

BOARD OF PUBLIC WORKS
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JULY 2, 2014

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**BOARD OF PUBLIC WORKS
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ACTION AGENDA
July 2, 2014**

*Contact: Norman Astle (410)841-864
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**1. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program Grant Requests***

Recommendation: That the Board of Public Works approves funding a total of 25 individual grants under the Maryland Agricultural Cost-Share Program. Total submission amount: \$400,101.

Agreement	Recipient	County	Amount \$
AT-2014-3097	Jonathan Schmidt	St. Mary's	12,700
AT-2014-3101-R	Linda B. Worthington	Harford	7,300
AT-2014-3104	Bayfair, LLC	Kent	1,400
AT-2014-3105	Bayfair, LLC	Kent	3,939
AT-2014-3106	Bayfair, LLC	Kent	2,100
AT-2014-3107	Bayfair, LLC	Kent	2,100
CH-2014-3095	Michael A. Lesniowski	Queen Anne's	118,003
CH-2014-3096-B	Michael A. Lesniowski	Queen Anne's	38,500
CH-2014-3102	Olan H. Simpkins	Kent	3,900
MP-2014-3033	Byron D. Stambaugh	Carroll	8,400
MP-2014-3034	Byron D. Stambaugh	Carroll	54,600
MP-2014-3035	Byron D. Stambaugh	Carroll	5,400
P-2014-3094	Robert H. Burrier	Frederick	22,300
MP-2014-3108	Randy D. Sowers	Frederick	2,100
MP-2014-3109	Randy D. Sowers	Frederick	7,489
MP-2014-3110	Randy D. Sowers	Frederick	1,900
MP-2014-3111	Randy D. Sowers	Frederick	2,870
MP-2014-3112	Randy D. Sowers	Frederick	6,300
NW-2014-3114-B	Earl M. Beardsley, Jr	Wicomico	48,100
PA-2014-3113	Thomas D. Briscoe	Calvert	14,800
PR-2014-3103	James A. Kurtz	Worcester	5,400
RS-2014-2968	TLV Tree Farm	Howard	3,600
RS-2014-2969	TLV Tree Farm	Howard	3,900
RS-2014-3098	Robert L. Kondner	Baltimore	14,100
RS-2014-3100	Lippy Brothers Farms St	Carroll	8,900

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

Fund Source: MCCBL of 2011/Item 11071: *Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

Authority: "Cost-Sharing - Water Pollution Control" Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

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 requisite 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
July 2, 2014**

*Contact: Norman Astle (410)841-864
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**2. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program Additional Funding Requests***

Recommendation: That the Board of Public Works approves *additional* funding of 1 individual grant under the Maryland Agricultural Cost-Share Program. Total submission amount: \$986.54

Agreement #	Recipient	County	Amount \$
RS-2014-2570	Armacost Farms, Inc.	Baltimore	986.54

Fund Source: *MCCBL of 2010/Item 10077: Provide funds for assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms.*

Authority: "Cost-Sharing - Water Pollution Control" Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

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

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

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ACTION AGENDA
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*Contact: Gregory Bedward 410-260-7718
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3. BOARD OF PUBLIC WORKS

Petition for Termination of Debarment – Athanasios Reglas

Petition: Athanasios Reglas has petitioned the Board of Public Works to terminate his debarment. In support of his petition, Mr. Reglas cites the following: (1) his cooperation with the authorities in his federal debarment; (2) his acknowledgement of his illegal behavior; (3) his consent to the State debarment; (4) his successful completion of his federal incarceration without incident; and (5) the financial strain caused by the debarment.

Background: Reference is made to Secretary’s Agenda Item 3 (Nov. 5, 2008) in which the Board indefinitely debarred Mr. Reglas based on his 2007 federal conviction for tax evasion and structuring of financial transactions to avoid reporting requirements. While debarred, Mr. Reglas is prohibited from bidding on, or performing directly or indirectly, any contract with the State. Mr. Reglas’s debarment was made at the recommendation of the Attorney General and pursuant to section 16-203(a) of the State Finance & Procurement Article, Annotated Code of Maryland.

Note: In a companion Item at the same meeting (Sec. Agenda Item 4), the Board approved an Agreement in lieu of debarment between the State and Reglas Painting, Inc.

Authority: The State Procurement Law allows Mr. Reglas to petition the Board to terminate his debarment any time after five years from the debarment date. Section 16-310(b)(2), State Finance & Procurement Article, Annotated Code of Maryland.

Upon receipt of the petition, the Board may take one of three actions:

- (1) Refer the Petition to the Office of Administrative Hearings for a hearing;
- (2) Terminate the debarment; or
- (3) Continue the debarment.

See COMAR 21.08.04.06.

Attorney General’s Recommendation: The Attorney General opposes Mr. Reglas’s petition for termination of debarment because Mr. Reglas violated his debarment by holding himself out as project manager for his company on at least one occasion while he was debarred.

Action: Approval of this Item will – as the Attorney General recommends – continue Mr. Reglas’s debarment, prohibiting him from bidding on, or performing directly or indirectly, any contract with the State of Maryland.

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**BOARD OF PUBLIC WORKS
SECRETARY'S
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*Contact: Gregory Bedward 410-260-7718
gregory.bedward@maryland.gov*

**4. BOARD OF PUBLIC WORKS
*Historic Annapolis – Fiscal Year 2015 Operating Grant Funds***

Recommendation: That the Board of Public Works amend the grant agreement between the State and Historic Annapolis to award fiscal year 2015 grant funds to Historic Annapolis.

Amount: \$602,000 (to be disbursed in equal quarterly installments)

Fund Source: Budget Bill, Chapter 462 (2014 Laws of Maryland) (Page 11)

Background: The State of Maryland owns various historic buildings in the City of Annapolis which the State leases to Historic Annapolis for one dollar in consideration for Historic Annapolis operating and maintaining the buildings. State properties operated and maintained by Historic Annapolis include the William Paca House and Gardens, the Shiplap House, The Barracks, and The Found House. The State has provided an annual operating grant to assist HAF in caring for these State properties for more than thirty years.

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*Contact: Gregory Bedward 410-260-7718
gregory.bedward@maryland.gov*

5. BOARD OF PUBLIC WORKS

The Maryland Zoo in Baltimore – Fiscal Year 2015 Grant Funds

Recommendation: That the Board of Public Works amend the grant agreement between the State and the Maryland Zoo in Baltimore to award fiscal year 2015 grant funds to the Zoo.

Amount: \$5,175,218
(first disbursement of \$4,925,218 upon approval and
second disbursement of \$250,000 in April 2015)

Fund Source: Budget Bill, Chapter 462 (2014 Laws of Maryland) (page 10)

Authority: “Any payments due by the State for the Baltimore Zoo under a lease or sublease agreement shall be included in the annual budget for the Board of Public Works.” State Finance and Procurement Article, Section 10-206, Maryland Code.

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Contact: Mary Jo Childs 410-260-7335
maryjo.childs@maryland.gov

**6. BOARD OF PUBLIC WORKS
*Procurement Agency Activity Report***

Submission of the Procurement Agency Activity Reports by:

Public Safety & Correctional Services
Transportation

May 2014
April & May 2014

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

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*Mary Jo Childs, 410-260-7335
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Special Secretary Zenita Wickham Hurley, GOMA
zenita.wickhamhurley@maryland.gov*

**7. BOARD OF PUBLIC WORKS
*State Procurement Regulations: COMAR 21.11.01.06
Small Business Reserve Program – Agency Liaison***

Recommendation: That the Board of Public Works propose an amendment to the State Procurement Regulations requiring participating agencies to designate a Small Business Reserve Program liaison.

Proposal: This proposal to amend COMAR 21.11.01.06 would require certain procurement agencies to each designate an employee to be a liaison officer to administer the Small Business Reserve Program. The liaison officer must be a high-level employee reporting directly to the agency head and will be responsible for coordinating the agency’s outreach efforts to the small business community, reviewing contracting procedures to ensure compliance with SBR requirements, resolving contracting issues, and submitting reports.

PAC: The Procurement Advisory Council concurred with this recommendation at its May 29, 2014 meeting.

Action: Approval of this Item authorizes submission of the regulatory proposal to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

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*Contact: Angela Parks, 410-260-7791
angela.parks@maryland.gov*

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

Approval is requested of the following applications for wetlands licenses for projects involving dredging or filling or both in the navigable waters of Maryland. The Department of the Environment has prepared favorable Reports and Recommendations for each of the applicants, taking “into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for these projects as well as other Code of Maryland Regulations.”

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

ANNE ARUNDEL COUNTY

- 14-0221 *ANNE ARUNDEL CO. DEPT. OF PUBLIC WORKS* – To maintenance dredge an entrance channel.
Edgewater, Brewer & Pocahontas creeks
- 13-0794 *PARK AVENUE MARINE LLC (PODICKORY POINT YACHT AND BEACH CLUB)* – To control wave attenuation by replacing a slotted timber wavescreen with a solid timber wavescreen and four support piles.
Annapolis, Chesapeake Bay

TALBOT COUNTY

- 13-1059 *PETER ACKERMAN* – To control shore erosion by emplacing stone edging and filling, grading, and planting marsh vegetation along an eroding shoreline.
Easton, Tred Avon River

WICOMICO COUNTY

- 13-1155 *MD STATE HIGHWAY ADMINISTRATION* – To perform geotechnical soil borings to obtain data regarding proposed replacement bridge.
Bivalve, Windsor Creek

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**BOARD OF PUBLIC WORKS
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*Contact: Angela Parks, 410-260-7791
angela.parks@maryland.gov*

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

Approval is requested of the following application for a wetlands license for a project involving dredging or filling or both in the navigable waters of Maryland.

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

Background: Podickory Point Yacht and Beach, which operates a marina on property owned by Park Avenue Marine LLC, has had two previous tidal wetlands licenses to mechanically maintenance dredge the marina entrance channel and the marina basin. (02-WL-0132; 07-WL-0175). In November 2012, Podickory applied for a new six-year maintenance-dredging license.

Emergency License: During the Department of the Environment's processing of the application, Podickory requested the authorization be issued on an emergency basis because Hurricane Sandy had caused the entrance channel to shoal in, preventing ingress and egress into the marina. MDE recommended that an emergency license be issued for the entrance channel dredging only. Accordingly, License 12-WL-1398EM was issued on April 2, 2013.

MDE: After full review, MDE is now recommending a (non-emergency) license for the project as a whole. No requests for a public informational hearing or public comments were received. MDE has prepared a favorable Report and Recommendation and recommends issuing the license on the basis of the evaluation criteria set forth in COMAR 26.24.02.03. MDE states that if all general and special conditions are adhered to, the work will not cause significant impacts. MDE took "into account ecological, economic, recreational, developmental, and aesthetic considerations appropriate for these projects as well as other Code of Maryland Regulations" and concludes that "in consideration of the site characteristics and the nature of the proposed work, . . . the application represents a reasonable exercise of riparian rights."

Recommendation: That the Board of Public Works:

- (1) Approve the license as MDE recommends; and
- (2) Affirm the emergency license granted for the entrance channel dredging. See COMAR 23.02.04.05C(2).

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

ANNE ARUNDEL

12-1398 *PARK AVENUE MARINE LLC (PODICKORY POINT YACHT AND BEACH CLUB)* – To reestablish water depths within the marina basin and entrance channel to improve ingress/egress to the marina by maintenance dredging and to provide for a 6-year dredging period.

Annapolis, Chesapeake Bay

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*Contacts: Jean Peterson (410) 514-7358 peterson@mdhousing.org
George Eaton (410) 514-7348 eaton@mdhousing.org*

11. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve releasing the deeds of trust on three properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program. The deeds of trust are second mortgages; the borrowers are selling their property in lieu of foreclosure to pay off the first mortgage owed to DHCD, and the borrowers have requested a release of the deed of trust securing the second mortgage on the basis of a hardship (e.g., loss of income due to unemployment or illness). Borrowers will sign a promissory note in the amount of the outstanding principal of the second mortgage.

Loan Authority: Down Payment and Settlement Expense Loan Program
Housing and Community Development, Article §§ 4-301-4-309
Annotated Code Maryland

Authority to Release State Finance and Procurement Article §§ 10-305,
Security Interest: Annotated Code Maryland

A. *Margaret Kamuyu*
491 Arwell Court, Frederick, MD 21703, Frederick County
Original Loan and Current Balance: \$5,000

B. *William and Latasha Mejia*
1633 Evergreen Way, Baltimore, MD 21221, Baltimore County
Original Loan Balance: \$7,500/Current Balance: \$1,500

C. *Kelly Welsh*
2918 Beckon Drive, Edgewood, MD 21040, Harford County
Original Loan and Current Balance: \$5,000

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*Contacts: Patricia Sylvester 410-514-7481 sylvester@dhcd.state.md.us
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Jean Peterson 410-514-7358 peterson@mdhousing.org*

12. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve lending general obligation bond proceed as described.

Borrower: St. Vincent de Paul of Baltimore

Project: Sarah's Hope
1114 N. Mount Street
Baltimore City, MD 21217

Authority: Chapter 396 (Laws of Maryland 2011); Chapter 444 (Laws of Maryland 2012); Chapter 424 (Laws of Maryland 2013); COMAR 05.05.09.

The *Shelter and Transitional Housing Facilities Grant Program* serves homeless households.

Loan Amount: \$1,500,000

Fund Source: MCCBL 2012/2013: *Shelter & Transitional Housing Facilities Grants*

Collateral: Deed of Trust

Description: The project consists of rehabilitation of Sarah's Hope, a homeless shelter in Baltimore City. The renovation of this former school building will create 36 efficiency family units with 138 beds for the homeless. The units will have flexibility in bed number and size configuration to maximize capacity. Common areas will include recreational space, commercial kitchen, dining area and support services. The planned renovation will increase the capacity of Sarah's Hope by 84%.

Sources	Amounts
DHCD Grant (this Item)	\$1,500,000
Hackerman Foundation	\$1,000,000
Office of Human Services Capital Funds	\$1,000,000
BGE Rebate - Empower Maryland	\$100,000
Developer Equity	\$83,420
Weinberg Foundation	\$2,100,000
Abell Foundation	\$250,000
Knott Foundation	\$70,000
Battye Foundation	\$250,000
France-Merrick Foundation	\$250,000
TOTAL	\$6,603,420.

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

Remarks: The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20131007-5658) on October 22, 2013.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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**BOARD OF PUBLIC WORKS
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*Contacts: Patricia Sylvester 410-514-7481 sylvester@dhcd.state.md.us
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Jean Peterson 410-514-7358 peterson@dhcd.state.md.us*

13. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Recommendation: That the Board of Public Works approve lending general obligation bond proceeds as described.

Borrower: Silver Spring Library Residences, LP

Project: Silver Spring Library Residences
929 Bonifant Street, Silver Spring 20910

Authority: §§ 4-1501 *et. seq.*, Housing and Community Dev't Article,
Annotated Code of Maryland; COMAR 05.05.01

Rental Housing Works (RHW) finances rental housing that will be occupied by individuals with incomes of 60% and below of the area median income.

Loan Amount: \$3,583,350 RHW

Fund Source: MCCBL 2013 Rental Housing Works Program

Collateral: Deed of Trust

Description: The project consists of the acquisition and new construction of an eleven-story rental housing development for the elderly sponsored by Montgomery Housing Partnership and Donohoe Development Company. The project will have a total of 149 units. Fifteen units will be restricted to households earning 30% or less of the area median income; 43 units will be restricted to households earning 50% or less of the area median income; 81 units will be restricted to households earning 60% or less of the area median income; and ten units will be unrestricted.

Sources	Amount
Rental Housing Works (this Item)	\$3,600,000
HUD 221(d)(4) insured mortgage	\$14,391,607
Tax Credit Equity	\$12,674,701
Montgomery County Loan	\$11,700,000
Montgomery County Rent Subsidy Loan	\$1,700,000
Deferred Developer's Fee	\$250,000
Total	\$44,316,308

**BOARD OF PUBLIC WORKS
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13. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (cont'd)

The Maryland Department of Planning reviewed and approved the project for consistency with the Economic Growth, Resource Protection, and Planning Policy (Project # SP 20130712-5591) on July 27, 2013.

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THIS ITEM WAS:

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**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

REVISED

*Contact: Carl Lazerow (410) 585-3027
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**14. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
*Maryland House of Correction, Jessup Correctional Institution***

Contract: Deconstruction of Maryland House of Correction
Jessup Correctional Institution
KJ-000-130-C01, ADPICS No.: COF67641

Original Contract Approved: Secretary's Item 12 (April 3, 2013)

Original Procurement Method: Competitive Sealed Proposals

Contractor: CAM Construction Co. Inc., Timonium

Contract Description: Deconstruction of various Maryland House of Correction buildings totaling 350,000 square feet, which were built from 1878 to 1983. The deconstruction contract also includes construction of the new security fence system (required to separate maximum security Jessup Correctional Institution from MHC deconstruction site because both institutions are currently within the same perimeter fence) and upgrade of the JCI perimeter fence system. DPSCS's goal is to use at least 65,000 work-hours of inmate labor in this project. In addition, the contractor is required to recycle materials, e.g. stone, bricks, steel, slate roof, to the maximum possible extent from the deconstruction. The contract also includes an upgrade of the fire alarm system at Jessup Correctional Institution.

Modification: Change Order No. 22: fire alarm system modifications at laundry, warehouse, wood shop, and tag shop; perimeter electronic security systems modifications.

Original Contract Amount	\$5,943,814
Modification Amount	\$ 235,304 (no time extension)
Change Orders Previously Approved	\$ 533,677
Revised Contract Amount	\$6,712,795

% of This Change Order to Original Award 4%

% of Cumulative Change Orders to Original Award 13%

Fund Source: MCCBL of 2013: Provide design and construction funds for the deconstruction of the Maryland House of Correction in Jessup. Item 051

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REVISED

**14. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)
*Maryland House of Correction, Jessup Correctional Institution***

Term: 90 calendar days

MBE Participation: 22.06%

MBE Compliance: 16.54%

Performance Bond: 100% of Contract Amount

Remarks: Providing complete fire alarm systems in the Maryland Correctional Enterprises shops and integrating to the Jessup Correctional Institute main monitoring panel brings the system into compliance with the NFPA code and the State Fire Marshall Office. Also, upgrading the current perimeter electronic security system will enhance security for Jessup Correctional Institute and reduce the incidence of undetected escapes.

Tax Compliance No.: 14-1552-1111

Resident Business: Yes

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ACTION AGENDA
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*Contact: Lois Whitaker 443-885-3074
Lois.Whitaker@morgan.edu*

**15. MORGAN STATE UNIVERSITY
*Business Management Complex***

Contract ID: Construction Manager
Business Management Complex
Construction Manager's GMP - Phase III
Project No. DCM-BCM-10-1CMAR

Contractor: Gilbane Building Company, Laurel

Contract ID: Construction Management at Risk Services
Business and Management Complex
Project No. DCM-BMC-10-1CMAR

Contract Description: Construction Management at Risk services for Morgan State University's Business and Management Complex Project. The project is a new building for the Business and Management Complex (School of Business) to be located at the Northwood Shopping Center (the site of the old Hechinger's and Burlington Coat factory). The project will accommodate the graduate, undergraduate, executive educational and research programs services and activities related to the studies of Accounting and Finance, Business Finance, Business Administration, and Information Science and Systems. The facility will also accommodate an Entrepreneurial Development and Assistance Center as well as the Center for Entrepreneurship and Strategy. The project will bring these related units together in one building and will include but is not limited to: classrooms and laboratory spaces, demonstration spaces supporting the Hospitality Management Program resource center, clinical support facilities, offices, conference rooms, student and faculty lounges typical building functions such as restrooms, mechanical and electrical and IT spaces, loading dock, and parking. The project is striving to exceed the minimum LEED Silver certification.

Modification Description: Pre-Construction services for pedestrian bridge

Original Contract Approval: Secretary's Agenda Item 10 (12/15/2010)

Original Procurement Method: Competitive Sealed Proposals

Term: Through project completion

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**15. MORGAN STATE UNIVERSITY (cont'd)
*Business Management Complex***

Original Contract Amount: \$193,150 (pre-construction services only)

Previous Modifications: \$3,921,515 (GMP-I)
\$7,882,128 (GMP-II)
\$43,496,050 (GMP-III)

This Modification Amount: \$59,464

Revised Total Contract Amount: \$55,552,307

MBE Participation: 30%

MBE Compliance: 54.48%

Performance Bond: Payment and performance bonds at 100% of contract amount.

Remarks: The University seeks the Board's approval to incorporate pre-construction services for the pedestrian bridge and to proceed with the balance of the construction for the Business Management Complex building, including all interior finishes, exterior glazing/skin, mechanical, electrical, plumbing, heating, air conditioning, roofing and waterproofing systems.

The Morgan State University Department of Design and Construction Management will manage the Construction Manager's work with procurement support provided by the University's Department of Procurement and Property Control.

Fund Source: \$43,496,050.00
MCCBL 2013: *New School of Business Complex and Connecting Bridge.*
Provide funds to construct and equip. Item 107

MD Tax Clearance: 14-1521-1110

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

*Contact: Lois Whitaker 443-885-3074
lois.whitaker@morgan.edu*

**16. MORGAN STATE UNIVERSITY
*Memorial Chapel – ADA Access Ramp***

Contract ID: Construction Services
Memorial Chapel Design/Build
Project No. MSU14058

Firm: Modern Construction Services, Inc.
Street, MD

Contract Description: Design and build ADA-compliant ramp from sidewalk to
Morgan State University Chapel entrance

Contract Amount: \$28,840

Procurement Method: Competitive Sealed Bid

Bidders	Price
Modern Construction Services	\$28,840
John Heagy Remodeling	\$35,428
Maryland Bay Construction, LLC	\$48,500
Hawkeye Construction	\$61,975
Congressional Construction, LLC	\$64,000
A.L. Ingram Construction	\$91,500

Contract Term: Sixty calendar days from notice to proceed

MBE Participation: None

Performance Bond: Payment/performance bonds at 100% of contract amount.

Remarks: The solicitation was advertised in *eMarylandMarketPlace*. Modern Construction was selected for award as the lowest responsive and responsible bidder.

The Morgan State University Department of Physical Plant will manage the work with procurement support provided by the University's Department of Procurement. This procurement was conducted pursuant to Morgan State University Policies and Procedures.

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

16. MORGAN STATE UNIVERSITY (cont'd)
Memorial Chapel – ADA Access Ramp

Fund Source: MCCBL 2011: Provide funds to design and construct accessibility modifications at State-owned facilities. Item No. 001: \$28,840.

MD Tax Clearance: 14-1391-0111

Resident Business: Yes

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

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

**17. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM
*Amendment to FY 2015 Capital Improvement Program
Prince George’s County Public Schools***

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve an amendment to the Fiscal Year 2015 Capital Improvement Program for Prince George’s County Public Schools to increase funding for the Tulip Grove Elementary School renovation/addition project.

Original Approval: Secretary’s Item 17 (5/14/14) (Public School Construction FY 2015 CIP)

Specific Request: Prince George’s County Public Schools requests to use funds from the Statewide contingency fund as shown.

LEA/School/Scope	FY 2015 CIP State Allocation	Total Proposed Increase	Adjusted State Allocation
Tulip Grove Elementary – Renovation/Addition	\$1,189,000	\$1,131,000	\$2,320,000

Authority: If school construction funds provided to a county in one Fiscal Year Capital Improvement Program cannot be allocated to, or used for, the eligible project within two years of the initial authorization, the county may opt to have the funds: (1) applied to another eligible project in the current CIP or (2) reverted to and maintained in the contingency fund for eligible projects in the county in the next FY CIP. *See, e.g., Maryland Consolidated Capital Bond Loan of 2014 (Chapter 463, Acts of 2014), see also COMAR 23.03.02.03G.*

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

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

18. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer by the Prince George’s County Board of Education to the Prince George’s County Government of:

Former Thomas Addison Elementary School
7.3 acres site and building thereon
7100 Oxon Hill Road, Oxon Hill

As a condition of approval the Prince George’s County Government shall obtain approval of the Board of Public Works before transferring any right, title or interest to any portion of the property.

Background:

- Prince George’s County Public Schools closed the Thomas Addison Elementary School for educational purposes in August 1981.
- On March 21, 1984 – upon the Interagency Committee on School Construction’s recommendation – the Board of Public Works approved transferring the property to the Prince George’s County Government and approved the County leasing the property to Knee-Hi Nursery (later renamed The Williams School).
- In 1996, the Prince George’s County Board of Education reacquired the property and leased it to the Leary School. The Leary School lease ended in August 2010.
- On June 14, 2012 the Interagency Committee approved this change in status. The property has since been vacant.

Authority: COMAR 23.03.02.23.B. The Interagency Committee on School Construction must review a request to transfer school property to the local government and make a recommendation to the Board of Public Works. The Board may approve, disapprove, or conditionally approve, the request to transfer school property.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

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

**19. BOARD OF PUBLIC WORKS
Public School Construction Program
COMAR 23.03.02: Administration of the Public School Construction Program**

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works propose amendments to COMAR 23.03.02.29 to require that all school construction projects that include constructing, replacing, or upgrading the electrical system be designed and constructed to be fully-powered in the event of an emergency.

Authority: The Board of Public Works has broad authority to ensure that public school facilities enhance public safety. Education Article, §§5-301(d)(2)(iv), Annotated Code of Maryland

Background: In 2011, the Board of Public Works adopted COMAR 23.03.02.29 to require in certain instances that schools that could serve as emergency shelters be designed and constructed to be fully powered in the event of an emergency. The IAC now recommends amending that regulation to broaden the requirement. This amendment is intended to increase the number of schools that may be used for sheltering purposes during an emergency. The amendment is consistent with school construction best practices and statutory requirements.

Proposed Regulatory Amendment:

- Clarifies that the requirement applies to new construction as well as to existing facilities.
- Removes the word “designated,” which has a specific meaning in the terminology and requirements of the Federal Emergency Management Agency (FEMA).
- Substitutes the word “source” for “generator” or “generation” to give LEAs greater flexibility in meeting the requirement.

Action: Approval of this Item authorizes submission of the regulatory proposal to the AELR Committee and subsequent publication for public comment in the *Maryland Register*.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

*Agency Contact: Daniel S. Branigan, 240-895-4412
dsbranigan@smcm.edu*

**20. ST. MARY'S COLLEGE OF MARYLAND
*Construction Modification***

Contract ID: Construction Management at Risk Services for the Replacement of Anne Arundel Hall

Contract Approved: Secretary's Item 19 (March 4, 2009)

Contractor: Gilbane Construction Company, Laurel

Contract Description: Professional management and construction services during pre-construction and construction of a 39,119 GSF academic building to house Departments of Anthropology, International Languages and Cultures, Museum Studies, Center for the Study of Democracy, and the Historic St. Mary's City's Archaeology Department and for artifact storage. Additionally, the project includes a 249-car parking lot to replace parking displaced by construction.

Modification Description: Award GMP for construction of phase 2 which includes the reconstruction of Anne Arundel Hall, utilities associated with the construction, and all CM fees and allowances.

Original Term: *Pre-Construction Phase:* 24 months from notice to proceed
Construction Phase: 24 months from notice to proceed

Modification Term: *Pre-Construction Phase:* 51 months from notice to proceed
Construction Phase I: 12 months from notice to proceed
This modification, Phase II: 17 months from notice to proceed

Original Contract Amount: \$253,000 (pre-construction fees only)

This Modification Amount: \$23,858,629

Prior Modifications Amount: \$ 3,861,476

Revised Total Contract Amount: \$27,973,105

MBE Participation Entire Project: 29%

MBE Compliance (Phase I Only): 7% of 10.4% goal (through April 30, 2014)

Performance Bond: Equal to 100% of contract amount

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

**20. ST. MARY'S COLLEGE OF MARYLAND (cont'd)
*Construction Modification***

Original Procurement Method: Competitive Sealed Proposals

Requesting Institution Remarks: The project originally had a single construction phase. In accordance with the College's approved Capital Improvement Program, the construction will now be done in two phases, lengthening the construction to 29 months. This modification covers the final construction phase.

The contract has an overall 29% MBE subcontract goal with a 7% African American and 4% Asian Pacific sub-goal for the combined construction for Phases I and II. A MBE goal was established for the first phase of construction at 10.4% (parking lot and building demolition) and the contractor's progress to date is on track to meet that goal.

Fund Source: MCCBL 2014 (151): *Provide funds to conduct archeological field work, design and construct the Anne Arundel Hall Reconstruction Project, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project. \$17,850,000*

Resident Business: Yes

MD Tax Clearance: 14-1509-1110

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

*Contact: Bernadette Benik (410-260-7390)
bbenik@treasurer.state.md.us*

21. STATE TREASURER'S OFFICE

State Debt – Treasurer: Delegation and Procedures

Recommendation: That the Board of Public Works sub-delegate to the Treasurer the following authority and adopt the following procedures in exercising the powers and performing the duties that the General Assembly has delegated to the Board.

Policy: This action is intended to formalize delegations to the Treasurer, document the State's debt-issuance procedures, and evidence the State's compliance with Internal Revenue Service guidance. The Board's action is in furtherance of the State's public policy to manage its debt in a manner that will maintain the State's triple AAA bond rating.

Note: Approving this Item will specifically supersede previously-adopted procedures set forth in Secretary's Agenda Item 5 (June 3, 2009).

Authority: Section 8-118(a), State Finance and Procurement Law Article of the Annotated Code of Maryland provides that the Board of Public Works shall exercise the powers and perform the duties that the General Assembly delegates to the Board in connection with the:

- (1) Creation of State debt;
- (2) Determination of interest on and other terms and conditions of the State debt;
- (3) Preparation of State bonds that evidence the State debt;
- (4) Notice of a sale of State bonds; and
- (5) Sale.

Sub-delegation and Procedures: The Board hereby:

Designates the Treasurer as its lead Member with respect to the Board's creation of State special and general obligation debt authorized by the General Assembly and as provided under Title 8 of the State Finance and Procurement Law Article of the Annotated Code of Maryland.

Directs the Treasurer to propose the terms and conditions of State debt and the issuance of State special and general obligation bonds and refunding bonds, including preparing required notices of sales, conducting the actual sales, and preparing the bonds for execution and delivery.

Directs the Treasurer, for each bond sale, to recommend to the Board the adoption of Resolutions specifying the amount, date, series, form, manner of sale, denominations, and maturities of State special and general obligation bonds and refunding bonds.

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

21. STATE TREASURER'S OFFICE (cont'd)
State Debt – Treasurer: Delegation and Procedures

Sub-delegation and Procedures: (cont'd)

Directs the Treasurer, for each bond sale, to verify that there are sufficient loan authorizations (with certified matches, if required) available to support the proposed issuance of bonds.

Authorizes the Treasurer, for purposes of improving the management of State general obligation debt or reducing the cost of servicing such debt, to recommend to the Board the adoption of Resolutions authorizing the Treasurer to enter into interest rate exchange agreements or other hedging contracts based on levels of or changes in interest rates.

Directs the Treasurer to prepare offering and bond sale documents, including Official Notices of Sale, Preliminary and Final Official Statements, Continuing Disclosure Agreements, Tax and Compliance Certificates, Bond Purchase Agreements and other documents necessary or convenient to issuing State bonds.

Directs the Treasurer to maintain contacts with the bond rating agencies and to arrange briefings of the rating agencies prior to the sale of State bonds.

Directs the Treasurer to monitor, after each bond sale, post-issuance compliance with bond covenants, the federal tax code, and securities regulations, including the timely expenditure of bond proceeds, limitations on private business use, recordkeeping, and the continuing disclosure of annual financial and material event information.

Authorizes the Treasurer, in accordance with 26 C.F.R. §1.150-2, to declare the State's official intent to reimburse original expenditures made in connection with capital projects with State bond proceeds; to sub-delegate that authority in writing to one or more designees; and to take appropriate action to assure compliance with federal reimbursement regulations.

Authorizes the Treasurer to adopt debt management policies to provide detailed guidance and considerations relevant to the use of various financial instruments authorized under State law for State debt.

Designates the Treasurer's Office to engage in the procurement of services and supplies related to the creation of State debt and the issuance of State bonds, including the services of the State's Financial Advisor and the fiscal agents enumerated in Sections 8-121, 8-135, and 8-136 of the State Finance and Procurement Article.

**BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2014**

21. STATE TREASURER'S OFFICE (cont'd)
State Debt – Treasurer: Delegation and Procedures

Sub-delegation and Procedures: (cont'd)

Authorizes the Treasurer to take such actions as the Treasurer deems necessary or prudent, in light of Rules 15Ba1-1 through 15Ba1-8 and Rule 15Bc4-1 (collectively, the “Municipal Advisor Rule”) of the Securities and Exchange Commission, to allow the State to continue to receive advice relating to its bond issues and investments without precluding the entities providing such advice from underwriting future bond issues of the State.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
July 2, 2014**

*Contact: Linda Bartnyska 410-764-3782
Linda.Bartnyska@Maryland.gov*

**A1. DEPARTMENT OF HEALTH AND MENTAL HYGIENE
*Maryland Health Care Commission***

Contract ID: Project Management Officer for Maryland Medical Care Database
ADPICS No. M00B4400634

Contract Type: Services

Description: Project management services to manage development of:
(1) Extraction, Transform, and Load system for Maryland's Medical Care Data Base;
(2) Analytic and price transparency measures and tools to support rate review; and
(3) Web-based data-mart accessible to stakeholders, including Maryland Insurance Administration.

Procurement Method: Emergency

Emergency Declared: February 27, 2014

Bids: Freedman HealthCare, LLC, Newton, MA

Award: Freedman HealthCare, LLC

Amount: \$199,600

Award Date: May 1, 2014

Term: May 1, 2014 – September 30, 2014

MBE Participation: None

Fund Source: 100% Reimbursable
M00R0101 (32.18.01)

Remarks:

Nature of Emergency: The Maryland Health Care Commission is required to analyze and report on health care utilization and spending in Maryland to the State legislature. COMAR 10.25.06. The Commission meets this requirement by reporting on overall health care spending each year and providing detailed analyses of physician and prescription drug spending in the State. To support these activities, the Commission has developed a database, the Maryland

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
July 2, 2014**

**A1. DEPARTMENT OF HEALTH AND MENTAL HYGIENE (cont'd)
*Maryland Health Care Commission***

Remarks: (cont'd)

Medical Care Database (MC database), which contains information on privately-insured health-care services and Medicare-covered services provided to Maryland residents. These data complement information on inpatient and outpatient services collected by the Health Services Cost Review Commission.

The MC database is created through requirements that mandate insurance companies and HMOs with premiums volumes of \$1 million and above to submit claims/encounters along with a practitioner directory to the Commission by June 30 annually. The privately-insured claims in the MC database are currently limited to professional services and prescription drugs but will be expanded to include other services over the next five years. The MC database also includes information on services reimbursed by Medicare. The data from private and public payers covers all health-care services provided to the insured populations of Maryland, excluding Medicaid. These data are edited and organized into a data base that is used to produce in-depth annual analyses on reimbursement of all health services by provider categories and payer types.

The Commission conducted this emergency procurement to procure a project manager to support two major initiatives to enhance the existing MC database: (1) the development of a streamlined process of data capture, editing, and loading to a data warehouse for the MC database; and (2) the creation of a web portal with a data mart structure with rapid on-call access to analytic measures to support the Maryland Insurance Administration's review of a rate filing, and to provide medical pricing information for consumers.

The Commission has a short time frame to complete the MC database enhancements with the use of federal grant funds. Having a project manager familiar with medical databases is essential to the success of the project.

Basis for Selection: The Commission solicited proposals through *eMaryland Marketplace* and direct email. Two proposals were received. The evaluation committee unanimously agreed that the second bidder did not meet the minimum RFP qualifications and was disqualified from further evaluation. Freedman Healthcare's proposal exceeded the minimum qualifications with proposed staff having over twenty years of medical database experience. Freedman HealthCare also provided a comprehensive and time-conscious project management plan.

TAX COMPLIANCE NO.: 14-1102-0000

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

ACCEPTED
WITH DISCUSSION

THIS REPORT WAS:

~~REMANDED~~
WITHOUT DISCUSSION

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
July 2, 2014**

*Contact: Joselyn M. Hopkins (410) 339-5013
jmhopkins@dpsc.state.md.us*

**A2. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
*Eastern Correctional Institution***

Contract ID: ECI Freezer Replacement
ADPICS No. Change Order COF60469 to Q00P4405498

Contract Type: Maintenance

Description: Materials, equipment, labor to replace second central kitchen freezer

Original Contract Reported: Secretary's Appendix A-2 (April 30, 2014)

Procurement Method: Emergency Modification

Emergency Declared: May 7, 2014

Award: General Refrigeration Company, Delmar, Delaware

Original Contract Amount: \$46,283

This Modification Amount: \$39,465

Total Contract Amount: \$87,648

Award Date: May 16, 2014

Term: 30 Days

MBE Participation: None

Fund Source: 100% General Funds
Appropriation Code: S841 8091

**BOARD OF PUBLIC WORKS
SECRETARY'S ACTION AGENDA
APPENDIX
July 2, 2014**

**A2. DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES (cont'd)
*Eastern Correctional Institution***

Remarks:

Nature of Emergency: DCPCS had contracted with General Refrigeration Company on an emergency basis to replace a kitchen freezer at Eastern Correctional Institution. During the work, the second freezer failed. This modification to the emergency contract is to replace the second unit. ECI has approximately food worth \$350,000 stored in the freezer. An emergency declaration was necessary to prevent food spoilage and possible disruption to the meal schedule of the inmate population.

Basis for Selection: General Refrigeration Company was competitively selected for the initial emergency contract. They were on site working when additional deficiencies were discovered.

TAX COMPLIANCE NO.: 14-0689-1011

RESIDENT BUSINESS: No

BOARD OF PUBLIC WORKS ACTION:

THIS REPORT WAS:

ACCEPTED

REMANDED

WITH DISCUSSION

WITHOUT DISCUSSION

**Supplement A
Department of Natural Resources
ACTION AGENDA
July 2, 2014**

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

1A. PROGRAM OPEN SPACE LOCAL SHARE

Recommendation: Approval to commit \$5,721 for the following **development** projects.

1. Worton Park/Community Center ADA Pool Lift - \$1,907

Kent County

POS #6143-14-90, MD20130828-0661

Background: Install ADA-compliant portable pool-lift at Worton Park

Prior Approval: DNR-RP Item 3A(2) (Oct. 16, 2013): \$8,100.

Fund Source: MCCBL of 2012 (Chapter 444, Acts of 2012), Program Open Space – Local, Prior Funds Replacement; Source Code: 12057 Item 057

2. Millington Pool ADA Pool Lift - \$1,907

Kent County

POS #6144-14-91, MD20130828-0662

Background: Install ADA-compliant portable pool-lift at Millington Pool.

Prior Approval: DNR-RP Item 3A(3) (Oct. 16, 2013): \$8,100.

Fund Source: MCCBL of 2012 (Chapter 444, Acts of 2012), Program Open Space – Local, Prior Funds Replacement; Source Code: 12057 Item 057

3. Bayside Pool ADA Pool Lift - \$1,907

Kent County

POS #6145-14-92, MD20130828-0663

Background: Install ADA-compliant portable pool-lift at Bayside Pool.

Prior Approval: DNR-RP Item 3A(4) (Oct. 16, 2013): \$8,100.

Fund Source: MCCBL of 2012 (Chapter 444, Acts of 2012), Program Open Space – Local, Prior Funds Replacement; Source Code: 12057 Item 057

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
July 2, 2014

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

2A. PROGRAM OPEN SPACE LOCAL SHARE

Recommendation: Retroactive approval to commit an additional \$272,100 for the following acquisition project.

Patuxent River Park (Sasscer Property) - \$272,100 (additional)
Prince George's County
POS #5596-16-710, MD20090309-0218

Reference: The Board of Public Works previously approved the use of \$1,134,600 in Program Open Space Local Share Funds for the acquisition of the historic Sasscer Property. POS Item 7A (May 20, 2009). In that Item, DNR stated that the POS money would fund half the \$2.269 million acquisition and that, "it is anticipated that federal Land and Water Conservation Fund assistance will be requested for the remaining \$1.134 million cost of this acquisition."

Background: In fact, after the Board approval, the project received only \$862,500 in federal funds, creating a shortfall of \$272,100. DNR, with concurrence from the Maryland National Capital Park & Planning Commission, allocated the additional \$272,100 from Prince George's County's POS Local Share Funds to cover the shortfall. However, DNR did not seek Board approval to apply the additional POS funds to this transaction.

DNR now seeks Board of Public Works retroactive approval of the additional expenditure of \$272,100 to reflect a total POS Local share of \$1,406,700.

Fund Source:

Maryland Consolidated Capital Bond Loan of 2010, Chapter 483, Acts of 2010
Program Open Space - Local, Prior Funds Replacement
Source Code: 10056 Item 056 \$272,100

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

**Supplement A
Department of Natural Resources
ACTION AGENDA
July 2, 2014**

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

3A. RURAL LEGACY PROGRAM

Recommendation: Approval to grant \$996,528 to Anne Arundel County for the following project from Rural Legacy Funds.

***Anne Arundel South Rural Legacy Area
Tucker Property***

Prior Approval: Anne Arundel South Rural Legacy Area easement acquisitions /\$1,650,000 FY 2014 grant. DNR-RP Item 10A (August 21, 2013).

Project Description: Acquisition of this 101.93 acre conservation easement in the Rhode River Watershed protects productive forest and farmland, and provides 100 foot vegetative buffer strip along 4,500 feet of Muddy Creek. Anne Arundel County will hold this easement which will be part of a 990-acre block of protected agricultural and woodland.

Easement Value: \$996,528 (\$9,777 per acre)

Amount Requested: \$996,528

Fund Source:

Maryland Consolidated Capital Bond Loan
Rural Legacy Program
Chapter 444 Acts of 2012
Source Code: 12060 Item: 060 Amount: \$45,307.63

Maryland Consolidated Capital Bond Loan
Rural Legacy Program – Prior Funds Replacement
Chapter 424 Acts of 2013
Source Code: 13082 Item: 082 Amount: \$951,220.37

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
July 2, 2014

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

4A. RURAL LEGACY PROGRAM

Recommendation: Approval to grant \$653,472 to Anne Arundel County for the following project from Rural Legacy Funds.

*Anne Arundel South Rural Legacy Area
Arthur Property*

Prior Approval: Anne Arundel South Rural Legacy Area easement acquisitions /\$1,650,000 FY 2014 grant. DNR-RP Item 10A (August 21, 2013).

Project Description: Acquisition of this 104.3 acre conservation easement protects productive forest and farmland, at the headwaters of Galloway Creek and provides 100’ vegetative buffer strip along 5,700 feet on Galloway Creek. Anne Arundel County will hold this easement which will be part of a 1,600-acre block of protected agricultural and woodlands.

Easement Value: \$1,059,188 (\$10,184 per acre)

Amount Requested: \$653,472 (County is contributing \$405,716 toward acquisition)

Fund Source:

Maryland Consolidated Capital Bond Loan
Rural Legacy Program – Prior Funds Replacement
Chapter 424 Acts of 2013
Source Code: 13082 Item: 082 Amount: \$93,732.59

Outdoor Recreation Land Loan
Rural Legacy Program
Chapter 423 Acts of 2013
Source Code: A0510 Item: 010 Amount: \$559,739.41

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

**Supplement A
Department of Natural Resources
ACTION AGENDA
July 2, 2014**

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

5A. PROGRAM OPEN SPACE STATE SHARE

***John K. Smith Donation
Baltimore County
POS No. 4606***

Recommendation: That the Board of Public Works approve the Department of Natural Resources accepting a donation from John K. Smith of one acre in Baltimore County.

Background: The forested property is contiguous to Gunpowder Falls State Park and fronts the Gunpowder River. Acquisition of this property will provide additional public access for anglers. DNR Parks will manage the property as an addition to Gunpowder Falls State Park.

The property, not located within a Target Ecological Area, has received an ecological ranking of 48 under the Program Open Space Targeting System. This project meets the requirements under POS Targeting protocol as it is being considered as a recreational project for the Gunpowder Falls State Park’s management purposes and provides public access to water.

Grantor: John K. Smith

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

Property: 1 acre, unimproved

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement A
Department of Natural Resources
ACTION AGENDA
July 2, 2014

Contact: Elizabeth Buxton
elizabeth.buxton@maryland.gov
(410)514-7900

6A. MARYLAND ENVIRONMENTAL TRUST

Recommendation: That the Board of Public Works ratify the Maryland Environmental Trust's acquisition of a perpetual donated conservation easement.

Property: 26.77 acres, Frederick County, 15436 Sixes Road
Map 0015, Parcel 0075, House Legislative District 4

Grantors: Shannon B. Bohrer and Susanne M. Bohrer

Grantee: Maryland Environmental Trust

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

SERVICES CONTRACT

ITEM: 1-S **Agency Contact:** Donna DiCerbo
410-537-7814
ddicerbo@mdta.state.md.us

DEPARTMENT/PROGRAM: Maryland Transportation Authority (MDTA)

CONTRACT ID: Investment Services; MDTA #20140023
ADPICS # J01B5400001

CONTRACT DESCRIPTION: Provide investment services by leasing the services and proprietary software for the automation of procedures for soliciting and accepting offers/bids for investment purchases/sales through a group of MDTA approved brokers.

AWARD: Bloomberg Finance, L.P.
New York, NY

TERM: 7/11/2014 – 7/10/2016

AMOUNT: \$103,080 (2 Years)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: 0% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: N/A

INCUMBENT: Same

REQUESTING AGENCY REMARKS: Access to Bloomberg’s proprietary software has improved the MDTA’s investment management process by facilitating greater access to bond market information and electronic trading through the dealer network. The critical duties of initial credit reviews and surveillance are difficult and time consuming, which has now been streamlined through the initial contract that was acquired on a trial basis with Bloomberg.

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ITEM: 1-S (Cont.)

At this time the MDTA Division of Finance is requesting approval to enter into a two-year contract for investment services with Bloomberg Finance, L.P., the sole provider of this service and the proprietary software. Therefore, Bloomberg Finance, L.P. (Bloomberg) is the only firm able to provide these services and the required support to the system. Based upon these facts, the MDTA has determined that public interest can best be served by using the sole source procurement method to obtain this contract.

The primary purpose of the services is to perform investment securities purchases and sales. Due to the success of utilizing the Bloomberg terminal and software for securities trading, portfolio analytics, and investment/market research, these services have been incorporated into the MDTA’s daily business practices. Requests for bids and offers are sent via a Bloomberg message system directly to the Bloomberg terminals of various securities dealers on MDTA’s distribution list. Responses from dealers include pricing levels quoted in several potential forms including percentage of par, yield to worst, yield to maturity, yield to call, yield to average life, and spread to benchmark treasury. The Bloomberg message responses may also include attachments of yield analysis calculation screens. Quoted offering levels are input by MDTA staff into yield analysis screens within the Bloomberg terminal to evaluate the most attractive security on a total return basis. All bid/offer responses are saved for audit purposes to facilitate tracking of trade allocations and overall dealer competitiveness. Following award of the trade, the dealer counterparty sends a trade ticket through the Bloomberg message system.

FUND SOURCE: 100% Special (Toll Revenue)
APPROP. CODE: 29.10.02.01
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 14-1361-1000

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Anna Lansaw
410-767-3763
Alansaw3@mta.maryland.gov

DEPARTMENT/PROGRAM: Maryland Transit Administration (MTA)
Office of Safety

CONTRACT ID: Environmental Compliance and Technical Services
Consulting Support; MTA-1389
ADPICS # J05B4400029

CONTRACT DESCRIPTION: Provide resources with professional experience and expertise to conduct day-to-day operations consistent with the MTA's environmental policy.

AWARD: KCI Technologies
Sparks, MD

TERM: 7/7/2014 – 7/6/2017 (w/2 one-year renewal options)

AMOUNT: \$5,427,497 (3 Years, Base Contract)
\$1,882,010 (1 Year, Renewal Option #1)
\$1,919,650 (1 Year, Renewal Option #2)
\$9,229,158 Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS: See page 5B

MBE PARTICIPATION: 20% (See Agency Remarks)

PERFORMANCE SECURITY: None

INCUMBENT: None

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMaryland Marketplace* (eMM). Over 400 potential vendors were sent the solicitation via eMM, and 43 vendors downloaded the solicitation. A copy was also sent to the Governor's Office of Minority Affairs.

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ITEM: 2-S (Cont.)

Five proposals were received in response to the RFP. All five were deemed to be reasonably susceptible of being selected for award. KCI Technologies (KCI) is recommended for award as having the most advantageous offer for the State. KCI was ranked #2 technically and had the lowest price. The highest ranked technical offeror had the second highest price. It was determined the technical differences between these two offerors did not outweigh the 7% higher financial price.

The MTA provides vital transportation services to the State of Maryland. In conducting its mission, MTA must manage daily processes and handle products that may impact the environment. In addition, the MTA must plan future transportation services and facilities that reflect the growing role of transit in the region. The protection of the environment is one of the MTA's most important responsibilities as it seeks to accomplish its mission. It is MTA's policy to conduct its mission in a manner that is protective to human health and the environment. Thus it is incumbent on each employee to perform his or her duties in a manner that protects the environment, prevents pollution, and supports conservation of our natural and cultural resources.

The consultant may be called upon to provide professional consulting to support the agency's environmental programs. Services may include: regulatory expertise (EPA, MDE and local environmental regulations); on-site personnel as department or project staff supplements; environmental training for MTA on-site personnel (training program development, implementation, and instruction); administrative support such as tracking, environmental record-keeping, database development and data entry; hazardous materials identification surveys, sampling, reporting; operations and maintenance (O&M) plan development and implementation. This contract contains only 0.5% engineering services in the event a site needs to be redesigned and requires a plan or drawing.

A 20% MBE participation goal was established for this contract in order to obtain maximum MBE participation. Also, a 0.5% VSBE participation goal was established for this contract; however, the recommended awardee has committed to a 1.0% VSBE goal.

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 14-0886-1111

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SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Hal Sommers
410-764-4673
hal.sommers@maryland.gov

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Vital Statistics Administration

CONTRACT ID: Organ and Tissue Donor Registry;
DHMH/OPASS 14-13718
ADPICS # M00B5400075

CONTRACT DESCRIPTION: Provide registry services which include the establishment, maintenance and operation of a statewide organ and tissue donor registry and public education programs to increase public awareness about the existence and purpose of the registry and the importance of organ, tissue, and eye donation.

AWARDS: Donate Life Maryland, Inc.
Baltimore, MD

TERM: 7/9/2014 – 7/8/2019

AMOUNT: \$1,810,000

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one proposal received

MBE PARTICIPATION: 28%

PERFORMANCE SECURITY: None

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of availability of the Request for Proposals was advertised in *eMaryland Marketplace*. A copy was also sent to the Governor's Office of Minority Affairs.

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ITEM: 3-S (Cont.)

Only one proposal was received in response to the RFP, and it was determined to be reasonably susceptible of being selected for award. In addition, the offeror was determined to be responsible; the financial offer was considered fair and reasonable, and it was determined that other potential offerors had a reasonable opportunity to respond to the solicitation. Therefore, award is recommended to Donate Life Maryland, Inc., the sole offeror and incumbent.

The Md. Code Ann., Estates and Trusts Article § 4-516 (Donor registry) limits award of a contract to a “qualified nonprofit entity” for the establishment, maintenance, and operation of a donor registry, which is defined as “a procurement organization...that actively functions in a supporting relationship to one or more procurement organizations...and has a board of directors whose members are experienced in: (1) Organ, tissue and eye donation; (2) Working with donors and donor families; and (3) Educating the public about the importance of the process of organ, tissue and eye donation.”

There is only one qualified nonprofit entity in the State of Maryland, Donate Life Maryland, Inc. However, there are other procurement organizations in other states that could have submitted proposals in response to the RFP, which is the reason this solicitation was conducted as a competitive procurement instead of a sole source. Unfortunately, none of the other states’ procurement organizations decided to propose to the solicitation.

A 28% MBE participation goal was established for this contract, as well as a 0.5% VSBE participation goal.

FUND SOURCE: 100% Special (Organ & Tissue Donation Awareness Fund)

APPROP. CODE: M00F0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 14-0691-0110

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
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SERVICES CONTRACT

ITEM: 4-S **Agency Contact:** Carla Carter
410-543-4044
carla.carter@maryland.gov

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Deer's Head Hospital Center (DHHC)

CONTRACT ID: Partial Laboratory Services & Complete Blood
Transfusion Services for DHHC; OPASS # 14-
13822; ADPICS # M00B5400100

CONTRACT DESCRIPTION: Provide partial laboratory services and complete
blood transfusion services when Deer's Head Hospital Center's (DHHC) clinical laboratory is
not in operation, as well as provide on-call "Stat" coverage 24 hours per day including weekdays,
weekends and holidays.

AWARD: Peninsula Medical Regional Center (PMRC)
Salisbury, MD

TERM: 8/1/2014 - 7/31/2019

AMOUNT: \$335,521 Est. (5 Years)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

REQUESTING AGENCY REMARKS: DHHC located in Salisbury, Maryland is one of two
regional chronic/long-term care hospital centers administered by DHMH and the Family Health
Administration. It is a chronic care hospital, licensed and accredited for the treatment and
rehabilitation of the chronically ill. DHHC includes an inpatient chronic disease/acute care
hospital, a nursing home unit, an outpatient renal dialysis unit and an outpatient physical/
occupational therapy unit.

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ITEM: 4-S(Cont.)

In order to have enough time to process the specimens and deliver the results, Stat test specimens must be picked up within 30 minutes from the time of DHHC’s request. If specimens are not picked up within that time frame, the fluids in the specimens would break down and the test would not be valid; specifically Potassium and Glucose levels can have inaccurate readings.

Several nursing homes in the area were contacted to explore the possibility of other businesses in the area that could participate in a competitive solicitation. It was confirmed after research that the Peninsula Regional Medical Center (PRMC) was the only laboratory in the Salisbury, Maryland area able to provide these services and adhere to the 30-minute restriction.

As the incumbent, Peninsula Regional Medical Center (PRMC) has provided the services required and is in complete compliance as verified by several quality studies completed to ensure the terms of the contract are met. Overall PRMC provides an acceptable quality of services that include:

- Picking up all specimens per the contract;
- Tests results being received from the reference lab within 24 hours; and
- Stat tests being completed within 2 hours.

Because of there are no opportunities for subcontracting the services for this contract, no MBE participation goal was established. In addition, it was determined that there were no certified MBE laboratories or hospitals that can provide this service.

FUND SOURCE: 63% Special (Renal Dialysis Collections);
37% General

APPROP. CODE: M00I0401

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 14-1192-1111

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
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SERVICES CONTRACT MODIFICATION

ITEM: 5-S-MOD **Agency Contact:** Brian Hepburn
410-402-8452
brian.hepburn@maryland.gov

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Mental Hygiene Administration (MHA)

CONTRACT ID: Administrative Services Organization for
Maryland's Public Mental Health System;
DHMH/OPASS 10-9959 (Statewide)
ADPICS # COF63769

CONTRACT APPROVED: DBM Item 4-S (6/3/2009)

CONTRACTOR: ValueOptions, Inc.
Norfolk, VA

CONTRACT DESCRIPTION: Contract for a Statewide Administrative
Services Organization (ASO) to provide management of publicly funded mental health services
for all persons under the Public Mental Health System (PMHS). This contract will enable the
State to manage outpatient and inpatient mental health services, including authorization and
utilization management, claims payment and collection of federal financial participation.

MODIFICATION DESCRIPTION: Mod to extend the contract by six months in
order to complete the procurement and make a new award recommendation. This mod includes
the ability to terminate early, if needed, with 60 days written notice.

ORIGINAL CONTRACT TERM: 9/1/2009 – 8/31/2011 (w/3 one-year renewal
options)

MODIFICATION TERM: 9/1/2014 – 2/28/2015

ORIGINAL CONTRACT AMOUNT: \$19,929,864 (2 Years)

MODIFICATION AMOUNT: \$5,846,652 (6 Months)

PRIOR MODIFICATIONS/OPTIONS: \$32,235,870 (See page ??B)

REVISED TOTAL CONTRACT AMOUNT: \$58,012,386

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ITEM: 5-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): +29.3%

OVERALL PERCENT +/-: +30.9%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 16.6%

MBE COMPLIANCE: 15.5%

REQUESTING AGENCY REMARKS: This modification will allow for the continued and uninterrupted management of the PMHS and provide DHMH with sufficient time to complete the procurement process to award a new ASO contract. The solicitation for a new contract to obtain an ASO for behavioral health services was issued on February 4, 2014. The current contract expires on August 31, 2014. The procurement is in the final stages, but more time is needed to ensure services are maintained throughout the process and transition period to a new contractor, if needed. The contractor, ValueOptions, Inc., agreed to provide all the services under the current contract for six additional months while the procurement for a new contract is completed.

DHMH’s MHA is committed to funding and providing quality care for individuals with mental illness through its PMHS. The design of the PMHS assures that MHA sets the standards for care and eligibility, establishes payment rates, and explores alternative systems of care.

The continuous provision of ASO services is critical to the welfare of those in the Maryland PMHS. This modification will assure no disruption in services to the consumers or to the providers of these services and will allow a seamless transition to a new contractor should the incumbent not be the successful offeror under the current re-solicitation for these services.

FUND SOURCE: 60.1% General; 39.9% Federal

APPROP. CODE: M00L0102; M00Q0110

RESIDENT BUSINESS: Yes

Board of Public Works Action – This Item was:

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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ITEM: 5-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod #1	\$29,995	Modified the contract to incorporate the Alcohol and Drug Abuse Administration (ADAA) Maryland RecoveryNet Program as an Access to Recovery (ATR) Project for DHMH for the period of 2/1/2011 to 8/31/2011 w/three one-year renewal options. The Federal Substance Abuse and Mental Health Services Administration is funding this project through a grant. Approved by DHMH on 2/1/2011.
Option #1	\$10,335,333	Exercised the first of three one-year renewal options as contained in the original contract: 9/1/2011 - 8/31/2012: DBM Item 6-S-OPTION (6/1/2011).
Mod #2	\$0	Modified the contract to raise the caps of monies the ASO can use to reimburse ADAA providers as approved by the federal Substance Abuse and Mental Health Services Administration. Approved by DHMH on 8/3/2012.
Option #2	\$10,639,114	Exercised the second of three one-year renewal options as contained in the original contract: 9/1/2012 - 8/31/2013: DBM Item 7-S-OPTION (7/11/2012).
Option #3	\$10,951,428	Exercised the final one-year renewal option as contained in the original contract: 9/1/2013 - 8/31/2014: DBM Item 12-S-OPTION (7/3/2013).
Mod #3	\$0	Modified the contract to change the MBE Participation Schedule. Approved by DHMH on 8/31/2013.
Mod #4	\$280,000	Mod to add funding to hire additional staff to support the Medicaid expansion population: 1/1/2014 – 8/31/2014: DBM Item 12-S-MOD (11/20/2013).
Mod #5	\$0	Mod to change language in Section 6.2 – Item B. Audits of the ASO RFP to substitute “10 inpatient facilities audits” with audits of any provider type approved by MHA. Approved by DHMH 3/3/2014.
Total	<u>\$32,235,870</u>	

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

SERVICES CONTRACT MODIFICATION

ITEM: 6-S-MOD **Agency Contact:** Linda Bartnyska
410-764-3782
Linda.Bartnyska@maryland.gov

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Maryland Health Care Commission
(MHCC)

CONTRACT ID: Data Collection Support and Analytic
Report Development; MHCC 10-001;
M00B0400218;
ADPICS # COF63579

CONTRACT APPROVED: DBM Item 3-S (8/26/2009)

CONTRACTOR: Social & Scientific Systems, Inc.
Silver Spring, MD

CONTRACT DESCRIPTION: Collect and analyze information on health
care spending and utilization from public and private insurance carriers in order for MHCC to
provide information on the cost and quality of care provided to Maryland residents from the
private payer medical care data base.

MODIFICATION DESCRIPTION: Mod to (1) extend the contract term by 18
months; (2) expand the Medical Care Data Base (MCDB) to include data from additional
submitters and two new data files/reports; and (3) change the data submission schedule from
annual to quarterly utilizing the federal grant “The Center for Consumer Information &
Insurance Oversight (CCIIO) Cycle III”.

ORIGINAL CONTRACT TERM: 9/1/2009 – 6/30/2014

MODIFICATION TERM: 7/16/2014 – 6/30/2016

ORIGINAL CONTRACT AMOUNT: \$3,830,109 (4 Years; 9 Months)

MODIFICATION AMOUNT: \$3,194,051 (1 Year; 11 ½ Months)

PRIOR MODIFICATIONS/OPTIONS: \$631,075 [Mod #1: Extended contract by
six months and added analytical reports and analysis: 12/1/2012 – 12/31/2014: DBM Item 6-S-
MOD (11/14/2012)]

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ITEM: 6-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$7,655,235

PERCENT +/- (THIS MODIFICATION): +83.4%

OVERALL PERCENT +/-: +99.9%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 17%

REQUESTING AGENCY REMARKS: The Maryland MCDB is being expanded to include data from additional submitters, two new data files/reports, and changing the data submission schedule from annual to quarterly. The information from the new submitters/carriers and dental that offer health plans in the Health Benefit Exchange (HBE); pharmacy benefit managers, behavioral health administrators, and third party administrators for self-insured employers is needed so that:

- 1) The HBE doesn't have to create a system to collect and test data from carriers to evaluate the HBE plans; and
- 2) The per capita expenditures for residents in self-insured employer plans – who comprise about half of those with private insurance in Maryland – can be determined.

In order to combine the utilization information for enrollees in self-insured plans, which typically carve out pharmacy and behavioral health services from the medical benefit, the MHCC is requiring submitters to obtain a master patient index from Maryland's Health Information Exchange for submission with their data. Information on per capita spending across all residents will be needed by the Health Services Cost Review Commission (HSCRC) and others for managing the new hospital waiver. The new MCDB data files/reports will provide information on each enrollee's plan benefit design.

The new quarterly submission schedule is necessary to provide data in a timely fashion to both the Maryland Insurance Administration (MIA) for rate review activities and to the HSCRC for waiver management activities. The receipt and processing of the quarterly submissions requires that data submissions and initial data tests be automated through use of an Extract, Transfer, and Load (ETL) system to be used by submitters. MHCC applied for and received the federal grant entitled The Center for Consumer Information & Insurance Oversight (CCIIO) Cycle III. The purpose of the grant is to fund the ETL development and implementation, as well as the processing of the quarterly data submissions in 2014 and 2015, as part of a commitment to develop timely rate review metrics from MCDB data for MIA.

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ITEM: 6-S-MOD (Cont.)

MHCC anticipated that the cost of the new MCDB contract would increase significantly due to the changes mentioned above. MHCC has been unable to appropriate sufficient funding for a new five-year contract. However, MHCC still must meet its commitments to maintain and expand the MCDB database.

Under the circumstances, MHCC must rely on the CCIIO Cycle III grant to fund the required MCDB services. MHCC has determined that it would not be advantageous to the State to issue an RFP for a new and very short contract for a new database vendor. The timeframe for the contract is too short for a new vendor to become familiar with the data processing and testing requirements and have two years of data submissions processed during the first year of the contract so that MHCC can meet its data commitments under the Cycle III grant.

Consequently, MHCC is requesting approval to modify the contract with the existing database contractor to extend the contract end date to June 30, 2016 (an 18-month extension) and increase the amount of the contract using the federal grant to cover the costs of the expansion for the new data submission requirements.

Based MHCC's prior experience with the incumbent contractor, who has been the MCDB contractor for the past 10 years, MHCC is confident that the contractor will be able to complete construction and testing of the 2013 data in a few months and have the 2014 and 2015 databases ready in time to meet the federal grant deadline dates and MHCC commitments to MIA and HSCRC.

FUND SOURCE: 61% Federal; 39% Special (MHCC Fund)

APPROP. CODE: M00R0101

RESIDENT BUSINESS: Yes

Board of Public Works Action – This Item was:

APPROVED*	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

* approved 2-to-1; Comptroller voted no

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

SERVICES CONTRACT MODIFICATION

ITEM: 7-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
Sandy.Johnson@Maryland.gov

DEPARTMENT/PROGRAM: Human Resources (DHR)
Office of the Secretary (OS)

CONTRACT ID: Call Center/Contact Center Services
DHR/OS/11-002-A5;
ADPICS # COF65529

CONTRACT APPROVED: DBM Item 2-S (10/6/2010)

CONTRACTOR: Active Network, LLC
(formerly The Active Network, Inc.)
San Diego, CA
(Local Office in Frostburg, MD)

CONTRACT DESCRIPTION: Provide call center/contact center services to alleviate staff from being inundated with, and having to respond immediately to, customer inquiries so that staff time can be devoted to casework; and to ensure that customer inquiries are responded to in a timely and efficient manner.

MODIFICATION DESCRIPTION: Mod to extend the contract term by one year to allow six months to complete the new procurement and award a new contract, including a six month period to transition to a new contractor, if necessary; and to incorporate Internal Revenue Service (IRS) Safeguards.

ORIGINAL CONTRACT TERM: 11/1/2010 – 4/30/2011 (w/3 one-month renewal options)

MODIFICATION TERM: 8/1/2014 – 7/31/2015

ORIGINAL CONTRACT AMOUNT: \$1,465,530 (6 Months)

MODIFICATION AMOUNT: \$3,641,646 (1 Year)

PRIOR MODIFICATIONS/OPTIONS: ~~\$15,187,971~~ **\$13,722,441** (See page 19B)

REVISED TOTAL CONTRACT AMOUNT: \$18,829,617

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ITEM: 7-S-MOD (Cont.)

PERCENT +/- (THIS MODIFICATION): +248.5%

OVERALL PERCENT +/-: +1234.8%

ORIGINAL PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 10%

MBE COMPLIANCE: 8%

REQUESTING AGENCY REMARKS: Request for approval to extend the contract term by one year to allow six months to complete the procurement process and award a new contract with a six month transition period to the new contractor, if necessary; and modify the contract to incorporate IRS Safeguards that restrict the release of information obtained from the IRS. If the full one-year extension is not needed, DHR has the ability to terminate the contract early for convenience.

DHR is in the final stages of refining the call center Request for Proposals (RFP) prior to its release for publication. The new RFP contains a number of enhancements to improve call center operations that will further alleviate caseworker involvement with these requests.

The Call Center receives an average of 80,000 inquiries per month, and its services are an essential part of DHR operations. The administration of DHR's programs requires continuous communication (verbal, electronic and written) with customers requesting both general and specific information pertaining to critical and emergent needs. DHR continues to look for ways to improve the quality of its customer service and reduce the amount of time its staff spends on routine tasks through effective and faster responses to customer inquiries. Increasing customer service and access to customer case information through a specialized call center, innovative customer services and processes allows DHR staff to devote their time to more complex casework and strengthen its services to customers.

For the reasons stated above, it was determined that continuing the current contract is in the State's best interest and is essential to DHR operations.

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ITEM: 7-S-MOD (Cont.)

FUND SOURCE: 70.4% Special (EUSP & Reinvestment);
15.0% Federal (Title XIX, SNAP, TANF, LIHEAP & IV-E);
14.6% General

APPROP. CODES: Various

RESIDENT BUSINESS: Yes

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

ITEM: 7-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Option #1	\$732,765	Approval request to (1) exercise all three one-month renewal options to complete the procurement process: 5/1/2011 – 7/31/2011;
Mod #1	\$346,762	(2) increase the funds because the volume of calls received is higher than originally anticipated: 5/1/2011 – 7/31/2011; and
Mod #2	\$1,357,747	(3) add a 90-day transition period to a new contractor, if necessary: 8/1/2011 – 10/31/2011: DBM Item 7-S-MOD (4/20/2011).
Mod #3	\$3,496,588	Mod to extend the contract by one year in order to allow sufficient time to resolve the appeal to the protest denial in response to the new contract award recommendation and includes a 90-day transition period to the new contractor: 11/1/2011 – 10/31/2012: DBM Item 7-S-MOD (10/19/2011).
Mod #4	\$4,310,228	Mod to extend the contract term by one year and 3 months to allow sufficient time to complete a new procurement and includes a 90-day transition period to a new contractor: 8/1/2012 – 10/31/2013: DBM Item 11-S-MOD (7/11/2012).
Mod #5	\$3,478,351	Mod to extend the contract term by nine months to allow sufficient time to complete a new procurement and includes a 90-day transition period to a new contractor: 11/1/2013 – 7/31/2014: DBM Item 14-S-MOD (7/3/2013). <div style="text-align: center; color: red;">↑ 8/1/2013</div>
TOTAL	<u>\$15,187,971</u> \$13,722.441	



MARYLAND
DEPARTMENT OF
BUDGET & MANAGEMENT

OK
7.14.2015

LARRY HOGAN
Governor

BOYD K. RUTHERFORD
Lieutenant Governor

DAVID R. BRINKLEY
Secretary

MARC L. NICOLE
Deputy Secretary

July 13, 2015

Ms. Sheila C. McDonald, Esq.
Executive Secretary
Board of Public Works
80 Calvert Street, Room 117
Annapolis, MD 21401

Dear Ms. McDonald,

The purpose of this letter is to request the correction of errors on Item 7-S-MOD in the DBM Secretary's Agenda for the 7/2/2014 Board of Public Works (BPW).

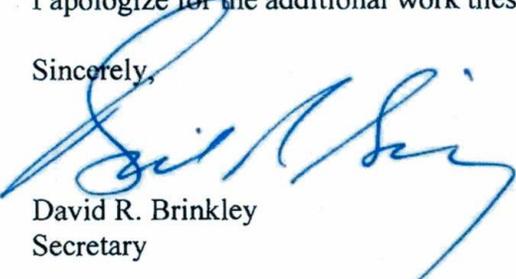
Whenever an agenda item is presented on the DBM Secretary's Agenda, DBM validates the information provided by the submitting agency for accuracy. This item was requesting approval of a modification to extend the Call Center Services for the Department of Human Resources (DHR). The information that DBM received from DHR was reviewed and was determined to be correct for the agenda submission. However, upon further review, DHR noticed that the total amount of the prior modifications/options was incorrect and the wrong amount was listed on both the first and last pages of the item. In addition, Mod #5 showed the incorrect start date for that previous modification.

The information pertaining to the original contract amount, the current modification amount, the revised total contract amount, and the amounts for the individual previous modifications and options are accurate. Only the amount listed as the total for all previous modifications and options and the start date for Mod #5 are incorrect. The attached edited agenda item pages show the "For the Record" corrections to the agenda item in yellow for easy identification.

If you would like any other documentation, I would be pleased to provide it.

I apologize for the additional work these errors have caused for you and your staff.

Sincerely,



David R. Brinkley
Secretary

~Effective Resource Management~

45 Calvert Street • Annapolis, MD 21401-1907
Tel: (410) 260-7041 • Fax: (410) 974-2585 • Toll Free: 1 (800) 705-3493 • TTY Users: call via Maryland Relay
<http://www.dbm.maryland.gov>

SUPPLEMENTAL

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

SERVICES CONTRACT MODIFICATION

ITEM: 8-S-MOD **Agency Contact:** Joselyn Hopkins
410-339-5013
jmhopkins@dpsc.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of the Secretary

CONTRACT ID: Baltimore Correctional Food Services;
DPSCS Q008020
ADPICS # Q00B9200299/COF67499

CONTRACTS APPROVED: DBM Item 7-S (4/15/2009)

CONTRACTORS: Trinity Services I, LLC
Oldsmar, FL
(Local Office in Baltimore, MD)
(Previously Compass Group USA, Inc. t/a
Canteen Correctional Services - Novation
dated 1/24/2013)

CONTRACT DESCRIPTION: Provide inmate food services at the Eager
Street correctional facility for distribution to the various prison facilities throughout Baltimore
City. In addition, the contract provides for maintenance services, minor renovations and
equipment upgrades.

MODIFICATION DESCRIPTION: Mod to extend the contract term to allow
time to complete the procurement process and award a new contract for these services.

ORIGINAL CONTRACT TERM: 5/1/2009 – 4/30/2014

MODIFICATION TERM: 8/1/2014 – 1/31/2015

ORIGINAL CONTRACT AMOUNT: \$67,641,125 (5 Years)

MODIFICATION AMOUNT: \$6,166,653 (6 Months)

PRIOR MODIFICATIONS/OPTIONS: \$0 [(Mods #1-3 & 5: Annual CPI
adjustments: Approved by DPSCS); (Mod #4: Novation, effective 1/24/2013: Approved by
DPSCS); Mod#6: Extension: 5/1/2014 – 7/31/2014: DBM Item 9-S-MOD (4/30/2014)]

SUPPLEMENTAL

**Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014**

ITEM: 8-S-MOD (Cont.)

REVISED CONTRACT AMOUNT: \$73,807,778

OVERALL PERCENT +/- (THIS MOD): +9.1%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

MBE COMPLIANCE: 17%

REQUESTING AGENCY REMARKS: DPSCS released a solicitation for the Baltimore Correctional food services on May 9, 2014. To allow time to respond to the large volume of questions submitted as well as to ensure a proper and accurate evaluation of proposals, a six-month extension is needed to complete the procurement process.

The current contract has \$2,115,288 approved funding available for the extension; however \$6,166,653 in additional funding is being requested with this modification. An increase in the price per meal was negotiated for this extension period.

It is in the best interest of the State to approve this extension modification in order to continue to provide inmate food services while the new procurement is completed. The negotiated price per meal for this extension is deemed to be fair and reasonable. In addition, Trinity Services I, LLC has provided the services for this contract in accordance with the scope of work.

FUND SOURCE: 100% General

APPROP. CODE: Q00B0101

RESIDENT BUSINESS: Yes

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENTAL

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

GENERAL MISCELLANEOUS**ITEM:** 9-GM

Agency Contact: Marc Nicole
 410-260-7049
 Marc.Nicole@maryland.gov

DEPARTMENT/PROGRAM:

Budget and Management (DBM)
 Office of Budget Analysis (OBA)

AMOUNT OF REQUEST:

\$259,554 FY2014 Total (see page 23B)

DESCRIPTION:

Request to approve proposed reimbursable fund budget amendment for the month of June FY2014. This request complies with Section 7-209 (e) of the State Finance and Procurement Article, which requires that the proposed reimbursable fund budget amendment be approved by the Board of Public Works unless specifically authorized by the Budget Bill or other law.

FUND SOURCE:

100% Reimbursement

APPROP. CODE:

See page 23B

REQUESTING AGENCY REMARKS: The contributing Department has appropriated funds to pay for services to be provided by the receiving Department for the month June FY2014. The following page shows the reimbursable amendment by Department and identifies the Department receiving and contributing funding, the amount of the funding and a brief justification for the amendment.

 Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENTAL

**Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014**

ITEM: 9-GM (Cont.)

Budget Amendment Number	Department Receiving Funding	Department Contributing Funding	Funding Amount	***** Justification *****
14R-065	D60-Maryland State Archives	H00-Dept. of General Services	\$259,554	Funding provided to support conservation of paintings and frames in the collection of the Maryland Commission on Artistic Property during State House renovations.
FY2014 June Proposed Reimbursable Amendment Total			\$259,554	

HANDCARRIED

Supplement B
Department Of Budget And Management
ACTION AGENDA
July 2, 2014

GENERAL MISCELLANEOUS

ITEM: 10-GM **Agency Contact:** T. Eloise Foster
410-260-7041
Eloise.foster@maryland.gov

DEPARTMENT: Budget and Management (DBM)

FUND SOURCES: (\$75,945,041) General Funds
(\$1,200,000) Special Funds

APPROP. CODES: See Backup

AMOUNT: (\$77,145,041)
(See Backup for a summary by Department/Agency)

DESCRIPTION: Under the provisions of §7-213(a), State Finance and Procurement Article, the Governor, with the approval of the Board of Public Works (BPW), may reduce, by not more than 25%, any appropriation the Governor considers unnecessary.

REQUESTING AGENCY REMARKS: The Backup to this Item, for BPW approval, is the Governor's list of reductions for fiscal year 2015, by Department and Independent Agency. Consistent with the provisions of §7-213(b) of the State Finance and Procurement Article, no appropriations have been reduced for the payment of the principal and interest on State Debt, public schools mandated funding (including the School for the Deaf and the School for the Blind), or the salary of a public officer during the term of office. No reduction exceeds 25% of the appropriation.

Reversion amounts, revenues and fund balance transfers are shown for informational purposes. These actions will not be part of the reductions to be approved by the BPW, but have been agreed to by staff of each of the departments.

The Backup sets out the total amount of the reductions for each Agency. These reductions will result in the elimination of 61.0 State vacant positions. The Backup also lists the positions to be eliminated.

Board of Public Works Action – This Item was:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Summary of Proposed July 2014 BPW Reductions

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
C80	Public Defender Electronic Records Management	Achieve savings from implementing a pilot program in Anne Arundel County to move towards electronic transcript document management.	(150,000)		
	Personnel Savings	Achieve salary savings due to decreased caseloads and reduce funding to reflect decreased need for contractual social workers and temporary staff.	(1,300,000)		
C81	Attorney General Salary savings	Achieve salary savings from holding positions vacant.	(50,000)		
D10	Governor's Office Salary Savings	Achieve salary savings from holding positions vacant.	(50,000)		
D12	Disabilities Salary Savings	Achieve salary savings from holding positions vacant.	(63,000)		
D15	Governor's Office - Boards and Commissions Grants Office - Salary Savings	Achieve salary savings from holding positions vacant.	(60,000)		
	GOCCP - Salary and Contractual savings	Achieve salary savings from holding positions vacant and managing contractual hours.	(127,000)		
D26	Aging Salary Savings	Achieve salary savings from holding positions vacant.	(100,000)		
D38	Board of Elections Operating expenses	Reduce funding for postage and printing of absentee ballots to align with prior year actuals. Matching special funds also reduced.	(100,000)		
D40	Planning Maryland Humanities Council	Reduce increase in FY 2015 grant by 50%.	(26,750)		
	Position Elimination	Eliminate vacant position.	(69,258)	(1.0)	
	Reversion / Transfer	Revert prior year unspent Maryland Heritage Area Authorities funds.			209,000
	Reversion / Transfer	Revert excess operating revenue from Sustainable Communities Tax Credit administrative fees collected in FY 2014.			58,000

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
D50	Military MEMA - Equipment	Reduce funding for equipment replacement due to recent upgrades.	(10,000)		
	Personnel Savings	Eliminate two vacant positions.	(97,600)	(2.0)	
D55	Veterans Affairs Operating expenses	Reduce funding for various expenses, including office supplies, computer maintenance, subscriptions, training and staff development, utilities, and contractual IT services. Most are reduced to align with prior year actuals.	(53,000)		
	Fund Swap	Fund portion of Charlotte Hall Veterans Home contract management fee with prior year federal fund balance.	(80,000)		
E00	Comptroller Operating Costs	Reduce funding for replacement computers and peripherals and eliminate funding no longer needed for GASB announcements.	(425,422)		
E20	Treasurer Operating Expenses	Reduce printing costs and software upgrades, and align bond sale expenses with prior year actuals.	(39,500)		
	Salary Savings	Achieve salary savings from holding positions vacant.	(114,500)		
E50	Assessments & Taxation Contract Savings	Reduce funding for contracts by delaying scanning of certain documents and achieving efficiencies due to Google conversion. Matching special funds also reduced.	(100,000)		
E75	State Lottery Salary Savings	Achieve salary savings from holding positions vacant. Special fund reduction results in additional general fund revenue.			100,000
F10	Budget & Management Operating Expenses	Delay IT equipment purchases and system upgrades and reduce postage costs. Special fund reduction results in additional general fund revenue.	(50,000)		400,000
	Statewide Reduction Health Insurance Balance	Reduce statewide health insurance funding pool to reflect health insurance payment from IWIF and excess fund balance.	(19,398,000)		
F50	Information Technology Operating expenses	Reduce software maintenance costs.	(184,000)		

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
	Contract Savings	Savings from moving GIS hosting in-house, incorporating security services into Cyber Security program initiatives, and achieving lower-than-budget cyber security contractor rate.	(200,000)		
	Statewide Costs	Reduce agency spending on maintenance of MdTime system due to implementation of new Statewide Personnel System and for reduced costs for NetworkMD services due to increased usage by local governments.	(234,382)		11,538
H00	General Services Personnel Savings	Eliminate two vacant IT positions and hold an Inspector position vacant.	(174,650)	(2.0)	
K00	Natural Resources Fund swap	Replace General Funds with Special Funds to support positions in Resource Assessment Services and the Fisheries Service.	(92,051)		
	2010 Trust Fund - Fund Swap	Support Trust Fund Monitoring oversight with 2010 Trust Fund.	(128,997)		
	Operating Expenses	Reduce funding for vehicle maintenance, vehicle replacement, IT costs, equipment, contractual services, maintenance, printing costs, routine travel, office supplies, harvest tags, and training.	(434,129)		
	Salary Savings	Achieve salary savings from holding positions vacant.	(1,007,323)		
L00	Agriculture Conservation grants	Eliminate State cost-share assistance for development of nutrient management plans due to low demand.	(75,000)		
	Operating expenses	Reduce funding for new vehicles, abolish two long-term vacant positions, and eliminate un-needed office space..	(212,210)	(2.0)	
	Fund Swap	Reduce General Funds for Weights and Measures operations and replace with Special Funds.	(100,000)		
	Tobacco Transition Program	Maintain funding for Tobacco Transition Program at the FY 2014 level. A reduction to CRF special funds in MDA will be redirected to Medicaid to replace General Funds.	(500,000)		
M00	Health and Mental Hygiene Vital Statistics - Contract Savings	Contract for software maintenance has expired.	(115,360)		
	Medical Day Care	Level fund PACT program at the FY 2014 level of \$400,000.	(125,000)		

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
	DDA - Utilization Review	Achieve savings from utilization review, consistent with amount achieved in FY 2014.	(250,000)		
	Behavioral Health - Purchase of Care	Funding for inpatient hospital services not needed due to Affordable Care Act.	(680,017)		
	DDA - Waiver	Savings from additional individuals reapplying for and being deemed eligible for the waiver.	(1,000,000)		
	Laboratories Administration	Savings in operating expenses due to delayed opening of new facility. Original date - June, 2014. Revised date - September 22, 2014.	(1,069,696)		
	DDA - Increased Federal Fund Attainment	Changes in resource coordination resulted in more services being eligible for a federal match and improved federal claiming for Behavioral Support Services results in General Fund savings.	(1,600,000)		
	Fund Swap	Utilize surplus federal funds available from prior year award under the Emergency Psychiatric Demonstration Waiver.	(2,200,000)		
	DDA - Support Coordination Services	Revise funding for Support Coordination Services to reflect current utilization and ramping up of fee-for-service model.	(2,500,000)		
	Nursing Home Rates	Maintain rate increase of 1.7% as included in the Governor's FY 2015 budget. Reduce funds restricted by the General Assembly.	(2,500,000)		
	DDA - Day Services	Correct under budgeted special fund revenue from local governments. Reduce over budgeted General Funds.	(2,700,000)		
	MCO Rates	Reduce rates to the bottom of range excluding childless adults	(3,400,000)		
	Revenue	Recognize revenue from testing fee collected beginning on January 1, 2014.			60,000
	Spinal Cord Injury Trust Fund - Transfer	Transfer balance in Spinal Cord Injury Trust Fund to General Fund. Program has been inactive since FY 2008.			1,000,000
N00	Human Resources				
	Salary Savings	Achieve salary savings from holding positions vacant.	(1,800,000)		
	Foster Care Maintenance	Reduce payments to reflect caseload declines.	(9,500,000)		

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
P00	Labor, Licensing & Regulation				
	Operating Costs	Reduce General Fund support for the Office of Budget and Fiscal Services.	(21,275)		
	Fund swap	Support salary costs in Financial Regulation with Special Funds.	(200,000)		
	Reversion / Revenue	Revert Special Administrative Expense Fund (SAEF) dollars to General Fund.			1,630,000
Q00	Public Safety & Correctional Services				
	Contract Savings	Reduce contract costs for IT hosted services and programming.	(100,000)		
	Keyword Recognition Software	Funding for annual maintenance not needed as software will not be purchased until FY 2015.	(125,000)		
	Delay Equipment Purchase	Delay lease purchase of dietary equipment until October 2014. Interest only payment due in FY 2015.	(356,579)		
R00	Education				
	Fund Swap	Use surplus federal funds from prior years to support a portion of the contract with the Child Care Resource Centers .	(424,000)		
	Out-of County Living Arrangements	Align funding with actual prior year spending.			600,000
	Autism Waiver	Align funding with actual prior year spending. No reduction in services.			2,800,000
R00	Children's Cabinet Fund				
	Care Management Entity (CME)	Reduce General Funded CME capacity from 370 to 342 slots to align with anticipated demand.	(400,000)		
R13	Morgan State University				
	Targeted Reductions	Reduce surplus funding for telecommunications maintenance and eliminate six long-term administrative vacancies.	(435,000)	(6.0)	
R14	St. Mary's College of Maryland				
	Targeted Reduction	Reduce travel spending.	(105,000)		
R30	University System of Maryland				
	Targeted Reductions	Eliminate 36 vacant positions (\$1.8 M). Reduce funding for facilities renewal (\$3.4 M) , academic initiatives and student support (\$200.000). MPower (\$900.000).	(6,300,000)	(36.0)	

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
R62	Maryland Higher Education Commission Operating expenses	Reduce accrued leave payout, reduce reclassification costs, and achieve salary savings from holding positions vacant.	(52,000)		
	Fund Swap	Fully fund six positions in the Office of Academic Affairs with special fund revenue from academic review fees.	(246,000)		
	Selling Program for Non-Public Institutions	Reduce funding to slightly above FY 2014 level.	(3,000,000)		
R95	Baltimore City Community College Targeted reductions	Reduce non-faculty contractual staffing.	(417,500)		
T00	Business & Economic Development Operating expenses	Reduce spending on supplies by 14% and achieve salary savings from holding positions vacant.	(81,500)		
U00	Environment Equipment	Reduce spending on equipment to support new position in Shellfish Water Quality Monitoring.	(19,042)		
	Oil Control Fund	Reduce General Funds due to availability of Special Fund revenue.	(2,000,000)		
V00	Juvenile Services Non-Residential Purchase of Care	Reduce funding for expired contract.	(235,300)		
	Operating Costs in State Run Facilities	Reduce funding for medical care services, drugs and medicine, and food in State run facilities to align with declining population.	(480,000)		
	Non-Residential Per Diems	Cancel contract with low-performing alternative school serving DJS youth. Youth will be served in other programs.	(500,000)		
	Case Management Positions	Eliminate 12 vacant case management positions. Maintains monthly contacts with youth at current levels.	(900,000)	(12.0)	
	Residential Per Diems	Reduce General Funds for residential per diems due to decline in out-of-home committed placements.	(1,800,000)		

Agency Code	Reduction Item	Reduction Recommendation	General Fund Reduction	Positions Reduced	Other Actions
W00	State Police				
	Maryland Coordination and Analysis Center .	Delay filling 2 of 8 new contractual positions.	(100,000)		
	Contractual Positions	Eliminate 12 contractual positions in the Licensing Division that are no longer needed to address the gun registration backlog.	(300,000)		
	Operating Expenses	Reduce vehicle maintenance due to purchase of new vehicles and reduce IT expenditures.	(450,000)		
	Salary Savings	Achieve salary savings from holding positions vacant.	(1,650,000)		
	TOTAL		<u>(75,945,041)</u>	<u>(61.0)</u>	<u>6,868,538</u>

**Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014**

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

1-GM. UNIVERSITY OF MARYLAND, BALTIMORE
Pre-Authorized Funds Available

Contract ID: Construction Management at Risk Services
Third Phase of Health Sciences Facility
RFP 11385 BS

Contractor: Barton Malow Company, Baltimore, MD

Contract Approved: USM Item 1-C (10/3/12)

Recommendation: Reference is made to USM Item 9-C MOD (03/19/14), in which the Board approved the University incorporating GMP #2 into this contract to create a 331,969 gsf facility to be occupied by the University of Maryland Schools of Medicine, Dentistry, and Pharmacy.

The Fund Source for GMP #2 listed pre-authorized MCCBL 2014 funds as well as MCCBL 2013 funds. The Board of Public Works approved GMP #2 contingent upon the University returning to the Board when MCCBL 2014 funding became available.

These funds are now available and the University recommends the Board authorize the use of MCCBL 2014 funds in the amount of \$33,066,939 to continue the GMP #2 work.

Fund Source: MCCBL of 2014 (Chapter 463, Laws of Maryland of 2014)

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014**

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

2-GM. UNIVERSITY OF MARYLAND, COLLEGE PARK
General-Obligation Bond Proceeds

Recommendation: Approve the use of General Obligation Bond Funding for the following contracts totaling \$318,720.

Authority: State Finance and Procurement Article, Annotated Code of Maryland, §8-301

UMCP Physical Science Complex

- 1. Description:** Furnish casework (laboratory furniture not available through Maryland Correctional Enterprises) compatible with existing casework.
Procurement Method: Cooperative Agreement
Award: New England Lab, Baltimore MD 21244
 (certified small business)
Amount: \$310,595
Fund Source: MCCBL of 2012: *Provide funds to equip the Physical Sciences Complex at College Park – Item 036*
Resident Business: Yes
MD Tax Clearance: 14-1488-1111

- 2. Description:** CM Lodestar Electric Chain Hoist, with manual trolley mount and 25’ lift
Procurement Method: Simplified Procurement
 Purchase Order #9383
Award: Grainger, Springfield, VA
Amount: \$8,125
Fund Source: MCCBL of 2012: *Provide funds to equip the Physical Sciences Complex at College Park - Item 036*
MD Tax Clearance: 14-1491-11111
Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014

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

3-RP. UNIVERSITY OF MARYLAND, COLLEGE PARK
Real Property: Disposition

Recommendation: That the Board of Public Works approve the University of Maryland, College Park selling 3.1± acres of real property located on U.S. Route 1 in College Park, which necessarily includes subdividing that tract from a larger land parcel.

Legal Instruments: Approval of this Item includes authorizing the:

- Agreement of Sale
- Deed of Subdivision
- Deed of Conveyance
- Declaration of Covenants, Conditions, Restrictions, and Reciprocal Easements

Prior Approval: The Board of Public Works previously declared this property surplus with the understanding that the University was proposing to sell the property to an affiliate of the University of Maryland College Park Foundation for private development as a University hotel and conference center. USM Item 8-RP (March 19, 2014).

Grantor: State of Maryland to the Use of the University System of Maryland of behalf of a constituent institution, The University of Maryland, College Park

Grantee: UMCPF Property III, LLC, an affiliate of the University of Maryland College Park Foundation (Foundation Affiliate)

Property:

- Approximately 3.1 acres, comprising a portion of the land parcel conveyed by George H. Calvert, *et al.* to the Maryland Agricultural College (March 22, 1858) recorded in Liber 11 at Folio 377 among Prince George's County land records.
- These 3.1 acres will be subdivided from the larger parcel by way of a Deed of Subdivision.
- Subdivided parcel is bounded by U.S. Route 1 to west, Paint Branch Drive to north, and by larger Calvert tract to east and to south. Parcel will be subdivided from larger parcel.

Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014

3-RP. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)

Real Property: Disposition

Price: \$5,431,500

Appraised Value: \$3,600,000 Smail Associates, Inc.
 \$7,050,000 Valbridge Property Advisors

Project: The sale is part of a larger, integrated transaction under which the Foundation Affiliate will buy the property and at closing will then lease the property to The Hotel at UMCP, LLC, an affiliate of David Hillman and Southern Management (the Developer). The Foundation Affiliate and the Developer will enter into a development agreement that will establish the conditions under which the Foundation Affiliate leases the property to the Developer. After signing the development agreement, the Developer will seek local land use and development approvals for a AAA-rated Four Diamond hotel with approximately 276 guest rooms, approximately 23,500 square feet of ballroom, conference and meeting space, both interior and exterior street level retail, and a café, restaurant, and bar. The Hotel will also have a penthouse lounge, swimming pool, fitness center and an adjacent 750-space parking garage.

History:

- (1) The University System of Maryland Board of Regents approved the disposition of this property to the Foundation for the purpose of providing a development site for a high quality hotel and conference center of approximately 300 rooms and parking garage. (December 6, 2013).
- (2) The Clearinghouse conducted an intergovernmental review of the project and recommended to declare the property surplus to the State, and to sell the real property at the fair market value to the Foundation. MD20131211-0845 (January 30, 2014).
- (3) As previously noted, the Board of Public Works declared this property surplus. USM Item 10-GM (March 19, 2014).
- (4) The University notified the Maryland legislative budget committees of the proposed disposition for review and comment on March 21, 2014. No comments were received during the 45-day budget committee review period (May 5, 2014).

Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014

3-RP. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)
Real Property: Disposition

History (cont'd):

- (5) The Foundation's Executive Committee and its Real Estate Committee approved purchasing the property from the University and approved the ground lease under which the Foundation Affiliate will lease the property to Developer to construct and operate the hotel and conference center. (June 5, 2014).
- (6) The Board of Regents approved an approximate 2-acre non-exclusive easement for roads, access and utilities. (June 27, 2014) .

Transaction:

- (1) Upon approval of this Item, the University and the Foundation Affiliate will enter into the Agreement of Sale. Until closing (when the property actually conveys), the Agreement of Sale (between the University and the Foundation Affiliate) and the development agreement (between the Foundation Affiliate and the Developer) will govern the parties' pre-closing relationship.
- (2) The Agreement of Sale sets forth certain events that must occur for closing to occur. These events include the Developer having obtained detailed site plan and other development approvals from M-NCPPC and Prince George's County. The University will have review and approval rights of the detailed site plan as well.
- (3) The Agreement of Sale includes a Declaration of Covenants, Conditions, Restrictions, and Reciprocal Easements (Declaration). The Declaration provides for temporary staging and construction-related activities and allows the project to use approximately two acres of adjacent land for road, utility and other related easements.
- (4) The Declaration restricts the use of the property to a high-quality AAA-rated Four Diamond hotel and conference center with specific amenities.
- (5) Before closing and after the project receives the necessary local approvals, the University will obtain Board of Public Works members' signatures on the deed of subdivision; the deed of conveyance; and the Declaration. The University anticipates this occurring in 2015.

Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014

3-RP. UNIVERSITY OF MARYLAND, COLLEGE PARK (cont'd)
Real Property: Disposition

Post-Closing:

- (1) After closing, the University retains approval rights over exterior changes and changes that materially alter the height, width, or exterior dimensions of the project from those approved in the detailed site plan.
- (2) The Developer will *build* all roads, sidewalks, utilities and other off-site infrastructure, all of which are part of a road network intended to serve both the hotel and the University's remaining property east of Route 1. The University will *maintain* the roads, sidewalks, landscaping and other related improvements (except storm water and private utilities).
- (3) The University will not allow construction of a competing full-service hotel on the University's remaining property east of Route 1 for 25 years.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement C
University System Of Maryland
ACTION AGENDA
July 2, 2014

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

4-C. BOWIE STATE UNIVERISTY
Construction Contract

Contract ID: James Gymnasium HVAC Improvements
Project No. RFP#BSU 2014-01

Contract Description: Labor, materials, equipment, supplies, supervision and other resources as required for the James Gymnasium HVAC improvements at Bowie State University. Scope includes: four new packaged rooftop units with hydronic heat, direct expansion cooling, and heat recovery. Ductwork extends into building. Units will be fitted with a supply fan and a return/exhaust fan that circulates return air across the energy recovery wheel to extract any latent energy to precondition the outside air. These units are stand-alone in operation.

Award: Rich Moe Enterprises, LLC
Upper Marlboro, MD 20774

Contract Term: 7/2/14 – 3/15/15

Amount: \$2,399,521

Procurement Method: Competitive Sealed Proposals

MBE Participation: 100%
Subcontract goal: 30%
Sub-goals: 9% African-American
6% Asian-American

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**4-C. BOWIE STATE UNIVERISTY (cont'd)
Construction Contract**

Performance Security: Equal to contract amount

	Technical Evaluation	Price
Rich Moe Enterprises Upper Marlboro, MD	Acceptable	\$2,399,521
Simon Development & Construction Washington, DC	Acceptable	\$2,614,061
W.L. Gary Company, Inc. Washington, DC	Acceptable	\$2,798,000

Requesting Institution Remarks: The solicitation was advertised in *eMarylandMarketplace*. Four proposals were received. Three proposals were determined to be technically acceptable meeting the minimum technical requirements. Award is recommended to Rich Moe Enterprises, the firm submitting the lowest price and meeting the minimum technical requirements.

Fund Sources: MCCBL 2012: *Provide funds to design, renovate, construct, and equip various facilities renewal projects on University System of Maryland campuses across the State. Further provided that \$1,500,000 of this appropriation may only be used to replace the air conditioning system in the James Gymnasium at Bowie State University.* Item 049 \$1,370,521

USM Academic/Auxiliary Facility Revenue Bonds \$370,000
Current Unrestricted Funds \$659,000

Approp. Code: R30B23

Resident Business: Yes

MD Tax Clearance: 14-0902-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**Supplement C
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*Contact: James Salt
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USM Rep: Joe Evans*

**5-S OPT. BOWIE STATE UNIVERISTY
*Dining Services Renewal***

Institution: Bowie State University

Contract ID.: Food Services Management Contract, RFP No. 2009-06

Contract Approved: USM Item 4-S (12/17/08)

Contractor: Thompson Hospitality Services, LLC

Contract Description: Complete dining services for campus community, including student board meals, retail sales, and concessions.

Option Description: Exercise first of five 1-year options

Original Term: Dec. 24, 2008 - June 30, 2014 (w/ five one-year renewals)

Option Term: July 2, 2014 - June 20, 2015 (first option year)

Original Amount: \$16,000,000 (base 5-year term)

Option Amount: \$4,500,000

Original Procurement Method: Competitive Sealed Proposals

MBE Participation: 35% participation on gross reimbursements

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5-S OPT. BOWIE STATE UNIVERISTY (cont'd)
Service Contract Renewal Option

Fund Source: Current Unrestricted Funds. The source of funds is the University's Auxiliary Services Dining Program's self-support funds generated by student meal plans purchased.

Approp. Code: R30B23

Resident Business: Yes

MD Tax Clearance: 14-1463-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

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WITHOUT DISCUSSION

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Contact: James Salt
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USM Rep: Joe Evans

6-AE. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY
Architectural and Engineering Services Contract

Contract ID: Design Services Event Center & Arena Project
 Project #14-102AE

Contract Description: Architectural/engineering services to prepare complete plans and specifications for the new event center and arena project at the University of Maryland, Baltimore County. The facility will provide a venue for various events including commencement, concerts, and speakers along with NCAA athletic games and practices for men's and women's basketball and women's volleyball.

Award: Cannon Design
 250 W. Pratt Street
 Baltimore, MD 21201

Term of Contract: 38 months from notice to proceed

Amount: \$6,993,367

Procurement Method: USM Policies and Procedures for Architect/Engineer Procurements

<i>Proposals</i>	Ranking
Cannon Design Baltimore, MD	1
Hord Coplan Macht Baltimore, MD	2
Sink Combs Dethlefs/Grimm & Parker Denver, CO/Beltsville, MD	3

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**6-AE. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY (cont'd)
*Architectural and Engineering Services Contract***

MBE Participation: 20.44%

Performance Bond: No

Requesting Institution Remarks: The solicitation was advertised in *eMarylandMarketplace* as well as posted on the University’s electronic bid board. Five firms responded. The Qualifications Committee recommended three firms as potentially eligible to provide the required services based upon the firms’ qualifications. Oral presentations were conducted with the three firms and the Qualifications Committee recommended Cannon Design as the most qualified firm. The price proposal was the results of a negotiated agreement with the University’s Qualifications Committee. The AE selection process inclusive of the fee negotiations was reviewed and approved by the University’s Executive Review Group, which includes a public member outside of the University. The initial contract will be issued through the bidding phase in the amount of \$5,402,639 and amended later for the construction administration and post construction phases.

Fund Source: USM Academic/Auxiliary Facilities Revenue Bonds (\$200,000)
Plant Funds (\$5,202,639)

Approp. Code: R30B31

Resident Business: Yes

MD Tax Clearance: 14-0790-0111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

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Supplement C
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Contact: James Salt
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USM Rep: Joe Evans

7-C. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY
Construction Contract

Contract ID: Construction Management at Risk Services for the Event Center & Arena Project
RFP #BC-20907-C

Contract Description: Professional management and construction services during pre-construction and construction for the new event center and arena project at the University of Maryland, Baltimore County. The facility will provide a venue for various events including commencement, concerts, and featured speakers along with NCAA athletic games and practices for men's and women's basketball and women's volleyball.

Award: Barton Malow Company
300 W. Pratt
Baltimore, MD 21201

Term of Contract: 23 months from pre-construction notice to proceed

Amount: \$859,000 (pre-construction fees only: see remarks)

Procurement Method: Competitive Sealed Proposals

Proposals:

	Technical Rank	Price Rank	Final Rank	Price
Barton Malow Baltimore, MD	1	3	1	\$9,025,925
Whiting-Turner Contracting Baltimore, MD	2	2	2	\$8,869,490
Gilbane Building Company Laurel, MD	3	1	3	\$8,764,563

MBE Participation: 29%

Performance Bond: 100% performance bond required

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**7-C. UNIVERSITY OF MARYLAND, BALTIMORE COUNTY (cont'd)
*Construction Contract***

Requesting Institution Remarks: The solicitation was advertised in *eMaryland Marketplace* as well as posted on the University’s electronic bid board. Seven technical proposals were received. These proposals were evaluated by a University evaluation committee. Three proposers were found to be susceptible of the award and were invited to oral presentations. All firms remained shortlisted after oral presentations and were invited to submit a price proposal. Award is recommended to the Barton Malow Company, the firm with the highest technical ranking. Barton Malow demonstrated significant expertise and superior ability constructing similar event and arena projects. They have a veteran team with strong experience constructing this specialized project type including the Agganis Arena at Boston University.

The estimated construction cost for this project is \$66,700,000 including construction fees and general conditions, and trade contracts. This Item recommends award for pre-construction services only. If the University and the Construction Manager agree to a Guaranteed Maximum Price for construction, the University will return to the Board with a recommendation to modify the contract to include the actual construction costs inclusive of the CM’s construction costs.

Fund Source: Plant Funds
Approp. Code: R30B31
Resident Business: Yes
MD Tax Clearance: 14-0785-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

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WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
ACTION AGENDA
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REVISED

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1-IT. MARYLAND STATE POLICE

Contract ID: Maryland State Police Resourcing Services
eMM MDW0031013377/ADPICS No.: W00B4400038

Description: Technical and professional personnel for Maryland State Police's Information Technology Division.

Award:

Advanced Government Solutions (AGS)	Bowie, MD
Automated Resource Management Associates (ARMA)	Silver Spring, MD
Netorian	Aberdeen, MD
Peridot Solutions	Rockville, MD

Term: 7/3/2014 – 7/2/2019 (five-year base, with 1 two-year option)

Amount: \$25,000,000 (five-year base term)
\$ 5,000,000 (contingency)
\$10,000,000 (two-year option)
\$40,000,000 (Total)

Procurement Method: Competitive Sealed Proposals

Proposals: See Page 3D

MBE Participation: One of the four awardees

Remarks: This procurement was released as SBR only. The Maryland State Police relies heavily on federal grants for many of its Information Technology development projects. Typically, the federal grant must be performed within 12-18 months after award.

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1-IT. MARYLAND STATE POLICE (cont'd)

Remarks: (cont'd)

When additional technical resources are needed to perform grant-funded work, the State Police must use either:

- A. Available State personnel contracts, entailing:
- a Request for Resume, approximately 10-12 weeks from solicitation development to award, but provides a resource for no more than 6 months; or
 - a Task Order Request For Proposals, approximately 24-40 weeks from solicitation development to award, but may provide a resource for more than a 6 month period; or
- B. Intra-Agency Memorandum of Understanding which are dependent upon resource availability at another agency and may not be cost-competitive.

Delaying the State Police's ability to quickly bring on technical staff causes immediate complications with grant awards, requiring the State Police to request multiple extensions on grant performance periods and, at times, causing a loss of credibility for the State Police with the federal grantors (*i.e.*, the Department of Justice, the Office of Justice Programs, and the Bureau of Justice Statistics).

By putting this Staffing Resources contract in place, the State Police will be able to very quickly staff contractual positions and reduce cost and risk to not only the agency, but to the State. While the staffing of grant projects is the impetus for requesting this contract, the State Police will also use the contract to staff technical positions that are not Grant funded. For example, the State Police currently has four large-scale, ongoing software/system development projects (CAD/RMS, 700 MHz Radios, Licensing Automation, and E911) that could and would benefit from this contract.

Seventeen vendors attended the pre-proposal conference; 20 proposals were received. Based on the technical responses, five of the vendors were rated technically as Excellent, and three were rated technically as Very Good. After then reviewing the financial responses, and requesting Best and Final Offers, the evaluation committee determined three of the technically ranked Excellent and one of the Very Good ranked vendors offered the best value to the State.

Fund Source:	General Funds	
Approp. Code:	W0041711	
Resident Business:	Yes	
MD Tax Clearance:	14-1133-0111 – AGS	14-1134-0111 – ARMA
	14-1132-0111 – Netorian	14-1131-0110 – Peridot Solutions

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

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1-IT. MARYLAND STATE POLICE (cont'd)**ATTACHMENT 1 – MSP Proposals Received for Resourcing Services**

Technical			Financial			Overall
Vendor	AVG	Tech Rank	Original	BAFO	Financial Ranking	Overall Ranking
Peridot	Excellent	3	\$36,948,685	\$36,948,685	6	1
AGS	Excellent	1	\$39,392,820	\$39,392,820	8	2
Netorian	Excellent	2	\$41,390,940	\$39,956,040	9	3
ARMA	Very Good	7	\$38,486,320	\$37,910,180	7	4
System Soft	Very Good	8	\$41,795,625	\$40,066,845	10	5
Spearhead Group	Good	11	\$36,602,616	\$36,060,355	5	6
Infojini	Very Good	6	\$66,948,203	\$63,811,632	15	7
PowerSolv	Excellent	5	\$69,879,422	\$67,880,414	17	8
United Solutions	Excellent	4	\$73,902,300	\$73,902,300	18	9
Mansai	Good	10	\$51,747,546	\$51,711,546	11	10
CMT	Good	13	\$61,004,320	\$53,588,520	12	11
IS2	Good	12	\$59,387,860	\$58,256,780	14	12
SONA Networks	Good	9	\$68,063,121	\$65,620,919	16	13
BMT	Poor	14	\$11,232,000	\$11,232,000	1	14
Systems Automation	Poor	15	\$80,600,000	\$78,040,000	19	15
VTECH	Poor	16	\$85,404,157	\$81,133,949	20	16
Swift Staffing	Very Poor	19	\$21,652,480	\$19,250,000	2	17
Smith Staffing	Very Poor	17	\$33,828,000	\$31,790,000	3	18
Excel	Very Poor	18	\$34,071,167	\$32,359,077	4	19
InterBase	Very Poor	20	\$35,799,790	\$56,691,991	13	20

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2-IT. BALTIMORE CITY COMMUNITY COLLEGE

Contract ID: Software License Agreement with Regent Education
ADPICS No.: R95P4401041

Description: **Retroactive**/Software licenses for financial aid management

Award: Regent Education, Inc.
Chicago, IL

Term: 1/19/2014 – 1/18/2015

Amount: \$97,000

Procurement Method: Sole Source

MBE Participation: None

Remarks: In January 2014, BCCC entered into an agreement with Regent Software for licenses without Board of Public Works approval. The College has historically used the software, and for continuity of services, it was in the colleges’ and students’ best interest to continue services with Regent Education, Inc. The timely execution of documents necessary to avoid a retroactive procurement was significantly complicated by several internal personnel factors within the College. Since the College is in the midst of planning for a new Enterprise Resource Planning system, it was determined to continue the relationship with Regent Education, Inc. for one year.

As provided in State Finance and Procurement Article, Sect. 11-204(c), request the Board of Public Works determine the contract is voidable, rather than void, because: 1) all parties acted in good faith; 2) ratification of the procurement contract would not undermine the purposes of State procurement law; and 3) the violation or series of violations was insignificant or otherwise did not prevent substantial compliance with State procurement law.

Fund Source: General

Approp. Code: R95C06602

Resident Business: No

MD Tax Clearance: 14-1474-1111

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

Supplement D
Department of Information Technology
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3-IT. MARYLAND STATE DEPARTMENT OF EDUCATION

Contract ID: Oracle Financial and Human Resource System Maintenance
ADPICS No.: R00B4400003

Description: Support for customized in-house Oracle Financial and Human Resource System

Award: Alverest, LLC
Great Falls, VA

Term: 7/7/2014 – 7/6/2015 (One-year with 2 six-month renewal options)

Amount: \$239,200 (Base)
\$122,720 (1st 6-month renewal option)
\$122,720 (2nd 6-month renewal option)
\$484,640 Total

Procurement Method: Sole Source

Incumbent: Alverest, LLC.

MBE Participation: None

Remarks: The Maryland State Department of Education provides leadership, support, and accountability for effective systems of public education, library services and rehabilitation services. The Division of Business Services is responsible for accurate time reporting and accounting of both permanent and contractual staff. This contract supports the human resources (HR), the timekeeping, and the financial management systems and the support needed to transition off these systems onto a State or Agency platform.

From 2008 to 2013, MSDE implemented the Oracle System to replace the accounting and HR systems which had been in operation since 1991. The 1991 technology was old, outdated, slow and in many cases not able to be repaired. The Oracle application was adopted from an application designed to handle HR and payroll functionality, establishing a common code base to reduce maintenance costs.

The system is currently used by HR, payroll, accounting/finance and information and technology. In addition, the internal users the application also receives updates/feeds from the State Accounting System, Financial Management Information System (FMIS). The system has interfaces with the following:

- Batch interfaces exist with the Maryland FMIS to balance funding at MSDE,
- Financial Data-warehouse,
- Monthly files provided to DoIT

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3-IT. MARYLAND STATE DEPARTMENT OF EDUCATION (cont'd)

Remarks: (cont'd)

This is a stop gap measure as MSDE migrates off the existing system by rewriting the system. The migration consists of three parts: basic HR functionality, time keeping and cost allocation. MSDE will rewrite the costing component using .NET technology. The delays with identifying a State HR solution has affected MSDE's ability to make a decision regarding the other two HR components. MSDE will prioritize the development of the cost allocation component and determine next steps with the HR components once the State has made a determination regarding an HR system. MSDE has looked at using MD Time, but has been asked to wait to deploy the solution as they are working on a new version of this application.

MSDE is under an extremely tight timeline to move off of the current system and is looking for the contractor to assist in creating design documents and transferring both system and functional knowledge so that MSDE can integrate with existing state systems.

The current solution uses Oracle's E-Business Suite; although MSDE uses a package it does not resemble a typical E-Business Suite. The existing application development skill set in OIT is Microsoft.net so there are no internal resources that can maintain this system. The costing process is specific to MSDE; MSDE is in need of a system that can allocate multiple federal grants and interact with various State Systems.

Fund Source: General
Approp. Code: R00A0104
Resident Business: No
MD Tax Clearance: 14-1444-0000

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

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Department of Information Technology
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4-IT. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID: Local Telecommunications Services
ADPICS No.: 060B3490013

Description: Local telecommunications services for State offices that is available for use by all executive branch State agencies and includes all local network lines and local calls.

Award: Verizon Maryland LLC, Silver Spring, MD

Term: 7/2/2014 – 6/30/2019 (with two 1-year renewal options)

Amount: \$25,000,000 (Base Period)
\$ 5,000,000 (Option Year 1)
\$ 5,000,000 (Option Year 2)
\$35,000,000 Total

Procurement Method: Competitive Sealed Proposals

MBE Participation: None

Incumbent: Verizon Maryland, LLC (Baltimore)
MCI Comm. Services, Inc. (d/b/a Verizon Business Services) (Baltimore)
Verizon Network Integration Corp. Baltimore)

Remarks: Local telecommunications services comprises the local network lines and local phone service call usage from the telephone company to State offices within local territories called LATAs (Local Access and Transport Area). When AT&T was divested in 1984, LATAs were established for states to geographically delineate telecommunications traffic that could be handled by local telephone companies (in Maryland: originally C&P Telephone, now Verizon) versus traffic that had to be handled as long distance calls by a non-local telephone company (originally the reduced AT&T.) Maryland was separated into four LATAs (Baltimore, Washington, Hagerstown, Salisbury LATAs) to roughly coincide with the geographic areas. These four LATAs exist today exactly as created in 1984.

A notice of the availability of the Request for Proposals was advertised on *eMarylandMarketplace.com* and the DoIT website and the DoIT Bid Board. In addition, DoIT mailed the RFP directly to ten firms that are known to offer similar services. A copy of the RFP was sent to the Governor's Office of Minority Affairs.

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4-IT. DEPARTMENT OF INFORMATION TECHNOLOGY (cont'd)

DoIT received only one proposal and that was from Verizon Maryland LLC. Verizon Maryland LLC's proposal met the RFP technical requirements and although many prices for services are based on tariff pricing, many other services have prices that are discounted off of tariff.

The *Award Amount* shown above is estimated and is based upon firm-fixed unit prices established in the contract. Payment will be made only for the actual amount of services provided.

Fund Source: Various
Approp. Code: Various
Resident Business: Yes
MD Tax Clearance: 14-1362-1001

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

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Supplement D
Department of Information Technology
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5-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY

Contract ID: Statewide Public Safety Wireless Communications System
ADPICS No.: 060B1400056

Contract Approved: DoIT Item 3-IT (11/17/2010)

Contractor: Motorola Solutions, Inc. (Columbia, MD)

Description: Provide integrated Statewide public safety wireless communication system. The system – to be built in five phases – will be the primary radio communication system for public-safety first responders throughout the State.

Modification Description: Notice to proceed to complete Region 4, Western Maryland and allow implementation to deploy, test, and accept system on a county-by-county basis which provides more efficiency than the original region-wide scope.

Original Contract Term: 11/18/2010 – 11/17/2018 (with seven, 1-year renewal options)

Original Contract Amount:

\$345,000,000	(Base Period, 8 Yrs.)
\$20,000,000	(Option Yr. 1)
\$20,000,000	(Option Yr. 2)
\$20,000,000	(Option Yr. 3)
\$20,000,000	(Option Yr. 4)
\$20,000,000	(Option Yr. 5)
\$20,000,000	(Option Yr. 6)
\$20,000,000	(Option Yr. 7)
\$485,000,000	Total

Prior Modifications/Options: No monetary changes

DoIT Item 6-IT (10/19/2011):	Eliminate portion of Phase 1 work and move installation of four Kent County antenna sites from Region 2 into Phase 1.
DoIT Item 8-IT (06/06/2012):	Proceed with Phase 2 (Region 2) (build-out of Eastern Shore infrastructure) and expend \$23,000,000 for subscriber equipment through FY 2013.
DoIT Item 1-IT (01/02/2013):	Continue with Phase 2 (Region 2) (build-out of Eastern Shore infrastructure).
DoIT Item 2-IT (07/03/2013):	Proceed with Phase 3 (Region 1) (build-out of Central Maryland infrastructure).

Revised Total Contract Amount: No change

Original Procurement Method: Competitive Sealed Proposals

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5-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY (cont'd)

MBE Participation: 11.6%

MBE Compliance: 17%

Remarks: Through this contract, the State is building a radio system that will be the primary operating radio system for all State agencies. The system will provide a communications platform for 16 State units and allow for seamless interoperability among State users.

When the Board of Public Works approved the award of this contract, it approved DoIT issuing a notice to proceed for only Phase 1-Region 1A. The approved Item expressly states: “As funding becomes available, DoIT will return to the Board for approval to award (i.e., issue a notice to proceed) each successive phase.

DoIT now seeks approval to issue a notice to proceed to with Region 4, **Western** Maryland.

Capital funds in FY15 were appropriated for Region 4 activities. Region 4, Western Maryland includes **Washington, Allegany and Garrett** Counties. This project is now being funded on a cash flow basis by fiscal year (rather than previous funding approach for a full Region at a time).

DoIT intends to use the contingency scope included in the contract originally approved. The contract has a line item that provides for contingency that allows the project team to address unknowns that could not have been reasonably identified during requirements definition. The sites were originally surveyed in 2008. As each site is reviewed during final engineering and design, each may require additional work, such as strengthening the towers, adding generators, electricity and even new shelters. Each site must also be connected by fiber optic cable or microwave and some links do not exist or must be expanded for the capacity needed for the 700 MHz system or both. This work could not reasonably be specifically scoped in the original requirements. The need to use the contingency scope may occur across any of the Phases/Regions. The funding for the contingency work anticipated in FY15 is included in the FY15 appropriation.

Fund Source: \$26,100,000 – GO Bonds (FY15)
 \$ 6,800,000 – SHA
 \$32,900,000 – Total

The fund sources shown here reflect those appropriated for FY15, which coincide with anticipated FY15 expenditures.

Resident Business: Yes

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

REVISED

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6-IT. DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES
Information Technology & Communications Division

Contract ID: Business & Decision North America (PA), Inc.
Software Services and Maintenance
DPSCS IT&CD 2008-30/ADPICS No.: Q00B9200147
Addt'l ADPICS Q00B4400317

Contract Approved: DoIT Item 2-IT (12/17/2008)

Contractor: Business & Decision North America (PA), Inc., Wayne, PA

Contract Description: Implement Statewide Offender Case Management System

Modification Description: **Retroactive/Approve** additional development work that DPSCS ordered so that Contractor may be compensated.

Original Term: Dec. 22, 2008 – Nov. 30, 2011

Option Term: Dec. 1, 2011 – Nov. 30, 2013 (Three option years not exercised)

Original Contract Amount: \$9,274,297

Modification Amount: \$367,359

Prior Modifications/Options: \$500,000 for modifications; \$1,300,000 for options

Percent +/- (This Modification): +3.3%

Overall Percent +/-: +16.2%

Original Procurement Method: Competitive Sealed Proposals

MBE Participation: 35%

MBE Compliance: 35%

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**6-IT. DEPARTMENT OF PUBLIC SAFETY & CORRECTIONAL SERVICES (cont'd)
*Information Technology & Communications Division***

Remarks: In 2008 DPSCS, contracted with Business & Decision North America (PA), Inc. to implement a Statewide Offender Case Management System. DPSCS required the Contractor to perform additional work due to changes in the law and added functionalities.

These changes led to DPSCS overspending one of the contract’s cost components – development – by \$367,359 to compensate for the additional work.

DPSCS did not submit the modification for the additional development work (and related compensation) for Board of Public Works approval as required by COMAR 21.02.01.04J(2)(b).

The contract expired before DPSCS paid the Contractor for the extra work.

DPSCS now requests the Board to ratify this contractual modification as allowed by § 11-204(c), State Finance and Procurement Article, Annotated Code of Maryland, so that the Contractor can be paid for extra work completed during the term of the contract.

Fund Source: General

Approp. Code: Q00A0102

Resident Business: No

MD Tax Clearance: 14-1274-1111

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Supplement D
Department of Information Technology
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7-IT-OPT. DEPARTMENT OF TRANSPORTATION
Office of Transportation Technology Services

Contract ID: MDOT-09-NMS
ADPICS No.: J01B9200013; COF66296

Description: Provide information communications and technology network management maintenance and project-based services. Provide also operations support, technical services, disaster recovery services, security and certification services for MDOT enterprise network.

Option Description: Exercise two, 1-year option renewals

Award: L-3 National Security Solutions, Inc. in Reston, VA

Term: 8/27/2009 – 8/26/2014

Option Term: 8/27/2014 – 8/26/2016

Original Amount: \$42,944,222 (5 Year Base)

Options Amount: \$14,645,355 (total for two options)

Prior Options/Modifications: None

Revised Total Contract Amount: \$57,589,577

Percent +/- (This Modification): 34%

Overall Percent +/-: 34%

Procurement Method: Competitive Sealed Proposals

MBE Participation: 35%

MBE Compliance: 30.09%

Remarks: This contact provides information communications and technology network management and maintenance services. MDOT has a sizable and growing investment in information technology and telecommunications. The continued expansion of local area networks and wide area networks is important for supporting the business needs of MDOT including extensive Homeland Security applications. The objective of this contract is to provide MDOT with a cost effective way to obtain management, maintenance, and operations support; technical services; disaster recovery services, security and certification services for the MDOT enterprise network.

**Supplement D
Department of Information Technology
ACTION AGENDA
July 2, 2014**

7-IT-OPT. DEPARTMENT OF TRANSPORTATION (cont'd)

Exercising both remaining options is in the best interest of the State because L-3 has performed during the base term and met all requirements of the contract. Approval of the two option renewals will allow time to develop the next RFP, solicit and award a replacement contract by the time the current contract expires.

The BPW approved \$42,944,222 for the initial five year term of the Contract, which included funds for project based services. MDOT, through conservative project and contract management efforts has minimized the use of these services during the initial term and therefore does not require the full option amounts that were presented to the BPW at the time of contract award. Because there are remaining funds in the base term of the contract, MDOT is seeking \$14,645,354.61 to cover the two renewal option years.

MBE compliance is 30.09% as reported in FMIS as of March 31, 2014. MDOT's Office of Diversity and Equity has continued to monitor and work closely with L-3 to maximize the potential for MBE participation during the duration of this contract. The established goal for this contract was 30% and L-3 committed to 35%. From the onset of the contract, L-3 has continued to increase MBE participation each consecutive year. MDOT has regularly scheduled progress meetings to ensure that participation levels continue to increase and that the committed MBE goal will be met.

Fund Source: Special (Transportation Trust Fund)
Approp. Code: J01 39293 09293 0880 (Program 07)
Resident Business: No

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION



BOARD OF PUBLIC WORKS (BPW)

ACTION AGENDA

July 2, 2014

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Real Property	18 - 23

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

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-14-009
Pedestrian Walkway from Consolidated Rental Car Facility Garage to the East Tenant Lot at Baltimore/Washington International Thurgood Marshall Airport (BWI Marshall)
Anne Arundel County
ADPICS No. ~~MAAMC14009~~ **MAACO14009**

CONTRACT DESCRIPTION: This contract provides for the installation of a pedestrian walkway along Valley Road from the Employee Parking Area in the East Tenant Lot to the car rental Quick Turnaround Areas. Also, included are the pedestrian crosswalks for each tenant, associated street lighting and storm water management facilities.

AWARD: Mid-Atlantic General Contractors, Inc.
Beltsville, MD

TERM: 130 Calendar days from NTP

AMOUNT: \$627,114

PROCUREMENT METHOD: Competitive Sealed Bidding
(Small Business Reserve)

BIDS:

Mid-Atlantic General Contractors, Inc. Beltsville, MD	\$627,114
Tilt-Up Construction, Inc. Glen Burnie, MD	\$643,800
JLN Construction Services, LLC Baltimore, MD	\$661,292

MBE PARTICIPATION: 14%

PERFORMANCE SECURITY: Performance and Payment Bond at 100% of Contract Amount exists.

ITEM: 1-C (Continued)

BPW – 07/02/14

REMARKS: The Engineer’s Estimate was \$537,393.20. This solicitation was advertised on eMaryland Marketplace and on the MAA Website. eMaryland Marketplace directly notified over four hundred forty-eight (448) prospective bidders, including Maryland companies, Minority Business Enterprises, and Small Business Enterprises. The solicitation was also sent to the Governor’s Office of Minority Affairs and five (5) minority business associations. A total of thirteen (13) firms purchased the contract documents. Three (3) bids were received.

APPROPRIATION CODE: J06I0003

FUND SOURCE: 100% Special Funds Budgeted to MAA

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 14-1500-0011

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

Norie Calvert 410-545-0433
ncalvert@sha.state.md.us

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 2-C

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: GA2065229
 Construction of New Salt and Truck Storage
 Facilities and other Miscellaneous Improvements
 at the Administration's Keyser Ridge Facility in
 Garrett County
 ADPICS No. GA2065229

CONTRACT DESCRIPTION: This Contract consists of the construction of new salt and truck storage facilities and other miscellaneous improvements at the Administration's Keyser Ridge Facility in Garrett County.

AWARD: Braddock Construction, LLC
 Frostburg, MD

AMOUNT: \$9,964,800 NTE

TERM OF CONTRACT: 07/14/2014 – 06/13/2017

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS:

Braddock Construction, LLC Frostburg, MD	\$9,964,800
Lashley Construction Co., Inc. Frostburg, MD	\$10,671,599
Harbel, Inc. Cumberland, MD	\$10,850,000

MBE PARTICIPATION: 100%

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. One Hundred Twelve (112) contractors were notified for this project on eMaryland Marketplace; Twenty Eight (28) of which were MDOT Certified MBE's.

ITEM: 2- C (Continued)

BPW – 07/02/14

The MBE goal established for this contract was 9%, however the prime contractor is a Certified Minority Business Enterprise; therefore the participation is 100%.

This contract includes pre-established amounts totaling \$56,000 (1% of the total contract value) for payments for CPM scheduler/receipt and approval of CPM, storm water management as built certification payments, operations/maintenance manuals, system training as built drawings, and CPM scheduler/receipt and approval of monthly updates allowances.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 14-0797-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION (Construction)

ITEM: 3-C-MOD

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-CO-13-014
 RSA Program Environmental Mitigation Stream
 Restoration at Baltimore/Washington
 International Thurgood Marshall Airport
 Anne Arundel County
 ADPICS No. CO309747

ORIGINAL CONTRACT APPROVED: Item 1-C, DOT Agenda 5/29/13

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

MODIFICATION: Modification No. 2 provides for an increase of the original contract term by an additional 306 calendar days.

CONTRACTOR: Environmental Quality Resources, LLC
 Arbutus, MD

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$2,078,772

REVISED CONTRACT AMOUNT: \$3,013,772

PERCENTAGE INCREASE: 0% (Modification No. 2)
 45% (Overall)

TERM: 174 Calendar Days from NTP (Original)
 41 Calendar days (Modification No. 1)
 306 Calendar days (Modification No. 2)

DBE PARTICIPATION: 25.52% (Compliance 15%)

REMARKS: Upon completion of the landscaping plant material, a number of invasive plant species were found growing from the root balls of the newly planted trees and shrubs. Given the condition of the plants, it was agreed to by all parties that corrective action would be taken before the plant material warranty would start. This Modification allows for the contractor to manually remove all invasive species from all trees and shrubs from the affected areas, spray all trees and shrubs from the affected areas with a applicable herbicide and in late summer of 2014/ Spring of 2015 re-inspect the trees and shrubs and retreat if necessary. There is no additional cost associated to this modification. This project was funded by Passenger Facility Charge (PFC) funds backed by MDTA bonds. MDTA approved this project at their March 27, 2014 Board meeting.

ITEM: 3-C-MOD (Continued)

BPW – 07/02/14

FUND SOURCE:

100% Passenger Facility Charge (PFC) Revenue
Funds Budgeted to MAA and Future Federal
Funds

APPROPRIATION CODE:

J06I0003

RESIDENT BUSINESS:

Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,078,772	174 Calendar Days from NTP	05/29/13, Item 1-C	
Modification No. 1	\$935,000	41 Calendar Days	04/02/14, 7-C-MOD	Mass flooding caused damage to construction area
Modification No. 2	\$0	306 Calendar Days		Removal of all invasive plant species

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

BPW - 07/02/14

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (Architectural/Engineering)

ITEM: 4-AE-MOD

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-AE-08-001 A & B
 Subsurface Utilities Engineering (SUE) and
 Geographic Information Systems (GIS) Data
 Development at BWI Marshall
 ADPICS Nos. MAAE0801A & MAAAE0801B

ORIGINAL CONTRACT APPROVED: Item 1-AE, DOT Agenda 02/13/08

ORIGINAL PROCUREMENT METHOD: Maryland Architectural and Engineering Services
 Selection Act

MODIFICATION: Modification No. 2 is to request retroactive approval for the issuance of two new
 in scope tasks.

CONTRACTOR:

Johnson, Mirmiran & Thompson, Inc./
 Earth Tech, Inc., JV
 Sparks, MD (Contract A)

InfraMap Corporation
 Hanover, MD (Contract B)

AMOUNT: \$0

ORIGINAL CONTRACT AMOUNT: \$2,500,000 NTE (Contract A)
 \$1,000,000 NTE (Contract B)

REVISED CONTRACT AMOUNT: \$2,500,000 NTE (Contract A)
 \$1,000,000 NTE (Contract B)

PERCENTAGE INCREASE: 0% (Modification No. 2)
 0% (Overall)

TERM: 03/01/08 – 02/28/12 (Original)
 02/29/12 – 08/28/13 (Modification No. 1)

ORIGINAL MBE PARTICIPATION: 20% (MBE Compliance 10.55% (A)
 & 20.51% (B))

ITEM: 4-AE-MOD (Continued)

BPW - 07/02/14

REMARKS: The Board of Public Works approved Modification No. 1 that extended both contracts by eighteen (18) months (2/18/12 DOT Agenda, Item 4-AE-MOD). MAA made a statement in that item – “No new tasks will be issued during this extension period”. However two in scope tasks were issued subsequent to the BPW approval. MAA is requesting retroactive approval by the Board of these tasks.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

RESIDENT BUSINESSES: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT I

	Amount	Term	BPW/DCAR Date	Reason
Original Contract	\$2,500,000 \$1,000,000	03/01/08- 02/28/12	02/13/08 Item 1-AE	
Modification No. 1 18	\$0	02/29/12- 08/28/13	02/08/12 Item 4-AE-MOD	Extend contract for months
Modification No. 2	\$0		07/02/14	Request retroactive approval

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

BPW-07/02/14

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 5 -M

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-15-006
 Driver Training System (DTS) Maintenance at
 Baltimore/Washington International Thurgood
 Marshall (BWI Marshall) Airport Anne Arundel
 County
 ADPICS No. MAAMC15006

CONTRACT DESCRIPTION: This contract provides for labor and materials necessary to maintain and repair the equipment and software for the DTS at BWI Marshall.

AWARD: FAAC Incorporated
 Ann Arbor, MI

TERM: 8/1/14 – 7/31/19

AMOUNT: \$122,460

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0% (proprietary)

LIVING WAGE ELIGIBLE: Yes

PERFORMANCE SECURITY: None

REMARKS: The DTS was competitively purchased and installed in 2008. The DTS is a computerized driver simulator system that provides MAA Staff with airfield familiarization and equipment training. The system allows MAA to train, qualify, and familiarize MAA Staff with airfield operations without closing the active runways/taxiways for training. The system has the capability of providing training on the operation of diverse equipment and working under various airfield conditions.

In accordance with COMAR 21.05.05.02 (A) (1), the MAA has determined that a sole source procurement is necessary as only one source exists that can provide the labor and materials necessary to maintain this proprietary system. FAAC Incorporated has provided maintenance of the system since 2008 and has been responsive in fulfilling the requirements. The price has been deemed fair and reasonable. FAAC has provided yearly maintenance of the system for a price of \$25,250.00 per year, the five year agreement provides a 3 percent discount per year.

ITEM: 5-M (Continued)

BPW -07/02/14

FUND SOURCE: 100% Special Funds Budgeted to MAA
APPROPRIATION CODE: J06I00002
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 14-1469-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Norie Calvert 410-545-0433
ncalvert@sha.state.md.us

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION:

ITEM: 6-M-MOD (Maintenance)

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 42961071415
Brush, Tree, and Stump Removal in Frederick and
Carroll Counties
ADPICS No. 4296107145

ORIGINAL CONTRACT APPROVED: DCAR, 6/3/2013

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MODIFICATION: Modification No. 1 is to increase the contract authority to allow routine and emergency brush, tree and stump removal in Frederick and Carroll Counties to continue until the replacement contract is awarded.

CONTRACTOR: Pittman’s Tree & Landscaping, Inc
Front Royal, VA

AMOUNT: \$135,724

ORIGINAL CONTRACT AMOUNT: \$159,203

REVISED CONTRACT AMOUNT: \$294,926

ORIGINAL TERM: 06/17/2013 – 12/31/2015

PERCENTAGE INCREASE: 85.25% (Modification No. 1)

ORIGINAL MBE PARTICIPATION: 0%

REMARKS: The reason for the increase is to cover additional work needed prior to the execution of the replacement contract. This additional work is a result of an extreme winter, including multiple ice storms. This increase will allow routine and emergency brush and tree removal in Frederick and Carroll Counties to continue award of the replacement contract, which we anticipate to be awarded by December 2014.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: No

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

Norie Calvert 410-545-0433
ncalvert@sha.state.md.us

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION

ITEM: 7-M-MOD (Maintenance)

STATE HIGHWAY ADMINISTRATION

CONTRACT NO & TITLE: 4291371415
Brush, Tree, & Stump Removal in Howard County
ADPICS No. 4291371415

ORIGINAL CONTRACT APPROVED: DCAR

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MODIFICATION: Modification No. 1 is to increase the contract authority to allow routine and emergency brush and tree removal in Howard County to continue until the replacement contract is awarded.

CONTRACTOR: Excel Tree Expert Co., Inc.
Jessup, MD

AMOUNT: \$67,704

ORIGINAL CONTRACT AMOUNT: \$139,808

REVISED CONTRACT AMOUNT: \$207,512

ORIGINAL TERM: 06/7/2013 – 12/31/2015

PERCENTAGE INCREASE: 48.43% (Modification No. 1)

ORIGINAL MBE PARTICIPATION: 0%

REMARKS: The reason for the increase is to cover additional work needed prior to the execution of the replacement contract. This additional work is a result of an extreme winter, including multiple ice storms. This increase will allow routine and emergency brush and tree removal in Howard County to continue until the award of the replacement contract, which we anticipate will be by December 2014.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

John Thornton (410) 385-4850
jthornton@marylandports.com

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

SERVICE CONTRACT

ITEM: 8-S

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 214002-S
 Security Guard Services (Unarmed)
 ADPICS No. P140065

CONTRACT DESCRIPTION: This contract will provide unarmed security guards and supervisors at Maryland Port Administration Marine Terminals.

AWARD: AlliedBarton Security Services LLC
 Conshohocken, PA
 (Local Office: Baltimore, MD)

AMOUNT: \$5,883,211 NTE (2 years)
\$6,302,498 NTE (cost of two-year option incl. Living Wage & CPI adjustments)
 \$12,185,709 NTE (aggregate value incl. two-year renewal option)

TERM: 08/04/14 through 08/03/16 (two years, with one two-year renewal option)

PROCUREMENT METHOD: Competitive Sealed Proposals

PROPOSALS:

	<u>Technical Rank</u>	<u>Quoted Rates</u>	<u>Estimated Value/ Financial Rank</u> <u>Rank</u>	<u>Overall Rank</u>
AlliedBarton Security Services Conshohocken, PA	1	\$21.29 Gd. \$25.60 Sup.	\$5,883,211 (6)	1
G4S Secure Solutions (USA) Jupiter, FL	2	\$20.35 Gd. \$24.55 Sup.	\$5,557,360 (1)	2
Securitas Security Services USA Chicago, IL	3	\$20.66 Gd. \$24.44 Sup.	\$5,624,249 (3)	3
McRoberts Protective Agency. New York, NY	4	\$18.80 Gd. \$23.88 Sup.	\$5,601,564 (2)	4
Admiral Security (Red Coats, Inc.) Bethesda, MD	5	\$20.73 Gd. \$25.84 Sup.	\$5,691,662 (4)	5
U.S. Security Associates Roswell, GA	6	\$21.16 Gd. \$25.15 Sup.	\$5,764,715 (5)	6

MBE PARTICIPATION: 0% (single element of work)

LIVING WAGE ELIGIBLE: Yes

ITEM: 8-S (Continued)

BPW – 07/02/14

PERFORMANCE SECURITY: 100% of the contract value

REMARKS: This solicitation was advertised on eMaryland Marketplace, which directly solicited 197 prospective bidders including Minority and Small Business Enterprises and Maryland resident businesses. MPA sent notice of the solicitation to the Governor’s Office of Minority Affairs, Choose Maryland, the MD Washington Minority Contractors Association, and the Maryland Minority Contractors Association. MPA received six proposals.

The RFP provided that technical merit would be given greater weight than price in selection of the offer most advantageous to the State. MPA firmly believes that AlliedBarton’s technical superiority, expressed in its superior experience, qualifications, management, employee training, and other factors, makes its slightly higher price worth the additional cost (only 6% higher than the second technically ranked offeror that also had the lowest price). AlliedBarton’s experience and dedication to excellence are expected to enhance the Port’s already excellent reputation for secure, safe, efficient, cost-effective terminal operations, adding one more asset to the Port of Baltimore in its competition with other U.S. ports. MPA believes the additional cost will pay for itself in more efficient and secure terminal operations, making the Port of Baltimore more attractive to customers.

AlliedBarton is the largest American-owned security officer services company, with significant experience providing similar services at U.S. ports, including Houston, Jacksonville, Port Everglades, Tampa, South Carolina State Port Authority, and the Port of Fernandina (Florida). AlliedBarton was recently selected by the Port Authority of New York and New Jersey to provide security at the World Trade Center site in New York. AlliedBarton provides security for the Staten Island Ferry, protecting the lives of 60,000-70,000 passengers a day (22 million per year), 24 hours a day, seven days a week. Other facilities protected by AlliedBarton include refineries or facilities of Valero Energy Corporation, Tesoro Corporation, Florida Power & Light, and the major airports of the Port Authority of New York and New Jersey (Newark, JFK, and LaGuardia). AlliedBarton is an active member of the American Association of Port Authorities and its Security Committee.

AlliedBarton has a significant presence in Maryland, with an office in Baltimore City employing over 1,300 security personnel to clients including Johns Hopkins University, Under Armour, T. Rowe Price, and CareFirst. AlliedBarton has increased its military hiring efforts nationwide to the point where it now employs approximately 10,000 veterans, reservists, National Guardsmen, their families, and caregivers. AlliedBarton has also expressed a desire to retain guards currently working at MPA terminals provided they meet AlliedBarton’s standards.

Under current security conditions, MPA expects to use each week approximately 2200 guard hours and 353 supervisor hours (for four supervisors) among 12 posts at Dundalk, Seagirt, Fairfield, North Locust Point, and South Locust Point Marine Terminals, and the Access Control Center. MPA will pay for actual guard and supervisor hours provided at the hourly rates stipulated in the contract. MPA may adjust the number of guards and supervisors as needed to adapt to changing security needs, at no change in the hourly rates.

The contract also requires the contractor to provide a project manager onsite at Dundalk Marine Terminal, full-time (40 hours per week), dedicated exclusively to this contract, to manage the contractor’s supervisors and guards. The cost of providing the project manager is built into the hourly rates for guards and supervisors and is not a separately billable cost.

ITEM: 8-S (Continued)

BPW – 07/02/14

REMARKS: *(cont'd)*

The contract allows the contractor a percentage increase in the hourly rates on October 1, 2015, equal to the percentage increase in the Living Wage at that time, an increase at the beginning of the renewal term (if exercised) equal to the change in the Consumer Price Index (CPI) not to exceed 4%, and a second percentage increase on October 1, 2017 (during the renewal term, if exercised) equivalent to the increase in the Living Wage at that time. The estimated not-to-exceed value of \$5,883,211 includes the requested Living Wage price increase in 2015 at 3%. The estimated not-to-exceed amount of \$6,302,498 for the renewal term includes the requested CPI and Living Wage increases at 4% and 3%, respectively. Other offerors requested similar price increases based on the change in the CPI, changes in the Living Wage, or unforeseen increases in cost imposed by the Affordable Care Act.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03-D0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 14-1042-0001

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

Norie Calvert – 410-545-0402
Ncalvert@sha.state.md.us

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 9-RP MMC# 13-2385

STATE HIGHWAY ADMINISTRATION: Former Samuel Badian - 4.46 acres
Located on the south side of Intercounty Connector (MD 200), and approximately 5,000 feet west of Columbia Pike (MD 29), Montgomery County

EXPLANATION: In accordance with Section 8-309 (G) of the Transportation Article of the Annotated Code of Maryland, Board of Public Works approval is requested to dispose of +/- 4.4631 acres, as described, which is excess to the needs of SHA.

SPECIAL CONDITIONS: None

GRANTOR: State Highway Administration

GRANTEE: Maryland-National Capital Park and Planning Commission

CONSIDERATION: \$0

APPRAISED VALUE: \$20,000 - Stephen Muller, Appraiser
\$20,000 - Dennis R. D’Argenio, Review Appraiser (Selected)

STATE CLEARINGHOUSE: The Clearinghouse conducted an intergovernmental review of the project under MD20130807-0605 and recommended to declare +/- 4.4631 acres located as stated, surplus to the State and to convey the land to the Maryland-National Capital Park and Planning Commission (M-NCPPC) in Montgomery County. The M-NCPPC plans to use the land for reforestation, and wetland remediation purposes.

REMARKS: The State Highway Administration acquired the site for the construction of the Intercounty Connector (ICC) Project in Montgomery and Prince George’s County, Maryland. In accordance with the National Environmental Protection Act, the Federal Highway Administration issued a Record of Decision which mandated that after completion of the ICC construction, the Lead Agencies will offer any unused portion of the designated transportation area to become parkland after construction of the ICC.

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

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

Norie Calvert – 410-545-0402
Ncalvert@sha.state.md.us

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 10-RP MMC# 13-2386

STATE HIGHWAY ADMINISTRATION: Former MNCPPC - 22.13 acres
Located on both east and west side of the
Intercounty Connector (MD 200) south of
Bonifant Road, Colesville, Montgomery County

EXPLANATION: In accordance with Section 8-309 (G) of the Transportation Article of the Annotated Code of Maryland, Board of Public Works approval is requested to dispose of +/- 22.13 acres, as described, which is excess to the needs of SHA.

SPECIAL CONDITIONS: None

GRANTOR: State Highway Administration

GRANTEE: Maryland-National Capital Park and Planning Commission

CONSIDERATION: \$0

APPRAISED VALUE: \$100,000 - Stephen Muller, Appraise
\$100,000 - Dennis R. D’Argenio, Review Appraiser (Selected)

STATE CLEARINGHOUSE: The Clearinghouse conducted an intergovernmental review of the project under MD20130807-0606 and recommended to declare +/- 22.13 acres located as stated, surplus to the State and to convey the land to the Maryland-National Capital Park and Planning Commission (M-NCPPC) in Montgomery County. The M-NCPPC plans to use the land for reforestation, and wetland remediation purposes.

REMARKS: The State Highway Administration acquired the site for the construction of the Intercounty Connector (ICC) Project in Montgomery and Prince George’s County, Maryland. In accordance with the National Environmental Protection Act, the Federal Highway Administration issued a Record of Decision which mandated that after completion of the ICC construction, the Lead Agencies will offer any unused portion of the designated transportation area to become parkland after construction of the ICC.

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

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

Norie Calvert – 410-545-0402
Ncalvert@sha.state.md.us

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY DISPOSITION

ITEM: 11-RP MMC# 14-2406

STATE HIGHWAY ADMINISTRATION: Former Diana Kimm - 0.112 acres
Located on the north side of Jackson Grove Road
approximately 700 feet west of Telegraph Road
(MD 170) and 100 feet north of Patuxent Freeway
(MD 32) in Odenton, Maryland

EXPLANATION: In accordance with Section §8-309 (f) (1) (ii) of the Transportation Article of the Annotated Code of Maryland, Board of Public Works approval is requested to dispose of 0.112 +/- acres, as described, which is excess to the needs of SHA.

SPECIAL CONDITIONS: None

GRANTOR: State Highway Administration

GRANTEE: I&R Properties L.L.C.

CONSIDERATION: \$13,500

APPRAISED VALUE: \$18,000 Karen Belinko, Appraiser
\$18,000 Bill Caffrey, Review Appraiser
(Selected)

STATE CLEARINGHOUSE: N/A

REMARKS: In 1987, the site was acquired by State Highway Administration (SHA) for the Construction of MD 32 project in Howard County. Afterwards, during the appraisal process, it was determined that the property is legally landlocked, not capable of standalone development based on the size and configuration. The SHA proposes to convey the subject property to the sole adjoining owner, I&R Properties L.L.C., through a negotiated sale of \$13,500 which is 75% of the appraised value.

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

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

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

BPW – 7/2/2014

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

REAL PROPERTY DISPOSITION

ITEM: **12-RP** MMC# 13-3025

MARYLAND AVIATION ADMINISTRATION: Former Dugan Property (± 4.91 acres)
 Located at 1758 Dorsey Road, Hanover,
 MD 21076, Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to surplus ± 4.91 acres of land, as described, which is excess to the needs of MAA.

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on May 6, 2014. The forty-five (45) day review period expired on June 20, 2014.

GRANTOR: State of Maryland, Maryland Aviation
 Administration

GRANTEE: None

CONSIDERATION: None

APPRAISED VALUE: \$736,500, based on MDOT's estimated
 value of \$150,000 per acre for W-1,
 industrial zoned land. Two appraisals will
 be obtained prior to the public auction.

STATE CLEARINGHOUSE: The Clearinghouse conducted an intergovernmental review of the project under MD20140106-0006 and has recommended to declare the property located at 1758 Dorsey Road, consisting of ± 4.91 acres, surplus to the State of Maryland, and to offer the property for public sale at the fair market value.

ITEM: 12-RP (Continued)

BPW – 07/02/14

REMARKS: MAA is requesting Board of Public Works approval to surplus the subject property in accordance with Section 10-305 of the State Finance and Procurement Article of the Annotated Code of Maryland. The property will be sold at auction as one parcel.

This property is being disposed of as required by the Federal Aviation Administration (FAA). In 1985 the MAA began acquiring properties that were deemed incompatible due to aircraft noise through BWI-Marshall's 14 Code of Federal Regulations Part 150 Program. MAA purchased this property with contributions from FAA Airport Improvement Program (AIP) grants and from the State of Maryland. MAA also signed and agreed to the FAA AIP grant assurances tied to these funds including Grant Assurance #31, which is "to assure that optimal use is made of the federal share of the proceeds from the disposal of noise land." This requires the MAA to dispose of acquired noise land when the land is no longer needed for noise compatibility reasons.

After the MAA disposes of the land for its appraised fair market value (FMV), the federal share of the FMV of the land is declared as disposal proceeds. The disposal proceeds are placed in an escrow account and are eligible for use for other airport noise compatibility projects, use by another airport for noise compatibility projects, or returned to the AIP Trust Fund. MAA plans to utilize the escrow funds to complete the sound insulation of homes previously approved in the Part 150 Noise Compatibility Program.

A request to dispose the +/- 4.91 acres will be sent to the Board of Public Works in the near future.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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

BPW – 07/02/14

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY DEMOLITION

ITEM: 13-RP MMC# 14-3032

MARYLAND AVIATION ADMINISTRATION: Former Sheraton Hotel
Located at 7032 Elm Road, BWI Airport,
MD 21240, Anne Arundel County

EXPLANATION: In accordance with Section 10-305, State Finance and Procurement Article, Annotated Code of Maryland, Board of Public Works approval is requested to change the use, and demolish the Four Points Sheraton Hotel.

SPECIAL CONDITIONS: None

LEGISLATIVE NOTICE: Notice was sent to the Senate Budget and Taxation Committee and the House Appropriations Committee of the General Assembly on May 6, 2014. The forty-five (45) day review period expired on June 20, 2014.

GRANTOR: State of Maryland, Maryland Aviation Administration (MAA)

GRANTEE: None

CONSIDERATION: None

APPRAISED VALUE: The estimated cost of the facility demolition is \$1,653,459. Funding for the demolition is in the MAA’s current capital program

STATE CLEARINGHOUSE: The Clearinghouse conducted an intergovernmental review of the project under MD20140226-0120 and has recommended to change the use, and demolish the Four Points Sheraton located at 7032 Elm Road.

REMARKS: MAA is requesting Board of Public Works approval to demolish the former Four Points Sheraton Hotel located within the terminal area of BWI Marshall. The two-story, 201-room facility opened to the public in 1966. The Maryland Aviation Administration owns the property and leased the facility during its active lifespan to a number of private-sector hotel operators. The most recent operating agreement ended November 30, 2013. Negotiations to reach a five-year extension of that agreement ended in June 2013 when the operator notified MAA it would be withdrawing from the hospitality industry. The property reverted to the MAA on January 1, 2014.

MAA has determined it prudent to demolish the facility. In November 2013, MAA acquired a property management firm to preserve the structure and maintain it until such demolition can take place in 2014, pending approval by the Board of Public Works and other entities. The annual cost of maintaining and securing the existing facility is approximately \$478,538.

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



DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

July 02, 2014

	Pages
Maintenance	1 thru 4
General Miscellaneous	5 thru 10
Real Property	11 thru 14
Leases	15 thru 19
Capital Grants and Loans	20 thru 33

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REVISED

MAINTENANCE CONTRACT

ITEM 1-M

DEPARTMENT OF GENERAL SERVICES

George M. Taylor
 District Court/Multi-Service Center
 Glen Burnie, MD

CONTRACT NO. AND TITLE

Project No. BC-764-130-001
 Replace Boilers and Pumps
ADPICS NO. 001B5400029

DESCRIPTION:

The project consists of the Contractor providing all labor, equipment, materials, supplies, supervision, insurance, etc., necessary in performing all operations to replace boilers and pumps at the George M. Taylor District Court/Multi-Service Center.

PROCUREMENT METHOD

Competitive Sealed Bids

BIDS OR PROPOSALS

AMOUNT

James P. Kruger & Associates, Inc. Ellicott City, MD	\$459,036.00
Protec Construction, Inc. Washington, DC	\$463,000.00
Temp Air Co., Inc. – Baltimore, MD	\$468,235.00
Fresh Air Concepts – Baltimore, MD	\$517,429.00
American Combustion Industries Glenn Dale, MD	\$534,399.00
Denver-Elek, Inc. – Baltimore, MD	\$536,000.00

AWARD

James P. Kruger & Associates, Inc.
 Ellicott City, MD

TERM

180 Days from NTP

AMOUNT

\$459,036.00

MBE PARTICIPATION

27% (7% African-American, 4% Asian-American and 16% Women-Owned Split Sub Goal)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 2-M

DEPARTMENT OF GENERAL SERVICES Rockville District Court/Multi-Service Center (RDCMSC)
Rockville, MD

CONTRACT NO. AND TITLE Project No. 001IT819450;
Unarmed Uniformed Guard Service
ADPICS NO: 001B5400009

CONTRACT DESCRIPTION Approval is requested for a contract to provide unarmed uniformed guard services at the Rockville District Court/Multi-Service Center for a period of three (3) years.

PROCUREMENT METHOD Competitive Sealed Bids
(Small Business Reserve)

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
Graham Security Services, Glen Burnie, MD	\$549,492.00
Amazing Security & Investigations, LLC, College Park, MD	\$552,954.60
Strategic Protective Services, Inc., Lanham, MD	\$563,472.00
CSI Corporation of DC, Washington, DC	\$582,408.00
BTI Security, Rockville, MD	\$582,768.00
Defensor Security LLC, Alexandria, VA	\$584,148.00
Stronghold Security, LLC, Baltimore, MD	\$624,312.00
Top of the Clock Inc., Philadelphia, PA	\$748,020.00

AWARD Graham Security Services
Glen Burnie, MD
(SB12-301)

TERM 8/31/2014-8/30/2017

AMOUNT \$549,492.00 (3 years)

MBE PARTICIPATION 5%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 3-GM

A/E SERVICE CONTRACT

DEPT. OF HEALTH & MENTAL HYGINE Baltimore County

CONTRACT NO. & TITLE Project No. SG-594-140-001 (SBR)
Server Room (IT) Air Conditioning
Replacement Spring Grove Hospital
Bland Bryant Building (DHMH)

DESCRIPTION Evaluate and design the removal of the
existing cooling equipment and replace with a greater capacity system. The A/E will be
responsible to size the new equipment including emergency generator and develop methods to
remove the existing equipment and install the new air conditioning equipment.

PROCUREMENT METHOD Maryland Architectural and
Engineering Services Act

AWARD A Squared Plus Engineering Support
Group, LLC Hampstead, MD
(SBR12-2701)

AMOUNT \$18,074.00

FUND SOURCE MCCBL 2012 Item 007

REMARKS A list of consultants developed for DGS to
provide architectural services for construction projects through the State Small Business Reserve
program. Under this process, individual contract awards may not exceed \$25,000. Selected
firms may be awarded more than one contract in rotation basis.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS**ITEM** 4-GM**REFERENCE**

In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, the Board of Public Works approval is requested for the use of General Obligation Bond funding for the contract(s) noted below. Any modifications listed below reflect the change in funding from POS funds to General Obligation Bond funds (MCCBL) also noted below. Total amount of funds used is \$114,312.31 (2 items).

MCCBL 2013 Item 08: Provide Funds To Construct Capital Improvements Such As Planned Maintenance And Repair Projects At Public Use Facilities On State-Owned Property

MCCBL 2013 Item 014: Provide Funds To Design, Construct, And Equip Capital Development Projects On Department Of Natural Resources Property

A. Department of Natural Resources

Janes Island State Park
Crisfield, MD 21817

A/E SERVICE CONTRACT**CONTRACT NO. & TITLE**

P-057-140-001
Cabin Replacement and Site Work

DESCRIPTION

A/E shall provide the design, bidding, construction administration and post construction services for the cabin replacement and site work at the Department of Natural Resources, Janes Island State Park.

PROCUREMENT METHOD

Maryland Architectural and
Engineering Services Act

BIDS OR PROPOSALS

Smolen, Emr, Ilkovitch Architects, Inc.
Rockville, MD

AMOUNT

\$76,862.31

AWARD

Smolen, Emr, Ilkovitch Architects, Inc.
Rockville, MD

AMOUNT

\$76,862.31

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 5-GM

DESCRIPTION

In accordance with provisions of the State Finance and Procurement Article, Section 12-202, Annotated Code of Maryland, approval is requested for the following construction inspection expenditures related to the capital improvement project identified below:

<u>Project Description</u>	<u>Amount</u>	<u>Fund Source</u>
Project No. – P-075-080-010	\$53,247.10	MCCBL 2009 Item 017
Inspection Services for		“Harriet Tubman
Harriet Tubman Underground URR		Railroad State Park-
Visitor Center		Site And Improvements”
Dorchester County, Maryland		
		TOTAL \$53,247.10

REMARKS

These are anticipated amounts subject to necessary extensions, in the event the construction takes longer to complete. Construction inspection services are required to ensure compliance with the requirements of the construction contract.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 6-GM

DEPARTMENT OF NATURAL RESOURCES

DESCRIPTION

In accordance with provisions of the State Finance and Procurement Article, Section 12-202, Annotated Code of Maryland, approval is requested for the following construction inspection expenditures related to the respective capital improvement project identified below:

<u>Project Description</u>	<u>Amount</u>	<u>Fund Source</u>
Project No. : P-057-080-010 Inspection Services to construct Nature center Improvements at Jane’s Island SP in Somerset County, Maryland	\$ 720.23	MCCBL 2009 Item 014 “Janes Island Nature Center Renovations (Somerset County”
		TOTAL \$ 720.23

REMARKS

These are anticipated amounts, subject to necessary extensions, in the event the construction takes longer than expected to complete. Construction inspection services are required to ensure compliance with the requirements of the construction contract.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 8-RP

DEPARTMENT OF GENERAL SERVICES

Matapeake Project
 7.235 acres +/- unimproved
 Queen Anne's County
 DGS File: 00-3660

REFERENCE

Approval is requested for the sale of Phase 1 and 2 Matapeake property to Sealing Trust, LLC, for \$533,812.50, for property known as existing Lot 3, containing 7.235 acres. Approval is also requested for a partial release of reversionary interest for the sale of existing Lot 3 to Sealing Trust, LLC, and for authorization for the Department of General Services (DGS) to execute on behalf of the Board of Public Works (BPW) a document entitled Approval of Sale and Partial Release of Reversionary Interest. Per the prior deed restriction and Revenue Sharing Agreement, all productive use agreements, transfers, sales or disposals of the Matapeake property by Queen Anne's County, require the consent of the Board of Public Works. All legal documents are subject to the review and approval by the Attorney General's office for form and legal sufficiency.

BACKGROUND

Reference is made to prior approvals by the Board of Public Works, regarding the Matapeake property: Item 11-RP approved on 11/27/96 for the sale of 55 +/- acres of land and improvements to Queen Anne's County; Item 24-RP Supplemental approved on 6/15/05 for the lease of Matapeake property to Marsh Enterprises, Inc.; Item 29-RP Supplemental approved on 12/12/07 for the 1st Extension of Reversionary Interest (extended to 12/31/10); Item 21-RP Supplemental approved on 10/6/10 for an Amendment to Revenue Sharing Agreement and 2nd Extension of Reversionary Interest (extended to 12/31/15); Item 9-RP approved on 12/5/12 for a 2nd Amendment to Revenue Sharing Agreement for the sale of a portion of the Phase 1 property contemplated in the 1st Amendment to Revenue Sharing Agreement; Item 11-RP approved on 7/3/13 for the sale of one parcel of Phase 1 property to KRM Development Corporation and one parcel of Phase 2 property to Chesapeake Wiper & Supply, Inc.; Item 35-RP Supplemental approved on 11/20/13 for the revised sale of Phase 2 property to TMP Ventures, LLC and authorization for release; Item 8-RP approved on 12/18/13 for the sale of proposed Lot 7 to Penguin Ventures, LLC, and authorization for release; and Item 9-RP approved on 3/19/14 for the assignment of the contract of sale for proposed Lot 7 to from Penguin Ventures, LLC to TJP, LLC and for an extension of settlement.

PROPERTY

7.235 acres +/- unimproved

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 9-LT

DEPARTMENT OF THE JUDICIARY
District Court

Hagerstown
Washington County

Landlord Mayor and City Council of Hagerstown
1 East Franklin St.
Hagerstown, MD 21740

Property Location University District Parking Deck
25 N. Potomac St.
Hagerstown, MD 21740

<u>Space Type</u> Parking Deck	<u>Lease Type</u> New	<u>Number of Spaces</u> 5
<u>Duration</u> 2 Years	<u>Effective</u> 7/10/2014	
<u>Annual Rent</u> \$3,270.00	<u>Rate/Space/Month</u> \$62.00	
	<u>Prev. Rt./Space/Mon.</u> \$62.00	

<u>Utilities Responsibility</u>	Landlord
<u>Custodial Responsibility</u>	Landlord
<u>Previous BPW Items</u>	4/18/2012 Item 11-LT; 4/19/2006 Item 15-L; 5/5/2005 Item 23-L; 1/8/2003 Item 12-L; 6/2/1999 Item 18-L; 2/19/1997 Item 18-L

Funding 100% General C00 14 40711 01 1301

Remarks

1. These spaces are to be used by District Court employees.
2. District Court has been parking on this parking facility since March 1997.
3. The rental rate is established by the City Council of Hagerstown.
4. The number of spaces is on a 1:2 ratio established for this area.
5. The lease contains a termination for convenience clause.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 11-LT (Cont.)

2. The lease contains a termination for convenience clause.
3. In accordance with the State Finance and Procurement Article, Section(s) 13-105 and 4-318, this space is exempt from publicly advertising. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 13-CGL

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

***Board of Directors of Collington Station Homeowners Association
(Prince George’s County)***

Collington Station Safety and Surveillance Systems

“For the acquisition, construction, and capital equipping of Community Safety and Surveillance Systems, located in Prince George’s County.”

\$24,000.00

Maryland Consolidated Capital Bond Loan of 2011 (Chapter 396, Acts of 2011; amended by Chapter 430, acts of 2013)

DGS Item 300; (SL-083-110-038)

MATCHING FUND No match is required.

<u>BACKGROUND</u>	Total Project	\$24,000.00
	11-300 (This Action)	\$24,000.00
	Local Cost	\$ 0

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

***Mayor and City Council of the City of Glenarden (Prince George’s County)
Glenarden Veterans Memorial***

*“For the acquisition, planning, design, construction, and capital equipping of the
Glenarden Veterans Memorial, located in Glenarden.”*

\$58,250.00 (original authorization \$75,000.00)

*Maryland Consolidated Capital Bond Loan of 2012 (LSI – Chapter 444, Acts of 2012)
DGS Item G083*

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2012 (LHI – Chapter 444, Acts of 2012)
DGS Item G133; (SL-076-120-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Mayor and City Council of the City of Glenarden is utilizing the value of property as part of their matching fund. The Department of General Services, Real Estate Office has reviewed the appraisal for the property located at McLain and Irvin Avenues in Prince George’s County and has approved a value of \$133,250.00. In addition, the Mayor and City Council provided documentation of a City Resolution and a City Ordinance authorizing \$50,000.00 and \$25,000.00 respectively for this project for a total of \$208,250.00 to meet the matching fund requirement. *Documentation for certification of matching funds was received by the Department of General Services prior to May 31, 2014.*

BACKGROUND

Total Project	\$416,500.00
12-G083 (This Action)	\$ 58,250.00
12-G133 (This Action)	\$150,000.00
Local Cost	\$208,250.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 14-CGL (Cont.)

REMARKS

- (1) The grant agreements have been modified with the following: 16. Indemnification: *Subject to and without waiving common law and other governmental immunities and the provisions §5-301 et seq., Local Government Tort Claims Acts, Courts and Judicial Proceedings Article, Annotated Code of Maryland, Grantee...*
- (2) The grant amount is limited to the amount of the matching fund presented by the grantee.
- (3) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.
- (4) 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.
- (5) The Office of Comptroller may not disburse State funds until after the Office of Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 15-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

*Board of Directors of The Humane Society of Harford County, Inc. (Harford County)
Humane Society Animal Shelter*

“For the planning, design, construction, and capital equipping of an animal shelter.”

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2013 (LSI – Chapter 424, Acts of 2013),
DGS Item G072; (SL-054-130-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2015 and the Board of Public Works to certify a matching fund. The Board of Directors of The Humane Society of Harford County, Inc. has submitted evidence in the form of canceled checks and invoices that it has \$109,338.27 in eligible expenditures and \$408,354.74 in a financial institution for a total of \$517,693.01 to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$6,842,191.00
13-G072 (This Action)	\$ 150,000.00
Local Cost	\$6,692,191.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 16-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into grant agreements for the following grants:

Board of Directors of the Indian Head Center for the Arts and the Mayor and Town Council of the Town of Indian Head (Charles County)

Indian Head Center for the Arts Renovation

“For the construction, renovation, and capital equipping of the Indian Head Center for the Arts, located in Indian Head.”

\$70,000.00

Maryland Consolidated Capital Bond Loan of 2012 (LHI – Chapter 444, Acts of 2012; as amended by Chapter 430, Acts of 2013)

DGS Item G120

\$100,000.00

Maryland Consolidated Capital Bond Loan of 2012 (LSI – Chapter 444, Acts of 2012; as amended by Chapter 430, Acts of 2013)

DGS Item G060; (SL-077-120-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of the Indian Head Center for the Arts and the Mayor and Town Council of the Town of Indian Head are utilizing the value of property as their matching fund. The Department of General Services, Real Estate Office has reviewed the appraisal for the property located at 4183 Indian Head Highway in Indian Head and has approved a value of \$288,000.00 meet the matching fund requirement for this project.

Documentation for certification of matching funds was received by the Department of General Services prior to May 31, 2014.

BACKGROUND

Total Project	\$340,000.00
12-G120 (This Action)	\$ 70,000.00
12-G060 (This Action)	\$100,000.00
Local Cost	\$170,000.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 16-CGL (Cont.)

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

RECOMMENDATION That the Board of Public Works certify matching funds and enter into a grant agreement for the following grant:

Board of Directors of The Jude House, Inc. (Charles County)

Jude House

“For the acquisition and construction of the parking lot and fencing, located in LaPlata.”

\$50,000.00

Maryland Consolidated Capital Bond Loan of 2012 (LSI – Chapter 444, Acts of 2012 as amended by Chapter 430, Acts of 2013)

DGS Item G061; (SL-078-120-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund in the amount of \$15,000.00 no later than June 1, 2014 and the Board of Public Works to certify a matching fund. The Board of Directors of The Jude House, Inc. has submitted evidence that it has \$63,574.84 in a financial institution to meet the matching fund requirement for this project. *Documentation for certification of matching funds was received by the Department of General Services prior to May 31, 2014.*

BACKGROUND

Total Project	\$65,000.00
12-G061 (This Action)	\$50,000.00 (\$15,000.00 match)
Local Cost	\$15,000.00

REMARKS

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

RECOMMENDATION That the Board of Public Works:

- (1) Determine if the real property proposed by Grantee Takoma Park Presbyterian Church is an asset that qualifies as matching funds for the purposes of the Maryland Capital Consolidated Bond Loan of 2013; and
- (2) If the property does qualify as a matching fund, certify the matching funds and approve the State entering into grant agreements for the two MCCBL 2013 grants.

GRANT

Takoma Park Presbyterian Church (Montgomery County)

Takoma Park Silver Spring Shared Use Community Kitchen

For the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Takoma Park Silver Spring Shared Use Community Kitchen.

\$100,000

Maryland Consolidated Capital Bond Loan of 2013 (LSI – Chapter 424, Acts of 2013)

DGS Item G068

\$150,000

Maryland Consolidated Capital Bond Loan of 2013 (LHI – Chapter 424, Acts of 2013)

DGS Item G148 (SL-042-130-038)

PROJECT COSTS

Total Project	\$460,000
13-G148 (This Action)	\$150,000
13-G086 (This Action)	\$100,000
Local Cost	\$210,000

MATCHING FUND The MCCBL requires Takoma Park Presbyterian Church to provide a matching fund – no later than June 1, 2015 – and the Board of Public Works to certify the match. The legislature inserted a specific clause in the grant: “the matching fund may consist of real property.”

Takoma Park Presbyterian Church has offered the value of church property as its match. The church property at 310 Tulip Avenue, Takoma Park is currently appraised at \$5 million. That real property is, however, titled to the grantee’s parent organization, the National Capital Presbyterian.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL (Cont.)

CAPITAL GRANTS AND LOANS PROGRAM POLICY ON USING REAL PROPERTY TO MATCH CAPITAL GRANT

DGS follows this policy in administering the Capital Grants and Loans program for the Board of Public Works (the policy is distributed to grantees and is posted [online](#)):

Real Property. The value of real property may be used if the property is:

- Titled to the grant recipient,
- The property on which the capital project will be constructed, and
- Appraised to DGS's satisfaction.

Under the Program policy, grantee's real property meets the latter two criteria but does not meet the first criterion: that the "property is titled to the grant recipient." The basis for the long-standing Program policy, with advice of Counsel, is that grantees must own project property to have rights to offer the value of the property as their contribution for the matching share of the project.

Grantee states, however, that, "[U]nder the rules governing all Presbyterian Church-USA property matters, local congregations formally hold church property 'in trust' for the larger denomination. . . . Subject to that provision, under Maryland law, the trustees of a religious corporation like [Takoma Park Presbyterian Church] have complete and total authority to 'use, lease, mortgage, sell or convey the assets in the manner that the trustees consider most conducive to the interest of the religious corporation' and the trustees are required to 'generally manage any assets of the religious corporation.'"

AUTHORITY The MCCBL provides: "In case of any disputes as to what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter, and the Board's decision is final. . . . If satisfactory evidence is presented, the Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be expended for the purposes provided in this Act." Chapter 424, section (5)(a), 2013 Laws of Maryland.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL (Cont.)

DETERMINATION Board of Public Works approval of this Item will:

- (1) Qualify the church property at 310 Tulip Avenue, Takoma Park, as matching funds for the two MCCBL of 2013 capital grants and certify it to the State Treasurer; and\
- (2) Approve the capital grant agreements with Takoma Park Presbyterian Church with the following:
 - National Capital Presbytery is a Beneficiary which co-signs the agreements.
 - Grantee shall consult with the Maryland Historical Trust pursuant to Sections 5A-325 to 328, *State Finance & Procurement Article*, Annotated Code of Maryland, and convey a perpetual preservation easement pursuant to the terms of the enabling legislation.

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) Invoices should be submitted to the Office of the Comptroller for the disbursement of funds.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

RECOMMENDATION That the Board of Public Works approve:

A grant of **\$113,988.00** to *Main Street Housing, Inc. (Baltimore City)* for the acquisition of 2700 Allendale Road, Baltimore City, Maryland 21216.

PROJECT The acquisition of 2700 Allendale Road, Baltimore City, Maryland 21216.

Contract of Sale	\$192,500.00
B. F. Semon & Associates, Towson	\$193,000.00
Gale A. McClelland, Towson	\$193,000.00
DGS accepted appraisal	\$193,000.00
Eligible amount	\$193,200.00*

*Includes the lesser of the DGS accepted value or the contract price at \$192,500.00 and the cost of appraisals at \$700.00.

BACKGROUND

Main Street Housing will acquire this property to house three unrelated persons or a family with psychiatric disabilities.

REMARKS

- (1) Grantee is a nonprofit organization.
- (2) In accordance with *Subtitle 6 of the Health-General Article of the Annotated Code of Maryland*, the Board’s approval is further contingent upon the State’s right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Baltimore City.
- (3) No State funds will be disbursed until the grantee has presented suitable evidence to the Office of the Comptroller that it has expended the required matching funds.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL (Cont.)

FUND SOURCE DHMH has determined the grantee is required to provide a 27% local share of the eligible project cost as follows:

\$193,200.00	Total Project Cost
\$193,200.00	Eligible Project Cost
\$113,988.00	MCCBL 2011 (Community Health Facilities Fund) DHMH #20909-04
\$ 79,212.00	Main Street Housing, Inc. Weinberg Foundation.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

RECOMMENDATION That the Board of Public Works approve:

1. A grant of \$106,452.00 to *Supported Housing Developers, Inc. (Glen Burnie, Anne Arundel County)* for the acquisition of 6608 Rapid Water Way, Unit 202, Glen Burnie, Maryland 21006.
2. A Waiver of Priority Declaration and Subordination Agreement to subordinate the State’s Right of Recovery for 6608 Rapid Water Way, Unit 202 to Sandy Spring Bank. SHD has been approved for a first priority mortgage loan from Sandy Spring Bank to acquire 6608 Rapid Water Way, Unit 202 contingent upon the State subordinating its Right of Recovery to the Sandy Spring Bank Loan.

PROJECT The acquisition of 6608 Rapid Water Way #202, Glen Burnie, MD 21006.

Contract of Sale	\$145,000.00
Cynthia L. Jenkins, Annapolis, MD	\$145,000.00
Jason Lewis, Arnold, MD	\$148,000.00
DGS accepted appraisal	\$145,000.00
Eligible amount	\$145,825.00*

*Includes the lesser of the DGS accepted value or the contract price at \$145,000.00 and the cost of appraisals at \$825.00.

BACKGROUND

Supported Housing Developers, Inc. (SHD) will acquire 6608 Rapid Water Way #202 to provide housing services for two individuals with mental illness.

REMARKS

- (4) Grantee is a nonprofit organization.
- (5) In accordance with *Subtitle 6 of the Health-General Article of the Annotated Code of Maryland*, the Board’s approval is further contingent upon the State’s right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Anne Arundel County.

CAPITAL GRANTS AND LOANS

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ITEM 20-CGL (Cont.)

(6) No State funds will be disbursed until the grantee has presented suitable evidence to the Office of the Comptroller that it has expended the required matching funds.

FUND SOURCE DHMH has determined the grantee is required to provide a 27% local share of the eligible project cost as follows:

\$145,825.00	Total Project Cost
\$145,825.00	Eligible Project Cost
\$106,452.00	MCCBL 2011 (Community Health Facilities Fund) DHMH #08807-06
\$ 39,373.00	Supported Housing Developers, Inc. Mortgage from Sandy Spring Bank

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION