inc. - Acquisition and
 Renovation.

DESCRIPTION

Board of Public Works approval is requested

for the following:

(1) A state grant of \$611,393.00 to assist Maher Homes, Inc., a nonprofit organization, in the cost of renovating a three-story apartment building with five one-bedroom units at 155 Summit Avenue, Hagerstown, MD. 21740 and a two-story, three-bedroom townhouse at 204 Ashfield Court, Frederick, MD. 21701. The two buildings will provide housing for eight psychiatrically disabled individuals.

(2) A Waiver of Priority and Subordination Agreement. Maher Homes, Inc. has a financing agreement with the U.S. Department of Housing and Urban Development (HUD) with the condition that the State agree to subordinate its right of recovery to HUD's first deed of trust in the amount of \$878,700.00. The mortgage amount includes \$525,000.00 for acquiring the properties and \$353,700.00 for renovation and other costs associated with acquiring the two properties.

(3) 155 Summit Avenue - Capital expenditures toward the construction contract to renovate the 7,617 gross-square-foot (GSF) apartment building. Renovations will include removing and replacing the existing roof and gutters, installing steel-insulated exterior doors and hardware, and replacing all windows with vinyl windows and interior storm windows. Interior work includes adding new interior doors and hardware; installing new gypsum board on walls and ceiling; installing new tub surrounds in the bathrooms; installing new kitchen appliances and countertops; refinishing existing wood flooring; and installing vinyl composite tile in the halls, bath, and kitchen. Plumbing work includes installing a new sprinkler system throughout the building, new kitchen sinks, and new bathtubs in each apartment. Mechanical work includes installing a new heat pump heating and cooling system. Electrical works consists of providing new electrical service; hard wiring smoke detectors; and adding additional electrical receptacles, exhaust fans, light fixtures, and switches.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Cont.) (Revised)

204 Ashfield Court - Capital expenditures toward the construction contract to renovate the 1,750 square-foot townhome. Renovations will include installing new gypsum board in the living room, installing a vinyl sheet flooring in the lower level powder room and upper level bathroom, and installing a new vanity in the powder room and second-level bathroom. Plumbing work includes installing a new water heater, new kitchen sink, and faucet. Mechanical work includes installing a new heat pump and cooling system.

Electrical work consists of adding additional receptacles, exhaust fans, and hard-wiring smoke detectors. Exterior work includes installing exterior-grade silicone sealant at all windows and door openings.

PROCUREMENT METHOD

Negotiated

AWARD

Linden Contracting, Inc.
Stevensville, MD.

AMOUNT

\$824,936.00* Summit Avenue -
\$ 71,734.00* Ashfield Court
\$896,670.00 Total Contract

<u>FUND SOURCES</u>	\$358,159.00 (36.94%)	Applicant's Share
	\$195,539.00	Mortgage - U.S. Department of Housing and Urban Development
	\$150,000.00	Maryland Affordable Housing Trust
	\$ 12,620.00	Frederick County
	\$611,393.00 (63.06%)	State's Share Maryland Consolidated Capital Bond Loan 2007, Community Health Facility Funds

REMARKS

*Matching funds for this project are being provided partly by a U.S. Department of Housing and Urban Development 811 mortgage. As part of the process in applying for a HUD loan, HUD required Way Station, Inc., the sponsoring organization, to form a project team. The team included a developer (Way Station, Inc.), an architect (Zavos Architecture + Design), and a contractor (Linden Contracting, Inc.) The team, along with a HUD representative, walked through the identified properties and developed a scope of work. Once the scope was determined, the general contractor bid out each of the individual trades to develop a project cost. Before HUD approved the loan, HUD also required

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Cont.) (REVISED)

the Building Consultants, Inc. of Columbia, MD. to prepare an independent cost analysis of the proposed project budget. Based on this review, Building Consultants has certified that the costs are reasonable for the proposed scope of work. Linden Contracting, Inc. was chosen to participate in the project team based upon prior experience in rehabilitating Way Station properties.

Eligible projects costs total \$969,552.00 and consist of renovation (\$896,670.00), site survey (\$3,100.00), architect fees (\$26,000.00), and contingency (\$43,782.00). These costs will be funded as follows:

Maher Homes, Inc. is a newly formed nonprofit for the specific purpose of purchasing and renovating the two buildings. HUD regulations require that project sponsors form separate nonprofit corporations to own and operate projects funded under Section 811 of the National Affordable Housing Act of 1996. The sponsor, Way Station, Inc., is a provider of mental health psychiatric residential and rehabilitation day services to individuals with serious mental illness.

In accordance with Subtitle 6 of the Health-General Article of the *Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Washington County for the Summit Avenue property and Frederick County for the Ashfield Court property.

No State funds will be disbursed until after such time as the loan recipient has presented suitable evidence to the Comptroller that it has expended its portion of the required matching funds for the project. After the loan recipient has met this requirement, all future invoices will be submitted to the Comptroller, who shall disburse the State portion in amounts equal to the invoices submitted.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of July 1, 2009 was adjourned.

Respectfully submitted,

A handwritten signature in blue ink, reading "Sheila McDonald". The signature is written in a cursive style with a large, stylized "S" and "M".

Sheila C. McDonald, Esq.
Executive Secretary

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