

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS

June 17, 2009

BOARD OF PUBLIC WORKS

TABLE OF CONTENTS

JUNE 17, 2009

I. ITEMS SUBMITTED ON THE SECRETARY'S AGENDA

Department of Agriculture
Agricultural Cost Share Program.....4-6

Board of Public Works
Procurement Agency Activity Reports7
Wetlands Licenses 8

Bonds (Comptroller)9-10

Department of Education.....11-12

Department of the Environment.....13-18

Maryland Food Center Authority.....19-20

Morgan State University21-23

Department of Natural Resources
Shore Erosion Control.....24-25

Maryland State Retirement Agency 26

Bonds (Treasurer).....27-29

APPENDIX.....30-34

SUPPLEMENT A - Program Open Space.....35-44

SUPPLEMENT B - Budget & Management.....45-164

SUPPLEMENT C - University System of Maryland.....165-187

SUPPLEMENT D – Department of Information Technology.....188-216

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

Construction Contracts.....217-222

A/E Service Contracts223-247

Maintenance Contracts.....248-259

Service Contracts260-266

General Miscellaneous.....267-268

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

Construction Contract Modification269-270

Energy Performance Contract and Modification.....271-278

A/E Service Contracts, Options and Modifications.....279-291

Maintenance Contract.....292-295

Equipment Contract.....296-301

Real Property302-310

Leases311-314

Capital Grants and Loans315-323

INDEX325-326

BOARD OF PUBLIC WORKS

TABLE OF CONTENTS

JUNE 17, 2009

I. ITEMS SUBMITTED ON THE SECRETARY'S AGENDA

Department of Agriculture	
Agricultural Cost Share Program.....	4-6
Board of Public Works	
Procurement Agency Activity Reports	7
Wetlands Licenses	8
Bonds	9-10
Department of Education.....	11-12
Department of the Environment.....	13-18
Maryland Food Center Authority.....	19-20
Morgan State University	21-23
Department of Natural Resources	
Shore Erosion Control.....	24-25
Maryland State Retirement Agency	26
Bonds (Treasurer).....	27-29
APPENDIX	30-34
SUPPLEMENT A - Program Open Space.....	35-44
SUPPLEMENT B - Budget & Management.....	45-164
SUPPLEMENT C - University System of Maryland	165-187
SUPPLEMENT D – Department of Information Technology.....	188-216

II. ITEMS SUBMITTED ON THE DEPARTMENT OF TRANSPORTATION AGENDA:

Construction Contracts.....	217-222
A/E Service Contracts	223-247
Maintenance Contracts.....	248-259
Service Contracts	260-266
General Miscellaneous.....	267-268

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

Construction Contract Modification	269-270
Energy Performance Contract and Modification.....	271-278
A/E Service Contracts, Options and Modifications.....	279-291
Maintenance Contract.....	292-295
Equipment Contract.....	296-301
Real Property	302-310
Leases	311-314
Capital Grants and Loans	315-323

INDEX	325-326
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BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

LOUISE LAWRENCE (410) 841-5873
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1. DEPARTMENT OF AGRICULTURE
Maryland Agricultural Cost-Share Program Grant Requests

Submission of a request by the Maryland Department of Agriculture for approval of 34 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the 2010 Chesapeake Bay Trust Fund (Appropriation Number 55103):

Agreement #	Recipient	County	Amount
AT-2009-3251	DARREN Y. ALVEY	St. Mary's	14,700
AT-2009-3305-R	GERRET S. VAN COPELAND	Kent	2,900
AT-2009-3306	MARION W. S. BAUER	Kent	5,100
AT-2009-3338	CARPENTER BROTHERS	Cecil	4,700
AT-2009-3349-R	GENE M. PAUL	Allegany	2,500
AT-2009-3398	HENRY W. MASON	Cecil	10,400
AT-2009-3404	ANDREWS FARM, LLC.	Dorchester	400
AT-2009-3414	ENGLAND FARMS, INC.	Cecil	5,000
AT-2009-3422	BLENHORN FARMILY LP	Dorchester	2,400
AT-2009-3423	BLENHORN FARMILY LP	Dorchester	1,200
AT-2009-3425-B	MARDEL VIEW FARM, LLC	Queen Anne's	35,000
CH-2009-3419	R&H PROPERTIES PARTNERSHIP	Queen Anne's	34,600
CR-2009-3160-B	GEORGE G. BOWMAN	Caroline	35,000
MP-2009-3282	HARRY W. T. FOUCHE, III	Frederick	8,300
MP-2009-3283	HARRY W. T. FOUCHE, III	Frederick	8,500
MP-2009-3319	LIPPY BROTHERS, INC	Carroll	21,500
MP-2009-3336	CHARLES R. KRIETZ	Frederick	11,500
MP-2009-3383	WILLIAM W. WOLFE	Frederick	13,800
MP-2009-3418	GREEN AKEYS FAMILY FARM LLC	Carroll	3,400
NW-2009-3405	MARTHA J. HOYER	Dorchester	700
NW-2009-3415	JAMES A. GARGANI	Caroline	7,000
PA-2009-3298	JOANNE FLYNN	Prince George's	4,400
PR-2009-3424-B	THACH N. UNG	Worcester	35,000
RS-2009-3123	GAITAWAY STABLES	Baltimore	2,300
RS-2009-3124	GAITAWAY STABLES	Baltimore	10,000
RS-2009-3125	GAITAWAY STABLES	Baltimore	2,300
RS-2009-3151	PAUL G. SHOFFEITT	Howard	1,100
RS-2009-3227	CARROLL E. PRICE	Baltimore	9,800
RS-2009-3320	LIPPY BROTHERS, INC	Carroll	4,300
RS-2009-3363	PAUL G. SHOFFEITT	Howard	4,000

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

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

Agreement #	Recipient	County	Amount
RS-2009-3385	GAITAWAY STABLES	Baltimore	2,300
RS-2009-3416	GARY E. COOK	Carroll	2,800
UP-2009-3400	ROBERT E. MARTZ	Washington	87,600
UP-2009-3401	ROBERT E. MARTZ	Washington	36,000

Total Submission Amount : \$430,500

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

Authority: "Cost-Sharing - Water Pollution Control" is a program allowing persons to seek State cost-sharing funds for projects that will reduce agriculturally related non-point sources of water pollution. Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

Funding Source: The 2010 Chesapeake Bay Trust Fund provides a source of funds for the cost-share program. Under this appropriation "\$3,000,000 may be used by the Board of Public Works to provide grants for the projects to control agriculturally related non-point sources of pollution."

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

LOUISE LAWRENCE (410) 841-5873
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**2. DEPARTMENT OF AGRICULTURE
*Maryland Agricultural Cost-Share Program Additional Funding Requests***

Submission of a request by the Maryland Department of Agriculture for approval of **ADDITIONAL FUNDING** of 3 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2006(Appropriation Number 06071):

Agreement #	Recipient	County	Amount \$
MP-2008-3695	BYRON D. STAMBAUGH	Carroll	268.27
MP-2008-3700	BYRON D. STAMBAUGH	Carroll	2,306.00
MP-2008-3795	MILL DALE FARMS, INC	Carroll	2,361.63
Total Submission Amount :			\$4,935.90

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

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

Authority: "Cost-Sharing - Water Pollution Control" is a program allowing persons to seek State cost-sharing funds for projects that will reduce agriculturally related non-point sources of water pollution. Sections 8-701 to 8-705, Agricultural Article, Maryland Code; COMAR 15.01.05

Funding Source: The Maryland Consolidated Capital Bond Loan of 2006 provides a source of funds for the cost-share program. Under this appropriation "\$4,578,000 may be used by the Board of Public Works to provide grants for the projects to control agriculturally related non-point sources of pollution."

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

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

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

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

Submission of the Procurement Agency Activity Reports by:

- A. Department of Public Safety & Correctional Services, April 2009
- B. Maryland Environmental Service, April 2009
- C. State Treasurer's Office, 1st Quarter 2009

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
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4. BOARD OF PUBLIC WORKS
Wetlands Licenses

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

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

ANNE ARUNDEL COUNTY

- 09-0197 ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS – To hydraulically/mechanically maintenance dredge a main channel – Parish Creek, Shady Side
- 09-0198 CLARKS LANDING – To hydraulically/mechanically maintenance dredge a marina – Parish Creek, Shady Side
- 09-0199 LEATHERBURY MARINA – To hydraulically/mechanically maintenance dredge a marina – Parish Creek, Shady Side
- 09-0202 TRUSTEE OF KENDAL AND ROSALIE GROSS – To hydraulically/mechanically dredge a commercial area – Parish Creek, Shady Side
- 09-0207 WEST RIVER PROPERTIES, LLC – To hydraulically/ mechanically dredge a commercial area – Parish Creek, Shady Side
- 09-0200 DONALD & MARGARET SHECKELS
- 09-0201 KENDAL & ROSALIE GROSS
- 09-0203 BEVILLE GROSS
- 09-0204 OREN LEWIS
- 09-0205 RALPH YATES
- 09-0206 DARRIN SOBIN
To hydraulically/ mechanically maintenance dredge an area – Parish Creek, Shady Side

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

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact: Rehena Rentuma 410-260-7851
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5. BONDS

Recommendation: That the following General Obligation Bond authorizations be cancelled in the amount of **\$144,119.85** and, at the same time, reduce the State's spending authority as shown for the following capital projects. The Office of the Comptroller, the Department of Budget and Management and the Department of General Services have reviewed this request and concur.

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

Susquehanna and Tidewater Canal Loan of 1989

\$17,161.15

Chapter 146 Acts of 1989

The Mayor and City Council of Havre de Grace has notified the Comptroller that the balance is no longer needed.

Historic Bladensburg Waterfront Loan of 1994

\$62,943.30

Chapter 344 Acts of 1994

The Maryland National Capital Park and Planning Commission has notified the Comptroller that the balance is no longer needed.

Western Maryland Flood Mitigation Allegany County Loan of 1998

\$553.43

Chapter 138 Acts of 1998 amended by Chapter 69 Acts of 2005

The Board of Commissioners of Allegany County has notified the Comptroller that the balance is no longer needed.

Allegany County Western Maryland Scenic Railroad Loan of 2000

\$10,850.76

Chapter 291 Acts of 2000

The Board of Directors of Western Maryland Scenic Railroad Development Corporation has notified the Comptroller that the balance is no longer needed.

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

5. BONDS (cont'd)

Prince George's County Springhill Lake Recreation Center Loan of 2000
\$17,000

Chapter 204 Acts of 2003

The County Executive and the County Council of Montgomery County has notified the Comptroller that the balance is no longer needed.

Frederick County American Red Cross Loan of 2004
\$15,731.46

Chapter 204 Acts of 2004

The Board of Directors of the Frederick County Chapter of the American Red Cross has notified the Comptroller that the balance is no longer needed.

Severn Danza Recreational Complex Loan of 2005
\$19,406.25

Chapter 445 Acts of 2005

The County Executive and County Council of Anne Arundel County has notified the Comptroller that the balance is no longer needed.

Belair Swim and Racquet Club Repair Loan of 2008
\$473.50

Chapter 336 Acts of 2008

The Board of Directors of the Belair Swim and Racquet Club Inc. has notified the Comptroller that the balance is no longer needed.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact: Albert Annan (410) 767-0114
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6. DEPARTMENT OF EDUCATION

Recommendation: That the Board of Public Works approve encumbering general obligation bond proceeds in the amount of \$6,500,000 for the following regional and State Library Resource Centers projects:

Western Maryland Regional Library (WMRL) \$5,000,000

Renovate and expand the regional library from 2,908 to 5,946 gross square feet. The library, located in the Central Library of Washington County Free Library in Hagerstown, was built over 40 years ago, has outgrown the burgeoning population, and needs major repairs to address code-related programmatic and physical deficiencies. The total project cost is \$10,300,000: \$5,000,000 is requested in FY 2010 and the remainder in FY 2011.

Central Branch of the Enoch Pratt Free Library (EPFL) \$1,500,000

Planning and design for renovation of the Central Branch of Baltimore City's Enoch Pratt Free Library System, designated as the State Library Resource Center in 1971. This project includes planning for improvements to the building's structural, mechanical, electrical, and HVAC systems. In addition, communications, fire protection, life safety and accessibility issues will be addressed. The 290,000 GSF building was constructed in 1933 and has never been completely renovated.

Fund Source: Maryland Consolidated Capital Bond Loan of 2009 (Chapter 485 Laws of Maryland 2009)

Authority: Section §23-205 of the Education Article, Annotated Code of Maryland assigns responsibility for paying all capital expenses for the State Library Resource Center and regional resource centers to the State.

Project Costs:	WMRL	EPFL
This Action	\$ 5,000,000	\$1,500,000
Total Project:	\$10,300,000	pending
Previous Actions	\$0	\$0
To be requested in FY 2011	\$ 5,300,000	pending

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

6. DEPARTMENT OF EDUCATION (cont'd)

Remarks: The State library network comprises 24 public library systems, three Regional Resource Centers (the Eastern Shore Regional Library, the Southern Maryland Regional Library and the Western Maryland Regional Library) and the State Library Resource Center.

Regional resource centers furnish books, other materials, services and resources that individual member libraries are unable to provide adequately. The Western Maryland Regional Library serves the county libraries in Allegany, Garrett, and Washington County and shares a facility with the Washington County Free Library in Hagerstown.

The Central Branch of the Enoch Pratt Free Library, designated as the State Library Resource Center in 1971, houses materials documenting Maryland's history, serves as the State depository for government documents, provides specialized reference and information services to all libraries in the State, and coordinates Statewide services and programs such as the Sailor network and databases. Sailor is a project leveraging internet technology to give Maryland residents access to information anywhere, anytime at no charge.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3512
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7. MARYLAND DEPARTMENT OF THE ENVIRONMENT

A. Submission of a request by the Maryland Department of the Environment for approval of capital construction grants totaling \$21,627,282 for the following projects, which will be funded from proceeds of various general obligation bonds:

<u>Recipient</u>	<u>Project</u>	<u>County</u>	<u>Amount of Grant</u>
(1) Town of Westernport	Westernport Water Treatment Plant Water Supply Program Project No. WSG 14.01 Grant Increase Legislative District: 1A MCCBL 2008-08058	Allegany	\$ 176,005
(2) Easton Utilities	Easton WWTP BNR/ENR Upgrade Biological Nutrient Removal Cost-Share Program Project No. NR 02.21 Grant Increase Legislative District: 37B MCCBL 2004-04078 \$ 416,338 MCCBL 2008-08054 \$ 383,662	Talbot	\$ 800,000
(3) City of Baltimore	Patapsco WWTP BNR/ENR Upgrade Biological Nutrient Removal Cost-Share Program Project No. NR 08.03 Grant Increase Legislative District: 46 MCCBL 2008-08054 \$14,107,687 MCCBL 2009-09072 \$ 6,000,000	Baltimore City	\$ 20,107,687

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

7. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)

(4) Town of Emmitsburg	Emmitsburg WWTP BNR/ENR Upgrade Supplemental Assistance Program Project No. SWQH 18.11 Grant Increase Legislative District: 4A MCCBL 2005-05103 \$ 1,399 MCCBL 2006-06061 \$ 218,239 MCCBL 2008-08055 \$ 323,952	Frederick	\$ 543,590
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B. Request to REVERT unneeded funds in the amount of \$1,399 within the Water Quality Infrastructure Program. These projects have been either canceled or completed and have been closed out. The reverted funds will be used for future projects, subject to Board approval.

Project Name	Project #	Program	Recipient/County	MCCBL	Source	Amount
Madison-Woolford Sewerage Project	SWQH 14.10	Supplemental	Dorchester/Dorchester	2005	05103	\$1,399

C. Recommendation that the Board of Public Works CANCEL the State's authority to issue general obligation bonds in the amount of \$411,939.22 and at the same time reduce the State's spending authority as shown for the following capital projects. These projects have been completed and closed out.

Project Name	Project #	Program	Recipient/County	MCCBL	Source	Amount
Smith Island Environmental Restoration	SCE 01.20	Small Creeks	Somerset/Somerset County	2000	00105	\$230,000.00
Smith Island Environmental Restoration	SCE 01.20	Small Creeks	Somerset/Somerset County	2001	01193	\$100,000.00
Smith Island Environmental Restoration	SW 02.20	Stormwater	Somerset/Somerset County	1998	98005	\$ 45,213.00
Winters Run/ Bynum Run	SWQH 11.13	Supplemental Assistance	Harford/Harford County DPW	2001	01126	\$ 36,726.22

BOARD OF PUBLIC WORKS**JUNE 17, 2009****SECRETARY'S AGENDA****7. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**

MDE certifies that the proposed actions comply with the tax-exempt bond provisions of the Internal Revenue Code and do not constitute a change in use or private activity.

MDE has determined that these projects are consistent with Maryland's Priority Places Strategy in accordance with Executive Order 01.01.2003.33. These projects are consistent with State Clearinghouse comments and recommendations.

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

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

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve a **new grant** up to \$750,000 to the Town of Mountain Lake Park for the **Mountain Lake Park Sewer Rehab Phase III** project in Garrett County. (Legislative District 1A). The source of these grant funds is the Bay Restoration Fund.

Project Description: This is the third phase of a sewer rehabilitation project on the Town's existing sewage collection system. The Town will replace deteriorated pipes and manholes within the Mountain Lake Park Sewer System. The project will lessen inflow & infiltration to the county-owned Trout Run WWTP, thereby decreasing costs at the plant and reducing the likelihood of sanitary sewer overflows and sewage backups throughout the collection system.

Project Funding Sources:

Bay Restoration Fund Sewer Rehabilitation Grant BR-CR 01.12 (this action)	\$750,000
Local Share	<u>\$ 35,000</u>
TOTAL ESTIMATED PROJECT COST:	\$785,000

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

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3567

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9. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a new loan up to \$300,000 to the Town of Boonsboro for the Alternate Route 40 Water Line Extension project in Washington County (Legislative District 2B). The loan will be repaid in a period not to exceed 20 years following project completion, at an interest rate of 1.00%. To secure this debt, the Town of Boonsboro will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.

Project Description: The project entails the construction of a water line extension along Alternate Route 40. Currently a number of drinking water wells in the area are under the influence of surface water, which has caused bacterial contamination of several existing water wells. A trailer park and several businesses are out of compliance with the Federal Safe Drinking Water Act because of these well problems. The purpose of the water line is to provide safe and adequate drinking water to the area residents and businesses.

Project Funding Sources:

Drinking Water State Revolving Loan Fund (this action)	\$ 300,000
Drinking Water State Revolving Loan Fund (previously approved 1/30/08)	\$ 78,000
Water Supply Grant WSG 08.22 (previously approved 12/12/07)	\$ 677,500
Local Share	<u>\$ 45,720</u>
TOTAL ESTIMATED PROJECT COST:	\$1,101,220

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

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works approve granting up to \$900,000 to the Charles County Health Department to upgrade failing onsite sewage disposal systems in Charles County with nitrogen-reducing technologies. This is consistent with the Bay Restoration Fund Act legislation. (Legislative District 28)

Background: The fund source for the grant is septic fees paid into the Bay Restoration Fund. By law, this revenue may be used only to reduce nitrogen discharge from onsite sewage disposal systems. The grants will be used for costs associated with upgrading onsite sewage disposal systems to remove nitrogen. The Charles County Health Department grants will reduce the amount of nitrogen being delivered to State waters by 960 lbs/yr through the installation of over 60 systems with nitrogen-reducing technology.

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

The project is consistent with State Clearinghouse comments and recommendations.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact: Donald J. Darnall (410) 379-5760
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11. MARYLAND FOOD CENTER AUTHORITY

Recommendation: That the Board of Public Works approve modifying the term and the rent in the lease between the Maryland Food Center Authority and the Town of Rock Hall.

Landlord: Maryland Food Center Authority

Tenant: Town of Rock Hall

Leased Premises: Former Rock Hall Seafood Processing Plant located at 21083 Chesapeake Avenue in Rock Hall, including an unimproved 0.4± acre lot directly across Chesapeake Avenue, sidewalk, driveway, loading dock, boat slips, and bulkhead area.

Original Lease Term: Ten-year initial term with one optional ten-year renewal term

Modified Lease Term: 15 year initial term with one optional five-year renewal term

Original Rent: \$1.00 per month, plus – for the first five years of the initial lease term - 20% of base rent payable to Tenant under any approved sublease and 20% of any other revenue received by Tenant under an approved arrangement for use of the premises; thereafter 50% of base rent payable to Tenant under any approved sublease and 50% of any other revenue received by Tenant under an approved arrangement for use of the premises.

Modified Rent: \$1.00 per month, plus – for the first ten years of the initial lease term - 20% of base rent payable to Tenant under any approved sublease and 20% of any other revenue received by Tenant under an approved arrangement for use of the premises; thereafter, 50% of base rent payable to Tenant under any approved sublease and 50% of any other revenue received by Tenant under an approved arrangement for use of the premises.

Authority: Economic Development Article, § 10-212(e)(2),
 State Finance and Procurement Article, § 10-305
 Annotated Code of Maryland

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

11. MARYLAND FOOD CENTER AUTHORITY

Background: In 1989 the Maryland Food Center Authority purchased and redeveloped the Rock Hall Seafood Processing Plant in Kent County, using a matching grant from the United States Economic Development Administration. Substantial renovations were made to bring the facility up to code for both safety and sanitation. The revitalization restored a critical facility for the threatened watermen industry and associated businesses on the upper Chesapeake Bay.

Hurricane Isabel extensively damaged the facility and efforts to find an appropriate tenant were unproductive. The facility was gutted and required investment to revitalize and make it operational again. The Food Center Authority entered into a lease with the town of Rock Hall allowing the town officials the opportunity to pursue appropriate tenants, while charging a nominal fee for the facility. See Secretary's Agenda Item 7 (July 26, 2006). The Town was to undertake to attract an appropriate subtenant or subtenants and the required investment, and to take responsibility for monitoring usage of the facility.

The current economic climate is impacting businesses in the State and the Town of Rock Hall is experiencing some difficulty in marketing the property. One obstacle is the need for investment in the property by a suitable subtenant. A subtenant may need a longer period of time to recoup its investment than the initial term provided in the existing lease. Additionally, the Town of Rock Hall needs more time to recoup the investments it has made in the property.

Therefore, the Authority recommends extending the initial term from ten years to fifteen years and reducing the renewal term from ten to five years. The Authority also recommends extending the 20%/80% rent split for an additional five years. The extension will provide the Town of Rock Hall with more flexibility in finding a suitable long-term tenant that can make the necessary capital improvements to the property.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS**JUNE 17, 2009****SECRETARY'S AGENDA**

Churchill B. Wortherly 443-885-3074
churchill.wortherly@morgan.edu

12. MORGAN STATE UNIVERSITY

Center for the Built Environment and Infrastructure Studies

CONTRACT ID: Construction Management at Risk Contract
Center for the Built Environment and Infrastructure
Studies
Project No. DCM 06074-CMAR

ORIGINAL CONTRACT APPROVED: Secretary's Agenda Item 6 (April 1, 2009)

CONTRACTOR: Barton Malow Company
Linthicum, MD

CONTRACT DESCRIPTION: Construction Management at Risk services for both pre-construction/design and construction phases for its Center for the Built Environment and Infrastructure Studies (CBEIS) project. The project is a new three-story building with a lower level, approximately 124,371 gross square feet, located on the north side of campus fronting on Perring Parkway. It is adjacent to the Mitchell Engineering and Schaefer Building. The project will accommodate the Institute for Architecture and Planning, the Department of Civil Engineering, and the Institute for Transportation Studies. The building will bring these units together in one building. The project includes a green roof and is striving to exceed the LEED Silver certification.

MODIFICATION DESCRIPTION: Provide Construction Management at Risk services to complete the design phase and construction of the North Chiller Plant project. The North Chiller Plant project will provide steam and chilled water to CBEIS and eventually the Schaefer and Mitchell Engineering Buildings. It will also provide conduits from the Communications building for the CBEIS project to pull its various cables. Construction is scheduled to start in the fall of 2009. The estimated construction budget for the North Chiller Plant project is \$5,640,000.

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

12. MORGAN STATE UNIVERSITY (cont'd)
Center for the Built Environment and Infrastructure Studies

TERM:	8 Months pre-construction phase (June 2009 – March 2010) 15-20 Months for construction phase	
AMOUNT OF ORIGINAL CONTRACT:	\$175,643 (Pre-Con Fees Only)	
AMOUNT OF MODIFICATION:	\$568,508.05	
	Pre-Construction Phase	\$0.00
	Construction Phase CM Fee	\$ 95,880.00
	Labor (Reimbursable and Non-Reimbursable)	\$134,228.05
	Construction Contingency	\$ 84,600.00
	Reimbursable General Conditions Items	\$253,800.00
REVISED TOTAL CONTRACT AMOUNT:	\$744,151.05	
MBE PARTICIPATION:	30% (Full Contract Amount)	
PERFORMANCE BOND:	Payment and performance bonds equal to contract amount.	
ORIGINAL PROCUREMENT METHOD:	Competitive Sealed Proposals	

REMARKS: The decision to modify the CBEIS contract to include the North Chiller Plant is supported by a sole-source analysis. The construction periods for CBEIS and the North Chiller Plant project overlap with much of the construction occurring simultaneously. The projects are located adjacent to each other and must share the same access points and perform construction work (particularly utility work) within each other's project limits of disturbance.

The CBEIS project and schedule is also dependent on the timely completion of the Chiller Plant project. The Chiller Plant must have its chilled water and steam systems and lines ready approximately six months to a year ahead of the CBEIS project so the CBEIS project can tie in and use the systems during and for the CBEIS construction. The CBEIS project must relocate the Chiller Plant's water line to CBEIS utility and foundation work. The Chiller Plant is required

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

12. MORGAN STATE UNIVERSITY (cont'd)
Center for the Built Environment and Infrastructure Studies

REMARKS (cont'd): to construct its bio-retention pond in the CBEIS project's retaining wall and utility areas in which the pond will be removed as a part of the CBEIS work. There is the possibility of saving this work from being constructed if the projects can be combined. The complexity of this combined work is significant and can cause significant problems to both projects if they are not both closely coordinated and scheduled.

Maintaining access to the existing buildings is also paramount and will need to be coordinated with both the Chiller Plant and CBEIS; access for the Chiller Plant will need to come through the CBEIS project site. Having separate contractors would further complicate the access.

The Contractor, Barton Malow, will competitively bid all of the trade packages for the Chiller Plant as they will be the CBEIS project. Contractor used the same rate and fee structure for their fee, labor rates, contingency, reimbursable items for the Chiller Plant project as used on the CBEIS project which was procured through the competitive process.

The actual GMP price for the North Chiller Plant project will be brought to the Board of Public Works for approval as a subsequent contract modification.

The funding sources for each project are different and will be tracked and accounted for separately.

There is no MBE participation associated with the pre-construction phase of the project, which is performed by the Contractor with its own workforce. The MBE participation plan will be submitted with the GMP proposal.

The designer for the North Chiller Plant project is Ross Murphy Finkelstein of Baltimore.

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

FUND SOURCE: MCCBL 08067

MD TAX CLEARANCE 09-1794-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact: Len Casanova (410) 260-8899
lcasanova@dnr.state.md.us

13. DEPARTMENT OF NATURAL RESOURCES
Shoreline Conservation and Management Service

Recommendation: That the Board of Public Works, in accordance with the *Policy and Procedure for Shore Erosion Control Capital and Loan Projects*, levy the appropriate benefit charges for the repayment of the loans provided for the following shore erosion control and habitat restoration projects, effective July 1, 2009 (FY-10).

<u>Project</u>	<u>Project Name/ Loan Recipient</u>	<u>County/District</u>	<u>Loan Amount</u>	<u>Term</u>
A) SEC 03-03	Hoopersville Road III County Council of Dorchester County	Dorchester/37B	\$465,797.85	25 years

Project Description: 700 feet of stone revetment, 210 feet stone reinforcement,
70 feet of near shore breakwaters and 140 feet of pocket beach.

B) SEC 14-04	North East Community Park – Town of North East	Cecil/36	\$84,051.00	20 years
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Project Description: 720 feet of stone revetment

C) SEC 10-07	Stuart Terrace Stream Restoration – Harford County Government	Harford/35B	\$17,000.00	25 years
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Project Description: 73 feet of imbricated stone wall

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

**13. DEPARTMENT OF NATURAL RESOURCES (cont'd)
*Shoreline Conservation and Management Service***

Authority: Section 8-1006, Natural Resources Article, Annotated Code of Maryland

Fund Source: The Shore Erosion Control Revolving Loan Fund. DNR will collect the yearly installments for deposit into the Fund

Remarks: DNR certifies that all necessary agreements have been executed and duly recorded among the land records of the appropriate county, and that the design and construction of the projects have been satisfactorily completed.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

Contact: R. Dean Kenderdine: 410-625-5601
dkenderdine@sra.state.md.us

14. MARYLAND STATE RETIREMENT AGENCY

Recommendation: That the Board of Public Works approve the reappointment of **Larry E. Jennings, Jr.**, as a public member of the Investment Committee of the Board of Trustees of the State Retirement and Pension System for a three-year term beginning July 1, 2009. Mr. Jennings meets all of the requirements to serve as a public member.

Authority: State Personnel and Pensions Article, section 21-115 (b)(2), Annotated Code of Maryland, provides that appointments of public members to the Investment Committee will be by made by the Board of Trustees with the approval of the Board of Public Works.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

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

15. **BONDS**

The Treasurer recommends that the Board of Public Works adopt resolutions concerning the sale of State of Maryland General Obligation Bonds in book entry form only for the purpose of funding certain projects, and, if market conditions are favorable, refunding certain outstanding General Obligation Bonds; making certain determinations regarding the consolidation of loans, the methods of sale, and the structure of the Bonds; authorizing the publication of the required Summary Notice of Bond Sale; and obligating the State of Maryland to provide continuing disclosure as required under applicable securities regulations and to comply with applicable provisions of the Internal Revenue Code.

The total that will be offered for sale is up to \$485,000,000* of "new money" bonds for capital improvements, and up to \$370,000,000* of Refunding Bonds. Because the markets continue to be volatile, a lesser amount of bonds may be sold and final sizing will occur at the time of sale.

AMOUNT: Up to \$855,000,000*

DENOMINATION: \$5,000 per bond, or integral multiples thereof

MATURITIES: To be determined by the Treasurer, not to exceed 15 years

TITLE: State and Local Facilities Loan of 2009, Second Series
Second Series A – \$385,000,000*
Second Series B - \$100,000,000*
Second Series C - \$370,000,000* (Refunding)

FORM: To be determined by the Treasurer, to include tax-exempt bonds, and when fiscally advantageous may include: direct payment or tax credit Build America Bonds, and tax credit Qualified School Construction Bonds under authority of the American Recovery and Reinvestment Act of 2009.

METHODS AND TIMES OF SALE: Second Series A – Up to \$385,000,000* - Negotiated Sale
Negotiated sale of bonds pursuant to State Finance and Procurement Article, §8-124, in forms, maturities and amounts to be determined by the Treasurer, to the retail and institutional markets during a Negotiated Sale Period to be determined by the Treasurer preceding the Competitive Sale, and subject to the approval of the Board on August 5, 2009.

* Preliminary, subject to change

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

15. BONDS (cont'd)Second Series B – Not Less Than \$100,000,000* - Competitive Sale

Public, Competitive Sale of \$100,000,000 plus the balance of Second Series A Bonds not sold, if any, during the Negotiated Sale Period, in forms, maturities and amounts to be determined by the Treasurer, on Wednesday August 5, 2009, at 11:00 a.m., by electronic bid.

Second Series C – Up to \$370,000,000* - Negotiated and/or Competitive Sale

Pursuant to State Finance and Procurement Article, Section 8-131, sale of Refunding Bonds either through a negotiated sale pursuant to State Finance and Procurement Article, §8-124 to the retail and institutional markets during the Negotiated Sale Period and subject to the approval of the Board on August 5, 2009, or through a public competitive sale on Wednesday August 5, 2009, at 11:00 a.m., by electronic bid, or both, in forms, maturities and amounts to be determined by the Treasurer. Alternatively, if market conditions are favorable, the Refunding Bonds may be offered for sale in a separate issue as the *State Of Maryland General Obligation Bonds 2009 Refunding Series*, at a date, time and method determined by the Treasurer, on a negotiated basis to the retail and institutional markets, subject to the approval of the Board, or on a public competitive basis by electronic bid at a regularly scheduled meeting of the Board.

SETTLEMENT: On or about August 18, 2009

USE OF PROCEEDS: Various State loans and installments, combined and consolidated; and refunding certain outstanding bonds.

* Preliminary, subject to change

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

15. BONDS (cont'd)

PUBLICATIONS OF
SUMMARY NOTICES
OF BOND SALE:

For the Second Series A Bonds and, if appropriate, the Second Series C Bonds: In such broadcast, electronic and print media as determined appropriate by the Treasurer.

For the Second Series B Bonds and, if appropriate, the Second Series C Bonds: In the *Bond Buyer* on a date to be determined by the Treasurer not later than Thursday, July 23, 2009, and in such other electronic and print media as determined appropriate by the Treasurer.

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

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

BOARD OF PUBLIC WORKS

JUNE 17, 2009

SECRETARY'S AGENDA

APPENDIX

Report of emergency contracts awarded by various agencies in accordance with **COMAR 21.05.06** (Title 21 - State Procurement Regulations) and reported in accordance with **COMAR 21.02.01.05(A)(3)**.

Individual reports enclosed.

BOARD OF PUBLIC WORKS

JUNE 17, 2009

APPENDIX

SECRETARY'S AGENDA

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

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 1**

DEPARTMENT OF GENERAL SERVICES

Inner Harbor Buildings & Grounds

CONTRACT NO. & TITLE: Emergency Flood Remediation & Restoration
BB-600-093-001
ADPICS No. 001B9200810

CONTRACT TYPE: Maintenance

DESCRIPTION: Immediate clean up of office suite and building lobby after flood. Restore areas to original condition by replacing drywall, ceilings, insulation, carpeting and furnishings.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: March 3, 2009

BIDS:

PBI Disaster Restoration \$140,151.83
Baltimore, MD

AWARD: PBI Disaster Restoration

AMOUNT: \$140,151.83

CONTRACT AWARD DATE: March 3, 2009

BOARD OF PUBLIC WORKS

JUNE 17, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

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

MBE PARTICIPATION: N/A

FUND SOURCE: MCCBL 2008 Item 010

REMARKS:

Nature of Emergency: On March 3, 2009, a hot water pipe broke and spewed over 2,000 gallons of hot water into the MTA suite on the 2nd Floor of the 6 St. Paul Street Building. The water also damaged the ceiling and lobby areas below. PBI responded to the site with a clean-up crew and worked for the next several days to remove all the water; contractor then removed and replaced the damaged walls, ceilings, and carpeted areas. Due to the damaged fabric wall in the main conference room, the firm could not complete the restoration until an acceptable product was installed. Work was completed in late April and on April 27, PBI submitted a complete invoice.

Basis for Selection: Firm has been used on previous flood emergencies and was available for immediate response.

Late Report: This project was completed on a time and materials basis; the nature of the emergency did not allow contractor to bid fixed price. When Contractor's final invoice was received, the contract was processed, and all approvals were completed. The report was sent on May 27th.

TAX COMPLIANCE NO.: 09-1634-0000

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

BOARD OF PUBLIC WORKS

JUNE 17, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: Marcus Filson 410 230-3325
filsonm@djs.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2

DEPARTMENT OF JUVENILE SERVICES

CONTRACT TITLE: Structured Shelter Care Program in Baltimore County
ADPICS NO. V00P9202079

CONTRACT TYPE: Human Service

DESCRIPTION: Structured shelter care for up to ten male youth aged 12 to 20 in Baltimore County. The length of stay is up to thirty days. Program emphasis is on supervision, safety, education, short term intervention strategies and access to health care and emotional support while the youths await a more permanent living arrangement. Youth may be placed in shelter care by DJS Intake Officers or the courts.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: March 25, 2009

BIDS: None

AWARD: Guide Program, Inc., Laurel

AMOUNT: \$357,992

CONTRACT AWARD DATE: April 1, 2009

CONTRACT TERM: 4/1/2009-9/30/2009
[terminated for convenience effective June 30, 2009 – see Remarks]

MBE PARTICIPATION: 11.6%

FUND SOURCE: 100% General Funds
Appropriation Code: V00G0102

BOARD OF PUBLIC WORKS

JUNE 17, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 2** (continued)

REMARKS:

Nature of Emergency: Structured shelter care is necessary for the safety and well being of the community and of the youth who are referred to this program having no parent or guardian caring for them. DJS issued a Request for Proposals on December 1, 2008. Even after best and final offers, the prices received from the two offerors exceeded available funding; the prices offered precluded award. DJS negotiated an emergency contract with the incumbent contractor who agreed to continue the program for six months at the current program cost. The six-month term was intended to allow time for DJS to decide the program's future.

DJS determined that it could not adjust the program to bring the operating costs in line with shelter care requirements. In addition, a Statement of Need had not been issued. (Effective October 1, 2008, a licensing agency may not issue a license for a residential child-care program unless the agency has issued a Statement of Need. [Annotated Code of Maryland, Human Services Article 8-703.1.]) Including the Statement of Need process would have significantly lengthened the procurement process. Consequently, DJS decided on May 29, 2009 to close the program and terminate the emergency contract for convenience effective June 30. The youth are being transitioned to per diem residential programs that provide shelter care.

Basis for Selection: Guide Program, Inc., a Maryland certified MBE, was the incumbent contractor and licensed to operate the shelter program. No other organization was eligible for licensure because of not having a Statement of Need under the new law.

Reason for Late Report: DJS submitted this report of an emergency procurement 11 days late (May 29) to the Board of Public Works because the emergency report was not complete until May 20 due to discussions concerning this emergency and the program's future.

TAX COMPLIANCE NO.: 09-1414-0110

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT./AGENCY

REMARKS:

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS

June 17, 2009

Secretary's Agenda

ITEM 1A
PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$25,000.00 for the following **development** project located in **Allegany County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Cresaptown Community Park Development V - \$25,000.00 - POS #5177-1-223
MD20070628-0700

Complete the second phase of construction for the 40' x 57' concession/restroom/storage building with HVAC, water, and electrical service. This phase of development includes the installation of doors, plumbing, electrical work, and completion of the bathrooms. Funds totaling \$81,000.00 were previously approved by the Board of Public Works on the Secretary's Agenda.

<u>FUND SOURCE:</u>	Program 81.20.04	Item 125	\$ 6,965.24
	Program 81.20.04	Item 301	\$ 1,473.74
	Program 81.20.04	Item 801	\$16,561.02

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

<u>Approved</u>	Disapproved	Deferred Withdrawn
With Discussion		<u>Without Discussion</u>

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 17, 2009

Secretary's Agenda

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

ITEM 3A
PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit \$5,500,086.00 for the following **acquisition and development** projects located in **Baltimore County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Watersedge Community Center - \$1,723,500.00 - POS #5487-3-429**
MD20081007-0976

Construct a community center, parking, and associated amenities (including access roads, sidewalks, and utilities) at Concrete Homes Park in the Dundalk-Watersedge area of southeast Baltimore County. This facility will provide much needed recreation space, including a gymnasium, dance studio/activity room, recreation office, storage, and restrooms. Drainage from the site is channeled to a shallow stormwater management wetland that is created on site to provide initial stormwater treatment and control.

FUND SOURCE: Program 81.20.04 Item 000 \$1,723,500.00

2. **Perring Racquet Club Acquisition - \$3,776,586.00 - POS #5506-3-432**
MD20081105-1041

Acquire the 6.4± acre Perring Racquet Club property, its buildings and improvements, in the Loch Raven-Parkville area of Baltimore County. The focal point of the acquisition is a contiguous, connected series of indoor recreation buildings, totaling approximately 94,000 square feet. The buildings include three large structures, two of which feature indoor sports fields, while the third houses four indoor tennis courts. Other recreational amenities, include warm-up areas, racquetball courts, and support areas.

<u>Appraised Value:</u>	Treffer Appraisal Group	\$3,750,000.00
	Page Appraisal Company, Inc.	\$3,725,000.00
<u>Property Cost:</u>	\$3,900,000.00	
<u>Incidental Costs:</u>	\$ 39,086.00	

FUND SOURCE: Program 81.20.04 Item 000 \$3,776,586.00

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

Approved	Disapproved	Deferred	Withdrawn
With Discussion		Without Discussion	

**PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS**

June 17, 2009

Secretary's Agenda

ITEM 4A
PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$897,388.50 for the following **development** project located in **Calvert County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Prince Frederick Aquatic Center - \$897,388.50 - POS #5536-4-61 - MD20081209-114

Plan, design, and construct an indoor aquatic facility in the Prince Frederick Town Center. The facility is part of the County's Parks and Recreation Aquatic Plan. The stormwater is managed with a Storm Water Management Water Quality Extended Detention Wet Pond. The majority of the facility is constructed with an aluminum structure that is 20-30% recycled material. The roof structure and wall panels are rated to reduce emissions and reduce energy costs.

FUND SOURCE: Program 81.20.04 Item 000 \$762,126.05
 Program 81.20.04 Item 804 \$ 47,409.45
 Program 81.20.04 Item 904 \$ 87,853.00

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

Approved
With Discussion

Disapproved

Deferred Withdrawn

Without Discussion

**PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS**

June 17, 2009

Secretary's Agenda

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

ITEM 5A

PROGRAM OPEN SPACE LOCAL SHARE:

MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2004:

Approval is requested to commit \$28,770.00 for the following **development** project located in the **City of Brunswick, Frederick County**. Funding will come from the Program Open Space Local Share that is allocated to the County and MCCBL proceeds as noted.

City Park Building Renovation Phase I - \$28,770.00 - POS #5486-10-271

MD20081023-1021

Renovate the 5,000 square foot recreation building. Renovations include painting interior walls, replacing the existing flooring with eco-friendly ceramic tile, and replacing the folding partition that divides the main rooms. There will be no increase in stormwater runoff; current runoff is managed by adjacent grass swales.

FUND SOURCE: Program 81.20.04 Item 134 \$12.11
 Program 89.22.30 Item 000 (MCCBL 2004) \$28,757.89

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

Approved

Disapproved

Deferred Withdrawn

With Discussion

Without Discussion

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 17, 2009

Secretary's Agenda

ITEM 6A
PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$26,775.00 for the following **development** project located in **Washington County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Washington County Black Rock Golf Course Road and Parking Lot Resurfacing
\$26,775.00 - POS #5007-21-192 - MD20061024-1088

Repave the road and parking lot at Black Rock Golf Course. There will be no increase in impervious surface. Current stormwater runoff is managed by two existing ponds which are then used to water the golf course through an irrigation system. This is the second installment for this project. Funds totaling \$40,725.00 were previously approved by the Board of Public Works on the Secretary's Agenda.

FUND SOURCE: Program 81.20.04 Item 821 \$26,775.00

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

Approved Disapproved Deferred Withdrawn
 With Discussion **Without Discussion**

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A
BOARD OF PUBLIC WORKS

June 17, 2009

Secretary's Agenda

ITEM 7A
PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$4,170,900.00 for the following **acquisition and development** projects located in **Prince George's County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Westphalia Neighborhood Park Community Center - \$1,500,000.00**
POS #5561-16-705 - MD20090210-0119

Design and construct a 12,000 square foot community center that will be attached to a future elementary school. The center will have a lobby, control desk, gymnasium, exercise room, and restrooms. Once the school is built the students will use the gym during school hours and the community will use it after school, weekends, and during summer vacation. Stormwater design will incorporate the development of various Low Impact Development improvements to compensate for any increases in impervious surface area. The LID additions may include, but are not limited to the following: Rain Garden, Vegetative Bio Swale, Bio-retention Pond and/or Detention Pond. The measures identified will improve stormwater runoff as well as promote environmentally sustainable attributes for pollution and water use reduction.

FUND SOURCE: Program 81.20.04 Item 816 \$1,500,000.00

2. **Kentland Community Center - \$2,375,000.00 - POS #5562-16-706**
MD20090123-0052

Construct a 27,000 square foot free standing community center at Pinebrook Avenue in Landover, Maryland. The center will be located adjacent to the Prince George's Ballroom. The expanded facility will include a gymnasium, computer room, multi-purpose space, arts and crafts space, fitness room, pre-school room, and storage. The new gym and modern facilities will permit a larger variety of program offerings than currently exists, to a greater cross-section of the population. The site has been well planned to receive additional impervious surface area by the addition of a major wetland mitigation project and additional storm water management pond controls. In addition, the Kentland Community Center is planning a green roof. This roof will filter pollutants off of the largest impervious surface area and allow maximum pollutant removal.

FUND SOURCE: Program 81.20.04 Item 000 \$1,708,240.90
 Program 81.20.04 Item 816 \$ 666,759.10

PROGRAM OPEN SPACE AGENDA - SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 17, 2009

Secretary's Agenda

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

ITEM 7A (con't)

3. WB&A Railroad Trail (Kovar T. Parker Property) - \$258,400.00 - POS #5654-16-726 MD20090508-0579

Acquire 5.3 acres of land located in Lanham, Maryland. The property is situated at the southern terminus of the WB&A Trail and is ideal for a trailhead. A trailhead at this location would serve both the American Discovery and East Coast Greenway Trail Systems and may include some active recreation facilities in addition to a reststop and picnic amenities. A section of the property is a wetland and provides an opportunity for a related educational experience such as informational signage.

Appraised Value: Paul E. Spruill & Associates, Inc. \$268,780.00
Philip R. Lamb & Company, Inc. \$250,000.00
Property Cost: \$250,000.00
Incidental Costs: \$ 8,400.00

FUND SOURCE: Program 81.20.04 Item 816 \$258,400.00

4. District Heights Recreation Center Upgrade II - \$37,500.00 - POS #5621-16-719 MD20090406-0361

Renovate the existing gymnasium/stage area. The gym floor and stage area will be refurbished and new stage curtains will be installed.

FUND SOURCE: Program 81.20.04 Item816 \$37,500.00

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

Approved Disapproved Deferred Withdrawn
With Discussion Without Discussion

PROGRAM OPEN SPACE AGENDA – SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 17, 2009

Secretary's Agenda

ITEM 8A

PROGRAM OPEN SPACE LOCAL SHARE:

PROGRAM OPEN SPACE STATE SHARE:

Contact: James W. Price

cprice@dnr.state.md.us

(410) 260-8426

Approval is requested to commit to Baltimore City \$2,220,000.00 from the Program Open Space Local Share and Program Open Space State Share that are allocated to the City and administered through Program Open Space.

1. **FY09 Patterson Park Recreation Center - \$300,000.00 - POS #5465-26-173 MD20081028-1026**

Expand the Patterson Park Recreation Center to create programming space for an environmental education center that will be operated by the National Audubon Society (NAS). NAS has sponsored a full time person for park programs and has staffed an office just outside the park since 2002 (after Baltimore City and the Friends of Patterson began a partnership with NAS to increase programming in the park following completion of the Patterson Park Master Plan in 1998). Expanding the existing center will allow close coordination and enhancement of traditional programming as well as growth of the NAS programs. The new wing will include LEED design items such as a green roof and geothermal heating. Stormwater runoff will be addressed with bioswales.

2. **FY09 Park and Recreation Facility Renovations (2 sites) - \$660,000.00 POS #5466-24-250 - MD20081028-1026**

This project has two components. The first component is refurbishing the boiler/hot water system and gym HVAC at the Chick Webb Recreation Center. Periodic renovations of building systems are necessary to meet building codes, avoid costly emergency repairs and prevent disruption of recreation programming and services. Installation of new HVAC systems improves the efficiency of both heating and cooling systems. The second component of this project is the construction of a new building for the Morrell Park Recreation Center, which will include LEED design items such as a green roof and geothermal heating. The original recreation center was built as a wing on the local elementary school. Stormwater runoff will be addressed with bioswales.

PROGRAM OPEN SPACE AGENDA – SUPPLEMENT A

BOARD OF PUBLIC WORKS

June 17, 2009

Secretary’s Agenda

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

ITEM 8A (con’t)

**3. FY09 Clifton Park Recreation Center - \$1,260,000.00 - POS #5464-24-249
MD20081028-1026**

Enclose and redevelop the historic Clifton Park Pool Pavilion as a new recreation center. The preliminary designs for the pavilion include a multipurpose room, classrooms, kitchen, staff office and restrooms. The building will likely include LEED design items, such as geothermal heating, and the stormwater runoff will be addressed with bioswales.

FUND SOURCE: Program 81.20.04 Item 924 \$1,344,600.00 (POSLS)
Program 81.20.03 Item 000 \$ 575,400.00 (POSSS)
Program 81.20.03 Item 438 \$ 300,000.00 (POSSS)

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

Approved Disapproved Deferred Withdrawn
With Discussion Without Discussion

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 1-S **Agency Contact:** Mary K. Ahearn
410-864-5308
mahearn@wcc.state.md.us

DEPARTMENT/PROGRAM: Workers' Compensation Commission (WCC)
General Administration

CONTRACT ID: 11th Edition CompScope™ Report
ADPICS NO. WCCB9200001

CONTRACT DESCRIPTION: Contract for compiling and analyzing Maryland's
data and statistics on worker compensation for inclusion in the 11th Edition CompScope™
Report provided by the Workers Compensation Research Institute (WCRI).

AWARD: Workers Compensation Research Institute
Cambridge, MA

TERM: 6/17/2009 - 3/31/2011

AMOUNT: \$195,000 (1 Year, 9 Months)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 1-S (Cont.)

REQUESTING AGENCY REMARKS: The Workers Compensation Research Institute (WCRI) is an independent not-for-profit research organization that provides statistical, economic and legal information about public policy research on workers' compensation systems. The CompScope™ Report produced by WCRI is a multistate benchmarking report produced by statisticians, economists and attorneys that annually measures the performance of several state workers' compensation systems, providing the opportunity to examine changes in the performance of individual state systems, as well as the ability to make interstate comparisons.

As states make legislative reforms affecting workers' compensation, it is critical to be able to measure the effect of those changes. Without a quantitative method of measuring performance, there is no objective way to monitor the success of the reforms. The Commission is confident that the comparative analysis provided by the CompScope™ study will help it achieve its goal of providing the most efficient and effective delivery of benefits to Maryland's injured workers.

Since there are no sub-contracting elements or opportunities, the services provided by WCRI preclude the establishment of an MBE Goal for this contract.

FUND SOURCE: 100% Special (Insurers' Assessments)

APPROP. CODE: C98F0001

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1483-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Robert Howells
410-230-8789
rhowells@msla.state.md.us

DEPARTMENT/PROGRAM: Maryland State Lottery Agency (MSLA)
Creative Product Services Division

CONTRACT ID: 2009-15;
Baltimore Ravens Licensing Contract
ADPICS NO. E75B9200020

CONTRACT DESCRIPTION: Contract to provide the Lottery with (1) a license to use the Baltimore Ravens NFL football team marks and logos for an Instant Ticket Lottery Game, supporting marketing materials at Retailer locations selling the tickets and advertising for the tickets, and (2) Ravens and NFL football related prizes to be awarded to winners of the Instant Ticket game.

AWARD: Baltimore Ravens Limited Partnership
Owings Mills, MD

TERM: 6/18/2009 – 12/31/2010

AMOUNT: \$810,000 NTE (1 ½ Years)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

REQUESTING AGENCY REMARKS: The recommended Contractor is the owner and exclusive licensor of the marks and logos of the Baltimore Ravens NFL football team, which are the subject of this contract. The Lottery desires to use these marks and logos for an Instant Ticket Game and this licensing contract is necessary in order to obtain the rights to use them.

The Contract *Amount* is composed of two components as described below:

- License Fee: This component is the fixed price for use of the marks and logos.
- Prizes: This component is the cost of the prizes to be awarded to winners of the Instant Ticket Game, to include Ravens season tickets for life; Ravens season tickets; premium single game tickets; trips to the Ravens' training facility including meeting with Coach Harbaugh and players; away trips to NFL games and the Super Bowl; game-worn Jerseys; and autographed Ravens' player photos.
- Contract Amount = License Fee + Prizes
\$810,000 = \$200,000 + \$610,000

The Lottery anticipates producing an Instant Ticket Game using the Ravens' NFL mark and logo that will have a quantity of 3,840,000 tickets, a \$5.00 price point and a total retail face value of \$19,200,000. The game needs to be submitted for production by mid-June in order to have the tickets produced and available for the pre-season opening game on 8/13/2009.

(Note: Production of the Instant Ticket Game, which will be accomplished and paid under the Lottery's "Instant Ticket Games and Related Services Contract #2006-01", is not included in the amount of this License Agreement.)

No MBE goal was established because this sole source contract is a license agreement with no opportunity for MBE participation.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

FUND SOURCE: 100% Special (Lottery Proceeds)

APPROP. CODE: E75D0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1558-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** James Haley
410-865-1131
jhaley@mdot.state.md.us

DEPARTMENT/PROGRAM: Department of Transportation (MDOT)
Office of the Secretary
Maryland Helicopter Replacement Program

CONTRACT ID: MDOT-HRP-10-001;
Helicopter Consulting Services
ADPICS NO. J01B0400004

CONTRACT DESCRIPTION: Provide on-call task order based consulting services for technical and expert advice for the finalization of a contract award for the procurement of new helicopters for the Maryland State Police (MSP). These services will include assistance to MDOT with Base Assessment Studies, technical and legal advice prior to the helicopter contract award and the complete MSP Aviation Division Maintenance Improvement Plan. Integrity Consulting will provide technical support on a case-by-case basis in disciplines outside the areas of experience represented by MDOT staff.

AWARD: Integrity Consulting Solutions LLC
dba Integrity Consulting
Frederick, MD

TERM: 7/1/2009 - 6/30/2010 (w/2 one-year Renewal
Options)

AMOUNT: \$150,000 (1 Year; Base Contract)
\$150,000 (1 Year; 1st Renewal Option)
\$150,000 (1 Year; 2nd Renewal Option)
\$450,000 Total (3 Years)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

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

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

PERFORMANCE SECURITY: None

INCUMBENT: Same (See Requesting Agency Remarks below)

REQUESTING AGENCY REMARKS: This Sole Source contract is a necessity for a continuation of work originally awarded as a task order for a Study of Maryland’s Helicopters under DBM’s Management Consulting Services master contract, which expires 6/30/2009. The task order was originally awarded to SMART Business Advisory and Consulting Services (SMART) in November 2007. Since then, SMART spun off its Public Sector Risk Management Practice to an affiliate company, Integrity Consulting Solutions LLC, dba Integrity Consulting. The staff of SMART assigned from the inception of work under the task order has since moved to Integrity Consulting and remain committed to this project.

The MDOT Procurement Review Group determined a zero percent goal for this project. There is essentially one element of work therefore restricting opportunity for MBE participation. A search of the MBE directory for helicopter consulting, aircraft consulting and medivac consulting resulted in no MBE firms. A further search for aviation-related services resulted in four firms which focused their services on Aviation Security, Aviation Planning & Design and Airline Related Services. These services are not relevant to the scope of work for this project. Therefore, there are no MBE firms in the MBE directory that are able to provide the services required for this contract.

Additionally, Integrity Consulting has agreed to the same hourly rates as in the original task order agreement awarded in 2007.

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J00A01.3

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1697-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICE CONTRACT

ITEM: 4-S **Agency Contact:** Cindy Hawkins
410-260-8154
Chawkins@dnr.state.md.us

DEPARTMENT/PROGRAM: Department of Natural Resources (DNR)
Maryland Park Service
Maryland Civic Justice Corps

CONTRACT ID: Maryland Civic Justice Corps School Bus Rental
ADPICS NO. K00B9200194

CONTRACT DESCRIPTION: Vehicle Leasing Contract to provide eight 44-passenger/seat rental school buses and drivers for the Maryland Civic Justice Corps as part of the Governor's initiative to use conservation services as a means to engage at-risk and court-involved youth.

AWARD: Chesapeake Charter, Inc.
Annapolis, MD

TERM: 6/22/2009 – 7/31/2009

AMOUNT: \$88,800 (40 days)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Harris Bus & Terminal Service, Inc.
Baltimore, MD

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Copies of the solicitation notice were mailed directly to 13 prospective vendors, all of which are Maryland firms, and included three MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Four bids were received in response to the IFB. All bids were deemed to be responsive. The lowest bid was received from Chesapeake Charter, Inc. It was determined that Chesapeake Charter, Inc. was responsible and is therefore recommended for award.

This program is part of the Governor's initiative to use conservation service as a means to engage at-risk and court-involved youth in meaningful experiences in nature to reduce recidivism rates, provide opportunities for skills training, empowerment and employment and restore natural and recreational resources in State Parks and the Chesapeake Bay.

The purpose of this contract is to have the eight school buses and drivers available to transport the youth from their communities to the Patapsco Valley State Park or the Gunpowder Falls State Park for the six week program.

No MBE participation goal was established for this contract due to the limited number of MBEs available to provide this service and the limited time period of the service.

FUND SOURCE: 100% Special (Program Open Space Funds)

APPROP. CODE: K00A0401

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1632-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-S (Cont.)

ATTACHMENT

10B
BPW 6/17/2009

BIDS OR PROPOSALS (Cont.):

<u>Bidders</u>	<u>Total Bid Price</u>
Chesapeake Charter, Inc. Annapolis, MD	\$ 88,800.00
Harris Bus & Terminal Service, Inc. Baltimore, MD	\$105,000.00
Longergan's Charter Service, Inc. Millersville, MD	\$119,760.00
JTE Transportation Accokeek, MD	\$172,800.00

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICE CONTRACT

ITEM: 5-S **Agency Contact:** Cindy Hawkins
410-260-8154
Chawkins@dnr.state.md.us

DEPARTMENT/PROGRAM: Department of Natural Resources (DNR)
Maryland Park Service

CONTRACT ID: Maryland Civic Justice Corps Van Rental
ADPICS NO. K00B9200195

CONTRACT DESCRIPTION: Vehicle Leasing Contract to provide 26 passenger vans and six mini-vans for the Maryland Civic Justice Corps as part of the Governor's initiative to use conservation services as a means to engage at-risk and court-involved youth.

AWARD: Enterprise Leasing Company of Baltimore
Linthicum, MD

TERM: 6/18/2009 – 8/7/2009

AMOUNT: \$89,077 (51 Days)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* (eMM). Copies of the solicitation notice were mailed directly to five prospective vendors, four of which are Maryland firms and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

Two bids were received in response to the IFB. One potential bidder sent in a no bid response stating that it did not engage in this type of rental business. Both bids were deemed to be responsive. The lower bid was received from Enterprise Leasing Company of Baltimore. It was determined that Enterprise Leasing Company of Baltimore was responsible and is therefore recommended for award.

This program is part of the Governor's initiative to use conservation service as a means to engage at-risk and court-involved youth in meaningful experiences in nature to reduce recidivism rates, provide opportunities for skills training, empowerment and employment and restore natural and recreational resources in State Parks and the Chesapeake Bay.

The purpose of this contract is to have the 26 passenger vans and six mini-vans with seating capacity up to 10 each available to transport the youth within the parks to the specific project site where each crew will work. The vans are driven by the project leaders and will also be used to transport supplies before and after the six week program for the youth.

No MBE participation goal was established for this contract due to the limited number of MBEs available to provide this service and the limited time period of the service.

FUND SOURCE:	100% Special (Program Open Space Funds)
APPROP. CODE:	K00A0401
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-1633-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 5-S (Cont.)

ATTACHMENT

13B
BPW 6/17/2009

BIDS OR PROPOSALS (Cont.):

<u>Bidders</u>	<u>Total Bid Price</u>
Enterprise Rent-A-Car Linthicum, MD	\$89,076.64
All Car Leasing (dba Nextcar All Vehicles) Laurel, MD	\$95,440.00

SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA

SERVICES CONTRACT

ITEM: 6-S **Agency Contact:** Ben Steffen
410-764-3573
bsteffen@mhcc.state.md.us

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

CONTRACT ID: MHCC 09-008;
Audit Services for the Maryland Trauma Physician
Services Fund and the Health Insurance Partnership
ADPICS BPO NO. M00B0400075

CONTRACT DESCRIPTION: Provide verification of the accuracy of the
information submitted to the Maryland Health Care Commission in applications for
uncompensated care, trauma equipment grants, on-call, and stand-by costs submitted by trauma
physicians and trauma centers seeking funds for trauma services; and conduct management
reviews of insurance carriers that participate in the Health Insurance Partnership program.

AWARD: Clifton Gunderson, LLP
Timonium, MD

TERM: 7/1/2009 – 6/30/2014

AMOUNT: \$390,336 (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: Only one proposal received

PERFORMANCE SECURITY: None

MBE PARTICIPATION: 30%

INCUMBENT: Same (See Requesting Agency Remarks below)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was advertised on *eMarylandmarketplace.com* and the MHCC and DHMH websites. Copies of the solicitation were e-mailed directly to 156 vendors, 100 of which are Maryland firms, and 59 are MBE firms. A copy of the notice was also sent to the Governor's Office of Minority Affairs.

Only one proposal was received in response to the RFP. The proposal was deemed to be reasonably susceptible of being selected for award. The recommended offeror, Clifton Gunderson LLP, was determined to be qualified. Moreover, the price has been deemed fair and reasonable and other prospective offerors had a reasonable opportunity to respond to the solicitation. One vendor forwarded comments to the Commission citing "Other commitments precluded our participation at this time".

Clifton Gunderson LLP is the incumbent audit firm for the Maryland Trauma Physician Services Fund under a Task Order Agreement for the period from 11/5/2005 to 10/26/2008 issued under the Department of Budget Management's Financial and Financial Related Auditing Services master contract. Besides the fact that the master contract expired on 5/31/2009, it did not specifically meet all of the auditing needs for the Maryland Trauma Physician Services Fund, so in order to receive the specific auditing services needed over a longer period of time for continuity, DHMH/MHCC conducted its own procurement.

The Commission has expanded the audit program to include the Trauma Fund's Equipment Grant program, as well as the new small group health insurance subsidy program, Health Insurance Partnership.

The recent economic downturn has increased unemployment in Maryland and pushed more Maryland families into the ranks of the uninsured. This trend has increased demands on the Trauma Fund as uncompensated care in trauma centers has also increased.

The Contractor will work in conjunction with Commission staff to ensure that payments from the Trauma Fund and the health care subsidy are for appropriate and legal uses of the State's funds.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S (Cont.)

FUND SOURCE: 100% Special (Maryland Trauma Physician Services)

APPROP. CODE: M00R0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1665-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 7-S **Agency Contact:** Marc A. Blowe
410-767-1444
BloweM@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHHM)
Medical Care Programs
Division of Community Long Term Care Services

CONTRACT IDS: OPASS # (See Attachment);
Adult Day Care Services
ADPICS NOs. (See Attachment)

CONTRACT DESCRIPTION: Multiple awards to incumbent licensed adult day care providers for continued provision of services to elderly individuals with chronic health conditions.

AWARDS: See Attachment

TERM: 7/1/2009 – 6/30/2011

AMOUNT: \$2,429,124 Grand Total (See Attachment)

PROCUREMENT METHOD: Sole Source (Continuity of Care)

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENTS: Same

REQUESTING AGENCY REMARKS: These contracts are continuations of previous years' contracts based on the need to maintain continuity of care of services in the lives of elderly clients. Adult Day Care programs provide a range of health and social services to functionally impaired elderly in order to assist them to remain at home and in their communities.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S (Cont.)

Justification of Sole Source is based on continuity of care that is essential to functionally impaired adults and elderly. A change in the human service provider would have a detrimental effect on the clients served under this contract. The Department believes that it is in the best interest of the state to continue provision of Adult Day Care Services through these recommended vendors.

A MBE subcontracting goal was not established for these services because the identified areas for possible subcontracting are regulated by other programs or provided through donations, i.e. the USDA and the Maryland Department of Education food subsidy program, the Maryland Transit Authority grant for vehicles/transportation, and cleaning supplies and equipment are received through donations.

FUND SOURCE: 100 % General
APPROP. CODE: M00Q0104
RESIDENT BUSINESS: Yes for all
MD TAX CLEARANCE: See Attachment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 7-S (Cont.) **ATTACHMENT**

AWARDS (Cont):

<u>Vendors</u>	<u>2 Yr. Award Amount</u>	<u>Tax Clearance Number</u>
Union Hospital of Cecil County Union Hospital Medical Adult Day Care Elkton, MD OPASS #10-10156 ADPICS #M00B0400032	\$166,124	09-1382-1110
Jewish Council of the Aging Misler Adult Day Care Center Rockville, MD OPASS #10-10157 ADPICS #M00B0400033	\$165,922	09-1358-0110
Daybreak Adult Day Care Center Frederick, MD OPASS #10-10158 ADPICS #M00B0400034	\$188,626	09-1355-0110
Woods Adult Day Care Inc. Millersville, MD OPASS #10-10159 ADPICS #M00B0400035	\$361,440	09-1374-0110
Tressler Lutheran Services/ Ravenwood Hagerstown, MD OPASS #10-10160 ADPICS #M00B0400036	\$246,306	09-1354-1010
Family & Children's Services West End Adult Day Care Center Baltimore, MD OPASS #10-10161 ADPICS #M00B0400037	\$145,144	09-1371-0110

ITEM: 7-S (Cont.) **ATTACHMENT**

AWARDS (Cont):

<u>Vendors</u>	<u>2 Yr. Award Amount</u>	<u>Tax Clearance Number</u>
The Support Center Rockville, MD OPASS #10-10162 ADPICS #M00B0400038	\$262,070	09-1372-0110
Adult Day Care of Calvert County Prince Frederick, MD OPASS #10-10191 ADPICS #M00B0400069	\$231,570	09-1353-0110
Allegany County Human Resources Development Commission, Inc. Cumberland, MD OPASS #10-10192 ADPICS #M00B0400070	\$340,104	09-1370-1110
Shore Up! Inc. Salisbury, MD OPASS #10-10197 ADPICS #M00B0400077	\$321,818	09-1352-0110
Total	<u>\$2,429,124</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 8-S **Agency Contact:** Brenda Rose
410-767-5204
roseb@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Health Services (OHS)
Medical Care Programs (MCP)

CONTRACT ID: DHMH-OPASS-09-10057;
Bill Audits for Hospital Claims
ADPICS NO. M00B0400078

CONTRACT DESCRIPTION: Revenue generating contract for Medical
Documentation Review of Hospital Claims, paid by the Maryland Medical Care Program, to
recover erroneous payments to hospitals.

AWARD: Health Compliance Associates, LLC
Columbus, OH

TERM: 7/1/2009 - 6/30/2014

AMOUNT: \$2,625,625 Est.

PROCUREMENT METHOD: Competitive Sealed Proposals/ Small Business
Reserve (SBR)

PROPOSALS: See Attachment

MBE PARTICIPATION: 15% (See Requesting Agency Remarks below)

INCUMBENT: Integrated HealthCare Auditing Services (IHAS)
Laurel, MD

REQUESTING AGENCY REMARKS: A notice of the availability of the SBR Request for
Proposals (RFP) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation
notice were mailed directly to 183 prospective vendors, 140 of which are Maryland firms, and
included 46 MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S (Cont.)

Two proposals were received in response to the RFP. Both proposals were determined to be reasonably susceptible of being selected for award. The technical rankings were almost identical with the incumbent being ranked slightly higher. However, the financial offers were very different, and Health Compliance Associates, LLC (HCA) had the lower price. Therefore, award is recommended to HCA with an overall #1 ranking.

The incumbent, Integrated Healthcare Auditing, Inc. (IHAS), filed a protest 4/14/2009 against the proposed award to HCA. The protest was denied by the Department on 4/21/2009. IHAS did not appeal the protest denial and the allowable appeal timeframe has passed.

Maryland's reciprocal preference law does not apply because Ohio, the state in which the recommended awardee resides, does not have an in-state preference for these services.

A 15% MBE participation goal was established for this contract based on available subcontracting opportunities.

FUND SOURCE: N/A (There is no cost to the State since this is a revenue producing contract. The commission rate paid to the contractor is paid by the hospitals being audited, in addition to the repayment to the State of payments determined to have been improperly billed.)

APPROP. CODE: M00Q01.03

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1701-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 8-S (Cont.)

ATTACHMENT

BPW 6/17/2009

BIDS OR PROPOSALS (Cont.)

<u>Offeror</u>	<u>Technical Ranking*</u>	<u>Financial Amount**</u>	<u>Financial Ranking</u>	<u>Overall Ranking</u>
HCA, LLC Columbus, OH	#2	\$2,625,625 @ 12% commission rate	#1	#1
IHAS Laurel, MD	#1	\$6,506,500 (25%) @ 25% commission rate	#2	#2

Notes:

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

**The Financial amount was based upon a model in the RFP of an estimated amount of total recoveries times a fixed Commission rate quoted by the offerors.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 9-S **Agency Contact:** Mark Bailey
410-767-7772
mbailey@dhhm.state.md.us

DEPARTMENT/PROGRAM: Office of Preparedness and Response
Hospital Preparedness Program
Department of Health and Mental Hygiene

CONTRACT ID: OPASS-9 10121;
MD Emergency Systems for Advance Registration
of Volunteer Health Professionals (ESAR-VHP)
ADPICS BPO NO. M00B9200594

CONTRACT DESCRIPTION: Provide and host a system that provides federally
compliant registration, credential validation, management, and deployment of volunteers during
an emergency. This system is inter-operative with three neighboring states and the District of
Columbia. (See Requesting Agency Remarks below.)

AWARD: Collaborative Fusion, Inc.
Pittsburgh, PA

TERM: 7/1/2009 – 6/30/2014

AMOUNT: \$683,428 (5 Years)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

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

PERFORMANCE SECURITY: None

INCUMBENT: N/A

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S (Cont.)

REQUESTING AGENCY REMARKS: The State of Maryland seeks to implement a statewide Electronic System for Advance Registration of Volunteer Health Professionals (ESAR-VHP) compliant volunteer management system for the registration, credential validation, management and deployment of volunteers.

The vendor will host the System, and have the security and backup capabilities in place to assure DHMH that the System will function to the strictest industry best-practices and is in compliance with applicable state and federal requirements. The Contractor is a registered Small Business and is registered to conduct business in the State of Maryland.

Collaborative Fusion, Inc.'s ESAR-VHP solution is the Community Response System (CORES™) which provides a secure web-based platform that is available 24/7/365 to provide for the efficient registration, credential verification, management, and deployment of both pre-registered and spontaneous volunteers in the event of a natural or man-made disaster. CORES provides readily available, verifiable, up-to-date information regarding a volunteer's identity, licenses, credential verification status, and employment information as well as tools to notify and manage the deployment of volunteers.

As response to disasters tends to be local and regional, it is critical that states within the Mid-Atlantic region are capable of communicating with each other to address quickly changing resource needs. By entering into this sole source contract with Collaborative Fusion, Inc., DHMH will have a system that is compatible with three neighboring states and the District of Columbia.

CORES is currently used by the neighboring jurisdictions of Pennsylvania, West Virginia, Delaware, and Washington, D.C. In addition, CORES is used by California, Florida, North Carolina, Georgia, Minnesota, and Louisiana.

A 5% MBE participation goal was established based upon the determination that only data entry could be subcontracted for this contract to ensure that the proprietary system containing professional license numbers and personal information of health professionals was secured and compliant with the Public Health Information Network, which is the federal standard for electronic health systems.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S (Cont.)

FUND SOURCE: 100% Federal

APPROP. CODE: M00F0601

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1541-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 10-S **Agency Contact:** Norma Cook
410-554-9285
ncook@dors.state.md.us

DEPARTMENT/PROGRAM: Education (MSDE)
Division of Rehabilitation Services (DORS)

CONTRACT ID: DORS C/S 09-22 – R00R9202444;
Vehicle Modification for Disabled Individual
ADPICS NO. R00B9200063

CONTRACT DESCRIPTION: Provide modifications to a 2006 Dodge Grand Caravan by installing an Electronic Mobility Controls Advanced Electronic Vehicle Interface Technology (EMC AEVIT) L Series and W Series mini-van conversion system and specifically prescribed operating controls in the vehicle to enable the independent driving capability of a disabled consumer to accommodate a Quantum Jazzy 610 wheelchair/scooter.

AWARD: Ride-Away Handicap Equipment Corporation
Beltsville, MD

TERM: 7/1/2009 – 9/30/2009 (approximately fourteen weeks from receipt of the Purchase Authorization)

AMOUNT: \$79,090

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: Only one bid received

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: N/A

INCUMBENT: None

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 10-S (Cont.)

REQUESTING AGENCY REMARKS: Notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* (eMM) with the system automatically notifying 27 vendors. The Division of Rehabilitation Services (DORS) directly solicited four vendors, two of which also received the eMM notice. Of the 29 solicited vendors, 18 were Maryland firms and nine were MBEs. A copy of the notice was also sent to GOMA.

Only one bid was received in response to this solicitation. The recommended contractor is responsible and its bid meets the technical requirements set forth in the IFB. Moreover, the price has been deemed fair and reasonable. It was also determined that other prospective bidders had a reasonable opportunity to respond to the solicitation.

Reasons given by vendors for not submitting a bid included: do not perform this type of service; do not install high-tech electronics in vehicles anymore; not interested on bidding on this vehicle conversion at this time; could not compete against Ride-Away; and do not currently have certified mechanics to allow them to perform these type of conversions.

The bid solicitations for vehicle modifications/conversions require line item prices, identifying the separate equipment and labor amounts. DORS compares prices from one consumer vehicle conversion to another with the same or comparable equipment. Even though each consumer vehicle is evaluated and prescribed adaptive equipment on an individual basis, there is a finite number of ways consumer functional limitations can be assisted by technology. Knowing the historical prices of the equipment allows DORS to provide management with an estimated price for each new "prescription". The estimate establishes the basis for the review and approval prior to engaging in the bid process. It also allows a validation of the reasonableness of the price of this single bid.

This vehicle modification contract will enable a Quadriplegic consumer to have accessibility to drive her Dodge Caravan. These vehicle modifications on the DORS consumer's vehicle enable independent driving capabilities and independent living for the consumer. It will enable the consumer to transport herself to work and provide ongoing transportation independence and self-sufficiency. This vehicle modification has been developed specifically for the DORS consumer through a prescriptive evaluation and specifications. Modifications consist of the installation of a lowered floor mini-van conversion package with auto door opener, kneeling suspension, and automatic ramp; EMC AEVIT W Series digital zero effort steering system with horizontally positioned 6" steering wheel with operation from the right side; Sure-Lock power wheelchair tie-down system (one in the driver area); the EMC AEVIT L Series, which is an electronic one-hand joystick-type control for the operation of the gas and brake functions in the Primary Control area

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 10-S (Cont.)

of the vehicle. Secondary controls include a driver console for remote control of all secondary systems; HVAC (heating, ventilation and air conditioning) operation controls, mini-touch controls on steering wheel, and panoramic mirrors.

This is a parts and labor service only contract to be completed in accordance with the prescriptive specifications developed from the evaluation of the consumer's capabilities and needs. Required equipment to complete modifications is available only from authorized distributors of the manufacturer's products as needed for each individual vehicle modification. Therefore, no MBE participation goal was established.

FUND SOURCE: 100% Federal
APPROP. CODE: R00A0121
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1473-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 11-S **Agency Contact:** Norma Cook
410-554-9285
ncook@dors.state.md.us

DEPARTMENT/PROGRAM: Education (MSDE)
Division of Rehabilitation Services (DORS)

CONTRACT ID: DORS C/S 09-23 – R00R9202842;
Vehicle Modification for Disabled Individual
ADPICS NO. R00B9200062

CONTRACT DESCRIPTION: Provide modifications to a new Toyota Sienna by installing an Electronic Mobility Controls Advanced Electronic Vehicle Interface Technology (EMC AEVIT) J Series conversion system and specifically prescribed operating controls in the vehicle to enable the independent driving capability of a disabled consumer to accommodate a Jazzy Quantum 6000 wheelchair/scooter.

AWARD: Ride-Away Handicap Equipment Corporation
Beltsville, MD

TERM: 7/1/2009 – 9/16/2009 (approximately ten weeks from receipt of the Purchase Authorization)

AMOUNT: \$86,479

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: Only one bid received

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: N/A

INCUMBENT: None

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S (Cont.)

REQUESTING AGENCY REMARKS: Notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* (eMM) with the system automatically notifying 27 vendors. The Division of Rehabilitation Services (DORS) directly solicited four vendors, two of which also received the eMM notice. Of the 29 solicited vendors, 18 were Maryland firms and nine were MBEs. A copy of the notice was also sent to GOMA.

Only one bid was received in response to this solicitation. The recommended contractor is responsible and its bid meets the technical requirements set forth in the IFB. Moreover, the price has been deemed fair and reasonable. It was also determined that other prospective bidders had a reasonable opportunity to respond to the solicitation.

Reasons given by vendors for not submitting a bid included: do not perform this type of service; do not install high-tech electronics in vehicles anymore; not interested on bidding on this vehicle conversion at this time; could not compete against Ride-Away; and do not currently have certified mechanics to allow them to perform these type of conversions.

The bid solicitations for vehicle modifications/conversions require line item prices, identifying the separate equipment and labor amounts. DORS compares prices from one consumer vehicle conversion to another with the same or comparable equipment. Even though each consumer vehicle is evaluated and prescribed adaptive equipment on an individual basis, there is a finite number of ways consumer functional limitations can be assisted by technology. Knowing the historical prices of the equipment allows DORS to provide management with an estimated price for each new "prescription". The estimate establishes the basis for the review and approval prior to engaging in the bid process. It also allows a validation of the reasonableness of the price of this single bid.

This vehicle modification contract will enable a Quadriplegic consumer to have accessibility to drive his Toyota Sienna. These vehicle modifications on the DORS consumer's vehicle enable independent driving capabilities and independent living for the consumer. It will enable the consumer to transport himself to work and provide ongoing transportation independence and self sufficiency. This vehicle modification has been developed specifically for the DORS consumer through a prescriptive evaluation and specifications. Modifications consist of the installation of a lowered floor mini-van conversion package with auto door opener, kneeling suspension, and automatic ramp. Additional modifications; an E-Z Lock" wheelchair tie-down systems with occupant restraint, (one in the driver area); the EMC AEVIT J Series, which is an electronic one-hand knob-type control for the operation of the gas and brake and steering functions in the Primary Control area of the vehicle. Secondary controls include a dual battery system; a driver

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S (Cont.)

console for remote control of all secondary systems; voice activated controls with powered headrest, and HVAC (heating, ventilation and air conditioning) operation controls.

This is a parts and labor service only contract to be completed in accordance with the prescriptive specifications developed from the evaluation of the consumer's capabilities and needs. Required equipment to complete modifications is available only from authorized distributors of the manufacturer's products as needed for each individual vehicle modification. Therefore, no MBE participation goal was established.

FUND SOURCE: 100% Federal

APPROP. CODE: R00A0121

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1473-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 12-S-OPTION **Agency Contact:** Athos Alexandrou
410-767-5369
AlexandrouA@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health & Mental Hygiene (DHMH)
Office of Systems, Operations &
Pharmacy

CONTRACT ID: OCPMP 07-9030;
Maryland Point-Of-Sale Electronic
Claims Management System
ADPICS NO. M00B0400043

CONTRACT APPROVED: 5/17/2006 DBM BPW Agenda Item 7-S

CONTRACTOR: ACS State Health Care, LLC
(Local Office in Baltimore, MD)

CONTRACT DESCRIPTION: Contract to design, implement, administer,
manage and maintain a Point of Sale (POS) electronic claims capturing, management and
adjudication network in conjunction with administering a drug utilization review system to
continue the State of Maryland's compliance with Federal requirements (Omnibus Budget
Reconciliation Act – OBRA 90).

OPTION DESCRIPTION: Approval request to exercise the first of two
two-year renewal options as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 8/1/2006 – 6/30/2009 (w/2 two-year renewal
options)

TERM OF OPTION: 8/1/2009 – 7/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$10,076,159 (2 Years, 11 Months)

AMOUNT OF OPTION: \$6,647,038 (2 Years)

PRIOR MODIFICATIONS/OPTIONS: \$681,281 (See Attachment)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 12-S-OPTION (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$17,404,478

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 17%

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

Under the current contract, ACS Healthcare, LLC provides and administers the Point-of-Sale Electronic Claims Management System, Prospective Drug Utilization Review System, Coordinated Prospective Utilization Review, Automated Drug Formulary Updating Service, Eligibility Services and Manufacturers Drug Rebate Program for the comprehensive pharmacy needs of fee-for-service Maryland Medicaid recipients, limited numbers of HealthChoice Program enrollees, Maryland Pharmacy Assistance Program enrollees and other specified Departmental program recipients.

If this contract option is not exercised, Maryland will be unable to administer Medicaid pharmacy benefits to qualified Marylanders. This includes processing claims for prescription drugs provided to beneficiaries as well as employing cost saving efforts to keep Medicaid expenditures to a minimum and maximizing the efficient use of State funds.

This contract enables the Department to administer Medicaid Pharmacy benefits to qualified Maryland citizens. This includes processing claims for prescription drugs provided to beneficiaries as well as employing cost saving efforts to keep Medicaid expenditures to a minimum and maximize the efficient use of State funds.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 12-S-OPTION (Cont.)

FUND SOURCE: 74% Federal; 26% General

APPROP. CODE: M00Q01.02; M00Q01.03

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1437-0010

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 12-S-OPTION (Cont.) **ATTACHMENT**

BPW 6/17/2009

PRIOR MODIFICATIONS/OPTIONS: (Cont.)

Mod #1	\$ 156,500	Modification to extend the transition period and receive final transition files from the incumbent vendor and change the contract term of the subsequent renewal options. For the period from 1/7/2007 to 7/31/2009. Approved on the 12/6/2006 DBM BPW Agenda, Item 7-S-MOD.
Mod #2	\$ 524,781	Modification to allow the vendor to make necessary changes to the recipient eligibility determination system for implantation of the Medicaid expansion. For the period from 1/20/2009 to 7/31/2009. Approved on the 1/7/2009 DBM BPW Agenda, Item 5-S-MOD.
Total	<u>\$ 681,281</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 13-S-OPTION **Agency Contact:** Elise Green-Watford
410-767-5454
EGreen-Watford@dhhm.state.md.us

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

CONTRACT ID: OPASS 06-8749-4;
Enrollment Broker Services
ADPICS NO. M00B0400099

CONTRACT APPROVED: 8/10/2005 DBM BPW Agenda Item 15-S

CONTRACTOR: Policy Studies, Inc.
Denver, CO
(Local office Baltimore, MD)

CONTRACT DESCRIPTION: Contract to provide Statewide outreach,
education and enrollment services to HealthChoice and Maryland Children's Health Program
enrollees in order to ensure the availability of and access to appropriate health care services.

OPTION DESCRIPTION: Approval request to exercise the second of
three one-year renewal options as contained in the original contract for enrollment broker
services.

TERM OF ORIGINAL CONTRACT: 8/11/2005-6/30/2008 (w/3 one-year renewal
options)

TERM OF OPTION: 7/1/2009 – 6/30/2010

AMOUNT OF ORIGINAL CONTRACT: \$20,767,825 Est. (2 Years, 10.6 Months)

AMOUNT OF OPTION: \$8,299,833 Est. (1 Year)

PRIOR MODIFICATIONS/OPTIONS: \$10,766,056 Est. (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$39,833,714 Est.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 13-S-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to exercise the second of three one-year renewal options as contained in the original contract. This renewal option is recommended because Policy Studies, Inc. (PSI) has successfully maintained and exceeded their contractual obligation with the State of Maryland. The enrollment broker has consistently provided superior customer service to the over 465,000 citizens of Maryland who currently receive health care services through their Medicaid coverage.

This HealthChoice enrollment services contract is the centerpiece of the HealthChoice program in terms of recipient outreach, education, enrollment, primary care provider selection, transfers in and out of managed care organizations, and annual right to change opportunities. The Enrollment Broker will continue to provide excellent customer service to recipients by contacting and educating enrollees about their managed care opportunities, assisting HealthChoice beneficiaries in choosing and enrolling into a managed care organization (MCO), assisting enrollees in selecting a Primary Care Provider (PCP), and assisting enrollees and members in accessing and effectively using their MCO and PCP in order to ensure the availability of and access to appropriate health care.

The enrollment broker, PSI, will continue to utilize a sophisticated enrollment information system and a highly efficient telephone system and telephone call center to meet the needs of Maryland Medicaid recipients.

In addition to performing services for HealthChoice, the Maryland Children's Health Program and the Primary Adult Care (PAC) Program, PSI will continue to perform Enrollment Broker/Benefit Consultant Services for the newly mandated enrollments, as well as allowing recipients moving between HealthChoice and PAC to remain with the same MCO with an opt-out provision that was mandated by House Bill 367, Acts of 2007 that provides continuity of care for Medicaid recipients.

The new PAC population is very transient, and it is difficult to provide any outreach as they move or have incorrect contact information in the system. Nevertheless, PSI consistently manages to achieve an 80% "Voluntary Enrollment Rate" (VER), instead of the 75% required by the contract prior to the addition of the PAC enrollees. The abandonment rate continues to remain steady at less than 3% with both programs.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 13-S-OPTION (Cont.)

PSI has provided consistent service to the Health Choice program since the inception of the contract. There have been no outstanding complaints about the service of this vendor. PSI is accurate and meets all deadlines in a timely manner. As verified by contract monitoring, the enrollment broker has continued to display satisfactory customer service for the recipient of the Maryland Medicaid program. This enables members to effectively use their MCO and PCP in order to ensure the availability of and access to appropriate health care services.

Failure to exercise this option renewal would interrupt satisfactory service and will take a significant amount of time for re-competing, reviewing of proposals and awarding the winning contract.

FUND SOURCE: 52% Federal; 37% General;
11% Special (Health Care Coverage Fund)

APPROP. CODE: M00Q01.03

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1759-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 13-S-OPTION (Cont.) ATTACHMENT

BPW 6/17/2009

PRIOR MODIFICATIONS/OPTIONS (Cont):

Mod #1	\$2,553,998 (Base Contract) \$1,197,013 (1 Year; 1 st Renewal Opt.) \$1,203,788 (1 Year; 2 nd Renewal Opt.) <u>\$1,260,238</u> (1 Year; 3 rd Renewal Opt.) \$6,215,037	Modification request to add additional services to the existing base contract period and to three available renewal option periods to accommodate the State's new Primary Adult Care (PAC) Program. This includes increase in funding for all periods. Effective 5/1/2006 - 6/30/2008. Approved on the 4/19/2006 DBM BPW Agenda Item 10-S-MOD.
Mod #2	\$127,374 (Base Contract) \$ 58,235 (1 Year; 1 st Renewal Opt.) \$ 59,982 (1 Year; 2 nd Renewal Opt.) <u>\$ 61,781</u> (1 Year; 3 rd Renewal Opt.) \$307,372 Total (3 Years, 8.5 Months)	Modification request to add additional services to the existing base contract period and to three available renewal option periods to accommodate mandated legislation. This includes an increase in funding for all Periods. Effective 10/18/2007 - 6/30/2008. Approved on the 10/17/2007 DBM BPW Agenda Item 12-S-MOD.
Opt. #1	\$8,084,684	Exercised the first of three renewal options as contained in the original contract. Effective 7/1/2008 – 6/30/2009. Approved on the 5/21/2008 DBM BPW Agenda Item 20-S-OPTION.
	<hr/> \$10,766,056	Total for Base Contract Mods and Option #1

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 14-S-OPTION **Agency Contact:** Athos Alexandrou
410-767-5369
alexandroua@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health & Mental Hygiene (DHMH)
Office of Systems, Operations &
Pharmacy

CONTRACT ID: OCPMP 07-009498-1;
Preferred Drug List and Supplemental
Rebate Development and Management for
Maryland Medicaid Fee-For-Service
Recipients
ADPICS NO. M00B0400103

CONTRACT APPROVED: 5/23/2007 DBM BPW Agenda Item 2-S

CONTRACTOR: Provider Synergies, LLC
Loveland, OH

CONTRACT DESCRIPTION: Contract to develop and manage the
Department's Preferred Drug List (PDL)/supplemental rebate program and to negotiate
supplemental rebates with drug manufacturers and facilitate the discussions of the Pharmacy and
Therapeutic (P&T) Committee meetings. The Contract also includes invoicing drug
manufacturers for the supplemental rebates.

OPTION DESCRIPTION: Approval request to exercise the first of
three two-year renewal options as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 6/1/2007 – 6/30/2009 (w/3 two-year renewal
options)

TERM OF OPTION: 7/1/2009 – 6/30/2011

AMOUNT OF ORIGINAL CONTRACT: \$1,853,000 (2 Years; 1 Month)

AMOUNT OF OPTION: **\$1,812,000** (2 Years)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 14-S-OPTION (Cont.)

PRIOR MODIFICATIONS/OPTIONS: N/A

REVISED TOTAL CONTRACT AMOUNT: \$3,665,000

ORIGINAL PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Request for approval to exercise the first of three two-year renewal options as contained in the original contract. Currently, Maryland participates in a pooling arrangement with six other states under a single contractor to operate a Preferred Drug List and negotiate and bill drug manufacturers for supplemental rebates. The benefit of this pooling arrangement is that Maryland can take advantage of the economy of scale due to the large number of Medicaid members covered by all participating states, and at the same time make independent decisions that are best for Maryland. The State is not bound by decisions or recommendations made by the other participating states. Additional states are waiting to join the pool, pending legislative or other authorization within those states.

Maryland has less than 40,000 fee-for-service lives. Without the pooling arrangement some drug manufacturers might consider Maryland too small a player to offer meaningful supplemental rebates. By being part of a multi-state pool, with over 2,000,000 covered lives, however, Maryland is able to benefit from an economy of scale that it could never achieve on its own.

The initial procurement was a sole source due to the pooling arrangement that Maryland has with six other states and the contractor to operate its Preferred Drug List as well as negotiate and bill for pharmacy supplemental rebates. This arrangement provides the maximum benefit, i.e., economy of scale and strength of multi-states, yet provides Maryland with independent decision making authority. Nonetheless, some of the participating states have requested a price reduction, Maryland included. At this time, Maryland has received a favorable decision from the vendor and the price reduction of 2.74% is reflected in the renewal option amount. The failure to exercise this option would result in Maryland's inability to maintain considerable cost containment efforts provided thru this contract and result in decreased Maryland Medicaid revenues by the Pharmacy Program (\$10M in revenues due to supplemental rebates during CY2008).

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 14-S-OPTION (Cont.)

FUND SOURCE: 50% General; 50% Federal

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1782-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 15-S-MOD (REVISED) **Agency Contact:** BJ Said-Pompey
410-339-5013
bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety & Correctional Services
(DPSCS) Office of Inmate Health Services
Inmate Health Care Program

CONTRACTS ID: Inmate Health Care Services
DPSCS Q0005057A-F (See Attachment 1);
ADPICS NO. (See Attachment 1)

CONTRACTS APPROVED: 6/1/2005 DBM BPW Agenda Items 14-S;
15-S; 16-S; 17-S; 18-S; 19-S

CONTRACTORS: See Attachment 1

CONTRACT DESCRIPTION: Six contracts to implement Statewide
primary and infirmary care services for inmates in the custody of the Department of Public
Safety and Correctional Services (see Requesting Agency Remarks below).

MODIFICATION DESCRIPTION: Approval request to reallocate the overall
funding available on the contracts for the second renewal options by adjusting the not-to-exceed
amounts on the individual contracts to meet the needs for medical services, mental health
services, pharmacy services, utilization management services, dental and electronic patient
health records.

OPTION DESCRIPTION: Approval request to continue existing
Inmate Health Care Services by exercising the third and final renewal options as contained in the
original contracts.

TERM OF ORIGINAL CONTRACTS: 6/2/2005 – 6/30/2007 (w/3 one-year
renewal options)

TERM OF MODIFICATIONS: 6/17/2009 – 6/30/2009 (14 Days)

TERM OF OPTIONS: 7/1/2009 – 6/30/2010 (1 Year)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 15-S-MOD (Cont.) (REVISED)

AMOUNT OF ORIGINAL CONTRACTS: \$222,626,892 (2 Years; Cumulative Total)
(See Attachment 1)

AMOUNT OF MODIFICATIONS/OPTIONS: \$153,062,053 (Option #3)
\$ _____ 0 (Mod #6 - See Requesting
Agency Remarks)
\$153,062,053 Cumulative Total
(See Attachment 1)

PRIOR MODIFICATIONS/OPTIONS: \$308,546,871 Cumulative Total
(See Attachments 1 & 2)

REVISED CONTRACT AMOUNTS: \$684,235,816 Cumulative Grand Total
(See Attachment 1)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION GOALS: See Attachment 1

REQUESTING AGENCY REMARKS: There are six contracts or modules to provide inmate medical care throughout the State's correctional system. Through these six contracts, the Department will continue to administer and monitor an Inmate Health Services System that provides routine, specialty, inpatient and emergency care services to the Baltimore City pretrial and Maryland's sentenced populations. These modules create a comprehensive, patient centered/case management health care delivery system for DPSCS. The six contracts are summarized as follows:

- A. Comprehensive primary and infirmary medical services
- B. Primary psychiatric care and mental health infirmary care services
- C. Dental services
- D. Pharmacy Services
- E. Utilization management services for inpatient hospital and infirmary care
- F. Electronic patient health record and tele-medical system to support and track health care services for inmates.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 15-S-MOD (Cont.) (REVISED)

Due to the variability of the number of inmates receiving the various health services, via Modification #6 an expenditure authorization increase is requested for services provided under four of the contracts, while two services will have offsetting decreases in their contract expenditure levels. Overall, there will be no total increase in the expenditure authorizations for all six contracts.

It is important to note these contracts were designed to improve the level of care over the prior contracts in response to the U.S. Department of Justice standards and decrees to reach generally accepted community standards and to provide for continuity and consistency of care in all DPSCS facilities.

DPSCS is requesting approval of the third and final renewal option to cover healthcare operations for the next fiscal year. The level of care has consistently progressed to community standards and is meeting the requirements of the contract. DPSCS feels by changing vendors at this junction will halt the progress achieved, thus disrupting planning and implementation continuity and would likely result in setbacks.

FUND SOURCE:	100% General
APPROP. CODE:	Various
RESIDENT BUSINESS:	Yes (A, D & F); No (B, C & E)
MD TAX CLEARANCE:	See Attachment 1

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 15-S-MOD (Cont.)

ATTACHMENT I

Renewal Information Contract IDS: Q0005057A-F

Vendor	Original Contract Amount	Mod #1	Mod #2	Mod #3	Mod #4	1 st Renewal Option (1 Year)	Mod #5	2 nd Renewal Option (1 Year)	Mod #6	3rd Renewal Option (1 Year)	Revised Total Contract Amount
(A) Correctional Medical Services, Inc. St. Louis, MO (Local Office in Hagerstown, MD) (Medical Care Services) ADPICS NO. COB47768 / Q00B9200344 MBE PARTICIPATION: 20% MD Tax Clearance: 09-1344-0111	\$125,638,937	N/A	\$0	(\$13,079,482)	\$0	\$62,956,839	(\$2,200,000)	\$65,530,886	\$1,363,025	\$68,163,848	\$308,374,053
(B) MHM Correctional Services of MD., Inc. Vienna, VA (Mental Health Services) ADPICS NO. COB47770 / Q00B9200346 MBE PARTICIPATION: 10% MD Tax Clearance: 09-1345-1111	\$22,495,152	\$0	\$0	(\$3,289,895)	\$0	\$10,959,034	\$100,000	\$11,737,365	\$136,263	\$12,205,834	\$54,343,753
(C) FCM-MTC Joint Venture, LLC Centerville, UT (Dental Services) ADPICS NO. COB47771 / Q00B9200347 MBE PARTICIPATION: 30% MD Tax Clearance: 09-1346-0001	\$17,340,240	N/A	\$0	(\$3,322,253)	\$0	\$8,648,030	(\$1,250,000)	\$7,768,705	(\$130,813)	\$8,009,535	\$37,063,444
(D) Correct Rx Pharmacy Services Linthicum, MD (Pharmacy Services) ADPICS NO. COB47772 / Q00B9200348 MBE PARTICIPATION: 20% MD Tax Clearance: 09-1347-1111	\$31,958,458	N/A	\$0	\$7,804,432	\$0	\$24,131,340	\$1,950,000	\$27,219,572	(\$1,096,685)	\$28,063,380	\$120,030,497
(E) Wexford Health Sources, Inc. Pittsburgh, PA (Utilization Mgt. Services) ADPICS NO. COB47774 / Q00B9200349 MBE PARTICIPATION: 5% MD Tax Clearance: 09-1348-0000	\$21,967,007	N/A	\$0	\$31,552,919	\$0	\$32,082,440	\$1,550,000	\$34,562,156	(\$196,790)	\$35,039,489	\$156,557,221
(F) Correctional Medical Services, Inc. St. Louis, MO (Local Office in Hagerstown, MD) (Electronic Patient Records Services) ADPICS NO. COB47775 / Q00B9200350 MBE PARTICIPATION: 50% MD Tax Clearance: 09-1344-0111	\$3,227,098	N/A	\$0	\$4,206	\$0	\$1,641,253	(\$150,000)	\$1,639,324	(\$75,000)	\$1,579,967	\$7,866,848
GRAND TOTAL OF ALL 6 CONTRACTS:	\$222,626,892	\$0	\$0	\$19,669,927	\$0	\$140,418,936	\$0	\$148,458,008	\$0	\$153,062,053	\$684,235,816

ITEM: 15-S-OPTION (Cont.)

ATTACHMENT 2

BPW 6/17/2009

PRIOR OPTIONS/MODIFICATIONS (Cont.):

Mod #1	\$0	Mod for Contract Q0005057B only to make changes in staffing Patterns and rates of compensation for mental health providers in the mental health contract module for the period of 7/1/2005 - 6/30/2007. Approved on the 11/15/2006 DBM BPW Agenda Item 12-S-MOD.
Mod #2	\$0	Mod to clarify portions of the Statement of Work in a non-material change and issue a not to exceed amount for the period 7/1/2006 - 6/30/2007.
Mod #3	\$19,669,927	Mod to clarify portions of the Statement of Work in a non-material change increasing or reducing the original amount of the not to exceed limits for the period 5/12/2007 - 6/30/2007. Approved on the 6/6/2007 DBM BPW Agenda Item 26-S-MOD.
Option #1	\$140,418,936	Exercised the first Renewal Options on the Contracts for one year for the period 7/1/2007 - 6/30/2008. Approved on the 6/6/2007 DBM BPW Agenda Item 26-S-MOD.
Mod #4	\$0	Mod to clarify portions of the Statement of Work in non-material change and issue a not to exceed amount for the period 7/1/2007 - 6/30/2008.
Mod #5	\$0	Mod to clarify portions of the Statement of Work in an non-material change increasing or reducing the not to exceed amount for the period 6/1/2008 - 6/30/2008. Approved on the 7/16/2008 DBM BPW Agenda Item 9-S-MOD.
Option #2	\$148,458,008	Exercised the second Renewal Options on the Contract for one year for the period 7/1/2008 - 6/30/2009. Approved on the 6/11/2008 DBM BPW Agenda Item 14-S-OPTION.
	\$308,546,871	Cumulative Total for all 6 Contracts (See Attachment 1 for the breakdown of the previous actions.)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION/MODIFICATION

ITEM: 16-S-MOD **Agency Contact:** Sandra Johnson
410-767-7408
sjohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Local Departments of Social Services Foster Care Maintenance Payments Program

CONTRACTS ID: See Attachment – A1;
Foster Care Maintenance Payments

CONTRACTS APPROVED: 6/25/2008 DBM BPW Agenda Item 4-S
8/20/2008 DBM BPW Agenda Item 5-S

CONTRACTORS: See Attachment

CONTRACT DESCRIPTION: Approval request to provide Residential Child Care (RCC), Child Placement Agency (CPA) and Non-Residential Child Care (NRCC) services for a total of 5,614 clients. The two original agenda items were for the award of 178 separate contracts, 125 for RCC, 52 for CPA and 1 for NRCC.

OPTION/MODIFICATION DESCRIPTION: Approval request to (1) exercise the single one-year renewal options as contained in the original contracts for 152 of the 178 contracts to provide services to 5,343 foster care clients; (2) modify the contracts with 25 or more beds to add a 5% MBE Participation goal; and (3) modify some of the contracts to increase or decrease the number of available beds.

TERM OF ORIGINAL CONTRACTS: 7/1/2008-6/30/2009 (w/1 one-year renewal option)

TERM OF OPTIONS/MODIFICATIONS: 7/1/2009 – 6/30/2010

AMOUNT OF ORIGINAL CONTRACTS: \$340,468,689 (Total of all Contracts)

AMOUNT OF OPTIONS/MODIFICATIONS: \$317,228,833 (Total Options)
(\$ 8,027,065) (Total Modifications)
\$309,201,768 Cum. Total of all Contracts

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 16-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: (\$264,030) Cum. Total (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$649,406,427 Grand Total of all Contracts

PERCENT +/- (THIS MODIFICATION): -2.36%

OVERALL PERCENT +/-: -2.44%

ORIGINAL PROCUREMENT METHOD: Non-Competitive Negotiated Procurement of Human, Social or Educational Services

MBE PARTICIPATION: 5% (See Requesting Agency Remarks)

REQUESTING AGENCY REMARKS: Request for approval to (1) exercise the single one-year renewal options as contained in the original contracts for 152 of the 178 contracts to provide services to 5,343 foster care clients; (2) modify the contracts with 25 or more beds to add a 5% MBE Participation goal; and (3) modify 25 of the contracts to increase or decrease the number of available beds. Of the 125 RCC contracts, 26 contracts are not being renewed for a reduction in 231 beds that are listed with the 25 contracts changing the available bed counts for Mod #2 (see Attachment).

COMAR 14.31.06.01 articulates the standards that must be met and maintained by residential child care programs for children and youth. These requirements are designed to protect the health, safety, and well being of children placed in residential child care programs.

RCC programs are defined in COMAR 14.31.02.03B(13) as “a program of care provided in a residential setting by a provider on a 24-hour basis for longer than 24 hours to a child or children unless otherwise provided by State law.”

CPA programs, previously called “treatment foster care”, are defined in COMAR 07.02.21.03B(17) as a 24-hour substitute care program, operated by a licensed child placement agency or local department of social services, for children with serious emotional, behavioral, medical, or psychological condition.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 16-S-MOD (Cont.)

The following list details the three categories of foster care services for the renewal options/modifications:

<u>Type of Services</u>	<u># of Clients</u>	<u># of Contracts</u>	<u>One Year Award Amounts</u>
RCC.....	2,007	99	\$148,771,763
CPA.....	3,324	52	\$159,868,213
NRCC.....	<u>12</u>	<u>1</u>	<u>\$ 561,792</u>
Total Combined.....	5,343	152	\$309,201,768

The details are as follows:

- 26 RCC provider/contracts are not being renewed;
- 99 RCC provider/contracts have renewal options being exercised;
- 18 RCC provider/contracts are being modified to increase or decrease number of beds;
- 23 RCC provider/contracts are being modified to add the 5% MBE participation goals;
- 52 CPA provider/contracts have renewal options being exercised;
- 36 CPA provider/contracts are being modified to add the 5% MBE participation goals;
- 7 CPA provider/contracts are being modified to increase or decrease number of beds;
- and
- 1 NRCC provider/contract has a renewal option being exercised.

(These details may apply to more than one contract and will not add up to the exact number of contracts stated above.)

The total combined amount of \$309,201,768 for the options/modifications assumes that each bed purchased will be occupied by a child for the full year of the renewal options. These are reimbursement contracts. The vendors are paid solely for the actual children placed with them during the year, and then only for the actual number of days each child is with the vendor.

The amounts listed for the renewal options/modifications (Mod#2) are actual amounts for the one-year period versus the estimated amounts for the base period. In the past, there was a 6.5% adjustment added to the base amount of the contract because the Interagency Rates Committee (IRC) did not release the rates until late June. The IRC took a 1% reduction in January 2009 on all group home providers. There will not be a rate increase for FY 2010; therefore, all rates are actual rates for the contracts for this FY 2010 period.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 16-S-MOD (Cont.)

The State Finance and Procurement article Section 13-106 and COMAR 21.14.01.04 (Non-Competitive Negotiated Procurement of Human, Social or Educational Services) provide for procuring certain human, social and educational services through a non-competitive negotiation process. The service providers in this request were obtained through this non-competitive negotiation process.

The Governor's Office For Children (GOC) is the single point of entry for private providers interested in supplying care under approved negotiated rates for youth of the various State agencies. These providers have rates that have been approved by the Interagency Rates Committee.

Procurement with these service providers has complied with the requirements for Non-Competitive Negotiated Procurement of Human, Social or Educational Services. In accordance with COMAR 21.14.01.04, below are reasons for this method of procurement:

1. The procurement is to obtain group foster care and therapeutic services for children and adolescents under a negotiated system adopted by regulation (COMAR 21.14.01.04(2) (b) and (c) (iii)).
2. The services are for residential and treatment foster care (now CPA) and the licensing standards are found in COMAR 07.02.11, 07.02.13, 07.02.21 and 07.02.23.
3. Neither DHR nor GOC has the facilities or personnel to provide these types of service for the 5,343 youth committed to DHR to be served under these contracts. Therefore, it is in the best interest of the State that DHR contract for these services.

Providers with 25 or more beds have now agreed to a 5% MBE participation goal. RCC providers will apply the 5% MBE goal to the total contract amount; however, CPA providers will apply the 5% MBE goal to its administrative costs only. CPA providers make direct payments to foster parents.

At the same time as exercising the renewal options, the Department was implementing its Place Matters initiative designed to ensure that the children committed to its care are in the most appropriate, least restrictive and most proximate settings. As the Department right-sized its system, it has been determined that for future procurements the Department will procure foster care services through a competitive process.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 16-S-MOD (Cont.)

The Department is implementing the available renewal options for these contracts at this time instead of a new procurement because there is not enough time available to complete a new procurement before the end of the base terms of the contracts and because the rates for these contracts are set by the Interagency Rates Committee located in the Maryland State Department of Education; thus, there is no procurement method for obtaining a better price for these services. In addition, as noted above, a 1% reduction in payment rates was already implemented in January 2009.

While it is not possible within the procurement process to obtain a better price for these services, the Department did seek to renew contracts with quality providers. In determining which of these contracts to renew or/and modify, the Department established a quality rating system that included ratings on adherence to regulatory and contract requirements, as well as ratings from the Local Departments of Social Services that had experience with the providers. As a result, the Department chose not to exercise the renewal option for low-rated providers.

FUND SOURCE:	66% General; 34% Federal (Title IV-E)
APPROP. CODE:	N00G0001
RESIDENT BUSINESS:	Yes for all
MD TAX CLEARANCE:	See Attachment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ³	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ³	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC-09-003 Akoma, Inc. Lanham, MD N00B0400067 09-1662-0110	6			6	\$437,160.00		\$423,030.00		\$423,030.00	\$860,190.00	0.00%	0.00%
SSA/RCC09-005 All That Matters, Inc. Foundation Fort Washington, MD N00B0400067 09-0346-0110	6	8		14	\$627,528.00	\$286,283.00 (BPW approved)	\$1,361,122.00		\$1,361,122.00	\$2,274,933.00	0.00%	45.62%
SSA/RCC 09-007 Aries Residential Services, Inc. Baltimore, MD N00B0400067 09-0348-0111	6			6	\$397,740.00		\$383,874.00		\$383,874.00	\$781,614.00	0.00%	0.00%
SSA/RCC 09-008 Associated Catholic Charities, Inc. ^ Timonium, MD N00B0400037 09-0349-1110	102	(8)		94	\$10,163,002.00	(\$1,099,794.00) (BPW approved)	\$8,879,366.00		\$8,879,366.00	\$17,942,574.00	0.00%	-10.82%
SSA/RCC 09-009 (1) AT & T Counseling Consultants, Inc. ** Baltimore, MD	11		(11)	0	\$678,766.00				\$0.00	\$678,766.00	0.00%	0.00%
SSA/RCC 09-010 Aunt Hattie's Place, Inc. Baltimore, MD N00B0400067 09-0351-0110	18			18	\$1,401,048.00		\$1,355,778.00		\$1,355,778.00	\$2,756,826.00	0.00%	0.00%
SSA/RCC 09-012 Bay Shore Services, Inc.* Salisbury, MD N00B0400067 09-0352-1110	3			3	\$211,530.00		\$208,524.00		\$208,524.00	\$420,054.00	0.00%	0.00%
SSA/RCC 09-016 Board of Child Care of the United Methodist Church, Inc. ^ Baltimore, MD N00B0400028 09-1107-0110	136			136	\$12,000,838.00		\$11,623,398.00		\$11,623,398.00	\$23,624,236.00	0.00%	0.00%
SSA/RCC 09-017 Boyz II Men Youth Program, Inc. Fort Washington, MD N00B0400067 09-0355-0110	6		(1)	5	\$383,988.00		\$370,044.00	(\$61,674.00)	\$308,370.00	\$692,358.00	-16.06%	-16.06%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT/MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-018 Brook Lane Health Services, Inc. ^ Hagerstown, MD N00B0400035 09-0356-1110	27			27	\$367,983.00		\$356,076.00		\$356,076.00	\$724,059.00	0.00%	0.00%
SSA/RCC 09-021 Center for Social Change, Inc.* Elkridge, MD N00B0400067 09-0359-0110	10			10	\$1,222,410.00		\$1,167,285.00		\$1,167,285.00	\$2,389,695.00	0.00%	0.00%
SSA/RCC09-022 Challengers Independent Living, Inc. Baltimore, MD N00B0400067 09-0360-0110	5		7	12	\$358,860.00		\$344,750.00	\$482,650.00	\$827,400.00	\$1,186,260.00	134.50%	134.50%
SSA/RCC 09-023 Changing Lives at Home, Inc. Baltimore, MD N00B0400067 09-0361-0110	5			5	\$353,165.00		\$351,340.00		\$351,340.00	\$704,505.00	0.00%	0.00%
SSA/RCC 09-025 Children's Resources, Inc. ^ Hagerstown, MD N00B0400038 09-0362-0110	47			47	\$2,328,446.00		\$2,242,874.00		\$2,242,874.00	\$4,571,320.00	0.00%	0.00%
SSA/RCC 09-026 CIS & H, Inc. Upper Marlboro, MD N00B0400067 09-0363-0111	12			12	\$1,079,196.00		\$1,103,352.00		\$1,103,352.00	\$2,182,548.00	0.00%	0.00%
SSA/RCC-09-028 Compassion, Inc. Abingdon, MD N00B0400067 09-0364-0110	4		6	10	\$274,920.00		\$246,716.00	\$370,074.00	\$616,790.00	\$891,710.00	134.61%	134.61%
SSA/RCC-09-033 Devine Interventions, Inc. Baltimore, MD N00B0400067 09-1110-0111	5			5	\$359,315.00		\$361,805.00		\$361,805.00	\$721,120.00	0.00%	0.00%
SSA/RCC 09-034 Dream Keepers, Inc. Parkville, MD N00B0400067 09-0368-0110	15			15	\$1,031,715.00		\$990,900.00		\$990,900.00	\$2,022,615.00	0.00%	0.00%
SSA/RCC 09-035 F&N Children's Youth Homes, Inc. Silver Spring, MD N00B0400067 09-0369-0000	5			5	\$315,795.00		\$324,715.00		\$324,715.00	\$640,510.00	0.00%	0.00%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-036 (2) Family Solutions, Inc. ** Takoma Park, MD	5		(5)	0	\$380,440.00				\$0.00	\$380,440.00	0.00%	0.00%
SSA/RCC 09-037 First Metropolitan Facilities, Inc. Suitland, MD N00B0400067 08-0709-0111	21			21	\$1,552,566.00		\$1,467,024.00		\$1,467,024.00	\$3,019,590.00	0.00%	0.00%
SSA/RCC 09-039 Franklin Group Homes, Inc. Randallstown, MD N00B0400067 08-1005-0110	20		(10)	10	\$1,576,960.00		\$1,529,200.00	(\$764,600.00)	\$764,600.00	\$2,341,560.00	-48.49%	-48.49%
SSA/RCC 09-041 (3) Genesis Family Home for Youth, Inc. ** Baltimore, MD	8		(8)	0	\$679,712.00				\$0.00	\$679,712.00	0.00%	0.00%
SSA/RCC 09-042 Goliven Group Home, Inc. Catonsville, MD N00B0400067 08-0711-0001	6			6	\$421,488.00		\$415,632.00		\$415,632.00	\$837,120.00	0.00%	0.00%
SSA/RCC 09-043 Good Children In the Making, Inc. Bowie, MD N00B0400067 08-0712-0111	7			7	\$505,141.00		\$474,320.00		\$474,320.00	\$979,461.00	0.00%	0.00%
SSA/RCC 09-044 (4) Graceville Group Home, Inc. ** Baltimore, MD	8		(8)	0	\$534,056.00				\$0.00	\$534,056.00	0.00%	0.00%
SSA/RCC 09-045 Great Esteem, Inc. Odenton, MD N00B0400067 08-0714-0110	8			8	\$550,224.00		\$531,816.00		\$531,816.00	\$1,082,040.00	0.00%	0.00%
SSA/RCC 09-046 GUIDE Program, Inc.* Laurel, MD N00B0400067 09-0377-0110	12			12	\$1,186,272.00		\$1,102,740.00		\$1,102,740.00	\$2,289,012.00	0.00%	0.00%
SSA/RCC 09-047 Hearts and Homes for Youth, Inc. ^ Silver Spring, MD N00B0400017 09-0378-0110	68			68	\$5,425,578.00		\$5,330,184.00		\$5,330,184.00	\$10,755,762.00	0.00%	0.00%

100

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-048 Hebron Association For Community Services, Inc. Silver Spring, MD N00B0400067 09-0379-0111	10			10	\$648,800.00		\$603,110.00		\$603,110.00	\$1,251,910.00	0.00%	0.00%
SSA/RCC-09-050 Holy Care Foundation, Inc. West Lanham, MD N00B0400067 09-1809-0110	22		(6)	16	\$2,107,984.00		\$1,949,124.00	(\$425,850.00)	\$1,523,274.00	\$3,631,258.00	-20.20%	-20.20%
SSA/RCC 09-052 (5) Ideal Family Residential Services, Inc. ** Baltimore, MD	6		(6)	0	\$414,960.00				\$0.00	\$414,960.00	0.00%	0.00%
SSA/RCC 09-053 (6) Inclusive Residential Services, Inc. ** Baltimore, MD	6		(6)	0	\$434,580.00				\$0.00	\$434,580.00	0.00%	0.00%
SSA/RCC-09-055 Inspiring Minds, Inc. Windsor Mill, MD N00B0400067 09-0382-0110	4			4	\$270,504.00		\$266,308.00		\$266,308.00	\$536,812.00	0.00%	0.00%
SSA/RCC 09-056 JS Social Services, Inc. Odenton, MD N00B0400067 09-0383-0110	9			9	\$666,144.00		\$619,236.00		\$619,236.00	\$1,285,380.00	0.00%	0.00%
SSA/RCC 09-057 Jumoke, Inc. Baltimore, MD N00B0400067 09-0384-0111	15			15	\$1,058,640.00		\$1,006,545.00		\$1,006,545.00	\$2,065,185.00	0.00%	0.00%
SSA/RCC 09-060 Knowledge Empowers You To Succeed, Inc. Baltimore, MD N00B0400067 09-0387-0111	8			8	\$532,336.00		\$537,136.00		\$537,136.00	\$1,069,472.00	0.00%	0.00%
SSA/RCC 09-062 Lifeline, Inc. Laurel, MD N00B0400067 09-1736-0111	9			9	\$1,155,951.00		\$1,303,515.00		\$1,303,515.00	\$2,459,466.00	0.00%	0.00%
SSA/RCC 09-069 Maryland Sheriffs' Youth Ranch, Inc. ^ Buckeystown, MD N00B0400006 09-0393-0110	28			28	\$1,984,724.00		\$1,920,660.00		\$1,920,660.00	\$3,905,384.00	0.00%	0.00%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT/MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC-09-071 McJoy's Joy Covenant, Inc. Baltimore, MD N00B0400067 09-0394-0111	8			8	\$563,528.00		\$546,688.00		\$546,688.00	\$1,110,216.00	0.00%	0.00%
SSA/RCC 09-075 Mosaic Community Services, Inc.* ^ Timonium, MD N00B0400008 09-0396-0110	28			28	\$2,508,848.00		\$2,433,988.00		\$2,433,988.00	\$4,942,836.00	0.00%	0.00%
SSA/RCC 09-076 Mumsey's Residential Care, Inc. Baltimore, MD N00B0400067 09-0397-0000	5			5	\$321,630.00		\$327,370.00		\$327,370.00	\$649,000.00	0.00%	0.00%
SSA/RCC 09-077 My Sister's House, Inc. Temple Hills, MD N00B0400067 09-0398-0110	5			5	\$470,305.00		\$437,185.00		\$437,185.00	\$907,490.00	0.00%	0.00%
SSA/RCC 09-078 National Center on Institutions and Alternatives, Inc. Baltimore, MD N00B0400067 09-0399-0110	15			15	\$1,448,595.00		\$1,346,580.00		\$1,346,580.00	\$2,795,175.00	0.00%	0.00%
SSA/RCC 09-079 National Residential Services, Inc. Silver Spring, MD N00B0400067 09-0100-0111	14			14	\$958,048.00		\$956,102.00		\$956,102.00	\$1,914,150.00	0.00%	0.00%
SSA/RCC-09-080 National Youth Ministries Alliance Bowie, MD N00B0400067 09-0401-0110	3			3	\$205,503.00		\$193,161.00		\$193,161.00	\$398,664.00	0.00%	0.00%
SSA/RCC 09-104 (7) Offsprings, Inc. ** Baltimore, MD	6		(6)	0	\$395,376.00				\$0.00	\$395,376.00	0.00%	0.00%
SSA/RCC 09-107 REM Maryland, Inc. ^ Baltimore, MD N00B0400059 09-0406-0001	28			28	\$2,834,768.00		\$2,826,852.00		\$2,826,852.00	\$5,661,620.00	0.00%	0.00%
SSA/RCC 09-108 Rolling Vista Place, Inc. Baltimore, MD N00B0400067 09-0407-0111	8			8	\$561,296.00		\$532,616.00		\$532,616.00	\$1,093,912.00	0.00%	0.00%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT/MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-110 San Mar Children's Home, Inc. ^ Boonsboro, MD N00B0400047 09-0408-0110	44		(7)	37	\$3,264,770.00		\$3,148,125.00	(\$519,155.00)	\$2,628,970.00	\$5,893,740.00	-15.90%	-15.90%
SSA/RCC 09-111 Sarah's House, Inc. Baltimore, MD N00B0400067 09-0409-0110	10		1	11	\$682,560.00		\$736,470.00	\$73,647.00	\$810,117.00	\$1,492,677.00	10.79%	10.79%
SSA/RCC-09-112 Second Chance Services Unlimited, Inc. ^ Springdale, MD N00B0400009 09-0410-0110	30			30	\$4,347,510.00		\$4,041,330.00		\$4,041,330.00	\$8,388,840.00	0.00%	0.00%
SSA/RCC 09-114 (8) Self Pride, Inc. ** Baltimore, MD	5		(5)	0	\$351,970.00				\$0.00	\$351,970.00	0.00%	0.00%
SSA/RCC 09-116 Shorehaven, Inc. Elkton, MD N00B0400067 09-0413-0111	20			20	\$1,710,960.00		\$2,121,180.00		\$2,121,180.00	\$3,832,140.00	0.00%	0.00%
SSA/RCC 09-117 House of the Good Shepherd of the City of Baltimore ^ Baltimore, MD N00B0400067 09-0414-0110	41			41	\$1,894,651.00		\$2,701,572.00		\$2,701,572.00	\$4,596,223.00	0.00%	0.00%
SSA/RCC 09-119 Starflight Enterprises, Inc.* Elkridge, MD N00B0400067 09-0416-0111	32		(14)	18	\$2,308,160.00		\$2,508,864.00	(\$1,097,628.00)	\$1,411,236.00	\$3,719,396.00	-47.55%	-47.55%
SSA/RCC 09-123 The Arrow Project of Maryland ^ Baltimore, MD N00B0400010 09-0420-0110	63			63	\$6,527,583.00		\$6,349,977.00		\$6,349,977.00	\$12,877,560.00	0.00%	0.00%
SSA/RCC 09-124 (9) The Boys Home Society of Baltimore, Inc. ** Baltimore, MD	18		(18)	0	\$1,141,002.00				\$0.00	\$1,141,002.00	0.00%	0.00%
SSA/RCC 09-125 The Brotherhood and Sisterhood International (BST)/ Blacks and Whites Uniting Communities Silver Spring, MD N00B0400067 09-0422-0110	6			6	\$671,988.00		\$624,660.00		\$624,660.00	\$1,296,648.00	0.00%	0.00%

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CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

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Residential Child Care												
SSA/RCC 09-127 The Children's Home, Inc. ^ Catonsville, MD N00B0400049 09-0424-0110	80			80	\$7,017,200.00		\$6,638,000.00		\$6,638,000.00	\$13,655,200.00	0.00%	0.00%
SSA/RCC 09-129 The Florence Crittenton Services of Baltimore, Inc. ^ Baltimore, MD N00B0400011 09-0425-0110	58		(4)	54	\$3,281,564.00		\$3,280,560.00	(\$290,148.00)	\$2,990,412.00	\$6,271,976.00	-8.84%	-8.84%
SSA/RCC 09-130 The Jentry McDonald Corporation Baltimore, MD N00B0400067 09-0426-0110	29		(14)	15	\$1,589,954.00		\$1,569,654.00	(\$757,764.00)	\$811,890.00	\$2,401,844.00	-47.66%	-47.66%
SSA/RCC 09-132 The Maryland Salem Children's Trust, Inc. ^ Frostburg, MD N00B0400052 09-0428-0110	40			40	\$2,623,696.00		\$2,539,232.00		\$2,539,232.00	\$5,162,928.00	0.00%	0.00%
SSA/RCC 09-133 The National Center for Children and Families, Inc. ^ Bethesda, MD N00B0400013 09-1577-0110	40			40	\$2,078,200.00		\$2,011,060.00		\$2,011,060.00	\$4,089,260.00	0.00%	0.00%
SSA/RCC 09-135 The Place for Children, Inc. Owings Mills, MD N00B0400067 09-0430-0110	12			12	\$938,052.00		\$877,524.00		\$877,524.00	\$1,815,576.00	0.00%	0.00%
SSA/RCC-09-136 (10) The Woolford House, Inc. ** Baltimore, MD	12		(12)	0	\$867,444.00				\$0.00	\$867,444.00	0.00%	0.00%
SSA/RCC 09-138 Transformations, Inc. Owings Mills, MD N00B0400067 09-0433-0111	10			10	\$819,860.00		\$793,370.00		\$793,370.00	\$1,613,230.00	0.00%	0.00%
SSA/RCC 09-141 Trivisions, Inc. Temple Hills, MD N00B0400067 09-1365-0110	14			14	\$920,990.00		\$474,341.00		\$474,341.00	\$1,395,331.00	0.00%	0.00%
SSA/RCC 09-145 United States Fellowship, Inc. ^ Annapolis, MD N00B0400014 09-0437-0110	42			42	\$2,725,848.00		\$2,650,652.00		\$2,650,652.00	\$5,376,500.00	0.00%	0.00%

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ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

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Residential Child Care												
SSA/RCC 09-146 (11) W.E. Youth Services, Inc. ** Baltimore, MD	5		(5)	0	\$288,735.00				\$0.00	\$288,735.00	0.00%	0.00%
SSA/RCC 09-150 Williams Life Center, Inc. Upper Marlboro, MD N00B0400067 09-0441-0110	16			16	\$1,156,416.00		\$1,138,496.00		\$1,138,496.00	\$2,294,912.00	0.00%	0.00%
SSA/RCC 09-151 Woodbourne Center, Inc. ^ Baltimore, MD N00B0400015 09-0442-0110	60		(29)	31	\$5,918,865.00		\$5,710,800.00	(\$3,261,949.00)	\$2,448,851.00	\$8,367,716.00	-55.11%	-55.11%
SSA/RCC 09-154 Youth Enterprise Services, Inc. Baltimore, MD N00B0400067 09-0444-0110	22			22	\$1,573,330.00		\$818,772.00		\$818,772.00	\$2,392,102.00	0.00%	0.00%
SSA/RCC 09-155 Youth Vision, Inc. Lanham, MD N00B0400067 09-1721-0110	6			6	\$435,588.00		\$404,916.00		\$404,916.00	\$840,504.00	0.00%	0.00%
SSA/RCC 09-001 (12) A New World, Inc. ** Baltimore, MD	6		(6)	0	\$394,338.00				\$0.00	\$394,338.00	0.00%	0.00%
SSA/RCC 09-002 Adventist HealthCare, Inc. ^ Rockville, MD N00B0400030 09-0344-1110	28			28	\$2,823,252.00		\$2,678,964.00		\$2,678,964.00	\$5,502,216.00	0.00%	0.00%
SSA/RCC 09-004 All That Matter's, Inc. Suitland, MD N00B0400062 09-0345-0111	8			8	\$623,120.00		\$603,720.00		\$603,720.00	\$1,226,840.00	0.00%	0.00%
SSA/RCC 09-006 Alternatives for Youth and Families, Inc. Charlotte Hall, MD N00B0400062 09-0347-0110	16			16	\$1,398,920.00		\$1,338,312.00		\$1,338,312.00	\$2,737,232.00	0.00%	0.00%
SSA/RCC 09-013 (13) A New World, Inc. ** Baltimore, MD	10		(10)	0	\$709,670.00				\$0.00	\$709,670.00	0.00%	0.00%

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CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

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Residential Child Care												
SSA/RCC 09-013 (14) Be Our Guest, Ltd. ** Pikesville, MD	9		(9)	0	\$919,450.00				\$0.00	\$919,450.00	0.00%	0.00%
SSA/RCC 09-014 The Benedictine School for Exceptional Children, Inc. ^ Ridgely, MD N00B0400062 09-0354-1110	95			95	\$2,283,927.00		\$2,133,445.00		\$2,133,445.00	\$4,417,372.00	0.00%	0.00%
SSA/RCC 09-015 (15) Bishop-Bush Homecare, Inc. ** Clinton, MD	4		(4)	0	\$239,624.00				\$0.00	\$239,624.00	0.00%	0.00%
SSA/RCC 09-019 Care With Class, Inc. Baltimore, MD N00B0400062 09-0357-0111	6			6	\$411,012.00		\$419,760.00		\$419,760.00	\$830,772.00	0.00%	0.00%
SSA/RCC 09-020 Cedar Ridge Children's Home & School, Inc. ^ Williamsport, MD N00B0400036 09-0358-0110	64			64	\$3,183,140.00		\$3,032,258.00		\$3,032,258.00	\$6,215,398.00	0.00%	0.00%
SSA/RCC 09-024 (16) CHEO Group Home For Boys, Inc. ** Baltimore, MD	24		(24)	0	\$1,760,508.00				\$0.00	\$1,760,508.00	0.00%	0.00%
SSA/RCC 09-027 Comfort Homes, Inc. Blandensburg, MD N00B0400062 09-1781-0111	10		(4)	6	\$726,050.00		\$688,720.00	(\$275,488.00)	\$413,232.00	\$1,139,282.00	-37.94%	-37.94%
SSA/RCC 09-029 Creative Options, Inc. Middle River, MD N00B0400062 09-0365-0110	10			10	\$844,550.00		\$817,260.00		\$817,260.00	\$1,661,810.00	0.00%	0.00%
SSA/RCC 09-030 Community Services for Autistic Adults and Children, Inc. Montgomery Village, MD N00B0400062 09-0366-0110	4			4	\$295,596.00		\$375,396.00		\$375,396.00	\$670,992.00	0.00%	0.00%
SSA/RCC 09-031 Dahsi Paradise Home, Inc. Baltimore, MD N00B0400062 09-1160-0110	8			8	\$532,832.00		\$498,872.00		\$498,872.00	\$1,031,704.00	0.00%	0.00%

106

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

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Residential Child Care												
SSA/RCC 09-032 Day By Day Residential Services, Inc. Owings Mills, MD N00B0400062 09-0367-0111	6			6	\$413,382.00		\$403,362.00		\$403,362.00	\$816,744.00	0.00%	0.00%
SSA/RCC 09-038 (17) For Youth Enterprise, Inc. ** Capitol Heights, MD	10		(10)	0	\$754,690.00				\$0.00	\$754,690.00	0.00%	0.00%
SSA/RCC 09-040 (18) Gallant Youth Resource, Inc. ** Parkville, MD	6		(6)	0	\$424,422.00				\$0.00	\$424,422.00	0.00%	0.00%
SSA/RCC 09-049 (19) Her Place, Inc. ** Baltimore, MD	4		(4)	0	\$290,636.00				\$0.00	\$290,636.00	0.00%	0.00%
SSA/RCC 09-054 Inner County Outreach, Inc. Aberdeen, MD N00B0400062 09-0381-0110	12			12	\$802,332.00		\$740,904.00		\$740,904.00	\$1,543,236.00	0.00%	0.00%
SSA/RCC 09-058 (20) Kent Youth, Inc. ** Chestertown, MD	7		(7)	0	\$497,868.00				\$0.00	\$497,868.00	0.00%	0.00%
SSA/RCC 09-059 KHI Services, Inc. Germantown, MD N00B0400062 09-0386-0110	4			4	\$406,128.00		\$414,772.00		\$414,772.00	\$820,900.00	0.00%	0.00%
SSA/RCC 09-061 Lazarus House, Inc. Catonsville, MD N00B0400062 09-1108-0111	5			5	\$354,085.00		\$351,870.00		\$351,870.00	\$705,955.00	0.00%	0.00%
SSA/RCC 09-063 Linwood Center, Inc. Ellicott City, MD N00B0400062 09-0388-1110	8		3	11	\$535,136.00		\$605,936.00	\$227,223.00	\$833,159.00	\$1,368,295.00	42.46%	42.46%
SSA/RCC 09-064 (21) Living On Our Own, Inc. ** Baltimore, MD	4		(4)	0	\$276,516.00				\$0.00	\$276,516.00	0.00%	0.00%

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Residential Child Care												
SSA/RCC 09-065 Making A Great Individual Contribution, Inc. Baltimore, MD N00B0400062 09-0389-0110	13			13	\$756,275.00		\$888,446.00		\$888,446.00	\$1,644,721.00	0.00%	0.00%
SSA/RCC 09-066 Maple Shade Youth & Family Services, Inc. * Mardela Springs, MD N00B0400062 09-0390-0110	20			20	\$2,062,687.00		\$1,395,933.00		\$1,395,933.00	\$3,458,620.00	0.00%	0.00%
SSA/RCC 09-067 Marlene B. Vinson Home of New Beginnings, Inc. Randallstown, MD N00B0400062 09-0391-0110	16			16	\$1,120,024.00		\$1,081,108.00		\$1,081,108.00	\$2,201,132.00	0.00%	0.00%
SSA/RCC 09-068 (22) Mary Elizabeth Lange Center, Inc. ** Baltimore, MD	20		(20)	0	\$1,097,480.00				\$0.00	\$1,097,480.00	0.00%	0.00%
SSA/RCC 09-074 Mom-Mom's Place, Inc. Baltimore, MD N00B0400062 09-0395-0111	6		6	12	\$390,648.00		\$400,482.00	\$400,482.00	\$800,964.00	\$1,191,612.00	102.52%	102.52%
SSA/RCC 09-103 North American Family Institute, Inc. ^ Danvers, MA N00B0400062 09-0402-0110	27		(15)	12	\$2,022,957.00		\$1,963,008.00	-\$1,090,560.00	\$872,448.00	\$2,895,405.00	-53.91%	-53.91%
SSA/RCC 09-105 Our Fortress Homes, Inc. Baltimore, MD N00B0400062 09-0404-0110	14			14	\$1,292,840.00		\$1,267,336.00		\$1,267,336.00	\$2,560,176.00	0.00%	0.00%
SSA/RCC 09-106 Our House, Inc. Brookeville, MD N00B0400062 09-0405-0110	16			16	\$984,240.00		\$963,904.00		\$963,904.00	\$1,948,144.00	0.00%	0.00%
SSA/RCC 09-109 (23) Student Achievers Future Entrepreneurs, Inc. (SAFE) ** Baltimore, MD	15		(15)	0	\$1,052,925.00				\$0.00	\$1,052,925.00	0.00%	0.00%
SSA/RCC 09-113 Second Family, Inc. Capitol Heights, MD N00B0400062 09-0411-0110	22			22	\$3,296,637.00		\$3,976,198.00		\$3,976,198.00	\$7,272,835.00	0.00%	0.00%

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Residential Child Care												
SSA/RCC 09-115 Sheppard Pratt Health System, Inc. * ^ Baltimore, MD N00B0400062 09-0412-1110	34		(14)	20	\$5,435,138.00		\$5,259,528.00	-\$3,093,840.00	\$2,165,688.00	\$7,600,826.00	-56.92%	-56.92%
SSA/RCC 09-118 St. Ann's Infant and Maternity Home ^ Hyattsville, MD N00B0400042 09-0415-0110	44		(19)	25	\$2,689,988.00		\$2,658,640.00	-\$1,080,368.00	\$1,578,272.00	\$4,268,260.00	-40.16%	-40.16%
SSA/RCC 09-120 Starrs Group Home, Inc. Baltimore, MD N00B0400062 09-0417-0110	6			6	\$390,378.00		\$362,886.00		\$362,886.00	\$753,264.00	0.00%	0.00%
SSA/RCC 09-121 Structures Youth Home, Inc. Dahlgreen, VA N00B0400062 09-0418-0010	15			15	\$957,255.00		\$889,845.00		\$889,845.00	\$1,847,100.00	0.00%	0.00%
SSA/RCC 09-122 The ARC of the Central Chesapeake Region, Inc. * Annapolis, MD N00B0400062 09-0419-0110	9			9	\$834,501.00		\$812,349.00		\$812,349.00	\$1,646,850.00	0.00%	0.00%
SSA/RCC 09-126 The Children's Guild, Inc. Baltimore, MD N00B0400062 09-0424-0110	24			24	\$2,363,496.00		\$2,304,720.00		\$2,304,720.00	\$4,668,216.00	0.00%	0.00%
SSA/RCC 09-131 The KOBA Institute, Inc. Silver Spring, MD N00B0400062 09-0427-0110	32		(8)	24	\$2,838,144.00		\$2,809,760.00	(\$702,440.00)	\$2,107,320.00	\$4,945,464.00	-24.75%	-24.75%
SSA/RCC 09-134 The Okojie Group, Inc. Baltimore, MD N00B0400062 09-0429-0000	6			6	\$409,254.00		\$394,152.00		\$394,152.00	\$803,406.00	0.00%	0.00%
SSA/RCC 09-137 (24) The Okojie Group, Inc. Baltimore, MD	8		(8)	0	\$207,072.00				\$0.00	\$207,072.00	0.00%	0.00%
SSA/RCC 09-139 Trimir Home for Children and Families, Inc. Lanham, MD N00B0400062 09-0434-0110	13			13	\$902,538.00		\$864,643.00		\$864,643.00	\$1,767,181.00	0.00%	0.00%

109

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Residential Child Care												
SSA/RCC 09-142 Tut's Inc. /a Tuttie's Place ^ Baltimore, MD N00B0400050 09-0435-0110	26		16	42	\$1,830,842.00		\$1,829,412.00	\$1,125,792.00	\$2,955,204.00	\$4,786,046.00	61.49%	61.49%
SSA/RCC 09-143 (25) United Alternative Care Associates, Inc. ** Calverton, MD	6		(6)	0	\$375,624.00				\$0.00	\$375,624.00	0.00%	0.00%
SSA/RCC 09-147 ARC of Washington County, Inc. * Hagerstown, MD N00B0400062 09-0439-1110	22			22	\$1,802,656.00		\$1,730,484.00		\$1,730,484.00	\$3,533,140.00	0.00%	0.00%
SSA/RCC 09-148 We Are The World, Inc. Baltimore, MD N00B0400062 09-0440-0110	6			6	\$415,050.00		\$401,082.00		\$401,082.00	\$816,132.00	0.00%	0.00%
SSA/RCC 09-149 (26) Where Angels Tread, Inc. ** Upper Marlboro, MD	8		(8)	0	\$569,712.00				\$0.00	\$569,712.00	0.00%	0.00%
SSA/RCC 09-152 YMCA Youth Center of Cumberland, MD Cumberland, MD N00B0400062 09-0443-1110	4			4	\$278,040.00		\$264,296.00		\$264,296.00	\$542,336.00	0.00%	0.00%
Total Residential Child Care Contracts	2,344	0	(337)	2,007	\$179,762,843.00	(\$813,511.00)	\$159,513,359.00	(\$10,741,596.00)	\$148,771,763.00	\$327,721,095.00	-5.98%	-6.43%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Child Placement Agency												
SSA/CPA 09-005 Board of Child Care of the United Methodist Church, Inc. ^ Baltimore, MD N00B0400054 09-0903-0110	27			27	\$1,253,286.00		\$1,242,999.00		\$1,242,999.00	\$2,496,285.00	0.00%	0.00%
SSA/CPA 09-014 Good Children in the Making, Inc. Bowie, MD N00B0400069 09-0911-0111	18			18	\$770,058.00		\$751,986.00		\$751,986.00	\$1,522,044.00	0.00%	0.00%
SSA/CPA 09-017 Jewish Family Services, Inc. Baltimore, MD N00B0400069 09-0914-1110	9			9	\$402,570.00		\$386,640.00		\$386,640.00	\$789,210.00	0.00%	0.00%
SSA/CPA 09-018 Jumoke, Inc. Baltimore, MD N00B0400069 09-0915-0111	15			15	\$647,295.00		\$631,845.00		\$631,845.00	\$1,279,140.00	0.00%	0.00%
SSA/CPA 09-021 King Edwards, Inc. Baltimore, MD N00B0400062 08-0936-0110	30			30	\$1,372,410.00		\$1,287,600.00		\$1,287,600.00	\$2,660,010.00	0.00%	0.00%
SSA/CPA 09-024 Mentor Maryland, Inc. ^ Baltimore, MD N00B0400041 09-0920-0001	440			440	\$26,910,220.00		\$25,852,645.00		\$25,852,645.00	\$52,762,865.00	0.00%	0.00%
SSA/CPA 09-025 Mosaic Community Services, Inc. Timonium, MD N00B0400069 09-0921-0110	12			12	\$531,384.00		\$514,260.00		\$514,260.00	\$1,045,644.00	0.00%	0.00%
SSA/CPA 09-026 Neighbor to Family, Inc. ^ Baltimore, MD N00B0400056 09-0922-0110	95			95	\$4,795,220.00		\$4,324,210.00		\$4,324,210.00	\$9,119,430.00	0.00%	0.00%
SSA/CPA 09-027 New Pathways, Inc. Baltimore, MD N00B0400069 09-0923-0110	87		(5)	82	\$4,381,839.00		\$4,376,040.00	(\$221,000.00)	\$4,155,040.00	\$8,536,879.00	-5.04%	-5.04%
SSA/CPA 09-029 Phillips Programs Annandale, VA N00B0400069 09-0924-1010	10			10	\$419,780.00		\$410,320.00		\$410,320.00	\$830,100.00	0.00%	0.00%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Child Placement Agency												
SSA/CPA 09-031 Progressive Horizons, Inc. ^ Baltimore, MD N00B0400016 09-0926-0110	30			30	\$999,990.00		\$944,790.00		\$944,790.00	\$1,944,780.00	0.00%	0.00%
SSA/CPA 09-032 Progressive Life Center, Inc. ^ Washington, DC N00B0400051 09-0927-0110	66			66	\$3,124,110.00		\$3,033,426.00		\$3,033,426.00	\$6,157,536.00	0.00%	0.00%
SSA/CPA 09-033 PSI Services III, Inc. ^ Bethesda, MD N00B0400026 09-1478-0110	68		5	73	\$3,541,324.00		\$3,474,772.00	\$312,965.00	\$3,787,737.00	\$7,329,061.00	8.84%	8.84%
SSA/CPA 09-034 Residential Care, Inc. Baltimore, MD N00B0400032 09-0928-0011	96			96	\$4,726,560.00		\$4,620,096.00		\$4,620,096.00	\$9,346,656.00	0.00%	0.00%
SSA/CPA 09-035 San Mar Children's Home, Inc. ^ Boonsboro, MD N00B0400043 09-0929-0110	35		5	40	\$1,524,460.00		\$1,421,350.00	\$203,050.00	\$1,624,400.00	\$3,148,860.00	13.32%	13.32%
SSA/CPA 09-038 The ARC of Baltimore, Inc. ^ Baltimore, MD N00B0400019 09-0932-1110	110			110	\$5,015,230.00		\$4,785,660.00		\$4,785,660.00	\$9,800,890.00	0.00%	0.00%
SSA/CPA 09-039 The Arc Northern Chesapeake Region, Inc.* ^ Aberdeen, MD N00B0400018 09-0933-0110	40			40	\$1,789,560.00		\$1,801,880.00		\$1,801,880.00	\$3,591,440.00	0.00%	0.00%
SSA/CPA 09-040 The Arrow Project of Maryland ^ Baltimore, MD N00B0400023 09-0934-0110	120			120	\$4,782,000.00		\$4,406,280.00		\$4,406,280.00	\$9,188,280.00	0.00%	0.00%
SSA/CPA 09-042 The Children's Guild, Inc. ^ Baltimore, MD N00B0400034 09-0936-1110	60			60	\$3,261,840.00		\$3,307,380.00		\$3,307,380.00	\$6,569,220.00	0.00%	0.00%
SSA/CPA 09-043 The Children's Home, Inc. ^ Catonsville, MD N00B0400025 09-0937-0110	45		(5)	40	\$2,214,990.00		\$2,165,085.00	(\$240,565.00)	\$1,924,520.00	\$4,139,510.00	-10.86%	-10.86%

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT/MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Child Placement Agency												
SSA/CPA 09-044 The Martin Pollak Project, Inc.* ^ Baltimore, MD N00B0400065 09-0938-0110	90	20		110	\$4,307,870.00	\$549,481.00 (BPW approved)	\$5,393,360.00		\$5,393,360.00	\$10,250,711.00	0.00%	12.76%
SSA/CPA 09-046 The National Center for Children and Families ^ Bethesda, MD N00B0400060 09-1577-0110	51			51	\$2,671,689.00		\$2,568,894.00		\$2,568,894.00	\$5,240,583.00	0.00%	0.00%
SSA/CPA 09-047 Transition Living Services, Inc. Hyattsville, MD N00B0400069 09-0939-0110	25			25	\$956,625.00		\$898,250.00		\$898,250.00	\$1,854,875.00	0.00%	0.00%
SSA/CPA 09-048 Umbrella Therapeutic Services, Inc. Lanham, MD N00B0400069 09-0940-0111	20			20	\$736,140.00		\$702,460.00		\$702,460.00	\$1,438,600.00	0.00%	0.00%
SSA/CPA 09-050 WIN Family Services, Inc. ^ Baltimore, MD N00B0400024 09-0942-0110	95			95	\$6,305,720.00		\$5,920,875.00		\$5,920,875.00	\$12,226,595.00	0.00%	0.00%
SSA/CPA 09-051 Williams Life Center, Inc. ^ Largo, MD N00B0400021 09-0943-0110	25			25	\$1,115,450.00		\$1,093,925.00		\$1,093,925.00	\$2,209,375.00	0.00%	0.00%
SSA/CPA 09-053 Seraaj Family Homes, Inc. ^ Montgomery, AL N00B0400046 09-0945-0111	30			30	\$1,373,010.00		\$1,350,270.00		\$1,350,270.00	\$2,723,280.00	0.00%	0.00%
SSA/CPA 09-054 Between Friends, Inc. ^ Baltimore, MD N00B0400064 09-0946-0110	30			30	\$1,306,470.00		\$1,306,470.00		\$1,306,470.00	\$2,612,940.00	0.00%	0.00%
SSA/CPA 09-001 Alternatives for Youth and Families, Inc. ^ Charlotte Hall, MD N00B0400068 09-0899-0110	40			40	\$1,767,011.00		\$1,758,314.00		\$1,758,314.00	\$3,525,325.00	0.00%	0.00%
SSA/CPA 09-002 Associated Catholic Charities, Inc. ^ Timonium, MD N00B0400029 09-0900-0110	105			105	\$5,074,932.00		\$4,995,201.00		\$4,995,201.00	\$10,070,133.00	0.00%	0.00%

113

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Child Placement Agency												
SSA/CPA 09-003 Baltimore Adolescent Treatment and Guidance Org. Inc. Baltimore, MD N00B0400070 09-0901-0110	24			24	\$1,188,648.00		\$1,133,808.00		\$1,133,808.00	\$2,322,456.00	0.00%	0.00%
SSA/CPA 09-004 Baptist Family & Children's Services of Maryland, Inc. ^ Columbia, MD N00B0400058 09-0902-0110	60			60	\$3,061,020.00		\$2,992,020.00		\$2,992,020.00	\$6,053,040.00	0.00%	0.00%
SSA/CPA 09-006 Casey Family Services ^ New Haven, CT N00B0400040 09-0904-0110	12		15	27	\$804,780.00		\$784,500.00	\$980,625.00	\$1,765,125.00	\$2,569,905.00	121.85%	121.85%
SSA/CPA 09-007 Catholic Charities of the Archdiocese of Washington, DC Washington, DC N00B0400070 09-0905-0110	24			24	\$894,312.00		\$978,360.00		\$978,360.00	\$1,872,672.00	0.00%	0.00%
SSA/CPA 09-008 Center for Progressive Learning, Inc. Owings Mills, MD N00B0400070 09-0906-0110	22		(9)	13	\$607,246.00		\$634,488.00	-\$255,744.00	\$378,744.00	\$985,990.00	-42.12%	-42.12%
SSA/CPA 09-009 Challengers Independent Living, Inc. Baltimore, MD N00B0400070 09-0907-0110	25			25	\$1,000,425.00		\$892,425.00		\$892,425.00	\$1,892,850.00	0.00%	0.00%
SSA/CPA 09-010 CONCERN - Professional Services for Children ^ Fleetwood, PA N00B0400045 09-0908-0110	85			85	\$4,007,605.00		\$3,864,625.00		\$3,864,625.00	\$7,872,230.00	0.00%	0.00%
SSA/CPA 09-011 Contemporary Family Services, Inc. ^ Hyattsville, MD N00B0400048 09-0909-0110	200		40	240	\$10,059,400.00		\$9,676,000.00	\$1,935,200.00	\$11,611,200.00	\$21,670,600.00	19.24%	19.24%
SSA/CPA 09-012 Family & Children Services of Central Maryland ^ Baltimore, MD N00B0400020 09-0910-0110	110			110	\$4,021,660.00		\$4,086,920.00		\$4,086,920.00	\$8,108,580.00	0.00%	0.00%
SSA/CPA 09-013 Father Flanagan's Boys' Home, Inc. Washington, DC N00B0400070 09-1786-0010	10			10	\$458,520.00		\$446,550.00		\$446,550.00	\$905,070.00	0.00%	0.00%

114

ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₁	RENEWAL OPTION AMOUNT ₁	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Child Placement Agency												
SSA/CPA 09-049 Wellington, Incorporated Bowie, MD N00B0400070 09-0941-0110	10			10	\$435,930.00		\$428,100.00		\$428,100.00	\$864,030.00	0.00%	0.00%
SSA/CPA 09-052 Woodbourne Center, Inc. ^ Baltimore, MD N00B0400031 09-0944-0110	78			78	\$3,092,778.00		\$2,987,166.00		\$2,987,166.00	\$6,079,944.00	0.00%	0.00%
Total Child Placement Agency Contracts	3,258	20	46	3,324	\$160,127,770.00	\$549,481.00	\$157,153,682.00	\$2,714,531.00	\$159,868,213.00	\$320,545,464.00	1.70%	2.04%

**ATTACHMENT
CONSOLIDATED CONTRACT RENEWAL OPTIONS/MODS**

CONTRACT #/CONTRACTOR/CITY/STATE BPO #/MD TAX CLEARANCE	INITIAL # OF CHILD CARE BEDS	+/- # OF BEDS (W/MOD #1)	+/- # OF BEDS (W/MOD #2)	REVISED # OF CHILD CARE BEDS	ORIGINAL CONTRACT AMOUNT ¹	MOD #1 AMOUNT ₂	RENEWAL OPTION AMOUNT ₂	MOD #2 AMOUNT ₂	COMBINED OPT./MOD #2 ON THIS AGENDA ²	TOTAL REVISED CONTRACT AMOUNT ¹	% +/- MOD #2	OVERALL % +/-
Non-Residential Child Care												
SSA/NRCC-09-001 Chesapeake Youth Development Center Baltimore, MD N00B0400066 09-1593-1110	12			12	\$578,076.00		\$561,792.00		\$561,792.00	\$1,139,868.00	0.00%	0.00%
Total Non-Residential Child Care Contracts	12	0	0	12	\$578,076.00	\$0.00	\$561,792.00	\$0.00	\$561,792.00	\$1,139,868.00	0.00%	0.00%
Total of Modification #1 approved by the BPW	3,335	20	0	3,355	\$213,300,434.00	(\$264,030.00)				\$213,036,404.00		-0.12%
Grand Total All Contracts	5,614	20	(291)	5,343	\$340,468,689.00	(\$264,030.00)	\$317,228,833.00	(\$8,027,065.00)	\$309,201,768.00	\$649,406,427.00	-2.36%	-2.44%

Note: ¹ Amounts are estimated. ² Amounts are actual. * Certified MBE Contractors. **Renewal Options not being exercised for these Contractors. ^ Modifications to include a MBE 5% Participation Goal.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 17-S-MOD **Agency Contact:** Sharon Mattia
301-884-8171
smattia@charhall.org

DEPARTMENT/PROGRAM: Veterans Affairs (DVA)
Charlotte Hall Veterans Home (CHVH)

CONTRACT ID: CHVH-02-001;
Veterans Home Management Contract
ADPICS CO NO. COB46250

CONTRACT APPROVED: 4/24/2002 DBM BPW Agenda Item 10-S

CONTRACTOR: Health Management Resources (HMR) –
Government Services, Inc.
dba HMR of Maryland LLC
Easley, SC

CONTRACT DESCRIPTION: Contract for the operation and management of the Charlotte Hall Veterans Home. Services will be provided in 12 functional areas: (1) administration; (2) nursing; (3) social services; (4) dietary; (5) facilities maintenance and plant operations; (6) housekeeping; (7) laundry; (8) physical therapy/rehabilitation; (9) activities/recreation; (10) admissions and marketing; (11) medical records; and (12) security.

MODIFICATION DESCRIPTION: Approval request to extend the current contract by one month in order to finalize the new procurement and award a new contract with two additional one-month renewal options.

TERM OF ORIGINAL CONTRACT: 6/1/2002 – 6/30/2007 (w/1 two-year renewal option)

TERM OF MODIFICATION: 7/1/2009 – 7/31/2009 (w/2 one-month renewal options)

AMOUNT OF ORIGINAL CONTRACT: \$123,741,622 Est. (5 Years; 1 Month)

AMOUNT OF MODIFICATION: \$0 (See Requesting Agency Remarks below)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 17-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$46,000,000 Est. (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$169,741,622 Est.

PERCENT +/- (THIS MODIFICATION): 0%

OVERALL PERCENT +/-: 0%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to extend the contract by one month in order to finalize the new procurement and award a new contract with two additional one-month renewal options.

DVA's Charlotte Hall Veterans Home ("Home") was established for the purpose of operating and managing a home for veterans of the State of Maryland. The Home is located at Charlotte Hall, St. Mary's County, Maryland and is now licensed for 184 assisted living beds and 278 comprehensive care (nursing home) beds for a total of 462 beds. The Home is open to honorably discharged Maryland veterans who have served in the armed forces of the United States, and are of retirement age or are unable to work due to a disability recognized by the Veterans Administration or the Social Security Administration.

HMR of Maryland LLC has provided exemplary services during the course of this contract. They have successfully almost doubled the capacity of the assisted living beds from 100 beds to 184 beds. The management staff is very helpful and friendly with the residents and employees.

The estimated amount of funding needed for the one-month extension is approximately \$2.5 million; however, the total estimated contract amount of \$169,741,622 for the base contract and option period will not have been exceeded as of the end of the contract term on June 30, 2009. It is estimated that approximately \$14.0 million of spending authorization will be left on the contract, which will more than cover the amount needed for this one month extension and the two additional one-month renewal option extensions. However, if either or both of the two additional one-month renewal options need to be exercised, they will be submitted to the Board for approval.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 17-S-MOD (Cont.)

The Request for Proposals (RFP) for the new contract was issued on 11/21/2008. Due to responding to numerous questions from prospective offerors and the issuance of several amendments to the RFP, the Proposal due date was extended two times to a final due date of 2/10/2009. However, a protest on the RFP specifications (the price forms) was also received on the proposal due date of 2/10/2009. The protest was upheld on 2/24/2009 and an amendment to the specifications (a new price form) was issued. The unopened financial proposals originally submitted on 2/10/2009 were returned and new financial proposals based upon the amended price forms were received on 3/24/2009. The proposals are currently in the evaluation stage with a projected award recommendation by early June.

The one-month contract extension is requested to permit the notification of unsuccessful offerors and to provide a debriefing, if requested, prior to the submission of an item requesting approval of the new contract award. The two additional one-month renewal options allow for a possible two month transition period.

FUND SOURCE: 27% General;
39% Federal (US Veterans Administration);
27% Non-budgeted (Medicaid, Medicare);
7% Special (Resident Payments)

APPROP. CODE: D55P00

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1635-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 17-S-MOD (Cont.) ATTACHMENT

**77B
BPW 6/17/2009**

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Opt. #1	\$46,000,000	Exercised the single two-year renewal option as contained in the original agenda item for the period 7/1/2007 through 6/30/2009. Approved on the 2/14/2007 DBM BPW Agenda Item 16-S-Option.
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**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 18-S-MOD **Agency Contact:** Robert Howells
410-230-8789
rhowells@msla.state.md.us

DEPARTMENT/PROGRAM: State Lottery Agency (MSLA)
Creative Product Services Division

CONTRACT ID: 2007-01(I); Advertising, Research & Public
Relations Services/Functional Area I –
Creative Services;
ADPICS NO. COB48575

CONTRACT APPROVED: 7/11/2007 DBM BPW Agenda Item 2-S

CONTRACTOR: Gray, Kirk/VanSant Advertising, Inc.
Baltimore, MD

CONTRACT DESCRIPTION: Contract to provide Advertising, Research
and Public Relations services encompassed by four Functional Areas, including creative
development and production, media planning and buying, design and development of point-of-
sale materials, promotion development and implementation assistance, direct marketing, research
support, public relations consultation, special event assistance, website development, and other
related services

MODIFICATION DESCRIPTION: Approval request to increase the Not-To-
Exceed (NTE) amount of the Contract for Functional Area I – Creative Services in order to
provide the re-design of the Lottery's website and ongoing consulting and related web-based
services. (See Requesting Agency Remarks.)

TERM OF ORIGINAL CONTRACT: 8/1/2007 - 7/31/2011 (w/1 two year
renewal option)

TERM OF MODIFICATION: 7/1/2009 – 7/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$16,980,000 Est. NTE (4 Years - for
Functional Area I, only)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 18-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$235,250 NTE (2 Years, 1 Month)
PRIOR MODIFICATIONS/OPTIONS: None
REVISED TOTAL CONTRACT AMOUNT: \$17,215,250 Est. NTE (For Functional Area I, only)
OVERALL PERCENT +/- (THIS MOD): +1.39%
ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals
MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Approval is requested for this Modification to increase the Not to Exceed amount of the Contract in order to re-design the website and enhance the Lottery's web-based services and capabilities.

Contracts were awarded in four functional areas for the Advertising, Research & Public Relations Services Contract: I – Creative Services; II - Media Services; III - Public Relations/Communications Services; and, IV - Research Services.

This modification concerns Functional Area I – Creative Services, which includes a requirement for the Contractor to provide web hosting, design development, maintenance and content management. However, these web services are primarily focused on developing creative direction and content for microsites that may accompany the launch of a new Lottery product. The Lottery is now planning to completely re-design its website in FY 2010 and this project encompasses a magnitude, complexity and level of effort by the Contractor that was not anticipated at the time the contract was awarded.

In addition to the website development, re-design and implementation, the Contract will perform support of the website to include:

1. Interactive strategic consulting on website design, maintenance, and programs
2. Graphic design services related to the redesign and updates to the core web site over time after the initial launch of the new mdlottery.com website.
3. Consulting on web-based social marketing programs and strategy

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 18-S-MOD (Cont.)

4. Development of web-based communications programs such as Players Clubs and Loyalty Programs, and associated web-based marketing communications, such as e-newsletters, e-blasts, etc.

The advanced technology and expanded capabilities provided by this Modification will enhance and modernize the presentation of the Lottery's website and make it more competitive with other forms of entertainment, and therefore is expected to contribute to increased Lottery sales and revenue.

FUND SOURCE: 100% Special (Lottery Proceeds)
APPROP. CODE: E75D0001
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1734-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 19-S-MOD **Agency Contact:** James Miller
410-767-8787
MillerJ@dhhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Office of Finance
Medical Care Programs (MCP)

CONTRACT ID: DHMH-OPASS-01-6586;
Auditing, Accounting and Consulting
Services
ADPICS NO. M00B0200694

CONTRACT APPROVED: 5/10/2000 DBM BPW Agenda Item 7-S

CONTRACTOR: Clifton Gunderson and Company
Baltimore, MD

CONTRACT DESCRIPTION: Contract to perform verification of costs of
Medical Assistance providers in order to comply with Federal and State regulations and provider
agreement provisions and to provide accounting expertise in rate setting, the appeals process and
special projects.

MODIFICATION DESCRIPTION: Request for retroactive approval of a
modification to the contract made by the Department of Health and Mental Hygiene in 2003.
(See Requesting Agency Remarks below.)

TERM OF ORIGINAL CONTRACT: 7/1/2000 – 7/31/2005

TERM OF MODIFICATION: 2/20/2003 – 6/30/2006

AMOUNT OF ORIGINAL CONTRACT: \$20,889,000

AMOUNT OF MODIFICATION: \$0 (See Requesting Agency Remarks below)

PRIOR MODIFICATIONS/OPTIONS: \$6,856,728 (See Attachment)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 19-S-MOD (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$27,745,728

PERCENT+/- (THIS MODIFICATION): 0%

OVERALL PERCENT +/-: +32.82%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 15%

REQUESTING AGENCY REMARKS: This item seeks Board ratification of what is now construed to be a modification that changed pricing elements for the subject contract as described below. The Department's Medical Assistance Program had a contract for audit services with Clifton Gunderson and Company (CG). The contract was for auditing of cost reports for the purpose of Medicaid reimbursement as well as other audit-related tasks done at the request of the Department. This five year contract was approved by the BPW on 5/10/2000 for a total Not-to-Exceed (NTE) amount of \$20,889,000. During the five year term of the contract, three modifications were approved by the Board of Public Works (BPW) (see Attachment) that both extended the term of the contract to 6/30/2006 and increased the NTE amount to \$27,745,728.

When this contract was reviewed by the Legislative Auditors in 2005 there was a finding that whereas the total approved NTE amount for this contract was not exceeded, additional limiting aspects of the contract for each component contract year were exceeded in 2004 and 2005. In total, the Auditors claimed that in these two contract years \$230,000 had been improperly paid to CG.

The Auditor's determination was based upon the following: Offerors were required to quote hourly labor rates for each of five specified labor categories for each year of the contract and were also required to provide NTE prices for each of 13 different annual labor hour totals, in 2,000 hour increments from 48,000 to 72,000 total annual hours (48,000, 50,000, 52,000, 54,000, 56,000, 58,000, 60,000, 62,000, 64,000, 66,000, 68,000, 70,000, 72,000), based upon a specified mix of usage of each labor category. There was also somewhat unclear language in the RFP that seemingly says that whereas the contractor could bill the actual labor rate quoted for each respective contract year for all hours actually worked under the contract, that the NTE amount for the given increment of total labor hours worked could not be exceeded. Reportedly this language was included to prevent offerors from using higher priced labor categories in place of

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 19-S-MOD (Cont.)

lower priced categories, i.e., whereas the contractor could use more higher priced labor than anticipated, but once the NTE total price was attained the contractor could not bill for any additional hours of effort, regardless of the labor category(ies) used. In 2004 and 2005 the amounts paid to CG exceeded the NTE cap for the number of hours actually provided in these years. Accordingly, the Auditors stated that BPW approval should be obtained for the overpayments.

The Department disagreed with this finding and the Auditors requested the Department to obtain advice from an Assistant Attorney General assigned to the Program concerning their finding. The Program's Assistant Attorney General disagreed with the auditors' finding. The Assistant Attorney General advise was based upon the fact that the Program's total expenditure under the contract did not exceed the amount authorized by the BPW, and there was language on the price form that said it was for evaluation purposes only and did not constitute the fixed price for the contract. The advice stated that the terms of the price form were not binding on the Program and nothing in the price form or the RFP suggested otherwise. Accordingly, the Program's Assistant Attorney General advised, the deviation from the price form did not require further BPW approval. The Assistant Attorney General further found that the work CG performed pursuant to the modification was within the scope of the original contract.

After receipt of the advice of counsel, the legislative auditors continued to disagree with the Department and the Department continued to disagree with the audit exception based on the advice. The auditors engaged in further discussions regarding the audit exception. Finally, the auditors requested that the Department seek an opinion from the staff to the BPW concerning whether the change in the CG contract required Board Approval. Although BPW counsel did not find that the contract modification exceeded the contract price, or that the modification was beyond the scope of the original contract, counsel did advise that the shifting of work within the contract was such that Board approval was required. Accordingly, the Department requests Board approval for the contract modification.

But then the actual interpretation of the words in the RFP were rendered moot when it became known that in 2003 a Program official sent a letter to the contractor "waiving" the limitations established by the price forms. This action seems to validate that this language was meaningful and was to be an actual limitation on the billing by the contractor in each contract year. But the waiver meant these words no longer applied. .

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 19-S-MOD (Cont.)

This waiver was only one page in length and did not constitute a proper modification to the contract for a number of reasons. First, it was not identified as a modification. Second, it did not come from the procurement officer, nor was it approved for legal sufficiency. Despite the apparent impact of this waiver being \$230,000 which would require BPW approval, it was submitted neither to DBM nor the BPW. And of over-arching importance, since the effect of the waiver was to allow the contractor to be paid more money for the work to be performed under the contract, the modification violated the Maryland constitution which prohibits a vendor from being paid more money under a contract without an increase in deliverables.

But due to this waiver, both the Contractor and the Program believed that the Contractor should be paid for the actual hours worked by each labor category without regard for the labor mix contemplated under the RFP. Because both parties to the contract acted in good faith in adhering to the terms of the contract as they understood them to be after the waiver, and in consideration of all the other above described circumstances, the Board is requested to ratify the waiver/ modification and retroactively approve the additional \$230,000 in payments made to CG in the 2004 and 2005 fiscal years.

FUND SOURCE: 51% General; 49% Federal (Medicaid Administrative)

APPROP. CODE: M00Q0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1124-1111

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 19-S-MOD (Cont.)

ATTACHMENT

BPW 6/17/2009

PRIOR MODIFICATIONS/OPTIONS: (Cont.)

Mod. #1	\$2,390,154	Modification to add MCO and MHA audit for the period 1/1/2002 - 6/30/2005. Approved on the 12/19/2001 DBM BPW Agenda Item 2-S-MOD.
Mod. #2	\$2,233,287	Modification to extend the current contract for six months due to a protest on new contract for the period 7/1/2005 – 12/31/2005. Approved on the 6/1/2005 DBM BPW Agenda Item 23-S-MOD.
Mod. #3	\$2,233,287	Modification to extend the current contract for six months pending resolution of protest for the period 1/1/2006 – 6/30/2006. Approved on the 11/16/2005 DBM BPW Agenda Item 6-S-MOD.
Total	<u>\$6,856,728</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 20-S-MOD **Agency Contact:** Paul Althoff
410-970-7058
Althoffp@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Springfield Hospital Center

CONTRACT ID: DHMH-OCPMP-05-8542-6;
Springfield Hospital Center –
Medical Services Contract
ADPICS NO. COB42898

CONTRACT APPROVED: 8/11/2004 DBM BPW Agenda Item 2-S

CONTRACTOR: Managed Health Care, Ltd.
Columbia, MD

CONTRACT DESCRIPTION: Contract to provide a comprehensive array of medical health care services (non-psychiatric) to all patients and residents admitted to and residing at the Springfield Hospital Center. Services include physician assistant, dental, pharmacology, neurology, gynecology, podiatry, orthopedic, dermatology, internal medicine, ophthalmology, urology, general surgery, physical therapy, speech therapy, radiology, electrocardiogram, electroencephalogram, ENT, cardiology, gastroenterology, and infectious diseases.

MODIFICATION DESCRIPTION: Approval request to modify the contract to extend the current renewal option period by six months for all services except the Dentist and Dental Assistant services to allow time for the facility to continue negotiations with the University of Maryland for the provision of the services under this contract.

TERM OF ORIGINAL CONTRACT: 8/1/2004 – 7/31/2006 (w/3 one-year
renewal options)

TERM OF MODIFICATION: 8/1/2009 – 1/31/2010

AMOUNT OF ORIGINAL CONTRACT: \$1,951,596

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 20-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$382,361 (6 Months)
PRIOR MODIFICATIONS/OPTIONS: \$2,761,484 (See Attachment)
REVISED TOTAL CONTRACT AMOUNT: \$5,095,441
PERCENT +/- (THIS MODIFICATION): +19.59%
OVERALL PERCENT +/-: +5.98%
ORIGINAL PROCUREMENT METHOD: Multi-Step Competitive Sealed Bidding
MBE PARTICIPATION: 20%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract to extend the current renewal option period by six months for all services except the Dentist and Dental Assistant services to allow time for the facility to continue negotiations with the University of Maryland for the provision of the services under this contract. The Dentist and Dental Assistant services are no longer needed because the hospital acquired a full-time State Dentist employee from Rosewood in April 2009.

The hospital is requesting an extension of six months to the current Option Period as a result of the facility presently working with the University of Maryland School of Medicine Department of Family and Community Medicine for the provision of the services under this contract. The University of Maryland expressed interest in providing these services to Springfield as a result of the scheduled closure of the Walter P. Carter Center, another Department of Health and Mental Hygiene facility, effective 10/1/2009. University personnel currently provide similar medical services for Carter Center clients.

A new solicitation has been started that will indicate that some services may be optional and will not be used in the new contract if an agreement is established with the University of Maryland. If the University will not provide the services, the optional services will be part of the new contract.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 20-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: M00L0801

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1434-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

PRIOR MODIFICATIONS/OPTIONS:

Mod #1	(\$157,248)	Modification to terminate the Pharmacy Director services for the period 7/1/2005 - 7/31/2006. Approved on the 7/5/2006 DBM BPW Agenda, Item 15-S-MOD.
Opt #1 /Mod #2	\$1,030,002 (\$108,312)	Exercised the first of three renewal options and modified the contract to terminate the Pharmacy Director services; increase the Radiology Services and Electroencephalogram services for the period 8/1/2006 - 7/31/2007. Approved on the 7/5/2006 DBM BPW Agenda, Item 15-S-MOD.
Opt #2	\$971,027	Exercised the second of the three renewal options for the period 8/1/2007 - 7/31/2008. Approved by DBM and reported on the June 2007 PAAR.
Opt #3	\$1,026,015	Requested retroactive approval to exercise the third and final renewal option as contained in the original contract for the period 8/1/2008 - 7/31/2009. Approved on the 11/5/2008 DBM BPW Agenda, Item 4-S-OPT.
Total	<u>\$2,761,484</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 21-S-MOD

Agency Contact: Joan Stine
410-767-1362
Stinej@dhhm.state.md.us

Bob Fiedler
410-767-6878
rfiedler@dhhm.state.md.us

DEPARTMENT/PROGRAM: DHMH Center for Health Promotion and Education
CRF – Tobacco Use Prevention & Cessation Program

CONTRACT ID: DHMH-OPASS-08-9666-1;
Biennial Maryland Youth & Adult Tobacco Study
ADPICS CO NO. COB44764

CONTRACT APPROVED: 6/11/2008 DBM BPW Agenda Item 3-S

CONTRACTOR: Macro International, Inc.
(ORC Macro, Inc.)
Calverton, MD

CONTRACT DESCRIPTION: Provide two waves of the Biennial Maryland Youth Tobacco Survey (YTS) and Adult Tobacco Survey (ATS), including analysis and reporting, as mandated by Subtitle 10, Title 13, Health – General Article.

MODIFICATION DESCRIPTION: Approval request to modify the contract in response to the reduction in FY 2010 appropriation to the Surveillance and Evaluation Component of the Cigarette Restitution Fund Tobacco Use Prevention and Cessation Program. FY 2010 is the second year (data analysis and reporting) of Wave 4 of Maryland’s county-level youth and adult surveys. The modification proposes to eliminate specified analysis and reporting, and accelerate specified deliverables to FY 2009.

TERM OF ORIGINAL CONTRACT: 7/1/2008 - 6/30/2012

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 21-S-MOD (Cont.)

TERM OF MODIFICATION: 6/18/2009 - 6/30/2010

AMOUNT OF ORIGINAL CONTRACT: \$3,549,862 (4 Years)

AMOUNT OF MODIFICATION: (\$115,376) (1 Year)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$3,434,486

OVERALL PERCENT +/- (THIS MOD): -3.25%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract in response to the reduction in the FY 2010 appropriation to the Surveillance and Evaluation Component of the Cigarette Restitution Fund Tobacco Use Prevention and Cessation Program. FY 2010 is the second year (data analysis and reporting) of Wave 4 of Maryland's county-level youth and adult surveys. This modification will accelerate specified deliverables to FY 2009 during the period 6/18/2009 - 6/30/2009 by increasing the amount to \$266,312 and eliminate specified analysis and reporting for a one-year period from 7/1/2009 to 6/30/2010 by decreasing the amount by \$381,688. This is a net decrease of \$115,376.00.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 21-S-MOD (Cont.)

FUND SOURCE: 100% Special (Cigarette Restitution Fund)

APPROP. CODE: M00F0306

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1640-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 22-S-MOD **Agency Contact:** Cheryl Heilman
410-402-7204
HeilmanC@DHMH.state.maryland.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Spring Grove Hospital Center

CONTRACT I.D.: DHMH/OCPMP-8-009806;
Clinical Laboratory Service
ADPICS NO: COB47072

CONTRACT APPROVED: 10/15/2008 DBM BPW Agenda Item 3-S

CONTRACTOR: Quest Diagnostics, Inc.
Baltimore, Maryland

CONTRACT DESCRIPTION: Contract to provide full laboratory services
24 hours per day, 7 days per week, which cannot be performed at the Spring Grove Hospital
Center (SGHC) due to the closing of the laboratory in October of 2007.

MODIFICATION DESCRIPTION: Modification to increase the funding
authorization that will cover the increase in the number of monthly tests performed as well as the
population increase of patients from the Walter P. Carter Center. The price of the tests will
remain the same.

TERM OF ORIGINAL CONTRACT: 10/16/2008 - 9/30/2013

TERM OF MODIFICATION: 7/1/2009 - 9/30/2013

AMOUNT OF ORIGINAL CONTRACT: \$1,010,886

AMOUNT OF MODIFICATION: \$423,800

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$1,434,686

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 22-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): +41.92%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MBE PARTICIPATION: None

REQUESTING AGENCY REMARKS: Spring Grove Hospital Center (SGHC) has an average daily inpatient population of 380 patients and additionally provides services for 50 residents under the State of Maryland Assisted Living program regulations. All laboratory tests requested by SGHC from the Contractor are based on actual physicians' order sheets and are required for the initial and ongoing treatment of patients at SGHC. The Hospital Center medical staff reviews testing and services requested under this contract.

SGHC is now in month 8 of the current contract and finds that it is consistently spending each month more than the expected monthly contract amount. The contract allows \$202,177 annually to be spent on testing, which averages to \$16,848 per month. A review of the contracts shows a spending, on an average, approximately \$22,000 per month. SGHC anticipates this amount to stay the same, or possibly even to increase, due to the medication monitoring needed, as well as new evidence-based standards for monitoring of medical conditions, such as Diabetes Mellitus, cardiac conditions and osteoporosis. Also, with the anticipated increase in admissions resulting from the closure of Walter P. Carter Center, there will be an increased volume of testing. Therefore, based on the above-mentioned factors, SGHC is requesting an additional \$423,800 to cover invoices from 7/1/2009 through the end of the contract, 9/30/2013. This modification is based on a projected spending of \$25,000 per month.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 22-S-MOD (Cont.)

FUND SOURCE: 100% General

APPROP. CODE: M00 L0901

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1795-1001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 23-S-MOD **Agency Contact:** Sandy Johnson
410-767-7408
Sjohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Department of Human Resources (DHR)
Family Investment Administration (FIA)
Medical Assistance Operations

CONTRACT ID: FIA/DEAP 05-007-A6;
Disability Entitlement Advocacy Program
(DEAP)
ADPICS NO. COB48157

CONTRACT APPROVED: 11/2/2005 DBM/BPW Agenda Item 1-S

CONTRACTOR: Health Management Associates, Inc.
Baltimore, MD

CONTRACT DESCRIPTION: Contract to manage and monitor the daily operations of DHR's Disability Entitlement Advocacy Program (DEAP). DEAP provides case tracking and appellate services to assist indigent, severely disabled Marylanders to apply and become eligible for Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI).

MODIFICATION DESCRIPTION: Approval request to extend the current contract in order to (1) allow time for the completion of DEAP cases currently under appellate review and phasing-out of the Program, and (2) continue the services of a Medical Review Team to make disability recommendations to the State Review Team in accordance with Social Security Administration's Sequential Evaluation Process, as mandated at 20 Code of Federal Regulations (CFR) Part 416, Subpart I. Budget constraints under the current economic environment preclude completion of the solicitation process for a new DEAP contract.

TERM OF ORIGINAL CONTRACT: 1/1/2006 – 12/31/2006 (w/2 one-year renewal Options)

TERM OF MODIFICATION: 6/17/2009 – 6/30/2010 (See Requesting Agency Remarks below)

AMOUNT OF ORIGINAL CONTRACT: \$4,801,990

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 23-S-MOD (Cont.)

AMOUNT OF MODIFICATION: \$2,361,564 (See Requesting Agency
Remarks below)

PRIOR MODIFICATIONS/OPTIONS: \$13,746,573 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$20,910,127

PERCENT +/- (THIS MODIFICATION): +49.18%

OVERALL PERCENT +/-: +86.50%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5%

REQUESTING AGENCY REMARKS: The Department of Human Resources, Family Investment Administration, requests approval to extend the current DEAP contract through 6/30/2010. This extension will allow the DEAP Contractor, Health Management Associates, Inc. (HMA) to (1) complete DEAP cases currently under appellate review and conduct an orderly phase-out of the Program, and (2) continue the services of a Medical Review Team which makes disability recommendations to Maryland's State Review Team in accordance with Social Security Administration's Sequential Evaluation Process, 20 CFR Part 416, Subpart I.

A procurement was conducted for Management Services for the Disability Entitlement Eligibility Program with the solicitation published on 11/17/2008. Budget constraints under the current economic environment and the resulting inability of the State to pay market value for the services requested (based on the received financial proposals exceeding available funds), preclude the completion of the solicitation process for a new DEAP contract. Therefore, the solicitation was cancelled on 4/28/2009.

It is in the best interest of the State to approve this modification. DEAP assists Maryland's indigent disabled population receiving State benefits to apply for and receive Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI). The current Contractor, Health Management Associates, Inc. (HMA) has successfully managed DEAP since July 1987.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 23-S-MOD (Cont.)

In the modification request for the six month extension through 6/30/2009 on the 11/19/2008 DBM BPW Agenda Item 8-S-MOD, DEAP estimated that it would need \$2,562,255 in order to pay the Contractor. It has now been determined that actual expenditures for the six month period will be \$3,266,849; however, this amount will not exceed the approved total contract amount of \$18,548,563 for the three years and six months of the current contract.

This contract will expire 6/30/2010. After that date, SSI/SSDI applicants receiving State benefits will be required to seek appellate services through other sources. Effective 7/1/2010, the Family Investment Administration intends to have a new contract in place to manage the federally mandated medical review services for the State Review Team.

DEAP is not a federally or State mandated program. Individuals are still able to apply for Social Security benefits through the Social Security Administration and are able to obtain representation from other sources as they currently do.

FUND SOURCE: 53% General; 47% Federal

APPROP. CODE: N00I0004

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1676-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 23-S-MOD (Cont.)

ATTACHMENT

99B
BPW 6/17/2009

PRIOR MODIFICATIONS/OPTIONS (Cont):

Modification #1	\$1,792,065	Adjustment for increased number of referrals 10/1/2006 – 12/31/2006. Approved on the 8/30/2006 DBM BPW Agenda Item 12-S-MOD.
Option #1	\$6,829,998	Exercised the 1 st of two one-year renewal options for the period of 1/1/2007 – 12/31/2007. Approved on the 8/30/2006 DBM BPW Agenda Item 12-S-MOD.
Modification #2	\$0.00	Modified the contract to clarify operating procedures without changing the scope of work. Approved by DHR 10/3/2006.
Option #2	\$5,124,510	Exercised the 2 nd and final one-year renewal option for the period of 1/1/2008 – 12/31/2008. Approved on the 11/28/2007 DBM BPW Agenda Item 7-S.
Modification #3	\$0.00	Extend the current contract by six months beginning 1/1/2009 – 6/30/2009 to allow time for the re-procurement and award of a new contract. Approved on the 11/19/2008 DBM BPW Agenda 8-S-MOD.
Modification # 4	\$0.00	Reallocation of MBE goal amounts due to resignation of a subcontractor. Approved by DHR on 5/21/2009.
Total	<u>\$13,746,573</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 24-S
Agency Contact: BJ Said-Pompey
410-339-5013
Bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety and Correctional Services (DPSCS)
Division of Correction (DOC)

CONTRACT ID: DPSCS Q0010003; Threshold, Inc.
ADPICS NO. Q00B0400018

CONTRACT DESCRIPTION: Contract for the continued operation of a 30-bed Community Adult Rehabilitation Center (CARC) in Baltimore City. DPSCS' DOC operates institutions for adult and female offenders throughout the State. As part of its operations, DOC contracts for Community Adult Rehabilitation Centers (CARCs), as permitted under the Annotated Code of Maryland, Correctional Services Article, Sections 11-301 through 11-320.

AWARD: Threshold, Inc.
Baltimore, MD

TERM: 7/1/2009 – 6/30/2010

AMOUNT: \$637,071

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICPATION: 100% (Contractor is a Maryland Certified MBE)

PERFORMANCE SECURITY: None

INCUMBENT: Same

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 24-S (Cont.)

REQUESTING AGENCY REMARKS: There are three Community Adult Rehabilitation Centers (CARCs) in the State. Threshold, Inc. operates one; Dismas House of Baltimore, Inc. operates the second and the third is operated by Cecil County. The purpose of a CARC is to house and rehabilitate those individuals who have been convicted of crimes, but who, in the judgment of the courts and appropriate correctional personnel, can be best rehabilitated in community facilities without substantial danger to the community.

Threshold, Inc. has operated this CARC for many years. It is the sole source for operating this CARC, in part, because the Secretary of the Department of Public Safety and Correctional Services has certified to the need for this CARC under the Annotated Code of Maryland, Correctional Services Article, Section 11-306 and, in part, because it has the special zoning permit needed to operate in Baltimore City.

The cost of funding for this contract is as follows:
30 beds x \$58.18 per day x 365 day = \$637,071

This is the same per-diem rate as occurred in FY2008 and FY2009.

FUND SOURCE: 100% General
APPROP. CODE: Q00B0601
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1156-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 25-S **Agency Contact:** BJ Said-Pompey
410-339-5013
bjsaid-pompey@dpscs.state.md.us

DEPARTMENT/PROGRAM: Public Safety and Correctional Services (DPSCS)
Division of Correction (DOC)

CONTRACT ID: DPSCS Q0008048; Dismas House of Baltimore
ADPICS NO. Q00B0400019

CONTRACT DESCRIPTION: Contract for the continued operation of a 90-bed Community Adult Rehabilitation Center (CARC) in Baltimore City. DPSCS' DOC operates institutions for adult and female offenders throughout the State. As part of its operations, DOC contracts for Community Adult Rehabilitation Centers (CARCs), as permitted under the Annotated Code of Maryland, Correctional Services Article, Sections 11-301 through 11-320.

AWARD: Dismas House of Baltimore, Inc.
Baltimore, MD

TERM: 7/1/2009 – 6/30/2010

AMOUNT: \$1,986,111

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY None

INCUMBENT: Same

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 25-S (Cont.)

REQUESTING AGENCY REMARKS: There are three Community Adult Rehabilitation Centers (CARCs) in the State. Threshold, Inc. operates one; Dismas House of Baltimore, Inc. operates the second and the third is operated by Cecil County. The purpose of a CARC is to house and rehabilitate those individuals who have been convicted of crimes, but who, in the judgment of the courts and appropriate correctional personnel, can be best rehabilitated in community facilities without substantial danger to the community.

Dismas House of Baltimore, Inc. has operated this CARC for many years. It is the sole source for operating this CARC, in part, because the Secretary of the Department of Public Safety and Correctional Services has certified to the need for this CARC under the Annotated Code of Maryland, Correctional Services Article, Section 11-306 and, in part, because it has the special zoning permit needed to operate in Baltimore City.

The cost of funding for this contract is as follows:

90 beds x \$60.46 per day x 365 day = \$1,986,111

This per-diem rate has only increased by \$0.01 from the per-diem in FY2008 and FY2009.

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

FUND SOURCE: 100% General

APPROP. CODE: Q00B0601

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1157-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 26-GM (Cont.)

<u>Qty</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
3	Geologist I	Grade 15/0	\$115,782 (3@\$38,594)
3	Regulatory & Compliance Engineer	Grade 15/0	\$115,782 (3@\$38,594)
3	Env. Compliance Specialist I	Grade 13/0	\$102,339 (3@\$34,113)
1	Assistant Attorney General	Grade 20/0	\$52,950
1	Office Secretary	Grade 8/0	\$25,239

The 2009 General Assembly passed HB 1556 – Coal Combustion By-Products, creating a State Coal Combustion By-Products Management Fund consisting of fees paid by generators of coal combustion by-products, funds appropriated by the General Assembly, and any moneys from public or private sources for the Fund’s purposes. The bill provides authority for the Department to establish, impose, and collect, through regulation, a fee or a range of fees, to be paid by a generator of coal combustion by-products based on a per ton rate of coal combustion by-products generated annually. These fees enable the Department to implement new regulations needed to prevent public health risks and groundwater contamination from the disposal and use of coal combustion byproducts including fly ash.

Eleven positions are requested as follows: one Assistant Attorney General to conduct compliance reviews and enforcement activities; three Geologists to review geologic and environmental information for proposed disposal and utilization sites and to perform related technical assessments; three Regulatory & Compliance Engineers to perform technical assessments required during the permit review process and to consult on engineering evaluations of operation and design plans; three Environmental Compliance Specialists to review environmental monitoring data and conduct inspections; and one Office Secretary to perform administrative functions.

General Discharge Permit for Stormwater Management –Water Management Administration

<u>Qty</u>	<u>Position Description</u>	<u>Grade/Step</u>	<u>Salaries and Wages</u>
7	Regulatory & Compliance Engineer	Grade 15/0	\$270,158 (7@\$38,594)
2	Administrative Officer I	Grade 13/0	\$68,226 (2@ \$34,113)
1	Env. Compliance Specialist I	Grade 13/0	\$34,113

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 26-GM (Cont.)

Ten positions are requested to enable MDE to issue individual discharge permits for construction permits over 150 acres, involving discharges to impaired waters and providing increased opportunity for public comment. Ten positions are requested as follows: seven Regulatory & Compliance Engineers to review approximately 165 project permits per year and to provide technical review of erosion and sediment control and stormwater management plans; two Administrative Officers to administer permit processing activities; and one Environmental Compliance Specialist for compliance and inspection activities.

DBM REMARKS: The Secretaries of DBM and the Maryland Department of the Environment have certified that funds are available for the new positions for which approval is requested within the Rule of 50. If the Board approves this request, 46 positions will have been approved within the Rule of 50 for FY 2009.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 27-S-GM

ATTACHMENT

Budget Amendment Number	Department Contributing Funding	Department Receiving Funding	Funding Amount	***** Justification ***** Funding for the design and construction of a public safety communications system. The State Highway Administration will provide project management of the construction of fiber optic cables to interconnect communication towers at various sites on the Eastern Shore.
9R-065	F50- Department of Information Technology	J00- Department of Transportation	\$281,720	
FY 2009 4th Qtr Proposed Reimbursable Amendments Total			\$281,720	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 28-GM **Agency Contact:** Linda Lamone
410-269-2840
llamone@elections.state.md.us

DEPARTMENT: State Board of Elections

AMOUNT OF REQUEST: \$70,000

DESCRIPTION: Additional funding is needed for the State Board of Elections due to unexpected expenditures that have occurred during FY 2009. Unexpected expenditures were related to (1) the replacement of the heating and air conditioning system in the room housing the computer server for State Board of Elections, and (2) the statewide inventory system implementation.

FUND SOURCE: FY 2009 Contingent Fund

APPROP. CODE: D05E0102

REQUESTING AGENCY REMARKS: The funding for this FY 2009 deficiency amount is being requested from the FY 2009 Contingent Fund. If approved, the funds will be transferred from the Contingent Fund to the State Board of Elections to fund its operational needs.

DBM REMARKS: The Secretary of Budget and Management has certified that funds are available from the FY 2009 Contingent Fund.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 29-GM **Agency Contact:** T. Eloise Foster
(410) 260-7041
efoster@dbm.state.md.us

DEPARTMENT/PROGRAM: Interagency Committee on Public School
Construction

AMOUNT OF REQUEST: \$21,081

DESCRIPTION: Approval request for a tentative maximum
allotment from the FY 2009 Contingent Fund for the purpose of providing funds to cover prior
year budget shortfalls at the Interagency Committee on Public School Construction.

FUND SOURCE: FY 2009 Contingent Fund

APPROP. CODE: D05E0102

REQUESTING AGENCY REMARKS: The funding for this FY 2009 budget shortfall is
being requested from the FY 2009 Contingent Fund. If approved, a transfer of General Funds in
the amount of \$21,081 from the State's FY 2009 Contingent Fund to the Interagency Committee
for Public School Construction. The transfer is needed to cover budget shortfalls from FY 2007
and FY 2008 that were carried into FY 2009.

DBM REMARKS: The Secretary of Budget and Management has
certified that funds are available from the FY 2009 Contingent Fund.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 30-GM **Agency Contact:** Beverly Pivec
410-576-6442
bpivec@oag.state.md.us

DEPARTMENT: Office of the Attorney General

AMOUNT OF REQUEST: \$175,000

DESCRIPTION: The Office of the Attorney General (OAG) has retained bankruptcy counsel to assist OAG in *In re Magna Entertainment Corp., et al.*, No. 09-10720(MFW), a Chapter 11 proceeding filed on March 5, 2009 in the United States Bankruptcy Court for the District of Delaware, and related matters. Venable LLP shall represent the State of Maryland and its entities, including the Maryland Racing Commission, in connection with the bankruptcy proceedings of Magna Entertainment Corp and its related entities. Legal services provided may include as necessary: investigation; securing evidence; filing pleadings and motions, and required argument; conducting discovery; pre-trial settlement discussions; trial; post-trial services; and consultation and coordination with OAG. Venable's services may also be required to assist OAG and the State in enforcing through the bankruptcy process the State's statutory option to buy the Preakness Stakes under §11-520 of the Business Regulation Article.

FUND SOURCE: FY 2009 Contingent Fund

APPROP. CODE: D05E0102

REQUESTING AGENCY REMARKS: The funding for this FY 2009 deficiency amount is being requested from the FY 2009 Contingent Fund. If approved, the funds will be transferred from the Contingent Fund to the Office of the Attorney General to fund its operational needs.

DBM REMARKS: The Secretary of Budget and Management has certified that funds are available from the FY 2009 Contingent Fund.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 31-S-MOD **Agency Contact:** Anne Timmons
410-767-4710
atimmons@dbm.state.md.us

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

CONTRACT IDS: F10B8200015;
Preferred Provider Organization (PPO);
Point of Service (POS);
Exclusive Provider Organization (EPO)
Health Care Benefits Services for Maryland
State Employees and Retirees
ADPICS NOS. See Attachment

CONTRACTS APPROVED: 3/18/2009 DBM BPW Agenda Items
1-S, 2-S, 3-S

CONTRACTORS: See Attachment

CONTRACT DESCRIPTION: Multiple award contracts to provide Preferred Provider Organization (PPO), Point of Service (POS), and Exclusive Provider Organization (EPO) health care benefits to State of Maryland employees, satellite employees, direct pay employees, retirees, and eligible dependents.

MODIFICATION DESCRIPTION: Approval request to modify the contracts to change the definitions of Dependent to include same sex domestic partners and their dependents and to add additional funding in order to accommodate the increased number of dependents.

TERM OF ORIGINAL CONTRACTS: 3/19/2009 - 6/30/2014 (5 Years;
3 ½ Months)

TERM OF MODIFICATIONS: 7/1/2009 - 6/30/2014 (5 Years)

AMOUNTS OF ORIGINAL CONTRACTS: \$4,936,000,000 Est. Cum. Total
(See Attachment)

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 31-S-MOD (Cont.)

AMOUNTS OF MODIFICATIONS: \$11,948,000 Est. Cum. Total
(See Attachment)

PRIOR OPTIONS/MODIFICATIONS: None

REVISED TOTAL CONTRACT AMOUNTS: \$4,947,948,000 Est. Cum. Grand Total
(See Attachment)

PERCENT +/- (THIS MODIFICATION): +0.24%

OVERALL PERCENT +/-: +0.24%

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 6% of Administrative Fees

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts to change the definitions of Dependent to include same sex domestic partners and their dependent children and to add additional funding in order to accommodate the increased number of dependents.

The revised COMAR regulation 17.04.13.03.A(11) was adopted in May for an effective date of July 1, 2009.

FUND SOURCE: Various

APPROP. CODE: F10A0240

RESIDENT BUSINESS: Yes for all

MD TAX CLEARANCE: See Attachment

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 31-S-MOD (Cont.)

ATTACHMENT

Contract Type/Contractors	Original Claims Est.	Original Admin. Fees Est.	Original Total Contract Est.	Modification Amount Est. *	REVISED Total Est.Contract Amt.	% +/-
PPO Contracts:						
CareFirst of Maryland, Inc. Owings Mills, MD ADPICS: F10B0400002 MD Tax Clearance: 09-0251-1112	\$2,284,000,000	\$96,000,000	\$2,380,000,000	\$6,100,000	\$2,386,100,000	0.26%
United HealthCare Insurance Co. Minnetonka, MN (Local office in Elkridge, MD) ADPICS: COB53503 MD Tax Clearance: 09-0338-0010	\$185,000,000	\$11,000,000	\$196,000,000	\$500,000	\$196,500,000	0.26%
TOTAL PPO	\$2,469,000,000	\$107,000,000	\$2,576,000,000	\$6,600,000	\$2,582,600,000	0.26%
POS Contracts:						
CareFirst of Maryland, Inc. Owings Mills, MD ADPICS: COB53506 MD Tax Clearance: 09-0251-1112	\$729,000,000	\$36,000,000	\$765,000,000	\$1,900,000	\$766,900,000	0.25%
United Health Care Insurance Co Minnetonka, MN (Local office in Elkridge, MD) ADPICS: COB53510 MD Tax Clearance: 09-0338-0010	\$549,000,000	\$28,000,000	\$577,000,000	\$1,200,000	\$578,200,000	0.21%
Aetna Life Insurance Co. Hartford, CT (Local office in Linthicum, MD) ADPICS: COB53512 MD Tax Clearance: 09-0258-1110	\$173,000,000	\$13,000,000	\$186,000,000	\$500,000	\$186,500,000	0.27%
TOTAL POS	\$1,451,000,000	\$77,000,000	\$1,528,000,000	\$3,600,000	\$1,531,600,000	0.24%

ITEM: 31-S-MOD (Cont.)

ATTACHMENT

Contract Type/Contractors	Original Claims Est.	Original Admin. Fees Est.	Original Total Contract Est.	Modification Amount Est. *	REVISED Total Est.Contract Amt.	% +/-
EPO Contracts:						
CareFirst BlueChoice, Inc. Washington, DC (Local office in Owings Mills, MD) ADPICS: COB53516 MD Tax Clearance: 09-0252-0002	\$396,000,000	\$19,000,000	\$415,000,000	\$1,200,000	\$416,200,000	0.29%
United HealthCare Ins. Co. Minnetonka, MN (Local office in Elkridge, MD) ADPICS: COB53519 MD Tax Clearance: 09-0338-0010	\$299,000,000	\$16,000,000	\$315,000,000	\$500,000	\$315,500,000	0.16%
Aetna Life Insurance Co. Hartford, CT (Local office in Linthicum, MD) ADPICS: COB53520 MD Tax Clearance: 09-0258-1110	\$94,000,000	\$8,000,000	\$102,000,000	\$48,000	\$102,048,000	0.05%
TOTAL EPO	\$789,000,000	\$43,000,000	\$832,000,000	\$1,748,000	\$833,748,000	0.21%
GRAND TOTAL ALL CONTRACTS	\$4,709,000,000	\$227,000,000	\$4,936,000,000	\$11,948,000	\$4,947,948,000	0.24%

* Note: Modification Amount pertains to the Claims amounts only. The Administrative Fees are based upon the number of enrollees, so even if an enrollee adds a same sex domestic partner dependent, the administrative fees remain the same.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 32-S-MOD **Agency Contact:** Anne Timmons
410-767-4710
atimmons@dbm.state.md.us

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

CONTRACT ID: F10R6200071;
Prescription Drug Benefits Plan for
Maryland State Employees and Retirees and
related Management Services
ADPICS NO. COB53538

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

CONTRACTOR: Catalyst Rx, Inc.
Rockville, MD

CONTRACT DESCRIPTION: Contract to provide management and
administration services to the Prescription Drug Benefits Plan for Maryland State employees and
retirees. The contract provides new features such as pass-through pricing, greater and more
detailed reporting about State costs.

MODIFICATION DESCRIPTION: Approval request to modify the contract to
change the definitions of Dependent to include same sex domestic partners and their dependents
and to add additional funding in order to accommodate the increased number of dependents.

TERM OF ORIGINAL CONTRACT: 4/4/2007 – 6/30/2011 (4 Years; 3 Months)

TERM OF MODIFICATION: 7/1/2009 – 6/30/2011 (2 Years)

AMOUNT OF ORIGINAL CONTRACT: \$1,117,508,802 Est. Total

AMOUNT OF MODIFICATION: \$1,102,500

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 32-S-MOD (Cont.)

PRIOR MODIFICATIONS/OPTIONS: \$5,952,768 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$1,124,564,070 Est. Total

PERCENT +/--(THIS MODIFICATION): +0.10%

OVERALL PERCENT +/-: +0.63%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5% of Administrative Fees

REQUESTING AGENCY REMARKS: Request for approval to modify the contract to change the definitions of Dependent to include same sex domestic partners and their dependent children and to add additional funding in order to accommodate the increased number of dependents.

The revised COMAR regulation 17.04.13.03.A(11) was adopted in May for an effective date of July 1, 2009.

FUND SOURCE: 100% Reimbursable

APPROP. CODE: F10A0245

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 08-1355-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 32-S-MOD (Cont.) ATTACHMENT

PRIOR OPTIONS/MODIFICATIONS (Cont.):

MOD #1	\$0.00	Modification to provide access to negotiated discounts. For drugs and items which are not covered by the State's prescription benefits plan, the Contractor shall make available to members in the State's prescription benefits plan the discounted price that the Contractor has negotiated with the dispensing pharmacy. For the period 7/1/2008 – 6/30/2011. Approved by DBM - 6/27/2008.
MOD #2	\$5,952,768	Modification to expand eligibility and add additional monies to the Prescription Drug Benefits Plan to meet the increased claims cost to comply with the amendment to COMAR 17.04.13.03A(11), for an expansion of coverage for dependent children up to age 25 for the period 7/1/2008 – 6/30/2011. Approved on the 6/25/2008 DBM BPW Agenda Item 26-S-MOD.
MOD #3	\$0.00	Modification to provide approval of new MBEs for the period 7/18/2008 through 6/30/2011 due to decertification of MBE submitted in the RFP. Approved by DBM – 7/18/2008.
MOD #4	\$0.00	Modification to require the Contractor to submit a quarterly report detailing its compliance with performance guarantees provided in the RFP. Approved by DBM – 11/25/2008.
Total	<u>\$5,952,768</u>	

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 33-S-MOD **Agency Contact:** Anne Timmons
410-767-4710
atimmons@dbm.state.md.us

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

CONTRACT IDS: F10B8200014;
Dental Benefits Program (DHMO, DPPO)
ADPICS NOs. COB53600 – DHMO;
COB53603 – DPPO

CONTRACTS APPROVED: 3/18/2009 DBM BPW Agenda Item 4-S

CONTRACTORS: Functional Area 1 - DHMO:
United Concordia Companies, Inc.
(UCCI - United Concordia Dental Plans, Inc.) Harrisburg, PA
(Local office in Hunt Valley, MD)

Functional Area 2 - DPPO:
United Concordia Companies, Inc.
(UCCI – United Concordia Life and Health Insurance Company)
Harrisburg, PA
(Local office in Hunt Valley, MD)

CONTRACT DESCRIPTION: Provide Dental Plan coverage for State of Maryland employees, satellite employees, direct pay employees, retirees, and eligible dependents. Awards are requested for one Dental Health Maintenance Organization (DHMO) and one Dental Preferred Provider Organization (DPPO).

MODIFICATION DESCRIPTION: Approval request to modify the contracts to change the definitions of Dependent to include same sex domestic partners and their dependents and to add additional funding in order to accommodate the increased number of dependents.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 33-S-MOD (Cont.)

TERM OF ORIGINAL CONTRACTS: 3/19/2009 - 6/30/2014 (5 Years;
3 ½ Months)

TERM OF MODIFICATIONS: 7/1/2009 - 6/30/2014 (5 Years)

AMOUNTS OF ORIGINAL CONTRACTS: \$ 61,446,669 (DHMO)
\$125,868,729 (DPPO)
\$187,315,398 Total Contract Value

AMOUNTS OF MODIFICATIONS: \$100,126 (DHMO)
\$319,847 (DPPO)
\$419,973 Total Mods

PRIOR OPTIONS/MODIFICATIONS: None

REVISED TOTAL CONTRACT AMOUNTS: \$ 61,546,795 (DHMO)
\$126,188,576 (DPPO)
\$187,738,371 Grand Total

PERCENT +/- (THIS MODIFICATION): +0.22%

OVERALL PERCENT +/-: +0.22%

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 0.5% of the total premiums paid to the
Contractors for both DHMO and DPPO

REQUESTING AGENCY REMARKS: Request for approval to modify the contracts
to change the definitions of Dependent to include same sex domestic partners and their
dependent children and to add additional funding in order to accommodate the increased number
of dependents.

The revised COMAR regulation 17.04.13.03.A(11) was adopted in May for an effective date of
July 1, 2009.

**SUPPLEMENT B
DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 33-S-MOD (Cont.)

FUND SOURCE: 100% General (50% of premium rates)
APPROP. CODE: Various
RESIDENT BUSINESS: Yes for both
MD TAX CLEARANCE: 08-2579-0000 - United Concordia Dental
Plans, Inc.
08-2580-0000 - United Concordia Life and
Health Insurance Company

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 1-C

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

INSTITUTION: University of Maryland, Baltimore

CONTRACT ID: School of Pharmacy Chiller Plant Expansion Project
Bid #85901 BS

CONTRACT DESCRIPTION: Labor, material, equipment, and supervision to upgrade and expand the School of Pharmacy chiller plant from a 450 ton capacity to a 1000 ton capacity.

AWARD: Emjay Engineering and Construction Co., Inc
Baltimore, MD

TERM OF CONTRACT: Twelve months from issuance of the Notice to Proceed

AMOUNT: \$4,075,000

PROCUREMENT METHOD: Multi-step Sealed Bid

BIDS OR PROPOSALS:

	<u>Technical Score</u>	<u>Price</u>
EMJAY Engineering and Construction Co., Inc. Baltimore, MD	88	\$4,075,000
Green Contracting Co. Baltimore, MD	85	\$4,861,000
Maryland Mechanical Systems Baltimore, MD	79	\$4,388,000

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

ITEM: 1-C (continued)

MBE PARTICIPATION: 25%

PERFORMANCE BOND: A 100% performance bond is required.

REMARKS: The solicitation was advertised in *eMaryland Marketplace* and distributed to the Office of Minority Affairs and other MBE associations. Three technical offers were received and evaluated by an evaluation committee established by the University. All three offers achieved the required, minimum technical score and were requested to submit bid prices. Emjay Engineering and Construction Co., Inc exhibited strong experience with similar projects and presented a strong project team. Award is recommended to the bidder with the lowest price and a passing technical score.

FUND SOURCE: Plant Funds

APPROP CODE: R30B31

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1653-1111

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED **DISAPPROVED**

DEFERRED **WITHDRAWN**

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT

ITEM: 2-C

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

INSTITUTION: University of Maryland, Baltimore

CONTRACT ID: On Call General Contracting for the Baltimore Region
Institutions - RFP# 85963MM

CONTRACT DESCRIPTION: Labor, materials, equipment, and supervision necessary for general construction projects on an "on call" basis for the Physical Plant/Offices of Facilities Management at the University System of Maryland institutions in the Baltimore Region.

AWARD: Emjay Engineering & Construction Co., Inc.
1706 Whitehead Road
Baltimore, MD 21207

Jeffrey Brown Contracting, LLC
400 E. Joppa Road, Suite 400
Towson, MD 21286

John W. Brawner Contracting Company, Inc.
6 North Park Drive, Suite 106
Hunt Valley, MD 21030

Hayes Construction Company
14307 Jarrettsville Pike
Phoenix, MD 21131

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

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

Waverly Construction & Management Company, Inc.
1515 Sulphur Spring Road
Baltimore, MD 21227

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

ITEM: 2-C (continued)

TERM OF CONTRACT: 07/01/09– 06/30/10
One year with 4 one-year renewal options

AMOUNT: \$ 7,000,000 (annual estimate for initial term)
No single project is anticipated to exceed \$1,000,000.

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS:	<u>Technical</u> <u>Score</u>	<u>Price</u> <u>Score</u>	<u>Total</u> <u>Score</u>	Price (3 Sample Projects)
Emjay Engineering Baltimore, MD	60	38	98	\$ 1,185,897.60
Hayes Construction Phoenix, MD	56	40	96	\$ 1,144,004.60
North Point Builders Baltimore, MD	57	39	96	\$ 1,164,085.00
John W. Brawner Hunt Valley, MD	55	39	94	\$ 1,166,710.30
Waverly Construction Baltimore, MD	53	38	91	\$ 1,198,060.74
Jeffrey Brown Contracting Towson, MD	53	38	91	\$ 1,202,356.00
Plano-Coudon Baltimore, MD	54	37	91	\$ 1,234,517.00

MBE PARTICIPATION: 25%

PERFORMANCE BOND: 100% performance bonds required for those projects
\$100,000 or greater.

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

ITEM: 2-C (continued)

REMARKS: Twenty-nine proposals were received and evaluated by an evaluation committee which included representatives from the University's offices of Procurement Services, Towson University, and UMBC Facilities Management. Seven firms achieved the required technical score, and submitted price proposals based on three sample projects. Award is recommended to all seven contractors. As projects arise, the University will compete each project greater than \$25,000 among the on-call contractors which will use the fixed hourly rates as well as material mark-up, sub-contractor mark-up, and equipment rental mark-up quoted in of this procurement. Hourly rates may increase in the renewal option terms based upon federal minimum wage increases and increases in the Consumer Price Index. The percentage mark-up for material, subcontractors, and equipment rental remains will remain the same in the renewal option terms.

FUND SOURCE: Various Institutional, include facilities renewal funds, departmental operating funds

APPROP CODE: R30B31 (Current Unrestricted Funds)
R30B24 (Current Unrestricted Funds)
R30B28 (Current Unrestricted Funds)
R30B21 (Current Unrestricted Funds)
R30B27 (Current Unrestricted Funds)
R30B35 (Current Unrestricted Funds)

RESIDENT BUSINESSES: Yes

MD TAX CLEARANCE: 09-1586-1111 Emjay Engineering & Construction
09-1587-1110 Jeffrey Brown Contracting
09-1588-1111 John W. Brawner Contracting
09-1589-1111 Hayes Construction
09-1590-1111 Plano-Coudon
09-1591-1111 North Point Builders
09-1592-1111 Waverly Construction & Management

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ARCHITECTURAL/ENGINEERING SERVICES CONTRACT

ITEM: 3-AE Agency Contact: James Salt
(301) 445-1987
jsalt@usmd.edu
USM Rep: James Stirling

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Architectural and Engineering Design for
the Easton Hall Air Conditioning Project
Contract No. B-000407-N
Project No. 09-391-720-00

CONTRACT APPROVED: IDC A/E services (USM Item 5-A/E 12/20/06)
Renewal Option (USM Item 3-A/E OPT, 12/17/08)

CONTRACTOR: Design Collective, Inc.
Baltimore, MD 21202-3121

CONTRACT DESCRIPTION: Complete design for the installation of HVAC system, replacement of windows, interior renovations and improvements to accommodate new building systems at Easton Hall dormitory. The building does not currently have air conditioning. The estimated construction cost for this project is \$6.5 million.

TERM: Pre-Construction Phase: 7 months (06/17/09 - 01/16/10)
Construction Phase: 14 months from notice to proceed

AMOUNT: \$1,092,063

PROCUREMENT METHOD: USM Procurement Policies and Procedures for Architectural and Engineering Service Selection (Task Order Issued under existing IDC AE Program)

BPW APPROVAL: USM Item 5-AE (12/20/06)

MBE PARTICIPATION: 20%

PERFORMANCE SECURITY: N/A

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

ITEM: 3-A/E (continued)

REMARKS: The Architect/Engineer has submitted an acceptable fee proposal and the University seeks Board approval to issue a task order under the existing IDC A/E contract with this firm, directing Design Collective, Inc. to proceed with the project design.

Approval is requested for all phases of the design. Design Collective, Inc. brings a strong experienced, integrated design team to the process. The proposal demonstrates the A/E's understanding of the cost and schedule requirements for the project. Design Collective's resume of completed projects indicates that they can complete the project successfully. Design Collective is also the designing architect for the ongoing Denton Hall HVAC project which is similar in scope to the Easton Hall HVAC project.

This item brings the combined value of task orders issued to Design Collective to \$2,251,367, exceeding the \$2 million cap approved by the Board. The University requests the Board to authorize an increase in the cap to \$2,251,367. No further orders will be authorized for this contract year.

Facilities Management/ Department of Architecture, Engineering & Construction at the University of Maryland, College Park will manage the Architect/Engineer's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE:	Plant Funds
APPROP CODE:	R30B22
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-0286-1111

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED **DISAPPROVED**
WITH DISCUSSION

DEFERRED **WITHDRAWN**
WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 4-C-MOD

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Contract No. B-000978-K
Project No.07-285-656-00
Construction Management (CM) at Risk Services
Shoemaker Building Renovation
University of Maryland, College Park

CONTRACT APPROVED: On Call CM Services (USM Item 2-C 01/02/2008)
USM Item 3-C 05/21/2008

CONTRACTOR: Plano-Coudon, LLC.
Baltimore, MD 21230-1715

CONTRACT DESCRIPTION: Construction management services for both pre-construction/design and construction phase, inclusive of the actual construction of the project, renovation of the Shoemaker Building. The project will renovate the 23,383 GSF/15,553 NASF Shoemaker Building, originally built in 1932, to replace antiquated HVAC, electrical and lighting systems, and construct architectural improvements. Existing deficiencies in this building, which is home to the University's Counseling Center, include substandard environmental conditions and accessibility and outdated/dilapidated finishes. The renovations will make more efficient and effective use of space, provide reliable temperature control, adequate ventilation, and enhance the delivery of services. The University's estimate of construction cost is \$5.6 million.

MODIFICATION DESCRIPTION: Incorporate the Guaranteed Maximum Price for the renovation of the Shoemaker Building. The GMP includes construction service fee, general conditions, and all trade packages.

TERM OF ORIGINAL CONTRACT: Pre-construction phase: 10 months (05/21/08-03/20/09)
Construction: 13 months

TERM OF MODIFICATION: Construction: 13 months (06/17/09 – 07/16/10)

AMOUNT OF ORIGINAL CONTRACT: \$100,000

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

ITEM: 4-C-MOD (continued)

MODIFICATIONS TO DATE: \$ 288,603
AMOUNT OF MODIFICATION: \$5,195,938
REVISED CONTRACT AMOUNT: \$5,584,541
PROCUREMENT METHOD: Competitive Sealed Proposals
(Task Order under established On-Call CM program)
MBE PARTICIPATION: 28%
PERFORMANCE SECURITY: Payment and Performance bonds at 100% of the contract amount

REMARKS: The contractor has submitted an acceptable GMP proposal. Facilities Management/ Department of Architecture, Engineering & Construction at the University of Maryland, College Park will manage the Contractor's work with procurement support from the University's Department of Procurement and Supply.

FUND SOURCE: Plant Funds
APPROP CODE: R30B22
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1745-1111

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 5-C MOD

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

INSTITUTION:

University of Maryland, College Park for
Bowie State University

CONTRACT ID:

Contract No. K-125563-K
Project No 07-296-006-00
Construction Management at Risk Services
Fine and Performing Arts Center
Bowie State University

CONTRACT APPROVED:

USM Item 1-C, 01/18/06
USM Item 5-C MOD, 05/23/07 (Stormwater Facility GMP)

CONTRACTOR:

Holder Construction Company
Reston, VA 20191

CONTRACT DESCRIPTION: Construction management services for both pre-construction/design and construction phases, inclusive of actual construction of the project. The project consists of constructing a 62,645 NASF/123,475 GSF Bowie State University Fine and Performing Arts Building, including all related improvements to site work and utilities. The new facility will provide a theater, recital hall, black box theater, modern classrooms, open laboratories, Arts Resource Center, recital hall, theatre, black box, support functions, lounge, general storage, loading dock and spaces for the Department of Fine and Performing Arts.

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

TERM OF ORIGINAL CONTRACT:

Pre Construction Phase:
(01/19/06 – 08/18/07)
Construction: 24 months

TERM OF MODIFICATION:

Construction Phase: 26 months
(06/18/09 – 08/18/11)

AMOUNT OF ORIGINAL CONTRACT: \$ 352,000

MODIFICATIONS TO DATE \$ 803,865

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

ITEM: 5-C MOD (continued)

AMOUNT OF MODIFICATION	\$48,866,685
REVISED CONTRACT AMOUNT	\$50,022,550
PROCUREMENT METHOD:	Competitive Sealed Proposals.
MBE PARTICIPATION:	25% (See Remarks)
PERFORMANCE SECURITY:	Payment and Performance bonds at 100% of the contract amount

REMARKS: The contractor has submitted an acceptable GMP Proposal. Construction of this project was originally expected to commence in December 2007, but funding was deferred in FY 2008 and 2009. The project is now split-funded for construction in FY 2010 and 2011. The revised estimated construction cost is \$60 million, including adjustments for escalation over the time the project was deferred.

Contractor has exceeded the MBE goal of 25% on this project by committing to MBE participation of 30.1% on the project to date, including this GMP.

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

FUND SOURCE: Split year funding for construction:
\$34,028,000 MCCBL 2009, Item 056
The balance of funds (\$14,838,685)
is proposed to be appropriated
during the 2010 Legislative Session

APPROP CODE: N/A

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-0040-1111

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

APPROVED **DISAPPROVED**

DEFERRED **WITHDRAWN**

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT

ITEM: 6-C

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

INSTITUTION:

University of Maryland, College Park for the
Maryland Fire and Rescue Institute.

CONTRACT ID:

Contract No. B-000979-K
Project No. 08-345-697-00
On-Call Construction Management (CM) at Risk Services
Maryland Fire and Rescue Institute (MFRI),
Northeast Regional Training Center, Edgewood

CONTRACT DESCRIPTION: On-Call Construction Management services for construction of the MFRI Northeast Regional Training Center in Edgewood. The facility will replace an existing training facility located at Aberdeen Proving Ground, which must be vacated due to BRAC construction at the Aberdeen site. The estimated construction cost for this project is \$8.0 million.

AWARD:

J. Vinton Schaefer & Sons, Inc.
Abingdon, Maryland

TERM:

Pre-Construction Phase: 6 months (06/17/2009 – 12/16/2009)
Construction Phase: 1 year from notice to proceed

AMOUNT:

\$ 72,500 (Pre- Construction Services Only)

PROCUREMENT METHOD:

Competitive Sealed Proposals:
Task Order issued under On-Call CM Program
(USM Item 2-C, 01/02/2008)

PROPOSALS:

	<u>Evaluated Price</u>
J.V. Schafer & Sons, Inc. Abingdon, MD	\$771,500
P.J. Dick, Inc. Columbia, MD	\$837,000

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

ITEM: 6-C (continued)

MBE PARTICIPATION: 25%

PERFORMANCE BOND: Equal to contract amount

REMARKS: The evaluated price of \$771,500 reflects Pre-Construction Services, Construction Phase Services, and General Conditions. The University's estimate for these services is \$874,287.

The solicitation for this project was issued under the University's On-Call CM program. Three proposals were received, one of which was determined to be technically unacceptable. The initial award amount of \$72,500 is for preconstruction services only. The contract amount will be modified after submittal of the Guaranteed Maximum Price proposal and presented to the Board for approval at that time. The total projected GMP is \$8 million.

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

FUND SOURCE: MCCBL 2008, Item 039

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-0324-1111

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT

ITEM: 7-C

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Contract No. B-000978-K
Project No. 09-391-720-00
On-Call Construction Management (CM) at Risk Services
Easton Hall Air Conditioning
University of Maryland, College Park

CONTRACT DESCRIPTION: On-Call Construction Management services for installation of a HVAC System and Replacement of Windows at the Denton Hall dormitory. The building currently does not have air conditioning. New Fan Coil Units will be installed with a new two pipe system to provide heat and air conditioning to each room and occupied space. The estimated construction cost for this project is \$6.5 million.

AWARD: Plano Coudon, LLC
Baltimore, MD 21230

TERM: Pre-Construction Phase: 7 months (06/17/2009 – 01/16/2010)
Construction Phase: 14 months from notice to proceed

AMOUNT: \$ 81,500 (Pre- Construction Services Only)

PROCUREMENT METHOD: Competitive Sealed Proposals-
Task Order issued under On-Call CM Program
(USM Item 2–C, 01/02/2008)

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

ITEM: 7-C (continued)

PROPOSALS:	<u>Evaluated Price</u>
Plano Coudon Baltimore, MD	\$595,000
J.V. Schafer & Sons, Inc. Abingdon, MD	\$654,000
Holder Construction Company Herndon, VA	\$704,550
P.J. Dick, Inc. Columbia, MD	\$989,000
MBE PARTICIPATION:	25%
PERFORMANCE BOND:	Equal to contract amount

REMARKS: The evaluated price of \$595,000 reflects Pre-Construction Services, Construction Phase Services, and General Conditions. The University's estimate for these services is \$786,500.

The solicitation for this project was issued under the University's On-Call CM program. The initial award amount of \$81,500 is for preconstruction services only. The contract amount will be modified after submittal of the Guaranteed Maximum Price proposal which will be presented to the Board for approval. The total projected GMP is \$6.5 million.

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

FUND SOURCE:	Plant Funds (Residential Facilities)
APPROP CODE:	R30B22
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-1745-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 8-C MOD

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

INSTITUTION: University of Maryland, College Park for the University of Maryland Biotechnology Institute

CONTRACT ID: Contract No. K103454-K
Project No. 90-000-032-00
Construction Management at Risk,
Center for Advanced Research in
Biotechnology II ("CARB II").
Rockville, Maryland

CONTRACT APPROVED: USM Item 5-C , 01/03/2001

CONTRACTOR: Barton Malow Company
Linthicum, MD

CONTRACT DESCRIPTION: Professional construction management services during pre-construction and construction phases, inclusive of the actual construction of the facility. Project includes construction of a 140,000 GSF facility that will house biotechnology laboratories, classrooms, offices, computer database network and library, and seminar and conference space.

MODIFICATION DESCRIPTION: Settlement of multiple claims. The Office of the Attorney General, recommends approval of this settlement of all open claims with the Barton Malow Company.

TERM OF ORIGINAL CONTRACT: Pre-Construction Services –14 months from original contract date until completion of the design phase. Construction Services – 24 months after Notice to Proceed with construction.

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

ITEM: 8-C MOD (continued)

TERM OF MODIFICATION: All work has been completed. Settlement resolves all open issues.

AMOUNT OF ORIGINAL CONTRACT: \$ 270,000.00 (Pre-Construction Services)

MODIFICATIONS TO DATE: \$43,479,546.46 (Includes GMP)

AMOUNT OF MODIFICATION: \$ 1,094,883.96 (Settlement)

REVISED CONTRACT AMOUNT: \$44,844,430.42 (Final)

PERCENTAGE INCREASE: 3.1%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REMARKS: The Settlement Agreement dated April 29, 2009 provides background and details.

FUND SOURCE: \$ 794,883.96 MCCBL 2005, Item 079-05
\$ 300,000.00 Plant Funds
\$1,094,883.96

APPROP CODE: R30B36

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1751-1111

BOARD OF PUBLIC WORKS ACTION:

THE ABOVE REFERENCE ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 9-RP

INSTITUTION: Coppin State University

DESCRIPTION: The Board of Public Works is requested to approve for Coppin State University the purchase of certain streets and alleys within the City of Baltimore.

PROPERTY: Coppin State University requests approval to purchase three parcels:

- (1) The road bed within the 1800 block of Whitmore Avenue extending across to the south side of Westwood Avenue
- (2) A ten foot alley between North Avenue and Westwood Avenue and east of Whitmore Avenue.
- (3) A portion of Westwood Avenue that runs east of Whitmore Avenue and a twenty foot alley.

GRANTOR: Mayor and City Council of Baltimore

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

APPRAISED VALUE:

Lipman Frizell Mithell	\$28,600
Colliers Pinkard	\$29,000

FUND SOURCE: MCCBL 2005, Item 074

PRICE: \$25,000.00

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

ITEM: 9-RP

REMARKS: These acquisitions will support the Health and Human Services Building project. The purchase of streets and alleys from the Mayor City of Baltimore is a process that in some cases can take several years. Because of this, the City of Baltimore provided Coppin State University with a construction right of entry to permit the construction of the building while the approval process went forward. The City of Baltimore process concluded on May 13, 2009 with approval from the Board of Estimates to transfer these properties to the State.

These acquisitions were approved by the University System of Maryland Board of Regents at its meeting on March 18, 2004.

BOARD OF PUBLIC WORKS ACTION:

APPROVED

DISAPPROVED

WITH DISCUSSION

THE ABOVE REFERENCE ITEM WAS:

DEFERRED

WITHDRAWN

WITHOUT DISCUSSION

SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

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

REAL PROPERTY: Acquisition by Purchase

ITEM: 10-RP

INSTITUTION: Coppin State University

DESCRIPTION: The Board of Public Works is requested to approve for Coppin State University the acquisition of two properties in the City of Baltimore for the proposed new Science and Technology Center.

PROPERTY: 2537 W. North Avenue
1701 Thomas Avenue

GRANTOR: The Estate of Theo Williams - 2537 W. North Avenue:
John Maurice Wilder - 1701 Thomas Avenue:

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

APPRAISED VALUE:	<u>Lipman Frizell Mitchell</u>	<u>Colliers Pinkard</u>
2537 W. North Avenue	\$ 61,000.00	\$ 42,000.00
1701 Thomas Avenue	\$ 67,600.00	\$ 64,600.00

FUND SOURCE: MCCBL 2008, Item 047

PRICE:

2537 W. North Avenue	\$55,000
(The owner will also receive relocation assistance up to the amount of \$105,000)	
1701 Thomas Avenue	\$67,000
(The owner will also receive relocation assistance in the amount of \$59,723.50)	

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

ITEM: 10-RP (continued)

REMARKS: These two properties are being purchased in support of the growth at Coppin State University and to provide a site for the construction of the new Science and Technology Center. This project will be constructed adjacent to the recently completed Health and Human Performance Building.

This acquisition was approved by the University System of Maryland Board of Regents at its meeting on October 17, 2008.

BOARD OF PUBLIC WORKS ACTION:

APPROVED

DISAPPROVED

WITH DISCUSSION

THE ABOVE REFERENCE ITEM WAS:

DEFERRED

WITHDRAWN

WITHOUT DISCUSSION

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

GENERAL MISCELLANEOUS

ITEM: 11-GM

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

DEPARTMENT: University of Maryland, Baltimore

PROJECT: Privatized Student Housing at University of Maryland, Baltimore
USM Item 4-GM (December 18, 2002)
USM Item 9-GM (December 17, 2008)

RECOMMENDATION: That the Board of Public Works approve a second amendment to the ground lease and agreement between landlord University of Maryland, Baltimore, tenant Maryland Economic Development Corporation, and developer Fayette Street Housing, LLC.

DESCRIPTION: Reference is made to USM Item 4-GM (12/18/02) in which the Board of Public Works approved a ground lease between UMB, as landlord, and MEDCO, as tenant, and Fayette Street Housing, LLC, as developer. The purpose of the ground lease was to develop a student residential housing project, which was completed and occupied in Fall 2004. Further reference is made to USM Item 9-GM (12/17/2008) in which the Board of Public Works approved an amendment to the ground lease that terminated the project developer's responsibilities for ongoing operations of the project and future obligations and investments in the project. The developer remains a party to the ground lease.

UMB, MEDCO and the developer seek to amend the ground lease to:

1. Provide that UMB may require that security and other services for the project be provided by UMB.
2. Provide for reimbursement of UMB's costs to provide those services.
3. Provide that UMB may defer receipt of reimbursement if a payment to UMB in any month would cause MEDCO to be out of compliance with any applicable coverage ratio and/or rate covenant relating to the project.
4. Provide that the management fee shall be payable to the property manager after all other operating expenses, debt service, and applicable reserve funds unless otherwise agreed to by USM in writing.
5. Provide for modification of insurance requirements specified in the ground lease following reviews by an insurance consultant every five years.

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

ITEM: 11-GM (continued)

FUND SOURCE: UMB will bear any costs of providing services from its operating budget, subject to recovery of those costs from project revenues on a monthly basis, or, if a payment is deferred, when funds are available for the payment.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 1-IT **Agency Contact:** Charles Bristow
(410) 865-1040
cbristow@mdot.state.md.us
Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Transportation (MDOT)

CONTRACT ID: OTTS-10-001
IBM Mainframe Software Licenses and
Related Support Services
ADPICS NO. J01B9200007

DESCRIPTION: Annual maintenance, support and license renewal for IBM mainframe operating system software.

AWARD: IBM Corporation
Baltimore, MD

TERM: 07/01/2009 - 06/30/2010

AMOUNT: \$1,681,084.00 (1 Year)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None (See Remarks)

INCUMBENT: Same

REMARKS: This contract provides for the continuation of maintenance and renewal of license for the essential IBM mainframe operating system and related software products currently installed on the IBM mainframe processor located at the Glen Burnie Data Center. The software license agreement is critical to the ability to fulfill MDOT's responsibility as the central data processing center for all of MDOT including the Maryland Transportation Authority.

IBM is the sole owner of the proprietary operating system software and its subsystems installed on the existing IBM mainframe processor; therefore, there is no other available source for the maintenance software.

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

ITEM: 1-IT (Cont.)

Due to the proprietary nature of the services provided, there are no subcontracting opportunities and therefore no MBE participation goal.

FUND SOURCE: Special - 100% (Transportation Trust Fund)

APPROP. CODE: J01A0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1304-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 2-IT

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

DEPARTMENT:

Transportation (MDOT)

CONTRACT ID:

MDOT-10-002, MAXIMO/TIVOLI
ADPICS NO. J01B9200008

DESCRIPTION: Software maintenance and support services for the MAXIMO Computerized Asset and Maintenance Management System.

AWARD:

IBM Corporation
Baltimore, MD

TERM:

7/1/2009 – 6/30/2012

CONTRACT AMOUNT:

\$3,145,880 (3 Years)

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None (See Remarks)

INCUMBENT:

Same

REMARKS: This contract provides non-interrupted support for the required software maintenance and support for the MAXIMO/TIVOLI asset management system and technical support services. In 1995, through a competitive procurement, MDOT selected and began deployment of MAXIMO software as its Computerized Asset and Maintenance Management System. This proprietary software has been customized to meet the unique individual needs of the Department. IBM will provide for Software Application and Technical Support Services that will support MDOT's seven modes.

Due to the proprietary nature of the software, there are no subcontracting opportunities and therefore no MBE participation goal.

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

ITEM: 2-IT (Cont.)

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J01A0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1304-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 3-IT

Agency Contact: Walt Bayne
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Wbayne@mdot.state.md.us
Robert Krysiak (410) 260-7179
Robert.krysiak@doit.state.md.us

DEPARTMENT:

Transportation (MDOT)

CONTRACT ID:

V-HQ-10005-IT
Micro Focus Mainframe Express Enterprise Edition
ADPICS NO. J00B9200039

DESCRIPTION: Micro Focus software licenses and mainframe software support services used on the MDOT IBM mainframe computer system and Windows workstations.

AWARD:

Micro Focus U.S., Inc.
Rockville, MD

TERM:

7/1/2009 - 6/30/2014

AMOUNT:

\$396,000 (5 Years)

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None (See Remarks)

FUND SOURCE:

100% Spec.

APPROP. CODE:

J04E0001

INCUMBENT:

Same

REMARKS: MDOT's Motor Vehicle Administration runs its mission critical software applications and software tools on an IBM Mainframe. The services provided under this contract support these critical applications and tools in addition to the MDOT payroll application. Micro Focus continuous software maintenance support will allow MDOT's Business Systems Management group to create and maintain applications that run on the most recent versions of the IBM Operating System.

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

ITEM: 3-IT (Cont.)

Due to the proprietary nature of this service, there is no MBE participation for this contract.

RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1612-1111

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

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

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

ITEM: 4-IT

Agency Contact: Albert Annan
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Robert.Krysiak@doit.state.md.us

DEPARTMENT: Education (MSDE)

CONTRACT ID: E-learning Solutions
ADPICS NO. R00B9200061

DESCRIPTION: Yearly subscription to software system which enables the Maryland Virtual Learning Opportunities program (MVLO) to offer courses on-line for students and educators in Maryland schools.

AWARD: Desire2Learn Incorporated. (D2L)
Kitchener-Waterloo, Ontario, Canada

TERM: 7/1/2009 – 6/30/2010

AMOUNT: \$167,114 (1 Year)

PROCUREMENT METHOD: Sole Source

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Remarks)

INCUMBENT: Same

REMARKS: The MVLO, an agency of MSDE, is responsible for enhancing the education experience of students and educators through access to high quality, web-delivered courses and instructional support. MVLO will use D2L software to provide on-line student courses, high school assessment resources and professional development for Maryland students and teachers.

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

ITEM: 4-IT (Cont.)

The D2L software was competitively selected in 2006 by the Southern Regional Education Board (SREB) as the standard software for use by its 16 member states: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.

The SREB is a non-profit, non-partisan organization that works with leaders and policy makers to advance pre-K through post-secondary education and improve the social and economic life in the member states. Programs of the SREB include:

- The largest school improvement network, *High Schools That Work* and *Making Middle Grades Work*;
- The first fully integrated Web site for e-learners and adult learners;
- The largest educational technology collaborative of state K-12 and postsecondary agencies; and
- The only regional council on collegiate nursing education, and many other innovative initiatives to help its member states lead the nation in educational progress.

As a member, MSDE had representation on the multi-state Evaluation Team that selected D2L software as the standard bearer for use by member states. Software features include tracking of user progress and communications tools that allow students and teachers to be separated by a distance. Use of any other e-learning software would not only compromise SREB standards, but also may not guarantee the lower price enjoyed by member states due to the volume discount provided by the SREB contract with D2L.

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

FUND SOURCE: 100% Special

APPROP. CODE: R00K6100

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

ITEM: 4-IT (Cont.)

RESIDENT BUSINESS: No

MARYLAND TAX CLEARANCE: 09-1663-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 5-IT

Agency Contact:

John Salmon (410) 260-7634

jsalmon@comp.state.md.us

Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Comptroller of Maryland
Register of Wills

CONTRACT ID:

RFP ROW0902
ADPICS NO. E00B9200065

CONTRACT DESCRIPTION: Software application development and support, including help desk support services for Register of Wills offices located in 24 local jurisdictions.

AWARD:

CACI Enterprise Solutions, Inc.
Fairfax, VA

TERM:

7/1/2009 – 6/30/14 (w/1 five-year renewal
option)

AMOUNT:

\$ 4,572,608 (5 Year; Base)
\$ 5,565,843 (5 Years; Option)
\$10,138,451 Total 10 Years

PROCUREMENT METHOD:

Competitive Sealed Proposals
(one proposal received)

BIDS OR PROPOSALS:

See Remarks

MBE PARTICIPATION:

34.8%

PERFORMANCE SECURITY:

None

INCUMBENT:

Same

REMARKS: A notice of the availability of the Request for Proposals was published on *eMaryland Marketplace.com* and the Comptroller's web site. The RFP was sent to 44 potential contractors, of which 38 were Maryland firms and 35 were Maryland certified MBE firms. A copy of the RFP was also forwarded to the Governor's Office of Minority Affairs.

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

ITEM: 5-IT (Cont.)

Three proposals were received of which two proposals were found not reasonably susceptible of award. The proposal received from CACI was found to meet or exceed all requirements.

Through this contract CACI will continue to provide the required support services for each Register of Wills location. This support includes the development, maintenance, and operation of applications and a distributed network of PCs, peripheral equipment, and servers for each location. The client/server application is served from central servers installed at the Comptroller's Annapolis Data Center. The Register of Wills network consists of approximately 350 PCs, 7 central servers, 24 office support servers, 26 routers, 212 printers, and 110 scanners.

With 13 years of experience, CACI possesses knowledge for each Register of Wills office environment. With this experience, CACI eliminates concerns and assures continuity of services to the State. The very nature of the Register's service - to assist citizens following the death of a family member - enhances the need to eliminate risks and assure continuity of services. The potential risk associated with the disruption of services is reduced by award to a contractor who has intimate knowledge of the development and operation of the ROWNET system. Extended downtime or application errors have the potential to seriously and detrimentally affect the daily operations of the ROW offices.

FUND SOURCE: 100% Non-Budgeted

APPROP. CODE: N/A

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-0807-1111

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

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

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

ITEM: 6-IT

Agency Contact:

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Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Comptroller of Maryland

CONTRACT ID:

SS-10-02

ADPICS NO. E00B9200061

CONTRACT DESCRIPTION:
services.

Mainframe software maintenance and support

AWARD:

IBM Corporation

Baltimore, MD

TERM:

7/01/2009 – 6/30/2010

AMOUNT:

\$2,486,396 (1 Year)

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None

INCUMBENT:

Same

REMARKS: The Comptroller's Information Technology Division's provides mainframe computer services for various State departments and agencies through the Annapolis Data Center. The Division licenses and maintains numerous software products that support the operational side of the mainframe as well as the applications that run on it.

The subject software currently operates the Annapolis Data Center's IBM z890 mainframe. IBM is the developer of the software and, as such, retains the proprietary and copyright privileges associated with the software. Under these circumstances, IBM Corporation is the only known vendor that can provide the requested software maintenance and support services.

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

ITEM: 6-IT (Cont.)

FUND SOURCE: 100% Reimbursable

APPROP. CODE: E00A1001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1269-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 7-IT

Agency Contact:

John Salmon (410) 260-7634
jsalmon@comp.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Comptroller of Maryland

CONTRACT ID: SS-10-01
ADPICS NO. E00B9200062

CONTRACT DESCRIPTION: Mainframe software license and maintenance for software that provides connectivity for the Annapolis Data Center with all of its customer agencies and external customers.

AWARD: Sterling Commerce
Dublin, OH

TERM: 7/01/2009 – 6/30/2014

AMOUNT: \$450,000 (5 Years)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None (See Remarks)

INCUMBENT: N/A

REMARKS: The Information Technology Division's Annapolis Data Center provides mainframe computer services for various State departments and agencies. The Division licenses and maintains numerous software products ranging that support the operational side of the mainframe as well as the applications that run on it.

This contract will provide the Annapolis Data Center with one production and one test software license for Connect:Direct for z/Series. The software provides connectivity for the ADC with all of its customer agencies and external customers. Acquisition of the license and associated maintenance is necessary to replace the current license for Connect:Direct that is no longer supported by a contractor.

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

ITEM: 7-IT (Cont.)

Due to the proprietary nature of the software being acquired, no MBE subcontracting opportunities exist in either the licensing or maintenance of the software.

FUND SOURCE: 100% Reimbursable
APPROP. CODE: E00A1001
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1270-1011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 8 -IT-OPTION

Agency Contact:

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Robert Krysiak (410-260-7179)

Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Information Technology (DoIT)

CONTRACT ID:

050B5800073;

PBX Equipment, Software, Services and
Maintenance

ADPICS NO. 060B0400001

CONTRACT APPROVED:

3/2/2005 BPW Agenda Item 6-IT

CONTRACTOR:

Verizon Select Services, Inc.

Atlanta, GA

(local office in Linthicum Heights, MD)

DESCRIPTION: Provide State agencies with equipment, software, services and maintenance to support their current networked NEC-brand phone systems and peripherals such as video conferencing equipment, security systems, voice mail, etc.

OPTION DESCRIPTION:
second of two one-year renewal options.

Continue existing services by exercising the

TERM OF ORIGINAL CONTRACT:

3/17/2005 – 6/30/2008 (W/2 one-year
renewal options)

TERM OF OPTION:

7/1/2009 – 6/30/2010

AMOUNT OF ORIGINAL CONTRACT:

\$30,000,000

AMOUNT OF OPTION:

\$10,000,000

PRIOR MODIFICATIONS/OPTIONS:

\$12,750,000 (See Attachment)

REVISED TOTAL CONTRACT AMOUNT:

\$52,750,000

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

ITEM: 8 -IT-OPTION (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 35%

REMARKS: This contract provides State agency and participating local government agencies with a procurement vehicle to purchase the following equipment and services:

- Telephone equipment, software, and services for upgrades and/or additions to their existing networked NEC brand PBX telephone systems
- Maintenance for existing networked NEC brand PBX telephone systems and peripherals, including any upgrades and/or additions
- Engineering solutions support
- Video conferencing equipment
- Security system equipment
- Voice mail equipment
- Interactive voice response equipment
- Automatic call distributor equipment
- Monitor, manage, administer and report on their NEC brand PBX telephone systems
- Support for special projects that impact the PBX networks

Verizon Select Services has continued to provide reliable customer service throughout the term of the contract. The contract is widely used by State and local agencies. During this last option of the contract, DoIT will process a procurement for a replacement contract.

FUND SOURCE: Various
APPROP. CODE: Various
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1667-1001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 8 -IT-OPTION (Cont.)

ATTACHMENT

PRIOR MODIFICATIONS/OPTIONS:

Mod. #1	\$ 2,550,000	Modification of the contract to extend the termination date of the base term of the contract by about three and one-half months to align with the billing process established for the contract. DBM/BPW Agenda 10/1/2008; Item 6-IT-MOD.
Opt. #1	<u>\$10,200,000</u>	Exercised the option for the period 7/1/2008 through 6/30/2009. DBM/BPW Agenda 10/1/2008; Item 6-IT-MOD.
	\$12,750,000	Grand Total

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

ITEM: 9-IT-OPTION

Agency Contact: Elliot Schlanger
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Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Information Technology (DoIT)
CONTRACT ID: 050B6800001;
Novell Software Re-seller Contract
ADPICS NO. 060B0400002
CONTRACT APPROVED: 6/15/2005 BPW Agenda Item 38-IT
CONTRACTOR: Dell Marketing L.P.
Round Rock, TX
(formerly ASAP Software Express, Inc)

CONTRACT DESCRIPTION: Re-seller of Novell licensed software provides maintenance, Novell premium support, premium support upgrades and software distribution media for State agencies.

OPTION DESCRIPTION: Continue existing services by exercising the second of two two-year renewal options.

TERM OF ORIGINAL CONTRACT: 7/1/2005 - 6/30/2007 (W/2 two-year renewal options)
TERM OF OPTION: 7/1/2009 - 6/30/2011
AMOUNT OF ORIGINAL CONTRACT: \$5,000,000
AMOUNT OF OPTION: \$3,000,000
PRIOR MODIFICATIONS/OPTIONS: See Attachment
REVISED TOTAL CONTRACT AMOUNT: \$8,000,000

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

ITEM: 9-IT-OPTION

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

MBE PARTICIPATION: None

REMARKS: This Contract provides service and support for Maryland's need for Novell licensed software products. Services may be purchased by individual State agencies. This contract may also be used by local governmental entities such as school systems, counties/municipalities and all of Maryland's public higher education institutions.

The products and services provided under this contract are priced at a percentage discount of the Novell list price at the time an order is placed. Discounts range from 10% to 44.88% depending on what is procured

The Contract has primarily been used by the Department of Health and Mental Hygiene, Comptroller of Maryland, Department of Human Resources and Labor, Licensing and Regulation.

FUND SOURCE: Various

APPROP. CODE: Various

RESIDENT BUSINESS: No

MD TAX CLEARANCES: 09-1829-1000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 9-IT MOD (Cont.)

ATTACHMENT

PRIOR MODIFICATIONS/OPTIONS:

Opt. #1	\$ 0 Est.	Exercised renewal option for the period 7/01/2007 - 6/30/2009. BPW/DBM Agenda 5/23/2007; Item 6-IT-OPT
	<hr/> \$ 0 Est.	Grand Total

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

ITEM: 10-IT

Agency Contact: Elliot Schlanger
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Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Information Technology (DoIT)

CONTRACT ID:

F50B0400001; Professional Support Services
ADPICS NO. F50B0400001

DESCRIPTION: provide DoIT's Networks Divisions with expert technical services for its Statewide Public Safety Wireless Communications System Procurement.

AWARD:

RCC Consultants, Inc.
Woodbridge, NJ

TERM:

6/18/2009 - 6/17/2010

AMOUNT:

\$218,400 (1 Year)

PROCUREMENT METHOD:

Sole Source

MBE PARTICIPATION:

None (See Remarks)

INCUMBENT:

Same

REMARKS: DoIT is responsible for the procurement of the State's proposed 700 MHz Statewide Public Safety Communication System. Currently that procurement is in the proposal evaluation phase.

RCC Consultants, Inc. provided the functional requirements, conceptual engineering, and frequency planning documents for the State's proposed 700 MHz radio system under a previous contract procured through a competitive procurement. Additionally, RCC has been working with the evaluation committee as a subject matter expert during the review of proposals and preparation of clarification letters to each offeror. RCC will be a valuable asset by participating in oral presentations and reviewing offeror responses to the clarification letters to verify compliance with the State's requirements in the RFP. RCC has worked on the 700 MHz

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

ITEM: 10-IT (Cont.)

project for three years. The investment the State has made, as well as the knowledge and background that RCC has gained, could not be replaced through another source without spending a large amount of time and money bringing the source up to the current level of RCC.

Also, RCC is working with Delaware on its statewide radio system and, with Prince George's County on its 700 MHz county radio system, and is the primary consultant for Region 20 radio planning group. These experiences are valuable to the State during the process of coordinating the State's 700 MHz frequency license with the bordering states, a critical component of the project. The proposed hourly consultant rate is consistent with the costs from the previous RCC contract and is the same rate being charged Prince George's County. The selection of RCC ensures the State will receive the best value and highest probability of a successful deployment of this mission critical application.

Since only one technical expert will be provided to the State by RCC under this contract, there are no subcontracting opportunities and there is no MBE participation goal.

FUND SOURCE:	100% Capital
APPROP. CODE:	PSCC7
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	09-0802-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 11-IT MOD

Agency Contact: Elliot Schlanger
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Robert Krysiak (410-260-7179)
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Information Technology (DoIT)

CONTRACT ID: F10R5200203;
Enterprise Web Systems
ADPICS NO. COB50493

CONTRACT APPROVED: 2/1/2006 DBM/BPW Agenda Item 9-IT

CONTRACTOR: A&T Systems, Inc.
Silver Spring, MD

DESCRIPTION: Support the systems that compose DoIT's Enterprise Web Systems, including the *Maryland.Gov* web portal.

MODIFICATION DESCRIPTION: Increase contract amount to cover support services.

TERM OF ORIGINAL CONTRACT: 2/01/2006 – 1/31/2011

TERM OF MODIFICATION: 7/1/2009 – 1/31/2010 (7 months)

AMOUNT OF ORIGINAL CONTRACT: \$3,990,000 (5 years)

AMOUNT OF MODIFICATION: \$650,000

PRIOR MODIFICATION/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$4,640,000

PERCENT (+/-) THIS MODIFICATION: 16%

OVERALL PERCENT (+/-): 16%

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

ITEM: 11-IT MOD (Cont.)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 35%

REMARKS: DoIT seeks to modify the contract to add funding to cover monthly support costs and work orders through January 2010. The original cost projections were based primarily on the monthly fixed price for software support and managed services over the contract term. When the contract was originally approved, the increase in demand and growth for web services from the Web Systems Division was underestimated. Moreover, the Department of IT that could provide a level of shared services to the Governor's Office and other agencies did not exist. Consequently, the increase in the need for work orders was not factored into the original request for spending authority. DoIT relies heavily on this contract to not only provide software support and managed services for the State but also for projects completed through work orders. These work orders build and support web sites within the existing software and hardware resources of the portal as well as managed services thereby reducing the time and cost for new development efforts and support. Examples of these work orders include:

- Developed web site for DoIT as a new executive branch agency. Develop and support web applications for master contracts within the framework of *Maryland.Gov's* software support and managed services for hardware, network, security and backup.
- Support the Governor's web systems and Statewide web redesign initiative.
- Address hardware/software technology refresh and configuration for maryland.gov including Google statewide search services, SharePoint and SAN.
- Develop Funding Accountability and Transparency web site for DBM as mandated by HB 358 in 2008 Legislative session.
- Develop problem solver web site and stimulus opportunity web application for the recovery.maryland.gov web site.
- Provide configuration control due to upgrades that nwMaryland is making at the University of Maryland College Park Datacenter where the maryland.gov system is hosted.

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

ITEM: 11-IT MOD (Cont.)

A&T Systems has done an excellent job in supporting *Maryland.Gov* within the service level agreements established for high availability, reliability and security of web sites and services. Additional spending approval is requested so that DoIT can maintain the strong momentum of efficiency and performance of services through January 2010 until the work can be recompleted.

FUND SOURCE: 100% General
APPROP. CODE: B0407
RESIDENT BUSINESS Yes
MD TAX CLEARANCES: 09-0523-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 12-IT

Agency Contact: Susan Traylor
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Robert Dean (410) 514 -7445
DeanR@mdhousing.org
Robert Krysiak (410) 260-7179
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DEPARTMENT: Department of Housing and Community Development (DHCD)

CONTRACT ID: RFP #09-26-001
State Asset Servicing System
ADPICS BPO NO. S00B9200013

CONTRACT DESCRIPTION: Procure and implement mortgage servicing software applications that will provide an integrated solution in support of DHCD's multifamily loan portfolio.

AWARD: Nortridge Software Company
Lake Forest, CA

TERM: 6/18/2009 – 6/17/2012

AMOUNT: \$885,000.00 (3 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Remarks)

PERFORMANCE SECURITY: None

INCUMBENT: None

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

ITEM: 12-IT (Cont.)

REMARKS: A notice of availability of the Request for Proposals (RFP) was advertised in *eMarylandMarketplace.com*, posted on DHCD's website and mailed directly to 20 prospective offerors, of which two were Maryland firms and none were MBEs. Nine prospective offerors attended the pre-proposal conference. Five proposals were received in response to the RFP of which two withdrew from the competition.

Award is recommended to Nortridge Software Company. Nortridge has a solid background in developing, implementing, and maintaining loan servicing software for the mortgage and banking industries, and housing finance agencies, with customers that are a mix of government agencies and private industry, including experience with the Colorado HFA.

Nortridge's commercial off the shelf software system will provide most of the functionality required by the RFP out-of-the-box requiring no major modifications to meet DHCD's specified needs. Nortridge's product demonstration successfully handled the sample loan data provided by DHCD, and the Nortridge's team exhibited a strong understanding of what would need to be done to implement the RFP specifications.

Based on analysis of the scope of work, no MBE subcontracting goal was established. Because the products will be proprietary, components of the scope of work do not lend themselves to subcontracting opportunities. When searching for potential offerors to target for the solicitation, DHCD was unable to identify any MBE certified companies experienced in developing, implementing, and maintaining loan servicing software for the mortgage and banking industries, and or/ housing finance agencies. Also, mortgage servicing software is a very specialized area, generic software application trainers would not be sufficiently knowledgeable in the mortgage servicing software area to serve as trainers for DHCD staff.

FUND SOURCE: Special Funds - DHCD Revolving Loan Programs

APPROP. CODE: S00A2601

RESIDENT BUSINESS: No

MD TAX CLEARANCE: [pending]

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 12-IT (Cont.) ATTACHMENT

BIDS OR PROPOSALS:

<u>OFFERORS</u>	<u>TECHNICAL RANKING</u>	<u>FINANCIAL RANKING</u>	<u>OVERALL RANKING*</u>
Nortridge Software Company Lake Forest, CA	1	\$ 885,000 (1)	1
Mitas Group McKinney, TX	2	\$1,404,894 (2)	2
Emphasys Software Doral, FL	3	\$2,189,470 (3)	3

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

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONSTRUCTION CONTRACT:

ITEM: 1-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-09-015
Loading Bridge Utility Metering at
Baltimore/Washington International Thurgood
Marshall Airport
ADPICS NO. MAACO09015

CONTRACT DESCRIPTION: This contract provides electrical usage meters for sixty-nine (69) loading bridges at BWI Thurgood Marshall Airport.

AWARD: Enterprise Electric Company
Baltimore, MD

TERM OF CONTRACT: 210 Calendar Days from Notice to Proceed

AMOUNT: \$710,395.00

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Enterprise Electric Company \$710,395.00
Baltimore, MD

Glenelg Construction \$862,110.00
Mt. Airy, MD

MBE PARTICIPATION: 24%

PERFORMANCE SECURITY: A Performance and Payment Bond exists for 100% of the award.

REMARKS: The Engineer's Estimate is \$905,900.00.

The Solicitation was advertised on eMaryland Marketplace. A total of three (3) firms purchased plans and specifications. Two (2) bids were received.

The MBE Goal is 20%. The contractor is exceeding the established goal by 4%.

ITEM: 1-C (Continued)

BPW—06/17/09

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1688-1111

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN
 WITH DISCUSSION WITHOUT DISCUSSION

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

BPW—06/17/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

CONSTRUCTION CONTRACT:

ITEM: 2-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-09-016
 Maryland Aviation Administration Office
 Relocation at Baltimore/Washington International
 Thurgood Marshall Airport
 ADPICS NO: MAACO09016

CONTRACT DESCRIPTION: This contract provides renovation of office space at the Terminal Building for the Human Resources Department and the Office of Finance and Administration, whose offices are currently located at 901 Elkridge Landing Road.

AWARD: Baltimore Contractors, Inc.
 Baltimore, MD

TERM OF CONTRACT: 150 Calendar Days from Notice to Proceed

AMOUNT: \$1,653,858.00

PROCUREMENT METHOD: Competitive Sealed Bidding
 (Small Business Reserve)

BIDS:

Baltimore Contractors, Inc. \$1,653,858.00
 Baltimore, MD

Phillips Construction Services, LLC \$1,655,900.00
 Rockville, MD

Vista Contracting, Inc. \$1,704,032.00
 Washington, DC

Eastern Floors, Inc. \$1,884,850.00
 Landover, MD

Heffner & Weber \$1,888,931.00
 Linthicum, MD

MBE PARTICIPATION: 30%

ITEM: 2-C (Continued)

BPW—06/17/09

PERFORMANCE SECURITY: A Performance and Payment Bond exists for 100% of the award.

REMARKS: The Engineer's Estimate is \$2,034,249.00.

The Solicitation was advertised on eMaryland Marketplace. A total of fourteen (14) firms purchased plans and specifications. Five (5) bids were received.

There are four discrete locations along the upper level passenger corridor that are being modified. The modifications require general demolition, electrical; HVAC, fire protection, finishes and IT related work.

The MBE participation goal is 25%. The contractor is exceeding the established goal by 5%.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

MD TAX CLEARANCE: 09-1689-1111

RESIDENT BUSINESS: Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	220

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

BPW—06/17/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONSTRUCTION CONTRACT:

ITEM: 3-C

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-CO-09-017
 Fourth Glycol Collection Tank at
 Baltimore/Washington International Thurgood
 Marshall Airport
 ADPICS NO: MAACO09017

CONTRACT DESCRIPTION: This contract provides for installation of a fourth glycol collection tank on the existing foundation at BWI Thurgood Marshall Airport.

AWARD: The Whiting Turner Contracting Company
 Baltimore, MD

TERM OF CONTRACT: 120 Calendar Days from Notice to Proceed

AMOUNT: \$948,300.00

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

The Whiting Turner Contracting Company \$948,300.00
 Baltimore, MD

Green Contracting Company, Inc. \$981,285.00
 Baltimore, MD

MBE PARTICIPATION: 11%

PERFORMANCE SECURITY: A Performance and Payment Bond exists for 100% of the award.

REMARKS: The Engineer's Estimate is \$1,152,883.00.

The Solicitation was advertised on eMaryland Marketplace. A total of eight (8) firms purchased plans and specifications. Two (2) bids were received.

The work includes the replacement of existing pump motors, new glycol piping, modifications to existing piping in control building and crack repairs in foundation of existing tank number three.

ITEM: 3-C (Continued)

BPW—06/17/09

FUND SOURCE: 100% Other Funds Budgeted to MAA

APPROPRIATION CODE: J06I0003

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1687-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

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

BPW -- 06/17/09
REVISED

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 4-AE

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: MTA-1095B
 Open-End Trackwork Design Services
 ADPICS NO. TMTA1095B

CONTRACT DESCRIPTION: This is the last of two (2) task order contracts that provide support to the MTA's Facilities Engineering Division for open-end trackwork design services.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on June 4, 2009.

AWARD: Gannett Fleming, Inc./PB Americas, Inc./Whitman, Requardt & Associates, LLP – JV
 Baltimore, MD

TERM: Five (5) Years (ending **June** 2014)

AMOUNT: \$6,000,000.00

PROPOSALS:

	<u>Technical Proposal Rating (Max=900)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
AECOM USA, Inc. Baltimore, MD	766	1	Contract A BPW Approval 8/20/08
Gannett Fleming, Inc./PB Americans, Inc./ Whitman, Requardt & Associates, LLP, JV Baltimore, MD	761	2	\$6,000,000.00
Rumel, Klepper & Kahl, LLP Baltimore, MD	669	3	N/A
Jacobs Engineering Group, Inc. Baltimore, MD	615	4	N/A

DBE PARTICIPATION: 27%

ITEM: 4-AE (Continued)

BPW -- 06/17/09
REVISED

PERFORMANCE SECURITY: N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace, and on the SHA Web Site. A total of four (4) engineering consultant firms were sent Request for Proposals for these services. All are Maryland firms. Four (4) technical proposals were received.

The Consultants will perform various services for trackwork design, light rail, heavy rail, commuter rail and bus facilities. Project tasks may include, but are not limited to the following: assessment of track performance and maintenance forecasting; evaluation of maintenance practices and recommendations for improvements; review of design, inspection and maintenance criteria for possible modification; preparation of reports and recommendations for repairs; preparation of contract bid documents; preparation of construction cost estimates; reviewing of designs and schedules; research analysis and recommendation on new track components; project management services; field inspection services that may include survey work, testing and instrumentation; drafting assistance; laboratory testing of various track components; construction related services and other services as required.

FUND SOURCE: Federal and Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESSES: Yes

MD TAX CLEARANCE: 09-1159-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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

BPW -- 06/17/09
REVISED

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 5-AE

MARYLAND TRANSIT ADMINISTRATION

CONTRACT ID: MTA-1117H
 Civil Engineering Design Services
 ADPICS NO. TMTA1117H

CONTRACT DESCRIPTION: This is the last of eight (8) task order contracts that provide support to the MTA's Facilities Engineering Division for civil engineering design services.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**; recommendation approved by the Transportation Professional Services Selection Board on June 4, 2009.

AWARDS: Century Engineering, Inc./Urban Engineers, Inc. (Joint Venture)
 Hunt Valley, MD

TERM: Five (5) Years (ending **June** 2014)

AMOUNT: \$3,000,000.00

PROPOSALS:

	<u>Technical Proposal Rating (Max=1000)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Rummel, Klepper & Kahl, LLP Baltimore, MD	915	1	Contract A BPW Approval 8/20/08
Gannett Fleming, Inc./ Johnson, Mirmiran & Thompson, Inc., JV Baltimore, MD	900	2	Contract B BPW Approval 9/10/08
Whitman, Requardt and Associates, LLP Baltimore, MD	880	3	Contract C BPW Approval 9/10/08
STV Incorporated Baltimore, MD	803	4	Contract D BPW Approval 9/10/08

ITEM: 5-AE (Continued)

BPW -- 06/17/09

REVISED**PROPOSALS: (Cont'd)**

	<u>Technical Proposal Rating (Max=1000)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Wallace, Montgomery & Associates LLP/ DMJM Harris, Inc. – Joint Venture Towson, MD	790	5	Contract E BPW Approval 9/10/08
PB Americas, Inc. Baltimore, MD	769	6	Contract F BPW Approval 10/15/08
The Wilson T. Ballard Company Owings Mills, MD	732	7	Contract G BPW Approval 10/15/08
Century Engineering, Inc./Urban Engineers, Inc. – Joint Venture Hunt Valley, MD	727	8	\$3,000,000.00
Whitney, Bailey, Cox & Magnani, LLC Baltimore, MD	712	9	N/A
Jacobs Engineering Group, Inc. Baltimore, MD	707	10	N/A
DBE PARTICIPATION:	27%		
PERFORMANCE SECURITY:	N/A		

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace, and on the SHA and MTA Web Site. A total of ten (10) engineering consultant firms were sent Request for Proposals for these services. All are Maryland firms. Ten (10) technical proposals were received.

The Consultants will perform various services for civil engineering design for light rail, heavy rail, commuter rail and bus facilities. Project tasks may include, but are not limited to the following: attend design review/progress meetings, coordinate with local utility companies, perform soils investigations, coordinate and assist the MTA in obtaining the necessary permits, coordinate with railroad agencies, perform all necessary surveys, perform all necessary traffic studies, designs are to be submitted for review, prepare interim, final and engineer's estimate, prepare preliminary construction schedule, contract document assembly and printing services, perform any environmental analysis, assess the performance of certain MTA facilities, design facility modifications, assess project impacts on operations, perform engineering cost/benefit studies, provide value engineering services, provide construction-related services, provide expertise in regulatory process and legal issues, provide customer relations and other planning related tasks.

ITEM: 5-AE (Continued)

BPW -- 06/17/09
REVISED

FUND SOURCE: Federal and Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1338-1111

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

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

Robert P. Gay 410-545-0403
rgay@sha.state.md.us

BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 6-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT NO. & TITLE: BCS 2007-25 A, B & C
Wetland Mitigation Design, Stream Restoration and
Associated Environmental Services, Statewide
ADPICS NOS: SBCS0725A, SBCS0725B and
SBCS0725C

DESCRIPTION: These are three (3) identical open-end task order contracts to provide wetland mitigation design, stream restoration and associated environmental services, statewide, for the Administration's Environmental Programs Division. Project services will consist of individual assignments on an as-needed basis.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board for contract on June 4, 2009.

AWARD:

McCormick Taylor, Inc. Baltimore, MD	Contract A
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EA Engineering, Science, and Technology, Inc. / LandStudies, Inc. Hunt Valley, MD	Contract B
---	------------

Greenman-Pedersen, Inc. / Johnson, Mirmiran & Thompson, Inc. Annapolis Junction, MD	Contract C
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AMOUNT: \$2,000,000.00 each

TERM: Five (5) Years (ending June 1, 2014)

DBE PARTICIPATION: 25%

ITEM: 6-AE (Continued)

BPW – 06/17/09

PROPOSALS:

	<u>Technical Proposal Rating (Max 740)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
McCormick Taylor, Inc. Baltimore, Maryland	515	1	\$2,000,000.00
EA Engineering, Science, and Technology, Inc./ LandStudies, Inc. Hunt Valley, Maryland	515	2	\$2,000,000.00
Greenman-Pedersen, Inc./ Johnson, Mirmiran & Thompson, Inc. Annapolis Junction, Maryland	511	3	\$2,000,000.00
Biohabitats, Inc. Baltimore, Maryland	507	4	N/A
KCI Technologies, Inc. Sparks, Maryland	497	5	N/A
URS Corporation Hunt Vallay, Maryland	491	6	N/A
Whitney, Bailey, Cox & Magnani, LLC/ Environmental Systems Analysis, Inc. Baltimore, Maryland	490	7	N/A
Whitman, Requardt & Associates, LLP Baltimore, Maryland	485	8	N/A
Rummel, Klepper & Kahl, LLP Baltimore, Maryland	461	9	N/A
Wallace, Montgomery & Associates, LLP/ Skelly and Loy, Inc. Towson, Maryland	449	10	N/A
A.D. Marble & Company, Inc./ A. Morton Thomas & Associates, Inc. Owings Mills, Maryland	437	11	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page. A total of eleven (11) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms.

ITEM: 6-AE (Continued)

BPW – 06/17/09

The Consultant will perform designs for wetland mitigation and stream restoration projects as required by the U.S. Corps of Engineers (COE) and the Department of the Environment (MDE) permits, which may include but not be limited to: studies, analyses, investigations as necessary to support the wetland and stream restoration designs and detailed reports of the findings.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

TAX COMPLIANCE NO: McCormick Taylor, Inc. 09-1724-0111
 EA Engineering, Science, and Technology, Inc. /
 LandStudies, Inc. 09-1770-1111
 Greenman-Pedersen, Inc. /
 Johnson, Mirmiran & Thompson, Inc. 09-1726-1111

RESIDENT BUSINESSES: Yes

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN
 WITH DISCUSSION WITHOUT DISCUSSION

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

BPW – 06/17/09
REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA
 ARCHITECTURAL/ENGINEERING SERVICES**

ITEM: 7-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2008-04 A&C
 Traffic Engineering Studies, Statewide
 ADPICS NOS.: SBCS0804A and SBCS0804C

CONTRACT DESCRIPTION: These are the last two (2) of four (4) open-end task order contracts to provide traffic engineering studies. Project services will consist of individual assignments on an as-needed basis.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on June 4, 2009.

AWARD:

Sabra, Wang & Associates, Inc./ Wallace, Montgomery & Associates, LLP Baltimore, MD	Contract A
Rummel, Klepper & Kahl, LLP Baltimore, MD	Contract C

AMOUNT: \$800,000.00 each

TERM: Four (4) Years (ending June 1, 2013)

DBE PARTICIPATION: Contract A 60%
 Contract C 20%

PROPOSALS:

	<u>Technical Proposal Rating (430)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Sabra, Wang & Associates, Inc./ Wallace, Montgomery & Associates, LLP Baltimore, MD	325	1	\$800,000.00
Whitman, Requardt & Associates, LLP Baltimore, MD	316	2	Contract B BPW Approval 05/20/09

ITEM: 7-AE (Continued)

BPW – 06/17/09
REVISED

PROPOSALS (Cont'd):

	<u>Technical Proposal Rating (430)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Rummel, Klepper & Kahl, LLP Baltimore, MD	315	3	\$800,000.00
Brudis & Associates, Inc. Columbia, MD	297	4	Contract D BPW Approval 05/20/09
Johnson, Mirmiran & Thompson Sparks, MD	284	5	N/A
STV Incorporated Baltimore, MD	281	6	N/A
URS Corporation Hunt Valley, MD	268	7	N/A
KCI Technologies, Inc, Hunt Valley, MD	267	8	N/A
Kittleson & Associates, Inc. Baltimore, MD	245	9	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA Web Page. A total of nine (9) engineering firms submitted technical proposals for this project, all of which are Maryland firms.

The Consultant shall perform various traffic engineering studies in support of various Statewide Traffic Engineering efforts, including the State's Safety and spot Improvement Program, the Capacity Improvement Program and the SHA's Crash Prevention Program. Work may include the development of traffic engineering research, fiscal planning for the Office of Traffic Safety's managed Capital Improvement Programs.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board advisory 1995-1.

The goal established for this contract was 20%. Sabra, Wang & Associates, Inc./Wallace, Montgomery & Associates, LLP will be exceeding the goal by 40%.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

ITEM: 7-AE (Continued)

BPW – 06/17/09
REVISED

MARYLAND TAX CLEARANCE:

Sabra, Wang & Associates, Inc./ 09-1898-1111
Wallace, Montgomery & Associates, LLP
Rummel, Klepper & Kahl, LLP 09-1899-1111

RESIDENT BUSINESSES:

Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

Robert P. Gay 410-545-0433

rgay@mdot.state.md.us

BPW -- 06/17/09

REVISED

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES**ITEM: 8-AE****STATE HIGHWAY ADMINISTRATION**

CONTRACT ID: BCS 2008-15 A
Construction Contract Claims and CPM Review Services
District 4 (Baltimore & Harford Counties)
ADPICS NO.: SBCS0815A

CONTRACT DESCRIPTION: This is a single open-end task order contract to provide construction contract claims review and analysis services for District 4.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on June 4, 2009.

AWARD: Johnson, Mirmiran & Thompson, Inc.
Baltimore, MD

AMOUNT: \$2,000,000.00

TERM: Five (5) Years (ending June 1, 2014)

DBE PARTICIPATION: 20%

PROPOSALS:

	<u>Technical Proposal Rating (Max 770)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	696	1	\$2,000,000.00
Whitman, Requardt & Assoc., Inc. Baltimore, MD	663	2	N/A
O'Connell & Lawrence, Inc. / Wallace, Montgomery, JV Towson, MD	662	3	N/A
KCI Technologies, Inc. Hunt Valley, MD	614	4	N/A

ITEM: 8-AE (Continued)

**BPW – 06/17/09
REVISED**

PROPOSALS:

	<u>Technical Proposal Rating (Max 770)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Hill International, Inc. Washington, DC	552	5	N/A
Exponent, Inc. Alexandria, VA	551	6	N/A
EA Engineering / CC Consultants, Inc. Baltimore, MD	527	7	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Market Place and SHA web page. The Consultant shall perform Construction Contract Claims and CPM Review Services to supplement the District 4 staff which may include but not be limited to performing reviews and approval of construction critical path method schedules (CPM) and to provide construction claims review and analysis for the SHA’s construction office in District 4, all in connection with the Project.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 09-1377-1111

RESIDENT BUSINESS: Yes

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

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

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

BPW -- 06/17/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 9-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2008-16
 Freeway and Arterial Levels of Service Analysis Services,
 Statewide
 ADPICS NO.: SBCS0816

CONTRACT DESCRIPTION: This is a single task order contract for Freeway and Arterial Levels of Service Analysis Services, Statewide.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on June 4, 2009.

AWARD: Brudis & Associates, Inc.
 Columbia, MD

AMOUNT: \$4,000,000.00

TERM: Five (5) Years (ending June 1, 2014)

DBE PARTICIPATION: 20%

PROPOSALS:

	<u>Technical Proposal Rating (Max 660)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Brudis & Associates, Inc. Columbia, MD	373	1	\$4,000,000.00
Whitney, Bailey, Cox & Magnani / Jacobs Engineering Group, JV Baltimore, MD	358	2	N/A
Kittelsohn & Associates, Inc. Baltimore, MD	299	3	N/A

ITEM: 9-AE (Continued)

BPW -- 06/17/09

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Market Place and SHA web page. A total of three (3) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms. The Consultants shall perform Freeway and Arterial Levels of Service Analysis Services to supplement the Highway Information Services Division staff which may include but not be limited to providing freeway and arterial level-of-service ratings based on aerial photography of state highways. The level-of-service ratings will be used to support congestion and capacity analysis, project development, environmental studies, systems management, roadway design, construction, traffic operation and maintenance projects and activities of the SHA, all in connection with the project.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 09-1603-0111

RESIDENT BUSINESS: Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

Robert P. Gay 410-545-0433

BPW -- 06/17/09

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**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 10-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2009-01 B
Supplemental Engineering Support Services, District 4
(Baltimore & Harford Counties)
ADPICS NO.: SBCS0901

CONTRACT DESCRIPTION: This is a single task order contract for Supplemental Engineering Support Services in District 4.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act; recommendation approved by the Transportation Professional Services Selection Board on June 4, 2009.

AWARD: Whitman, Requardt & Assoc., LLP /
Johnson, Mirmiran & Thompson, Inc.
Baltimore, MD

AMOUNT: \$6,000,000.00

TERM: Five (5) Years (ending June 1, 2014)

DBE PARTICIPATION: 27%

PROPOSALS:

	<u>Technical Proposal Rating (Max 660)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Whitman, Requardt & Associates, Inc. / Johnson, Mirmiran & Thompson, Inc., JV Baltimore, MD	562	1	\$6,000,000.00
URS Corporation, Inc. Jacobs Engineering Group, JV Hunt Valley, MD	529	2	N/A
KCI Technologies, Inc. / Greenhorne & O'Mara, Inc., JV Hunt Valley, MD	525	3	N/A

ITEM: 10-AE (Continued)

BPW – 06/17/09

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Market Place and SHA web page. The Consultant shall perform Supplemental Engineering Support Services to supplement the District 4 staff which may include but not be limited to performing various engineering studies, analysis, design, construction and maintenance related support services, which may result in complete contract plans and documents or partial plans for inclusion with other materials, and to provide specific types of individuals to work within the SHA’s District 4 facilities, all in connection with the project.

This contract includes a provision authorizing an extension for a reasonable, limited and defined time to spend funds remaining on the contract as provided in Board advisory 1995-1.

FUND SOURCE: Federal and Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 09-1735-1111

RESIDENT BUSINESS: Yes

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

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

BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (A/E Service)

ITEM: 11-AE-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 506819
Construction Management & Inspection Services
ADPICS NO. P506819

ORIGINAL CONTRACT APPROVED: Item 10-AE, DOT Agenda 11/15/06

ORIGINAL PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**

CONTRACTOR: Century Engineering DMJM Harris, Inc.
Hunt Valley, MD

MODIFICATION: Modification No. 1 is for additional funding to complete inspection and management of Capital construction related projects that have been awarded and those to be awarded in the next four months.

AMOUNT: \$200,000.00

ORIGINAL CONTRACT AMOUNT: \$2,000,000.00

REVISED CONTRACT AMOUNT: \$2,200,000.00

PERCENTAGE INCREASE: 10% (Mod 1)

ORIGINAL TERM: 4 Years (November 20, 2006 – November 19, 2010)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: This Indefinite Delivery Contract was utilized to provide management and inspection services for Maryland Port Administration contracts. This modification will provide additional funding necessary for Capital projects involving safety, security, additional cargo handling capacity and improvements to critical terminal infrastructure.

The consultant's proposal maintains the agreed upon hourly rates for all classifications, Payroll Burden, Overhead and Escalation percentages of the original consultant agreement.

FUND SOURCE: 100% Special Funds Budgeted to MPA

ITEM: 11-AE-MOD (Continued)

BPW – 06/17/09

APPROPRIATION CODE: J03-D0002

MD TAX CLEARANCE: 09-1495-1111

RESIDENT BUSINESS: Yes

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (A/E Service)

ITEM: 12-AE-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 507907A
Miscellaneous Engineering Services
ADPICS NO. P507907A

ORIGINAL CONTRACT APPROVED: Item 4-AE, DOT Agenda 6/20/07

ORIGINAL PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**

CONTRACTOR: Whitney, Bailey, Cox & Magnani, LLC
Baltimore, MD

MODIFICATION: Modification No. 1 is for additional funding to carry forward and complete engineering efforts on a number of capital projects. Work includes preliminary design, preparation of construction specifications and drawings, support services during bid phases of the projects, and review and advisory services during construction and post construction services for close out of the project.

AMOUNT: \$100,000.00

ORIGINAL CONTRACT AMOUNT: \$3,000,000.00

REVISED CONTRACT AMOUNT: \$3,100,000.00

PERCENTAGE INCREASE: 3% (Mod 1)

ORIGINAL TERM: 4 Years (June 20, 2007 – June 19, 2011)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: This Indefinite Delivery Consultant contract was utilized to provide engineering services for various tasks encompassing the maintenance of existing facilities and the development of new facilities for the Maryland Port Administration properties.

This modification is necessary to complete ongoing capital projects originally associated with the consultant work and to complete unanticipated capital projects that were not associated with the original work when the contract was awarded. The original scope of work includes concrete repairs for all terminals, berth loading operations at Dundalk Marine Terminal (DMT), storm drain assessments and relocations at Masonville Marine Terminal and pier assessments at North Locust Point Marine Terminal. Unanticipated projects include pier assessments at Clinton Street Marine Terminal, berth inspections and load rating studies at DMT for special cargoes, electrical feeders and substation upgrades at DMT and sanitary force main repairs at DMT.

ITEM: 12-AE-MOD (Continued)

BPW – 06/17/09

All of the capital projects involve safety, security, additional cargo handling capacity and improvements to critical terminal infrastructure.

The consultant’s proposal maintains the agreed upon hourly rates for all classifications, Payroll Burden, Overhead and Escalation percentages of the original consultant agreement.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03-D0002

MD TAX CLEARANCE: 09-1492-1111

RESIDENT BUSINESS: Yes

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION WITHOUT DISCUSSION

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

BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (A/E Service)

ITEM: 13-AE-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 507907C
Miscellaneous Engineering Services
ADPICS NO. P507907C

ORIGINAL CONTRACT APPROVED: Item 4-AE, DOT Agenda 6/20/07

ORIGINAL PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**

CONTRACTOR: Johnson, Mirmiran & Thompson, Inc.
Sparks, MD

MODIFICATION: Modification No. 1 is for additional funding to carry forward and complete engineering efforts on a number of capital projects. Work includes preliminary design, preparation of construction specifications and drawings, support services during bid phases of the projects, and review and advisory services during construction and post construction services for close out of the project.

AMOUNT: \$200,000.00

ORIGINAL CONTRACT AMOUNT: \$2,000,000.00

REVISED CONTRACT AMOUNT: \$2,200,000.00

PERCENTAGE INCREASE: 10% (Mod 1)

ORIGINAL TERM: 4 Years (June 20, 2007 – June 19, 2011)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: This Indefinite Delivery Contract was utilized to provide engineering services for various tasks encompassing the maintenance of existing facilities and the development of new facilities for the Maryland Port Administration properties.

This modification is necessary to complete ongoing capital projects originally associated with the consultant work and to complete unanticipated capital projects that were not associated with the original work when the contract was awarded. The original scope of work includes wharf substructure repairs, Cruise Terminal roof replacement, terminal lighting and paving, Canton Warehouse environmental assessments, terminal high mast lighting, crane rail replacements, HVAC upgrades at all terminals and building demolitions at the Dundalk Marine Terminal. Unanticipated projects included studies associated with photovoltaic (PV) roof mounted panels on cargo sheds and the Cruise Terminal;

ITEM: 13-AE-MOD (Continued)

BPW – 06/17/09

topographic survey mapping and NGS Monumentation of Dundalk, North Locust Point and South Locust Point Marine Terminals to convert the topographic and utility location data from the old Baltimore City Coordinate System to the NAD 83 system which will enable the use of GPSS and GIS technology; and the Seagirt Marine Terminal valuation study for the long term leasing of that marine terminal.

All of the capital projects involve safety, security, additional cargo handling capacity and improvements to critical terminal infrastructure.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03-D0002

MD TAX CLEARANCE: 09-1493-1111

RESIDENT BUSINESS: Yes

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN
 WITH DISCUSSION WITHOUT DISCUSSION

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BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION: (A/E Service)

ITEM: 14-AE-MOD

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 507907D
Miscellaneous Engineering Services
ADPICS NO. P507907D

ORIGINAL CONTRACT APPROVED: Item 4-AE, DOT Agenda 6/20/07

ORIGINAL PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act**

CONTRACTOR: Whitman, Requardt & Associates, LLP
Baltimore, MD

MODIFICATION: Modification No. 1 is for additional funding to carry forward and complete engineering efforts on a number of capital projects. Work includes preliminary design, preparation of construction specifications and drawings, support services during bid phases of the projects, and review and advisory services during construction and post construction services for close out of the project.

AMOUNT: \$100,000.00

ORIGINAL CONTRACT AMOUNT: \$1,500,000.00

REVISED CONTRACT AMOUNT: \$1,600,000.00

PERCENTAGE INCREASE: 6% (Mod 1)

ORIGINAL TERM: 4 Years (June 20, 2007 – June 19, 2011)

ORIGINAL MBE PARTICIPATION: 25%

REMARKS: This Indefinite Delivery Contract was utilized to provide engineering services for various tasks encompassing the maintenance of existing facilities and the development of new facilities for the Maryland Port Administration properties.

This modification is necessary to complete these existing ongoing projects originally associated with the consultant work and to complete unanticipated capital projects that were not associated with the original work when the contract was awarded. The original scope of work includes Greening projects for both Matthew Henson and Montessori schools, railroad crossing renovation at Frankfurst Avenue, rail renovations at Dundalk Marine Terminal, and lighting and foundation expansion joint installation and repair at the World Trade Center. Unanticipated projects include creating Access Control Centers at Dundalk and Locust Point Terminals and a comprehensive survey of all electrical manholes at South Locust Point Terminal.

ITEM: 14- AE-MOD (Continued)

BPW – 06/17/09

All of the capital projects involve safety, security, additional cargo handling capacity and improvements to critical terminal infrastructure.

The consultant’s proposal maintains the agreed upon hourly rates for all classifications, Payroll Burden, Overhead and Escalation percentages of the original consultant agreement.

FUND SOURCE:	100% Special Funds Budgeted to MPA
APPROPRIATION CODE:	J03-D0002
MD TAX CLEARANCE:	09-1494-1111
RESIDENT BUSINESS:	Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 15-M

MARYLAND PORT ADMINISTRATION:

CONTRACT ID: 290014-M
Central Station Alarm Monitoring Maintenance and Repair
ADPICS NO. P100008

CONTRACT DESCRIPTION: This contract will provide the Maryland Port Administration with central station alarm monitoring and maintenance at MPA facilities.

AWARD: Techmark Corporation
Hunt Valley, MD

AMOUNT: \$231,117.00 - initial 3 year term
\$240,361.68 - cost of one three-year renewal option
including 4% CPI increase.
\$471,478.68 - aggregate value including renewal option
period

TERM: August 1, 2009 through July 31, 2012
(with one, three-year renewal option)

PROCUREMENT METHOD: **Negotiated Award After Unsatisfactory
Competitive Sealed Bidding**
(Single Bid Received, Small Business Reserve)

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: N/A

REMARKS: The contractor will monitor, maintain, repair, and install fire safety and related alarm and signaling equipment for the MPA. This solicitation was advertised in *eMarylandMarketplace*. One hundred fourteen contractors received bid packages. Three bids were received and all had to be rejected as nonresponsive. After entering into Negotiated Award After Unsatisfactory Competitive Sealed Bidding, only one responsive and responsible bid was received.

Techmark Corporation is a certified Minority Business Enterprise and a certified Small Business Enterprise. The Contractor will meet the 4% MBE subcontract goal established for this contract.

ITEM: 15-M (Continued) (REVISED)

BPW – 06/17/09

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03-D0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1669-1111

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN
WITH DISCUSSION WITHOUT DISCUSSION

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

BPW – 06/17/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

MAINTENANCE CONTRACT

ITEM: 16-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: 42716L1410
 Median & Roadside Mowing / Trimming and Litter Pickup
 at Various Locations for the Laurel Shop in Prince
 George's County
 ADPICS NO. 42716L1410

CONTRACT DESCRIPTION: This Contract consists of median & roadside mowing/
 trimming and litter pickup at various locations for the Laurel Shop in Prince George's County.

AWARD: Earn Contractors, Inc.
 Gaithersburg, MD

AMOUNT: \$276,500.00 NTE

TERM OF CONTRACT: July 1, 2009 through December 31, 2010

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Earn Contractors, Inc. Gaithersburg, MD	\$276,500.00
Evergreen Services, Inc. Greenblet, MD	\$333,730.00
Suburban Lawn & Landscaping Service, Inc. Harmans, MD	\$465,140.00
H. F. Huber & Son, Inc. Baltimore, MD	\$534,749.00
JRP Management Resources, Inc. Burtonsville, MD	\$545,550.00
Kinion, LLC Columbia, MD	\$569,760.00
Thomas Jones / Contractor Fort Washington, MD	\$680,830.00

ITEM: 16-M (Continued)

BPW – 06/17/09

MBE PARTICIPATION: 4%

PERFORMANCE SECURITY: None

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page. Eighty-nine (89) contractors were notified for this project on eMaryland Marketplace; Fifteen (15) of which were MDOT Certified MBE's.

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

100% of the work will be performed by two Certified Small Business Enterprises.

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1760-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONTRACT MODIFICATION (Maintenance)

ITEM: 17-M-MOD

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-09-001
Consolidated Mechanical Systems and Plane Mate
Operations, Repair and Maintenance at BWI
Thurgood Marshall and Martin State Airports
ADPICS NO: CO242678

ORIGINAL CONTRACT APPROVED: Item 8-M, DOT Agenda 07/16/08

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Proposals**

CONTRACTOR: Signature Flight Support Corporation
Baltimore, MD

MODIFICATION: Amendment No. 1 will reduce the scope of work and the number of loading bridges and baggage belts being maintained by the contractor, therefore, reducing the monthly PM cost.

AMOUNT: (\$598,155.97)

ORIGINAL CONTRACT AMOUNT: \$10,730,163.20

REVISED CONTRACT AMOUNT: **\$10,132,007.23**

PERCENTAGE DECREASE: 5%

ORIGINAL TERM: 10/01/08-09/30/11

ORIGINAL MBE PARTICIPATION: 22%

REMARKS: In response to the needs of the airport and due to economic circumstances in the airline industry, MAA shall reduce the number of loading bridges and outbound baggage belts being maintained by the Contractor.

Signature Flight Support Corporation is exceeding the 18% MBE goal by 4%.

ITEM: 17-M-MOD (Continued)

**BPW – 06/17/09
2ND REVISION**

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO6I0002

MD TAX CLEARANCE: 08-1513-1111

RESIDENT BUSINESS: Yes

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

APPROVED **DISAPPROVED** **DEFERRED** **WITHDRAWN**

WITH DISCUSSION **WITHOUT DISCUSSION**

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

BPW -- 06/17/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

RENEWAL OPTION (Maintenance)

ITEM: 18-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-2005-01 A & B
 Comprehensive Cleaning Services at BWI
 ADPICS NO: CO239056 & CO239057

ORIGINAL CONTRACT APPROVED: Item 3-M, DOT Agenda 07/07/04

ORIGINAL PROCUREMENT METHOD: Preference Procurement
 (Community Service Provider)

CONTRACTOR: The Chimes, Inc. (MAA-MC-2005-001A)
 Baltimore, MD
 Alliance, Inc. (MAA-MC-2005-001B)
 Baltimore, MD

MODIFICATION: Exercise Renewal No. 2 as provided in the original Contract, for a period of two (2) years from August 1, 2009 through July 31, 2011.

AMOUNT: \$26,465,899.24 (2005-001A)
 \$1,104,585.94 (2005-001B)

ORIGINAL CONTRACT AMOUNT: \$43,896,302.76 (2005-001A)
 \$969,748.14 (2005-001B)

REVISED CONTRACT AMOUNT: \$108,110,428.47 (2005-001A)
 \$3,482,133.00 (2005-001B)

PERCENTAGE INCREASE: Renewal No. 2
 60% (2005-001A)
 114% (2005-001B)

ORIGINAL TERM: 08/01/04 – 07/31/07

ORIGINAL MBE PARTICIPATION: 100%

RENEWAL MBE PARTICIPATION: 100%

ITEM: 18-M-OPT (Continued)

BPW -- 06/17/09

REMARKS: The new price for the janitorial services reflects an increase of 0.1%, which represents the annualized CPI effective December 2008.

The cost for the cleaning services is reimbursed through airline tenant rates and charges.

This contract provides comprehensive cleaning/custodial services for the 1.4 million square foot domestic and international terminals, and fifteen (15) outer buildings including the Fire/Rescue Station, Central Utility Plant offices, and other MAA support buildings at BWI. Work to be performed includes cleaning of carpet and terrazzo flooring, the hourly garage enclosed skywalks and walkways and cleaning and trash removal/recycling in the following areas: ticketing concourses; baggage claim areas; public restrooms; passenger holdrooms; airline tenant offices and support areas; Federal Aviation Administration air traffic control and administrative offices; and MAA offices.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO6I0002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: The Chimes, Inc. 09-0095-1110
Alliance, Inc. 09-0094-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW – 06/17/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

RENEWAL OPTION (Maintenance)

ITEM: 19-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-07-004
 Glycol Recovery Vehicle Operations at Baltimore
 Washington International Thurgood Marshall
 Airport
 ADPICS NO: CO242264

ORIGINAL CONTRACT APPROVED: Item 8-M, DOT Agenda 08/30/06

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Bidding

CONTRACTOR: East Coast Sweeping
 Annapolis Junction, MD

MODIFICATION: Exercise the renewal option for a period of two (2) years from November 1, 2009 through October 31, 2011.

AMOUNT: \$0.00 (see remarks)

ORIGINAL CONTRACT AMOUNT: \$1,000,011.75

REVISED CONTRACT AMOUNT: \$1,000,011.75

PERCENTAGE INCREASE: 0%

ORIGINAL TERM: 11/01/06 – 10/31/09

ORIGINAL MBE PARTICIPATION: 0% (single element of work)

RENEWAL MBE PARTICIPATION: 0%

REMARKS: Due to sufficient contract authority left in the contract MAA is exercising this no cost renewal, which will extend the contract for a period of two (2) years as provided for in the original contract. The unit prices only have been adjusted and are consistent with the original contract with a 0.4% Consumer Price Index increase. The total amount spent during the initial contract period of three (3) years was \$423,189.09.

MAA continues to be committed to achieving a reduction in the total volume of deicing fluids discharged from BWI to the maximum extent achievable throughout the deicing season.

ITEM: 19-M-OPT (Continued)

BPW – 06/17/09

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO610002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1732-1111

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

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

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

BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

RENEWAL OPTION (Maintenance)

ITEM: 20-M-OPT

MARYLAND AVIATION ADMINISTRATION

CONTRACT ID: MAA-MC-07-005
 Airside Snow Removal Services at BWI Thurgood
 Marshall Airport
 ADPICS NO: CO242263

ORIGINAL CONTRACT APPROVED: Item 3-M, DOT Agenda 10/04/06

ORIGINAL PROCUREMENT METHOD: **Competitive Sealed Bidding**

CONTRACTOR: P. Flanigan & Sons, Inc.
 Baltimore, MD

MODIFICATION: Exercise the renewal option for a period of two (2) years from November 1, 2009 through October 31, 2011.

AMOUNT: \$0.00 (see remarks)

ORIGINAL CONTRACT AMOUNT: \$9,495,600.00

REVISED CONTRACT AMOUNT: \$9,495,600.00

PERCENTAGE INCREASE: 0%

ORIGINAL TERM: 11/01/06 – 10/31/09

ORIGINAL MBE PARTICIPATION: 25%

RENEWAL MBE PARTICIPATION: 25%

REMARKS: Due to sufficient contract authority left in the contract MAA is exercising this no-cost renewal, which will extend the contract for a period of two (2) years as provided for in the original contract. The unit prices only have been adjusted and are consistent with the original contract with a 0.4% Consumer Price Index increase. The total amount spent during the initial contract period of three (3) years was \$2,657,197.12.

The MBE Goal established for this contract was 25%, the established goal is being met.

ITEM: 20-M-OPT (Continued)

BPW – 06/17/09

P. Flanigan & Sons, Inc. continues to provide an acceptable level of service in regards to production, quality of service and cost effectiveness.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO610002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1686-1111

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

APPROVED DISAPPROVED
WITH DISCUSSION

DEFERRED **WITHDRAWN**
WITHOUT DISCUSSION

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BPW – 06/17/09
REVISED

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

SERVICE CONTRACT

ITEM: 21-S

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MAP-P6905690
Support Services for the Interactive Employee Training System at BWI
ADPICS NO: P6905690

CONTRACT DESCRIPTION: This contract is to furnish the MAA with system configuration, integration, installation, training, and after installation support services for ten (10) additional Interactive Employee Training Units (IET).

AWARD: American Association of Airport Executives
Alexandria, VA

TERM OF CONTRACT: One (1) Year

AMOUNT: \$91,000.00

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0% (proprietary nature)

REMARKS: In order for BWI to be in compliance with TSA/FAA Regulations regarding BWI Badge accountability, BWI badge holders are trained annually utilizing the IET's. The expansion of the existing system and the inherent requirement for compatibility of equipment being of paramount concern, this procurement of the support services should be accomplished as a sole source procurement. The American Association of Airport Executives is the patent holder for the IET system currently in use at BWI. In accordance with COMAR 21.05.05.02, the MAA has determined that it is in the best interest of the State of Maryland to award a sole source procurement.

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: J06I0002

RESIDENT BUSINESS: No

TAX COMPLIANCE NO.: 09-1862-0010

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

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

John Thornton (410) 631-1002
jthornton@marylandports.com

BPW – 06/17/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

SERVICE CONTRACT

ITEM: 22-S

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 290032-S
 Foreign Marketing Representative, Europe

CONTRACT DESCRIPTION: Represent Maryland Port Administration (MPA) interests in the United Kingdom, Western and Eastern Europe, the Mediterranean, Scandinavia, and the Baltic area to promote the flow of cargo through the Port of Baltimore.

AWARD: Eurolist International Limited
 London, United Kingdom

AMOUNT: \$123,600.00 (1 year)
 \$123,600.00 (1st renewal option)
\$123,600.00 (2nd renewal option)
 \$370,800.00 (aggregate value including renewals)

TERM OF CONTRACT: July 1, 2009 – June 30, 2010
 (with two (2), one-year renewal options)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0% (See Remarks)

PERFORMANCE SECURITY: N/A

REMARKS: This contract maintains MPA's representation in Europe to promote waterborne commerce through the Port of Baltimore.

In accordance with COMAR 21.05.05.02B, MPA identified a need to procure the services of Eurolist International Limited (Eurolist) as a sole source award. Eurolist, a consulting firm located in the United Kingdom, has established contacts throughout Europe with major exporters such as Mercedes Benz and MReal and with major shipping lines calling at the Port of Baltimore such as CMA CGM, Hapag Lloyd, and ACL. Eurolist has extensive and unique knowledge of the Port of Baltimore and its focus, objectives, goals, facilities, capabilities, and waterways. In the past, Eurolist has provided excellent service that cannot be replaced or duplicated without the possibility of a decline in effective representation.

Foreign consultant services are critical to the Port of Baltimore due to fierce competition among East coast ports. Major markets/commodities targeted in the MPA's strategic plan are automobiles, roll-on/roll-off cargo, forest products, and breakbulk machinery and containers. A major portion of the control of the logistical movement of these commodities is located in the regions represented by MPA's international marketing representatives.

Contractors performing marketing services for MPA in other countries have raised issues respecting certain mandatory contract and affidavit provisions of the Procurement law. To meet those concerns, MPA, with the approval of the Office of the Attorney General, has slightly revised certain mandatory terms and conditions of the Procurement Law and has developed a revised and combined Bid/Proposal and Contract Affidavit appropriate to contracts performed outside the United States, thereby addressing the concerns of the contractors while protecting the State and complying with the intent of the State Finance and Procurement Article § 11-201. The substantive deletions from or modifications to required terms and conditions, the Bid/Proposal Affidavit, and the Contract Affidavit are these:

1. Terms and conditions:
 - (a) The contract will not be subject to the Living Wage.
 - (b) The Commercial Nondiscrimination provision has been revised to state simply that the contractor agrees to comply in all respects with Title 19 of the State Finance and Procurement Article.

2. Bid/Proposal Affidavit:
 - (a) The provision regarding Commercial Nondiscrimination has been simplified to eliminate from the first sentence the reference to consideration of proposals from potential subcontractors and suppliers (because the scope of work is such that the contractor had no need to obtain proposals from others). The revised provision affirms that the contractor has not engaged in discrimination as defined in § 19-103 of the State Finance and Procurement Article and that the contractor agrees to comply in all respects with Title 19.
 - (b) The provisions regarding Political Contribution Disclosure and Financial Disclosure have been deleted from the Bid/Proposal Affidavit because they merely duplicate provisions in the terms and conditions of the contract. The terms and conditions of the contract include the COMAR-required provisions respecting Political Contribution Disclosure and Financial Disclosure, including the contractor's promise to comply with the applicable statutes. Therefore, the similar provision in the standard Bid/Proposal Affidavit was eliminated as redundant.
 - (c) Corporate registration: The provision respecting registration to do business in Maryland has been deleted because all services will be performed outside the United States. The terms and conditions of the contract contain a promise by the contractor that it is not currently in arrears to the State of Maryland and will not become so in arrears during the term of this contract.
 - (d) Drug and Alcohol Free Workplace: This provision has been removed entirely from the Bid/Proposal Affidavit.

4. Contract Affidavit: The Contract Affidavit has been combined into the Bid/Proposal Affidavit.

MPA requests approval of modification or waiver of the applicable provisions of the Procurement Law to the extent of these changes because the work is to be performed entirely outside the United States. The Board is authorized to grant such a modification or waiver by § 12-104, State Finance and Procurement Article, and COMAR 21.01.03.05.

The contracts have not been considered for and will not be subject to any Minority Business Enterprise subcontracting goals.

ITEM: 22-S (Continued)

BPW – 06/17/09

Since the contractors under MPA’s foreign marketing contracts are foreign companies or nationals performing services entirely outside the United States (and therefore may not be susceptible to being registered as vendors in ADPICS), they are paid via direct vouchers issued against invoices for services rather than through blanket purchase orders in ADPICS.

This Item was previously submitted and withdrawn as Item 18-S from the 5/20/09 DOT Agenda.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03 D0001

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1403-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

John Thornton (410) 631-1002
jthornton@marylandports.com

BPW – 06/17/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

SERVICE CONTRACT

ITEM: 23-S

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 290033-S
 Foreign Marketing Representative, Taiwan

CONTRACT DESCRIPTION: Represent Maryland Port Administration (MPA) interests in Taiwan to promote the flow of cargo through the Port of Baltimore.

AWARD: Shin-I Lin
 Taipei, Taiwan

AMOUNT: \$ 39,140.00 (1 year)
 \$ 39,140.00 (1st renewal option)
 \$ 39,140.00 (2nd renewal option)
 \$117,420.00 (aggregate value including renewals)

TERM OF CONTRACT: July 1, 2009 – June 30, 2010
 (with two (2) one-year renewal options)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: 0% (See Remarks)

PERFORMANCE SECURITY: N/A

REMARKS: This contract maintains MPA's representation in Taiwan to promote waterborne commerce through the Port of Baltimore.

In accordance with COMAR 21.05.05.02B, MPA identified a need to procure the services of Mr. Lin as a sole source award. Mr. Lin has established important contacts in Taiwan with major manufacturers and exporters and with major shipping lines calling at the Port of Baltimore such as Evergreen, Yang Ming, and Wan Hai. Evergreen is the Port's second largest container line. Mr. Lin has extensive and unique knowledge of the Port of Baltimore and its focus, objectives, goals, facilities, capabilities, and waterways. In the past, Mr. Lin has provided excellent service that cannot be replaced or duplicated without the possibility of a decline in effective representation.

Foreign consultant services are critical to the Port of Baltimore due to fierce competition among East coast ports. Major markets/commodities targeted in the MPA's strategic plan are automobiles, roll-on/roll-off cargo, forest products, and breakbulk machinery and containers. A major portion of the control of the logistical movement of these commodities is located in the regions represented by MPA's international marketing representatives.

Contractors performing marketing services for MPA in other countries have raised issues respecting certain mandatory contract and affidavit provisions of the Procurement law. To meet those concerns, MPA, with the approval of the Office of the Attorney General, has slightly revised certain mandatory terms and conditions of the Procurement Law and has developed a revised and combined Bid/Proposal and Contract Affidavit appropriate to contracts performed outside the United States, thereby addressing the concerns of the contractors while protecting the State and complying with the intent of the State Finance and Procurement Article § 11-201. The substantive deletions from or modifications to required terms and conditions, the Bid/Proposal Affidavit, and the Contract Affidavit are these:

1. Terms and conditions:
 - (a) The contract will not be subject to the Living Wage.
 - (b) The Commercial Nondiscrimination provision has been revised to state simply that the contractor agrees to comply in all respects with Title 19 of the State Finance and Procurement Article.

2. Bid/Proposal Affidavit:
 - (a) The provision regarding Commercial Nondiscrimination has been simplified to eliminate from the first sentence the reference to consideration of proposals from potential subcontractors and suppliers (because the scope of work is such that the contractor had no need to obtain proposals from others). The revised provision affirms that the contractor has not engaged in discrimination as defined in § 19-103 of the State Finance and Procurement Article and that the contractor agrees to comply in all respects with Title 19.
 - (b) The provisions regarding Political Contribution Disclosure and Financial Disclosure have been deleted from the Bid/Proposal Affidavit because they merely duplicate provisions in the terms and conditions of the contract. The terms and conditions of the contract include the COMAR-required provisions respecting Political Contribution Disclosure and Financial Disclosure, including the contractor's promise to comply with the applicable statutes. Therefore, the similar provision in the standard Bid/Proposal Affidavit was eliminated as redundant.
 - (c) Corporate registration: The provision respecting registration to do business in Maryland has been deleted because all services will be performed outside the United States. The terms and conditions of the contract contain a promise by the contractor that it is not currently in arrears to the State of Maryland and will not become so in arrears during the term of this contract.
 - (d) Drug and Alcohol Free Workplace: This provision has been removed entirely from the Bid/Proposal Affidavit.

4. Contract Affidavit: The Contract Affidavit has been combined into the Bid/Proposal Affidavit.

MPA requests approval of modification or waiver of the applicable provisions of the Procurement Law to the extent of these changes because the work is to be performed entirely outside the United States.

The Board is authorized to grant such a modification or waiver by § 12-104, State Finance and Procurement Article, and COMAR 21.01.03.05.

The contracts have not been considered for and will not be subject to any Minority Business Enterprise subcontracting goals.

ITEM: 23-S (Continued)

BPW – 06/17/09

Since the contractors under MPA’s foreign marketing contracts are foreign companies or nationals performing services entirely outside the United States (and therefore may not be susceptible to being registered as vendors in ADPICS), they are paid via direct vouchers issued against invoices for services rather than through blanket purchase orders in ADPICS.

This Item was previously submitted and withdrawn as Item 19-S from the 5/20/09 DOT Agenda.

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03 D0001

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1404-0000

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

Geoffrey V. Kolberg 410-537-7850
gkolberg@mdta.state.md.us

BPW – 06/17/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION: (General/Miscellaneous)

ITEM: 24-GM-MOD

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

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

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

CONTRACTOR: ACS State and Local Solutions
 Baltimore, MD

DESCRIPTION: Modification No. 10 will provide the de-installation of nine (9) Lane Entry Gates currently installed at the mid-point of the Toll Lanes and the reinstallation of these gates at the entrance to each of the Toll Lanes at the Harry W. Nice (HWN) Bridge.

DURATION: November 30, 2005 to December 1, 2014

AMOUNT: \$170,838.42

ORIGINAL CONTRACT AMOUNT: \$183,986,635.00

REVISED CONTRACT AMOUNT: \$232,184,538.42

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

ORIGINAL MBE PARTICIPATION: 25%

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

The MBE, AVA Electrical, will be performing \$81,320.49 (47.6%) of this modification.

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

ITEM: 24-GM-MOD (Continued)

BPW – 06/17/09

FUND SOURCE:

100% Toll Revenue

APPROPRIATION CODE:

29.10.02.01

MD TAX CLEARANCE:

09-1720-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

268

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD

<u>DEPARTMENT OF GENERAL SERVICES</u>	Rockville District Court Multi Service Center Montgomery County, MD.
<u>CONTRACT NO. AND TITLE</u>	Project No. BC-725-992-002; Construction of New Montgomery County District Court/Multi-Service Center at Rockville. ADPICS NO. COB50692
<u>ORIGINAL CONTRACT APPROVED</u>	10/15/2008 DGS/BPW Item 1-C
<u>CONTRACTOR</u>	Coakley and Williams Construction Gaithersburg, MD.
<u>CONTRACT DESCRIPTION</u>	Contract approval for the construction of a New District Court/Multi-Service Center in Rockville, MD.
<u>MODIFICATION DESCRIPTION</u>	Change Order No. 9 is a credit to the contract to install Impala Black Granite in lieu of specified Academy Black Granite at the building exterior, interior spaces and hardscape.
<u>TERM OF ORIGINAL CONTRACT</u>	730 Calendar Days
<u>AMOUNT OF ORIGINAL CONTRACT</u>	\$59,939,300.00
<u>AMOUNT OF MODIFICATION</u>	(\$51,450.00) Credit
<u>PRIOR MODIFICATIONS/OPTIONS</u>	\$148,037.00
<u>REVISED TOTAL CONTRACT AMOUNT</u>	\$60,030,469.00
<u>PERCENT +/- (THIS MODIFICATION)</u>	(0.08%)
<u>OVERALL PERCENT</u>	0.0015%
<u>ORIGINAL PROCUREMENT METHOD</u>	Competitive Sealed Proposals

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 1-C-MOD (Cont.)

ORIGINAL MBE PARTICIPATION 40.42%

REMARKS A credit is being issued to the contract because Using Agency agreed to substitute the Impala Black Granite in lieu of Academy Black Granite that was specified in contract documents.

FUND SOURCE Item 015; MCCBL 2008
(Provide funds to complete design, construct and equip a new District Court facility in Rockville, MD.)

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 09-1744-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 2-EP

DEPARTMENT OF GENERAL SERVICES

Maryland State Police
 Headquarter Buildings,
 Barracks and Aviation Hangers
 Statewide

ORIGINAL CONTRACT NO. & TITLE

Project No: DGS-06-EPC-IDC-5.0;
 Phase II- Comprehensive Energy Efficiency
 Program at State Police Buildings and
 Facilities
 ADPICS NO. 001B9200834

ORIGINAL CONTRACT APPROVED

DGS Procurement Review Board,
 April 29, 2008

ORIGINAL PROCUREMENT METHOD

Competitive Sealed Proposals
 Phase I- Indefinite Quantity Contract
 DGS-06-EPC-IDC-5.0

CONTRACTOR

Johnson Controls, Inc.
 Sparks, MD.

DESCRIPTION PHASE I

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

DESCRIPTION OF PHASE II

Approval is requested on the award Phase II of this project based upon Phase I completion by Johnson Controls. On April 29, 2008, the Department of General Services Procurement Review Board approved the award of Phase 1 of this energy performance contract to Johnson Controls, Inc. Phase II requires the incumbent to furnish detailed engineering, construction, start-up, training, maintenance services, and a savings guarantee for the approved program.

AMOUNT

\$11,961,880.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 2-EP (Cont.)

AWARD

Johnson Controls, Inc.
Sparks, MD.

PERFORMANCE BOND

\$5,277,534.00 (capital cost, including
Phase I Study)

FUND SOURCES

\$5,197,534.00 Energy Performance
Contracting Master Lease
Purchase Agreement
\$ 200,000.00 State Agency Loan
Program (SALP)
\$6,894,346.00 MSP Operating Budget*
(Over 14 years)
\$12,291,880.00 Total

*The entire cost carried by the Maryland State Police operating budget is realized from the utility and operating savings.

MBE PARTICIPATION PHASE II

35% (Project); 35% (Maintenance)

REMARKS

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

Under Phase I of this project, Johnson Controls, Inc. developed comprehensive energy efficiency and guaranteed savings program to assist the Maryland State Police (MSP) in achieving a reduction in energy consumption through the installation of capital equipment and the implementation of maintenance services.

A detailed engineering study was completed, including specific recommendations, equipment layouts, preliminary specifications, construction cost, yearly maintenance costs, and guaranteed energy and energy related savings.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 2-EP (Cont.)

That study was determined to have met the objectives of the RFP and found acceptable. In accordance with the provisions of the approved IDC contract, Johnson Controls Inc. the firm who performed the acceptable Phase I study is now the only firm invited to perform the Phase II work implementing the Phase I plan.

Final capital and maintenance costs were negotiated by The Department of General Services (DGS), and represent fair market value for these services. The energy performance project will support the Maryland State Police facility operation by implementation of energy conservation and facility improvements that will significantly improve the environmental comfort at the MSP Headquarters Building and Police Barracks throughout the State.

All project costs will be funded through guaranteed energy-related costs.

The Maryland Energy Administration supports the recommendations of the Phase II award to Johnson Controls Inc.

The environmental for Phase II is as follows:

Annual Energy and Water Reduction

- Electricity = 3,440,581 kWh
- Natural Gas = 95,289 Therms
- Fuel Oil = 5,405 Gallons
- Propane = 4,641 Gallons

Annual Emissions Reductions

- CO2 (Greenhouse Gas) = 4.614 Million lbs.
- SO2 (Sulfur Dioxide) = 35,500 lbs.
- NOX = 13,500 lbs.

CONTRACTOR'S PROPOSED SCOPE OF WORK

The projects proposed to improve facilities, reduce energy use and minimize operating costs include,

- *Measurement and Verification/Maintenance Services* – Ongoing energy and operations assurance service to maximize savings and minimize energy consumption over the term.
- *Building Envelope Improvements* – Improve building thermal envelope to reduce heating costs in 24 facilities.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 2-EP (Cont.)

- *Lighting System Upgrades*- modernization of interior lighting systems in 26 facilities.
- *Lighting System Controls* – Installation of lighting occupancy controls in 40 facilities to reduce electricity.
- *Automated Energy Management System*- Upgrades and integration of existing system to improve control of systems and reduce energy cost.
- *Exterior Lighting Improvements*- Installation of exterior energy efficient lighting to improve light levels while at the same time reducing energy and maintenance costs.
- *Perimeter Heat Pump Replacement*- Replacement of 26 heat pumps at the Berlin Barracks.
- *Heating System Upgrades* – Replacement of five existing boilers with new high efficient systems.
- *Boiler Controls* – Installation of new boiler controls in 20 facilities, to optimize the operation of the existing system.
- *Cooling System Upgrades* – Replacement of eight air conditioning units and one cooling tower.
- *Micro Turbine*- Installation of a 65KW micro turbine to significantly reduce energy usage.

FUND SOURCES

Funding Summary

	Project Cost	Capital Funded Cost	SALP	Financed Cost	Agency Operating Cost
Phase I	\$ 93,600	\$0	\$0	\$ 93,600	\$0
Feasibility Study	\$ 5,183,934	\$0	\$80,000	\$ 5,103,934	\$0
Design/ Construction Maintenance (over 14 years)	\$ 6,684,346	\$0	\$0	\$ 0	\$6,684,346
Johnson Controls, Inc.	\$11,961,880	\$0	\$80,000	\$ 5,197,534	\$6,684,346
Construction	\$ 120,000	\$0	\$120,000	\$ 0	\$
Inspection (DGS): M&V (DGS over 14 years):	\$ 210,000	\$0	\$0	\$ 0	\$210,000
Project Total:	\$12,291,880	\$ 0	\$ 200,000	\$ 5,197,534	\$6,894,346

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE, PHASE II

ITEM 2-EP (Cont.)

The cost carried by the Maryland State Police is supplied from the savings with a net positive cash flow.

The projected cash flow assumes a 3.52% interest rate on the \$5,197,534.00 in financed capital funding through the Energy Performance Contracting Master Lease-Purchase Agreement. MSP will fund DGS \$120,000.00 for project management and inspection costs and will also fund \$210,000.00 (over 14 years) in annual measurement and verification (M&V) services from energy and energy- related savings. It is anticipated that the payback period for the entire project will not exceed 14 years, and will be 100% self-funded from guaranteed energy and energy related savings. The guaranteed energy savings is \$9,992,766.00 and Maintenance cost avoidance savings is \$5,944,689.00 for a total of \$15,937,455.00 (over 14 years).

RESIDENT BUSINESS

Yes

TAX COMPLIANCE NO.

09-1148-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE PHASE II CONTRACT MODIFICATION

ITEM 3-EP-MOD (Revised)

DEPARTMENT OF AGRICULTURE

Headquarters Building
Anne Arundel County

ORIGINAL CONTRACT NO. AND TITLE

Project No: EC-001-080-003;
Phase II- Comprehensive Energy Efficiency
and Guaranteed Savings Program for the
Maryland Department of Agriculture
(MDA)
ADPICS NO. COB54268

PHASE II CONTRACT APPROVED

9/10/2008 DGS/BPW Item 2-EP

CONTRACTOR

Johnson Controls, Inc.
Sparks, MD.

DESCRIPTION PHASE II

Board of Public Works approval is requested for Phase II of an energy performance contract with Johnson Controls, Inc. to implement energy savings measures at the Maryland Department of Agriculture's Headquarters building based on the Phase I study conducted by the firm. Phase II requires Johnson Controls to furnish detailed engineering, construction, start-up, training, maintenance services, and a savings guarantee for the approved program.

MODIFICATION DESCRIPTION

Approval requested for a modification to the Phase II award of this project that adds to the scope of the original project and additional funds to cover the new scope of work which includes furnishing detailed engineering, construction, start-up, training, and a savings guarantee for the approved program. This modification requires Johnson Controls, Inc. to furnish detailed engineering, construction, start-up, training, replacement of one chiller, replacement of one cooling tower, and re-piping condenser loop to eliminate old underground water storage tank.

AMOUNT OF ORIGINAL CONTRACT

\$3,436,552.00

AMOUNT OF MODIFICATION

\$414,865.00

PRIOR MODIFICATIONS/OPTIONS

None

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

ENERGY PERFORMANCE CONTRACT MODIFICATION PHASE II

ITEM 3-EP-MOD (Cont.) (Revised)

REVISED CONTRACT AMOUNT \$3,851,417.00

PERCENT +/- (THIS MODIFICATION) 12%

OVERALL PERCENT 12%

ORIGINAL MBE PARTICIPATION 33.46%

ORIGINAL PROCUREMENT METHOD Competitive Sealed Proposals
(DGS-06-EPC-IDC-5.0 Agreement to
Provide Energy Services for the
Development and Implementation of Energy
Performance Projects with Phase I Fees
\$200,000 or less)

REMARKS Under Phase I of this project, Johnson Controls, Inc. developed comprehensive energy efficiency and guaranteed savings program to assist the Department of Agriculture (MDA) in achieving a reduction in energy consumption through the installation of capital equipment and the implementation of maintenance services. A detailed engineering study was completed, including specific recommendations, equipment layouts, preliminary specifications, construction cost, yearly maintenance costs, and guaranteed energy and energy related savings. This study became the basis for Johnson Controls, Inc. Phase II proposal.

Funding for this work is from Maryland Department of Agriculture Operating budget fund. In addition, JCI will increase the annual energy savings guarantee by \$5,900.00 (Five Thousand Nine Hundred Dollars) As These additional savings will be added to the existing guarantee with the Maryland Department of Agriculture.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 4-AE (Cont.)

BIDS OR PROPOSALS (Cont.)

	<u>Qualification and Project</u>	<u>Contract</u>	<u>Technical Scores</u>	<u>Limit</u>	<u>Limit</u>
KCI Technologies, Inc. Hunt Valley, MD.	102.6/85%	N/A	N/A	N/A	N/A
ECS Mid Atlantic, LLC. Hanover, MD.	101.1/84%	N/A	N/A	N/A	N/A
Triad Engineering, Inc. Hagerstown, MD.	98.6/82%	N/A	N/A	N/A	N/A
Arm Group, Inc. Columbia, MD.	92.2/77%	N/A	N/A	N/A	N/A
Hillis-Carnes Engineering Associates, Inc. Annapolis Junction, MD.	83.0/69%	N/A	N/A	N/A	N/A

AWARDS

Schnabel Engineering, Inc.
Baltimore, MD.
Geo-Technology Associates, Inc.
Abington, MD.
The Robert B. Balter Company
Owings Mills, MD.
EBA Engineering, Inc
Baltimore, MD.
Michael Baker Jr., Inc.
Linthicum, MD.

AMOUNT

\$200,000.00 Est. (06/10/09 - 06/09/11)
\$200,000.00 Est. (06/10/11 - 06/09/12)
\$400,000.00 Est. Total Per Firm (06/10/09-
06/09/12)

MBE PARTICIPATION

25% on each task order \$50,000 or greater

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 4-AE (Cont.)

REMARKS

This solicitation was advertised on eMarylandMarketplace and the DGS website. Six (6) of the ten (10) firms which submitted technical proposals achieved the minimum qualifying score of 85% and the Qualification Committee recommended the five (5) top ranked firms for price proposal negotiations.

The consultant firms shall provide services in the disciplines of Geo-Technical Engineering, Landscape Architecture, Structural and Civil Engineering. Additionally, the services of a Geologist, Hydrologist, Industrial Hygienist, Wetland Specialist, Registered Land Surveyor, Estimator and Specifications Writer are required.

The price proposals submitted by each firm reflected billing rates for each discipline required for this contract. The billing rates were inclusive of direct salaries, fringe benefits, overhead, profit, materials and other billing indirect costs. The fee for each project/task order awarded under the proposed agreement will be negotiated and the contract will be approved and executed by the State individually.

Projects/task orders will normally be awarded on a rotating basis beginning with the number one ranked firm. Once the project award process has been initiated with a firm in the normal rotation, the next opportunity for project award will go to the next firm in the rotation unless the unit issuing the assignment finds that one of the following occur: (1) the firm is unable to perform the assignment, (2) the hours or fees proposed by the firm for services needed cannot successfully be negotiated to an amount the State considers fair and reasonable, (3) another firm has special experience or qualifications, including geographic proximity to the site for which services are needed, that make it in the best interest of the State to give the assignment to another firm, or (4) assignment to another firm would tend to balance to a greater extent, among firms on the indefinite quantity contract list being used, the fees paid or payable for work assignments previously issued.

FUND SOURCE

Various

RESIDENT BUSINESSES

Yes for all

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 4-AE (Cont.)

TAX COMPLIANCE NOS.

09-1560-1000 Schnabel Engineering, Inc.
09-1543-1111 Geo-Technology
09-1545-1111 Robert B. Balter Company
09-1554-1111 EBA Engineering, Inc.
09-1544-1111 Michael Baker Jr., Inc.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT

ITEM 5-AE (REVISED)

**DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES**

Baltimore City

CONTRACT NO. AND TITLE

Project No. KT-000-090-D02;
New Women's Detention Center
Baltimore, MD.
ADPICS NO. 001B9200827

DESCRIPTION

This project will provide design and construction administration services for a new 800-bed, seven story women's detention center. The new facility will include housing, support services, below grade parking, site work and utilities. This project will also include design and construction administration services for the demolition of the former BGE substation and Jail Industries buildings on the site of the new facility, which will be located in the block bounded by East Madison, Graves, East Monument, and Constitution Streets in Baltimore City.

PROCUREMENT METHOD

Maryland Architectural and Engineering Services Act

BIDS OR PROPOSALS

**Qualification and
Technical Scores**

AECOM Services, Inc. Baltimore, MD.	173/94%
STV, Inc. Baltimore, MD. w/Bushey	166/91%
Feight Morin Architects Inc. Hagerstown, MD. (JV)	
Gaudreau, Inc. Baltimore, MD. w/Vitetta Philadelphia, PA. (JV)	163/89%
HOK-Washington, DC.	155/86%

AWARD

AECOM Services, Inc.
Baltimore, MD.

AMOUNT

\$11,998,243.00

TERM

6/18/2009-6/17/2013

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 6-AE-OPTION

DEPARTMENT OF GENERAL SERVICES

ORIGINAL CONTRACT NO. & TITLE

Project No. DGS-07-006-IQC;
Professional Services Agreement to
Provide Roofing Design and Engineering
Services for the Department of General
Services for Multiple Construction Projects
with Fees \$100,000 or Less

ADPICS NOs:

001B9200850 A S Architects, Inc. 001B0400101

001B9200851 Gale Associates, Inc. 001B0400102

001B9200852 Smith Architects, P.A. 001B0400103

ORIGINAL CONTRACT APPROVED

7/11/2007 DGS/BPW Item 5-AE

CONTRACTORS

A S Architects, Inc.
Linthicum, MD.
Gale Associates, Inc.
Baltimore, MD.
Smith Architects, P.A.
Baltimore, MD.

CONTRACT DESCRIPTION

Indefinite Quantity Contract Agreement to provide roofing design and engineering services for the Maryland Department of General Services on an as-needed basis. The proposed agreement will be effective for two (2) years with one (1) two-year renewal option. Individual projects awarded under this agreement may not exceed \$100,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$200,000.00.

OPTION DESCRIPTION

The State is exercising the sole renewal option on this Indefinite Quantity Contract to provide roofing design and engineering services for multiple construction projects for a period of two (2) years beginning July 16, 2009 through July 15, 2011 in accordance with the original terms, conditions, and limits. Individual projects awarded under this agreement may not exceed \$100,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$200,000.00. The services to be provided and the procedures and conditions for award shall be consistent with those stated in the original agenda item.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

<u>ITEM</u>	6-AE-OPTION (Cont.)
<u>TERM OF ORIGINAL CONTRACT</u>	7/16/2007 - 7/15/2009 (W/1 two-year renewal option)
<u>TERM OF OPTION</u>	7/16/2009 - 7/15/2011
<u>AMOUNT OF ORIGINAL CONTRACT</u>	\$200,000.00 Est. per firm (1 st year) — \$200,000.00 Est. per firm (2 nd year) \$400,000.00 Total Est. per firm
<u>AMOUNT OF OPTION</u>	\$200,000.00 Est. (per firm)
<u>PRIOR MODIFICATIONS/OPTIONS</u>	None
<u>ORIGINAL MBE PARTICIPATION</u>	25%
<u>ORIGINAL PROCUREMENT METHOD</u>	MD Architectural and Engineering Services Act
<u>REMARKS</u>	A contractual agreement of this nature is necessary to enable the State to fulfill its ongoing construction and renovation responsibility in a cost effective and timely manner. Four (4) firms were selected to provide roofing design and engineering services for the term of the original contract. One of the four (4) firms, Burton Associates Architects, Inc. indicated, after a change in personnel, that they no longer wanted to participate in this contract and, therefore, was not included on the renewal option.
<u>FUND SOURCE</u>	Various
<u>RESIDENT BUSINESSES</u>	Yes for all
<u>TAX COMPLIANCE NOS.</u>	09-1500-0111 A S Architects, Inc. 09-1501-0111 Gale Associates, Inc. 09-1503-0111 Smith Architects, P.A.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 7-AE-OPTION

DEPARTMENT OF GENERAL SERVICES

ORIGINAL CONTRACT NO. & TITLE

Project No. DGS-07-018-IQC;
Professional Services Agreement to Provide
Architectural and Engineering Services for
Construction Scheduling and Claims
Analysis for Multiple Projects with Fees
\$300,000 or Less
ADPICS NOs:

- ~~001B9200847~~ Alpha Corporation 001B0400099
- ~~001B9200848~~ Johnson, Mirmiran & Thompson 001B0400097
- ~~001B9200849~~ KCI Technologies, Inc. 001B0400100

ORIGINAL CONTRACT APPROVED

7/11/2007 DGS/BPW Item 4-AE

CONTRACTORS

Alpha Corporation-Baltimore, MD.
Johnson, Mirmiran & Thompson
Sparks, MD.
KCI Technologies, Inc.
Hunt Valley, MD.

CONTRACT DESCRIPTION

Indefinite Quantity Contract Agreement to provide architectural and engineering services for construction scheduling and claims analysis to the Maryland Department of General Services on an as-needed basis. The proposed agreement will be effective for two (2) years with one (1) two-year renewal option. Individual projects awarded under this agreement may not exceed \$300,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00.

OPTION DESCRIPTION

The State is exercising the sole renewal option on this Indefinite Quantity Contract to provide architectural and engineering services for construction scheduling and claims analysis for a period of two (2) years beginning July 16, 2009 through July 15, 2011 in accordance with the original terms, conditions, and limits. Individual projects awarded under this agreement may not exceed \$300,000.00; however, the selected firms may be awarded more than one project. The aggregate fee for the total of projects awarded to any firm may not exceed \$500,000.00. The services to be provided and the procedures and conditions for award shall be consistent with those stated in the original agenda item.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICE CONTRACT RENEWAL OPTION

ITEM 7-AE-OPTION (Cont.)

TERM OF ORIGINAL CONTRACT 7/16/2007 - 7/15/2009 (W/1 two-year
renewal option)

TERM OF OPTION 7/16/2009 - 7/15/2011

AMOUNT OF ORIGINAL CONTRACT \$ 500,000.00 Est. per firm (1st year)
\$ 500,000.00 Est. per firm (2nd year)
\$1,000,000.00 Total Est. per firm

AMOUNT OF OPTION \$500,000.00 Est. (per firm, 2 years)

ORIGINAL MBE PARTICIPATION 25%

ORIGINAL PROCUREMENT METHOD MD Architectural and Engineering
Services Act

REMARKS A contractual agreement of this nature is
necessary to enable the State to fulfill its ongoing construction and renovation responsibility in a
cost effective and timely manner.

FUND SOURCE Various

RESIDENT BUSINESSES Yes for all

TAX COMPLIANCE NOS. 09-1302-1111 Alpha Corporation
09-1301-1111 Johnson, Mirmiran & Thompson
09-1300-1112 KCI Technologies, Inc

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

A/E SERVICES CONTRACT MODIFICATION

ITEM 8-AE-MOD

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

<u>ORIGINAL CONTRACT NO. AND TITLE</u>	BH-111-060-001; New Forensic Medical Center ADPICS NO. COB46438
<u>ORIGINAL IQC CONTRACT APPROVED</u>	11/13/2006 DGS/BPW Item 3-AE-OPT
<u>IQC TASK ORDER APPROVED</u>	7/9/2008 DPRB Item 27-E-007
<u>ARCHITECT/ENGINEER</u>	Sebesta Blomberg & Associates Arlington, VA.

<u>CONTRACT DESCRIPTION</u>	This project provides for A/E engineering services for building systems commissioning, to ensure that all systems are complete and functioning properly prior to substantial completion.
------------------------------------	--

<u>MODIFICATION DESCRIPTION</u>	The proposed contract modification is for additional services to provide commissioning services for the general office HVAC system and building security system. This contract was awarded as a task order on a contract NTE \$200,000.00 and total award to any contractor was NTE \$500,000.00. Because the value of the individual contract now exceeds \$200,000.00, this item is being submitted to the BPW for approval.
--	--

<u>AMOUNT OF ORIGINAL CONTRACT</u>	\$198,701.00
<u>AMOUNT OF MODIFICATION</u>	\$46,433.00
<u>PRIOR MODIFICATIONS/OPTIONS</u>	None
<u>REVISED CONTRACT AMOUNT</u>	\$245,134.00
<u>PERCENT +/- (THIS MODIFICATION)</u>	23.34%
<u>OVERALL PERCENT</u>	23.34%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 9-M (REVISED)

**MARYLAND STATE DEPARTMENT
OF EDUCATION**

Nancy S. Grasmick Building
Baltimore, MD.

CONTRACT NO. AND TITLE

BB-801-090-001;
Roof Replacement at the Nancy S. Grasmick
Building
ADPICS NO. 001B9200823

DESCRIPTION

Contract approval for the removal of old roofing system down to the deck and replaced with a new 4 ply built up roof system with a 20 year No Dollar Limit warranty.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

Simpson of Maryland, Inc. Hanover, MD.
Cole Roofing, Baltimore, MD.
Warren-Ehret Co. of MD, Baltimore, MD.
Autumn Contracting, Inc., Alexandria, VA.
TAY Construction Services, Lanham, MD.

AMOUNT

\$291,700.00
\$394,430.00
\$498,526.00
\$793,000.00
\$879,000.00

AWARD

Simpson of Maryland, Inc.
Hanover, MD.

TERM

180 days from notice to proceed

MBE PARTICIPATION

20%

AMOUNT

\$291,700.00

PERFORMANCE BOND

100% of Full Contract Amount

REMARKS

The project was advertised on eMaryland Marketplace on March 18, 2009 and Nine (9) prospective bidders requested and received copies of the project plans, specifications and Contractor's Pre-Qualification Questionnaire. Eight (8) of the prospective bidders include firms located in Maryland, with One (1) located out-of-State.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 9-M (Cont.) (Revised)

As part of the Department’s outreach efforts to enhance local resident business participation, direct mail advertisements were forwarded to various business and trade organizations in Maryland. Five (5) responsive and responsible bids were received.

The government estimate for this project is \$500,000.00. The price difference is due to the fact that petroleum based product prices were at their peak at the time of the estimate.

FUND SOURCE MCCBL 2008 ITEM 010

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 09-1049-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT**ITEM** 10-M**DEPARTMENT OF GENERAL SERVICES** Essex/Rosedale District Court and Multi-Service Center (DC/MSC)**CONTRACT NO. AND TITLE** Unarmed Uniformed Guard Services at Essex/Rosedale DC/MSC; ADPICS NO. 001B9200809**DESCRIPTION** Board of Public Works approval is requested for a contract to provide unarmed uniform guard services at DGS' Essex/Rosedale DC/MSC located at 8914 Kelso Drive, Baltimore, MD. 21221, for a period of three (3) years.**PROCUREMENT METHOD** Competitive Sealed Bidding

<u>BIDS OR PROPOSALS</u>	<u>AMOUNT</u>
I.W.G. Protection Agency, Inc. – Baltimore, MD.	\$269,741.76
Phoenix Technologies LLC – Lorton, VA.	\$272,065.12
Amazing Security & Investigations, LLC – Wheaton, MD.	\$294,202.56
Graham Security Services – Glen Burnie, MD.	\$298,524.80
Dunbar Guard Services – Baltimore, MD.	\$301,532.00
American Security Company Inc. – Upper Marlboro, MD.	\$302,392.00
BTI Security – Silver Spring, MD – Silver Spring, MD.	\$304,226.56
BDS Protective Services, LLC – Washington, DC.	\$336,476.00
Flagship Investigations, Inc. – Columbia, MD.	\$341,775.20
Legal Services Associates, Inc. – Baltimore, MD.	\$345,305.28
Shields of Honor LLC – Laurel, MD.	\$368,331.52

AWARD I.W.G. Protection Agency, Inc.
Baltimore, MD.**TERM** 7/1/2009-6/30/2012**AMOUNT** \$269,741.76**MBE PARTICIPATION** 100% Prime Contractor/5% Sub Contractor**PERFORMANCE BOND** N/A

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 11-E

MARYLAND PUBLIC TELEVISION

MPT Station (WWPB)
Hagerstown, MD.

CONTRACT NO. & TITLE

Transmitter Upgrade;
ADPICS NO. 001P9902156

DESCRIPTION

Board of Public Works approval is requested for the purchase, delivery and installation of transmitter and electronic processing equipment to be installed at the Maryland Public Television Station (WWPB), in Hagerstown. The equipment will be used to upgrade the existing digital transmitters to allow for higher transmitter power output recently granted by the Federal Communications Commission (FCC) for the State of Maryland.

PROCUREMENT METHOD

Sole Source

BIDS OR PROPOSALS

N/A

AWARD

Thomson, Inc.
Southwick, MA.

TERM

90 Days

AMOUNT

\$288,115.00

MBE PARTICIPATION

None

PERFORMANCE BOND

N/A

REMARKS

The equipment is to be purchased from Thomson, Inc. as a sole source procurement. In order to achieve a power increase modification of 1000kw ERP it will require extensive changes to the electronic processing and control systems and changes to the power output tubes. Furthermore, the procurement of the parts and installation will allow compatibility with existing equipment presently in use by the facility.

FUND SOURCE

Item 102, CA 2002 Maryland Public
Television Advance Television Equipment

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 12-E

MARYLAND SCHOOL FOR THE DEAF

Frederick Campus
Frederick, MD.

CONTRACT NO. AND TITLE

Early Education School Furniture;
ADPICS NO. 001P9902160
ADPICS NO. 001P9902161

DESCRIPTION

Multiple award for contractors to supply early education school furniture to the Maryland School for the Deaf located in Frederick MD.

PROCUREMENT METHOD

Competitive Sealed Bid

BIDS OR PROPOSALS

AMOUNT

ATD American Co.
Wyncote, PA.

\$5,026.06

P J & Company LLC.
Glenelg, MD.

\$14,628.79

AWARDS

P J & Company LLC.
Glenelg, MD. \$14,628.79-(SBE)
ATD American Co
Wyncote, PA. \$5,026.06

AMOUNT

\$19,654.85 Total

MBE PARTICIPATION

None

PERFORMANCE BOND

N/A

REMARKS

This contract is for the purchase only of early education school furniture in the newly constructed buildings for Maryland School for the Deaf, Frederick Campus. Items were bid and awarded to the lowest responsible and responsive bidders. Maryland Correctional Enterprises (MCE) submitted a waiver for this furniture. Capital funds were used to equip the new elementary, family education, and student support services complex on the Frederick Campus".

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 12-E (Cont.)

FUND SOURCE

Capital Account MCCBL 2007
Item 043

RESIDENT BUSINESSES

Yes and No

TAX COMPLIANCE NOS.

09-1232-1111 P J & Company LLC.
09-1233-1111 ATD American Co.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT**ITEM** 13-E**MARYLAND SCHOOL FOR THE DEAF**Frederick Campus
Frederick, MD.**CONTRACT NO. AND TITLE**Bleachers;
ADPICS NO. 001P9902162**DESCRIPTION**

The contractor is to supply and install bleachers to the Maryland School for the Deaf, Frederick MD.

PROCUREMENT METHOD

Small Procurement

BIDS OR PROPOSALS

Recreation Resource Inc. Kennett Square, PA.

AMOUNT

\$12,300.00

AWARDRecreation Resource Inc.
Kennett Square, PA.**AMOUNT**

\$12,300.00

MBE PARTICIPATION

None

PERFORMANCE BOND

N/A

REMARKS

This contract is for the purchase and installation of bleachers for the newly constructed buildings for Maryland School for the Deaf, Frederick Campus.

Since the bleachers were to be custom fabricated and vendors were limited, it was not designated as Small Business Reserve (SBR) designated procurement.

Capitals funds were used to equip the new elementary, family education and student support complex on the Frederick Campus.

FUND SOURCECapital Account MCCBL 2007, Item
Item 043**RESIDENT BUSINESS**

No

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

EQUIPMENT CONTRACT

ITEM 13-E (Cont.)

TAX COMPLIANCE NO.

09-1700-1100

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 14-RP (Revised)

DEPARTMENT OF NATURAL RESOURCES Larry L. Beauchamp et al
290 acres Somerset County
File # 00-4154 POS # 3846

REFERENCE

Approval is requested for the acquisition of 290 acres +/- of forested wetland located on the mainstream Pocomoke River directly across from Pocomoke State Forest. Uplands adjacent to this property serve as a Delmarva fox squirrel translocation site, and there are three bald eagle nests directly across the river from this property. The forested bottomlands of the Pocomoke River Watershed support numerous locally and nationally rare species, including the Swainson's warbler, Delmarva fox squirrel and bald eagle, and serve as important stopover and nesting habitats for neotropical migrants, waterbirds, shorebirds, including woodcock and waterfowl such as the wood duck and American black duck. This parcel lies within the designated Pocomoke River Focus Area and the Target Ecological Area (TEA) and has received an ecological ranking of 93 under the new Program Open Space Targeting System.

The State of Maryland and The Nature Conservancy (TNC) working in partnership with the US Fish and Wildlife Service (USFWS) Chesapeake Bay Field Office has secured two Federal North American Wetlands Conservation Act (NAWCA) grants in the total amount of \$1,448,727.00 to protect and restore 8 properties on the Pocomoke River including this acquisition. USFWS will provide matching funds in the amount of \$308,202.00 at settlement in accordance with the NAWCA Grant. The Agreement of Sale has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

GRANTOR

Larry L. and Lynda L. Beauchamp
Patricia L. Smith, Creston S. Long

GRANTEE

The State of Maryland, to the use of the
Department of Natural Resources

PROPERTY

290 +/- acres unimproved

PRICE

\$406,000.00 (290 acres @ an estimated
\$1,400.00 per acre)

APPRAISED VALUES

\$550,000.00 – (4/22/08) – David E. Cadell – Fee Appraiser – Reviewed by Darryl Andrews
(\$1,900.00 per acre)

\$406,000.00 – (4/11/08) – William R. McCain – Fee Appraiser – Reviewed by Darryl Andrews
(\$1,400.00 per acre)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 14-RP (Cont.) (Revised)

FUND SOURCE POS Land Acquisition Opportunity Loan of 2009
~~\$97,798~~ *\$85,735.60 * see attachment*
USFWS NAWCA Grant \$308,202

SPECIAL CONDITIONS

1. A survey shall be conducted to determine the exact amount of acreage. If the survey exceeds the estimated 290 acres, BPW approval will be sought for payment of the additional acreage at the rate of \$1,400 per acre.
2. The terms of the Grant place the following restrictions on the property:
"Federal regulation (43 C.F.R. 12.71) requires that the Grantee maintain the Property in accordance with the terms, conditions and purposes of the Grant. Grantee may not sell, transfer, pledge or otherwise dispose of or further encumber the Property without obtaining the approval of USFWS, its designee or successor. This restriction is a covenant running with the land and is binding upon Grantee, its designee and/or successor."

REMARKS

- 1 The Department of Natural Resources recommends approval of this acquisition.
- 2 This project meets criteria in accordance with Chapter 419, Laws of Maryland 2009 as it presents a unique acquisition opportunity as a result of the extraordinary location and environmental value of the property which scored 93 on the Program Open Space ecological scoring system.
- 3 The Governor has requested that the board of Public Works borrow money and incur special obligation indebtedness through a special loan to be known as the Program Open Space Acquisition Opportunity Loan of 2009 as provided in Chapter 419 of the Laws of Maryland 2009.
- 4 This action authorizes the Comptroller to advance funds needed to complete the transaction; requesting the use of bonds authorized under the Program Open Space Acquisition Opportunity Loan of 2009

Note: This item appeared on the 5/20/2009 DGS/BPW agenda as item 11-RP and was withdrawn.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

Martin O'Malley
Governor

Anthony G. Brown
Governor



OK - file
SAC

Alvin C. Collins
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

December 1, 2009

Sheila McDonald, Esq.
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, Maryland 21401-1991

RECEIVED
2009 DEC -3 AM 10:19
BOARD OF PUBLIC WORKS

SUBJECT: June 17, 2009 Board of Public Works Action Agenda

Dear Ms. McDonald:

This is to advise you of the following changes to the Board of Public Works Action Agenda item previously approved by the Board of Public Works.

<u>BPW June 17, 2009</u>	<u>FROM:\$ 97,798.00 - POS Land Acquisition</u>
<u>Item 14-RP (Revised)</u>	<u>Opportunity Loan of 2009</u>
<u>Pages 34-35</u>	<u>308,202.00 - USFWS NAWCA Grant</u>
<u>209 Acres</u>	
<u>Larry L. Beauchamp et al</u>	<u>TO:\$ 85,735.60 - POS Land Acquisition</u>
<u>Somerset County</u>	<u>Opportunity Loan of 2009</u>
<u>Department of Natural Resources</u>	<u>308,202.00 - USFWS NAWCA Grant</u>

Reason: To decrease real property acquisition price due to results of subsequent survey.

Thank you for your attention to this matter. If you need further information, please call me at (410) 767-4960 or have a member of your staff contact Rio Woodard, Administrator, Capital Projects Accounting, at (410) 767-4236.

Sincerely yours,

Alvin C. Collins
Secretary

cc: The Honorable Martin O'Malley
The Honorable Peter Franchot
The Honorable Nancy K. Kopp



DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 15-RP (REVISED)

DEPARTMENT OF NATURAL RESOURCES D.A.M.Z.'s Haven, LLC
313.75 acres Worcester County
File # 41-0024 POS # 3418

REFERENCE Approval is requested for the Assignment of an Agreement of Sale from The Nature Conservancy for the acquisition of a conservation easement on 313.75 acres +/- of a property known as DAMZ Haven (aka Zimmer) along the Pocomoke River. The DAMZ Haven tract is located in Worcester County. It has over 4200 feet of Pocomoke River shoreline, 4800 feet along Coonsfoot Branch and over 2400 feet along Five Mile Branch. The property contains approximately 124.75 acres of wooded uplands and farmlands that could be developed, and 189 acres of forested wetlands along the Pocomoke River.

The upland coastal plain forest harbors a population of the federally-endangered Delmarva Fox Squirrel. The property is located south of the State-owned Pocomoke River Heritage Conservation Fund Area. It links 2 Ecologically Sensitive Areas (ESA): Coonsfoot Clearing ESA to the north and Poorhouse Branch ESA to the south. The Porter's Crossing ESA occurs on the Zimmer tract. The property harbors high quality bald cypress swamp (some specimen cypress are over 200 years old) and is designated as forest interior dwelling (FID) habitat for migratory songbirds and raptors. Permanent protection of the property will also conserve important aquatic habitat (e.g. spawning waters for anadromous fish, and beds of Submerged Aquatic Vegetation). This parcel lies within a designated Focus area and the Target Ecological Area (TEA) and has received an ecological ranking of 97 under the new Program Open Space Targeting System.

The State of Maryland and The Nature Conservancy (TNC) working in partnership with the US Fish and Wildlife Service (USFWS) Chesapeake Bay Field Office has secured two Federal North American Wetlands Conservation Act (NAWCA) grants in the total amount of \$1,448,727.00 to protect and restore 8 properties on the Pocomoke River including this purchased conservation easement; USFWS will provide matching funds in the amount of \$467,377.00 at settlement in accordance with the NAWCA Grant.

The Assignment Agreement has been approved by the Office of the Attorney General. Title and transfer documents are subject to legal review.

GRANTOR

The Nature Conservancy

GRANTEEThe State of Maryland, to the use of the
Department of Natural Resources

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 15-RP (Cont.) (Revised)

PROPERTY 313.75 +/- acres unimproved

PRICE \$627,500.00

APPRAISED VALUES

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

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

FUND SOURCE

POS Land Acquisition Opportunity Loan of 2009 \$180,923

USFWS NAWCA Grant \$467,377

SPECIAL CONDITIONS

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

Total \$ 20,800.00

REMARKS

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

Note: This item appeared on the 5/20/2009 DGS/BPW agenda as item 10-RP and was withdrawn.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 16-RP

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

Spring Grove State Hospital Center (SGHC)
Baltimore County
File 8421

REFERENCE

Board of Public Works approval is requested to declare surplus +/- 5,868 square feet of land along Valley Road in Baltimore County. The property is located at Spring Grove Hospital Center, a DHMH facility, located in Catonsville, MD. Baltimore County government has requested the property in fee simple for the purpose of stream restoration, preventative maintenance on the bridges, and to perform needed road expansion.

OWNERSHIP

State of Maryland, to the use of the Department of Mental Hygiene

PROPERTY

5,868 square feet (.135 Acre±)

REMARKS

The Clearinghouse conducted an intergovernmental review of the project under MD20090206-0112 and has recommended to declare the +/- 5,868 square feet of land, along Valley Road at Spring Grove Hospital Center, surplus to the State of Maryland, and to offer to sell the property to Baltimore County. The property is adjacent to two (2) small bridges that pass over the stream. Baltimore County seeks to acquire the property, in order to perform stream restoration, preventive maintenance on bridges, and to perform road expansion.

The Department of Health and Mental Hygiene recommends approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 17-RP

DEPARTMENT OF PUBLIC SAFETY
AND CORRECTIONAL SERVICES

File # 00-8430;
1.257 Acres
Anne Arundel County

REFERENCE

Board of Public Works approval is requested to surplus approximately 1.257 acres of property titled to the use of the Department of Public Safety and Correctional Services (DPSCS) which is located adjacent to the Maryland Correctional Institute for Women (MCI-W) in Anne Arundel County south of Brock Bridge Road. DPSCS seeks a like kind exchange with Clarks Hundred Development, LLC. Clarks Hundred Development LLC intends to use the Land for access in finalizing plans for an office park.

OWNERSHIP

The State of Maryland to the use of the Department of Public Safety and Correctional Services

PROPERTY

1.257 acres

REMARKS

1. The Department of Public Safety and Correctional Services agrees with this exchange.
2. The Clearinghouse conducted an intergovernmental review of the project under MD20081010-0997 and has recommended to exchange +/- 1.257 acres of land held by the Department of Public Safety and Correctional Services as part of the Maryland Correctional Institute for Women, with Clarks Hundred Development LLC. Clarks Hundred Development LLC is offering a parcel of +/- 1.257 acres of land located northwest of National Business Parkway, between Routes 32 and 175 and the Baltimore Washington Parkway and Brock Bridge Road. Clarks Hundred Development LLC intends to use the land for access in finalizing plans for an office park.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY**ITEM** 18-RP**DEPARTMENT OF GENERAL SERVICES** Title Company Services

REFERENCE Board of Public Works approval is requested for contracts to all offerors passing both Technical and Price requirements to perform acquisitions and additional related activities as required for residential, commercial, agricultural and unimproved properties in the following jurisdictions: Baltimore City, Baltimore, Carroll, Harford, Howard, Allegany, Frederick, Garrett and Washington Counties (representing the Northern and Western Regions).

The Comprehensive Settlement Fee represents the offeror's fee for title and settlement services for a single transaction. This covers all services normally associated with property transactions, such as settlement charges, document preparation, travel expenses, notary fees, return of deeds, reports after recording and photocopies. The cost of title insurance is by fixed rates approved by The Maryland State Insurance Commissioner

PROCUREMENT METHOD Competitive Sealed Proposals**PROPOSALS/AWARDS*****Northern & Western Regions***

	<u>Technical/Price Evaluation</u>	<u>Comprehensive Settlement Fee</u>
The Fisher Law Group Upper Marlboro, MD.	Technical: Pass Price: Pass	\$700.00
Lakeside Title Company Columbia, MD.	Technical: Pass Price: Pass	\$700.00
Law Office of Henry I. Louis Columbia, MD.	Technical: Pass Price: Pass	\$700.00
Miles & Stockbridge Easton, MD.	Technical: Pass Price: Pass	\$700.00
Pinderhughes Title, Inc. Baltimore, MD. (MDOT Certified MBE, #94-250)	Technical: Pass Price: Pass	\$700.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 18-RP (Cont.)

Progressive Title Corporation Arnold, MD.	Technical Price	Pass Pass	\$650.00
Stewart Title Guaranty Company Baltimore, MD.	Technical Price	Pass Pass	\$700.00
Wright, Constable & Skeen Baltimore, MD.	Technical Price:	Pass Pass	\$600.00

PROPOSALS/AWARDS

Northern Region Only

	<u>Technical/Price Evaluation</u>	<u>Comprehensive Settlement Fee</u>
Anchor Title Company Columbia, MD.	Technical: Pass Price: Pass	\$700.00
Cotton Duck Title Company Baltimore, MD.	Technical: Pass Price: Pass	\$595.00
Land Settlements, LLC. Baltimore, MD.	Technical: Pass Price: Pass	\$650.00
Property Title & Escrow, LLC. Baltimore, MD. (MDOT Certified MBE, #07-033)	Technical Price	Pass Pass \$700.00

TERM

7/1/2009-6/30/2012

REMARKS

A notice of the availability of the Request For Proposals (RFP) was advertised in *The Daily Record*, *The Cumberland Times*, *The Afro American*, *eMarylandmarketplace.com* and the *DGS* website. Copies of the solicitation notice were mailed directly to 120 prospective vendors, and included 25 MBE. Two of the twelve awardees are MDOT certified MBE contractors.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 18-RP (Cont.)

Each offeror was evaluated on a pass/fail basis as to whether the proposal met the mandatory requirements of the RFP for all aspects of titling including the offeror’s depth of experience in transactional history, the range of knowledge and experience within the offeror’s team, plus abstractors’ experience and insurance information. Fees were evaluated as pass/fail based on prevailing market rates.

The task orders for title services will be awarded on a rotating basis. The Contract contains strict time limits and per diem penalties for delays.

Each of the twelve (12) contracts awarded will be for a value Not To Exceed \$50,000.00 during the three-year term. The aggregate value of the overall contract award will not exceed \$600,000.00. The actual contract cost will depend on the number and contract price of the properties acquired during the term of the contract.

RESIDENT BUSINESSES

Yes for all

TAX COMPLIANCE NOS.

- 09-1799-0110 (The Fisher Law Group)
- 09-1700-1111 (Lakeside Title Company)
- 09-1860-0000 (Law Office of Henry I. Louis)
- 09-1801-1111 (Miles & Stockbridge)
- 09-1802-0111 (Pinderhughes Title, Inc)
- 09-1803-0111 (Progressive Title Corp.
- 09-1804-0110 (Stewart Title Guaranty Co.)
- 09-1805-0111 (Wright, Constable & Skeen)
- 09-1861-0000 (Anchor Title Company)
- 09-1806-0001 (Cotton Duck Title Company)
- 09-1807-0000 (Land Settlements, LLC.)
- 09-1808-0111 (Property Title & Escrow, LLC.)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 19-LT

DEPARTMENT OF GENERAL SERVICES Annapolis, MD.
Anne Arundel County

Landlord Naval Academy Athletic Association
566 Brownson Road
Annapolis, MD. 21402

Property Location Navy Marine Corps Memorial Stadium
511 Taylor Avenue
Annapolis, MD. 21401

<u>Space Type</u>	Parking	<u>Lease Type</u>	New	<u>Acres</u>	8 Acres +/-
<u>Duration</u>	10 Years	<u>Effective</u>	July 1, 2009		1,000 spaces /-
<u>Annual Rent</u>	\$620,040.07 Avg.	<u>Rate Per Space Per Month</u>			\$51.67 Avg.
		<u>Prev. Rate Per Space Per Month</u>			\$36.16 Avg.

Utilities Responsibility Landlord
Custodial Responsibility Landlord
Previous Board Action(s) Item L-A-7 10/03/1979; Item 22-L 08/24/1988;
 Item 18-L 12/12/1990; Item 9A-L 09/30/1992
Fund Source H00 PCA 33151 AOBJ 0705 TC 413 100% General

Special Conditions

1. The parking is available on a 24/7 basis except for up to six (6) days a year for Naval Academy events.
2. The lease provides for one (1) additional ten (10) year renewal subject to a 12 month prior written notice by the Tenant to the Landlord.
3. The lease contains a modified termination for convenience provision affording the Tenant and the Landlord the right to termination of the lease subject to a 12 month prior written notice from the party requesting such termination.

Remarks

1. The State has utilized this facility for employee parking in Annapolis since 1979.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 19-LT (Cont.)

- 2. The annual rent for the first year of the lease is \$545,700.00 or \$45.48 per space per month and increases by 2% in year two (2) and 3% annually thereafter resulting in the ten (10) year average annual rent of \$620,040.07 or \$51.67 per space per month.
- 3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 20-LT (Revised)

DEPARTMENT OF TRANSPORTATION Motor Vehicle Administration (MVA)
Express Office
Oakland, MD. (Garrett County)

Landlord Brownings, Inc.
P.O. Box 129
Oakland, MD. 21550

Property Location Route 135 East
Oakland, MD. 21550

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	1,500
<u>Duration</u>	5 Years	<u>Effective</u>	July 1, 2009		
<u>Annual Rent</u>	\$18,750.00	<u>Square Foot Rate</u>		\$12.50	
		<u>Eff. Sq. Ft. Rate</u>		\$16.50	
		<u>Prev. Sq. Ft. Rate</u>		\$12.50	
		<u>Prev. Sq. Ft. Rate</u>		\$16.50	

Utilities Responsibility Tenant
Custodial Responsibility Tenant
Previous Board Actions 04/07/04 – 9-L; 04/20/94 – 13-L.

Fund Source 100% Special JO4E0001 PROG MVA Operating Obj 1301

Retro-Active Leases: Review of the lease file for this location indicates that the agency has continually occupied the office space since May 1, 1994. From May 1, 2006 thru June 30, 2009, the agency occupied the space on a month-to-month basis for a period of 3 years and 2 months. The Board of Public Works is requested to retroactively approve the leasing of this space for a period of 3 years and 2 months from May 1, 2006 thru June 30, 2009 pursuant to the State Finance and Procurement Article 11-204 (c) concurrent with the lease action requested by this agenda item.

Special Conditions

1. The lease incorporates five (5) use-in-common parking spaces.
2. The lease contains one (1) option renewal term of five (5) years.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 20-LT (Cont.) (REVISED)

Remarks

1. This office serves the citizens of Garrett County by providing for the renewal of drivers' licenses, obtaining personal identification cards, license plate returns and certified copies of driving records.

2. The lease contains a termination for convenience clause.

3. This space was acquired by sole source in accordance with the DGS Space Management Manual, Paragraph 6-605 E., as authorized by COMAR 21.02.05.05. The Department of General Services, in conjunction with the using Agency, recommends the approval of this item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-CGL

DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

Leeke Academy
Fell's Point
Baltimore City

AUTHORITY

MHT Historic Preservation Loan Program

PROJECT TITLE

Rehabilitation of Leeke Academy

DESCRIPTION

The Department of Planning requests Board of Public Works approval to permit the Maryland Historical Trust to award a loan in the amount of \$150,000.00 to the Society for the Preservation of Federal Hill and Fell's Point, Inc. for the purpose of stabilizing the Leeke Academy at 1627 Aliceanna Street in Fells Point, Baltimore City.

AWARD

The Society for the Preservation of Federal Hill and Fells Point, Inc.
Baltimore, MD

AMOUNT

\$150,000.00

FUND SOURCE

\$150,000.00 - MCCBL Historical Trust Revolving Loan of 2004 - Appropriation #04093 - PCA 78060 – Society for the Preservation of Federal Hill and Fell's Point, Inc. (owner)

CONDITIONS OF LOAN

Mortgagee – Maryland Historical Trust
Mortgagor – Society for the Preservation of Federal Hill and Fell's Point, Inc.
Amount - \$150,000.00
Interest Rate - 2.5%
Term - 20 year amortization

REMARKS

For rehabilitation projects, the loan will not exceed 80% of the after rehabilitation appraised value of the assisted property (minus existing mortgage balances, or 100% of the project costs, whichever is less.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-CGL (Cont.)

The loan will be secured by a first mortgage. A promissory note will outline repayment conditions. The Maryland Historical Trust holds a perpetual preservation easement on the interior and exterior of the building and on the 1200 square foot property. The appraisal has not yet been completed.

Under provisions of regulations approved by the Board of Public Works, the Maryland Historical Trust is required to obtain Board approval for loans made under the MHT Historic Preservation Loan Program loans over \$50,000.00 which are to be funded with the proceeds of a sale of State general obligation bonds (State Finance and Procurement Article, §5A-327(1) and COMAR 34.04.02.07B(1)).

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 22-CGL

DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

Cecil Hotel
Charlestown, MD.
Cecil County

AUTHORITY

MHT Historic Preservation Loan Program

PROJECT TITLE

Refinancing of Loan for Acquisition of the
Cecil Hotel

DESCRIPTION

The Department of Planning requests Board of Public Works approval to permit the Maryland Historical Trust to award a loan in the amount of up to \$136,000.00 to the Town of Charlestown for the purpose of refinancing a commercial bridge loan to the Town from PNC Bank for acquisition of the Cecil Hotel located at 629 Bladen Street, Charlestown.

The Town obtained the commercial bridge loan in order to acquire the Cecil Hotel before the owner demolished the historic house and/or subdivided the property. The Hotel is circa 1800 and is a fine example of Federal Style Architecture. It is a frame structure over a stone foundation and contains much of the original details of the historic building, including almost all of its original glass. It also sits on an original lot of Charlestown laid out in 1767. The Town intends to return the property to private ownership, subject to a Maryland Historical Trust preservation easement.

AWARD

Town of Charlestown
Charlestown, MD.

AMOUNT

\$170,000.00

ELIGIBLE AMOUNT

\$136,000.00

FUND SOURCE

\$136,000.00 - MCCBL Historical Trust
Revolving Loan of 2004 - Appropriation
#04093 - PCA 78060 – Town of
Charlestown (owner)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 22-CGL (Cont.)

CONDITIONS OF LOAN

Mortgagee – Maryland Historical Trust
Mortgagor – Town of Charlestown
Amount - \$136,000.00
Interest Rate - 1% first year, 2% second year
and 3% for years three, four and five
Term - 5 year amortization

REMARKS

The Maryland Historical Trust loan program allows payment up to 80% of the purchase price. The purchase price was \$170,000.00 and 80% of that is \$136,000.00.

The loan will be secured by a first mortgage. A promissory note will outline repayment terms. The Maryland Historical Trust will hold a perpetual preservation easement on the interior and exterior of the building and on the 0.56-acre property. The property has an appraised value of Two hundred and nineteen thousand dollars (\$219,000.00). Under provisions of regulations approved by the Board of Public Works, the Maryland Historical Trust is required to obtain Board approval for loans made under the MHT Historic Preservation Loan Program loans over \$50,000.00 which are to be funded with the proceeds of a sale of State general obligation bonds (State Finance and Procurement Article, §5A-327(1) and COMAR 34.04.02.07B(1)).

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL

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

*Board of Directors of Girl Scouts of the Chesapeake Bay Council, Inc.
(Cecil County)*

Camp Grove Point

“For the construction and capital equipping of Camp Grove Point including an equestrian center, new shelters, and additional showers, located in Earleville.”

\$123,000.00

Maryland Consolidated Capital Bond Loan - Camp Grove Point Loan of 2005 (LSI, Chapter 445, Acts of 2005)

DGS Item G037 (SL-077-050-038)

MATCHING FUND 2/28/2007 Agenda, Item 10-CGL.I.

<u>BACKGROUND</u>	Total Project	\$772,830.00
	05-G037 (This Action)	\$123,000.00
	Local Cost	\$649,830.00

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL

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

Board of Directors of the Baltimore Children's Museum, Inc.

(Baltimore City)

Port Discovery

"For the planning, design, construction, renovation, and capital equipping of the current location of Port Discovery, located in Baltimore City."

\$125,000.00

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

DGS Item G099, (SL-041-050-038)

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2009. The Board of Directors of the Baltimore Children's Museum, Inc. has submitted documentation that the City of Baltimore has appropriated \$300,000.00 in their Fiscal Year 2010 budget to meet the matching fund requirement for this project. Documents were received by the Department of General Services prior to May 31, 2009.

BACKGROUND

Total Project	\$1,950,000.00
07-G099 (This Action)	\$ 125,000.00
06-G115 (Prior Action)	\$ 300,000.00
05-G115 (Prior Action)	\$ 250,000.00
05-G116 (Prior Action)	\$ 100,000.00
08-G123 (Future Action)	\$ 200,000.00
Local Cost	\$ 975,000.00

(Prior action: 5/6/2009 Agenda, Item 31-CGL, 8/20/2008 Agenda, Item 27-CGL; 2/27/2008 Agenda, Item 14-CGL; and 11/28/2007 Agenda, Item 22-CGL)

REMARKS

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

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 24-CGL (Cont.)

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL

DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

The Mount
Baltimore City

AUTHORITY

MHT Historic Preservation Loan Program

PROJECT TITLE

Rehabilitation of The Mount

DESCRIPTION

The Department of Planning requests Board of Public Works approval to permit the Maryland Historical Trust to award a loan in the amount of \$150,000.00 to Progressive Horizons Inc. for the purpose of rehabilitating The Mount at 3706 Nortonia Road, in Baltimore City.

This is an ongoing rehabilitation project that is primarily funded by a private loan. Funding is also coming from MHT Historic Preservation Loan Program Special Funds, a MHT Historic Preservation Program, capital grant, a state bond bill grant, and State Heritage Structure Rehabilitation Tax Credits. The project consists of the total rehabilitation of a 1850s stone mansion. Prior to this rehabilitation project the property had been in disrepair for at least 10 years. This loan will provide the necessary capital to complete the project.

AWARD

Progressive Horizons, Inc.
Baltimore, MD.

AMOUNT

\$150,000.00

FUND SOURCE

MCCBL Historical Trust Revolving Loan of
2009 - Appropriation #09094

CONDITIONS OF LOAN

Mortgagee – Maryland Historical Trust
Mortgagor – Progressive Horizons Inc.
Amount - \$ 150,000.00
Interest Rate - 3%
Term - 20 year amortization

REMARKS

For rehabilitation projects, the loan will not exceed 80% of the after rehabilitation appraised value of the assisted property (minus existing mortgage balances), or 100% of the project costs, whichever is less.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 25-CGL (Cont.)

The loan will be secured by a second mortgage. A promissory note will outline repayment terms. The Maryland Historical Trust will hold a perpetual preservation easement on the interior and exterior of the building and on the 0.93 acre property. A current appraisal has not been completed, but will be provided. The appraisal of January 11, 2008, valued the property post-rehabilitation at One million, Four Hundred Thirteen Thousand Dollars (\$1,413,000.00).

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

APPROVED

DISAPPROVED

DEFERRED

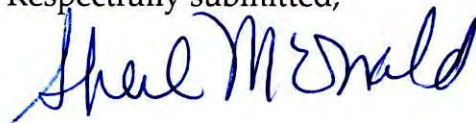
WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

There being no further business, the meeting of June 17, 2009 was adjourned.

Respectfully submitted,

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

Sheila C. McDonald, Esq.
Executive Secretary

INDEX
JUNE 17, 2009

Agriculture, Department of	276
Agricultural Cost Share Program.....	4-6
Attorney General.....	154
Aviation Administration.....	217-222,252-260
Bowie State University	174
Budget & Management, Department of	151,155-164
Comptroller of the Treasury	9,197-202
Coppin State University	182-185
Deaf, Maryland School for the	
Frederick Campus	298,311
Education, Department of	11,71-76,194,292
Elections, State Board of.....	152
Environment, Department of	13-18,148
Food Center Authority	20
General Services, Department of	31,269,279-289,294,308,311
Capital Grants and Loans	
Camp Grove Point (Cecil).....	319
Port Discovery (Baltimore City).....	320
Health & Mental Hygiene, Department of.....	68,77-87,125,134,290
Health Care Commission	58
Hospital Centers, State	
Spring Grove Hospital Center.....	137,306
Springfield Hospital Center.....	130
Medical Care Programs	61-67
Highway Administration.....	228-239,250
Housing & Community Development.....	214
Human Resources, Department of	140
Social Services Administration	93
Information Technology, Department of.....	203-213
Juvenile Services, Department of.....	33
Lottery, Maryland State.....	47,122
Maryland Transit Administration	223-227
Maryland, University System of	
Bowie State University.....	174
Coppin State University	182-185
Maryland, University of	
Baltimore County Campus	165-169,186
Biotech Institute.....	180
College Park Campus	170-173,178
Fire & Rescue Institute	176
Medical Care Programs.....	61-67
Morgan State University	21
Motor Vehicle Administration	313
Natural Resources, Department of	52-57,302-305

INDEX
JUNE 17, 2009

Program Open Space.....	35-44
Shore Erosion Control.....	24
Planning, Department of	
Historical Trust	315-318,322
Port Administration.....	240-249,261-266
Public Safety & Correctional Services, Department of.....	88,144,283,307
Corrections, Division of.....	146
Public Television, Maryland.....	296
Public Works, Board of	
Procurement Agency Activity Reports	7
Public School Construction, IAC.....	153
Wetlands Administration.....	8
Retirement & Pension System	76
Shore Erosion Control	24
Social Services Administration	93
Spring Grove Hospital Center.....	137,306
Springfield Hospital Center.....	130
State Police, Department of	271
Transportation, Department of	50,188-193
Aviation Administration	217-222,252-260
Highway Administration	228-239,250
Maryland Transit Administration.....	223-227
Motor Vehicle Administration.....	313
Port Administration	240-249,261-266
Transportation Authority, Maryland	267
Treasurer, State	
Bonds	27
Veterans Affairs, Department of.....	118
Wetlands Administration	8
Worker's Compensation Commission	45