

BOARD OF PUBLIC WORKS
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APRIL 17, 2024

**MEETING LOCATION: ONLINE & STATE HOUSE, GOVERNOR'S
RECEPTION ROOM
100 STATE CIRCLE, ANNAPOLIS, MD 21401***

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**This agenda may be addressed partly or wholly in closed session.*

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024**



*Contact: Jason Keppler 410-841-5864
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**1. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program - Grants***

Recommendation: That the Board of Public Works approve funding for 12 individual grants under the Maryland Agricultural Cost-Share Program.

Authority: "Cost-Sharing-Water Pollution Control," §§ 8-701 to 8-705, Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Amount: \$382,600

Fund Source: MCCBL of 2018: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.* Item 18274

County	Grantee	Agreement #	Amount
Carroll	Barbara Hunter	MP-2024-2574	\$17,400
	Freda V. Naill	RS-2024-2541-R	\$6,200
	George C. Schooley, Jr.	RS-2024-2582	\$34,000
	Jerry L. Watt	MP-2024-2573	\$38,300
	Lucy A. Brown	MP-2024-2560	\$72,600
Frederick	Tyler R. Nowell	MP-2024-2575	\$10,700
		MP-2024-2576	\$58,600
		MP-2024-2579	\$18,400
Kent	Catherine P. Groves	CH-2024-2536	\$75,000
	Dennis L. Meeks	CH-2024-2535	\$6,100
	Oldfield Point Farms LLC	SA-2024-2580	\$8,600
		SA-2024-2581	\$35,800

Remarks: 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 cost-share agreement and accepts the grant conditions.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024**



*Contact: Jason Kepler 410-841-5864
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**2. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program- Additional Funding***

Recommendation: That the Board of Public Works approve granting additional general obligation bond proceeds to two individual grants under the Maryland Agricultural Cost-Share Program.

Authority: "Cost-Sharing-Water Pollution Control," §§ 8-701 to 8-705, Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Amount: \$24,837.20

Fund Source: MCCBL of 2018: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.* Item 18274

County	Recipient	Agreement #	Amount
Cecil	Long Green Farms, Inc.	AT-2023-2131	\$23,456.70
Garrett	Ray J. Wilt	AT-2021-2407	\$1,380.50

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

Additional funds are requested for each project 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.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024**



*Contact: Jason Keppler 410-841-5864
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**3. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program- Reversion***

Recommendation: That the Board of Public Works approve reverting the balances on 24 completed or canceled projects under the Maryland Agricultural Cost-Share Program.

Authority: "Cost-Sharing-Water Pollution Control," §§ 8-701 to 8-705, Agriculture Article, Annotated Code of Maryland; COMAR 15.01.05

Amount: \$197,408.90

Fund Source: MCCBL of 2019 / 2020: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.* Item 19344 / 20340

County	Recipient	Agreement #	Amount	Status
Allegany	Ian T. Reikie	AT-2024-2098	\$2,990.00	Completed
Baltimore	Harry L. Morfoot	RS-2023-2703	\$8,121.70	Completed
Caroline	Bay Breeze Farms, Inc.	CR-2023-2630	\$11,600.00	Completed
Carroll	Brandon Hochheiser	RS-2023-2845	\$6,602.50	Completed
	Douglas C. Zepp	RS-2023-2887-R	\$491.37	Completed
	Jerry W. Frock	MP-2024-2172	\$2,203.00	Completed
	Lowman & Sorenson Enterprises LLC	MP-2023-2751	\$23,692.00	Completed
	Marc S. Fisher	MP-2024-2381	\$174.62	Completed
	Snader Farms, Inc.	MP-2023-2827	\$16,907.50	Completed
		MP-2023-2828	\$24,700.00	Completed
Thomas E. Cole	RS-2024-2199	\$21,934.40	Completed	
Cecil	Benuel S. King	SA-2023-2468-R	\$1,488.11	Completed
	Lita F. Weaver	AT-2023-2462	\$6,629.88	Completed
Dorchester	Bartenfelder Farms LLC	CR-2023-2690	\$111.50	Completed
Harford	Harford Friends School, Inc.	LS-2023-2628	\$4,100.00	Completed
	Harman's Produce LLC	LS-2023-2660	\$16,726.69	Completed

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3. DEPARTMENT OF AGRICULTURE (cont'd)

County	Recipient	Agreement #	Amount	Status
Kent	Howard A. McHenry	CH-2023-2218	\$5,388.20	Completed
	Luck Farm LLC	SA-2023-2759	\$1,480.00	Completed
Montgomery	Lori L. Foster	WM-2023-2714	\$6,975.99	Completed
	Stanley Grain & Fertilizer LLC	MP-2023-2803	\$8,200.00	Completed
Queen Anne's	Hillsdale Farm LLC	AT-2023-2762	\$12,780.00	Completed
	Schillinger's Farm, Inc.	CH-2023-2501	\$813.95	Completed
	Talisman Therapeutic Riding, Inc.	AT-2023-2713	\$10,882.49	Completed
Somerset	Martin Koerner	PR-2023-2862	\$2,415.00	Completed

Remarks: The Maryland Department of Agriculture has confirmed that each of these projects has been completed by the recipient, and any unspent balance could be made available for others eligible for cost-share projects.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024



REVISED

Contact: Rebecca Ruff 410-260-4021
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4. COMMISSION ON STATE DEBT
State Property Tax Rate

Recommendation: The Commission on State Debt recommends that the Board of Public Works levy the State property tax required for Fiscal Year 2025 to provide funds for State debt requirements as follows:

- (a) 11.2 cents (\$0.112) per \$100 of the full assessed value of real property other than that of public utilities; and
- (b) 28.0 cents (\$0.280) per \$100 of the full assessed value of real property of public utilities.

Authority: Section 8-134 of the State Finance and Procurement Article, Annotated Code of Maryland; Executive Order 01.01.1980.06.

This Item was revised following the Commission on State Debt meeting on April 11, 2024

BOARD OF PUBLIC WORKS

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WITH DISCUSSION

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SECRETARY'S
ACTION AGENDA
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Contact: Bill Morgante 410-260-7791
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5. **BOARD OF PUBLIC WORKS**
Wetlands Licenses

Recommendation: The Board of Public Works Wetlands Administrator recommends that the Board grant licenses for projects involving filling and dredging in the navigable waters of Maryland.

MDE: The Maryland Department of the Environment concurs with this recommendation.

Authority: Section 16-202, Environment Article, Annotated Code of Maryland: “*The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.*” See also COMAR 23.02.04.

ANNE ARUNDEL COUNTY

22-1312 *ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS* – To provide deeper water for boating and navigation by mechanically maintenance dredging an area, transporting dredge material to a disposal site, and providing for periodic maintenance dredging for three years.

Annapolis, Podickory Creek

Special conditions: Time of year restriction. Requirements for dredge material transport and disposal, maintenance dredging, staking dredged area, and post dredge bathymetric survey.

23-0341 *WILLIAM MANLEY* – To reduce shoreline erosion by constructing a stone groin, stone revetment, a low profile stone containment structure with armored vents, filling and grading that structure with sand, planting low and high marsh vegetation, and constructing a timber pier with a platform, an L-shaped finger pier, and boatlifts with associated pilings.

Davidsonville, South River

Special conditions: Time of year restriction. Requirements for notifying MDE Compliance prior to construction, design and construction of stone revetment, planting marsh establishment area, constructing marsh establishment area, annual photograph submission, and signing and acceptance of marsh maintenance plan. Restrictions on pier slips, lifts, or hoists, platform area, attaching accessory platforms to any existing or proposed boat lift, and use of asphalt rubble in revetment.

Wetlands Created: 3,480 square feet of high and low marsh

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5. **BOARD OF PUBLIC WORKS** (cont'd)

ANNE ARUNDEL COUNTY

23-0913 *HILLSMERE SHORES IMPROVEMENT ASSOCIATION* – To stabilize an eroding shoreline by constructing a living shoreline consisting of low profile stone groins, stone breakwaters, sand containment structures, filling and grading with sand/cobble mixture, planting with high marsh, low marsh and low dune plantings, and placing woody debris and reef balls marked by navigational buoys.
Annapolis, Duvall Creek
Special conditions: Time of year restriction. Requirements for coordinating with U.S. Coast Guard reef markings, constructing marsh establishment area, and signing and acceptance of marsh maintenance plan.
Wetlands Created: 17,364 square feet of high and low marsh

BOARD OF PUBLIC WORKS ACTION

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITH OUT DISCUSSION

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Contact: Bill Morgante 410-260-7791
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6. **BOARD OF PUBLIC WORKS**
***Wetlands License - #23-0539 – Delmarva Power and Light Company
Compensation & Mitigation***

Recommendation: The Board of Public Works' Wetlands Administrator recommends the Board:

- (1) Grant a wetlands license for a project involving replacing an existing H-frame structure with galvanized steel monopoles and replace circuits crossing 5,153 linear feet of State Tidal Wetlands;
- (2) Assess annual compensation of \$12,882.50 to be deposited into the MDE's Wetlands and Waterways Program Fund; and
- (3) Require mitigation in the amount of \$1,030.86 for 249 square feet of impacts to vegetated tidal wetlands resulting from the structure.

MDE: The Department of the Environment concurs with this recommendation.

- Application received June 14, 2023
- Comment period closed March 15, 2024
- MDE Report and Recommendation received March 19, 2024

Authority: Section 16-202, Environment Article, Annotated Code of Maryland. "*The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.*" See also COMAR 23.02.04.01.C. and COMAR 23.02.04.12.E.

Compensation: This license contains a recommendation that the Board assess compensation. The licensee seeks to replace an existing H-frame utility structure with galvanized steel monopoles and replace circuits crossing 5,153 linear feet of State Tidal Wetlands. Compensation is due for all four circuits. The Wetlands Administrator recommends annual compensation of \$12,882.50 paid into the MDE Wetlands and Waterways Program Fund and calculated as follows:

$$5,153 \text{ linear feet} \times \$2.50 \text{ per linear foot}^* \text{ of tidal wetland impact} = \$12,882.50$$

*COMAR 23.02.04.15.D(3)(a)

Mitigation: Replacing an existing H-frame structure with galvanized steel monopoles and circuits will result in permanent impacts to 249 square feet of vegetated tidal wetlands. MDE recommends that the licensee mitigate for the 249 square feet of impact to open water at a 2:1 ratio (COMAR 23.02.04.11.B) by paying \$1,030.86 into the MDE Tidal Wetlands Compensation Fund.

$$248 \text{ feet} \times \$2.07 \text{ per square foot}^{**} = \$1,030.86$$

**Based on \$90,000/acre mitigation cost

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

DORCHESTER & WICOMICO COUNTIES

23-0539 *DELMARVA POWER AND LIGHT COMPANY* – To retire the Indian River 4 generator, avoid potential line overload issues and line failures by replacing an existing H-frame structure with galvanized steel poles, and replacing or upgrading circuits.

Vienna, Nanticoke River
Special conditions: Requirements for an annual compensation fee for cables crossing State tidal wetlands, a mitigation payment prior to construction, Soil Erosion and Sediment Control Plan, locating and surrounding plant species Seaside Alder (Alnus maritima) and Twisted Spikerush (Eleocharis tortilis) with fencing, restoring and revegetating disturbed wetlands, and using marsh mats.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

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WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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7. **BOARD OF PUBLIC WORKS**
Wetlands License - #23-0600 – Delmarva Power and Light Company
Compensation

Recommendation: The Board of Public Works’ Wetlands Administrator recommends the Board:

- (1) Grant a wetlands license for a project involving replacing an existing “H” frame utility pole with 3 electric cables crossing 428 linear feet of State Tidal Wetlands; and
- (2) Assess annual compensation of \$3,210.00 to be deposited into the MDE’s Wetlands and Waterways Program Fund.

MDE: The Department of the Environment concurs with this recommendation.

- Application received July 11, 2023
- Comment period closed January 15, 2024
- MDE Report and Recommendation received March 26, 2024

Authority: Section 16-202, Environment Article, Annotated Code of Maryland. “*The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.*” See also COMAR 23.02.04.01.C. and COMAR 23.02.04.12.E.

Compensation: This license contains a recommendation that the Board assess compensation. The licensee seeks to replace an existing “H” frame utility pole with three electric cables crossing 428 feet of State Tidal Wetlands and compensation is due for all three cables. The Wetlands Administrator recommends annual compensation of \$3,210.00 calculated as follows:

$$428 \text{ linear feet} \times 3 \text{ lines} \times \$2.50 \text{ per linear foot}^* \text{ of tidal wetland impact} = \$3,210.00$$

*COMAR 23.02.04.15.D(3)(a)

CAROLINE COUNTY

23-0600 *DELMARVA POWER AND LIGHT COMPANY* – To improve the reliability of electrical service by replacing an existing “H” frame utility structure and placing matting to access the structure.

Denton, Choptank River

Special conditions: Requirements for an annual fee for cables crossing State tidal wetlands, restoring and revegetating disturbed wetlands, and using marsh mats.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
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Contact: Bill Morgante 410-260-7791
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8. BOARD OF PUBLIC WORKS

***Wetlands License -- #22-1259 – Gibsons Grant Community Association, Inc.
Mitigation***

Recommendation: The Board of Public Works Wetlands Administrator recommends that the Board:

1. Grant a tidal wetlands license to repair and construct a stone revetment,
2. Require mitigation in the form of filling and planting, removing *Phragmites* and replanting, and
3. Require mitigation in the form of payment in the amount of \$2,161.18, for impacts to open water resulting from the revetment.

MDE: The Maryland Department of the Environment concurs with the recommendations.

- Application received December 6, 2022
- Public comment period ended September 15, 2023
- MDE Report and Recommendation February 27, 2024

Authority: Section 16-202, Environment Article, Annotated Code of Maryland: “*The Board shall decide if issuance of the [tidal wetlands] license is in the best interest of the State, taking into account the varying ecological, economic, developmental, recreational, and aesthetic values [the] application presents.*” See also COMAR 23.02.04.

Mitigation: Constructing a revetment will result in permanent impacts to 2,835 square feet of open water. Mitigation for 2,835 square feet of impact shall be as follows: removing 2,057 square feet of *Phragmites* and replanting 1,100 square feet of *Spartina Patens* totaling 3,157 square feet of enhancement. The remaining 1,256.5 square feet of required mitigation will be mitigated by paying \$2,161.18 into the MDE Tidal Wetlands Compensation Fund.

$$\begin{aligned} 2,057 \text{ sf } Phragmites \text{ removal} + 1,100 \text{ } Spartina \text{ patens} \text{ replanting} &= 3,157 \text{ sf enhancement} \\ 3,157/2 \text{ (enhancement out-of-kind)} &= 1,578.5 \text{ sf} \\ 2,835 \text{ sf (total mitigation required)} - 1,578.5 \text{ sf} &= 1,256.5 \text{ sf} \\ 1,256.5 \text{ feet} \times \$1.72 \text{ per square foot} &= \$2,161.18 \end{aligned}$$

*Based on \$75,000/acre mitigation cost

QUEEN ANNE’S

22-1259 *GIBSONS GRANT COMMUNITY ASSOCIATION, INC.* – To repair an existing revetment, stabilize the shoreline, and allow tidal interaction with existing marsh by constructing a stone revetment, and mitigating by filling with sand and *Spartina Patens*, removing *Phragmites*, and payment into Tidal Wetlands Compensation Fund.

Kent Island, Chester River

BOARD OF PUBLIC WORKS
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8. **BOARD OF PUBLIC WORKS** (cont'd)

QUEEN ANNE'S (cont'd)

22-1259 **GIBSONS GRANT COMMUNITY ASSOCIATION, INC.** (cont'd)

Special conditions: Requirements for design and construction of revetment, constructing vents, marsh mats, mitigation area construction, maintenance and monitoring of mitigation site, annual photograph submission, payment into Tidal Wetland Compensation Fund prior to construction, disposal of excavated material, General Permit for Pesticide Discharge, and planting Spartina Patens. Restrictions on use of asphalt rubble in revetment and stockpiling materials in state or private tidal wetlands.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
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9. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
***Maryland Bond Program (“MBP”) and
Partnership Rental Housing Program (“PRHP”)***

Recommendation: That the Board of Public Works approve a perpetual subterranean tunnel easement that will facilitate the construction of the Ellicott City North Tunnel designed to prevent future flooding in the downtown and historic district of Ellicott City.

Loan Authority: Sections 4-101 through 4-255, Housing and Community Development Article, Annotated Code of Maryland
MBP Loan

Sections 2-1101 *et seq.*, Housing and Community Development Article, Annotated Code of Maryland, COMAR 05.05.05.01
PRHP Loan

The *MBP* finances rental housing occupied by households with incomes of 60% or less of the Area Median Income.

The *PRHP* finances rental housing occupied by households earning 50% or less of the Area Median Income.

Authority to Grant Right-of-Way: Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland

Project Address: 3050 Milltowne Drive, Ellicott City 21043

Borrower: Milltowne Associates, LP

Recipient: Howard County

Loan Amounts: Original MBP Loan: \$27,305,000
Current Balance: \$23,355,744

Original PRHP Loan: \$3,000,000
Current Balance: \$3,000,000

There is no obligation to repay the PRHP Loan if its income and rent restrictions are maintained.

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9. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** (cont'd)

Remarks: On December 1, 2011, the Maryland Department of Housing and Community Development provided Milltowne Associates, LP an MBP loan and a PRHP loan to assist in the development of a 198-unit affordable housing project in Ellicott City. The borrower is in compliance with the terms of both the MBP and PRHP loans.

The development of the Ellicott City North Tunnel will be the largest public works project ever undertaken in Howard County. As mentioned previously, it is designed to prevent the devastating floods that have plagued downtown Ellicott City throughout its history. The tunnel will not jeopardize the structural integrity of the project's buildings. Two appraisals were commissioned to estimate the impact of the easement on the value of the project. These appraisals were used to determine the amount of compensation, \$121,350, that will be paid to the project's owner for the right to establish the easement. The compensation received will be used to pay down the State's loans, or to fund the project's reserves.

BOARD OF PUBLIC WORKS

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DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024



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10. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**
Strategic Demolition Fund

Recommendation: The Department of Housing and Community Development recommends that the Board of Public works forgive one Strategic Demolition Fund award to the Eastern Shore Land Conservancy.

Authority: Section 10-305, State Finance and Procurement Article,
Annotated Code of Maryland

Project: Phillips Building: Food and Farming Exchange (SRP-SDF-2017-ESLC-00326)

Borrower: Eastern Shore Land Conservancy, Inc.

Amount: \$200,000

Requesting Agency Remarks: The Strategic Demolition Fund is established by the Housing and Community Development Article, Annotated Code of Maryland. The purpose of the program is to provide grants and loans to local government agencies and community development organizations for pre-development activities such as demolition, site assembly, architecture and engineering design, stabilization, and other similar predevelopment activities for projects in designated Sustainable Community Areas.

It is not uncommon for loans made by the program during the pre-development phase to be restructured and/or forgiven as the project transitions into the development phase, particularly in situations where the project is leveraging funding sources such as Low-Income Housing Tax Credits (LIHTC) or New Market Tax Credits (NMTC).

In FY 2017, the Department awarded \$200,000 from the Strategic Demolition Fund program to the Eastern Shore Land Conservancy for stabilization and redevelopment of the historic Phillips Packing House in Cambridge, MD in support of the Food and Farming Exchange project. Under the terms of the loan agreement, the awardee executed a promissory note, secured by a deed of trust, to ensure that the Department would be repaid under certain conditions including sale or transfer of the property and the cessation of the property's use for the intended purpose. The loan is designed to be forgiven after 20 years if the awardee has met the conditions of the agreement.

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10. **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT** *(cont'd)*

Agency Remarks (cont'd):

In October 2021, the financial closing on the project with New Market Tax Credits was complicated due to the lien attached to the DHCD funds. The developers of the project are obligated to hold \$200,000 in escrow while the lien remains attached to the funding, which has been a challenge for the ongoing redevelopment efforts at the site. The awardee has requested forgiveness of the loan in order to eliminate the financial burden associated with the lien to thereby ensure the success of the project as an economic development anchor for the Cambridge community.

With final construction underway, and in light of the awardee's request for forgiveness, the Department recommends approval of forgiveness of the aforementioned loan and associated lien, alleviating the financial burden and ensuring the successful completion of the project.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024**



*Contact Person: Jeffrey Fretwell 410-537-4481
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**11. MARYLAND DEPARTMENT OF THE ENVIRONMENT
*Comprehensive Flood Management Grant***

Recommendation: That the Board of Public Works approve new funding as described.

Authority: Comprehensive Flood Management Grant Program
Section 5-803, Environment Article, Annotated Code of Maryland

Project: Ellicott City H4 Dry Flood Mitigation Pond

Recipient: Howard County

Amount: Up to \$2,635,759

Location: Howard County/Legislative District 9B

Project Description: This project is a part of Howard County’s Safe and Sound Flood Mitigation Plan to protect Historic Ellicott City from intense and frequent storm events that are the result of climate change. The construction of the H4 Dry Flood Mitigation Pond will be on a tributary to the Hudson Branch which flows into the Tiber Branch, through Historic Ellicott City and then to the Patapsco River. The pond will temporarily detain flood water during storm events and then slowly release it downstream to Patapsco River after the peak of the storm has passed. This alleviates the risk of damage to roadways, utilities, and properties in Ellicott City. This project will be constructed in accordance with coastal and non-coastal resiliency guidelines developed as part of the Coast Smart Program to reduce climate change risks to such projects.

Project Funding Sources:

Comprehensive Flood Mgt Grant FMG 05.14 MCCBL 2020-20326 (this Item)	\$ 2,295,542
Comprehensive Flood Mgt Grant FMG 05.14 MCCBL 2021-21536 (this Item)	\$ 340,217
Local Share	\$ 1,021,651
Total Estimated Project Cost	\$ 3,657,410

State Clearinghouse: MDE has determined that its recommendation is consistent with Maryland's State Clearinghouse comments and recommendations.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
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REVISED

Contact: Kenny Toro 410-729-8926
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12. MARYLAND ENVIRONMENTAL SERVICE
Eastern Correctional Institution, Somerset County

Construction Contract: ECI Cogeneration Plant Boiler Fuel Conversion
MES Project # 1-22-4-07-5R

Original Approval: Secretary's Agenda, Item 12 (5/11/2022)

Award: W. M. Schlosser Company, Inc., Hyattsville, MD

Contract Description: Perform boiler and room modifications, install natural gas equipment, and tie into the new natural gas distribution point.

Modification Description: Perform additional conversion activities based on discoveries during the ECI Cogeneration Plant boiler and room modifications.

Original Contract Term: 190 calendar days; 11/19/2022

Previous Modified Contract Term: 228 calendar days; 11/19/2022 to 7/5/2023 (Mod. #1)
141 calendar days; 7/5/2023 to 11/23/2023 (Mod. #2;
Secretary's Agenda Item 16, 5/3/2023)
0 calendar days, (Mod. #3)
281 calendar days; 11/23/2023 to 8/30/2024 (Mod. #4)

Modified Contract Term: 0 calendar days; 8/30/2024

Original Contract: \$ 9,895,000.00

Previous Modifications: \$ 0.00 (Mod. #1; No cost time extension)
\$ 3,266,468.77 (Mod. #2; Additional work to integrate updated design for code compliance of equipment)
\$ 25,799.53 (Mod. #3; Settlement of claims)
\$ 1,545,862.00 (Mod. #4; Utility rental equipment)

This Modification: \$ 208,653.00

Revised Amount: \$ 14,941,783.30

Percentage Increase: 1.4%

MBE Goal: 17.54%

MBE Compliance: 15.35%

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12. MARYLAND ENVIRONMENTAL SERVICE (cont'd)

Remarks: In the course of conversion activities, additional items were identified to be required that were not part of the original scope. This change is necessary because 1) unexpected site conditions were discovered during demolition that requires different supports for the fuel rack skids; 2) replacement of abandoned louvers with welded caps at the boiler stacks to provide a seal against the potential for escaping flue gases; 3) rebuild of the feedwater valve manifolds with all flanged valves due to an increase on future difficulty to perform maintenance after the addition of structural steel for the new burner platforms; 4) the demolished ladder access to the boiler room roof cannot be restored as planned and requires the installation of a new ladder based on an updated design that was not a part of the original construction documents; 5) changes from the factory to the burner equipment and Human Machine Interface (HMI) programming supplied by a separate contract created the need to change field wiring and the integrated HMI controls for proper equipment communication and operation; and 6) cost credits totaling \$21,967 for work that no longer needs to be performed based on alternate approved materials or discovery during the internal boiler modifications.

Although a 17% MBE goal was originally established for this contract, W. M. Schlosser Company, Inc. has committed to exceeding the goal by .54% (17.54%). With this Change Order, the Contractor has committed to maintaining the MBE participation at the original goal of 17.54%.

Fund Sources: General Funds (ECI Cogen Plant Boiler Fuel Conversion – DGS Deficiency Funding)

Appropriation Codes: 4025-0000, DGS H00H01.02 \$208,653.00

Resident Business: Yes

Tax Compliance No.: 24-0214-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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SECRETARY'S
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REVISED

Contact: Gary McGuigan 410-223-4118
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13. MARYLAND STADIUM AUTHORITY
Documents to finalize agreements for the Hagerstown Multi-Use and Events Facility, Hagerstown (Washington County)

Recommendation: That the Board of Public Works approve the Maryland Stadium Authority's
(1) transfer of the Hagerstown Multi-Use Sports and Events Facility (the "Facility");
(2) transfer of the relocated Hagerstown Cultural Trail; and
(3) granting of a utility easement.

Property: Hagerstown Multi-Use and Events Facility property, Hagerstown, Washington County

Grantor: Maryland Stadium Authority

Grantees: The Hagerstown Multi-Use Sports and Events Facility, Inc. (Facility)
The City of Hagerstown (Cultural Trail)
The City of Hagerstown (easement)

Authority: Chapter 353 (SB 926) Acts of 2021 and Chapter 911 (SB 911) Acts of 2022 – codified in part in Title 10 subtitle 6, Economic Development Article, Annotated Code of Maryland

Remarks: With the assistance of the Maryland Department of Transportation/State Highway Administration ("MDOT") the Authority acquired several parcels for the construction of the Hagerstown Multi-Use Sports and Events Facility (the "Facility") pursuant to the Hagerstown Multi-Use Sports and Events facility Act of 2021, as amended (the "Act").

The Act provides that the Authority shall **secure** a written agreement to transfer ownership of the Facility to the Hagerstown Multi-Use Sports and Events Facility, Inc. subject to a written agreement approved by the Board and containing certain enumerated provisions and conditions. The Board approved said written agreement at its meeting on January 5, 2022 (Secretary's Agenda Item 13).

As part of the master plan for the Facility the Authority required a strip of land owned by the City of Hagerstown (the "City") upon which an area known as the Cultural Trail was located. By Deed dated May 2, 2022 for zero monetary consideration, the City transferred the Cultural Trail parcel to the Authority subject to an agreement between the City and the Authority to relocate the Cultural Trail (the "Relocated Cultural Trail") and convey the Relocated Cultural Trail to the City. The Relocated Cultural Trail is on property acquired by the Authority for the Facility but situated in an area that does not interfere with its use.

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13. MARYLAND STADIUM AUTHORITY (cont'd)

Remarks (cont'd):

Prior to recording documents in the Washington County Land Records, all legal descriptions will be reviewed and confirmed by MDOT. [...]. MDOT and the Authority are working to finalize exact legal descriptions for the purpose of recording the documents in Land Records.

As part of the Authority's agreement to relocate the Cultural Trail, it made certain improvements to underground electrical distribution and lighting lines, and storm drain(s) ("Utilities") necessary for the operation and maintenance of the Relocated Cultural Trail. The Utilities are under the Facility property (but not under the Relocated Cultural Trail) and are the responsibility of the City to maintain and operate.

Summary: Based on the foregoing information, MSA requests the Board approve MSA's transfer of ownership of the Facility to the Hagerstown Multi-Use Sports and Events Facility, Inc., transfer of the Relocated Cultural Trail to the City of Hagerstown, and granting of an easement for the Utilities to the City of Hagerstown.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

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BOARD OF PUBLIC WORKS
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REVISED

Contact: Phil Hutson 410-333-1560
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14. MARYLAND STADIUM AUTHORITY
Renovation Projects at M&T Bank Stadium Construction Management (CM) Services

Contract ID: 23-100

Recommendation: That the Board of Public Works approve the Maryland Stadium Authority awarding a construction services contract for Guaranteed Maximum Price (GMP) Package No. 6 for the Renovation Projects at M&T Bank Stadium located in Baltimore City.

Contractor: Gilbane Building Company

Prior Approval: Secretary's Agenda, Item 13 (5/17/2023)
Secretary's Agenda, Item 14 (10/4/2023)
Secretary's Agenda, Item 12 (11/8/2023)
Secretary's Agenda, Item 18 (12/13/2023)
Secretary's Agenda, Item 14 (2/14/2024)
Secretary's Agenda, Item 14 (3/13/2024)

Project: Renovation Projects at M&T Bank Stadium in Baltimore.

Contract Description: Professional Services – Construction

Procurement Method: Competitive Sealed Proposals

Bid Package Description: GMP Package #6 – Masonry, Rough Carpentry, Drywall, Fire Protection, HVAC / Plumbing, and Electrical

Pre-Construction Amount: \$ 1,003,365

GMP Package #1: \$ 6,580,550

GMP Package #2: \$ 43,906,623

GMP Package #3: \$ 72,557,944

GMP Package #4: \$ 19,011,614

GMP Package #5: \$ 10,520,060

GMP Package #6 (this Item): \$ **25,696,276.54**

Revised Amount: \$ 179,276,432.54

Term: 5/4/2023 - 5/2028

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14. MARYLAND STADIUM AUTHORITY (cont'd)

MBE Goal: 35% overall

Sub-goals: 8% African American; 11% Women-Owned

MBE Compliance:

6.04%

4.84% African American, 1.20% Women-Owned

Remarks: Reference is made to Secretary's Agenda, Item 13 (5/17/2023) in which the Stadium Authority stated that it "[I]ntends to return with a recommendation to award several Guaranteed Maximum Price contracts providing pre-construction performance is satisfactory."

The procurement process for GMP Package #6 proceeded as follows:

Starting on December 8, 2023, Gilbane advertised the project for trade contractor participation in the following publications/services: eMaryland Marketplace Advantage, Maryland Stadium Authority website, Maryland Washington Minorities Companies Association, and via direct solicitation. An MBE outreach event was previously conducted by Gilbane and a pre-bid site walkthrough was held at M&T Bank Stadium. Attendees were provided with summary project information.

Gilbane advertised for bids on construction packages for masonry, rough carpentry, drywall, fire protection, HVAC / plumbing, and electrical. Several other packages were also bid but are being included in a future GMP to give more time for bid reviews. Competitive bids were received between February 9th and March 15th on various due dates by representatives from Gilbane.

Post-bid scope review meetings with selected trade contractors began on February 13th, 2024 to ensure that the bids were both responsive and complete. Post bid scope review meetings were conducted virtually, and Gilbane and MSA representatives were in attendance.

Gilbane submitted GMP #6 Package on March 25th, 2024

Future GMP Package(s) will be presented to the Board of Public Works for approval.

The overall MBE participation goal for the construction phase of this project was set at 35% with sub-goals of 8% African American-owned and 11% Women-owned. The MBE goal for this project is a total goal inclusive of all GMPs. There are no GMP specific goals. This is the sixth of several anticipated GMPs.

Gilbane has demonstrated the good faith effort required to satisfy the goals of the MBE program and remains committed to meeting the MBE participation goals established for the Project.

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14. MARYLAND STADIUM AUTHORITY (cont'd)

Fund Source: Series 2023 Bonds

Tax Compliance No.: 23-3475-1110

Resident Business: No

BOARD OF PUBLIC WORKS

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BOARD OF PUBLIC WORKS
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*Contact: Nehemiah Yisrael
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**15. MORGAN STATE UNIVERSITY
*A/E Consulting Services
Campus Wide Facilities Master Plan 2023-2033***

Contract ID: Architectural and Engineering Consulting Services
Campus Wide Facilities Master Plan 2023 - 2033
UP-CMP23-33-23-1AE

Recommendation: That the Board of Public Works approve the award of a contract in the amount of \$2,619,236 for Campus Wide Architectural and Engineering Consulting Services.

Contract Description: This request for Architectural and Engineering consulting services will provide a new comprehensive 10-year facilities master plan to accommodate growth in enrollment and new initiatives in research. The plan will include recommendations for Academic Programs, Athletics, Housing, Dining, and Energy.

Procurement Method: Qualification Based Selection- MSU Procurement Polices for A\E Services

Award: Ayers Saint Gross
Baltimore, Maryland

Award Amount: \$2,619,236

Contract Term: 24 months from issuance of the Notice to Proceed

MBE Participation: 30.00%

<i>Offerors:</i>	<i>Technical Ranking</i>	<i>Oral Ranking</i>	<i>Overall Ranking</i>
Ayers Saint Gross, Inc. Baltimore, MD	1	1	1
Page Southerland Page, Inc. Washington, DC	2	2	2

Fund Source: Operating Budget

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15. **MORGAN STATE UNIVERSITY** (*cont'd*)

Remarks: Morgan State University, an agency and instrumentality of the State of Maryland, located at 1700 East Cold Spring Lane, Baltimore, Maryland 21251, in Baltimore City, Maryland, is a historically Black institution with the unique designation as Maryland's *Preeminent Public Urban Research University*. Currently, the University enrolls approximately 9,808 students and employs over 2,000 individuals. Morgan has a comprehensive mission that encompasses instruction, research, and public service. Classified as a Carnegie doctoral /research II institution, Morgan offers 50 Undergraduate Programs, 33 master's Programs, 16 Doctoral Programs, and 6 Online Degree programs.

Our diverse student population comes from a broad range of academic backgrounds, and many are first-generation college students with significant financial needs. We are committed to increasing access to traditionally underrepresented communities. At the same time, we are focused on improving the number of high-ability students and students from diverse backgrounds. To that end, we are expanding our academic programs and our research focus.

Unlike other institutions that experienced enrollment decline because of the pandemic, we are experiencing rapid enrollment growth. That coupled with the ongoing creation of research centers aimed at propelling Morgan to an R-1 research status and limited opportunities for expansion within the campus borders have resulted in significant space challenges.

Although new, state-of-the-art facilities have been added, the University has yet to keep pace with the rapid growth exacerbated by aging facilities in dire need of renovation and demolition. We are grappling with growing pains and need creative planning strategies to meet immediate and long-term needs.

The last comprehensive Master Plan covered the 2015-2025 planning horizon. A number of the projects included in the Plan have been or are being implemented, including but not limited to the School of Business and Management (2015), New Jenkins Behavioral and Social Sciences Building (2017), New Student Support Center (Tyler Hall) (2021), New Health & Human Services Building (currently under construction, expected completion 2024), and New Sciences Building (under design). Other projects must be re-evaluated in response to exponential growth, a growing research agenda aimed at becoming the first (or among the first) HBCUs to achieve R-1 status, and our recently completed Strategic Plan and rapidly changing environment.

This is a request for the Board of Public Works to approve the awarding of a contract by Morgan State University to Ayers Saint Gross for Architectural and Engineering Consulting services. The total contract amount is \$2,619,236, and it includes Add Alternates A1 Digital Interactive Master Plan, A2 Final Plan Video Animation, and A4 Campus Dining Survey.

The project was procured through a competitive procurement process. The RFP was advertised on eMMA and received two Proposal submissions. Both firms were interviewed, and fees were negotiated with the top-ranked firm.

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15. MORGAN STATE UNIVERSITY (cont'd)

Remarks (cont'd)

To ensure compliance with certified MBE participation goals, MSU has conducted a Procurement review to structure its procurements to achieve an overall goal of 29% of the University's total dollar value of all procurement contracts made directly or indirectly from certified minority businesses and apply guidelines to the maximum extent feasible to using race-neutral measures in meeting the State's MBE goals. A Procurement Review Group written determination was conducted and based upon the number of MBE subcontractors a 30.00% **MBE goal** was recommended for this contract.

A 30.00% participation goal has been established to support the overall project.

Resident Business: Yes

MD Tax Clearance: 24-1493-1111

This Item was withdrawn from the March 13, 2024 meeting agenda as Secretary's Item 13.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

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April 17, 2024



REVISED

2nd Revision

*Contact: Nehemiah Yisrael 443-885-3074
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16. MORGAN STATE UNIVERSITY
Parking Management Services

Contract ID: Parking Management Services
23/PRO-0034-S

Recommendation: The Board of Public Works approve the award of a contract in the amount of \$2,274,816 for parking management services at Morgan State University, including garage and lot management, event parking, and enforcement.

Procurement Method: Competitive Sealed Proposals

Award: LAZ Parking Mid Atlantic, LLC

Award Amount: \$2,274,816.00

Contract Term: 4/18/2024 - 2/28/2027

MBE Participation: 18.31%

Offerors:	*Technical Ranking	Financial Offer	Overall Ranking
Laz Parking Mid-Atlantic LLC Washington, D.C.	1	\$2,274,816.00 (3)	1
Imperial Parking (U.S), LLC Silver Spring, MD	2	\$1,915,852.80 (2)	2
Federal Parking, Inc. Baltimore, MD (Incumbent)	3	\$1,556,643.00 (1)	3

**Technical Rankings carried more weight than financial rankings.*

Remarks: The project was open for solicitation to five vendors, but only three vendors participated in the competitive process. All the participants were deemed capable of winning the award and were moved forward through all the phases of the selection process.

LAZ Parking Mid-Atlantic, LLC (LAZ Parking) submitted a Technical Proposal demonstrating a comprehensive understanding of the challenges faced by the University. Their License Plate Reader system knowledge was recognized as critical to the University's future operational success. The solutions presented for Parking Garage Management, Parking Enforcement, and Event Parking, such as e-commerce functionality and systems integration, allow for a more automated approach to parking management, reducing the strain on internal campus departments. These



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2nd Revision

16. MORGAN STATE UNIVERSITY (cont'd)

Remarks (cont'd):

programs, combined with the references provided by LAZ Parking, conveyed a comprehensive solution to Morgan State University's parking management needs.

The award was based on the source selection process, which identified LAZ Parking as the highly acceptable vendor based on a license plate recognition system for parking enforcement and management that will provide an innovative approach to elevate many of the stresses on our existing parking system.

Although the Financial Proposal submitted by LAZ Parking demonstrated a 17.13% increase over the nearest competitor's pricing, the increased costs are justified, as the innovations and automation will reduce the need to hire additional personnel within the University. LAZ Parking's solution will provide long-term cost savings and improve the efficiency of our parking management system.

To ensure compliance with certified MBE participation goals, MSU has conducted a Procurement review to structure its procurements to achieve an overall goal of 29% of the University's total dollar value of all procurement contracts made directly or indirectly from certified minority businesses and apply guidelines to the maximum extent feasible to using race-neutral measures in meeting the states MBE goals. A Procurement Review Group written determination was conducted and based upon the number of MBE subcontracting opportunities a 5.00% MBE goal was recommended for this contract, however LAZ Parking has committed to exceed the goal to achieve a 18.31% MBE.

A 18.31% participation goal has been established to support the overall project.

Fund Source: Current Unrestricted: *Business and Auxiliary*

Resident Business: Yes

MD Tax Clearance: 24-1492-0000

This Item was withdrawn from the February 28, 2024 meeting agenda as Secretary's Item 8.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
April 17, 2024



Contact: Nehemiah Yisrael
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17. **MORGAN STATE UNIVERSITY**
Real Property Lease - Altus Apartments Lease

Recommendation: That the Board of Public Works approve Morgan State University entering into a lease to provide additional student housing to meet the University's student housing demand.

Lessor: Altus Student Housing LLC d/b/a Altus

Lessee: Morgan State University, an agency and instrumentality of the State of Maryland

Property: Altus Apartments
22 West Susquehanna Avenue, Towson, MD 21204

Term: 8/1/2024 - 7/28/2026 (with two 1-year options)

Rent: 236 units and 75 parking spaces for annual rent of:
\$6.4M Initial 2-year term
\$3.3M Option Year 1
\$3.4M Option Year 2

Remarks: Morgan State University is expecting a continuation of its historic enrollment for the fall 2024 semester, which is expected to exceed 10,000 students. This record enrollment includes continued enrollment of freshman classes averaging in excess of 2,250 students over the last three years and strong retention rates of prior year freshmen, sophomore and junior classes.

Morgan State University's current housing capacity of 4,800 for on and off-campus sponsored housing is inadequate to accommodate this surge in enrollment, and the high level of interest among students for residing in university owned or affiliated housing. Continued strong housing demand is expected to exceed current capacity planning of on-campus and off-campus beds of 5,200 for the fall 2024. Further, privatized housing facilities are expected to reach full capacity for the upcoming academic year.

Morgan's Office of Residential Life has recommended that the University add additional housing beds in a location it can control in terms of a safe and healthy college environment and this facility has been identified as a potential location to house students at terms agreeable to the university.

Board of Regents: The Morgan State University Board of Regents approved this action at the April 8, 2024 special meeting.

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17. **MORGAN STATE UNIVERSITY** (*cont'd*)

Resident Business: Yes

MD Tax Clearance: 24-1491-0000

BOARD OF PUBLIC WORKS

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**BOARD OF PUBLIC WORKS
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Schonette Walker, Chief, Antitrust Division 410-576-6473 swalker@oag.state.md.us*

**18. OFFICE OF THE ATTORNEY GENERAL
*Legal Representation with Contingent Fee***

Recommendation: That the Board of Public Works approve the Attorney General’s proposal to include a contingent fee provision in a contract for Assistant Counsel. This contract would compensate an external law firm with a portion of the monetary recovery, if any, that the State receives in antitrust enforcement actions involving a software/technology company and certain of its clients in Maryland that utilize its services.

Authority: Section 10-305, State Finance & Procurement Article, Annotated Code of Maryland

Contractors: Cohen Milstein Sellers & Toll PLLC, Washington, D.C.

Contract Description: Assistant Counsel - Antitrust Litigation. The contract is for Assistant Counsel to the Attorney General, pursuant to Section 6-105(b), State Government Article, Annotated Code of Maryland, with approval from Governor Moore, by letter dated 2/5/2024.

Amount:

Attorney Fees The Contractor will be paid for services rendered under this Contract on a contingent fee basis. The amount of fees to be paid will be based on the stage of the matter at which any recovery is obtained. The Contractor will receive attorney’s fees for the sums recovered based on the percentages in the following fee matrix. However, in no event will the cumulative fees paid to the law firm exceed 3x its actual attorneys’ fees calculated based on its reasonable and customary rates.

Row	Amount (Value) of Sums Recovered (after deducting costs & expenses)	Stage of Litigation at which Recovery is Obtained		
		A. Before Filing Formal Complaint	B. After Filing Complaint, Before Trial	C. After Start of Trial
1	Up to \$500 million	8%	15%	18%
2	\$500 to \$1 billion	8%	12%	15%
3	Above \$1 billion	8%	10%	12%

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18. **OFFICE OF THE ATTORNEY GENERAL** (cont'd)
Legal Representation with Contingent Fee

Remarks:

Background about the Antitrust Litigation

Anonymous. Anonymous, Inc. provides technology that informs real estate owners and managers of the financial performance of their assets and enables owners and managers to utilize data to enhance the profitability of their properties. One of the many areas that Anonymous serves for clients is in revenue management, optimizing rents to achieve the overall highest yield/combination of rent and occupancy, at each property.

Claims. The Antitrust Division enforces state and federal antitrust laws for the benefit of Maryland residents and the Maryland economy. It is alleged that certain landlords in Baltimore and DMV (District of Columbia, Maryland, and Virginia) have agreed to share nonpublic data regarding their rents with each other and with Anonymous. Anonymous allegedly uses this data to generate non-competitive above-market rent prices which its landlord-clients agree to adopt.

Anonymous is already the defendant in antitrust actions brought by other public and private plaintiffs elsewhere in the country. The lawsuits allege that the company's software services, in violation of antitrust laws, cause rents to be higher than they would be if the rents were set by landlords and managers competitively, and this has cost millions of dollars in losses to renters.

Maryland. The OAG Antitrust Division has reason to believe that Anonymous's software and services are being used by many landlords and management companies that own and operate multifamily housing in Maryland. As a result of the suspected antitrust violations, more than 300,000 Marylanders may have suffered damages in the hundreds of millions of dollars.

Assistant Counsel Contract

The law firm, listed above as contractor, was selected to serve as Assistant Counsel to the Attorney General, pursuant to State Government Code, §6-105(b), for purposes of potential Antitrust litigation. As required by the statute, the Attorney General sought prior approval from Governor Moore to procure the services of an Assistant Counsel. Governor Moore approved the Attorney General's request by letter dated 2/5/24. Compensation under the contract is by contingent fee.

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18. **OFFICE OF THE ATTORNEY GENERAL** (cont'd)
Legal Representation with Contingent Fee

Remarks (cont'd):

Assistant Counsel Contract (cont'd)

The Attorney General has long interpreted that a contingent fee contract for legal services requires additional approval from the Board of Public Works under State Finance & Procurement Code, §10-305(a), which governs the disposition of state property. *74 Opinions of the Attorney General* 136, 140-42 (1989). The BPW has approved contingent fee contract provisions requested by the Attorney General in the tobacco and environmental cases over the years. That approval is being sought again now, this time in an antitrust enforcement matter.

Counsel Selection. Cohen-Milstein was selected to work with the OAG's Antitrust Division in this matter in a noncompetitive process due to the depth of its expertise and experience in litigation against Anonymous and the users of its software services.

Fee Arrangement. The Attorney General seeks to compensate Assistant Counsel on a contingent fee basis, with a percentage of recovery as described above in the 'Amount' field. This arrangement compares favorably to the fee schedule used by other government plaintiffs for the procurement of the same firm in their litigation against Anonymous. It is also similar to the fee schedules in other Assistant Counsel contingent fee contracts that have been approved by the Board. If the State elects not to pursue or is not successful in the litigation, the law firm will not be entitled to any compensation from the State. The contract includes a "most favored nation" clause which will require the firm to match a lower fee schedule it provides to any other public plaintiff.

Fund Source: Litigation Recovery

Resident Business: No

Tax Compliance Number: 52-1465235

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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WITH DISCUSSION

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**BOARD OF PUBLIC WORKS
SECRETARY'S
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*Patricia Tipon, Assistant Attorney General, MD Department of the Environment
patricia.tipon@maryland.gov 410-537-3061*

**19. OFFICE OF THE ATTORNEY GENERAL
*Legal Representation with Contingency Fee***

Recommendation: That the Board of Public Works approve and ratify the Attorney General’s contingent fee contract with Assistant Counsel, which would compensate counsel with a portion of the damages the State recovers in litigation concerning PFAS (per- and polyfluoroalkyl substances).

Authority: Section 10-305, State Finance & Procurement Article, Annotated Code of Maryland

Contractors: Kelley Drye & Warren LLP, (Houston, TX)
John K. Dema, PC, (Rockville, MD)
Sher Edling LLP, (San Francisco, CA)

Contract Description: Special PFAS Litigation Counsel Contract, dated 8/16/2023. Contract is for Assistant Counsel to the Attorney General, pursuant to State Government Code, §6-105(b), with approval from Governor Moore, dated 5/9/2023.

Amount: Attorneys’ fees on the net recovery (cash and value of non-monetary consideration recovered, after deducting costs) shall be paid to the Assistant Counsel Team for each filed case as follows:

Net Recovery Range	Stage of Litigation at which Recovery is Obtained		
	Before Discovery	Prior to Start of Trial	Following the Start of Trial
1. Up to \$100,000,000	4%	18%	20%
2. \$100,000,001 to \$500,000,000	3%	14%	16%
3. \$500,000,001 to \$1,000,000,000	2%	6%	8%
4. \$1,000,000,001 and Above	1%	6%	6%

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19. **OFFICE OF THE ATTORNEY GENERAL** (cont'd)
Legal Representation with Contingency Fee

Remarks:

Background About PFAS

Per- and polyfluoroalkyl substances, or “PFAS,” are part of a large family of over 9,000 human-made chemicals that provide heat, stain, and water resistance, making them useful for a range of commercial and industrial applications. All PFAS chemicals contain multiple bonds between atoms of carbon and fluorine, which are extremely strong and give PFAS their exceptional chemical and thermal stability. Due to these strong bonds, PFAS (or in some cases, their degradation products) are highly persistent in the environment and are called “forever chemicals.”

PFAS have been used since the 1940s in industrial settings and in the production of household and commercial products that are heat resistant, stain resistant, and water and oil repellent. PFAS are ubiquitous in consumer products such as clothing, household cleaners, carpets, upholstered furniture, personal care products, and makeup. When people use these products, PFAS are washed down drains and enter sewer systems, where they are mostly sent to wastewater treatment plants, but sometimes to septic tanks. Conventional treatment systems used to remove other contaminants at treatment plants generally do not remove PFAS, and neither do septic systems.

Perfluorooctane sulfonic acid (“PFOS”) and perfluorooctanoic acid (“PFOA”) are the most widely studied PFAS chemicals and have been shown to be toxic at very low concentrations. They are highly mobile in that they are water-soluble and do not adsorb (stick) to soil particles. Thus, they are readily transported through soil and into groundwater where they can migrate long distances, including to surface water. They are persistent in that they do not readily biodegrade or chemically degrade in the environment or in conventional treatment systems for drinking water.

Exposure to PFAS in humans and animals has been linked to a variety of diseases, including kidney and testicular cancer, thyroid disease, ulcerative colitis, high cholesterol, pregnancy-induced hypertension, and low birth weight. PFAS exposure in humans may also impair the immune system, including the immune response to vaccines. PFOA and PFOS contamination presents a serious threat to public health largely through drinking water, but also through ingestion (eating contaminated food or certain types of fish), inhalation, and dermal contact.

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19. **OFFICE OF THE ATTORNEY GENERAL** *(cont'd)*
Legal Representation with Contingency Fee

Background About PFAS *(cont'd)*

Even small amounts of PFAS are dangerous. In March of 2023, EPA issued proposed drinking water limits for six PFAS, including PFOA and PFOS. The proposed limits are 4 parts per trillion (“ppt”) for both PFOA and PFOS individually, which represents a sharp reduction from the earlier limit of 70 ppt. Generally, drinking water limits are set in parts per million or parts per billion. These limits for PFAS are the first drinking water limits expressed in parts per trillion. EPA also proposed health based, non-enforceable Maximum Contaminant Level Goals (MCLGs) of zero because it concluded that there is no dose below which either chemical is considered safe. Most recently EPA has published a proposed rule in the Federal Register which would regulate six PFAS compounds as hazardous substances under federal law.

MDE’s Actions

In September 2020, MDE initiated a multi-phased study of PFAS in Public Water Systems. MDE collected over 1,000 drinking water samples from 431 Community Water Systems. These Systems provide drinking water to approximately 84% of Marylanders. One hundred and twenty-six Systems had measurable detectable concentrations of PFOA and/or PFOS. Five Systems had at least one sample measure above EPA’s old limit of 70 ppt. Eight more had at least one sample measure between 35 and 70 ppt. MDE has worked with the affected Systems to reduce their customers’ drinking water exposures through public notification, additional monitoring, and methods to reduce PFAS concentrations in finished drinking water. With regard to private drinking water wells, MDE was awarded an EPA Multipurpose Grant to take an extended look at PFAS in certain private wells and is in the planning stages of private well monitoring.

The EPA Multipurpose Grant also provided funding to continue monitoring PFAS in fish tissue, crab, and surface water, and MDE is taking steps to better understand the occurrence of PFAS in fish tissue, oysters, crabs, and surface water. MDE added fish tissue sample locations in Piscataway Creek in Prince George’s County because Joint Base Andrews, located adjacent to the upper reaches of the creek, is a known source of PFAS. The area near the mouth of the Piscataway is popular for recreational fishing. Initial samples collected in Fall 2020 indicated elevated levels of PFOS in Redbreast Sunfish. In Spring 2021, additional fish tissue and surface water samples were collected. Results of this investigation lead to MDE issuing a fish consumption advisory for PFOS in non-tidal Redbreast Sunfish and Yellow Bullhead Catfish and tidal Large-mouth Bass.

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19. **OFFICE OF THE ATTORNEY GENERAL** *(cont'd)*
Legal Representation with Contingency Fee

MDE's Actions (cont'd)

Many Department of Defense facilities in Maryland have found PFAS contamination. These facilities include the former Fort Meade Tipton Airfield; Naval Research Lab, Chesapeake Beach Detachment, the former Navy Bayhead Annex in Annapolis, the former Naval Research Laboratory in White Oak, Aberdeen Proving Ground, Naval Air Station Patuxent River, Joint Base Andrews, and the former Brandywine Defense Reutilization and Marketing Office. Preliminary assessments are being conducted at the rest of the military facilities in Maryland, including Fort Detrick, Forest Glen Annex, and Naval Air Station Patuxent River's Webster Field Annex. In response to the lowered interim updated lifetime health advisory limits for certain PFAS, MDE will need to review previous preliminary assessments to account for the updated toxicity information.

PFAS contamination at most, if not all, of these DOD facilities is due to the use of PFAS-containing firefighting foams, also known as aqueous film-forming foam ("AFFF"), which includes PFOS and/or PFOA. Additionally, AFFF use may have potentially contaminated other non-military firefighting training facilities throughout the State. Maryland has taken steps to limit the utilization of AFFF by banning the use, manufacture, sale, and distribution for sale of AFFF as of January 1, 2024, with exceptions for use at certain facilities such as airports and where required by federal law. Persons authorized to use AFFF may not release the foam into the environment and must contain all releases.

MDE is working to identify other potential sources of releases of PFAS at wastewater treatment plants, industrial sites, and landfills. In particular, PFAS compounds have been used in the manufacture of consumer products such as cleaning products, cookware, food packaging, and stain- and water-repellent fabrics, and carpeting. The manufacture or sale of rugs or carpets containing PFAS and the manufacture or sale of food packaging containing PFAS was banned starting on January 1, 2024.

Claims

Counsel conducted an evaluation of both common law and statutory claims against the manufacturers (3M, Dupont, and others) of PFAS, downstream manufacturers that use PFAS compounds in their products and the manufacturers of AFFF. Such claims include public nuisance, negligence, and trespass, as well as claims under federal and State statutes. Lawsuits already filed by several states fell into two categories as discussed below.

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19. **OFFICE OF THE ATTORNEY GENERAL** *(cont'd)*
Legal Representation with Contingency Fee

Claims (cont'd)

The first category of suit involves actions against the manufacturers of PFAS and downstream manufacturers that use PFAS for contamination not related to AFFF. New Jersey, Michigan, and Vermont are a few of the states that have filed actions in their respective state or federal district courts against the manufacturers of PFAS that do not include AFFF. Such lawsuits involve claims against the manufacturers for contamination by PFOA and PFOS and additional PFAS compounds. These states' claims are based on their state statutes and federal statutes, as well as common law, including negligence, trespass, public nuisance, strict liability, and unjust enrichment. Maryland has filed such a lawsuit in the Circuit Court for Baltimore City.

The second category of suit involves actions against the manufacturers of PFAS and the manufacturers of AFFF, for AFFF contamination. New York, New Mexico, New Jersey, and Vermont are a few of the states that have filed such lawsuits. The causes of action are similar to those in the non-AFFF lawsuits including nuisance, strict products liability for defective design and failure to warn. Maryland has filed a second lawsuit in this category, and as expected, it is now pending in the Multidistrict Litigation in the District Court of South Carolina where it has been consolidated with thousands of AFFF cases.

One of the manufacturers and distributors of AFFF, Kidde Fenwal, Inc., filed for bankruptcy protection shortly before Maryland filed its AFFF claims. The automatic stay in bankruptcy meant that the State was precluded from filing a lawsuit against Kidde Fenwal, Inc. Maryland does have the right to assert a claim in bankruptcy however, and bankruptcy counsel from Kelley Drye are taking the lead on protecting the State's interests in that proceeding.

Assistant Counsel Contract

The three law firms, listed above as contractors, were selected to serve as Assistant Counsel to the Attorney General, pursuant to State Government Code, §6-105(b), for purposes of the PFAS litigation. As required by the statute, prior approval was sought from Governor Moore and approved by letter dated 5/8/23. Compensation under the contract is by contingent fee.

The Attorney General has long interpreted that a contingent fee contract for legal services requires additional approval from the Board of Public Works under State Finance & Procurement Code, §10-305(a), which governs the disposition of state property. *74 Opinions of the Attorney General* 136, 140-42 (1989). The last contingent fee contract provisions presented to and approved by BPW were in 2016 and 2019. That approval is sought again now.

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19. **OFFICE OF THE ATTORNEY GENERAL** (cont'd)
Legal Representation with Contingency Fee

Assistant Counsel Contract (cont'd)

Counsel Selection. PFAS litigation requires a significant investment of resources. Nationally, only a small number of law firms have developed the expertise to pursue these cases successfully. The Attorney General received inquiries from several groups of law firms which represent other states and sovereign political subdivisions. The Office of the Attorney General appointed a committee to evaluate the proposals and to interview the applicants. The committee interviewed multiple applicants and requested formal written proposals from the two teams judged most capable of handling the litigation.

The committee then made a unanimous recommendation to the Attorney General that the best qualified team consisted of Kelley Drye & Warren LLP, John K. Dema, PC, and Sher Edling LLP. These three firms have wide experience in PFAS litigation and, in various combinations represent numerous sovereigns in PFAS lawsuits, including New Jersey, Ohio, California, Washington, Rhode Island, Wisconsin, and North Carolina. The Dema Firm represents the State in other litigation and will serve as local counsel from its base in Rockville.

Fee Arrangement. The Attorney General seeks to compensate outside counsel with a percentage of recovery as shown above in the 'Amount' section. This arrangement compares favorably to fee schedules used by other states for similar litigation. If the State terminates outside counsel before there is a recovery, or if a court disallows a contingency fee, outside counsel would be entitled to receive reimbursement of costs expended plus a reasonable fee commensurate with the work performed.

In the 'Amount' section, the term "discovery" means service of written discovery by any party. With respect to cases involving AFFF (Statewide AFFF and Federal PFAS Claims), written discovery started in the MDL long ago. Accordingly, once a Statewide AFFF case is transferred and arrives in the MDL, the "Before Discovery" column percentages would not apply. Likewise, the "Before Discovery" column percentages would not apply to any claim(s) against the federal government initiated by amending the Statewide AFFF complaint.

In the 'Amount' section, the term "start of trial" means the initiation of voir dire if the case is tried to a jury and opening statements if the case is tried to a court. The Contractors shall not commence discovery without the express approval of the Office of the Attorney General.

Fund Source: Litigation Recovery

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19. **OFFICE OF THE ATTORNEY GENERAL** (cont'd)
Legal Representation with Contingency Fee

Resident Business: Kelley Drye & Warren LLP- No
John K. Dema, PC- Yes
Sher Edling LLP- No

Tax Compliance Number: 13-5335197 Kelley Drye & Warren LLP
66-0396842 John K. Dema, PC
81-3554198 Sher Edling LLP

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
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April 17, 2024



DNR 1

Contact: Emily Wilson 410-260-8436
emilyh.wilson@maryland.gov

1A. **PROGRAM OPEN SPACE LOCAL SHARE**
Allegany County

Recommendation: Approval to commit \$355,160 for the following **development** projects.

1. Constitution Park Playground Equipment - \$97,000

City of Cumberland
POS #7685-1-473 MD20240228-0151

Background: Replace outdated playground equipment with new playground equipment and safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act at Constitution Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$97,000.00

2. Gene Mason Recreation Complex Playground Safety Surfacing - \$153,760

Allegany County
POS #7686-1-474 MD20240228-0154

Background: Purchase and install new poured-in-place safety surfacing consistent with National Playground Safety Standards and the Americans with Disabilities Act at the Gene Mason Recreation Complex.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$153,760.00

3. Meadow Park Pavilion Upgrade - \$14,400

Allegany County
POS #7687-1-475 MD20240228-0155

Background: Upgrade the existing pavilion with a new ceiling, picnic tables, lighting, and associated site amenities at Meadow Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$14,400.00

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1A. **PROGRAM OPEN SPACE LOCAL SHARE** (cont'd)
Allegany County

4. Piney Plains Community Park Improvements - \$90,000

Allegany County

POS #7688-1-476 MD20240228-0156

Background: Purchase and install new ballfield lighting, construct a batting cage, and install new chain link fencing around the park perimeter at Piney Plains Community Park.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022

Program Open Space Local

Source Code: 23002 \$20,897.55

Outdoor Recreation Land Loan 2024, Chapter 101, Acts of 2023

Program Open Space Local

Source Code: 24011 \$69,102.45

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
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April 17, 2024



DNR 3

Contact: Emily Wilson 410-260-8436
emilyh.wilson@maryland.gov

2A. PROGRAM OPEN SPACE LOCAL SHARE
Baltimore County

Recommendation: Approval to commit \$5,382,416 for the following **development** projects.

1. Banneker Community Center Path Construction and Renovation - \$450,000

Baltimore County
POS #7653-3-524 MD20240126-0044

Background: Design and construct new paths and renovate existing paths at the Banneker Community Center. Project will also include benches, water fountains, bicycle racks, picnic tables, and associated site amenities.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$450,000.00

2. Day's Cove Park Site Development - \$932,416

Baltimore County
POS #7654-3-525 MD20240126-0041

Background: Design and construct amenities at Day's Cove Park. Project to include, but not limited to, a disc golf course, multi-use paths, parking, and associate site amenities.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$932,416.00

3. Oregon Ridge Park Trails Design and Construction - \$4,000,000

Baltimore County
POS #7656-3-527 MD20240126-0043

Background: Design and construct new trails and renovate the existing trail system throughout Oregon Ridge Park. Project includes trail restoration, stairway and bridge construction, and associated site amenities.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$1,100,460.83
Outdoor Recreation Land Loan 2024, Chapter 101, Acts of 2023
Program Open Space Local
Source Code: 24011 \$2,899,539.17

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

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WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
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DNR 4

Contact: Emily Wilson 410-260-8436
emilyh.wilson@maryland.gov

3A. **PROGRAM OPEN SPACE LOCAL SHARE**
Dorchester County

Recommendation: Approval to commit \$283,500 for the following **development** projects.

1. Dorchester County Athletic Complex - Parking Lot Renovation - \$180,000

Dorchester County
POS #7671-9-198 MD20240129-0055

Background: Resurface and restripe parking lot at the Dorchester County Athletic Complex.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$180,000.00

2. Dorchester County Outdoor Pool - Restrooms and Concession Stand - \$103,500

Dorchester County
POS #7674-9-199 MD20240221-0133

Background: Upgrade interior of existing restroom building and concession building.

Fund Source: Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$300.67

Outdoor Recreation Land Loan 2024, Chapter 101, Acts of 2023
Program Open Space Local
Source Code: 24011 \$103,199.33

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

Contact: Emily Wilson 410-260-8436
emilyh.wilson@maryland.gov

**4A. PROGRAM OPEN SPACE LOCAL SHARE
LOCAL PARKS AND PLAYGROUNDS INFRASTRUCTURE
Prince George’s County**

Recommendation: Approval to commit \$5,300,000 for the following **development** projects.

1. Marlow Heights Community Center Construction - \$5,000,000

M-NCPPC – Prince George’s County
POS #7399-16-848 MD20220322-0191

Background: Construct a new community center to replace the existing facility. The proposed new community center will be approximately 22,000 square feet comprising of a larger gymnasium, larger programming spaces, fitness areas, community spaces, additional parking with improved security of site amenities, related site furnishing, and a potential walking trail.

Fund Source: Maryland Consolidated Capital Bond Loan 2010, Chapter 483, Acts of 2010
Program Open Space Local
Source Code: 10055 \$167,270.99

Outdoor Recreation Land Loan 2022, Chapter 357, Acts of 2021
Program Open Space Local
Source Code: 22011 \$3,483,674.37

Outdoor Recreation Land Loan 2023, Chapter 484, Acts of 2022
Program Open Space Local
Source Code: 23002 \$1,349,054.64

2. Hillcrest Heights Community Center – Playgrounds - \$300,000

M-NCPPC – Prince George’s County
LPPI-16-8

Background: Purchase and install playgrounds for ages 2-5 and 5-12 with safety surfacing and site amenities consistent with National Playground Safety Standards and the Americans with Disabilities Act.

Fund Source: Maryland Consolidated Capital Bond Loan 2022, Chapter 344, Acts of 2022
Local Parks and Playgrounds Infrastructure
Source Code: 22116 \$300,000.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITHOUT DISCUSSION

Board of Public Works
Department of Natural Resources – Real Property
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DNR 6

Contact: Emily Wilson 410-260-8436
emilyh.wilson@maryland.gov

5A. PROGRAM OPEN SPACE STATE SHARE
Washington County (The Susan and Allan Irrevocable Trust)

Recommendation: That the Board of Public Works approve the acquisition.

Description: This partially improved, yet mostly forested property will be managed by the Maryland Park Service as an addition to South Mountain State Park. Acquisition will expand conservation of the Maryland Blue Ridge Important Bird Area and Forest Interior Dwelling Species habitat, improve boundary line management, and buffer the Appalachian Trail.

POS Scoring System: 100 out of 100 **Targeted Ecological Area:** Yes

Grantor: Susan Valois and Allan Jirikowic, Trustees of the Susan and Allan Irrevocable Trust

Grantee: The State of Maryland to the use of the Department of Natural Resources

Property: 12.63+/- acres, improved POS No. 34672

Price: \$260,000

Appraisals: \$ 193,000 (9/18/23) – Melody C. Campbell
\$265,000 (10/6/23) – Terrence W. McPherson
All appraisals reviewed by Dave Wallenberg, Chief Review Appraiser

Stabilization funds: \$26,000

Stabilization funds are authorized to stabilize the structural integrity of improvements existing on land at the time of acquisition, eliminate health and safety hazards, protect water quality, and provide public access. DNR intends to use a portion of the funds to dispose, by razing, certain current structures that would not be a part of the management plan for Maryland Park Service. See Natural Resources Article §5-903(f) and §5-904(e).

Fund Source: Outdoor Recreation Land Loan of 2021, Chapter 19, Acts of 2020
Program Open Space Stateside
Source Code: 21010 \$286,000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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Board of Public Works
 Department of Natural Resources – Real Property
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DNR 7

*Contact: Emily Wilson 410-260-8436
 emilyh.wilson@maryland.gov*

6A. RURAL LEGACY PROGRAM FUNDS
Harford County

Recommendation: Approval to grant \$695,499 to **Harford County** from Rural Legacy Funds to acquire a 99.36-acre conservation easement.

Deer Creek Rural Legacy Area – Grafton Property

Prior Approval: Deer Creek Rural Legacy Area Grant for easement acquisitions:
 DNR-RP Item 15A (10/12/2022) \$1,295,664 for FY 2023

Project Description: Acquisition of this conservation easement will protect productive agricultural and forest lands, as well as protect approximately 4,750 linear feet of grassed and forested stream buffers along unnamed tributaries to Stout Bottle Branch, which drains to Deer Creek and thereupon to the Chesapeake Bay. This Rural Legacy easement, RL No. 35012, will be held by Harford County. The county is not requesting reimbursement for administrative, program compliance costs, or incidental expenses.

Easement Value: \$ 998,714.00 (\$10,051.46 per acre)

Purchase Price: \$ 695,499.00 (\$6,999.78 per acre)

Total Other DNR Costs:	Administrative:	\$.00
	Incidental:	\$.00
	Compliance:	<u>\$.00</u>
		\$.00

Amount Requested: \$695,499

Fund Sources: Outdoor Recreation Land Loan of 2022, Chapter 357, Acts of 2021
 Rural Legacy Program
 Source Code: 22012 \$695,499.00

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
 Department of Natural Resources – Real Property
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DNR 8

Contact: Emily Wilson 410-260-8436
 emilyh.wilson@maryland.gov

7A. RURAL LEGACY PROGRAM FUNDS
Queen Anne’s County

Recommendation: Approval to grant \$206,907.70 to **Queen Anne’s County** from Rural Legacy Funds to acquire a 51.17-acre conservation easement.

Foreman Branch Rural Legacy Area – Price Property

Prior Approval: Foreman Branch Rural Legacy Area Grant for easement acquisitions:
 DNR-RP Item 15A (10/12/2022) \$1,307,452 for FY 2023
 DNR-RP Item 15A (8/23/2023) \$1,394,366 for FY 2024

Project Description: Acquisition of this conservation easement will protect productive agricultural and forest lands, as well as protect approximately 2,606 linear feet of forested stream buffers along an unnamed tributary to Southeast Creek. This Rural Legacy easement, RL No. 34991, will be co-held by the Department of Natural Resources and the Board of County Commissioners of Queen Anne’s County.

Easement Value: \$204,428.00 (\$3,995.08 per acre)

Purchase Price: \$204,428.00 (\$3,995.08 per acre)

Total Other DNR Costs:

Administrative:	\$.00
Incidental:	\$ 2,479.70
Compliance:	<u>\$.00</u>
	\$ 2,479.70

Amount Requested: \$206,907.70

Fund Sources: Outdoor Recreation Land Loan of 2022, Chapter 357, Acts of 2021
 Rural Legacy Program
 Source Code: 22012 \$206,907.70

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
 Department of Natural Resources – Real Property
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 April 17, 2024



DNR 9

Contact: Emily Wilson 410-260-8436
 emilyh.wilson@maryland.gov

8A. RURAL LEGACY PROGRAM FUNDS
Washington County

Recommendation: Approval to grant \$307,017.44 to **Washington County** from Rural Legacy Funds to acquire a 67.29-acre conservation easement.

Mid-Maryland Washington Rural Legacy Area – Clipp Property

Prior Approval: Mid-MD Washington Rural Legacy Area Grant for easement acquisitions:
 DNR-RP Item 15A (10/12/2022) \$1,550,000 for FY 2023
 DNR-RP Item 15A (8/23/2023) \$3,127,000 for FY 2024

Project Description: Acquisition of this conservation easement will protect productive agricultural and forest lands, as well as protect approximately 1,400 linear feet of forested stream buffers along an unnamed tributary to Little Antietam Creek. This Rural Legacy easement, RL No. 35005, will be held by the Board of County Commissioners of Washington County.

Easement Value: \$294,342.66 (\$4,374.24 per acre)

Purchase Price: \$291,676.00 (\$4,334.61 per acre)

Total Other DNR Costs:	Administrative:	\$ 8,750.28
	Incidental:	\$ 2,216.02
	Compliance:	<u>\$ 4,375.14</u>
		\$15,341.44

Amount Requested: \$307,017.44

Fund Sources: Outdoor Recreation Land Loan of 2022, Chapter 357, Acts of 2021
 Rural Legacy Program
 Source Code: 22012 \$307,017.44

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
 Department of Natural Resources – Real Property
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DNR 10

Contact: Emily Wilson 410-260-8436
 emilyh.wilson@maryland.gov

9A. RURAL LEGACY PROGRAM FUNDS
Baltimore County

Recommendation: Approval to grant \$940,993.92 to **The Land Preservation Trust, Inc.** from Rural Legacy Funds to acquire a 110.99-acre conservation easement.

Piney Run Rural Legacy Area – Reeder Property

Prior Approval: Piney Run Rural Legacy Area Grant for easement acquisitions:
 DNR-RP Item 15A (8/23/2023) \$2,818,675 for FY 2024

Project Description: Acquisition of this conservation easement will protect productive agricultural and forest lands, as well as protect approximately 1,786 linear feet of forested stream buffers along Murphy Run and unnamed tributaries, which ultimately drain to the Prettyboy Reservoir. Prettyboy Reservoir is a source of drinking water for the Baltimore Metropolitan Area. This Rural Legacy easement, RL No. 34925, will be held by the Department of Natural Resources and The Land Preservation Trust, Inc.

Easement Value: \$889,810.53 (\$8,017.03 per acre)

Purchase Price: \$889,810.53 (\$8,017.03 per acre)

Total Other DNR Costs:

Administrative:	\$26,694.00
Incidental:	\$11,142.39
Compliance:	<u>\$13,347.00</u>
	\$51,183.39

Amount Requested: \$940,993.92

Fund Sources: Outdoor Recreation Land Loan of 2022, Chapter 357, Acts of 2021
 Rural Legacy Program
 Source Code: 22012 \$940,993.92

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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Board of Public Works
Department of Natural Resources – Real Property
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DNR 11

Contact: Emily Wilson 410-260-8436
emilyh.wilson@maryland.gov

10A. PROGRAM OPEN SPACE STATE SHARE
Dorchester County (Harding)

Recommendation: That the Board of Public Works approve a Reconstituted Agreement of Sale to allow the Department of Natural Resources and The Conservation Fund, its engaged Land Trust partner, to address newly discovered survey issues.

Prior Approval: DNR Agenda, Item 7A (4/19/2023)

Grantor: Mary Wyatt Harding and Kathleen Doriann Harding, also known as Kathleen D. Eberspacher.

Grantee: The State of Maryland to the use of the Department of Natural Resources

Property: 513.81+/- acres, unimproved, POS No. 5387

Background: Following Board of Public Works approval of this acquisition on April 19, 2023, in its capacity as the Department's engaged land trust partner, The Conservation Fund has been working to complete certain required due diligence, including a survey of the property. The preliminary draft of the survey of the property revealed significant boundary line issues and encroachments that will require additional title and survey work to resolve. The Reconstituted Agreement of Sale will allow the Department to proceed with the acquisition once The Conservation Fund and the seller resolve the identified survey matters.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



REVISED

REVISED at the meeting

Contact: Thomas Hickey 410-576-5736
thickey@usmd.edu

1-GM. GENERAL MISCELLANEOUS

Recommendation: That the Board of Public Works approve use of general obligation bond funding proceeds and general funds (PayGo) for the following contracts totaling \$442,402.

Authority: State Finance and Procurement Article, Annotated Code of Maryland, §8-301 (general obligation bonds)

University of Maryland, Baltimore

School of Medicine Bressler Research Building Electrical Substation Renewal

Description: Extend Medium Voltage (MV) feeder from basement to new pull box in closet
Procurement Method: Competitive Sealed Proposals
Award: Cynergy Electric Company, Inc. Crofton, MD
Amount: \$76,014
Fund Source: FY 2022 General Funds (PayGo Funding): \$58,438;
Institutional Funds: \$17,576
MBE Participation: 0%
Resident Business: Yes **MD Tax Clearance:** 24-1315-1110

University of Maryland College Park

Stanley R. Zupnik Hall Interdisciplinary Engineering Building

~~**Description:** Project Engineer to augment staff during construction
Procurement Method: On-call Program Management Services
Award: AECOM Technical Services, Arlington, VA
Amount: \$267,900
Fund Source: MCCBL 2023: Provide funds to complete design and continue construction of the Interdisciplinary Engineering Building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project; Item 106
MBE Participation: 0%
Resident Business: No **MD Tax Clearance:** 24-0662-1111~~



REVISED

REVISED at the meeting

1-GM. GENERAL MISCELLANEOUS (cont'd)

**University of Maryland, College Park for The Universities at Shady Grove
Biomedical Sciences and Engineering Education Building**

- 1.Description:** One (1) Cheese Vat
Procurement Method: Simplified Procurement-Competitive
Award: Armfield, Inc., Clarksburg, NJ
Amount: \$50,862
Fund Source: MCCBL 2018: provide funds to complete construction and equipping of the new Biomedical Sciences and Engineering Education Building. Item 248.
MBE Participation: 0%
Resident Business: No **MD Tax Clearance:** 24-1108-0001
- 2.Description:** Purchase a Wine & Beer Analyzer
Procurement Method: Simplified Procurement Competitive
Award: Foss North America, Inc., Eden Prairie, MN
Amount: \$47,626
Fund Source: MCCBL 2018: Provide funds to complete construction and equipping of the new Biomedical Sciences and Engineering Education Building. Item 248.
MBE Participation: 0%
Resident Business: No **MD Tax Clearance:** 24-1253-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED*

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

***The University of Maryland, College Park Sub-Item for the Stanley R. Zupnik Hall- Interdisciplinary Engineering Building was withdrawn at the meeting.; the remaining three Sub-Items were approved.**

**Board of Public Works
University System of Maryland
Supplement
April 17, 2024**



*Contact: Thomas Hickey 410-576-5736
thickey@usmd.edu*

**2-C. UNIVERSITY OF MARYLAND, COLLEGE PARK
*On Call General Contracting Services for Large Projects - Task Order***

Contract ID: Shoemaker Building 2nd Floor Renovations
RFP # 151128

Prior Approval USM Item 4-C (5/8/2019)
USM Item 3-C-OPT (4/21/2021)
USM Item 2-C-OPT (4/6/2022)
USM Item 4-C-OPT (4/19/2023)

Recommendation: Task Order Award

Contractor: Kalmia Construction Company, Beltsville, MD

Project Description: To provide all labor, materials, and equipment necessary for the 2nd floor renovation for Shoemaker Building at the University of Maryland College Park. Renovate 3,060 GSF of underutilized space on the second floor of the Shoemaker Building to create new offices, group therapy and practicum rooms, a kitchenette, and a new ADA restroom for the Counseling Center.

Contract Term Thirty (30) months from notice to proceed (includes 2-year warranty period)

Amount: \$1,041,627

Procurement Method: On-Call Master Contract Task Order Bid

Proposals:

Company	Bid Amount
Kalmia Construction Company, Beltsville, MD	\$1,041,627
Jeffrey Brown Contractors, LLC, Towson, MD	\$1,037,650

Fund Source: Institutional Funds

MBE Participation: 29%

Performance Security: Equal to contract amount

Board of Public Works
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2-C. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)

Requesting Institution Remarks: This solicitation utilized the University's On-Call General Contracting Services master contract. Two (2) out of the six (6) firms holding master contracts responded to the solicitation. Award is recommended to Kalmia Construction Company Inc. as the lowest price responsive and responsible bidder.

Sustainability: The project will comply with the Maryland State Energy Code. It will include high efficiency HVAC system controls, efficient lighting system, occupancy sensors, energy star appliances, water efficient fixtures, and green purchasing for floors and painting. There will also be a construction material and waste management plan during construction.

Resident Business: Yes

MD Tax Clearance: 24-1154-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
University System of Maryland
Supplement
April 17, 2024



Contact: Thomas Hickey 410-576-5736
thickey@usmd.edu

**3-AE. UNIVERSITY OF MARYLAND, BALTIMORE
*School of Medicine Howard Hall Mechanical Infrastructure Upgrades***

Contract ID: Task Order - Master On Call M/E Design Services for Medical/Research Projects
#C-00895

Project Description: This project will replace selected supply air and exhaust air systems at Howard Hall.

Contract Description: The work involves production of bid documents, including construction drawings and specifications. A proposed design including five rooftop air handling units with enthalpy wheel energy recovery is the basis of design. A new shaft will be cut through the existing mechanical rooms between column grids G and H and 6 and 7 to allow for top-down replacement of the air handling systems. This design will be implemented in multiple phases to allow the removal of the existing air handling units on floors through 6 of Howard Hall and to construct a new shaft and supply air riser within the vacated mechanical rooms.

Procurement Method: Task Order - Master On Call M/E Design Services for Medical/Research

Award: Burdette Koehler Murphy & Associates, Inc., Baltimore, MD (next in rotation see Requesting Institution Remarks)

Task Order Amount: \$1,864,337

Task Order Term: 12 months from issuance of design notice to proceed (8 months of design and 4 months for bidding): 60 months from issuance of construction notice to proceed.

Fund Source: Institutional Funds

MBE Participation: 30.06%

Performance Security: N/A

Requesting Institution Remarks: The Master On Call M/E Medical/Research Contract was utilized. Indefinite delivery M/E service contract for full engineering services for University System of Maryland institutions in the Baltimore region. Medical Research projects include medical scientific laboratories, teaching labs, computer labs, and associated support areas. As projects arise, the University rotates among the nine awarded firms. The firm is required to use the fixed hourly rates established from the master contract.

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3-AE. UNIVERSITY OF MARYLAND, BALTIMORE (cont'd)

Sustainability: Opportunities for environmentally sustainable materials and systems will be identified and explored throughout the design into construction by the University and the firm.

Resident Businesses: Yes

MD Tax Clearance: 24-1050-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**Board of Public Works
University System of Maryland
Supplement
April 17, 2024**



*Contact: Thomas Hickey 410-576-5736
thickey@usmd.edu*

**4-C. UNIVERSITY OF MARYLAND, COLLEGE PARK for
UNIVERSITY OF MARYLAND EASTERN SHORE
*Carver Hall Project***

Contract ID: University of Maryland Eastern Shore (UMES) Carver Hall Project RFP# 140112-C

Recommendation: Contract Award

Contractor: Bancroft Construction, Salisbury, MD

Project Description: Renovation of two biological laboratories and building envelope improvements including: roofing, doorways, windows replacement, and masonry improvements.

Contract Term: 32 Months from notice to proceed (including warranty period)

Amount: \$4,167,382

Procurement Method: Competitive Sealed Proposals

Proposals:

Firm	Technical	Price	Final
Bancroft Construction, Salisbury, MD	2	\$4,167,382	1
Harper & Sons, Easton, MD	1	\$4,384,087	2
WM Schlosser, Hyattsville, MD	3	\$4,822,000	3

Funding: MCCBL 2022: *Provide funds to design, construct, and equip various facility renewal projects at the University of Maryland Eastern Shore.* Item 110 \$3,000,000; FY 2023 General Funds (Paygo Funds: \$252,565; Institutional Funds: \$914,817)

MBE Participation : 15.05%

Performance Security: Equal to contract amount

Requesting Institution Remarks: This solicitation was advertised on eMaryland Marketplace Advantage. Six (6) firms responded to the solicitation. After review of technical proposals by the evaluation committee, five (5) firms were deemed susceptible for award. Three companies submitted price proposals. Award is recommended to the lowest priced, technically acceptable offer.



4-C. **UNIVERSITY OF MARYLAND, COLLEGE PARK *for***
UNIVERSITY OF MARYLAND EASTERN SHORE (*cont'd*)

Sustainability: The interior renovation is limited to only 2 labs so the High-Performance Green Building program and the Building Energy Performance Standard do not apply to this project. However, sustainable materials have been specified for the project. In addition, building envelope improvements include the installation of new high-performance windows, and new high-performance storefront and new higher R specification for the flat roof that will be replaced.

Resident Business: Yes

MD Tax Clearance: 24-1400-0001

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
University System of Maryland
Supplement
April 17, 2024



Contact: Thomas Hickey 410-576-5736
thickey@usmd.edu

5-S-MOD. FROSTBURG STATE UNIVERSITY
Dining Services Contract Extension

Contract ID: Dining Services, RFP #P14-03

Original Contract Approved: USM Item 5-S (2/19/2014)

Option Renewal Approved: USM Item 1-S-OPT (4/24/2019)

Contract Description: Comprehensive campus dining services contract, including student board meals, retail sales, internal and external catering, concessions, and facilities renovations/upgrades.

Modification Description: The University is requesting a one-year extension of this contract in order to complete a new procurement for these services.

Contractor: Compass Group USA, Inc./Chartwells Division, Charlotte, NC

Original Term: 5/23/2014 - 5/22/2019 Original Term
5/23/2019 – 5/22/2024 5-Year Renewal Option

Modification Term: 5/23/2024 – 5/22/2025

Modification Amount: \$4,900,000

Original Procurement Method: Competitive Sealed Proposals

MBE Participation Goal: 2.1%

MBE Compliance: 2.8%

Performance Security: \$1 million performance bond

Requesting Institution Remarks: The University is seeking approval to extend the current contract for dining services for one year in order to complete a new procurement. The new contract award was withdrawn from the February 28, 2024 BPW meeting (USM Item 4-S) and subsequently it was determined that both offerors failed to complete the MBE forms correctly and were deemed not susceptible for contract award. This one-year extension is necessary to continue food services for FSU students while a new procurement is conducted.

Board of Public Works
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5-S-MOD. FROSTBURG STATE UNIVERSITY (cont'd)

Fund Source: This is a revenue-generating contract from which approximately \$4.9 million will be paid to the vendor over the one-year extension from the student board fees. The University will receive an 18% commission on retail, franchise, catering, and concession gross sales. Increases in board fees and cash-sale prices will be indexed to the food and beverage CPI-U category (food away from home).

Resident Business: No

MD Tax Clearance: 24-0435-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Board of Public Works
University System of Maryland
Supplement
April 17, 2024



Contact: Thomas Hickey 410-576-5736
thickey@usmd.edu

6-S-MOD. UNIVERSITY OF MARYLAND COLLEGE PARK
Service Contract Modification

Contract ID: Implementation services for Assetworks; PO #115361

Recommendation: The Board of Public works approve a modification to a prior competitively procured contract with Assetworks for implementation services associated with the Assetworks Facilities Management Solution.

Contract Description: Implementation Services for Assetworks Facilities Management Solution

Award: Assetworks, San Antonio, TX

Procurement Method: Competitive Sealed Proposals

Contract Term: 9/16/2022 - 8/31/2024

Original Contract Amount: \$959,350 (Awarded by UMCP on 9/16/2022 within Authority)

Modification Amount: \$263,604

Revised Contract Amount: \$1,222,954

Fund Source: Institutional Funds

MBE Participation: 0% (See Requesting Institution Remarks)

Requesting Institution Remarks: In July 2021, the University of Maryland College Park issued a solicitation for a campus wide Facilities Management Solution and the professional services associated with implementation of the solution. The solicitation was advertised on eMaryland Marketplace Advantage attracting six (6) responses. The University awarded a contract to Assetworks at a price of \$1,891,750 for the software over 5 years and \$959,350 for the professional service fees to implement the solution.

Board of Public Works
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6-S-MOD. UNIVERSITY OF MARYLAND COLLEGE PARK (cont'd)

Requesting Institution Remarks (cont'd):

The awards were made within the University’s delegated authority; however, the University is now seeking the approval of the Board of Public works to modify the services contract due to a need to compress the implementation schedule and change the go live date from the week of June 17, 2024 for Phase I to May 31, 2024. The change is necessary due to a delay in the implementation of Workday at UMCP which is scheduled for November, 2024 and has resulted in the need to perform integrations with the current financial system in addition to Workday which was not originally planned for as Workday was expected to go live in 2023 at the time the contract was signed.

This is a software implementation through Assetworks and must be performed by Assetworks. There are no implementation partners, therefore there are no sub-contracting opportunities for minority business enterprises.

Resident Business: No

MD Tax Clearance: 24-1333-1101

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

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WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



Wes Moore
Governor

Aruna Miller
Lt. Governor

Paul J. Wiedefeld
Secretary

**BOARD OF PUBLIC WORKS
ACTION AGENDA
April 17, 2024**

<u>Item #s</u>	<u>Mode</u>	<u>Pages</u>
1	Maryland Aviation Administration (MAA)	1 – 3
2 – 3	Maryland Transportation Authority (MDTA)	4 - 8
4 –13	Maryland Transit Administration (MTA)	9 - 31
14 – 19	State Highway Administration (SHA)	32 – 40

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 1

Contact: Linda D. Dangerfield 410-859-7097
ldangerfield@bwiairport.com

1-S. MARYLAND AVIATION ADMINISTRATION
Service Contract

Contract ID: Content Service Provider at Baltimore/Washington International Thurgood Marshall (BWI Thurgood Marshall) and Martin State (MTN) Airports; *MAA-SV-25-003*.
EPICS No.: MAASV25003

Contract Description: The contract provides for all labor, equipment, materials, and expertise to perform aviation management organizational development at BWI Thurgood Marshall and MTN Airports, for the Maryland Aviation Administration. The training spans the multitude of aviation-related professions performed by MAA employees including Airport Business Development and Planning, Airport Operations and Safety, Airport Rescue and Firefighting, Airport Security, Aviation Engineering and Construction Inspection, Airport Lease Negotiation, Airport Maintenance, and Vehicle Maintenance for Airports.

Awards: The Saunders Group, LLC (TSG); Cleveland, OH

Contract Term: 05/02/2024 – 5/01/2028

Amount: \$2,800,000 NTE

Procurement Method: Competitive Sealed Proposals (*Single Proposal Received*)

Proposals:

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offer Ranking</i>	<i>Overall Ranking</i>
The Saunders Group, LLC Cleveland, OH	1	\$2,055,330.00	1

*As stated in the RFP, technical rankings carried a higher weight than the financial offer rankings

MBE/VSBE Participation: 30% / 1%

Performance Security: 50% Annualized Payment Bond

Hiring Agreement Eligible: Yes

Incumbent: None

1-S. MARYLAND AVIATION ADMINISTRATION (cont'd)

Requesting Agency Remarks: This procurement was conducted in accordance with COMAR 21.02.01.04 C(1)(i). MAA initially advertised the procurement to seek competitive proposals on January 31, 2022, via eMaryland Marketplace Advantage and by way of direct solicitation. One proposal was received on March 14, 2022. After review of the proposal, it was determined to be not susceptible for award and the procurement was cancelled.

This Solicitation was advertised on April 10, 2023, via eMaryland Marketplace Advantage, the MAA website, and by way of direct solicitation to nine (9) firms. Two addenda were issued, Addendum No. 1 on May 3, 2023, and Addendum No. 2 on May 31, 2023, which extended the proposal due date until June 14, 2023, in effort to seek competition. MAA directly solicited four (4) additional firms. One proposal was received and deemed reasonably susceptible of being selected for award. In accordance with COMAR 21.05.02.20, if only one responsive bid or acceptable offer is received in response to a solicitation, an award may be made to the bidder or offeror if the Procurement Officer determines that the price submitted is fair and reasonable, and that the other vendors had a reasonable opportunity to respond.

MAA reached out to the non-offerors to inquire as to why they did not propose. Two (2) firms (including the previous provider) stated that other commitments precluded their participation, and they are available as a subcontractor on this and other projects.

The Evaluation Panel determined that The Saunders Group, LLC (TSG) technical proposal demonstrated an in-depth understanding of airport organizations, including MAA. TSG's subcontractors have provided training content for MAA and other large airports across the country. TSG's team employs a whole-system approach to organizational development, performance, talent management and strategic workforce planning. TSG has a partnership with leading aviation trade organizations including Airport Minority Advisory Council, and educational institutions including the University of Maryland Baltimore County Training Centers, and Community College of Baltimore County. TSG has vast experience delivering training and development.

The contract award amount is based upon the budgeted funds for the four-year duration of the Contract. The financial proposal was for evaluation purposes only. However, the hourly rates are fixed for the duration of the Contract. The overall labor price for this contract is approximately 13% higher than the previous 2019-2023 contract that MAA held. Therefore, MAA deemed the price fair and reasonable.

The MAA Procurement Review Group reviewed the contract scope of work to determine the potential for establishing MBE and VSBE participation goals, as well as a Small Business Enterprise designation.

This Contract includes a provision authorizing an extension for a total period no longer than one-third of the base term on the original contract to spend funds remaining on the Contract as provided in Board Advisory 1995-1.

DEPARTMENT OF TRANSPORTATION
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1-S. MARYLAND AVIATION ADMINISTRATION (cont'd)

Fund Source: 100% Special Funds (Transportation Trust Funds)
Appropriation Code: J06I0002
Resident Business: No
MD Tax Clearance: 23-4372-000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 4

Contact: Donna Dicerbo 410-537-7814
ddicerbo@mdta.state.md.us

2-AE. MARYLAND TRANSPORTATION AUTHORITY
Architecture/Engineering Contract

Contract ID: Construction Management and Inspection Services; *MDTA 2022-02A*

Contract Description: Six of twelve work-order based contracts to provide construction management and inspection services for the Maryland Transportation Authority (MDTA).

Awards:	A. Morton Thomas and Associates, Inc./ Wallace Montgomery & Associates, LLP (JV) Towson, MD	AE-3115-0000
	Gannett Fleming, Inc. Owings Mills, MD	AE-3116-0000
	KCI Technologies, Inc./ STV Incorporated (JV) Sparks, Maryland	AE -3118-0000
	O’Connell & Lawrence, Inc./ ATCS, P.L.C. (JV) Olney, MD	AE-3123-0000
	Michael Baker International, Inc./ PRIME AE Group, Inc. (JV) Linthicum, MD	AE-3124-0000
	Development Facilitators, Inc./ Pennonni Associates Inc./ CES Consulting, LLC (Tri-Venture) Linthicum, MD	AE-3126-0000

Contract Term: 05/2/2024* – 05/1/2029 (5 years) (*or earlier upon BPW approval)

Amount: \$16,000,000 NTE - AE 3115-0000
\$16,000,000 NTE - AE 3116-0000
\$16,000,000 NTE - AE 3118-0000
\$14,000,000 NTE - AE 3123-0000
\$11,000,000 NTE - AE 3124-0000
\$11,000,000 NTE - AE 3126-0000
\$84,000,000 NTE

Procurement Method: Qualification Based Selection

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
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MDOT 5

2-AE. MARYLAND TRANSPORTATION AUTHORITY (cont'd)

Proposals:

<i>Offerors</i>	<i>Technical Proposal Rating (Max 100)</i>	<i>Award</i>
A. Morton Thomas & Associates /Wallace Montgomery & Associates (JV) Towson, MD	87.07 (1)	\$16,000,000 NTE AE-3115-0000
Gannett Fleming, Inc. Owings Mills, MD	86.52 (2)	\$16,000,000 NTE AE-3116-0000
Greenman-Pedersen, Inc. Columbia, MD	83.59 (3)	AE 3117-0000
KCI Technologies / STV Incorporated (JV) Sparks, MD	81.42 (4)	\$16,000,000 NTE AE-3118-0000
Rummel, Klepper & Kahl, LLP Baltimore, MD	81.32 (5)	AE-3119-0000
WSP USA Inc. Baltimore, MD	78.21 (6)	AE-3120-0000
Whitman, Requardt & Associates, LLP Baltimore, MD	77.73 (7)	AE-3121-0000
Johnson, Mirmiran & Thompson, Inc. Hunt Valley, MD	77.11 (8)	AE-3122-0000
O'Connell & Lawrence, Inc./ATCS, P.L.C. (JV) Olney, MD	74.27 (9)	\$14,000,000 NTE AE 3123-0000
Michael Baker International, Inc./Prime AE Group, Inc. (JV) Linthicum, MD	72.69 (10)	\$11,000,000 NTE AE 3124-0000
AECOM Technical Services, Inc. Hunt Valley, MD	70.06 (11)	AE-3125-0000
Development Facilitators, Inc./ Pennoni Associates Inc./CES Consulting, Inc. (Tri-Venture) Millersville, MD	67.40 (12)	\$11,000,000 NTE AE 3126-0000
Century Engineering, LLC/ Whitney, Bailey, Cox & Magnani, Inc./Alpha Corporation (JV) Hunt Valley, MD	63.61 (13)	
Stantec Consulting Services Inc. Baltimore, MD	61.05 (14)	
Urban Engineers, Inc./Dewberry Engineers, Inc. (JV) Baltimore, MD	58.43 (15)	
EBA Engineering, Inc./Volkert, Inc. (JV) Laurel, MD	58.14 (16)	

2-AE. MARYLAND TRANSPORTATION AUTHORITY (cont'd)

MBE / VSBE: 26% / 1% - AE 3115-0000
26% / 1% - AE 3116-0000
28% / 1% - AE 3118-0000
30% / 1% - AE 3123-0000
26% / 1% - AE 3124-0000
26% / 1% - AE 3126-0000

Incumbents: Greenman-Pedersen, Inc./Gannett Fleming, Inc. (JV); Johnson, Mirmiran & Thompson, Inc.; A. Morton Thomas and Associates, Inc.; Michael Baker International, Inc./Prime AE Group, Inc. (JV); O'Connell & Lawrence, Inc./ATCS, P.L.C. (JV); Rummel, Klepper & Kahl, LLP; WSP USA Inc./Wallace, Montgomery & Associates, LLP (JV); Whitman, Requardt & Associates, LLP; Development, Facilitators, Inc./Pennoni Associates, Inc./CES Consulting, LLC (Tri-Venture); AECOM Technical Services, Inc.; Stantec Consulting Services, Inc./EBA Engineering, Inc. (JV)

Requesting Agency Remarks: On January 1, 2023, the solicitation was advertised in The Daily Record and eMaryland Marketplace Advantage (eMMA). The advertisement was for twelve contracts valued between \$11 million and \$16 million each for construction management and inspection services for the Maryland Transportation Authority (MDTA). A total of 893 firms were notified on eMMA. The MDTA received 16 technical proposals. The MDTA used qualifications-based selection and found 12 consultants eligible for contract award. No protests were filed.

The services to be provided include: constructability reviews, conduct pre-construction conferences, monitor and document contractor performance, conduct detailed inspections of all construction work including erosion and sediment control, contract compliance, environmental project/program monitoring as required, review of contractor safety program and inspection, maintenance of traffic, schedule and conduct progress meetings, conduct detailed materials inspections and testing (this may include providing full service laboratory to conduct said testing), contract utility coordination and locating of existing facility utilities as needed, monitor project critical path method and cash flow schedules, review and process progress and final payments utilizing Maryland Construction Management System, eMaryland Construction Management System, or other construction management software approved by the MDTA, provide construction phase review services such as reviewing shop drawings and responding to Requests for Information, provide on-site program management support as needed, and assist the MDTA compliance program officers with monitoring and enforcement of the Minority Business Enterprise (MBE) goals.

The MDTA Procurement Review Group reviewed the contract scope of work to determine the potential for establishing an MBE participation goal and a VSBE participation goal, as well as a Small Business Enterprise designation. A 26% MBE participation goal and a 1% VSBE goal was established for each contract. The joint venture of KCI Technologies / STV Incorporated committed to 28%, exceeding the MBE goal by 2% and the joint venture of O'Connell & Lawrence, Inc./ATCS, P.L.C. committed to 30%, exceeding the MBE goal by 4%.

DEPARTMENT OF TRANSPORTATION
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MDOT 7

2-AE. MARYLAND TRANSPORTATION AUTHORITY (cont'd)

Fund Source: 100% Special Funds (Toll Revenue)

Approp. Code: J00J00.41 & J00J00.42

Resident Business: Yes

MD Tax Clearance: A. Morton Thomas & Associates / Wallace Montgomery & Associates (JV)
24-1113-1110
Gannett Fleming, Inc.
24-1029-0111
KCI Technologies / STV Incorporated (JV)
24-1114-1111
O'Connell & Lawrence, Inc. / ATCS, P.L.C. (JV)
24-1115-1111
Michael Baker International, Inc. / Prime AE Group, Inc. (JV)
24-1116-1111
Development Facilitators, Inc./ Pennoni Associates Inc./CES Consulting, Inc. (Tri-Venture)
24-1117-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 8

Contact: Melissa Williams 410-537-5651
mwilliams9@mdta.state.md.us

3-RP. MARYLAND TRANSPORTATION AUTHORITY
Real Property – Disposition

Recommendation: That the Board of Public Works approve the Maryland Transportation Authority (MDTA) disposing real property as it is excess to the agency’s needs.

Authority: State Finance and Procurement Article, § 10-305
Annotated Code of Maryland

Property: MC# 22-7046
Heat Center, (± 0.326 acres), Parcel 1-A, Route 22 at Technology Drive, Aberdeen, Harford County

Grantor: State of Maryland, MDTA

Grantee: City of Aberdeen

Consideration: \$1.00

Appraised Value: \$75,000 – Melody Campbell, (Selected)
Joseph Miklochik, Review Appraiser

State Clearinghouse: The Clearinghouse conducted an intergovernmental review of the project under **MD20221116-0899**. It is recommended to declare the plus or minus 1.512 acre former Heat Center property surplus to the needs of the State-MDTA proposes to convey Parcel 1-A to the City of Aberdeen for construction of a water tower and to convey Parcels 1-B and 2 to Harford County to maintain the existing park and ride facility-upon consideration of the Maryland Department of the Environment’s qualifying comments. The City of Aberdeen expressed support for the conveyance of Parcel 1-A to the City and Harford County found the project consistent with their plans, programs, and objectives.

Requesting Agency Remarks: In 1962 the SRC purchased the property that is now the Higher Education and Applied Technology Center (“HEAT Center”) for the construction of I-95. The property was then transferred from SHA to MDTA by Legislative action. MDTA proposes to convey Parcel 1-A to the City of Aberdeen at nominal cost.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 9

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

4-AE. MARYLAND TRANSIT ADMINISTRATION
Architecture/Engineering Contract

Contract ID: On-Call Structural Engineering Services; AE-21-004-A,C,D&E
EPICS Nos.: AE21004A, AE21004C, AE21004D, AE21004E

Contract Description: Four of six contracts to provide structural engineering services for the Maryland Transit Administration’s (MTA) multiple modes.

- Awards:** AECOM Technical Services, Inc.; (Contract A)
Baltimore, MD
- Rummel, Klepper & Kahl, LLP; (Contract C)
Baltimore, MD
- Gannett Fleming, Inc. / KCI Technologies, Inc. (JV);(Contract D)
Owings Mills, MD
- STV Incorporated; (Contract E)
Owings Mills, MD

Contract Term: 04/18/2024 – 04/16/2029

Amount: \$ 7,000,000 NTE each
\$28,000,000 NTE Aggregate Total

Procurement Method: Qualification Based Selection

Proposals:

<i>Offerors</i>	<i>Technical Proposal Rating (Max 1000) (Rankings)</i>	<i>Awards</i>
AECOM Technical Services, Inc. Baltimore, MD	814 (1)	Contract A \$7,000,000 NTE
WSP USA Inc. / Whitman, Requardt & Associates, LLP (JV) Baltimore, MD	800 (2)	Contract B
Rummel, Klepper & Kahl, LLP Baltimore, MD	800 (3)	Contract C \$7,000,000 NTE
Gannett Fleming, Inc. / KCI Technologies, Inc. (JV) Owings Mills, MD	787 (4)	Contract D \$7,000,000 NTE

REVISED

4-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)
Proposals (cont'd):

STV Incorporated Owings Mills, MD	785 (5)	Contract E \$7,000,000 NTE
Whitney, Bailey, Cox & Magnani, LLC / Century Engineering, LLC (JV) Hunt Valley, MD	768 (6)	Contract F
Johnson, Mirmiran & Thompson, Inc. Hunt Valley, MD	722 (7)	N/A
Wallace Montgomery & Associates, LLP / Jacobs Engineering Group, Inc. (JV) Hunt Valley, MD	717 (8)	N/A
Stantec Consulting Services, Inc. Baltimore, MD	673 (9)	N/A
PRIME AE Group, Inc. Baltimore, MD	659 (10)	N/A

DBE/VSBE Participation 20% / 0%

Incumbent: Gannett Fleming, Inc. / KCI Technologies, Inc. (JV); AECOM Technical Services, Inc.; Rummel, Klepper & Kahl, LLP; Whitney, Bailey, Cox & Magnani, LLC / Century Engineering, Inc. (JV); Johnson, Mirmiran & Thompson, Inc.; WSP USA, Inc. / Whitman, Requardt & Associates, LLP (JV)

Requesting Agency Remarks: This solicitation was published on eMaryland Marketplace Advantaged (eMMA) on March 9, 2022. A total of 782 firms were notified via eMMA, of which 160 were certified DBEs. A total of ten engineering consultant firms submitted technical proposals in response to the solicitation. The six highest-scoring firms were selected for an award after (1) each technical proposal was evaluated, scored, and ranked and (2) after each price proposal was reviewed.

These contracts provide for structural engineering services on a work order basis. The awardees are required to provide engineering and technical services (1) the design of structural projects (2) alterations (3) improvements and rehabilitation of aerial structures (4) bridges, buildings, and other architectural work. This additional work may include all structural engineering professional services including design and analysis of structural stability of railway track/system supporting structures and activities at the MTA rail, bus, and other facilities on a work order basis.

4-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Existing and anticipated projects requiring Structural Engineering Services includes:

METRO

- Station Rehabilitation
- Station Stair Repairs / Rehabilitation
- Structures Rehabilitation
- Aerial Structure
- Culvert Rehabilitation
- Tunnel Rehabilitation / Grouting
- Sound Barrier System
- Platform Rehabilitation
- Snow Melt System Projects

LIGHT RAIL

- Rehabilitation of Grade Crossings
- Rehabilitation of Bridges and Warning Signs Structures
- Replaced Bridge Structural Ties
- Intertrack Fence Installation Projects

FREIGHT RAIL

- Small Structures Inspection & Miscellaneous Projects

MARC

- Small Structures Inspection Projects

[...] The MTA Procurement Review Group reviewed the contract scope of work to determine the potential for establishing a DBE participation goal, as well as a Small Business Enterprise designation. A 20% DBE participation goal has been established for these contracts; however, no VSBE goal has been established for these contracts due to the limited subcontracting opportunities.

These contracts include a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contracts as provided in Board Advisory 1995-1.

REVISED

DEPARTMENT OF TRANSPORTATION
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MDOT 12

4-AE. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Fund Source: 80% Federal; 20% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Businesses: Yes

MD Tax Clearance: AECOM Technical Services, Inc. (Contract A)
24-0259-0111
Rummel, Klepper & Kahl, LLP (Contract C)
24-0762-1111
Gannett Fleming, Inc. / KCI Technologies, Inc. (JV) (Contract D)
24-0764-1111
STV Incorporated (Contract E)
24-0854-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 13

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

5-C. MARYLAND TRANSIT ADMINISTRATION
Construction Contract

Contract ID: Repairs to Metro Aerial Pier 2720 at West Cold Spring Station; T-2234-0150
EPICS No.: T22340150

Contract Description: This Contract is for repairs to the pier cap and upper portion of the column of Pier NW2720 supporting Track 2 and the station platform at the west end of West Cold Spring Metro Station (Baltimore, MD) to restore full structural capacity of the pier.

Award(s): Brawner Builders, Inc; Hunt Valley, MD

Contract Term: 270 Calendar Days from NTP

Amount: \$997,333.75 NTE

Procurement Method: Competitive Sealed Bidding (Single Bid Received)

Bids:

<i>Bidders</i>	<i>Amounts</i>
Brawner Builders, Inc; Hunt Valley, MD	\$997,333.75

MBE/VSBE Participation: 23.5% / 0%

Performance Security: Payment and Performance Bonds at 100% of the Contract Amount

Requesting Agency Remarks: The solicitation was advertised on e-Maryland Market Advantage (eMMA) on June 28th, 2023, electronically notifying 108 potential bidders, and two vendors were directly solicited. The bid opening date was extended twice to allow for more competition. A single bid was received and opened on September 19th, 2023. MTA reached out to the bidders who stated that they would not be able to submit a bid on the contract due to not having the time or resources to dedicate to the project.

The MBE goal established for this contract is 23.5% and Brawner has committed to the goal.

Brawner Builders, Inc.'s bid was compared to the engineers estimate, after applying ENR Building Cost Index, to factor construction cost inflation. Brawner's bid was within nine percent (9%) of the engineers' estimate, which MTA finds to be fair and reasonable.

5-C. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

This Contract is for repairs to the pier cap and upper portion of the column of Pier NW2720 supporting Track 2 and the station platform at the west end of West Cold Spring Metro Station to restore full structural capacity of the pier. The work involves installation of concrete caissons to support the temporary shoring towers on the east and west sides of the pier located at Pier 2720 at West Cold Spring Station, temporary shoring and jacking of the track girders on the east and west sides of the pier, and restoration of the sidewalk surrounding the pier.

This pier is a vital component that supports over 110 feet of the Metro's Track 2 and further delays could result in the closure of Metro's Track 2 as well as portions of the West Cold Spring Metro Station, for safety reasons.

Fund Source: 100% State Funds (Capital Funds)

Approp. Code: J05H0105

Resident Business: Yes

MD Tax Clearance: 24-0734-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
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MDOT 15

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

6-GM. MARYLAND TRANSIT ADMINISTRATION
Access Agreement

Contract ID: Amtrak Access Agreement; MRC-24-012-MT
ADPICS No.: MRC24012MT

Contract Description: The contract provides the Maryland Transit Administration (MTA) track access on approximately 76 miles of railroad on the Northeast Corridor (NEC) between Perryville, MD and Washington, D.C., and use of Amtrak’s Washington Terminal facility for MARC Penn Line commuter rail services.

Award: National Railroad Passenger Corp (Amtrak); Washington, D.C.

Contract Term: 05/01/2024 – 09/30/2028 (with one 5-yr renewal option)

Amount: \$284,621,943.51 (Base Contract, 4 years, 4 months, and 29 days)
\$329,954,840.08 (Renewal Option No. 1, 5 years)
\$614,576,783.59 (Total Contract)

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Living Wage Eligible: Yes

Performance Security: None

Incumbent: National Railroad Passenger Corp (Amtrak); Washington, D.C.

Requesting Agency Remarks: The present sole-source Access Agreement with Amtrak expires on April 30, 2024. The current contract (TMTA-1395) was approved by BPW on May 29, 2013 (21-GM) for an initial five-year base term, with a five-year option term approved by BPW on May 16, 2018 (25-GM-OPT). This new contract will replace the expiring contract and includes a base term plus a five-year renewal option. The base term has been set to align with the federal fiscal year as noted in the contract scope.

6-GM. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

MDOT, through the Maryland Transit Administration (MTA), has been involved with commuter rail services since 1974. The Penn Line service operates over the NEC, which is owned by Amtrak. Consequently, the MTA is required to negotiate with Amtrak for services associated with MARC Penn Line trains operating on the NEC. This relationship is sole source in nature, as Amtrak owns the NEC right-of-way. There are no other options for access on the Northeast corridor, and services on the corridor are currently tied together in these contracts. The MTA desires to continue this combined relationship for the provision of services on the corridor.

This agreement provides for access, capital, maintenance, and other services through the National Railroad Passenger Corporation (“Amtrak”) for MARC trains to utilize the Northeast Corridor (NEC), including track access on approximately 76 miles of railroad on the Northeast Corridor (NEC) between Perryville, MD and Washington, D.C., and use of Amtrak’s Washington Terminal facility for MARC Penn Line commuter rail services. Amtrak’s access services include policing, security, flagging, electric propulsion power, and other services. The Access Agreement also provides the funding for the State of Maryland’s allocated cost for the NEC in accordance with the Passenger Rail Investment and Improvement Act (PRIIA) of 2008, and joint and sole benefit projects. Operation of MARC trains on the Penn Line are provided under a separate contract.

MTA’s contribution to PRIIA, established by the allocation of cost, has been reconciled to the policy’s effective date. The modification delineates this reconciliation and incorporates PRIIA language.

The Northeast Corridor Infrastructure and Operations Advisory Commission (the Commission) was established by Section 212 of the PRIIA of 2008, codified at 49 U.S.C. § 24905 (Section 24905), to create a new forum for collaborative planning and decision-making for the NEC. The Commission has adopted the NEC Commuter and intercity Rail Cost Allocation Policy, which is a cost allocation methodology with respect to certain shared benefit costs of the NEC. The Policy’s effective date was October 1, 2015.

In addition to providing track access and allowing the use of its Washington Terminal facility, Amtrak provides services that include policing, security, flagging, train storage, and electric propulsion power.

There are no MBE/VSBE goals for this project due to no sub-contractable opportunities.

DEPARTMENT OF TRANSPORTATION
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MDOT 17

6-GM. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Business: No

MD Tax Clearance: 24-1091-1100

BOARD OF PUBLIC WORKS

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DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 18

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

7-M. MARYLAND TRANSIT ADMINISTRATION
Maintenance of Equipment Services

Contract ID: MARC Third Party Maintenance of Equipment; *MRC-24-011-MT*
ADPICS No.: MRC24011MT

Contract Description: This contract is to provide daily equipment inspections and servicing, and maintenance of equipment services, for MARC rolling stock at Amtrak stations and facilities.

Award: National Railroad Passenger Corp (Amtrak); Washington, D.C.

Contract Term: 05/01/2024 – 09/30/2028 (with one 5-yr renewal option)

Amount: \$189,805,220.67 (Base Contract, 4 years, 4 months, and 29 days)
\$214,193,124.67 (Renewal Option No. 1, 5 years)
\$403,998,345.34 (Total Contract)

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Living Wage Eligible: Yes

Performance Security: None

Incumbent: Same

Requesting Agency Remarks: The present sole-source Maintenance of Equipment (MOE) contract with Amtrak expires on April 30, 2024. The current contract (MRC-18-006-MT) was approved by BPW on June 20, 2018 (MDOT 23-M) and amended to extend the end date 244 calendar days from June 30, 2023, through February 29, 2024, and extended to April 30, 2024. This new contract will replace the expiring contract and includes a base term plus one five-year option; the base term has been scheduled to align the contract with the federal fiscal year, which is noted in the original contract scope.

MARC Penn Line trains operate on Amtrak’s Northeast Corridor (NEC) and are stored when not in service overnight and during the day at Penn Station and Union Station.

MARC Camden Line and Brunswick Line trains operate on tracks owned by CSX, and terminate in Amtrak-owned Union Station in Washington, DC.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 19

7-M. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

Under this Contract Amtrak will perform:

- Daily equipment inspections and servicing at Union and Penn Stations;
- Locomotive servicing at Amtrak Ivy City in Washington D.C.;
- Federally mandated periodic inspections, preventative maintenance, and corrective repairs on MARC's 63 MARC III bi-level railcars; and
- Federally mandated periodic inspections, preventative maintenance, and corrective repairs on MARC's six (6) HHP-8 electric locomotives.

Union and Penn Stations are owned by Amtrak, and all work performed at those locations must be performed by Amtrak. Additionally, MTA does not have capacity at its own maintenance facilities to perform this work, and therefore Amtrak is the only vendor able to provide the necessary and federally mandated maintenance at its own facilities. These facilities are the only ones currently available for use by MARC. Without heavy investment in creating a new, independent maintenance infrastructure for MARC, these facilities will remain the only option to ensure proper maintenance and safe equipment for MARC's daily riders.

There are no MBE/VSBE goals for this project due to no sub-contractable opportunities.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0104

Resident Business: No

MD Tax Clearance: 24-1091-1100

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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DISAPPROVED

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2nd Revision

MDOT 20

Contact: William Parham 410-454-7899
 wparham@mta.maryland.gov

8-M-OPT/MOD. MARYLAND TRANSIT ADMINISTRATION
Option/Modification: Maintenance Contract

Contract ID: Light Rail and Metro Third Party Track Maintenance & Emergency Response Services; OPS-19-003-MT
 EPICS No.: CO415171

Contract Approved: MDOT Item 5-M, 02/19/2020

Contractor: RailWorks Track Services, LLC; Sewell, New Jersey

Contract Description: Provides for 24-hour maintenance and emergency response services for tracks operated by the Maryland Transit Administration's (MTA) Light Rail and Metro SubwayLink systems.

Modification Description: Correct the option term stated on the original BPW Action Agenda Item 8-M-OPT, 3/15/2023. The original item incorrectly stated the one-year option renewal and did not include modification 3 which was a two-month extension. The correct term should be 4/20/2023 to 4/19/2024.

Option Description: Exercise the second one-year renewal option.

Original Contract Term: 2/20/2020 - 2/19/2023, with two one-year renewal options

Modification Term: 4/20/2023 – 4/19/2024

Option Term: 4/20/2024 - 4/19/2025

Original Contract Amount: \$29,284,020.00

Option Amount: \$9,959,620

Prior Mods/Options: \$180,000 (Mod #1: Additional contract authority and scope modification for FTA mandated annual Rail Flaw Detection Testing; MDOT #8-M-MOD, 09/23/2020).
 \$4,124,547.64 (Mod #2: Increase contract authority and modify scope to add tunnel leak preventative maintenance repairs; MDOT #17-M-MOD, 01/26/2022).
 \$0 (Mod #3: Two (2) month extension, revising the base end date to 04/19/2023, Delegated Authority – MTA, 2/16/2023).
 \$9,671,260 (Opt. 1: First renewal option 4/20/2023 - 4/19/2024, MDOT #8-M-OPT, 03/15/2023).

Revised Total Contract Amount: \$53,219,447.64

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2nd Revision

8-M-OPT/MOD. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Percent +/- Change: 34.0%
Overall Percent +/-: 81.7%

Original Procurement Method: Competitive Sealed Proposals

MBE/VSBE Participation: 18.3% / 0%

MBE/VSBE Compliance: 14.72% / 0%

Requesting Agency Remarks: The MTA seeks approval of the modification to correct the prior option renewal term, to match the underlying contract.

The MTA also seeks approval to exercise the second and final option renewal for this contract.

This contract provides for 24-hour maintenance and emergency response services for approximately 77 miles of track operated by MDOT MTA's Light RailLink and Metro SubwayLink systems. Additionally, the contractor provides rail yard maintenance for both track systems and will mitigate costly revenue service disruptions by repairing safety-critical track components.

Currently, RailWorks Track Services, LLC ("RailWorks") is not in compliance with the MBE goal due to limited opportunities to subcontract work. The track and tunnel work requires specialized skills and qualifications. Additionally, the owner of the primary MBE subcontractor RailWorks relied upon to meet their goal passed away; the company subsequently withdrew from the MBE program, per the program policy.

However, MTA has obtained a Corrective Action Plan from RailWorks. The company has replaced the decertified MBE firm and continues to work towards meeting the agreed upon MBE participation goal. Approving this renewal option to continue these essential services is in the best interest of the State to ensure the safety of MDOT MTA's customers and employees. The renewal option period will also allow time for MTA to conduct a new competitive procurement.

The contractor has executed a novation agreement to address their business restructure and name change from RailWorks Track Services, Inc. to the RailWorks Track Services, LLC.

Fund Source: 100% Special Funds (Transportation Trust Fund)
Approp. Code: J05H0105
Resident Business: No
Tax Clearance: 24-1324-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 22

*Contact: William Parham 410-454-7899
wparham@mta.maryland.gov*

**9-M. MARYLAND TRANSIT ADMINISTRATION
*Maintenance Contract***

Contract ID: MARC IV Truck Overhaul; *MRC-23-022-MT*
EPICS No.: MRC23022MT

Contract Description: This contract is to secure a third-party Contractor to perform an overhaul of 116 MARC IV railcar trucks.

Award: UTCRAS, Inc.; Morton, PA

Contract Term: 04/19/2024 – 04/18/2029 (5 years)

Amount: \$ 9,399,269.20 NTE

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
UTCRAS, Inc.; Morton, PA	\$ 9,399,269.20
ORX Railway Corporation; Tipton, PA	\$ 10,531,332.00
Gray Manufacturing Industries; Hornell, NY	\$ 21,145,912.00

DBE/VSBE Participation: 0% / 0%

Performance Security: 10% of the total contract price

Incumbent: None

Requesting Agency Remarks: This solicitation was advertised via eMaryland Marketplace Advantage (eMMA) on July 27, 2023, notifying nine (9) potential vendors. Six (6) vendors were directly notified of the solicitation by email. On October 18, 2023, three (3) bids were received.

The MARC IV Multi-level railcars are due for the first 2,208-day (6-year) overhaul of their trucks. There are 116 MARC IV trucks that will be overhauled by the Contractor.

The overhaul of the trucks will include the operational parameters, structural performance, vibration, acoustical, and environmental requirements. The overhauled trucks and components will meet all OEM requirements, unless otherwise specified, to functionally restore them to their as-built OEM condition.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
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MDOT 23

9-M. MARYLAND TRANSIT ADMINISTRATION (cont'd)

There is no DBE goal for this contract because there are no subcontracting opportunities.

This contract includes a provision authorizing an extension for a total period no longer than one-third of the base term to spend funds remaining on the contract as provided in the Board of Public Works (BPW) Advisory 1995-1 found on the BPW website.

Fund Source: 80% Federal / 20% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0105

Resident Businesses: No

MD Tax Clearances: 24-0254-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 24

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

10-GM. MARYLAND TRANSIT ADMINISTRATION
General Miscellaneous

Recommendation: That the Board of Public Works approve the award of the following Task Order.

Procurement Method: Task Order under Master Contract

Authority: State Finance and Procurement Article, Annotated Code of MD, § 13-113; COMAR 21.05.13.06

1.0 Master Contract: ***Ancillary – Repair & Maintenance of Communication & Security Systems, Rail Signals, Rolling Stock & associated equipment.***
MTA Contract No. OPS-17-089-AN
Approved: MDOT Item 11-GM (01/24/2018)
Term: 02/08/2018 - 10/07/2024
Fund Source: 80% Federal; 20% Special Funds (Transportation Trust Fund)

1.1 Using Agency: Maryland Transit Administration (MTA)
Description: Elm Road Traction Power Substation Replacement Work may include repairs, maintenance, additions and modifications to existing control, communications and transit rail systems including fiber optic backbones, digital networks, digital data, analog/voice over internet protocol phone systems, audio/ video security control systems, public address, passenger and variable information signs, safety control systems, SCADA, ventilation controls, Fire Management System, train control, traction power, catenary power and rail vehicles. (OFS No. 28).

Number of Qualified Master Contractors: 3
Number of Bids: 1 (Single Bid Rec'd)
Award: Mona Electric Group, Inc. Clinton, MD
Amount: \$507,203.98
Term: 365 days from NTP
DBE/VSBE Participation: 16% / 0%
Resident Business: Yes

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 25

10-GM. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: On October 31, 2023, MTA advertised OFS 28 to the three contractors approved for OPS-17-089-AN. A single bid was received from Mona Electric Group (Mona.) Mona's bid price was analyzed and determined to be fair and reasonable based on comparison to the Pre-Bid Estimate. The remaining two contractors on this ancillary contract declined to bid on this task, one reporting that the scope was too small for their fiber optic subcontractor and the other indicated they were currently too busy to bid on this project. Per BPW Advisory 2001-1, the MTA Procurement Review Group reviewed the contract scope of work to determine the potential for establishing DBE and/or VSBE participation goals, as well as a Small Business Enterprise designation. Mona Electric Group committed to using a DBE subcontractor for 16% of the contract work.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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WITH DISCUSSION

WITHOUT DISCUSSION

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

11-GM. MARYLAND TRANSIT ADMINISTRATION
General Miscellaneous

Recommendation: That the Board of Public Works approve the award of the following Task Order.

Procurement Method: Task Order under Master Contract

Authority: State Finance and Procurement Article, Annotated Code of MD,
§ 13-113; COMAR 21.05.13.06

1.0 Master Contract: ***Ancillary – Repair & Maintenance of Communication & Security Systems, Rail Signals, Rolling Stock & associated equipment.***
MTA Contract No. OPS-17-089-AN
Approved: MDOT Item 11-GM (01/24/2018)
Term: 02/08/2018 - 10/07/2024
Fund Source: 80% Federal; 20% Special Funds (Transportation Trust Fund)

1.1 Using Agency: Maryland Transit Administration (MTA)
Description: South Yard Traction Substation Replacement Work may include repairs, maintenance, additions and modifications to existing control, communications and transit rail systems including fiber optic backbones, digital networks, digital data, analog/voice over internet protocol phone systems, audio/ video security control systems, public address, passenger and variable information signs, safety control systems, SCADA, ventilation controls, Fire Management System, train control, traction power, catenary power and rail vehicles. (OFS No. 29).

Number of Qualified Master Contractors: 3
Number of Bids: 1 (Single Bid Rec'd)
Award: Mona Electric Group, Inc. Clinton, MD
Amount: \$432,861.76
Term: 365 days from NTP
DBE/VSBE Participation: 16% / 0%
Resident Business: Yes

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 27

11-GM. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: On October 31, 2023, MTA advertised OFS 29 to the three contractors approved for OPS-17-089-AN. A single bid was received from Mona Electric Group (Mona.) Mona's bid price was analyzed and determined to be fair and reasonable based on comparison to the Pre-Bid Estimate. The remaining two contractors on this ancillary contract declined to bid on this task, one reporting that the scope was too small for their fiber optic subcontractor and the other indicated they were currently too busy to bid on this project. Per BPW Advisory 2001-1, the MTA Procurement Review Group reviewed the contract scope of work to determine the potential for establishing DBE and/or VSBE participation goals, as well as a Small Business Enterprise designation. Mona Electric Group committed to using a DBE subcontractor for 16% of the contract work.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

Contact: William Parham 410-454-7899
wparham@mta.maryland.gov

12-S. MARYLAND TRANSIT ADMINISTRATION
Special Services Agreement

Contract ID: Amtrak Special Services Agreement; MRC-24-013-MT
 ADPICS No.: MRC24013MT

Contract Description: This contract provides services from Amtrak that are not included in the Access Agreement (MRC-24-011-MT) and Maintenance of Equipment (MOE) Contract (MRC-24-012-MT), including a station attendant at Washington Union Station, one-time Positive Train Control (PTC) services related to upgrades and speed enhancements, and station platform inspection services requiring a safety observer on the Amtrak right-of-way on the Northeast Corridor (NEC).

Award: National Railroad Passenger Corp (Amtrak); Washington, D.C.

Contract Term: 05/01/2024 – 9/30/2028 (with one 5-year renewal option)

Amount: \$4,692,455.95 (Base Contract: 4 years, 5 months)
 \$4,454,459.57 (Renewal Option No. 1, 5 years)
 \$9,146,915.42 (Total Contract)

Procurement Method: Sole Source

MBE/VSBE Participation: 0% / 0%

Living Wage Eligible: Yes

Performance Security: None

Incumbent: National Railroad Passenger Corp (Amtrak); Washington, D.C.

Requesting Agency Remarks: The present sole-source Ancillary Services Agreement with Amtrak expires on April 30, 2024. The current contract (MRC-18-009-SR) had an original term of five years and was approved by BPW on June 20, 2018 (47-GM), was amended to extend the end date 244 calendar days from June 30, 2023, through April 30, 2024. This new contract will replace the expiring contract and includes a base term plus a five-year option; the base term has been scheduled to align the contract with the federal fiscal year, which is used by Amtrak and aligns with the contract scope.

REVISED

12-S. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

The contract provides for a station attendant at Washington Union Station dedicated to MARC service, MTA's allocated cost for Amtrak provided utility carts at Baltimore Penn Station and Union Station which are used for MARC and Amtrak passengers, one-time Positive Train Control (PTC) services related to upgrades and speed enhancements utilizing discretionary grant funding received by MTA, and MTA's allocated cost for station platform inspection services from Amtrak's right-of-way.

There are no MBE/VSBE goals for this project due to no subcontractable opportunities.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0104

Resident Business: No

MD Tax Clearance: 24-1091-1100

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

REVISED

Contact: William Parham 410-454-7899
wparham@mdot.maryland.gov

**13-M. MARYLAND TRANSIT ADMINISTRATION
*Maintenance Contract***

Contract ID: Light Rail Electric Contract; LR-23-084-MT
EPICS No.: LR23084MT

Contract Description: Provides miscellaneous electrical work for 36 Light Rail facilities and stations on an as needed basis. Facility locations are located in Baltimore City, Baltimore County and Anne Arundel County, Maryland.

Award: Mansa Electric, LLC.; Baltimore, MD
(Certified Small Business)

Contract Term: 04/04/2024* -04/03/2027 (3 years w/ two 1-year renewal options)
(* or earlier upon BPW approval)

Amount: \$ 994,800.00 NTE (3 Years, Base Contract)
\$ 331,600 NTE (Renewal Option 1, Year 4)
\$ 331,600 NTE (Renewal Option 2, Year 5)
\$ 1,658,000 NTE Total (5 Years)

Procurement Method: Competitive Sealed Bidding

Bids:

<i>Bidders</i>	<i>Amounts</i>
Mansa Electric, LLC.; Baltimore, MD	\$1,658,000.00
Cooper Electric Services, Inc.; Elkton, MD	\$2,686,700.00
Mona Electric Group, LLC.; Clinton, MD	\$2,910,608.80
RSC Electric & Mechanical Contractor, LLC.; Fairmount Heights, MD	\$3,806,000.00
Intelect Corporation; Baltimore, MD	\$4,066,264.40

MBE/VSBE Participation: 8.27% (60% Rule) / 0%

Performance Security: None

Incumbent(s): Mona Electric Group; Clinton, MD

REVISED

13-M. MARYLAND TRANSIT ADMINISTRATION (cont'd)

Requesting Agency Remarks: On September 22, 2023, MTA issued an Invitation for Bid (IFB) and solicited 500 vendors on eMaryland Marketplace Advantage (eMMA). Additionally, six vendors were directly solicited. Five bids were received and opened on November 2, 2023.

This contract provides maintenance services for 36 MTA Light Rail facilities on an as-needed basis. The Contractor shall supply all necessary labor, tools, expertise, material, equipment, and transportation, along with supervision required to perform building maintenance and station repairs throughout the MTA Light Rail system, as directed by the MDOT Representative or designee. All work under this contract will utilize the categories of labor outlined in the unit price schedule. The work performed under this contract will be authorized based on the number of personnel, equipment, and materials. MTA will reimburse for material purchases at cost. MTA has reviewed and confirmed the bid from Mansa. MTA is confident in Mansa's ability to complete the work outlined in the contract.

The MTA Procurement Review Group reviewed the contract scope of work to determine the potential for establishing MBE and VSBE goals. A 6% MBE goal and no VSBE goal have been established for this contract. For this contract, materials for electric work, after application of the 60% rule is the item of work that is sub-contractable. **Mansa has committed to 8.27%, 2.27% more than the established goal.**

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J05H0104

Resident Business: Yes

MD Tax Clearance: 23-4706-0000

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 32

Contact: Jada Wright 410-545-0330
jwright18@mdot.maryland.gov

14-M. STATE HIGHWAY ADMINISTRATION
Maintenance Contract

Contract ID: Facility management and janitorial services for the State Highway Administration (SHA) at the Allegany and Frostburg Maintenance Facility Shops; *ALSJC2027*
EPICS No.: ALSJC2027

Contract Description: To manage and perform all routine maintenance and janitorial services for the Allegany County Maintenance shops located in LaVale, and Frostburg.

Awards: Horizon Goodwill Industries, Hagerstown, MD

Contract Term: 07/01/2024 – 06/30/2027 (3 years)

Amount: \$301,562.48 NTE

Procurement Method: Preferred Provider

Bids/Proposals: No

Living Wage Eligible: No

MBE/VSBE Participation: 0% / 0%

Performance Security: None

Incumbents: Same

Requesting Agency Remarks: This contract is based on a not-to-exceed amount of \$301,562.48 as determined by the Pricing and Selection Committee for the Rehabilitation and Employment Program, on January 18, 2024.

Cleaning supplies will be supplied by SHA and will be procured from the statewide blanket purchase order (BPO) with Blind Industries and Services of Maryland (BISM). Purchases will be made with following exceptions: BISM is unable to furnish the needed supplies within a reasonable period of time, BISM is unable to provide the needed supplies to meet SHA's specifications, and/or the needed supplies are not included on the master list. BISM offers a variety of environmentally preferred products, and these products, where available and per scope of work, will be used for the janitorial supplies. BISM offers a list of products that are designated recycled, Green Seal, EcoLogo, and FSC certifications.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
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14-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd)

State Highway Administration has confirmed Horizon Goodwill Industries pricing.

Due to the services on this project being provided by a Preferred Provider, no MBE/VSBE goal was set.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 24-0803-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 34

Contact: Jada Wright 410-545-0330
jwright18@mdot.maryland.gov

15-M. STATE HIGHWAY ADMINISTRATION
Maintenance Contract

Contract ID: Total Facilities Maintenance Services for the State Highway Administration located at the Garrett County Maintenance Shops; *GASJC2027*
EPICS No.: GASJC2027

Contract Description: This contract manages and performs all routine maintenance and janitorial services for Garrett County Maintenance Shops located at Keyser Ridge and Oakland.

Awards: Horizon Goodwill Industries; Hagerstown, MD

Contract Term: 7/01/2024 – 06/30/2027 (3 years)

Amount: \$436,074.26 NTE

Procurement Method: Preferred Provider

Bids/Proposals: No

Living Wage Eligible: No

MBE/VSBE Participation: 0% / 0%

Performance Security: None

Incumbents: Same

Requesting Agency Remarks: This contract is based on a not-to-exceed amount of \$436,074.26 as determined by the Pricing and Selection Committee for the Rehabilitation and Employment Program, on January 18, 2024.

Cleaning supplies will be supplied by SHA and will be procured from the statewide blanket purchase order (BPO) with Blind Industries and Services of Maryland (BISM). Purchases will be made with following exceptions: BISM is unable to furnish the needed supplies within a reasonable period of time, BISM is unable to provide the needed supplies to meet SHA's specifications, and/or the needed supplies are not included on the master list. BISM offers a variety of environmentally preferred products, and these products, where available and per scope of work, will be used for the janitorial supplies. BISM offers a list of products that are designated recycled, Green Seal, EcoLogo, and FSC certifications.

DEPARTMENT OF TRANSPORTATION
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MDOT 35

15-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Requesting Agency Remarks (cont'd):

State Highway Administration has confirmed Horizon Goodwill Industries pricing.

Due to the services on this project being provided by a Preferred Provider, no MBE/VSBE goal was set.

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0102

Resident Business: Yes

MD Tax Clearance: 24-0799-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 36

Contact: Jada Wright 410-545-0330
jwright18@mdot.maryland.gov

16-M. STATE HIGHWAY ADMINISTRATION
Maintenance Contract

Contract ID: Daily mail courier services from State Highway Administration (SHA) Headquarters from MD SHA HQ to Western MD SHA locations; *W02036M27*
EPICS No.: W02036M27

Contract Description: This contract provides daily mail courier services for SHA for an establish route from SHA Headquarters to the western Maryland locations consisting of: District Offices, Shops and Labs from SHA Headquarters Office in Baltimore City to various stops including Frederick and Keyser’s Ridge, Maryland

Award(s): Shura Inc; Pikesville, MD

Contract Term: 07/01/2024* - 06/30/2026 (*or earlier upon BPW approval)
(2 Years)

Amount: \$343,751.61 NTE

Procurement Method: Preferred Provider

Bids: No

Living Wage Eligible: No

MBE/VSBE Participation: 0% / 0%

Performance Security: None

Incumbent(s): Same

Requesting Agency Remarks: This is a three-year contract to provide the SHA with mail courier service for an established route to the District Offices, Shops and Labs in Western Maryland. This daily courier service begins at SHA Headquarters in Baltimore City and goes to various stops including Frederick and Keyser’s Ridge, Maryland.

On June 16, 2023, the Pricing and Selection Committee and the Employment Works Program met to recommend the price for this service, which they determined to be fair and reasonable.

Services for this contract will be provided by a Preferred Provider through Maryland Works; therefore, no MBE nor VSBE participation goals were established for this contract.

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
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MDOT 37

16-M. STATE HIGHWAY ADMINISTRATION (cont'd)

Fund Source: 100% Special Funds (Transportation Trust Fund)

Approp. Code: J02B0101, J02B0102, J02B0104

Resident Business: Yes

MD Tax Clearance: 24-0666-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 38

Contact: Olu Okunola 410-545-8754
ookunola@mdot.maryland.gov

17-RP. STATE HIGHWAY ADMINISTRATION
Real Property – Disposition

Recommendation: That the Board of Public Works approve the State Highway Administration (SHA) disposing real property as it is excess to the agency’s needs.

Authority: Transportation Article, § 8-309(g)(1)(2)(i)
Annotated Code of Maryland

Property: MC# 20-2717
G.D. Armstrong Company, Inc. (0.225 acres ±), located east of MD Route 97 along the north side of Randolph Road in Silver Spring, Montgomery County

Grantor: State of Maryland, SHA

Grantee: Montgomery County, Maryland

Consideration: \$432,200

Appraised Value: \$432,200 – Gary Sapperstein (Selected)
\$319,200 – David Lamb (Approved)
\$491,100 – Harry Begg (Approved)
Wesley Barkley, Review Appraiser

Special Conditions: Subject to a perpetual easement for traffic improvements

Legislative Notice: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on September 19, 2023. The 45-day review period expired on November 3, 2023.

Requesting Agency Remarks: In 2011, SHA acquired the subject property as part of a highway improvement project for MD 97 (Georgia Avenue). SHA proposes to convey the parcel to Montgomery County, Maryland through a negotiated sale of \$432,200, which is 100% of the appraised value.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 39

Contact: Olu Okunola 410-545-8754
ookunola@mdot.maryland.gov

18-RP. STATE HIGHWAY ADMINISTRATION
Real Property – Disposition

Recommendation: That the Board of Public Works approve the State Highway Administration (SHA) disposing real property as it is excess to the agency’s needs.

Authority: Transportation Article, § 8-309(c)(1)(i)
Annotated Code of Maryland

Property: MC# 23-2804
Facchina-Washington Blvd, L.P., (0.344 acres), located along U.S. 1 (Washington Blvd,) at Whiskey Bottom Road (9826 Washington Blvd) in North Laurel, Howard County

Grantor: State of Maryland, SHA

Grantee: Globe Cap Realty, LLC, a Massachusetts Limited Liability Company

Consideration: \$575,000

Appraised Value: \$575,000 – David Lamb, (Selected)
\$475,000 – Melody Campbell, (Approved)
Kathleen Kohler, SHA Review Appraiser

Legislative Notice: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on January 2, 2024. The 45-day review period expired on February 16, 2024.

Requesting Agency Remarks: In 2003, SHA acquired the subject property from Facchina-Washington Blvd, L.P., in conjunction with the U.S. 1–Whiskey Bottom Road intersection improvements. SHA proposes to convey the property to the successor-in-interest of the prior owner, Globe Cap Properties, LLC (DBA Cap World), for \$575,000, which is 100% of the appraised value.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA
April 17, 2024



MDOT 40

Contact: Olu Okunola 410-545-8754
ookunola@mdot.maryland.gov

19-RP. STATE HIGHWAY ADMINISTRATION
Real Property – Disposition

Recommendation: That the Board of Public Works approve the State Highway Administration (SHA) disposing real property as it is excess to the agency’s needs.

Authority: State Finance and Procurement Article, § 10-305
Annotated Code of Maryland

Property: MC# 23-2856
Vera Barber, (3.506 acres ±), located south of the Inter-County Connector (ICC) and north of the cul-de-sac of Creekside Drive in Silver Spring, Montgomery County

Grantor: State of Maryland, SHA

Grantee: Maryland-National Capital Park and Planning Commission

Consideration: \$0

Appraised Value: \$80,050 – David Lamb, (Selected)
Lisa Ward, SHA Review Appraiser

State Clearinghouse: The Clearinghouse conducted an intergovernmental review of the project under **MD20231006-0805**. It is recommended to declare the ± 3.506 acres located south of the Intercounty Connector (ICC) and north of the cul-de-sac of Creekside Drive in Silver Spring, Montgomery County surplus to the needs of the State, upon consideration of the Maryland Department of the Environment’s qualifying comments. Maryland Department of Transportation State Highway Administration proposes to convey the property to Maryland National Capital Parks and Planning Commission – Montgomery County (MNCPPC-M). MNCPPC-M submitted a letter indicating their interest in accepting title to the property as part of the compensation for impacts to parkland by the Inter-County Connector project.

Requesting Agency Remarks: In 1974, SHA acquired the subject property for the ICC as part of right of way project AT376001803. This project covers the area from east of MD 97 to west of U.S. 29. In accordance with the ICC Record of Decision (ROD), SHA proposes to convey the parcel to Maryland-National Capital Park and Planning Commission. The ROD was issued in May 2006 and required SHA to convey several properties to MNCPPC at no cost.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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<i>9</i>	<i>Architecture and Engineering</i>	<i>10 - 11</i>
<i>10</i>	<i>Services</i>	<i>12 - 13</i>
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<i>17</i>	<i>General Miscellaneous</i>	<i>29</i>
<i>18</i>	<i>Real Property</i>	<i>30</i>
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**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Deirdra Bell 410-767-4107
deirdra.bell@maryland.gov*

2-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of Patriots, Inc.

Patriots, Inc. (Prince George’s County)

“For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of infrastructure improvements on the 5800 block of the Martin Luther King Jr. Highway.”

*Maryland Consolidated Capital Bond Loan of 2023 (MISC– Chapter 102, Acts of 2023)
DGS Item 23-277, (SL-119-230-038) \$ 150,000*

Matching Fund: No match is required.

Background:	Total Project	\$ 150,000
	23-277 (This Action)	\$ 150,000 (Non-match)
	Local Cost	\$ 0

(Prior Actions: None)

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. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.
4. This project may include acquiring property in the 5800 block of Martin Luther King Jr. Highway to convert into a technology gymnasium to serve as the headquarters of a non-profit organization.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Deirdra Bell 410-767-4107
deirdra.bell@maryland.gov*

3-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

Board of Directors of Baltimore Community Lending, Inc.
 BCL Business Development and Resource Center (Baltimore City)
“For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Baltimore Community Lending Small Business Development and Resource Center.”
Maryland Consolidated Capital Bond Loan of 2023 (MISC– Chapter 102, Acts of 2023)
DGS Item 23-381, (SL-118-230-038) \$ 750,000

Matching Fund: No match is required.

Background:	Total Project	\$ 2,357,922
	23-381 (This Action)	\$ 750,000 (Non-match)
	Local Cost	\$ 1,607,922

(Prior Actions: None)

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. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.
4. This project may include the construction of the building to house the Baltimore Community Lending Small Business Development and Resource Center located in Baltimore City.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Deirdra Bell 410-767-4107
deirdra.bell@maryland.gov*

4-CGL. CAPITAL GRANTS AND LOANS

Recommendation: That the Board of Public Works enter into a grant agreement for the following grant:

The Pikesville Armory Foundation, Inc.

The Pikesville Armory Foundation- Pikesville Armory Renovation

“For the acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping of the Pikesville Armory (Baltimore County)”.

*Maryland Consolidated Capital Bond Loan of 2021 (MISC– Chapter 63, Acts of 2021)
DGS Item 21-158, (SL-234-210-038)*

\$ 1,000,000

*Maryland Consolidated Capital Bond Loan of 2021 (MISC– Chapter 344, Acts of 2022)
DGS Item 22-260, (SL-234-210-038)*

\$ 3,000,000

*Maryland Consolidated Capital Bond Loan of 2023 (MISC-Chapter 102 Acts of 2023)
DGS Item 23-204, (SL-234-210-038)*

\$ 3,000,000

Matching Fund: No match is required.

Background:	Total Project	\$ 5,000,000
	21-158 (This Action)	\$ 1,000,000 (Non-match)
	22-260 (This Action)	\$ 3,000,000 (Non-match)
	23-204 (This Action)	\$ 3,000,000 (Non-match)
	Local Cost	\$ 0

(Prior Actions: None)

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. Procurement/Contracts should be submitted to the Department of General Services for eligibility determination.
4. The project may include the redevelopment of the historic Pikesville Armory campus.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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April 17, 2024



5-CGL. CAPITAL GRANTS AND LOANS (cont'd)

- 4. This project may include the renovation of the facility to provide additional residential crisis beds.

This Item was withdrawn as Item 17-CGL from the 03/13/2024 DGS Agenda.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Deirdra Bell 410-767-4107
deirdra.bell@maryland.gov*

**6-CGL. CAPITAL GRANTS AND LOANS
*Bond Bill Certification Extensions***

Recommendation: That the Board of Public Work grant a temporary exception for one year from the automatic termination of one authorization contained in the 2017 MCCBL (Ch. 22, 2017 Laws) totaling \$2,000,000.

Authority: Maryland State Finance Law provides:

Section 8-128, State Finance and Procurement Article, Maryland Code. "Except to the extent that money authorized by an enabling act for a State project or program has been encumbered by the board, an authorization of State debt shall automatically terminate seven years after the date of the authorization, unless the enabling act provides otherwise; or in an emergency, the Board unanimously grants a temporary exception for a period of 1 year, the Board unanimously grants a temporary exception for 1 year."

The following authorization was not fully encumbered within the seven-year time period, but the grantee has requested a one-year extension to June 1, 2025:

Grantee:	<i>Board of Directors of Sinai Hospital of Baltimore, Inc.</i>
Project:	<i>Sinai Hospital of Baltimore (Baltimore City)</i>
MCCBL 2017:	DGS Item G008 LHI - Maryland Consolidated Capital Bond Loan of 2017 (Chapter 22 of the 2017 Laws of Maryland)
Amount:	\$2,000,000
Remarks:	Grantee may not meet the seven-year deadline before the authorization because the project has been delayed. A one-year extension is appropriate because the Grantee has begun construction on the project and is expected to complete but may miss the deadline of June 1, 2024.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Ahmed Awad 667-203-9229
ahmed.awad@maryland.gov*

**7-CGL. CAPITAL GRANTS AND LOANS
*Department of Health***

Recommendation: That the Board of Public Works approve a grant of \$337,928 to *Chesapeake Neighbors, Inc., Severn, Maryland (Anne Arundel Co.)*.

Project: The acquisition of real property located at 23074 Tuckahoe Springs Drive, Denton, Maryland 21629. This project will provide housing for three individuals with developmental disabilities.

	Contract of Sale	\$375,000
Appraisals:	Sarah Schulze	\$405,000
	Joanne T. Bailey	\$398,000
	William T. Beach, DGS	\$398,000
	Eligible Cost	\$375,475*

*Includes the lesser of the DGS accepted value or the contract price at \$375,000 plus \$475 eligible appraisal fee.

Funding Source: The Maryland Department of Health has determined the grantee is responsible for providing 10% of the eligible project cost.

Total Project Cost	\$375,475	
State Share (90%)	\$337,928	MCCBL 2022 CB-27806-03
Grantee Share (10%)	\$37,547	Cash

- Remarks:**
1. Grantee is a nonprofit organization.
 2. Grantee provides community support services to individuals with developmental disabilities.
 3. In accordance with § 24-606(d) 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 recorded among the Land Records of Caroline County.
 4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of Facilities Management and Development that it has expended the required matching funds.

BOARD OF PUBLIC WORKS	THIS ITEM WAS:								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; text-align: center;">APPROVED</td> <td style="width: 25%; text-align: center;">DISAPPROVED</td> <td style="width: 25%; text-align: center;">DEFERRED</td> <td style="width: 25%; text-align: center;">WITHDRAWN</td> </tr> <tr> <td style="text-align: center;">WITH DISCUSSION</td> <td></td> <td style="text-align: center;">WITHOUT DISCUSSION</td> <td></td> </tr> </table>	APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN	WITH DISCUSSION		WITHOUT DISCUSSION		
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN						
WITH DISCUSSION		WITHOUT DISCUSSION							



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Ahmed Awad 667-203-9229
ahmed.award@maryland.gov*

**8-CGL. CAPITAL GRANTS AND LOANS
*Department of Health***

Recommendation: That the Board of Public Works approve a grant of \$321,638 to *Chesapeake Neighbors, Inc., Severn, Maryland (Anne Arundel Co.)*.

Project: The acquisition of real property located at 219 Melody Lane, Arnold, MD 21012. This project will provide housing for three individuals with developmental disabilities.

	Contract of Sale	\$357,000
Appraisals:	Glenn B. Staples	\$535,000
	Betty W. Jans	\$505,000
	William T. Beach , DGS	\$505,000
	Eligible Cost	\$357,375*

*Includes the lesser of the DGS accepted value or the contract price at \$357,000 plus \$375 eligible appraisal fee.

Funding Source: The Maryland Department of Health has determined the grantee is responsible for providing 10% of the eligible project cost.

Total Project Cost	\$357,375		
State Share (90%)	\$321,638	MCCBL	2022 CB-27806-02
Grantee Share (10%)	\$ 35,737	Cash on hand	

Remarks:

1. Grantee is a nonprofit organization.
2. Grantee provides community support services to individuals with developmental disabilities.
3. In accordance with § 24-606(d) 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 recorded among the Land Records of Anne Arundel County.
4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of Facilities Management and Development that it has expended the required matching funds.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



DEPARTMENT OF GENERAL SERVICES
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REVISED

*Contact: Courtney League 410-767-5516
courtney.league@maryland.gov*

9-AE. ARCHITECTURE AND ENGINEERING SERVICES
Department of General Services, Department of Natural Resources

Contract ID: Freshwater Mussel Hatchery; P-022-236-010
ADPICS No.: 017259

Contract Description: Establishment and management of Maryland Aquatic Conservation Center freshwater mussel hatchery. The proposed hatchery will be located on a 6.5-acre site within the Joseph Manning Hatchery in Cedarville State Forest in Brandywine. Includes utility upgrades, sewer, water, electric, and telephone/cable connections, site improvements, pond construction, greenhouse, and mobile lab garage.

Award: Colimore Architects; Baltimore, MD (MBE) (SBE)

Contract Term: 04/24/2024 - 04/23/2029

Amount: \$844,399.25

Procurement Method: Qualification Based Selection (*Single Proposal Received*)

Proposal:

<i>Offeror</i>	<i>Technical Ranking</i>
Colimore Architects; Baltimore, MD	1

MBE/VSBE Participation: 25.53% / 0%

Performance Security: No

Incumbents: N/A

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage (eMMA) on May 1, 2023 and 15 potential vendors were notified of the solicitation. Additional firms were directly solicited who submitted a proposal for the **Joseph Manning Hatchery** project. One proposal was received on June 9, 2023 and was deemed reasonably susceptible of being selected for award.



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9-AE. ARCHITECTURE AND ENGINEERING SERVICES (cont'd)

The Negotiation Committee and the firm were able to negotiate an agreement on a fair and reasonable fee. Approval is requested for all six phases of design at \$844,399.25. The Negotiation Committee certified the negotiations were conducted in accordance with the regulations and policy. The price proposal was based on the scope of services outlined in the project program and DGS procedures for providing architectural and engineering services.

The contractor has committed to exceeding the established 20% MBE participation in the solicitation and achieve 25.53% MBE participation.

Fund Source: 85% Reimbursable (DNR Engineering & Construction)
 15% General Funds

Resident Business: Yes

Approp. Code: QJ109 & QJ121

MD Tax Clearance: 23-5102-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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*Contact: Nneka Willis-Gray 410-767-7675
nneka.willisgray@maryland.gov*

**10-S. SERVICES CONTRACT
*Department of Human Services, Social Services Administration***

Contract ID: Out-of-State Residential Child Care Services; SSA/OOS-24-011
ADPICS No.: N00B4600279

Contract Description: Continuity of care for one youth.

Award: Lakeland Hospital Acquisition, LLC
Lakeland Behavioral Health System Residential Treatment Center;
Springfield, MO

Contract Term: 04/18/2024 - 04/17/2026

Amount: \$394,200

Procurement Method: Sole Source (*Continuity of Care*)

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Incumbent: Same

Requesting Agency Remarks: The youth was placed through an emergency contract on September 22, 2023, Secretary's Agenda A1, 10/25/2023.

It was determined by the Baltimore County Department of Social Services that Lakeland Hospital Acquisition; LLC Lakeland Behavioral Health System Residential Treatment Center continues to be the most appropriate placement as they specialize in providing complex behavioral health services to children and young adults.

The youth is currently stable. This out-of-state provider can clinically address the specialized needs of the youth and when clinically appropriate, the youth will be stepped down to a less restrictive placement. The provider's performance and compliance is reviewed by the State of Missouri and SSA Contract and Placement Units.



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10-S. SERVICES CONTRACT (cont'd)

Agency Remarks (cont'd):

No MBE or VSBE participation was established for this contract since the specialized core services, psychiatric services/evaluations, case management, therapy, recreational therapeutic programs, and educational services, etc. are available within the facility and require specialized training, certification, and clearances.

The proposed price for this contract is fair and reasonable because the Maryland State Department of Education (MSDE) is the State Agency responsible for setting rates for facilities that serve Maryland youth which are located outside of the State of Maryland. The Division of Special Education/Early Intervention Services (DSE/EIS), Nonpublic Special Education Section provides oversight for this work. Maryland rates are set to ensure equal rates are paid for equal services regardless of the placing agency, placing State, or location of the facility. All rates issued by Maryland must comply with all cost approval guidelines and instructions.

Fund Source: 100% General Funds
Approp. Code: N00G0001
Resident Business: No
MD Tax Clearance: 24-0760-0000

BOARD OF PUBLIC WORKS		THIS ITEM WAS:
APPROVED	DISAPPROVED	DEFERRED
	WITH DISCUSSION	WITHOUT DISCUSSION
		WITHDRAWN



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Patti Tracey 410-260-7220
ptracey@marylandtaxes.gov*

**11-IT. INFORMATION TECHNOLOGY
*Comptroller, Office of Administration and Finance***

Contract ID: Content Management System; E00B4600009
ADPICS No.: E00B4600009

Contract Description: Content Management System (CMS) to house and manage all external websites.

Award: J.R. Reingold & Associates; Alexandria, VA

Contract Term: 05/02/2024 - 05/01/2027

Amount: \$396,853.08

Procurement Method: Competitive Sealed Proposals

Proposals:

<i>Offeror</i>	<i>Technical Ranking</i>	<i>Financial Offers (Ranking)</i>	<i>Overall Ranking</i>
J.R. Reingold & Associates; Alexandria, VA	1	\$ 396,853.08 (1)	1
MindPROS, Inc.; Baltimore, MD	2	\$1,031,355.00 (3)	2
Cyquent, Inc.; Rockville, MD	3	\$1,238,080.00 (4)	3
Spruce Technology, Inc.; Clifton, NJ	4	\$ 538,603.44 (2)	4

**Technical factors were weighted greater than financial factors.*

Living Wage Eligible: Yes

MBE/VSBE Participation: 30% / 1%

Performance Security: \$100,000 Performance Bond

Incumbents: N/A



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11-IT. INFORMATION TECHNOLOGY CONTRACT (cont'd)

Requesting Agency Remarks: A notice of the availability of the Request for Proposals (RFP) was advertised on eMaryland Marketplace Advantage (eMMA) on December 5, 2023, and the solicitation was directly emailed to 170 vendors. A total of over 320 potential contractors were solicited. Seven proposals were received and opened on January 12, 2024. Four were deemed reasonably susceptible of being selected for award. Two proposals were determined not reasonably susceptible of being selected for award due to incomplete submissions and one because the offeror did not submit a complete MBE Utilization and Fair Solicitation Affidavit and MBE Participation Schedule.

J. R. Reingold & Associates’ proposal was selected by the evaluation committee as their solution was a SaaS (software as a solution) commercial off-the-shelf product with no proprietary additions, and staff is familiar with the proposed Adobe technologies. Additionally, their technical proposal provided a detailed six-month implementation schedule. Their qualifications and references provided demonstrate long-lasting relationships that utilize their proposed solution. Their proposed staff has longevity with J. R. Reingold & Associates and in implementing Adobe Experience Manager.

Fund Source: 100% General Funds

Approp. Code: A1002

Resident Business: No

MD Tax Clearance: 24-0966-0110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Gregory Chason 410-379-9410
gregory.chason@maryland.gov*

**12-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION
*State Police, Quartermaster Division***

Contract ID: In-Car Video Project; *W00B840003*
ADPICS No.: W00B4600023

Contract Approved: DoIT 3-IT, 08/22/2018

Contract Description: In-car video solution and associated cloud-based, secure storage for gathered video files (digital in-car video system).

Modification Description: Purchase Interview Room software and peripherals.

Award: Axon Enterprises, Inc.; Scottsdale, AZ

Original Contract Term: 09/04/2018 - 12/31/2025

Modification Term: 04/18/2024 - 12/31/2025

Original Contract Amount: \$ 6,724,940.00

Modification Amount: \$ 632,655.95

Prior Options/Mods: \$4,420,671 (Mod. #1 Extension 09/04/2023 - 12/31/2025. Also Acquire and maintain body-worn camera (BWC) hardware and peripherals and provide a cloud-based storage solution to maintain audio/visual records of police officers' perspective. DGS- 55-ITMOD, 01/26/2022)
\$831,489.25 (Mod #2-P Purchase 235 body-worn cameras, 15 flex cameras (in-car video), and peripherals required to install and use the cameras in the field. DGS 35-IT-MOD, 04/05/2023)

Total Contract Amount: \$ 12,609,756.20

Percent +/- (This Item): 9.41%

Total Percent Change: 87.51%

Original Procurement Method: Sole Source



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12-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

MBE/VSBE Participation: 0% / 0%

Performance Security: No

Requesting Agency Remarks: The Interview Room software integrates seamlessly with current In-Car Camera and Body-Worn Camera systems. Other available body-worn camera systems cannot integrate with the proprietary system. It would be inefficient to have two different systems to support and issues with interoperability could risk officer safety.

MBE and VSBE participation was not established for this contract because there are no subcontracting opportunities available.

Fund Source: 100% General Funds

Approp. Code: W00.01.01

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Arinze Ifekauche 410-697-9222
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**13-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION
*Governor's Office of Crime Prevention, Youth and Victims Services***

Contract ID: Claim Victim Compensation System; 24-IT-005
ADPICS No.: D21B4600004

Contract Approved: Delegated Authority - GOCPYVS, 11/13/2023

Contract Description: Software to process crime victim claims and issue compensation.

Modification Description: Implement upgrades necessary to integrate electronic filing and communication functionalities that will allow claimants to submit their claims with the ability to upload the required documents with signatures. Also communicate with providers via secure messages on the website and text messages sent to the claimant's telephones or email. Includes upgrading the security system to prevent unauthorized entry.

Award: CCVC, Inc.; Lone Tree, CO

Original Contract Term: 01/01/2024 - 12/31/2024

Modification Term: 05/01/2024 - 12/31/2024

Original Contract Amount: \$ 25,185

Modification Amount: \$191,710

Prior Options/Mods: N/A

Total Contract Amount: \$216,895

Percent +/- (This Item): 13.14%

Total Percent Change: 13.14%

Original Procurement Method: Small Procurement (Sole Source)

MBE/VSBE Participation: 0% / 0%

MBE/VSBE Compliance: 0% / 0%

Performance Security: No



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13-IT-MOD. INFORMATION TECHNOLOGY/MODIFICATION (cont'd)

Requesting Agency Remarks: The Office is seeking to enhance the Claim Victim’s Compensation Software utilized by the Criminal Injuries Compensation Board (CICB) which operates as a remedial body designed to provide aid and assistance to victims of crime in Maryland.

Enhancements and upgrades are needed to allow the system to run smoothly, allowing the agency to process claims effectively. In addition, the absence of an online portal for CICB causes challenges to the agency in keeping up with the high demands from the victims as it relates to the submission of their documents, internet claim filing, status updates, case management and processing, and legislative timelines to complete claims.

The purchase of new software would require extensive staff training and additional funding to integrate the newly acquired software into the information technology infrastructure. It is in the State’s best interest to approve this request to allow the effective continuation of services to the victims.

MBE and VSBE participation was not established for this contract because there are no subcontracting opportunities available.

Fund Source: 100% Special Funds (Criminal Injuries Compensation Fund)

Approp. Code: A0301

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

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DEPARTMENT OF GENERAL SERVICES
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REVISED

*Contact: Sherry Alban 410-706-3145
salban@miemss.org*

14-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION
Maryland Institute for Emergency Medical Services Systems

Contract ID: Communications Upgrade Project; D53B740000005
ADPICS No: COK41184

Contract Approved: DoIT 3-IT, 05/16/2018

Contract Description: Upgrade Statewide communications system from a circuit-switched, analog system operating with non-supported legacy equipment to a modern, IP-based communications system.

Modification Description: Extend the contract and add funding to allow structural remediation of one of the Public Safety Radio Towers at the Berlin MSP Barrack to meet current tower industry load standards.

Award: Overland Contracting Inc., Garner, NC

Original Contract Term: 06/05/2018 - 06/04/2022 (w/four 1-year renewal options)
(Options are for Maintenance only)

Modification Term: 04/18/2024 - 06/30/2026

Original Contract Amount: \$ 15,748,800

Modification Amount: \$ 671,904

Prior Options/Mods: \$0 (Mod. #1 Upgrade the existing logging recorder software and add new logging recorder equipment to support the Communication Upgrade Project. Delegated Authority - MIEMSS 07/03/2019)
\$0 (Mod. #2 Configure existing radio console to interface with Intertalk headset and provide geotech exploration and mapping of tower sites. Delegated Authority - MIEMSS 07/01/2020)
\$0 (Mod. #3 Identifies project additions and de-scoped items. Delegated Authority - MIEMSS 02/23/2022)
\$0 (Mod. #4 Extension 05/15/2022 - 05/14/2023 Delegated Authority - MIEMSS 05/15/2022)



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14-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

\$0 (Mod. #5 Payment for NICE logging recorder expansion approved in contract Mod. 1, and tower remediation activities approved in Mod. 3. Delegated Authority - MIEMSS 07/05/2022)
 \$1,584.956.33 (Mod. #6 Extension 05/16/2023 - 07/09/2025 DGS 34-IT-MOD, 04/05/2023)

Total Contract Amount: \$ 18,005,660.33

Percent +/- (This Item): 4.27%

Total Percent Change: 14.33%

Original Procurement Method: Competitive Sealed Proposal

Living Wage Eligible: Yes

MBE/VSBE Participation: 20% / 1%

MBE/VSBE Compliance: 41.267% / 6.930%

Performance Security: Performance Bond at 10% of contract value.

Requesting Agency Remarks: Maryland Institute for Emergency Medical Services Systems (MIEMSS) is placing additional equipment on the tower and must perform structural remediation based on current standards and required by a structural assessment.

Fund Source: 100% Special Funds (EMS Operations Fund)

Approp. Code: D53 232700

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Erin Dahlin 410-919-8115
erin.dahlin@maryland.gov*

**15-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION
*Department of Service and Civic Innovation***

Contract ID: Participant Application Portal, Training and Management System; D01B3600034
ADPICS No.: COK433391

Contract Approved: DGS 31-IT, 07/19/2023

Contract Description: Provide an electronic platform to support the recruitment of participants, the overall management and professional development of the participants while they are in service, and post-service to connect them to career opportunities.

Modification Description: Increase funding for product enhancements, additional platform licenses, training, and professional services for the Maryland Corps/Service Option Programs.

Award: BuildWithin Inc.; Washington, DC

Original Contract Term: 07/20/2023 - 07/19/2026 (w/two 1-year renewal options)

Modification Term: 04/18/2024 - 07/19/2026

Original Contract Amount: \$ 875,000

Modification Amount: \$1,800,000

Prior Mods/Options: \$0 (Mod #1 Added Privacy Notice which describes BuildWithin's practices regarding collection and use of personal data and information. Delegated Authority - DSCI 07/28/2023)
\$197,600 (Mod. #2 Increase funding to add services related to hosting members for the Accelerator Training Academy., DGS 46-IT-MOD 1/31/24)

Total Contract Amount: \$2,872,600

Percent +/- (This Item): 205.71%

Total Percent Change: 228.30%



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15-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

Original Procurement Method: Sole Source (Continuity of Service)

Living Wage Eligible: Yes

MBE/VSBE Participation: 0% / 0%

MBE/VSBE Compliance: 0% / 0%

Requesting Agency Remarks: Configuration changes are needed to address key areas such as statutory reporting requirements and process improvements needed to assist in application design and the candidate and host site application review and matching processes. The Department received over 1,000 members and host site partner applications in 2023 and expects over 2,000 for 2024. Professional services are also needed to support the configuration changes, pre-matching assistance, training and coordination, development of additional training/learning pathway materials, and post-service support. Additional licenses over the 250 threshold for the upcoming cohorts are needed and licenses to provide training opportunities for program alumni, as required by the SERVE Act. The prior award capped participants at 250, which is what the legislation required in year one. Pursuant to the SERVE Act, DSCI is required to significantly increase the number of members participating in its Programs to at least 2,000 by 2026.

MBE and VSBE participation was not established for this contract because there are no subcontracting opportunities.

Fund Source: 100% General Funds

Approp. Code: A0101

Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



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*Contact: Yasin Mohammed 410-260-7552
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16-IT. INFORMATION TECHNOLOGY

Recommendation: That the Board of Public Works approve the following Task Orders/Purchase Orders under a previously approved Master Contract.

Authority: State Finance and Procurement Article
Annotated Code of Maryland, § 13-113; COMAR 21.05.13.06

Procurement Method: Task Order/Purchase Order under Master Contract

1.0 Master Contract: **Consulting and Technical Services Plus (CATS+)**
Contract No.: 060B2490023
Approved: DoIT 3-IT, 04/03/2013
Term: 04/22/2013 - 04/21/2028
***As of publication, the remaining balance of this master contract is \$192,232,140.*

1.1 Using Agency: Department of Health
Description: Medicaid Management Information System Resources for the Medicaid Management Information System (MMIS) system. Provides required resources for ongoing support and maintenance of the legacy production.
Modification Description: Extend the contract to allow time to complete the new procurement and transition period; *OPASS 16-15772 / COK38322.*
Award: Gantech, Inc.; Columbia, MD
Original Term: 08/08/2016 - 08/07/2019
Modification Term: 05/01/2024 - 10/31/2024
Original Amount: \$8,950,011
Modification Amount: \$2,126,758.40
Prior Options/Mods: \$ 981,501 (Modification 1, Add four resources: one senior programmer analyst and one database management specialists, Delegated Authority - DoIT, 07/01/2017)
\$ 256,785 (Modification 2, Add one senior systems engineer, Delegated Authority - DoIT, 04/02/2018)
\$4,253,517 (Renewal Option #1/Mod #3, 08/08/2019 - 08/07/2020 and add six resources: one senior systems engineer; five database management specialists, DoIT 10-IT 1.3, 07/24/2019)



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16-IT. INFORMATION TECHNOLOGY (cont'd)

1.0 *Master Contract: Consulting and Technical Services Plus (CATS+) (cont'd)*

\$4,253,517 (Renewal Option #2/Mod 4 08/08/2020 - 08/07/2021 and add six resources, DGS 41-IT 1.1, 07/22/2020)
 \$4,253,517 (Mod #5 Extension 08/08/2021 - 08/07/2022 with one 6-month renewal option, DGS 49-IT 1.4, 06/02/2021)
 \$2,126,758 (Renewal Option #2 08/08/2022 - 02/07/2023 DoIT 64-IT 1.2, 06/08/2022)
 \$2,126,758 (Mod #6 Extension 02/08/2023 - 08/07/2023, DGS 20-IT 1.2, 01/04/2023)
 \$2,126,758.40 (Mod #7: Extension 08/08/2023 - 02/07/2024; DGS 26-IT, 07/19/2023)
 \$0 (Mod#8: Extension 02/08/2024 - 04/30/2024; Delegated Authority - MDH, 01/18/2024)

Total Contract Amount: \$31,455,880.80

MBE/VSBE Participation: 30% / 0%

MBE/VSBE Compliance: 27.870% / 0%

Resident Business: Yes

Fund Source: 75% Federal Funds, 25% General Funds

Agency Remarks: MDH released a new TORFP on March 25, 2022, to replace the current contract. The procurement was expected to be completed and awarded in the third quarter of 2023. A protest was received, and the award of the new contract is on hold pending the result of the protest. Gantech, Inc. has committed to achieving the 30% MBE goal by the end of this extension.



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16-IT. INFORMATION TECHNOLOGY (cont'd)

1.0 *Master Contract: Consulting and Technical Services Plus (CATS+) (cont'd)*

- 1.2 *Using Agency:*** Department of Transportation
Description: Provide business analysts to facilitate preparation, documentation, and approval of IT project requests, transition projects to the SHA project team, provide business analysis expertise, participate on project teams, and understand and advocate for the organization's business area.
Modification Description: Extend the contract to allow time to complete the new procurement; J02B8400025.
Award Viv Soft Technologies LLC (MBE)
Original Amount: \$ 5,349,852.00
Modification Amount: \$ 457,119.31
Total Contract Amount: \$ 5,806,971.31
Prior Mods/Options: \$ 2,245,212.00 (Mod. #1: Add three business analyst resources. DoIT 2-IT 1.3, 09/18/2019)
Original Term: 04/25/2019 - 04/24/2024
Modification Term: 04/25/2024 - 04/30/2025
MBE/VSBE Participation: 20% / 0%
MBE/VSBE Compliance: 77.932 % / 0%
Resident Business: No
Fund Source: 100% Special Funds (Transportation Trust)
Agency Remarks: The new task order has been approved by the Department of Information Technology for release under the CATS+ Master Contract. It is currently being reviewed for release by the MDOT AAG and procurement staff.

The MBE participation is for the resources being obtained for the contract. The MBE participation is high due to the prime contractor and the subcontractor both being MBE certified businesses. Up to 50% of the work performed by the prime contractor can be counted and 100% from the subcontractor. The compliance has been confirmed by the Minority/Disadvantaged Business Enterprise at SHA.



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16-IT. INFORMATION TECHNOLOGY (cont'd)

1.0 *Master Contract: Consulting and Technical Services Plus (CATS+) (cont'd)*

1.3 *Using Agency:* Department of Information Technology
Description: Two-part Independent Verification and Validation on the Department of Health's Medical Management Information System Modular Transformation Project; *F50B0600024; COK43685*
Option Description: Exercise the final renewal option.
Award: Public Knowledge, LLC; Wheatridge, CO (formally SLI Global Solutions, LLC d/b/a Center for the Support of Families)
Original Term: 03/05/2020 - 03/04/2021 (w/four 1-year renewal options)
Option Term: 04/25/2024 - 04/24/2025
Original Amount: \$2,000,000
Option Amount: \$2,000,000
Prior Mods/Options: \$0 (Mod. #1, Extension 03/05/2021 - 04/24/2021, Delegated Authority - DoIT, 02/24/2021)
 \$2,000,000 (Renewal Option #1 04/25/2021 - 04/24/2022, DGS 25-IT 1.3, 04/21/2021)
 \$0 (Modification #2, Novation of contract from SLI Global Solutions LLC d/b/a Center for the Support of Families to Public Knowledge, LLC, Delegated Authority - DoIT, 06/25/2021)
 \$1,500,000 (Renewal Option #2 04/25/2022 - 04/24/2023 DGS 33-IT 1.2, 03/23/2022)
 \$1,320,458 (Renewal Option #3; 04/25/2023 - 04/24/2024 DGS 28-IT 1.1, 04/19/2023)
Total Contract Amount: \$8,820,458
MBE/VSBE Participation: 20% / 0%
MBE/VSBE Compliance: 17.153% / 0%
Resident Business: No
Fund Source: 100% Reimbursable (MITDP)



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16-IT. INFORMATION TECHNOLOGY (cont'd)

2.0 *Master Contract:* *Public Branch Exchange (PBX) IV Telecommunications Equipment and Services*

Contract No. 001B0600162

Approved: DGS 26-IT, 07/22/2020

Term: 01/01/2021 - 12/31/2030

***As of publication, the remaining balance of this master contract is \$31,878,439.*

2.1 *Using Agency:* Department of LABOR

Description: Senior Business Process Consultant to support business process engineering and implementation support for the new Labor Omni Channel Contact Center Solution (LOCCS); *P00B4600009*

Award: NEC Corporation of America, Middle River, MD

Number of Qualified

Master Contractors: 4

Number of Bids: 1 (*Single Bid Received*)

Bid:

<i>Bidder</i>	<i>Amount</i>
NEC Corporation of America, Middle River, MD	\$577,200

Amount: \$577,200

Term: 04/18/2024 - 12/31/2024

MBE/VSBE Participation: 25% / 0%

Resident Business: Yes

Fund Source: 100% General Funds

Agency Remarks: The price is determined to be fair and reasonable based on a comparison to the previous 2022 contract. The proposed price is approximately 48% higher than the previous contract. The increase in the labor rate for Senior Business Process Consultant is in accordance with the PBX IV Master Contract and the labor rate is beneath the proposed labor rate under the Master Contract.

The MBE subcontractor Anderson Association Management Company will provide the Senior Business Process Consultant.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
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*Contact: Courtney League 410-767-5516
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17-GM. GENERAL MISCELLANEOUS

Recommendation: That the Board of Public Works approve the following contract.

Authority: §8-301, State Finance & Procurement Article, Annotated Code of Maryland

1.0 Agency: Department of General Services
Fund Source: MCCBL2023 Baltimore City Community College Deferred
*Maintenance. Provide funds to design, construct, and equip various infrastructure,
building systems, and site improvements. Item 121*

1.1 Contract ID: Baltimore City Community College Administration Building
Mechanical Plant; CC-623-981-901
Description: Commissioning services for testing the system performance to
upgrade and improve the mechanical plant at the Baltimore City Community College
Administration Building in Baltimore City. Includes chiller plant renovation, including
new cooling towers, pumps, and Building Automation System upgrade.
Procurement Method: Qualification Based Selection - DGS-19-020-IQC
Award: RMF Engineering Inc., P.C.; Baltimore, MD
Amount: \$40,075
MBE/VSBE Participation: 0% / 0%
Resident Business: Yes
Remarks: No MBE or VSBE participation was established due to the single element of
work.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Wendy Scott- Napier 410-767-4088
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**18-RP. REAL PROPERTY
*Military Department***

Recommendation: Approve and execute a First Amendment to La Plata Armory Deed that removes the requirement for the grant of a Maryland Historic Trust Preservation Easement.

Authority: State Finance & Procurement 10-305

Prior Board Approval: DGS 9-RP, 02/22/2012 and DGS 4-RP, 06/06/2012

Property: 14 W. Hawthorne Drive, La Plata, Charles County, MD. 3.41 acres (the former La Plata Armory)

Grantor: The State of Maryland, to the use of the State Military Department

Grantee: County Commissioners of Charles County, Maryland, a body corporate and politic

Consideration: None

Background: The Board of Public Works declared the former La Plata Armory surplus and approved its conveyance to Charles County in 2012. The deed transferring the property to Charles County required the property to be “subject to the grant of a historic preservation easement on the hereinafter described property to the Maryland Historical Trust...” and “SUBJECT to the terms, conditions, restrictions, limitations and costs set forth in a deed of Preservation Easement from the County Commissioners of Charles County, Maryland to Maryland Historical Trust, which Deed of Preservation Easement is recorded or to be recorded among the Land Records of Charles County, Maryland.” However, that Preservation Easement was never recorded. The Maryland Historical Trust has informed Charles County that “the Trust has re-evaluated its easement holdings and has determined that this type of resource is now adequately represented among the Trust’s existing easements. For that reason, it would no longer be in the State’s best interest for the Trust to hold a preservation easement on the La Plata Armory.”

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**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 17, 2024**



*Contact: Wendy Scott-Napier 410-767-4088
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**19-LL. LANDLORD LEASE
*Canal Place Preservation & Development Authority***

Recommendation: Approve a renewal lease

Prior Board Actions: DGS 36-LL, 04/19/2023

Tenant: Stangel and Stangel Financial Services, Inc.

Property Location: Western Maryland Railway Station
13 Canal Street, Room 301, Cumberland, MD 21502

Space Type: Office/ Retail Room (204 sq. ft.)

Lease Type: Renewal (Continuous Use)

Lease Term: 05/01/2024 - 04/30/2025

Annual Rent: \$2,921.28 **Monthly Rate:** \$243.44
Square Foot Rate: \$14.32

Utilities/Custodial Responsibility: Landlord/Landlord
Termination for Convenience Clause: Yes

Procurement Method: Exempt in accordance with State Finance & Procurement, Section 4-318 (4) where the State is the lessor.

Remarks: This space has been leased since 2017 by Stangel & Stangel Financial Services, Inc owned by Gregory J. Stangel, II. This space is used to provide finance services. The space includes one reserved parking space identified as parking space #6 located in the area designated for employee parking.

BOARD OF PUBLIC WORKS

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**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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*Contact: Wendy Scott- Napier 410-767-4088
wendy.scott-napier@maryland.gov*

**20-LL. LANDLORD LEASE
*Canal Place Preservation & Development Authority***

Recommendation: Approve a new lease

Tenant: Western Maryland Scenic Railroad Development Corporation

Property Location: Western Maryland Railway Station, Room 406
13 Canal Street, Room 301, Cumberland, MD 21502

Space Type: Office Space (1,674 sq.ft.)

Lease Type: New

Lease Term: 05/01/2024 - 04/30/2029

Renewal Term: N/A

Annual Rent: \$24,139.08 **Monthly Rate:** \$2,011.59

Square Foot Rate: \$14.42

Utilities/Custodial Responsibility: Landlord/Landlord

Termination for Convenience Clause: Yes

Procurement Method: Exempt in accordance with State Finance & Procurement, Section 4-318 (4) where the State is the lessor.

Remarks: The Western Maryland Scenic Railroad Development Corporation has leased space at the Western Maryland Railway Station building since 2021. This lease is adding 1,674 sf to the existing lease. The lease will escalate 3% annually.

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**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
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*Contact: Wendy Scott- Napier 410-767-4088
wendy.scott-napier@maryland.gov*

**21-LL. LANDLORD LEASE
*Canal Place Preservation & Development Authority***

Recommendation: Approve a renewal lease

Prior Board Actions: DGS 44-LL, 10/06/2021

Tenant: Western Maryland Scenic Railroad Development Corporation

Property Location: Western Maryland Railway Station 2nd Floor
13 Canal Street, Room 301, Cumberland, MD 21502

Space Type: Office Space (5,600 sq. ft.)

Lease Type: Renewal (Continuous Use)

Lease Term: 05/01/2024 - 04/30/2029

Future Option Term: N/A

Annual Rent: \$61,800 **Monthly Rate:** \$5,150

Square Foot Rate: \$11.04

Utilities/Custodial Responsibility: Landlord/Landlord

Termination for Convenience Clause: Yes

Procurement Method: Exempt in accordance with State Finance & Procurement, Section 4-318 (4) where the State is the lessor.

Remarks: This space has been leased since 2021 by Western Maryland Scenic Railroad Development Corporation. There are four dedicated parking spaces identified as spaces numbered 22, 23, 24, and 25 located in the area designated as employee parking in the Western Maryland Railway station parking lot. This lease will escalate 3% annually.

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April 17, 2024**



*Contact: Wendy Scott- Napier 410-767-4088
wendy.scott-napier@maryland.gov*

**22-LL. LANDLORD LEASE
*Department of Health***

Recommendation: Approve a renewal lease

Prior Board Action: DGS 9-LL, 04/01/2009

Landlord: Department of Health, 201 W. Preston Street, Baltimore,
MD 21201

Tenant: The ARC of Montgomery County, Inc, 11600 Nebel Street,
Rockville MD 20852

Property Location: 4833 Bel Pre Road, Rockville, MD 20852

Space Type: Group Home

Lease Type: Renewal

Term: 04/27/2024 - 04/26/2029

Renewal Options: 04/27/2029 - 04/26/2034
04/27/2034 - 04/26/2039

Annual Rent: \$1.00

Utilities / Custodial Responsibility: Tenant / Tenant

Termination for Convenience: Yes

Procurement Method: Exempt in accordance with State Finance & Procurement, Section 4-318 (4) where the State is the lessor.

Remarks: The ARC of Montgomery County, Inc has operated as a group home for the purposes of clients with developmental disabilities at this location since 1997. Approval is requested for a five-year lease with two 5-year renewal options. The renewal options are subject to future Board of Public Works approval.

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**DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
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SUPPLEMENTAL

*Contact: Nneka Willis-Gray 410-767-7675
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23-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION

Department of Human Services, Office of Technology for Human Services

Contract ID: Druva InSync; OTHS/MDTHK-22-002-A1
ADPICS No.: COK42082

Contract Approved: DGS 31-IT, 03/23/2022

Contract Description: Druva InSync Software-as-a-Service (SaaS) product to share backup/restore, data loss prevention for DHS servers and Statewide user endpoints, including mobile devices. Provides users with data retention in the cloud for up to 10 devices for e-discovery, data access control, and shared content protections. Also includes Druva SaaS Licenses for the agency.

Modification Description: Extend the contract to plan, solicit, and transition the server, computer, and phone endpoint backup software.

Award: CDW Government, LLC; Chicago, IL

Contract Term: 04/25/2022 - 04/24/2023

Modification Term: 04/25/2024 - 04/24/2025

Original Amount: \$1,056,426.33

Modification Amount: \$1,007,435.70

Prior Options/Mods: \$1,074,607.90 (Mod.#1, Extension 04/25/2023 – 04/24/2024. DGS 26-IT, 04/19/2023)

Total Contract Amount: \$3,138,469.93

Percent +/- Change (this item): 95.36%

Total Percent -/- Change: 197.08%

Original Procurement Method: Intergovernmental Cooperative Purchasing Agreement (ICPA) [General Services Administration (GSA) Schedule 70 # 47QTCA18D004K]



**DEPARTMENT OF GENERAL SERVICES
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SUPPLEMENTAL

23-IT-MOD. INFORMATION TECHNOLOGY MODIFICATION (cont'd)

MBE/VSBE Participation: 0% / 0%

MBE/VSBE Compliance: 0% / 0%

Performance Security: No

Requesting Agency Remarks: The procurement process for the new contract was not completed prior to the expiration of the current contract because the budget for the software was originally allocated to MD THINK. In late summer of 2023, DHS’ internal IT unit had to assume the cost of the software and at the time was not able to make the adjustments to accommodate the additional cost. DHS has not had the opportunity to explore different software backup options due to competing priorities related to its central office moving locations and had to resolve funding inquiries as part of the FY24 budget process.

DHS requests Board approval to extend the current Contract with CDW Government, LLC for their Druva InSync SaaS product for twelve (12) months. During this extension period, DHS intends to plan, solicit, and transition the DHS’ server and computer and phone endpoint backup software to a viable solution that is cost effective and propose a new contract for award.

Druva InSync SaaS provides a backup solution for DHS users digital data, e-discovery, mobile device protection, data protection, management controls for user-levels, and group-level and external-party collaboration needs. Also servers, computers, and mobile devices contain sensitive data and are critical to operations. Malicious access and unauthorized changes to these systems can have a significant impact on an agency’s operations and potentially citizens.

MBE and VSBE participation was not established for this contract because there are no subcontracting opportunities available.

Fund Source: 66% General Funds, 34% Federal Funds

Approp. Code: N00F0004

Resident Business: No

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