

*BOARD OF PUBLIC WORKS*  
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*FEBRUARY 22, 2017*

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February 22, 2017



Contact: Bill Morgante 410-260-7791  
Bill.morgante@maryland.gov

1. **BOARD OF PUBLIC WORKS**  
*Wetlands Licenses*  
*Concurrence Cases*

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

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

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

**ANNE ARUNDEL COUNTY**

16-1131 ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS – To hydraulically or mechanically dredge temporary access channel and adjacent area with excess sediments.

*Glen Burnie, Tanyard Cove*

*Special conditions: dredging restricted to one-time event only; time-of-year restriction (2018-19); dredged material disposal requirements; disposal plan; turbidity monitoring for surface water and suspended solids content; staking of dredge area; post dredge bathymetric survey.*

**BALTIMORE CITY**

16-0753 BALTIMORE CITY MAYOR AND CITY COUNCIL – To perform 8 soil borings to identify locations for potential construction projects.

*Harbor East Marina, Patapsco River*

*Special conditions: Depth, location, and disposal requirements.*

**QUEEN ANNE'S COUNTY**

16-0564 CRAIG DUNN – To protect an eroding shoreline by constructing sand containment sills and filling, grading, and planting marsh vegetation, **leading to the creation of 17,950 square feet of new wetlands.**

*Stevensville, Chesapeake Bay and Tolson Creek*

*Special conditions: Marsh establishment and stone edging vent requirements.*

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
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Contact: Re Rentuma 410-260-7909  
rrentuma@comp.state.md.us

2. **BONDS**

**Recommendation:** That the following general obligation bond authorizations be canceled in the amount of **\$857,195** and, at the same time, reduce the State's spending authority.

**Authority:** Section 8-128, State Finance and Procurement Article, Annotated Code of Maryland and specific bond bills as shown.

The grantees have stated in writing that the project is complete or funds are no longer needed. The Comptroller and the Department of General Services have reviewed this request and concur.

**MCCBL of 2005**

*Old Blair High School Auditorium* **\$300,000**

Chapter 445 Acts of 2005 amended by Chapter 65 Acts of 2007;  
Chapter 219 Acts of 2008; Chapter 707 Acts of 2009; Chapter  
630 Acts of 2012 and Chapter 430 Acts of 2013

*East Baltimore Community Recreation and Learning Center* **\$107,264**

Chapter 445 Acts of 2005 amended by Chapter 396 Acts of 2011

*Old Blair High School Auditorium* **\$ 1,697**

Chapter 445 Acts of 2005 amended by Chapter 65 Acts of 2007;  
Chapter 219 Acts of 2008; Chapter 707 Acts of 2009; Chapter  
630 Acts of 2012 and Chapter 430 Acts of 2013

**MCCBL of 2006**

*Assisted Living on the Green* **\$ 47,135**

Chapter 46 Acts of 2006 amended by Chapter 430 Acts of 2013

**MCCBL of 2007**

*Germantown Boys and Girls Club* **\$ 46,375**

Chapter 488 Acts of 2007

**MCCBL of 2008**

*Mary Harvin Transformation Center* **\$ 5,038**

Chapter 336 Acts of 2008 amended by Chapter 463 Acts of 2014  
and Chapter 495 Acts of 2015

**MCCBL of 2010**

*Access Carroll, Inc.* **\$ 57,786**

Chapter 483 Acts of 2010 amended by Chapter 444 Acts of 2012

*Bates Middle School* **\$ 2,702**

Chapter 483 Acts of 2010

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

*MCCBL of 2011*

*Girls Scouts Conowingo Water System and Pool* **\$ 29,125**  
Chapter 396 Acts of 2011 amended by Chapter 463 Acts of 2014

*Dorchester General Hospital* **\$ 12,073**  
Chapter 396 Acts of 2011

*MCCBL of 2015*

*Washington Adventist Hospital* **\$248,000**  
Chapter 495 Acts of 2015

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

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Contacts: Allen Cartwright (301) 429-7629 allen.cartwright@maryland.gov  
Jean Peterson (301) 429-7667 jean.peterson@maryland.gov

**3. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**Recommendation:** That the Board of Public Works approve releasing the deed of trust on a property that received DHCD funding.

**Remarks:** The borrower is selling her property requesting release of the first and second lien deed of trust to facilitate a short sale due to financial and other hardship. She will sign an unsecured promissory note in the amount of \$6,458.

**Borrower:** Jeanne M. Goucher  
104 S. Somerset Avenue, Crisfield 21817  
Somerset County

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

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

**Original Loan:** Original Loan: \$159,658  
**Current Balance:** Current Balance: \$138,880

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APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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Contact: Allen Cartwright (301) 429-7629 allen.cartwright@maryland.gov  
John MacLean (301) 429-7698 john.maclea1@maryland.gov  
Jack Daniels (301) 429-7685 jack.daniels@maryland.gov  
Jean Peterson (301) 429-7667 jean.peterson@maryland.gov

**4. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**Recommendation:** That the Board of Public Works authorize DHCD: (1) to waive a borrower's accrued interest and accrued late charges; and (2) to reduce the borrower's interest rate to 0%.

**Loan Authority:** Neighborhood Business Development Program  
§§ 6-301 thru 6-311,  
Housing and Community Development Article,  
Annotated Code of Maryland; COMAR 05.13.01

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

**Borrower:** DeQuan's I Enterprises, LLC t/a DeQuan's Construction

**Project Address:** 1004 Edmondson Avenue, Catonsville 21228  
Baltimore County

**Amount:** Original Loan: \$250,000  
Current Balance: \$ 12,465

**Related Item:** Secretary's Agenda Item 9 (June 8, 2016) [approving release of assignment of a life insurance policy].

**Background:** In 2011, DHCD loaned \$250,000 to DeQuan's I Enterprises. The loan is secured by accounts receivable, an indemnity deed of trust on the borrower's single family residence in Albany, NY, and assignment of a \$250,000 life insurance policy on the borrower's principal owner. The purpose of the loan was to renovate borrower's headquarters.

In 2013, DHCD allowed the borrower to defer loan payments for one year to give the borrower more time to collect its largest account receivable (from a local government). The receivable exceeded \$700,500. While legal action was pending, the borrower was unable to pay. In 2014, DHCD granted the borrower an additional seven-month payment moratorium until June 1, 2015, when the borrower was to resume payments.

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

***Background:*** (cont'd)

In January 2016, the borrower reached a settlement of the outstanding account receivable but it was for less than expected. The borrower used the funds to pay down the loan to the current balance of \$12,465. The borrower's accounts receivable were liquidated. In further efforts to address the deficiency, DHCD – with Board approval (see Sec. Item 9 [6/1/16]) – released the guarantor's life insurance policy to allow the borrowing entity to attempt to obtain required bonding for future projects. However the DeQuan's 1 Enterprises has been unable to bid on any projects and the business is no longer active. The guarantor's only source of income is her retirement funds.

To avoid default, DHCD proposes:

- Guarantor will pay back principal balance with monthly payments of \$200; and
- DHCD will:
  - Waive \$407 in accrued interest;
  - Waive \$1,291 in accrued late charges; and
  - Reduce interest rate to 0%

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**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



BOARD OF PUBLIC WORKS  
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Contacts: John MacLean (301) 429-7698 johnf.maclea1@maryland.gov  
Allen Cartwright (301) 429-7629 allen.cartwright@maryland.gov  
Jean Peterson (301) 429-7667 jean.peterson@maryland.gov

**5. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**Recommendation:** That the Board of Public Works approve releasing collateral to the extent needed for Village of Hope and Home's on Johnson's Pond to grant shared access easements.

**Loan Authority:** *Financing Adjustment Factor*  
§4-211(a)(8)-(9), *et seq.*, Housing & Community Dev't Article,  
Annotated Code of Maryland

*Maryland Affordable Housing Trust,*  
§§10-108, 10-202, 10-204, Housing & Community Dev't Article,

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

**Recipient:** Village of Hope, Inc. (formerly Caritas, Inc.)

**Project Address:** 1001 Lake Street, Salisbury 21801, Wicomico County

**Original Grant/Current Balance:** \$151,690

**Related Items:**

Secretary's Agenda Item 5 (Dec. 21, 2016) [approving release of collateral for Financial Adjustment Factor loan on this project].

Secretary's Agenda Item 6 (February 8, 2017) [approving release of collateral for Maryland Affordable Housing Trust loan on this project]

**Background:** The easement will be between Village of Hope and Homes on Johnson's Pond. Homes on Johnson's Pond will be a 63-unit affordable community serving Marylanders earning 60% area median income or below. Ten of the 63 units will house individuals with disabilities. The easement, use and maintenance agreement will provide Village of Hope's tenant and visitors access to the project, while also ensuring each parcel is appropriately represented when discussing maintenance and construction issues.

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SECRETARY'S  
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February 22, 2017**



*Contact: Bhaskaran Subramanian (410) 260-8786  
bhaskar.subramanian@maryland.gov*

**6. DEPARTMENT OF NATURAL RESOURCES  
*Shoreline Conservation Service***

**Recommendation:** That the Board of Public Works approves releasing the shore erosion control liens on the following projects. The contractual requirements between the Department of Natural Resources and the property owners have been satisfied.

<b>Project #</b>	<b>Owner</b>	<b>Description</b>	<b>County/District</b>	<b>Amount</b>
SEC 01-87	Town of Ocean City	Construct steel bulkhead with backfill, grading, top soil, seeding.	Worcester/38A	\$71,000
SEC 09-03	Pretzler, EH	Construct 366 feet of stone sill, marsh edging, groin, sandfill, marsh grass planting.	Talbot/37B	\$25,000
SEC 10-03	Londonderry Retirement Community of Easton, Inc	Construct 340 feet of stone sill, sand, marsh plantings.	Talbot/37B	\$25,000
SEC 08-05	Kirvan, LH	Construct 290 feet of stone sill, sand, marsh plantings.	Talbot/37B	\$22,629
SEC 15-05	Winchester on the Severn Association, Inc	Construct 308 feet of stone sill, sand, marsh plantings.	Anne Arundel/30	\$59,175
SEC 18-05	Oberst, RB/JA (Partial Release)	Construct 365 feet of breakwater, pocket beach, marsh plantings.	Talbot/37B	N/A
SEC 19-05	The Barrett Family Kent County Trust	Construct 500 feet of stone sill, sand fill, marsh plantings.	Kent/36	\$25,000
SEC 08-09	Penttinen, EW/ER	Construct 76.5 linear feet of stone sill, marsh plantings.	Anne Arundel/30	\$22,724

**BOARD OF PUBLIC WORKS**

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**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
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February 22, 2017**



*Contact: Bhaskaran Subramanian (410) 260-8786  
bhaskar.subramanian@maryland.gov*

**7. DEPARTMENT OF NATURAL RESOURCES  
*Shoreline Conservation Service***

**Recommendation:** That the Board of Public Works levy the following charge for a shore erosion control project that benefitted the owner’s land.

<b>Project #</b>	<b>Owner</b>	<b>Description</b>	<b>County/District</b>	<b>Amount</b>	<b>Term</b>
SEC 08-11	Queen Anne’s County Government ( <i>Narrows Pointe SECD</i> )	1,825 feet of segmented stone sill with sand fill and marsh plantings	Queen Anne’s/36	\$525,318	20 years

**Authority:** “On receipt of certification from DNR that a shore erosion control project has been satisfactorily completed; the Board of Public Works shall fix and levy a benefit charge on the benefited property.” § 8-1006, Natural Resources Article, Annotated Code of Maryland

**Funds:** Borrowers make annual installment payments. Funds are deposited into the Shore Erosion Control Revolving Loan Fund.

**Remarks:** DNR certifies that the appropriate documents have been recorded among county land records and that the design and construction have been satisfactorily completed.

**BOARD OF PUBLIC WORKS**

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**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
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Contact: Ellen Frketic 410-729-8307  
efrke@menv.com

8. **MARYLAND ENVIRONMENTAL SERVICE**  
*Cunningham Falls State Park*

**Construction Contract:** Water Treatment Plant Upgrade  
MES Project # 1-17-2-11-5

**Description:** Furnish and install materials to upgrade water treatment plant

**Procurement:** Competitive Sealed Bids

**Bids:**

M2 Construction LLC, Landisville, PA	\$2,548,275
EMH Environmental Inc., Glenwood, MD	\$2,777,684
WM Schlosser Company, Inc., Hyattsville, MD	\$2,866,400
Conewago Enterprises, Hanover, PA	\$2,903,933
IMI, Inc., Frederick, MD	\$3,026,630
Underground Contractors, St. Albans, WV	\$3,643,259

**Award:** M2 Construction, LLC

**Amount:** \$2,548,275

**Term:** 365 calendar days

**MBE Participation:** 10.42%

**Remarks:** The treatment plant is obsolete and unsafe. Electrical systems are out of code and the plant requires manual shut-down prior to storms. The treatment components cannot keep up in extreme conditions, requiring hauling of water to maintain service at the Park. Replacement parts are no longer available for many components.

**Fund Sources:** MCCBL of 2016

**Appropriation Code:** 177 MCCBL 16 (PCA # 12005)

**Resident Business:** No                      **Tax Compliance No.:** 17-0300-1111

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BOARD OF PUBLIC WORKS

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DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
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February 22, 2017



Contact: Anne Raines 410.697.9584  
anne.raines@maryland.gov

9. **DEPARTMENT OF PLANNING**  
*Maryland Historical Trust*  
*African American Heritage Preservation Program*

**Recommendation:** That the Board of Public Works approve a grant of general obligation bond proceeds for the **Stephen E. Camper House** project, 724 Pine Street, Cambridge.

**Amount:** \$100,000

**Grantee:** Historic Cambridge, Inc.

**Description:** Project work includes: Interior and exterior rehabilitation, including repair/ replacement of roof, siding, walls, windows, and doors; structural repairs; masonry and carpentry repairs; interior and exterior painting; repair/replacement of mechanical, electrical, and plumbing systems, and associated architectural and engineering services. [Total project costs \$100,000 estimated.]

**Fund Source:** \$62,087.51 MCCBL 2011: MHT Appropriation #11077  
\$37,912.49 MCCBL 2013: MHT Appropriation #13113

[Funds are from previously-approved projects with funds remaining when cancelled/completed.]

**Remarks:** The Pine Street neighborhood, a National Register Historic District, is a large residential and commercial district that started out as a distinctly segregated section of the city of Cambridge, inhabited by free blacks during the first quarter of the 19th century. It became a thriving community of middle class tradesmen and merchants. Stephen E.W. Camper was the first African American self-taught accomplished local attorney, a self-taught musician, house builder and draftsman, and an indispensable force in community, city and county legal matters. The house will be used as an interpretive, educational, and community center.

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
February 22, 2017



**REVISED**

Contact: Joan Schaefer 410-767-0096  
Joan.schaefer@maryland.gov

**10. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM**

**Recommendation:** The Interagency Committee on School Construction recommends that the Board of Public Works approve the transfer of 0.156 acres by the Anne Arundel County Government to **St. John Properties**:

**Anne Arundel County Public Schools  
Board of Education**  
0.156 acres  
2644 Riva Road, Annapolis MD

**Background:** On October 17, 2012 (Secretary Item 13), the Board of Public Works approved the conveyance by the Anne Arundel County Board of Education of 1.683 acres site at its Central Office location of Riva Road with the condition that the County return to the Board for permission to further dispose of the property. Anne Arundel County Government now seeks to transfer 0.156 acres of that site to **St. John Properties**.

**Authority:** COMAR 23.03.02.24.C. The Interagency Committee on School Construction must review a request from the local government to dispose of former school property and make a recommendation to the Board of Public Works. The Board may approve, disapprove, or conditionally approve, the request to transfer school property.

The Interagency Committee approved this recommendation on January 10, 2017.

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BOARD OF PUBLIC WORKS

THIS ITEM WAS:

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**BOARD OF PUBLIC WORKS  
SECRETARY'S  
ACTION AGENDA  
February 22, 2017**



*Contact: Joan T. Schaefer 410-767-0096  
Joan.schaefer@maryland.gov*

**11. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM  
*Amendments to the FY 2017 Capital Improvement Program  
Baltimore County Public Schools***

**Recommendation:** The Interagency Committee on School Construction recommends that the Board of Public Works increase funding in the Fiscal Year 2017 Capital Improvement Program for Baltimore County Public Schools for the following:

FY 2017 CIP Priority	Project Name	PSC Number	Project Scope	Current Allocation	Requested Adjustment	Total Revised Allocation
7	Victory Villa Elementary	03.057.15/17 EGRC	Replacement	\$4,675,000	\$520,534	\$5,195,534

**Original Approval:** Secretary’s Item 20 (5/11/16) (Public School Construction FY 2017 CIP)

**Specific Request:** Baltimore County Public Schools requests to use funds from the Statewide contingency fund.

**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 2015 (Chapter 495, Acts of 2015), see also COMAR 23.03.02.03G and §5-301 (j)(3)(i) of the Education Article.*

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



## ***SUPPLEMENTAL***

Contact: Joan Schaefer 410-767-0096  
joan.schaefer@maryland.gov

### **12. PUBLIC SCHOOL CONSTRUCTION PROGRAM *COMAR 23.03.02: Administration of the Public School Construction Program***

**Recommendation:** The Interagency Committee recommends that the Board of Public Works propose amendments to COMAR 23.03.02.11 and COMAR 23.03.02.12 to include certain broadband infrastructure under the Federal Communication Commission's E-Rate Program as a public school construction cost eligible for State funding.

**Authority:** "The Board of Public Works shall define by regulation what constitutes an eligible and ineligible public school construction or capital improvement cost."  
*Education Article, § 5-301(b), Annotated Code of Maryland*

**Background:** The Schools and Libraries Program (also known as the E-Rate Program) under the FCC makes telecommunication and informational services more affordable for schools and libraries. The program provides discounted telecommunications, internet access, and internal connections to eligible schools and libraries funded through the Universal Service Fund. In 2014, the program was updated to provide more options to schools and libraries seeking to purchase high-speed broadband.

For certain broadband infrastructure E-rate eligible special projects, Local Education Agencies may receive an additional ten percent discount that may result in a net zero special project cost for the Local Education Agencies as a result of the State specifically funding ten percent of such project.

Through the regulations governing the State's funding participation in public school construction projects, the Board of Public Works has defined examples of expenditures as eligible or ineligible for State funding. The proposed amendments specify that expenditures related to certain broadband infrastructure for E-rate eligible applicants are eligible for funding through the Capital Improvement Program.

**Proposed Regulatory Amendments: COMAR 23.03.02.11 and 23.03.02.12**

**Proposed Amendments to Regulations:**

#### **COMAR 23.03.02.11 Eligible Expenditures.**

The following expenditures may be eligible for State funding:

- J. *E-rate eligible special construction broadband infrastructure projects, including offsite development costs, for E-rate eligible applicants consistent with 47 C.F.R. 54.505.*



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***SUPPLEMENTAL***

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12. **PUBLIC SCHOOL CONSTRUCTION PROGRAM** (*cont'd*)  
***COMAR 23.03.02: Administration of the Public School Construction Program***

**COMAR 23.03.02.12 Ineligible Expenditures.**

The following expenditures are ineligible for State funding:

- B. *Offsite development costs except those listed as eligible in Regulation .11[G] of this chapter*

**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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**BOARD OF PUBLIC WORKS**

**THE ABOVE REFERENCED ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
APPENDIX  
February 22, 2017



APP 1

Contact: Jane Bailey 410-767-4307  
Jane.Bailey@maryland.gov

**A1. DEPARTMENT OF GENERAL SERVICES**  
*State Archives Building*

**Contract ID:** Industrial Hygienist Services Emergency Mold Remediation  
ADPICS No.: 001B7400290, Project No.: BA-495-160-101

**Contract Type:** Industrial Hygienist Assessment, Planning and Monitoring Services

**Description:** (1) Monitor air quality, including weekly testing and reporting at State Archives building.  
(2) Provide written assessment of extent of mold contamination.

**Procurement Method:** Emergency

**Emergency Declared:** October 14, 2016

**Bid:** Green Street Environmental Services \$48,775

**Award:** Green Street Environmental Services, Baltimore

**Award Date:** October 31, 2016

**Contract Amount:** \$48,775

**Terms:** 60 Calendar Days

**MBE Participation:** 0%

**Fund Source:** MCCBL 2014 Item 012

**Remarks:**

*Nature of Emergency:* In October 2016, DGS initiated an emergency mold remediation project to correct conditions that are causing mold growth on various surfaces and on stored archival materials throughout the Maryland State Archives Building in Annapolis. This contract provides for assessment of the hazardous mold conditions within the building and for developing plans for remediation. This contract provides also for daily onsite monitoring, air sampling, and weekly reporting of remediation work as it is performed.

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APPENDIX  
February 22, 2017



APP 2

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**A1. DEPARTMENT OF GENERAL SERVICES**  
***State Archives Building***

*Basis for Selection:* Green Street Environmental Services is an environmental specialist certified in assessments of building conditions related to mold and other hazardous materials, development of plans for remediation, and monitoring of air quality during abatement. No other bidders were contacted because Green Street Environmental Services previously assessed the Archives building and is familiar with the specific requirements of the facility and the material stored onsite.

*Reason for Late Report:* This report was submitted late due to delays in the handling and processing of paperwork.

***Tax Compliance No.:*** 16-3737-0111

***Resident Business:*** Yes

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**BOARD OF PUBLIC WORKS ACTION:**

**THIS REPORT WAS:**

**ACCEPTED**

**REMANDED**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
APPENDIX  
February 22, 2017



APP 3

Contact: Jane Bailey 410-767-4307  
Jane.Bailey@maryland.gov

**A2. DEPARTMENT OF GENERAL SERVICES**  
***Canal Place Preservation and Development Authority***

**Contract ID:** HVAC Repairs Train Station at Canal Place  
ADPICS No.: 001B7400295, Project No.: CU-000-160-001

**Contract Type:** Maintenance

**Description:** Labor, materials, supervision, equipment, insurance, services, etc., to upgrade the HVAC and digital control system in the Train Station at Canal Place.

**Procurement Method:** Emergency

**Date Emergency Declared:** October 5, 2016

<b>Bids:</b>	Appalachian Heating & Cooling, Cumberland	\$257,024
	Holmes Mechanical Contractors, Capitol Heights	\$269,773
	Denver-Elek, Inc., Baltimore	\$360,550
	R.H. Lapp & Sons, Inc., Cumberland	\$389,054

**Award:** Appalachian Heating & Cooling, LLC

**Award Date:** January 5, 2017

**Contract Amount:** \$257,024

**Term:** 120 Calendar Days

**MBE Participation:** 0%

**Fund Source:** MCCBL 2014 Item 012

BOARD OF PUBLIC WORKS  
SECRETARY'S ACTION AGENDA  
APPENDIX  
February 22, 2017



APP 4

**A2. DEPARTMENT OF GENERAL SERVICES (cont'd)**

**Remarks:**

*Nature of Emergency:* The air conditioning at the Canal Place railway station failed, resulting in tenants vacating their offices. In addition, the HVAC system does not provide sufficient heat to the area which may lead to pipes freezing with the onset of cold weather. This system has been problematic for some time but Canal Place had managed to repair and patch the components; however, there was a complete failure of several components. Immediate action was necessary to protect the historic structure from the possibility of damage from freezing pipes and to maintain the occupants' ability to operate within the building.

*Basis for Selection:* The responsible contractor submitting the lowest responsive bid confirmed its bid and acknowledged understanding the emergency project's specifications and requirements. Due to the emergency nature of the project, the contractor was unable to obtain MBE participation.

**Tax Compliance No.:** 16-4201-0110

**Resident Business:** Yes

**BOARD OF PUBLIC WORKS ACTION:**

**THIS REPORT WAS:**

**ACCEPTED**

**REMANDED**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement A  
Department of Natural Resources  
ACTION AGENDA  
February 22, 2017



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

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

**Recommendation:** Approval to commit \$55,000 for the following **development** projects.

- 1. *Tennis Court Resurfacing - \$37,000***  
Washington County, POS #6617-21-345 MD20161219-1036

**Background:** Resurface, seal, and repaint the 20± year old tennis courts at Camp Harding, Chestnut Grove, and Pleasant Valley Parks.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015  
Program Open Space – Local, FY 2016 Allocation  
Source Code: 15162 Item 162 \$37,000

- 2. *Pavilion Apron Replacement - \$18,000***  
Washington County, POS #6618-21-346 MD20170103-0006

**Background:** Remove asphalt aprons around the pavilions at Doubs Woods, Clear Spring, Martin L. Snook, and Camp Harding Parks and replace them with concrete. The aprons have deteriorated due to age.

**Fund Source:**

Maryland Consolidated Capital Bond Loan of 2015, Chapter 495, Acts of 2015  
Program Open Space – Local, FY 2016 Allocation  
Source Code: 15162 Item 162 \$18,000

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement A  
Department of Natural Resources  
ACTION AGENDA  
February 22, 2017



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

**2A. RURAL LEGACY PROGRAM FUNDS**

**Recommendation:** Approval to grant \$160,538 to Anne Arundel County from Rural Legacy Funds to acquire a 47 acre conservation easement.

***Anne Arundel South Rural Legacy Area - Wayson Property***

**Prior Approvals:** Anne Arundel South Rural Legacy Area Grants for easement acquisitions:  
DNR-RP Item 9A (09/03/2014) \$1,203,000 for FY2015  
DNR-RP Item 5A (08/05/2015) \$ 600,000 for FY2016

**Project Description:** Acquisition of this easement will protect valuable agriculture and forest lands, and provide viewshed protection along Sudley Road, a Scenic and Historic Road. This easement will add to 500 acres of existing agricultural easements in this area. The easement will be held by Anne Arundel County. The County is paying administrative, program compliance and incidental costs.

**Easement Value:** \$160,538 (\$3,416 per acre)

**Amount Requested:** \$160,538

**Fund Source:**

Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015  
Rural Legacy Program  
Source Code: 15400 Item: 400 Amount: \$160,538.23

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement A  
Department of Natural Resources  
ACTION AGENDA  
February 22, 2017



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

**3A. RURAL LEGACY PROGRAM FUNDS**

**Recommendation:** Approval to grant \$102,375 to Washington County from Rural Legacy Funds to acquire a 33.11 acre conservation easement.

***Mid-Maryland Washington Rural Legacy Area - Price Property***

**Prior Approvals:** Mid-Maryland Washington Rural Legacy Area Grants for easement acquisitions: DNR-RP Item 5A (08/05/2015) \$990,000 for FY2016

**Project Description:** Acquisition of this easement will protect valuable agriculture and forest lands and provide 2,500 linear feet of forested buffers along unnamed tributaries of the Potomac River. In addition, the easement provides viewshed protection along Mondell Road. The easement will be held by the Washington County Board of Commissioners.

**Easement Value:** \$100,462 (\$3,034 per acre)

**Purchase Price:** \$96,330 (\$2,909 per acre)

**Total Other Costs:**

Administrative:	\$2,890
Incidental:	\$1,710
Compliance:	<u>\$1,445</u>
	\$6,045

**Amount Requested:** \$102,375

**Fund Source:**

Outdoor Recreation Land Loan – 2014, Chapter 423, Acts of 2013  
Rural Legacy Program  
Source Code: A0510 Item: 010 Amount: \$44,397

Maryland Consolidated Capital Bond Loan – 2015, Chapter 495, Acts of 2015  
Rural Legacy Program  
Source Code: 15400 Item: 400 Amount: \$57,978

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



Supplement A  
Department of Natural Resources  
ACTION AGENDA  
February 22, 2017



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

**4A. PROGRAM OPEN SPACE STATE SHARE**

*Elm Tree Properties, LLC, Frederick County, POS #4869*

**Recommendation:** That the Board of Public Works approve DNR acquiring a conservation easement to protect 291 +/- acres in Frederick County.

**Description:** The easement will allow DNR to limit development along Sugarloaf Mountain, adding to 3,300 protected acres of forest. Protection of this property, composed of forest and hayfields, will protect forest interior dwelling species habitat and the Bennett Creek Watershed. It will also provide public access that connects to the trail system on Sugarloaf. The property, located in a Targeted Ecological Area, scored 93 under the Program Open Space Targeting System.

**Grantor:** Elm Tree Properties, LLC

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

**Property:** 291 +/- acres

**Price:** \$690,000

**Appraisals:** \$507,000-\$747,000  
Terrence W. McPherson (7/1/16) and Calvin V. Thomas (6/21/16)  
All appraisals reviewed by Dave Wallenberg, Chief Review Appraiser

**Fund Source:**

Maryland Consolidated Capital Bond Loan – 2012  
POS Stateside – Prior Year Funds Replacement  
Chapter 444 Acts of 2012  
Source Code: 12056 Item: 056 Amount: \$375,500

Maryland Consolidated Capital Bond Loan – 2014  
POS Stateside – Prior Year Funds Replacement  
Chapter 463 Acts of 2014  
Source Code: 14090 Item: 090 Amount: \$314,500

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement B  
Department of Budget and Management  
**ACTION AGENDA**  
February 22, 2017



DBM 1B

**REVISED**

Contact: Nancy Hevey 410-865-1386  
nhevey@mdot.state.md.us

**1-S. MARYLAND DEPARTMENT OF TRANSPORTATION**  
*The Secretary's Office of Planning & Capital Programming*  
*Services Contract*

**Contract ID:** MDOT On-Call Temporary Contingent Labor Services; ADPICS # J01B7400039

**Contract Description:** Multiple contracts in two Functional Areas to provide on-call temporary contingent labor services in various labor categories to all the transportation business units under MDOT.

**Awards:**

**Functional Area 2**

Athena Consulting, LLC      Abacus Corporation  
Gaithersburg, MD              Baltimore, MD

**Term:**

4/1/2017 (or earlier upon BPW approval) – 3/31/2020  
(w/1 two-year renewal option)

**Amount:**

**\$28,500,000** NTE (3 Years, Base Contract)  
**\$19,000,000** NTE (2 Years, Renewal Option)  
**\$47,500,000** NTE Total (5 Years)

**Procurement Method:**

Competitive Sealed Proposals

**Proposals:**

See page 3B

**MBE Participation:**

10% (see Requesting 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*. Copies of the solicitation notice were emailed directly to 343 prospective vendors that included Maryland firms and 151 MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

The RFP for a multiple award master contract to provide on-call temporary contingent labor services allowed up to two awards under each functional area with an overall five year Not-to-Exceed (NTE) amount of \$95 million (three-year base contract with one two-year renewal option).

Supplement B  
Department of Budget and Management  
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February 22, 2017



DBM 2B

**REVISED**

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

The requested labor services are divided into two functional areas (FA):

- FA 1 – Information Technology and Other Professional Technical Labor Categories; and
- FA 2 – Administrative Labor Categories.

Offerors were permitted to propose in either one or both of the FAs. A total of 26 proposals were received from 19 offerors in response to the RFP; however, 11 proposals from eight offerors were determined not to be susceptible of being selected for award due to incomplete MBE documentation.

Seven proposals for FA 1 were determined to be reasonably susceptible of being selected for award and ranked accordingly. After the offerors were notified of the recommended contract awards, MDOT received an untimely protest on the RFP specs for FA 1, which was denied on both the untimeliness and grounds. The protest denial was appealed to the Maryland State Board of Contract Appeals (MSBCA). A second protest was also received from the same offeror and was upheld by MDOT to provide a debriefing with the offeror that occurred on February 1, 2017. Because of the protest and appeal against the award recommendations for FA 1, MDOT is not requesting approval for this FA.

At this time, MDOT is requesting approval of FA 2 while it completes the appeal process for FA 1. Once the MSBCA decision is reached, MDOT will submit the award recommendation for FA 1 to the BPW for approval as a modification to this contract award because the NTE amount is for both FAs and it is unknown how much funding is needed for each FA to arbitrarily split the award amount.

Eight proposals for FA 2 were determined to be reasonably susceptible of being selected for award and ranked accordingly (see FA 2 table below). Technical and financial factors were given equal weight in the overall award determination. Recommendations for awards were given to Athena and Abacus. Athena was ranked #1 overall with the #1 ranked technical proposal and the second lowest financial proposal for FA 2. The lowest priced offeror was ranked #7 technically. The technical differences between these two offerors were determined to outweigh the difference in price. Abacus was ranked #2 overall with the third ranked technical proposal and fourth lowest price. Abacus' price difference (roughly 4%) from the third lowest priced financial offeror (ranked fourth technically) was not determined to outweigh the difference in their technical proposals. The #2 technically ranked offeror had the second highest price and was ranked #4 overall.

There are a total of 141 different labor categories identified to be utilized under this contract: 116 under FA 1 and 25 under FA 2. Authorized for use by and to support MDOT and any of its Transportation Business Units, this contract provides for contingent labor resources to perform responsibilities that would not necessitate the addition of a permanent employee.

Supplement B  
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DBM 3B

**REVISED**

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

MDOT or one of the TBUs will conduct a secondary competition between the awarded contractors through the issuance of “Resource Service Order” which will define the goal or objective of the required service to be completed, and the Labor Category(ies) required. Each resource service order awarded will not exceed a term of two years. There is no minimum or maximum guarantee of Resource Service Orders to be awarded under this contract.

A 10% MBE participation goal and no VSBE participation goal were established for this contract based upon the limited subcontracting opportunities available for the work defined in the RFP.

**Fund Source/Appropriation Codes:** Various

**Resident Businesses:** Yes to both

**Proposals (cont'd):**

Offerors	Technical Ranking	Financial Proposal / Ranking	Overall Ranking
Athena Consulting LLC * Gaithersburg, MD MD Tax Clearance: 17-0070-0110	1	\$15,884,450 (2)	1
Abacus Corporation Baltimore, MD MD Tax Clearance: 17-0068-1111	3	\$18,646,776 (4)	2
Business Interface Staffing Services LLC * Largo, MD	4	\$17,907,665 (3)	3
Robert Half International Inc. Baltimore, MD	2	\$34,675,453 (7)	4
Swift Staffing * Catonsville, MD	6	\$19,029,694 (5)	5
Goodwill Works of the Chesapeake Baltimore, MD	7	\$13,683,504 (1)	6
Vtech Solution Inc. * Washington, DC	5	\$43,338,448 (8)	7
Radgov, Inc. Ft Lauderdale, FL	8	\$33,350,262 (6)	8

Note: \*MBEs

**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**  
February 22, 2017



DBM 4B

*Contact: Nancy Hevey 410.865.1386  
nhevey@mdot.state.md.us*

**2-S. MARYLAND DEPARTMENT OF TRANSPORTATION**  
*The Secretary's Office of Planning & Capital Programming  
Services Contract*

**Contract ID:** Transportation Policy, Planning and Environmental Consulting Services;  
MDOT-OPCP-17-001; ADPICS # J01B7400040

**Contract Description:** Provide transportation policy, planning and environmental consulting services for the Department through a task order process delivering research and analysis of multimodal, strategic and innovative planning.

**Awards:**

Rummel, Klepper & Kahl, LLP/Parsons Brinckerhoff/JV Baltimore, MD	Cambridge Systematics, Inc. Bethesda, MD	Jacobs Engineering Group Baltimore, MD	ICF Incorporated, LLC Baltimore, MD
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**Term:** 4/1/2017 – 3/31/2020 (w/1 two-year renewal option)

**Amount:** \$12,000,000 NTE (3 Years, Base Contract)  
\$ 8,000,000 NTE (2 Year, Renewal Option)  
\$20,000,000 NTE Total (5 Years)

**Procurement Method:** Competitive Sealed Proposals

**Proposals:** See page 7B

**MBE/DBE Participation:** 15% (see Requesting Agency Remarks)

**Performance Security:** None

**Incumbents:** See page 7B

**Requesting Agency Remarks:** A notice of the availability of the Request for Proposals was advertised on *eMaryland Marketplace*. Copies of the solicitation notice were sent directly to 13 prospective vendors, all of which are Maryland firms, and included seven MBEs.

The purpose of this multiple-award, task order based contract is to engage consultants who will provide analytical support and resources to support MDOT's ongoing transportation planning and environmental responsibilities as defined in 15 categories of work, with awards to no more than four qualified firms.

Supplement B  
Department of Budget and Management  
**ACTION AGENDA**  
February 22, 2017



DBM 5B

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**2-S. MARYLAND DEPARTMENT OF TRANSPORTATION (cont'd)**

A total of four proposals were received in response to the RFP. All proposals were determined to be reasonably susceptible of being selected for award. As per the RFP, awards are recommended to the four offerors as they were all determined to be reasonably susceptible of being selected for award.

Rummel, Klepper & Kahl, LLP/Parsons Brinckerhoff/Joint Venture was ranked overall #1 with the second ranked technical offer and second lowest price. Cambridge Systematics, Inc. was ranked overall #2 with the highest ranked technical proposal and the fourth lowest price. Jacobs Engineering Group (Jacobs) was ranked overall #3 with the third ranked technical proposal and the third lowest price. ICF Incorporated, LLC was ranked overall #4 with the lowest ranked technical offer and the lowest price. Although ICF submitted the lowest financial offer, the difference in price (4.9%) did not outweigh the technical differences between ICF and the firm with a #3 technical rank, Jacobs. However, all firms demonstrated varying strengths in the fifteen categories. Therefore, RK&K/PB, Cambridge, Jacobs, and ICF are recommended for awards for contracts A, B, C, and D.

These contracts will provide innovative transportation analysis, program evaluation, statewide, regional and local multi-modal planning for the movement of people and goods, strategic planning and analysis for environmental quality, communication outreach, and other transportation challenges faced by the Offices of Planning and Capital Programming and Environment. The task orders will be issued under the following categories:

1. Maryland Transportation Plan, Maryland Bicycle and Pedestrian Master Plan, strategic and business plans, and other statewide and regional long range transportation plans and programs;
2. Performance Measurement, evaluation and reporting, including the Annual Attainment Report and Managing for Results;
3. Trends analysis, economic assessment, and market assessment and evaluation;
4. State and federal policy analysis;
5. Capital funding analysis;
6. Program support, grant management, application review and assistance;
7. Coordinated transportation and land use planning;
8. Freight and passenger rail planning;
9. Regional planning assistance;
10. Corridor studies;
11. Environmental policy, planning and operations;
12. Workshop/conference support;
13. Communications;
14. Procurement and minority business enterprise support; and
15. Facilitation of transportation strategic initiatives.

Supplement B  
 Department of Budget and Management  
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 February 22, 2017



DBM 6B

**2-S. MARYLAND DEPARTMENT OF TRANSPORTATION (cont'd)**

*Offerors' Rankings by Category:*

Offerors	Categories														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Cambridge	1	1	1	1	2	2	1	2	3	1	1	3	1	3	4
RK&K/PB	2	3	2	2	1	1	2	3	2	3	4	1	2	2	2
Jacobs	3	2	4	3	4	3	3	4	4	2	2	4	3	4	1
ICF	4	4	3	4	3	4	4	1	1	4	3	2	4	1	3

The task orders will be issued to the contractor with the highest technical ranking within the specific task category (see table above) regardless of the overall ranking, unless the Contract Manager determines that there are performance issues or concerns with the contractor's capability and capacity to perform the task. If the highest technically ranked contractor within the specific task category cannot perform the work within the timeframe requested or the Contract Manager has made such a determination, the second highest technically ranked contractor within the specific task category will be given an opportunity to accept the request. If the second highest technically ranked contractor within the specific task category cannot perform the work within the timeframe requested, the third highest technically ranked contractor within the specific task category will be given an opportunity to accept the request, and so forth. The successful contractors will not be required to compete for task orders as the technical proposals determined the category rankings.

A 15% MBE/DBE participation goal and 1% VSBE participation goal were established for this contract based upon the amount of firms available that perform the work defined in the RFP.

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

**Appropriation Codes:** J01 39003 0299 #016901-40  
 J01 39003 0299 #012601-40

**Resident Businesses:** Yes to all

**MD Tax Clearances:** 17-0033-1111 (Cambridge)  
 17-0035-1111 (RKK/PB)  
 17-0036-1111 (Jacobs)  
 17-0034-0110 (ICF)

Supplement B  
 Department of Budget and Management  
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**2-S. MARYLAND DEPARTMENT OF TRANSPORTATION (cont'd)**

*Proposals (cont'd):*

<b>Offerors</b>	<b>Technical Ranking</b>	<b>Financial Proposal Base (3 Years)</b>	<b>Financial Proposal Renewal Option (2 Years)</b>	<b>Total Financial Proposal (5 Years)</b>	<b>Overall Ranking *</b>
Rummel, Klepper & Kahl, LLP/ Parsons Brinkerhoff Inc./JV ** Baltimore, MD	2	\$4,497,037	\$3,266,473	\$7,763,510 (2)	1
Cambridge Systematics, Inc. ** Bethesda, MD	1	\$4,803,798	\$3,447,522	\$8,251,320 (4)	2
Jacobs Engineering Group ** Baltimore, MD	3	\$4,550,222	\$3,226,242	\$7,776,464 (3)	3
ICF Incorporated LLC Baltimore, MD	4	\$4,312,402	\$3,094,845	\$7,407,247 (1)	4

*Note: \* Technical and financial factors had equal weight in the overall award determination.*

*\*\* Incumbents.*

**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**  
February 22, 2017



DBM 8B

*Contact: Sandy Johnson 410-767-7408  
Sandy.johnson@maryland.gov*

**3-S. DEPARTMENT OF HUMAN RESOURCES**  
*Baltimore City Department of Social Services/Family Investment Administration  
Services Contract*

**Contract ID:** The Emergency Food Distribution Program; BCDSS/FIA-17-009;  
ADPICS # N00B7400334

**Contract Description:** Provide three-day allotments of non-perishable food items to eligible customers via designated local food pantries.

**Award:** The Maryland Food Bank, Inc.  
Baltimore, MD

**Term:** 3/15/2017 - 3/14/2020 (w/2 one-year renewal options)

**Amount:** \$ 837,597 (3 Years; Base Contract)  
\$ 332,216 (1 Year; Renewal Option #1)  
\$ 341,194 (1 Year; Renewal Option #2)  
\$1,511,007 Total (5 Years)

**Procurement Method:** Sole Source

**Bids/Proposals:** N/A

**MBE Participation:** 10% (see Requesting Agency Remarks)

**Performance Security:** None

**Hiring Agreement Eligible:** Yes

**Incumbent:** Same

**Requesting Agency Remarks:** The Emergency Food Distribution Program, administered by the Baltimore City Department of Social Services (BCDSS) Family Investment Bureau provides a three-day supply of non-perishable food to residents in Baltimore City who are in need of food and lack financial resources to purchase food.

The Maryland Food Bank, Inc. (MFB) distributes food, through a network of 14 neighborhoods, non-profit local Food Pantries located throughout Baltimore City. The pantries, in turn, are in close proximity to eight BCDSS Family Investment Centers (FIC). BCDSS clients in need of food receive emergency food vouchers at the FIC's and present the vouchers to the Food Pantries to receive emergency food parcels.

Supplement B  
Department of Budget and Management  
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February 22, 2017



DBM 9B

**3-S. DEPARTMENT OF HUMAN RESOURCES (cont'd)**

The MFB is the sole distributor of food for Baltimore City through Feed America National Association of Food Banks (FANAFB). The two other Food Banks in Maryland are the Salisbury Food Bank (SFB), which is an affiliate of the MFB, and the Capital Food Bank (CFB), which distributes food to Prince George’s County, Maryland, Montgomery County, Maryland, Washington D.C. and Virginia. The MFB serves all Maryland counties except the two serviced by CFB and the eight counties on the Eastern Shore (Kent, Queen Anne’s, Talbot, Caroline, Dorchester, Wicomico, Somerset and Worcester) serviced by SFB.

The MFB is professionally managed allowing the program to be run in a cost effective manner. MFB’s continued satisfactory performance helps DHR and BCDSS achieve their mission to assist people in economic need. From the beginning of March 2012 through December 2016 approximately 80,319 adults and children were served. According to the MFB’s data between March 2012 and now, the following numbers were served: 15,293 infants received diapers, 13,810 infants received formula and 51,216 adults and children received food kits. It is anticipated that the number of people being served by this program will continue at nearly the same level of need throughout the contract term. The budget estimates a decreased need because the economy has been slowly picking up.

BCDSS researched the prices of the items provided in the food kit which can also include infant formula and diapers and found the prices to be fair and reasonable and within market value. The proposed budget anticipates a slight decrease in need and resulting in an overall 10.9% contract price decrease from the previous contract based on the continuing economic recovery.

A 10% MBE participation goal was established based upon the MFB utilizing a MBE subcontractor to deliver supplies to the designated pantries.

**Fund Source:** 100% General

**Appropriation Code:** N00G0002

**Resident Business:** Yes

**MD Tax Clearance:** 17-0305-0110

**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**  
February 22, 2017



DBM 10B

Contact: Grace Fendlay 410-767-0044  
grace.fendlay@maryland.gov

**4-S. DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
*Division of Workforce Development and Adult Learning*  
*Services Contract*

**Contract ID:** Disabilities Employment Initiative Grant Project; ADPICS # P00B7400018

**Contract Description:** Provide training and technical assistance to ensure that individuals with significant disabilities become economically self-sufficient through access to an enhanced State workforce system.

**Award:** Griffin-Hammis Associates, Inc.  
Florence, MT

**Term:** 3/10/2017 – 1/1/2020

**Amount:** \$169,703 (2 Years, 8 Months)

**Procurement Method:** Sole Source

**Bids/Proposals:** N/A

**MBE Participation:** None (See Requesting Agency Remarks)

**Performance Security:** None

**Incumbent:** None

**Requesting Agency Remarks:** Request for approval of a Sole Source contract with Griffin-Hammis Associates, Inc. to provide training and technical assistance to ensure that individuals with significant disabilities become economically self-sufficient through access to an enhanced State workforce system, pursuant to Maryland Combined State Workforce Plan. These services are necessary to meet Governor Hogan’s strategic vision that “every working age Marylander with a disability, including those with significant disabilities, must have access to opportunities which lead to employment in competitive, integrated settings.”

The recommended contractor is currently the only entity providing this type of specialized training; there are no other entities that provide the type and level of service required pursuant to the federal grant award funding this project.

Supplement B  
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**4-S. DEPARTMENT OF LABOR, LICENSING AND REGULATION (cont'd)**

This contract will provide deliverables, programs, goods, and services pertaining to Association of Community Rehabilitation Educators (ACRE) Competency based Certificate Training in Community Employment Services. In addition, the contractor will provide a consultant to conduct the specific training required to increase the competency level and the number of skilled staff at the American Job Center (AJC) to serve people with significant disabilities. This consultant will provide AJC staff with ACRE Competency-Based Certificate training in community employment with an emphasis on Customized Employment and is the only expert in the field who can provide the required services.

The training and technical assistance offered will provide a new level of expertise to both the job seeker and business customers enabling better outcomes for Marylanders with disabilities seeking employment. Each training session will entail multi-day instruction in order to obtain the ACRE certification. In addition, on-site technical assistance to AJCs and community rehabilitation providers and grant partners across Maryland will be provided to assist with demonstrating training content, assisting with Social Security Work Incentives analyses, augmenting Employer Engagement approaches, and facilitating initial implementation of Group Discovery.

The proposed services for the Disabilities Employment Initiative Grant Project are unique to Maryland; however, similar services have been procured by Utah and Ohio. The prices for the proposed services were determined to be fair and reasonable based upon a comparison of the daily rates for the services for all three states (Maryland, Utah, and Ohio), which were equitable.

Approval of this contract is in the State's best interest to ensure that DLLR is in compliance with the grant requirements for this project to supply the approved training and technical assistance.

**Fund Source:** 100% Federal

**Appropriation Code:** P00G0107

**Resident Business:** No

**MD Tax Clearance:** 17-0317-0000

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**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**  
February 22, 2017



DBM 12B

**REVISED**

Contact: Debbie Thornton 410-230-3322  
Debbie.thorntont@Maryland.gov

**5-S-MOD. DEPARTMENT OF JUVENILE SERVICES**  
*Contractual Residential Operations*  
*Services Contract Modification*

**Contract ID:** Residential Youth Services; 17-PD-005; ADPICS # ~~COH06461~~ **COH11163**

**Contract Approved:** DBM Item 7-S (6/8/2016)

**Contractor:** ARC of Washington County, Inc.  
Hagerstown, MD

**Contract Description:** Multiple awards for currently licensed contractors to provide residential services for up to 502 youth and non-residential services for up to 377 youth referred by DJS who are before the Juvenile Courts of the State of Maryland. The types of programs include: treatment foster care, therapeutic and regular group homes, residential schools, home based therapy or supervision, non-residential programs, and independent living programs.

**Modification Description:** Increase the available funding for one provider to accommodate additional youth requiring residential treatment care.

**Original Contract Term:** 7/1/2016 – 6/30/2017

**Modification Term:** 3/1/2017 – 6/30/2017

**Original Contract Amount:** \$383,973 (1 Year)

**Modification Amount:** **\$106,000** (4 Months)

**Prior Modifications/Options:** None

**Revised Total Contract Amount:** **\$489,973**

**Overall Percent +/- (This Mod):** **+27.6%**

**Original Procurement Method:** Non-Competitive Negotiated Procurement of Human, Social, Cultural or Educational Services

**MBE Participation:** 5%

**MBE Compliance:** 10.83%

Supplement B  
Department of Budget and Management  
**ACTION AGENDA**  
February 22, 2017



**REVISED**

**5-S-MOD. DEPARTMENT OF JUVENILE SERVICES** (cont'd)

**Requesting Agency Remarks:** Request for approval to modify the contract with Arc of Washington County, Inc. by increasing the available funding to provide services to additional youth requiring residential treatment care. The contract amount was estimated based upon an average daily population of five youth; however, additional youth have been placed with ARC and the number of youth went up to seven. ARC's programs provide the type of supervision and services that best match the identified risk level, supervision requirements, and treatment needs of youth committed to DJS. DJS continuously reviews and adjusts available programming based on needs of the population, data about youth responses to programs, and current best practices.

DJS is required to provide both residential and non-residential services and programming for youth who are ordered by the Juvenile court to be placed in specific types of programs. Since DJS does not have a sufficient number of State operated programs, private providers have been relied upon to provide the majority of these services and programs. The types of residential programs include: treatment foster care, group homes, therapeutic group homes, shelter homes, residential treatment centers, residential educational programs or schools and independent living programs. Home based supervision treatment and therapy are also provided.

**Fund Source:** 88% General; 8% Federal;  
4% Special (Local Education Agencies)

**Appropriation Codes:** Various

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

<b>APPROVED</b>	<b>DISAPPROVED</b>	<b>DEFERRED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>		<b>WITHOUT DISCUSSION</b>	

Supplement B  
Department of Budget and Management  
**ACTION AGENDA**  
February 22, 2017



DBM 14B

Contact: Philip P. Whaling 410-385-4431  
pwhaling@marylandports.com

**6-GM. MARYLAND DEPARTMENT OF TRANSPORTATION**  
*General Miscellaneous*

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

**Appropriation Codes:** J03D0002  
J03D0001

**Request Amount:** \$1,476,973

**Description:** Pursuant to State Finance and Procurement Article §§ 12-107, 15-215 to 15-218, the Maryland Port Administration and the Office of the Attorney General request approval for the payment of \$1,476,973 in full settlement of all claims and disputes, and for additional work under the Maryland Port Administration Phase II Energy Performance Contract at Various MPA Facilities Contract No. 290042-EP-2, including the claims docketed at MSBCA 2924, 2943, 2970, 2990, 2995 and 3000, Maryland State Board of Contract Appeals.

**Requesting Agency Remarks:** In conjunction with the Settlement Agreement the Maryland Port Administration and Pepco Energy Services, Inc. will execute Modification No. 9 to the Contract providing for an increase to the contract value of \$1,476,973. (See companion Item DOT 6-EP-MOD [2/22/17])

**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement C  
University System of Maryland  
ACTION AGENDA  
February 22, 2017



Contact: Thomas Hickey 301-445-2774  
thickey@usmd.edu  
USM Rep: Joe Evans

**1-AE. UNIVERSITY OF MARYLAND, BALTIMORE**  
*Architecture/Engineering Services*

**Contract ID:** Design of Campus Electrical Distribution  
RFP #17-317 AE-AA

**Project:** The project comprises the comprehensive construction of two matching switching stations, North and South, each fed from a different BGE substation, with ties to all existing campus feeder pairs. Work includes installing new duct banks and new building construction for both the north and south switching stations. The north switching station will also include a recycling center. This project is critical as the Master Switching Station is approaching 50 years old and there is an increased likelihood of failure.

**Contract Description:** Provide complete professional design services for all design phases including schematic design, design development, construction documents, bidding, construction administration and post construction.

**Award:** RMF Engineering, Inc., PC, Baltimore

**Term:** 24 months from issuance of design notice to proceed;  
83 months from issuance of construction notice to proceed

**Amount:** \$4,175,635

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

**MBE Participation:** 30%  
Subgoals of: 6% African-American Owned  
2% Hispanic-American Owned  
9% Women Owned

**Proposals:**

	Ranking
RMF Engineering, Inc., PC, Baltimore	1
James Posey Associates, Inc., Baltimore	2
Burns Engineering, Inc., Philadelphia, PA	3



Supplement C  
University System of Maryland  
ACTION AGENDA  
February 22, 2017



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**1-AE. UNIVERSITY OF MARYLAND, BALTIMORE (cont'd)**  
*Architecture/Engineering Services*

**Performance Security:** Not required

**Requesting Institution Remarks:** The solicitation was advertised in *eMaryland Marketplace* and on the UMB Procurement Services eBid Board. Five firms responded to the solicitation. The qualification committee shortlisted three firms as those most qualified to provide the services based upon their technical qualifications. The committee recommended RMF Engineering as the most qualified firm. The fee was the result of a negotiated agreement. The selection process, including the fee negotiations, was approved by the University's Executive Review Group, which includes a public member.

Currently, planning funds of \$3,000,000 have been appropriated for this project with \$2,890,000 anticipated for FY18. Board approval is however requested for the full amount of \$4,175,635. The funds spent will not exceed current appropriations. The University will return to the Board for approval before authorizing any further expenditures as funds become available. Due to funding limitations, construction is spread out over 83 months.

**Fund Source:** MCCBL 2016: *Provide funds to acquire property and begin design of electric substation and electrical infrastructure upgrades for the University of Maryland, Baltimore.* Item 167

**Resident Business:** Yes

**MD Tax Clearance:** 17-0205-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement D  
Department of Information Technology  
ACTION AGENDA  
February 22, 2017



DoIT 1D

Contact: Al Bullock (410) 697-9403  
Al.Bullock@maryland.gov  
Carla Thompson (410) 697-9667  
Carla.Thompson@maryland.gov

**1-IT-MOD. DEPARTMENT OF INFORMATION TECHNOLOGY**

**Contract ID:** Hardware and Associated Equipment & Services (Hardware 2012)  
ADPICS BPO No.: 060B2490022

**Contract Approved:** DoIT Item 4-IT (11/14/2012)

**Contractor:** Mavenspire, Annapolis

**Contract Description:** Multiple award, indefinite quantity, purchase order request for proposals-based Master Contract to provide hardware, installation, training services and manufacturer's extended warranty. Excludes laptops and desktops.

**Modification Description:** Add one master contractor

**Original Contract Term:** 11/15/2012 – 11/14/2027 (15 years)

**Modification Term:** 2/22/2017 – 11/14/2027

**Original Contract Ceiling Amount:** \$57,000,000 (base)

**This Modification Amount:** \$ 0

**Prior Modifications:** \$ 35,000,000 (DoIT Item 2-IT-MOD 10/15/2014)  
\$ 12,000,000 (DoIT Item 4-IT-MOD 3/23/2016)  
\$100,000,000 (DoIT Item 3-IT 6/22/2016)

**Current Contract Ceiling Amount:** \$204,000,000

**Original Procurement Method:** Competitive Sealed Proposals

**MBE Participation:** 1% (Functional Area IV only)

**Incumbents:** 111 Master Contractors

Supplement D  
Department of Information Technology  
ACTION AGENDA  
February 22, 2017



DoIT 2D

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

**Remarks:** Reference is made to DoIT Item 3-IT (6/22/2016) in which the Board of Public Works approved adding vendors to the Hardware Master Contract via the first expansion window for hardware, installation, training services and manufacturer's extended warranty. Laptops and desktops are excluded.

DoIT seeks to add one Offeror to the Master Contract under the Hardware Master Contract. The contractor submitted their proposal on time; however they were not presented to the Board of Public Works when the hardware contract expansion was approved, because DoIT needed time to resolve issues with their proposal. All issues have been resolved; and the offeror is in good standing.

**Fund Source:** Various

**Approp. Code:** Various

**Resident Business:** Yes

**MD Tax Clearance:** 17-0298-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement D  
 Department of Information Technology  
**ACTION AGENDA**  
 February 22, 2017



**Supplemental**

DoIT 3D

*Contact: C. Kevin Combs (410) 429-7552  
 Kevin.Combs@maryland.gov  
 Carla Thompson (410) 697-9667  
 Carla.Thompson@maryland.gov*

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

**Contract ID:** IBM Annual License & Maintenance Fees  
 DPSCS Contract 2-17-13, ADPICS BPO No.: Q00B6400144

**Contract Description:** Annual renewal of license and maintenance fees for IBM software running on the DPSCS mainframe

**Award:** IBM Corporation, Baltimore, MD

**Term:** 3/1/2017 – 2/28/2018

**Amount:** \$467,584

**Procurement Method:** Sole Source

**MBE Participation:** None

**Remarks:** DPSCS recommends this sole source procurement to continue maintenance, usage, and licenses for software products that are installed on the IBM 2828-H06 mainframe processor at the Public Safety Data Center. The currently-installed software products include the mainframe’s operating system, programming language, online transactional system, database management systems, database utilities, messaging system, along with other utility programs.

IBM is the sole owner, licensor of, and provider of maintenance and technical support for the propriety software products. Without this vital software the mainframe cannot operate, and would precipitate a disastrous disruption in the law enforcement and criminal justice user communities that rely on the operation of the IBM processor and its software products to perform daily job functions. There is no other available source for the maintenance and technical support of the software.

**Fund Source:** General Funds  
**Resident Business:** Yes

**Approp. Code:** Q00A0102  
**MD Tax Clearance:** 16-4161-1111

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Supplement D  
Department of Information Technology  
**ACTION AGENDA**  
February 22, 2017



DoIT 4D

**Hand Carried**

*Contact: Carolyn Mitchell (410) 767-2219  
Carolyn.Mitchell@maryland.gov  
Carla Thompson (410) 697-9667  
Carla.Thompson@maryland.gov*

**3-IT-MOD. DEPARTMENT OF LABOR, LICENSING AND REGULATION**  
*Division of Workforce Development and Adult Learning*

**Contract ID:** Maryland Workforce Exchange One-Stop, System End User Software License Agreement  
ADPICS BPO No.: P00B6400010, COH07773

**Contract Approved:** DoIT Item 2-IT (10/21/2015)

**Contractor:** Geographic Solutions, Inc., Palm Harbor, FL

**Contract Description:** Software as a Service (SaaS) solution to improve and make Maryland Workforce Exchange System more efficient. The improved system will be an operational, comprehensive, one-stop operating system that integrates information from the workforce information database and real-time labor market information with labor exchange functionality in a self-service mode to employers and individuals. The solution will also provide a staff-assisted interface that connects with the current Maryland Workforce Exchange System.

**Modification Description:** (1) Add two modules to the Maryland Workforce Exchange System to maximize integration and efficiency across the State; and (2) correction to Modification No. 1 which did not include the increase to Options 1 and 2.

**Original Procurement Method:** Competitive Sealed Proposals

**Original Contract Term:** 1/1/2016 – 12/31/2019 (3-year base with two 1-year terms)  
1/1/2020 – 12/31/2020 (Option 1)  
1/1/2021 – 12/31/2021 (Option 2)

**Modification Amount:** \$1,059,820

**Original Amount:** \$6,052,458 (3-year base)  
\$3,323,976 (Options 1&2)  
\$9,376,434

**Modification Term:** 2/22/2017 – 12/31/2019

**Prior Mods:** \$151,825 (DoIT Item 5-IT-MOD [5/22/2016])

**Revised Total Contract Amount:** \$7,264,103 (Does not include options)



## Hand Carried

### **3-IT-MOD. DEPARTMENT OF LABOR, LICENSING AND REGULATION (cont'd)** *Division of Workforce Development and Adult Learning*

<b>Percent +/- (This Mod):</b>	+17.51%
<b>Overall Percent +/-:</b>	+20.02%
<b>MBE Participation:</b>	5%
<b>MBE Compliance:</b>	5.84%

**Remarks:** Geographic Solutions provides Software as a Service for DLLR's Maryland Workforce Exchange System. The Reemployment Exchange (REX) Services and Eligibility Assessment and Early Intervention Program is a model program that targets unemployment insurance claimants most likely to exhaust benefits and provides information to claimants regarding reemployment services available in American Job Centers. This was an experimental federal program until April 2015 when the U.S. Department of Labor made the program permanent and provided that 2015 would be a transition year to enable states to make changes to their own Workforce Information Databases to accommodate the reporting. Geographic Solutions provides the custom conversion and integration to the legacy Maryland Workforce Exchange System Software as a Service solution needed to accomplish this system enhancement.

DLLR is seeking approval to modify the Contract to add two modules to the MWE system.

*Module one:* REX provides functionality for a new focus on reemployment strategies by connecting the Unemployment Insurance (UI) with Workforce Development systems creating a common intake for workforce registration, work search, and linkage to unemployment insurance claim filing under the REX. Integration of these two systems would provide a centralized data system and coordinated registration for UI claimants to enter and perform necessary tasks while collecting unemployment insurance benefits.

*Module two:* Supports the Supplemental Nutrition Assistance Program (SNAP) with functionality that specifically tracks SNAP Employment and Training (E&T) participant progress and outcomes that aligns with the Food and Nutrition Service (FNS) requirements. States are required to provide the USDA FNS with SNAP E&T outcomes and impact data in accordance with the new national reporting measures. Geographical Solutions, Inc. customized module specifically tracks SNAP E&T participant progress and outcomes that aligns with FNS requirements. The module is uniquely designed to track demographic data and work history, required activities, notifications to SNAP agency of non-compliance or determinations made for exemption in the program, participant activity completions and credential attainment, and employment. Further, the module produces necessary SNAP E&T Case Management reports, SNAP 583 and performance quarterly and annual reports, required by USDA FNS. Adding this functionality will provide Maryland with an effective tracking system to accurately collect, analyze and produce the new reporting requirements reports for the USDA FNS.

Supplement D  
Department of Information Technology  
ACTION AGENDA  
February 22, 2017



DoIT 6D

**Hand Carried**

**3-IT-MOD. DEPARTMENT OF LABOR, LICENSING AND REGULATION** (*cont'd*)  
*Division of Workforce Development and Adult Learning*

*Fund Source:* 100% Federal

*Approp. Code:* P00G0107

*Resident Business:* No

This Item was withdrawn as Item 1-IT-MOD from the 2/8/2017 Agenda.

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**Larry J. Hogan**  
Governor

**Boyd K. Rutherford**  
Lt. Governor

**Pete K. Rahn**  
Secretary

**BOARD OF PUBLIC WORKS (BPW)**  
**ACTION AGENDA**  
**February 22, 2017**

	<u>Pages</u>
Construction	1 – 2
Maintenance	3 – 10
Energy Performance	11 - 16
Real Property	17



**1-C. STATE HIGHWAY ADMINISTRATION**  
**Construction Contract**

**Contract ID:** Wash Bay Installation at the Frederick Maintenance Facility in Frederick County;  
FR2595149

ADPICS No.: FR2595149

**Contract Description:** This contract is for the construction/installation of a wash bay at the Frederick Maintenance Facility in Frederick County.

**Awards:** Waynesboro Construction Co., Inc.  
Frederick, MD

**Contract Term:** 03/09/2017 – 04/30/2019

**Amount:** \$2,572,100 NTE

**Procurement Method:** Competitive Sealed Bidding  
(Single Bid Received)

**Living Wage Eligible:** No

**MBE Participation:** 7%

**Performance Security:** Performance & Payment Bonds for 100% of the award amount exist for this contract.

**Incumbent:** None

**Requesting Agency Remarks:** The original Engineer's Estimate for this contract was \$2,198,792. The original estimate was determined to be incorrect due to inaccurate projections related to masonry, openings, finishes, electrical duct-bank and oil-water separator. These items were underestimated based on subcontractor quotations received from the low bidder, exclusion of prevailing wage rates for labor, and underestimated material costs. Taking these factors into consideration, the engineer determined that an estimate of \$2,351,639 was more accurate for the project. SHA negotiated the single bid down from an original bid of \$2,830,000 (28.17% over the original Engineer's Estimate) to \$2,572,100, which is 9.37% over the adjusted estimate. In negotiations, the low bidder agreed to revise their site work pricing, remove an unnecessary item

1-C. **STATE HIGHWAY ADMINISTRATION** (cont'd)

*Agency Remarks: (cont'd)*

for rock excavation, and adjusted their price for insulated wall panels resulting in a total reduction of \$257,900. The SHA found the negotiated bid price to be in line with a similar project in Hagerstown that received multiple bids in November 2016. The SHA has confirmed Waynesboro Construction Co., Inc.'s negotiated bid price.

This contract was advertised on July 12, 2016 with a bids opened on September 29, 2016. The solicitation was advertised in eMaryland Marketplace, notifying 196 potential contractors; 15 of which were MDOT Certified MBE's.

Thirty-one companies viewed the solicitation on eMaryland Marketplace. SHA contacted 11 potential bidders with the ability to perform this work. In addition to directly soliciting 11 firms, the bid due date was extended 35 days to potentially encourage contractors to prepare bids. Seven of the 11 contractors directly solicited indicated current workloads prevented them from providing bids. SHA proceeded with the single bid, as any additional delays would have deferred project delivery by up to a year.

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

**Approp. Code:** J02B0101

**Resident Business:** No

**MD Tax Clearance:** 17-0161-1111

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
February 22, 2017



DOT 3

Contact: Georgia A. Peake  
410-767-3763  
[gpeake1@mta.maryland.gov](mailto:gpeake1@mta.maryland.gov)

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

**Contract ID:** Eco-Friendly Bus Treatment; *BM-16-1002*  
ADPICS No.: BM161002

**Contract Description:** Provides cleaning and application of an eco-friendly treatment to the entire interior of each bus in MTA's fleet.

**Award:** Universal Contract Cleaning Co.  
Windsor Mill, MD

**Contract Term:** 03/09/2017 – 03/08/2020

**Amount:** \$380,160 NTE

**Procurement Method:** Competitive Sealed Bidding

<b>Bids:</b>	Universal Contract Cleaning Co. Windsor Mill, MD	\$380,160
	MultiCorp, Inc. Hanover, MD	\$382,752
	Vytis Shield, LLC Glen Arm, MD	\$708,480

**Living Wage Eligible:** No (Contractor employs ten or fewer employees and the contract value is less than \$500,000)

**MBE Participation:** 7.1%

**Performance Security:** None

**Hiring Agreement Eligible:** Yes

**Incumbent:** None

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**2-M. MARYLAND TRANSIT ADMINISTRATION (cont'd)**

**Requesting Agency Remarks:** The low bid is 0.4% under the Engineer's Estimate of \$381,830.

The solicitation was advertised on *eMaryland Marketplace* and MTA's website on June 30, 2016. One hundred forty vendors were notified, including 20 MDOT Certified Minority Businesses. Direct solicitation resulted in one bid.

MTA buses are operated daily, providing public transportation throughout Baltimore and surrounding counties. This perpetual use imposes the need for thorough cleaning and preventative measures such as Eco-Seal to continuously provide unsoiled, sanitary buses to MTA riders. The application process starts with the contractor sterilizing the bus. The contractor would then apply the Eco-Seal with a fogger which preserves the lifespan of those surfaces.

This contract provides all necessary labor, materials, equipment, and supervision for cleaning and applying the eco-friendly treatment to the complete interior of over 576 MTA buses. Each bus must be prepped, cleaned and treated with Eco-Seal at a minimum of once per year, which equates to approximately 16 buses per month, from each of the four MTA Bus Divisions, Bush Street, Northwest, Kirk Avenue and Eastern Avenue.

Universal Contract Cleaning, Co. has committed to exceeding the 7% MBE goal by 0.1%.

Maryland Works, Inc. granted a waiver for this work on March 14, 2016.

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

**Approp. Code:** J05H0105

**Resident Business:** Yes

**MD Tax Clearance:** 17-0199-0000

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**3-M. STATE HIGHWAY ADMINISTRATION**  
***Maintenance Contract***

**Contract ID:** Line Striping at Various Locations in Allegany & Washington Counties;  
492D61419

ADPICS No: 492D61419

**Contract Description:** This contract provides all labor, materials and equipment necessary to perform the retracing of roadway lines and new line striping at various locations in Allegany and Washington Counties.

**Awards:** Parking Lot Painting Company  
Bethel Park, PA

**Contract Term:** 03/09/2017 – 06/30/2019

**Amount:** \$1,019,640 NTE

**Procurement Method:** Competitive Sealed Bidding

**Bids/Proposals:** Parking Lot Painting Company \$1,019,640  
Bethel Park, PA

Alpha Space Control Co., Inc. \$1,023,900  
Chambersburg, PA

Denville Line Painting, Inc. \$1,191,500  
Rockaway, NJ

Oglesby Construction, Inc. \$1,236,140  
Norwalk, OH

Midlantic Marking, Inc. \$1,863,000  
Damascus, MD

**Living Wage Eligible:** Yes

**MBE Participation:** 0% (Single Element of Work)

**Performance Security:** An annual renewable payment and performance bond in the amount equal to the contract price per year exists on this contract.

**3-M. STATE HIGHWAY ADMINISTRATION (cont'd)**

**Incumbent:** Alpha Space Control Co., Inc  
Chambersburg, PA

**Requesting Agency Remarks:** The Engineer's Estimate for this contract is \$1,017,200. The low bid received is 0.24% over the Engineer's Estimate. SHA has confirmed Parking Lot Painting Company's bid price.

This contract was advertised on October 25, 2016 with a bid opening date of December 1, 2016. The Solicitation was advertised in eMaryland Marketplace, notifying 72 potential contractors; six of which were MDOT Certified MBE's.

This open-ended, on-call contract provides all labor, materials and equipment necessary to perform the retracing of roadway lines and new line striping at various locations in Allegany and Washington Counties.

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

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

**Approp. Code:** J02B0102

**Resident Business:** No

**MD Tax Clearance:** 17-0163-1100

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**4-M. STATE HIGHWAY ADMINISTRATION**  
***Maintenance Contract***

**Contract ID:** Maintenance and Repairs to Highway Lighting at Various Locations in Caroline, Cecil, Kent, Queen Anne's & Talbot Counties (District 2); 528D21419R  
ADPICS No: 528D21419

**Contract Description:** This contract consists of the maintenance and repairs to highway lighting at various locations in District 2. The Engineer will determine work locations after the award of contract. Work may be on a continual basis. The limits of this contract work may extend to the other maintenance shops in this District 2 should extenuating circumstances dictate the need.

**Awards:** Lighting Maintenance, Inc.  
Rockville, MD

**Contract Term:** 03/09/2017 – 12/31/2019

**Amount:** \$482,399 NTE

**Procurement Method:** Competitive Sealed Bidding

<b>Bids/Proposals:</b>	Lighting Maintenance, Inc. Rockville, MD	\$ 482,399
	Rommel Engineering & Construction, Inc. Linthicum, MD	\$ 494,500
	Electronick Electrical Services, LLC District Heights, MD	\$82,047,950

**Hiring Agreement Eligible:** Yes

**MBE Participation:** 0% (Single Element of Work)

**Performance Security:** An annual renewable payment and performance bond in the amount equal to the Contract price per year exists on this contract.

**Incumbent:** Lighting Maintenance, Inc.  
Rockville, MD

**4-M. STATE HIGHWAY ADMINISTRATION** (*cont'd*)

**Requesting Agency Remarks:** The Engineer's Estimate for this contract is \$344,417. The low bid received is 40.06% over the Engineer's Estimate. The SHA analyzed the bid items and the prices received by the low bidder. This analysis showed the low bidder provided higher pricing for three major items: the hourly use of a pick-up truck, electrical foreman pay, and helper/flagger pay; all of which total \$96,180. SHA has confirmed Lighting Maintenance, Inc.'s bid price.

This contract was advertised on October 25, 2016 with a bid opening date of November 22, 2016. The solicitation was advertised in eMaryland Marketplace, notifying 773 potential contractors; 115 of which were MDOT Certified MBE's.

This contract was previously advertised but resulted in a single bid; therefore, the solicitation was cancelled. In an effort to create more competition, SHA directly solicited several firms when resoliciting the advertisement.

This open-ended, on-call contract consists of maintenance and repairs to highway lighting at various locations in District 2 including: repairs to highway street lighting, exterior facility lighting, and overhead sign lighting; as well as maintenance of traffic to perform the repairs.

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

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

**Approp. Code:** J02B0102

**Resident Business:** Yes

**MD Tax Clearance:** 17-0162-1111

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**5-M. STATE HIGHWAY ADMINISTRATION**  
***Maintenance Contract***

**Contract ID:** HVAC Services at Various Locations in Montgomery & Prince George's Counties (District 3); HVCD3AG18, ADPICS No.: HVCD3AG18

**Contract Description:** This contract provides all labor, materials, parts and service to ensure the satisfactory performance and efficient operations of the Administration's heating, ventilation and air conditioning (HVAC) Systems at various locations in District 3.

**Awards:** Mechanical Services Industries, LLC  
Frederick, MD

**Contract Term:** 03/09/2017 – 12/31/2018

**Amount:** \$279,332 NTE

**Procurement Method:** Competitive Sealed Bidding

<b>Bids/Proposals:</b>	Mechanical Services Industries, LLC Frederick, MD	\$279,332
	Keepin It Cool Waldorf, MD	\$293,500
	Kelly HVAC, Inc. Upper Marlboro, MD	\$362,473
	Denver-Elek, Inc. Baltimore, MD	\$703,600

**Living Wage Eligible:** Yes

**MBE Participation:** 100% (See Requesting Agency Remarks)

**Performance Security:** None

**Incumbent:** None

**5-M. STATE HIGHWAY ADMINISTRATION** (*cont'd*)

**Requesting Agency Remarks:** The Engineer's Estimate for this contract is \$420,000. The low bid received is 33.49% under the Engineer's Estimate. The SHA analyzed the low bid compared to the Engineer's Estimate and found the major cost difference to be within the quarterly and seasonal services. This is the first district-wide HVAC contract for District 3; therefore, the Engineer's Estimate was calculated using another District's recent bid results and input from that District and Facilities Equipment/Building Supervisors. SHA has confirmed Mechanical Services Industries, LLC's bid price.

This contract was advertised on October 25, 2016 with a bid opening date of December 1, 2016. The solicitation was advertised in eMaryland Marketplace, notifying 821 potential contractors; 130 of which were MDOT Certified MBE's.

No MBE sub-goal was established for this contract because the services are a single element of work; however, 100% of the work will be performed by a Certified Small Business Enterprise.

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

**Approp. Code:** J02B0102

**Resident Business:** Yes

**MD Tax Clearance:** 17-0164-0111

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: John Thornton  
(410) 385-4850

[jthornton@marylandports.com](mailto:jthornton@marylandports.com)

**6-EP-MOD. MARYLAND PORT ADMINISTRATION**  
***Modification: Energy Performance Contract***

**Contract ID:** Phase II Energy Performance Contract; 290042-EP-2  
ADPICS No.: CO339992

**Contract Approved:** DOT Agenda 07/06/2011, Item 16-EP

**Contractor:** Pepco Energy Services, Inc.  
Arlington, VA

**Contract Description:** This contract is for Energy Performance Services at the World Trade Center (WTC), Dundalk Marine Terminal (DMT), and South Locust Point Cruise Terminal, Baltimore, MD

**Modification Description:** This Modification No. 9 (including the associated Settlement Agreement – **companion Item DBM 6-GM [2/22/17]**):

- obligates the Contractor to correct defects in the design and installation of Energy Conservation Measure (ECM) 10, Chiller Replacement, and ECM-11, Harbor Heat Sink, by installing new cooling towers and other equipment in the WTC with the MPA paying only for enhancements to the systems and the Contractor absorbing the costs of the repairs required to make ECMs 10 and 11 function properly;
- extends the time for completion of all Energy Conservation Measures from March 28, 2014, to September 1, 2017;
- extends the 13.5-year period of guaranteed energy savings and Contractor-provided maintenance, measurement and verification (the “savings/maintenance period”) from January 6, 2013 through July 5, 2026 to September 1, 2017 through March 1, 2031;
- commits MPA to pay the Contractor an additional \$764,982.50 for system improvements or enhancements requested by MPA to be installed with the new cooling towers, and for full and final settlement of all Contractor claims (valued at \$5.5M) pursuant to a separate Settlement Agreement;
- commits MPA to pay the Contractor an additional \$711,990 (\$52,740 per year) during the 13.5-year savings/maintenance period for additional maintenance costs arising from the system improvements and enhancements requested by MPA to be installed with the new cooling towers;
- reduces the annual energy savings guaranteed by the Contractor by \$52,740 per year;
- in conjunction with the Settlement Agreement, releases all claims of the Contractor against MPA and all deductions by MPA from payments to the Contractor (except as provided in the Modification and the Settlement Agreement);

**6-EP-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

***Modification Description (cont'd):***

- provides for incremental payments by MPA and for retainage to be held by MPA pending satisfactory completion; and
- provides that Constellation NewEnergy, Inc., the new parent company of the Contractor, guarantees the performance of the Contractor.

***Original Contract Term:*** 07/06/2011 – 07/05/2026

***Modification Term(s):*** 09/29/2027 – 03/01/2031

***Original Contract Amount:*** \$27,551,209

***Modification Amount:*** \$1,476,973

***Prior Mods/Options:*** \$0 (Modification No. 1)  
\$0 (Modification No. 2 – BPW 10/02/2013, 16-EP-MOD)  
\$49,272 (Modification No. 3 – DCAR 02/04/2014)  
\$8,386 (Modification No. 4)  
\$49,175 (Modification No. 5 – DCAR 01/05/2015)  
\$43,743 (Modification No. 6 – DCAR 02/12/2015)  
- \$2,629 (Modification No. 7)  
- \$15,379 (Modification No. 8)

***Revised Total Contract Amount:*** \$29,160,749.00

***Percent +/- Change:*** +0% (Modification No. 1)  
+0% (Modification No. 2)  
+.18% (Modification No. 3)  
+.03% (Modification No. 4)  
+.18% (Modification No. 5)  
+.16% (Modification No. 6)  
-.0001% (Modification No. 7)  
-.006% (Modification No. 8)

***Overall Percent +/-:*** +5%

***Original Procurement Method:*** DGS Indefinite Quantity Contract No. DGS-06-EPC-IDC-5.0

***MBE Participation:*** 34%

***MBE Compliance:*** 45.8%

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**6-EP-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

**Requesting Agency Remarks:** The original contract required the Contractor to install energy conservation measures (ECMs) at the WTC, DMT, and the South Locust Point Cruise Terminal during an 18-month installation period ending January 6, 2013. Upon acceptance of all ECMs there follows a 13.5-year savings/maintenance period during which the Contractor performs maintenance and measurement and verification services (for which MPA pays monthly at an amount stated in the contract) and guarantees energy savings resulting from the ECMs. Under the original contract the 13.5-year savings/maintenance period was to extend from January 6, 2013 through July 6, 2026. By Modification No. 2, involving primarily design changes to the Harbor Heat Sink (HHS) at the WTC, the deadline for completion of all ECMs was extended to March 28, 2014, at which time the 13.5-year savings/maintenance period would begin and extend through September 28, 2027.

Performance of the contract, particularly completion of ECM-10, the Chiller Replacement (CWS for Chilled Water System), and ECM-11, the HHS, has been delayed and there are defects in these systems. MPA has asserted that the Contractor is responsible for the delays and defects, and MPA has held back money from the contract amount to compensate MPA for additional costs incurred by MPA during the period of delayed performance and to make repairs to the systems. The Contractor has blamed MPA for the delays and asserted six claims against MPA in the amount of \$5.5 million. MPA denied those claims and the Contractor appealed to the Maryland State Board of Contract Appeals.

MPA and the Office of the Attorney General have worked painstakingly since the beginning of the contract to force the Contractor to complete the work satisfactorily, with limited success. Much of what has been accomplished in the last three years has been accomplished only because MPA issued orders to the Contractor to do work, under threat of taking items of work away from the Contractor and back-charging the Contractor for the cost to have another contractor complete the work, if the orders were not complied with.

The most serious issues relate to the HHS and the CWS at the WTC. The contract requires the Contractor to install a HHS which uses water from Baltimore Harbor to serve as a heat transfer medium to cool the WTC. The HHS and the CWS must work together to make the building habitable. The contract also requires the Contractor, once the CWS and HHS are complete, to remove the existing cooling towers in the WTC, which are beyond their useful life and minimally functional and should no longer be needed if the systems designed and installed by the Contractor function as promised. Attempts by the Contractor to make the CWS and HHS work properly were unsuccessful for several years but the Contractor made no progress toward identifying to MPA the source of the problem. Then in the summer of 2016 MPA discovered a major design error by the Contractor in the design of the CWS and HHS systems which renders the systems as designed by the Contractor unable, within normal operating parameters, to cool the building as required.

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**6-EP-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

***Agency Remarks (cont'd):***

Shortly after MPA discovered the Contractor's design error, and under the impetus of impending trials at the Maryland State Board of Contract Appeals, MPA and the Contractor engaged in formal mediation to attempt to resolve disputes and to complete the project. The Contractor's parent company, Constellation NewEnergy, Inc., participated in that mediation. The mediation effort was successful, due in no small part to the good faith involvement and cooperation of Constellation NewEnergy, Inc., resulting in this proposed Modification.

Under Modification No. 9 the Contractor will provide and install new cooling towers that will provide the redundancy and additional cooling capacity necessary to assure safe and reliable performance of the systems during peak cooling season. MPA has estimated the cost of that work to be \$1.8 million. MPA in turn will pay the Contractor \$764,982.50 in additional compensation. Of that amount, \$372,626 is for improvements or enhancements to the CWS requested by MPA. The balance is to settle all the Contractor's claims (totaling \$5.5 million), to avoid litigation costs, and includes a reduction in MPA's favor for additional costs (such as additional consultant costs) incurred by MPA due to the delays in completion and to make certain repairs to the systems. In addition, MPA will pay the Contractor an additional \$52,740 per year (\$711,990 in total) during the 13.5-year savings/maintenance period to compensate the Contractor for additional costs to maintain the improvements or enhancements requested by MPA. Not all the additional maintenance cost, however, represents net additional cost to MPA since another company would have to maintain those improvements or enhancements if MPA had them installed by another contractor.

Over \$3.6 million of the contract amount (through Modification No. 8) remains unpaid. Upon approval by the BPW of both this Modification and the Settlement Agreement, MPA will pay the Contractor \$2,850,006. MPA will then make the following additional payments: \$95,000 upon approval by MPA of design documents submitted by the Contractor; \$400,000 when all equipment is delivered to the WTC (including the cooling towers, heat exchangers, variable flow valves, etc.); and \$800,000 when the CWS and HHS are completed and commissioned. MPA will make final payments for each of the remaining ECMs, for a total of \$306,000, as they are completed.

In consideration for MPA's agreement to this Modification and the Settlement Agreement, Contractor has agreed to dismiss all claims against MPA (totaling \$5.5 million), and Constellation NewEnergy, Inc. has agreed to guarantee timely and proper performance of all obligations of the Contractor, Pepco Energy Services, Inc., and to provide oversight and expertise to complete the work.

In conjunction with this Modification the parties will execute a Settlement Agreement substantially incorporating the terms of this Modification. Approval of Modification No. 9 and the Settlement Agreement are requested.

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
February 22, 2017



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**6-EP-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

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

**Approp. Code:** J03D0002 (\$764,982.50)  
J03D0001 (\$711,990)

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS ACTION– THIS ITEM WAS:**

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

DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
February 22, 2017



DOT 16

**6-EP-MOD. MARYLAND PORT ADMINISTRATION (cont'd)**

**ATTACHMENT I**

<b>Original Contract</b>	\$27,551,209	07/06/2011- 07/05/2026	07/06/2011; 16-EP	
<b>Modification No. 1</b>	\$0	07/06/2011- 07/05/2026	08/31/2012	Corrected typographical error in contract.
<b>Modification No. 2</b>	\$0	07/06/2011- 09/28/2027	07/06/2011; 16-EP-MOD	Adjusted contract for redesign of the HHS and extended date for completion to 03/28/2014 (extending total contract to 09/28/2027)
<b>Modification No. 3</b>	\$49,272	07/06/2011 – 09/28/2027	02/04/2014 DCAR	Added domestic hot water piping at WTC
<b>Modification No. 4</b>	\$8,386	07/06/2011 – 09/28/2027		Added bollards to protect gas meters at DMT
<b>Modification No. 5</b>	\$49,175	07/06/2011- 09/28/2027	DCAR 01/05/2015	Upgrade existing WTC pneumatic controls on air handling units to digital controls
<b>Modification No. 6</b>	\$43,743	07/06/2011- 09/28/2027	DCAR 02/12/2015	Handling chrome ore processing residue at DMT
<b>Modification No. 7</b>	(\$2,630)	07/06/2011- 09/28/2027		Credit for elimination of relocation of electrical connection at DMT
<b>Modification No. 8</b>	(\$15,379)	07/06/2011- 09/28/2027		Credit for contract work performed by another contractor
<b>Modification No. 9</b>	\$1,476,973	09/29/2027 – 03/01/2031	02/22/2017; 6-EP-MOD	
<b>Revised Amount</b>	\$29,160,749			



DEPARTMENT OF TRANSPORTATION  
ACTION AGENDA  
February 22, 2017



DOT 17

Contact: George E. Fabula, Jr.  
410-767-3908  
[gfabula@mta.maryland.gov](mailto:gfabula@mta.maryland.gov)

**7-RP. MARYLAND TRANSIT ADMINISTRATION**  
***Real Property – Disposition***

**Recommendation:** That the Board of Public Works approve MTA disposing real property.

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

**Property:** MTA # 15-5071  
Former Bus Loop at 4406 Clifton Road, (± 0.068 ac),  
Baltimore City, Maryland

**Grantor:** State of Maryland, Maryland Transit Administration

**Grantee:** PP Baltimore I, LLC

**Consideration:** \$4,000

**Appraised Value:** \$4,000 – Stephan H. Muller (Selected)  
Wesley A. Barkley, Review Appraiser

**Special Conditions:** None                      **Legislative Notice:** N/A

**State Clearinghouse:** The Clearinghouse conducted an intergovernmental review of the project under MD20150515-0392. It has recommended to declare the +/- 0.068 acres of land which is improved as a former bus loop surplus to the State, and to offer to sell the property to the adjacent property owners. If the adjacent property owners are unable or uninterested in acquiring the +/- 0.068 acres of land with improvements, it is also recommended to offer the property for public sale.

**Requesting Agency Remarks:** The MTA seeks to dispose to PP Baltimore I, LLC, the former (± 0.068 acres) bus loop for additional parking to support adjacent business. PP Baltimore I, LLC entered a License Agreement for the subject property for additional parking for adjacent business, which contains 10 spaces. The subject property is no longer in use by MTA Bus Operations as a bus stop or turnaround for buses and is not near any current or future planned MTA facility.

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**BOARD OF PUBLIC WORKS ACTION – THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

**8-RP. MARYLAND PORT ADMINISTRATION**  
***Real Property – Acquisition***

**Recommendation:** That the Board of Public Works authorizes the Maryland Port Administration to bid on and acquire real property, and immediately convey a portion thereof to a private third party.

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

**Property:** **Pointe Breeze Business Center, acreage (± 103.41 ac), 2200, 2205, 2300, 2301, 2400, 2500, 2501, and 2510 Broening Highway, Baltimore City**

**Grantor:** Pointe Breeze, LLC

**Grantee:** State of Maryland, Maryland Port Administration

**Consideration:** \$92,500,000 NTE

**Appraised Value:** \$85,700,000 – Jones Realty Advisors, Approved  
\$92,500,000 – Turlington Valuation Associates, Approved  
\$85,700,000 - \$92,500,000 William T. Caffrey,  
Review Appraiser

**Special Conditions:** The purpose of acquiring this real property is to increase waterborne commerce through the ports of the State. Therefore:

Authorized funding for this transaction includes up to \$2,500,000.00 for title examination, title insurance, shared broker fees, shared transfer and recordation taxes, and pro-rated property tax and utility bills. Approval of this transaction includes Maryland Port Administration’s (MPA’s) immediate conveyance of two of the adjacent parcels, 2200 and 2300 Broening Highway, Baltimore, Maryland, to an affiliate of The Rukert Terminals Corporation for fair market value at the same closing at which MPA acquires the subject property. Clearinghouse review of this conveyance is unnecessary in the view of Counsel for the Department of Planning.

**Fund Source:** 100% Special Funding (Consolidated Transportation Program)

**8-RP. MARYLAND PORT ADMINISTRATION (cont'd)**

**Requesting Agency Remarks:** The property to be acquired consists of seven parcels located in Baltimore City containing warehouses, business offices, and paved areas directly adjacent to the MPA’s Seagirt Marine Terminal. The MPA wishes to acquire the property for use in the expansion of the Seagirt Marine Terminal. The property is currently for sale on the public market. Immediately upon taking title to the property, MPA will convey two of the parcels (2200 and 2300) for fair market value (based on the aforementioned appraisals) to a private sector marine terminal operator that is participating in this transaction with MPA. MPA also obtained appraisals for parcels 2200 and 2300 from the abovementioned firms totaling \$34,000,000 and \$38,970,000; which was reviewed and approved as a combined price range. The purchase price, not including closing costs, is \$34,621,000.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



DEPARTMENT OF GENERAL SERVICES

Items to be presented to the Board of Public Works

February 22, 2017

	Pages
Maintenance	1 thru 4
Maintenance Modification	5 thru 8
General Miscellaneous	9 and 10
Leases	11 thru 14
Capital Grants and Loans	15 and 16

Contact: Karen Davis  
 410.767.4945  
 karen.davis@maryland.gov

**1-M. MAINTENANCE CONTRACT**  
*Department of General Services*

**Contract ID:** Maryland Military Department  
 Project No. 001IT820355, ADPICS No. 001B7400294

**Contract Description:** Approval is requested for a contract to provide armed guard services for the Military Department at the Camp Fretterd Military Reservation in Reisterstown and the Fifth Regiment Armory Baltimore.

**Procurement Method:** Competitive Sealed Bidding

<i>Bids or Proposals</i>	<i>Amount</i>
CSI Corporation of DC, Silver Spring, MD	\$4,320,074.40
GS4 Secure Solutions (USA) Inc., Linthicum, MD	\$4,368,165.60
Police Guard Services, Inc., Bowie, MD	\$4,372,054.80
Dunbar Guard Services, Hunt Valley, MD	\$4,375,281.60
Master Security Company, LLC., Hunt Valley, MD	\$4,423,980.00
Metropolitan Protective Services,	\$4,457,613.60
Universal Security, LLC., Rockville, MD	\$6,368,006.40

**Award:** CSI Corporation of DC

**Term:** 3/30/17 – 3/29/20

**Amount:** \$4,320,074.40 (3 years)

**MBE Participation:** 40% / 8% sub-goal African American

**VSBE Participation** 5%

**Performance Bond** No

**Remarks:** A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com* on November 22, 2016. Approximately, 506 potential vendors received notification of this solicitation. Bids were opened December 19, 2016 and ten bids were received. Three bids were rejected, two because they failed to submit mandatory affidavits and one because they did not meet the minimum experience. The recommended contractor, CSI Corporation of DC, has been found responsible, its bid responsive, and has confirmed its bid. This is a new long term contract to replace the existing contract at these facilities see item 3-M-MOD on this agenda.

DEPARTMENT OF GENERAL SERVICES  
ACTION AGENDA  
February 22, 2017



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**1-M. MAINTENANCE CONTRACT** (cont'd)

**Fund Source:** D50 17-3300 05 08 \$360,006.00  
D50 18-3300 05 08 \$1,440,024.00  
D50 19-3300 05 08 \$1,440,024.00  
D50 20-3300 05 08 \$1,080,020.40

**Resident Business:** Yes

**MD Tax Clearance:** 16-4273-0111

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<b>BOARD OF PUBLIC WORKS</b>	<b>THIS ITEM WAS:</b>
<b>APPROVED</b>	<b>DEFERRED</b>
<b>DISAPPROVED</b>	<b>WITHDRAWN</b>
<b>WITH DISCUSSION</b>	<b>WITHOUT DISCUSSION</b>



Contact: Karen Davis  
 410.767.4945  
 karen.davis@maryland.gov

**2-M. MAINTENANCE CONTRACT**  
*Department of General Services*

**Contract ID:** Unarmed Guard Service at Hyattsville DC/MSC  
 Project No. 001IT820394  
 ADPICS NO. 001B7400289

**Description:** Approval is requested for a contract to provide unarmed uniformed guard services at Hyattsville District Court/Multi-Service Center for a period of three years.

**Procurement Method:** Competitive Sealed Bids  
 (Small Business Reserve)

<i>Bids or Proposals</i>	<i>Amount</i>
CSI Corporation of DC, Silver Spring, MD	\$435,619.44
Protocol Security Agency, Sandy Spring, MD	\$437,084.80
Defensor Security, LLC, Alexandria, VA	\$456,491.76
Chesapeake Strategies Group, Inc., Oxford, MD	\$456,637.44
Police Guard Services, Inc., Bowie, MD	\$460,056.96
Axiom Defense Corp., Clinton, MD	\$497,755.76
Beck & Call Professional Services, LLC, Silver Spring, MD	\$483,568.80
Metropolitan Protective Services, Inc., Lanham, MD	\$498,986.88
MPS Protective Services, Lanham, MD	\$522,559.26
Never Left Alone Security Consulting, LLC, Silver Spring, MD	\$597,480.00

**Award:** CSI Corporation of DC - SBR# SB12-22308

**Term:** 06/01/2017 – 06/01/2020

**Amount:** \$435,619.44 (3 years)

**MBE Participation:** N/A

**Performance Bond:** No

**Hiring Agreement Eligible:** Yes

**2-M. MAINTENANCE CONTRACT** (cont'd)

**Remarks:** A notice of availability of an Invitation for Bids (IFB) was posted on the DGS Web Site and *eMaryland Marketplace.com* on September 26, 2016. Approximately, 502 potential vendors received notification of this solicitation. Bids were opened October 31, 2016 and 12 bids were received. Two bids were rejected, one because the bidder failed to submit a bid that was in compliance with Living Wage laws and another because the bidder had outstanding obligations to the State of Maryland. The recommended contractor, CSI Corporation of DC, has been found responsible, its bid responsive, and has confirmed its bid.

**Fund Source:**

DGS Operating Funds:
H00 17 33601 0823 \$12,100.54
H00 18 33601 0823 \$145,206.48
H00 19 33601 0823 \$145,206.48
H00 20 33601 0823 \$133,105.94

**Resident Business:** Yes

**MD Tax Clearance:** 16-4190-0111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



**REVISED**

Contact: Kareen Davis  
410.767.4945  
kareen.davis@maryland.gov

**3-M-MOD. MAINTENANCE CONTRACT MODIFICATION**  
*Military Department*

**Contract ID:** Armed Uniformed Guard Services at Military  
Department's Camp Fretterd Military Reservation  
and Fifth Regiment Armory  
Project No: 001IT819398  
ADPICS No. 001B4400462/COH07438

**Original Contract Approved:** BPW: March 19, 2014 Item 2-M

**Contractor:** G4S Secure Solutions (USA) Inc.  
Linthicum, Md. 21209

**Contract Description:** This contract will provide armed uniformed guard services at the Maryland Military Department's Camp Fretterd Military Reservation located at 5501 Rue St Lo Drive, Reisterstown, Maryland 21136 for a period of three years.

**Original Procurement Method:** Competitive Sealed Bids

**Modification Description:** Approval is requested to add \$543,674 to the contract for the cost of armed security guards at the Fifth Regiment Armory through the end term of the current contract. **RETROACTIVE** portion is estimated to be \$407,855

**Original Contract Term:** 3/30/14 – 3/29/17

**Modification Term:** 12/1/16 – 3/29/17 (four months)

**Original Contract Amount:** \$1,819,632.96

**Modification Amount:** \$543,674

**Prior Modification:** \$857,136.00 (Appendix A5 [10/21/15])

**Revised Total Contract Amount:** \$ 3,220,442.96

**Percent +/- (This Modification):** 32.97%

**Overall Percent +/-:** 80.08%

**REVISED**

**3-M-MOD. MAINTENANCE CONTRACT MODIFICATION (cont'd)**

**Remarks:** The Emergency modification (Reported 10/21/15 Secretary's Agenda Item 5A) added funds but incorrectly stated that these funds would be through the end of the contract term, but actually only covered one year. This modification will provide payment for the remainder of the contract (4 months).

The Maryland Military Department reported that as of October 31, 2016, the Prime Contractor is on track to fulfill a 100% of the established Minority Business Enterprise goal of 30%. The contractor has provided additional guard shifts to the subcontractor to ensure that the MBE goal is met. The contractor remains compliant with the Department of Assessments and Taxation requirements and is in good standing. The new long-term contract will be awarded pending approval, see Item 1-M on this agenda.

**Original MBE Participation:** 30%

**MBE Participation:** 26.6% (CFMR) and 19.2% (FRA)

**Fund Source:** 100% Federal from National Guard Bureau

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: Lauren Buckler  
410.767.3174  
lauren.buckler@maryland.gov

**4-M-MOD. MAINTENANCE CONTRACT MODIFICATION**  
*Department of Health and Mental Hygiene*

**Contract ID:** Spring Grove Hospital Center  
Relocate Emergency Generator  
Project No SG-551-160-003  
ADPICS No. 001B7400126

**Original Contract Approved:** DPRB 06/14/16; Item 24-M-003

**Contractor:** P.D. Valle Electric Co., Inc.  
Baldwin, Maryland

**Contract Description:** The project consists of the Contractor providing all equipment, tools, parts, materials, cranes and permits if applicable, labor, supervision, testing, concrete pad, associated electrical and electrical modifications and upgrades for emergency power systems, utility company coordination and supplies necessary to relocate an existing Emergency Generator.

**Original Procurement Method:** Competitive Sealed Bids

**Modification Description:** Approval is requested for all labor and material to provide a new Kohler 125 KW diesel generator with a 720 gallon sub base tank. Also, included is a 180 day non-compensable time extension with a revised completion date.

**Original Contract Term:** 60 Calendar Days

**Modification Term:** 180 Calendar Days

**Original Contract Amount:** \$ 38,740.00

**Modification Amount:** \$ 59,650.00

**Prior Modifications/Options:** N/A

**Revised Total Contract Amount:** \$ 98,390.00

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**4-M-MOD. MAINTENANCE CONTRACT MODIFICATION (cont'd)**

**Percent +/- (This Modification):** 153.98%

**Overall Percent +/-:** 153.98%

**Remarks:** This work is necessary because relocating the existing equipment is not viable and an emergency generator is necessary for the kitchen equipment.

**Original MBE Participation:** 10%

**MBE Participation:** 0

**Fund Source:** H00 17 77051 01 1498

**Resident Business:** Yes

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: Jane Bailey  
410-767-4307  
jane.bailey@maryland.gov

**5-GM. GENERAL MISCELLANEOUS**  
***Maryland State Archives Building***

**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 in the total amount of \$62,279.00. (1 item).

**Contract ID:** Design Services to Assess HVAC Systems and Building Envelope  
Project No: BA-495-160-001  
ADPICS No: 001B7400231

**Description:** A/E Services to assess existing conditions of the building envelope and mechanical systems. Provide repair recommendations for correcting system deficiencies and design services for the needed repairs.

**Procurement Method:** Maryland Architectural & Engineering Services Act

**Award:** Whitman Requardt & Associates, LLP

**Amount** \$62,279.00

**Term:** 60 Calendar Days

**MBE** 0%

**Remarks:** An urgent mold remediation project was initiated to correct the interior conditions causing mold growth on various building surfaces and stored archival materials throughout the Maryland State Archives Building in Annapolis. Once the deficiencies are known, DGS shall perform appropriate repairs to the building envelope and mechanical systems to protect occupants and stored archival materials from further exposure to mold.

**Fund Source:** MCCBL 2014 Item 012

**Resident Business:** Yes **MD Tax Clearance:** 16-3888-1111

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: Robert Suit  
410.767.1819  
robert.suit@maryland.gov

**6-LT. TENANT LEASE**  
*Maryland State Department of Education*  
*Office of Child Care*

**Landlord:** Ruth M. Abell & David F. Abell  
P.O. Box 1607  
Leonardtown, Maryland 20650

**Property Location:** 41670 Courthouse Drive, 1<sup>st</sup> Floor  
Leonardtown, Maryland 20650

<b>Space Type:</b> Office	<b>Lease Type:</b> Retroactive / New	<b>Square Feet:</b> 2,604
<b>Duration:</b> 5 Years	<b>Effective:</b> November 1, 2016	
<b>Annual Rent:</b> \$39,190.20	<b>Square Foot Rate:</b> \$15.05	

**Utilities Responsibility:** Lessee  
**Custodial Responsibility:** Lessor  
**Previous Board Action(s):** 09/27/89 – 24-EX, 09/14/94 – 29-L, 05/24/00 – 11-L, 10/19/05 – 16-L, 04/11/11 – 18-LT-OPT

**Fund Source:** J7525, J7526 60% Federal J7016 40% General

**Recommendation:** Approval is requested to lease 2,604 nuf of office space for the MSDE/Office of Child Care for an annual rent of \$39,190.20 for a period of five (5) years commencing November 1, 2016 and terminating on October 31, 2021. Reference is made to item 18-LT-OPT approved by the Board of Public Works (BPW) on 04/11/11, wherein approval was given for a 5 year lease extension for the period 05/01/11 – 04/30/16. The new lease contains a 5 year renewal option to be negotiated which will require future BPW approval.

**Retroactive:** Retroactive approval is respectfully requested for the three month/22 day period from November 1, 2016 to February 22, 2017, pursuant to the State Finance and Procurement Article 11-204(c)(1). The total funds for the retroactive period are \$12,192.42. Following the expiration of the lease term on 04/30/16, the State exercised the 6 month hold-over provision, which terminated on 10/31/16. This retroactive request is a result of a delay in DGS receiving required documentation from the agency.

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**6-LT. TENANT LEASE** (*cont'd*)

**Remarks:**

1. The agency has used this space since 1989 to license day care homes, investigate complaints on unregistered care and provide continuing education training for child care providers.
2. The lease contains escalations clause for real estate taxes and custodial services.
3. This lease contains a termination for convenience clause and the standard 6 month holdover period.
4. The lease provides 6 use-in common parking spaces free of charge.
5. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.05.05.02D. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

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**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

Contact: Robert Suit  
410.767.1819  
robert.suit@maryland.gov

**7-LT-MOD. TENANT LEASE MODIFICATION**  
*Department of Assessments & Taxation*

**Landlord:** BSREP II MD OFFICE 30W GUDE, LLC  
c/o Brookfield Property Group  
601 South Figueroa Street, Suite 2200  
Los Angeles CA, 90017

**Property Location:** 30 W. Gude Drive, Ste. 400  
Rockville, MD 20850

<b>Space Type:</b> Office	<b>Lease Type:</b> Renewal / Modification	<b>Square Feet:</b> 14,207
<b>Duration:</b> 10 years	<b>Effective:</b> 7/1/17	
<b>Annual Rent:</b> \$470,934 (Avg)	<b>SF Rate:</b> \$33.15 (Avg)	
	<b>Prev. SF Rate:</b> \$31.64	

**Utilities Responsibility:** Landlord  
**Custodial Responsibility:** Landlord  
**Previous Board Action(s):** 5/9/2007, Item #11-LT; 11/15/06, Item #13-LT.

**Fund Source:** Fund Source: Type 1 (50%); Type 3 (50%)

**Recommendation:** Approval is requested for a lease renewal of 14,207 sf of space at an average rate of \$33.15 per sf, for a 10 year term with one 5 year renewal option. This is a modification of the prior 5 year renewal option. Reference is made to item 13-LT approved on 5/9/07, wherein the Board approved a 10 year term lease with one 5 year renewal option. The current requested 5 year renewal option is subject to future Board of Public Works approval.

**Remarks:**

1. Through negotiations, the Office of Real Estate was able to renew for \$29.25, full service, with annual escalations of 2.75%. The existing lease contain a renewal option at \$39.83 that would have required Board approval. The net savings between that rate and the one that was negotiated (\$29.25) over a ten year term is \$1,257,319.50.
2. The Landlord has agreed to waive and abate the first 9 months of rent payments. The first full year of the lease coincides with FY18; with the rent abatement, the total annual rent for the first 12 months is \$103,888.69.



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**7-LT-MOD. TENANT LEASE MODIFICATION (cont'd)**

3. Montgomery County Department of Assessments and Taxation has occupied this location since 2006.
4. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.05.05.02D. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**



Contact: Ahmed Awad  
 410.767.6589  
 ahmed.awad@maryland.gov

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

**Recommendation:** That the Board of Public Works approve a grant of **\$122,687.00** to **iHomes, Inc. (Columbia, MD)**.

**Project:** The acquisition of a two-bedroom condominium located at 8559 Falls Run Road, Unit C, Ellicott City, Maryland 21043.

Contract of Sale	\$184,990.00
Robert M. Cushner, Baltimore, MD	\$185,000.00
Brian McGraw, Ellicott City, MD	\$185,000.00
DGS accepted appraisal	\$185,000.00
Total Project Cost	\$185,890.00
<b>Eligible amount</b>	<b>\$185,890.00*</b>
State share 66%	\$122,687.00

\*Includes the lesser of the DGS accepted value or the contract price at \$184,990.00, and the cost of appraisals at \$900.00.

**Remarks:**

1. This house will be used to provide housing for two low income individuals with psychiatric disabilities.
2. Grantee is a nonprofit organization.
3. In accordance with § 24-606(d) of the Health-General Article of the Annotated Code of Maryland, the Board's approval is further contingent upon the State's right of recovery being recorded among the Land Records of Howard County.
4. No State funds will be disbursed until the grantee has presented suitable evidence to the Office of the Capital Planning, Budgeting, and Engineering Services that it has expended the required matching funds.

**Fund Source:** DHMH has determined the grantee is required to provide a 34% local share of the eligible project cost as follows:

\$185,890.00	Total Project Cost
\$185,890.00	Eligible Project Cost
\$122,687.00 (66%)	MCCBL 2015 (CHFF) DHMH #30301-02
\$ 63,203.00 (34%)	County Funds, iHomes, Inc.

**BOARD OF PUBLIC WORKS**

**THIS ITEM WAS:**

**APPROVED**

**DISAPPROVED**

**DEFERRED**

**WITHDRAWN**

**WITH DISCUSSION**

**WITHOUT DISCUSSION**

## Hand Carried

Contact: Cathy Ensor 410.767.4107  
cathy.ensor@maryland.gov

### 9-CGL. CAPITAL GRANTS AND LOANS

Submission of a request by Downtown Columbia Arts and Cultural Commission that the Board of Public Works (“BPW”) approve Downtown Columbia Arts and Cultural Commission:

1. Leasing real property located at 10475 Little Patuxent Parkway in Columbia, Maryland to It’s My Amphitheater, Inc. (Lessee) for the operations of Merriweather Post Pavilion, and
2. Granting an Indemnity Deed of Trust to Howard Bank and Maryland Industrial Development Financing Authority to secure a guaranty of a Loan to Lessee to fund renovations at Merriweather.

**Past BPW Actions:**

DGS Agenda - Item 24-CGL, May 25, 2016

DGS Agenda - Item 17-CGL, July 27, 2016

**Background:**

*The Grants.* The State granted the Board of Directors of Downtown Columbia Arts and Cultural Commission c/o Merriweather Post Pavilion (Grantee), \$4,000,000 in general-obligation bond proceeds for the **Merriweather Post Pavilion (Howard County)** as follows:

*“To assist in funding the design, construction, reconstruction, renovation, repair, and capital equipping of infrastructure improvements at the Merriweather Post Pavilion.”*

**\$2,000,000.00**

Maryland Consolidated Capital Bond Loan of 2015 (MISC - Chapter 495, Acts of 2015),  
DGS Item G024

**\$2,000,000.00**

Maryland Consolidated Capital Bond Loan of 2016 (MISC - Chapter 027, Acts of 2016),  
DGS Item G010  
(SL-029-150-038)

Each grant agreement contains the following condition:

*“Disposition of Property.* Grantee may not sell, lease, exchange, give away, or otherwise transfer or dispose of any interest in real or personal property acquired or improved with Grant funds (“**Grant-Funded Property**”) unless the BPW gives prior written consent. This includes transfer or disposition to a successor on the merger, dissolution, or other termination of the existence of Grantee. Grantee shall give the BPW written notice at least 60 days before any proposed transfer or disposition.

# Hand Carried

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

If the BPW permits transfer or disposition, Grantee may be required to repay the State that percentage of the proceeds allocable to the Grant that was used to acquire the property all as the BPW determines in its sole discretion."

Grantee now plans to enter a 30-year lease agreement having one ten-year renewal option with It's My Amphitheater, Inc. for operation of the Merriweather Post Pavilion located at 10475 Little Patuxent Parkway in Columbia, Maryland. Based on Lessee's expertise and experience in the development and operation of venues, Grantee believes that delegating its responsibility for management and funding of the renovations to It's My Amphitheater, Inc. will result in the best outcome for the venue.

Lessee has funded portions of the venue renovation costs and is negotiating a commercial loan to cover a portion of the renovation costs. Settlement on the commercial loan will involve Grantee (Lessor) executing a limited guaranty of the commercial loan secured by an Indemnity Deed of Trust encumbering the venue.

Grantee continues to own the property and is entitled to promote limited events with Lessee's consent. The grant funded property will continue be utilized by Grantee and Lessee for the purpose for which the funds were intended.

The Department of General Services recommends that the Board of Public Works approve a Lease and Indemnification of Deed for property located at 10475 Little Patuxent Parkway in Columbia, Maryland 21044.

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**BOARD OF PUBLIC WORKS**

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**WITH DISCUSSION**

**WITHOUT DISCUSSION**