

MINUTES
OF THE
MEETING OF THE
BOARD OF PUBLIC WORKS
July 22, 2009

BOARD OF PUBLIC WORKS

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JULY 22, 2009

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**MINUTES OF THE MEETING OF
THE BOARD OF PUBLIC WORKS, JULY 22, 2009**

The Board of Public Works met in the Governor's Reception Room, State House, Annapolis, Maryland, on Wednesday, July 22, 2009.

Board Members present:

The Honorable Martin O'Malley, Governor
The Honorable Nancy K. Kopp, Treasurer
The Honorable Peter Franchot, Comptroller

Also present:

Al Collins, Secretary, Department of General Services
T. Eloise Foster, Secretary, Department of Budget & Management

CONSTRUCTION:

General Construction Project Contingency Fund 1988
Maryland Consolidated Capital Bond Loan of 1999
Maryland Consolidated Capital Bond Loan of 2000
Maryland Consolidated Capital Bond Loan of 2002
Maryland Consolidated Capital Bond Loan of 2003
Maryland Consolidated Capital Bond Loan of 2004
Maryland Consolidated Capital Bond Loan of 2005
Maryland Consolidated Capital Bond Loan of 2006
Maryland Consolidated Capital Bond Loan of 2007
Maryland Consolidated Capital Bond Loan of 2008
Maryland Consolidated Capital Bond Loan of 2009

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

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

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

BOARD OF PUBLIC WORKS

JULY 22, 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 45 individual grants under the Maryland Agricultural Cost-Share Program. The fund source for the following grants is the Maryland Consolidated Capital Bond Loan of 2009 (Appropriation Number 09083):

Agreement #	Recipient	County	Amount
AT-2009-3143	PHOEBE M. DEVOE	Baltimore	7,200
AT-2009-3144	PHOEBE M. DEVOE	Baltimore	2,500
AT-2009-3307	KRISTEN A. TROMBERO	Harford	9,200
AT-2009-3308	KRISTEN A. TROMBERO	Harford	3,600
AT-2009-3449-B	SAMUEL W. HALL	Somerset	35,000
AT-2009-3451	BRYAN K. DOWELL	Calvert	2,900
AT-2009-3452	BRYAN K. DOWELL	Calvert	3,500
AT-2009-3453	BRYAN K. DOWELL	Calvert	16,500
AT-2009-3475-B	JAMES A. KINNAMON, JR.	Queen Anne's	35,000
AT-2009-3491	AMOS J. ROWLAND	Washington	35,000
CR-2009-3468-B	LESLIE L. CHAMBERS	Queen Anne's	30,800
CR-2009-3500	HENRY L. LANDIS	Caroline	3,700
CR-2009-3501	HENRY L. LANDIS	Caroline	3,400
MP-2008-3762	OTIS J. COOK	Frederick	2,800
MP-2009-3285	KEITH D. BUFFINGTON	Frederick	8,200
MP-2009-3316	PAUL R. DOTTERER	Frederick	9,200
MP-2009-3392	WILLIAM L. KEMP	Frederick	6,600
MP-2009-3393	WILLIAM L. KEMP	Frederick	9,500
MP-2009-3435	RAYMOND J. COMI	Frederick	21,300
MP-2009-3436	RAYMOND J. COMI	Frederick	3,200
MP-2009-3438	MAJID AFKHAMI	Frederick	2,600
MP-2009-3439	MAJID AFKHAMI	Frederick	5,500
MP-2009-3440	MAJID AFKHAMI	Frederick	3,500
MP-2009-3441	MAJID AFKHAMI	Frederick	4,100
MP-2009-3463	ERIC F. BURALL	Carroll	31,100
MP-2009-3483	ERIC L. BEAM	Carroll	10,900
MP-2009-3484	ERIC L. BEAM	Carroll	2,300
MP-2009-3485	ENVIRO-ORGANIC TECHNOLOGY	Carroll	8,000
MP-2009-3486	ENVIRO-ORGANIC TECHNOLOGY	Carroll	6,900
MP-2009-3487	ENVIRO-ORGANIC TECHNOLOGY	Carroll	7,400

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

Agreement #	Recipient	County	Amount
MP-2009-3488	ENVIRO-ORGANIC TECHNOLOGY	Carroll	6,500
MP-2009-3489	ENVIRO-ORGANIC TECHNOLOGY	Carroll	12,000
MP-2009-3490	ENVIRO-ORGANIC TECHNOLOGY	Carroll	3,700
MP-2009-3495	JAMES D. BUFFINGTON, SR.	Carroll	8,600
NW-2009-3465	JOHN M. SPEAKE, III	Dorchester	4,200
NW-2009-3466	SPEAKE FARMS, LLC.	Dorchester	900
NW-2009-3467	SCOTT L. SPEAKE	Dorchester	1,100
NW-2009-3470	RACHELLE D. BENNER	Wicomico	6,600
NW-2009-3482	FRANKLIN O. WILSON, JR.	Caroline	15,700
PA-2009-3286	SCHWEISS FARMS, LLC	Prince George's	9,000
PB-2009-3497	J. ROBERT CLAS	Carroll	6,900
PB-2009-3498	J. ROBERT CLAS	Carroll	15,200
PR-2009-3426-B	MAX G. STUCKEY	Somerset	51,300
PR-2009-3478-B	WILLIAM Z. BATES, SR	Somerset	23,100
RS-2009-3471	HOLLY A. BRICKEN	Baltimore	2,200
Total Submission Amount			498,400

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

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

Funding Source: The Maryland Consolidated Capital Bond Loan of 2009 provides a source of funds for the cost-share program. Under this appropriation "\$7,00,000 may be used by the Board of Public Works to provide grants for the projects to control agriculturally related non-point sources of pollution."

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

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

BOARD OF PUBLIC WORKS

JULY 22, 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 9 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):

<u>Agreement #</u>	<u>Recipient</u>	<u>County</u>	<u>Amount \$</u>
AT-2003-2094	RONALD E. ATHEY	Allegany	6,394.70
LS-2009-2848	JOHN M. PERDUE, JR	Harford	5,482.06
MP-2009-2647	GLENN C. MATTHIAS	Carroll	1,381.63
MP-2009-2871	RICHARD O. HELLIESEN	Frederick	250.00
MP-2009-3128	CHAR-JAN ENTERPRISES	Carroll	736.68
MP-2009-3129	CHAR-JAN ENTERPRISES	Carroll	3,234.18
MP-2009-3328	HARBAUGH FARM, LLC	Carroll	761.11
MP-2009-3330	HARBAUGH FARM, LLC	Carroll	200.48
UP-2006-1346	EDWARD C. WURMB, IV	Washington	8,299.92
Total Submission Amount :			\$26,740.76

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

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact: Greg Bedward 410-260-7335
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3. BOARD OF PUBLIC WORKS

Historic Annapolis Foundation (HAF) – Fiscal Year 2010 Grant Funds

Recommendation: That the Board of Public Works approve an amendment to the grant agreement between the State and the Historic Annapolis Foundation that will permit grant funds authorized by the fiscal year 2010 Budget Bill to be disbursed. The 2010 Budget Bill contains a grant of \$507,000 for Historic Annapolis.

Background: The State of Maryland owns historic properties in the City of Annapolis. To ensure prudent stewardship of the State’s historic properties, the Board leases to HAF certain premises of historical significance in the City of Annapolis including the William Paca House and Gardens, the Shiplap House, The Barracks, and The Found House. For more than 30 years, the Board has given grant funds to HAF annually to assist in the operation, maintenance and management of the leased properties. The grant funds are appropriated from the State General Fund. The Board approved a grant agreement with HAF on June 21, 2006 (Sec. Agenda 13-\$686,000).

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

Submission of the Procurement Agency Activity Reports by:

Department of Budget and Management, April 2009

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact: Doldon Moore 410-260-7791
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**5. 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

- 09-0955 DENNIS POINT HOMEOWNERS ASSOCIATION – To remove existing stone; to fill, grade, and plant marsh vegetation along eroding shoreline with clean sand; to emplace a stone sill, marsh edging and breakwaters – Chesapeake Bay, Shady Side
- 09-0320 FRANKLIN MANOR CITIZENS ASSOCIATION – To fill, grade, and plant marsh vegetation along eroding shoreline with clean sand and emplace stone breakwaters – Chesapeake Bay, Churchton
- 09-0443 ANNE ARUNDEL COUNTY DEPT. OF PUBLIC WORKS – To remove all existing structures; to emplace a segmented stone breakwater with beach nourishment; to emplace a stone revetment; to construct a pier; to emplace a jelly fish exclusion net suspended from pilings; and install one outfall pipe – South River at Mayo Beach Park

BALTIMORE COUNTY

- 05-0495 WEST SHORE YACHT CLUB – To hydraulically/mechanically maintenance dredge a channel – Muddy Gut, Baltimore

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

HARFORD COUNTY

- | | |
|---------|---|
| 06-1681 | <u>HARFORD COUNTY DEPT. OF PARKS & RECREATION</u> – To hydraulically or mechanically maintenance dredge five main channels and to provide for maintenance dredging for a six-year period – Bush River and Otter Point Creek |
| | To hydraulically or mechanically maintenance dredge a spur channel and slip area and to provide for maintenance dredging for a six-year period for: (Bush River and Otter Point Creek) |
| 06-1682 | <u>KEN SHANNON</u> |
| 06-1684 | <u>OTTER CREEK MARINA/CHRIS WHITE</u> |
| 06-1686 | <u>DAVID FORRY</u> |
| 06-1698 | <u>BAR HARBOR R.V. PARK & MARINA/PHILIP SCHAEFER</u> |
| 06-1699 | <u>NANCY JACOBS</u> |
| 06-1700 | <u>W. WHITING, P. FORTIER, T. MARCHAND</u> |
| 06-1701 | <u>JOHN BARD</u> |
| 06-1702 | <u>RUSSELL BOWSER, JAMES WILSON</u> |
| 06-1703 | <u>JOE NOKES</u> |
| 06-1704 | <u>BUSH RIVER YACHT CLUB</u> |
| 06-1705 | <u>LEWIS & PAMELA KOENIG</u> |
| 06-1713 | <u>WILLIAM & ELIZABETH BEARSCH</u> |
| 06-1714 | <u>THE WILLOUGHBY CLUB</u> |
| 06-1715 | <u>PHILIP CIANELLI, SR.</u> |
| 06-1716 | <u>ROSEMARY & GEORGE HESSE</u> |
| 06-1717 | <u>CLARK & CONSTANCE ROW</u> |
| 06-1718 | <u>BRIAN RIX</u> |
| 06-1720 | <u>BRENT MITCHELL, C.J. HARVEY</u> |
| 06-1721 | <u>PHIL CIANELLI</u> |
| 06-1722 | <u>PHIL CIANELLI</u> |

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

TALBOT COUNTY

08-1386 DAVID N. BOSSERMAN – To remove an existing concrete breakwater, to fill, grade, and plant marsh vegetation along an eroding shoreline, and emplace a stone sand containment sill – Tred Avon River, Oxford

09-0557 RONALD MUELLER – To fill, grade, and plant marsh vegetation along an eroding shoreline, and to emplace a stone sand containment sill and stone edging – Edge Creek, Royal Oak

09-0956 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COOPERATIVE OXFORD LABORATORY – To fill, grade, and plant marsh vegetation along eroding shoreline and emplace a stone sill – Tred Avon River, Oxford

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

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

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

**6. BOARD OF PUBLIC WORKS
*Wetlands License and Water Column Lease***

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

WORCESTER COUNTY

07-0951 RICHARD SCHUBACH – To establish an aquaculture facility for raising oysters (in rafts/floats attached to pilings) and clams (in bags that will be anchored to the Bay bottom) within 2.5 acres within a maximum of 300 feet channelward of the mean high water line, which will require a water column lease. Brockanorton Bay, at Scotts Landing, Worcester County

- Application Received: January 17, 2007
- Public Comment Period Ended: April 1, 2007
- MDE Report and Recommendation Received: July 6, 2009

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

Recommendation: That the Board of Public Works submit for publication in the *Maryland Register* the termination of a State debt authorization. This termination, by operation of law, reduces the State's authority to issue general obligation bonds in the amount of \$125,000 and at the same time, reduces the State's spending authority as shown for the capital project. The Office of the Comptroller, the Department of Budget and Management (Office of Capital Budgeting) and the Department of General Services have reviewed this request and concur.

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

Flag House & Star Spangled Banner Museum Loan of 2007
\$125,000
Chapter 488 of the Acts of 2007, Local Senate Initiatives

This item was previously submitted as Item 8E on July 1, 2009.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

8. **BONDS**

Recommendation: That the Board of Public Works authorize for publication in the *Maryland Register* the automatic terminations of State debt authorizations listed below. These terminations reduce the State's authority to issue general obligation bonds in the amount of \$2,079,561.55 and, at the same time, reduce the State's spending authority as shown for the capital projects listed. All the affected agencies and grantees were notified in writing of the impending terminations on July 9, 2008 and December 18, 2008.

The Office of the Comptroller, the State Treasurer's Office, the Department of Budget and Management (Office of Capital Budgeting), and the Department of General Services have reviewed this request and concur.

Background: State law provides "Except to the extent that money authorized by an enabling act for a State project or program has been encumbered by the Board, an authorization of State debt shall automatically terminate 7 years after the date of the authorization, unless...the Board unanimously grants a temporary exception for 1 year."

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

A. The following authorizations for State projects were not encumbered within the seven-year time period and have terminated by operation of law on June 1, 2009:

	<u>Amounts Terminated</u>	<u>Original Authorizations</u>
1) <i>Maryland Consolidated Capital Bond Loan of 2001</i> <i>Chapter 111 of the 2001 Laws of Maryland,</i> <i>Amended by Chapter 290-2002; 46-2006 Laws of Maryland:</i>		
a) <i>Underground Heating Oil Storage Tank Replacement Program Loan of 2001</i>	\$1,325.00	\$500,000
b) <i>Smith Island Environmental Restoration and Protection Project Loan of 2001</i>	\$414,619.19	\$470,000
c) <i>Department of Environment – Comprehensive Flood Management Grant Program Loan of 2001</i>	\$6,595.00	\$1,250,000
2) <i>Maryland Consolidated Capital Bond Loan of 2002</i> <i>Chapter 111 of the 2001 Laws of Maryland,</i> <i>Amended by Chapter 290-2002; 46-2006 Laws of Maryland:</i>		
a) <i>Capital Facilities Renewal Loan of 2002</i>	\$22,440.23	\$5,932,000

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

8. BONDS (cont'd)

	<u>Amounts Terminated</u>	<u>Original Authorization</u>
b) <i>Department of Public Safety and Correctional Services - Western Correctional Institute – Support Services Building Loan of 2002</i>	\$63.44	\$122,000
c) <i>Department of Public Safety and Correctional Services - Police and Correctional Training Commissions - Public Safety Training Center Loan of 2002</i>	\$3,904.95	\$962,000
d) <i>Department of Public Safety and Correctional Services - Division of Pre-Trial Detention and Services – Baltimore City Detention Center Fire Safety and Utility Improvements Loan of 2002</i>	\$118.24	\$2,000,000
e) <i>Maryland Correctional Institution – Jessup - Perimeter Security/Gatehouse Loan of 2002</i>	\$48.23	\$3,000,000
f) <i>Maryland Correctional Institution – Jessup - Perimeter Security/Gatehouse Loan of 2002</i>	\$35,041.75	\$2,557,000
g) <i>University of Maryland, Baltimore – Howard Hall Loan of 2002</i>	\$3,851.15	\$1,500,000
h) <i>University System of Maryland Office – Capital Facilities Renewal Projects Loan of 2002</i>	\$20,033.17	\$2,000,000
i) <i>University of Maryland, Baltimore Health Sciences Research Facility II Loan of 2002</i>	\$14.67	\$17,746,000
j) <i>Bowie State University - Campuswide Site Improvements Loan of 2002</i>	\$9,950.41	\$1,300,000
k) <i>University of Maryland Center for Environmental Science – Aquaculture and Ecology Lab Loan of 2002</i>	\$41,546.45	\$14,000,000
l) <i>Department of Aging - Senior Citizen Activities Centers Loan of 2002</i>	\$85,209.10	\$2,117,000
TOTAL	<u>\$644,760.98</u>	

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

8. BONDS (cont'd)

B. The following grant authorizations were not encumbered within the seven-year time period and have terminated by operation of law on June 1, 2009:

	<u>Amounts Terminated</u>	<u>Original Authorizations</u>
1) <i>Dorchester County Jail Loan of 1988 Chapter 260 of the 1988 Laws of Maryland</i>	\$3,504.49	\$5,000,000
2) <i>West Arlington Planetarium and Multipurpose Center Loan of 1999 Chapter 292 of the 1999 Laws of Maryland</i>	\$100,000.00	\$100,000
3) <i>Baltimore County – Todd's Inheritance Loan of 2000 Chapter 409 of the 2000 Laws of Maryland</i>	\$250,000.00	\$250,000
4) <i>Baltimore City – New Shiloh Multipurpose Center Loan of 2001 Chapter 297 of the 2001 Laws of Maryland</i>	\$1,000,000.00	\$1,000,000
5) <i>Charles County – Boys and Girls Clubs of Southern Maryland Loan of 2001 Chapter 257 of the 2001 Laws of Maryland</i>	\$50,000.00	\$50,000
6) <i>Harford County – School Loan of 2001 Chapter 466 of the 2001 Laws of Maryland</i>	\$3,076.08	\$186,000
7) <i>Maryland Consolidated Capital Loan 2002 – Maryland Independent College and University Association - Capitol College Chapter 290 of the 2002 Laws of Maryland</i>	\$28,220.00	\$3,000,000
TOTAL	<u>\$1,434,800.57</u>	

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

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

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

AMERICAN RECOVERY AND REINVESTMENT ACT

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 **further** funding to the Town of Delmar for the **Delmar Wastewater Treatment Plant Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) Upgrade and Expansion** project in Wicomico County (Legislative District 38B). This project involves multiple sources of funding which are being provided over several years based on project schedule.

A. New Grant up to \$2,000,000 – American Recovery and Reinvestment Act (WQSG08-528-23L)

B. Grant Increase up to \$2,344,000 - Bay Restoration Fund (BR-NR 01.23)

Project Description:

The proposed project entails planning, design and construction of Biological Nutrient Removal (BNR) and Enhanced Nutrient Removal (ENR) facilities at the existing 0.65 million gallons per day (mgd) wastewater treatment plant to achieve effluent concentration goal of 3 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorous. In addition, the plant will be expanded to 0.85 mgd. The BNR upgrade will be funded at the existing plant capacity of 0.65 mgd, while the ENR upgrade will be funded at the ENR approved design capacity of 0.85 mgd.

Project Funding Sources:

ARRA Grant - (WQSG 0852823L) (this action)	\$2,000,000
Bay Restoration Fund Grant BR-NR 01.23 (this action)	\$2,344,000
Bay Restoration Fund Grant BR-NR 01.23 (previously approved 02/14/07)	\$ 200,000
SWQH Grant 10.23 (most recent action 05/11/05)	\$ 281,150
BNR Grant NR 04.23 (most recent action 03/16/05)	\$ 843,000
EPA Grant	\$ 482,100
Delaware Water Quality State Revolving Loan Fund	\$1,293,250
Local	<u>\$ 367,293</u>
TOTAL ESTIMATED PROJECT COST:	\$7,810,793

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

BOARD OF PUBLIC WORKS

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SECRETARY'S AGENDA

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

Authority: Sections 9-1601 through 9-1622 of the Environment Article, Maryland Code, known as the Maryland Water Quality Financing Administration Act, and Section 9-348, Construction Grants or Loans; Water Quality Improvement.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

AMERICAN RECOVERY AND REINVESTMENT ACT

Contact Person: Jay Sakai (410) 537-3567
jsakai@mde.state.md.us / creilly@mde.state.md.us

10. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve **further** funding to the City of Cumberland for the **Cumberland Wastewater Treatment Plant Enhanced Nutrient Removal (ENR) Upgrade** project in Allegany County. (Legislative District 1C) This project involves multiple sources of funding which are being provided over several years based on project schedule.

A. Grant Increase up to \$25,779,000 - Bay Restoration Fund (BR-NR 02.01)

B. New Grant up to \$6,000,000 – American Recovery and Reinvestment Act (WQSPF08-491-01L)

C. New Loan up to \$3,800,000 – Water Quality State Revolving Loan Fund. The loan will be repaid in a period not to exceed 20 years following project completion, at a 0% interest rate. To secure this debt, the City will deliver its bond, along with its full faith and credit endorsement, to the Maryland Water Quality Financing Administration.

Project Description: The proposed project entails planning, design and construction of ENR facilities at the existing City of Cumberland Wastewater Treatment Plant at the approved design capacity of 15 mgd. This project will achieve effluent quality with annual average nutrient goals of 3 mg/l for Total Nitrogen and 0.3 mg/l for Total Phosphorus under the ENR Upgrade. These improvements will reduce nutrients discharged to the Potomac River and the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 02.01 (this action)	\$25,779,000
ARRA Grant - WQSPF08-491-01L (this action)	\$ 6,000,000
Water Quality State Revolving Loan Fund (this action)	\$ 3,800,000
Bay Restoration Fund Grant BR-NR 02.01 (previously approved 01/03/07)	\$ 1,000,000
Water Quality State Revolving Loan Fund (previously approved 04/30/08)	\$ 341,500
BNR Grant NR 04.01 (previously approved 06/09/04)	<u>\$ 174,600</u>
TOTAL ESTIMATED PROJECT COST:	\$37,095,100

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

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

AMERICAN RECOVERY AND REINVESTMENT ACT

Contact Person: Jay Sakai (410) 537-3567
jsakai@mde.state.md.us / creilly@mde.state.md.us

11. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$415,000 from the American Recovery and Reinvestment Act (ARRA) Water Quality State Revolving Loan Fund to Prince George’s County for the **Wynneigh Road Stream Restoration** project (Legislative District 27A).

Project Description: The project consists of stabilizing approximately 300-400 feet of stream bank in a suburban area of Lower Beaverdam Creek. The stabilization involves installing imbricated rip rap, J-hooks, rock vanes and other grade control structures. The project will result in reducing property loss and erosion on the stream bank and improve water quality in Beaverdam Creek and the Anacostia River.

Project Funding Sources:

ARRA Grant - Water Quality State Revolving Loan Fund WQSG08-526-16L (this action)	\$ 415,000
Local Funds	<u>\$ 119,984</u>
TOTAL ESTIMATED PROJECT COST:	\$ 534,984

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

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

AMERICAN RECOVERY AND REINVESTMENT ACT

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

Recommendation: That the Board of Public Works approve a **new grant** up to \$1,000,000 from the American Recovery and Reinvestment Act (ARRA) Water Quality State Revolving Loan Fund to The Town of Mountain Lake Park in Garrett County for the **Mountain Lake Park Sewer Rehab Phase IIIA** project (Legislative District 1A).

Project Description: This project involves the replacement of deteriorated pipes and manholes within the Town’s sewer system. The proposed project will lessen inflow & infiltration to the county-owned Trout Run Wastewater Treatment Plant, thereby decreasing operation and maintenance costs at the plant and reducing sanitary sewer overflows and sewage backups throughout the collection system.

Project Funding Sources:

ARRA Grant - Water Quality State Revolving Loan Fund WQSG08-427-12L (this action)	\$ 1,000,000
Local Funds	\$ 1,892
TOTAL ESTIMATED PROJECT COST:	\$ 1,001,892

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

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

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

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

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3567
jsakai@mde.state.md.us / creilly@mde.state.md.us

13. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve two **new loans** totaling up to \$316,000 to St. Mary's County Metropolitan Commission in St. Mary's County. The loans will be repaid in a period not to exceed 20 years following project completion, at an interest rate of 1%. To secure this debt, the St. Mary's County Metropolitan Commission will deliver its bonds, along with full faith and credit endorsements of St. Mary's County, to the Maryland Water Quality Financing Administration.

A. New Loan up to \$212,000 – Drinking Water State Revolving Loan Fund.

Project Description: This project will connect the existing Hollywood drinking water system to the greater Lexington Park water system, through the St. Mary's Industrial Park, allowing the existing well to be taken off line. The Hollywood water service area is supplied by a well which has arsenic levels that consistently exceeds the arsenic Maximum Contaminant Level. (Legislative District 29C)

Project Funding Sources:

Drinking Water State Revolving Loan Fund (this action)	\$ 212,000
WSG 04.19 (previously approved 04/01/09)	<u>\$ 100,000</u>
TOTAL ESTIMATED PROJECT COST:	\$ 312,000

B. New Loan up to \$104,000 – Water Quality State Revolving Loan Fund.

Project Description: This project involves rehabilitation of a substantial portion of the Patuxent Park area wastewater collection system in St. Mary's County. The rehabilitation of the Patuxent Park area wastewater lines and manholes is intended to remove major sources of extraneous flows caused by infiltration and inflow in the area's wastewater collection system. (Legislative District 29A)

Project Funding Sources:

Water Quality State Revolving Loan Fund (this action)	\$ 104,000
SWQH Grant 10.19 (previously approved 04/04/07)	<u>\$ 200,000</u>
Local Share	<u>\$ 910,737</u>
TOTAL ESTIMATED PROJECT COST:	\$1,214,737

BOARD OF PUBLIC WORKS**JULY 22, 2009****SECRETARY'S AGENDA****13. MARYLAND DEPARTMENT OF THE ENVIRONMENT (cont'd)**

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

MDE has determined these projects to be 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

JULY 22, 2009

SECRETARY'S AGENDA

Contact Person: Jay Sakai (410) 537-3567
jsakai@mde.state.md.us / creilly@mde.state.md.us

14. MARYLAND DEPARTMENT OF THE ENVIRONMENT

Recommendation: That the Board of Public Works approve a **new grant** up to \$310,000 to the City of Taneytown for the **Taneytown Wastewater Treatment Plant (WWTP) Enhanced Nutrient Removal (ENR) Upgrade Planning and Design** project in Carroll County (Legislative District 4B). The source of these grant funds is the Bay Restoration Fund.

Project Description: The proposed project entails phased-funding for the planning, design and construction of Enhanced Nutrient Removal (ENR) facilities at the existing 1.1 million gallons per day (mgd) Taneytown Wastewater Treatment Plant (WWTP). The planning phase will include engineering evaluations of various technologies to determine the most appropriate and cost effective technology and types of modifications required at the existing WWTP to achieve an effluent with Total Nitrogen goal of 3 mg/l and Total Phosphorous of 0.3mg/l. The purpose of the project is to reduce nutrients to Upper Monocacy River and ultimately the Chesapeake Bay.

Project Funding Sources:

Bay Restoration Fund Grant BR-NR 03.07 (this action)	<u>\$ 310,000</u>
TOTAL ESTIMATED PLANNING & DESIGN COST:	<u>\$ 310,000</u>

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

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact: Norman C. Swoboda (410)514-7355
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15. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

RECOMMENDATION: That the Board of Public Works approve releasing deeds of trust on 14 properties that received loans from DHCD's Down Payment and Settlement Expense Loan Program.

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

**AUTHORITY TO RELEASE
SECURITY INTEREST:** State Finance and Procurement Article §§ 10-305,
Maryland Code

A. Loan Recipient: Phun Kar & Lai Lian Thang
 Location: 1245 Dahlia La., Frederick (Frederick County)
 Original Loan: \$5,000.00
 Current Balance: \$5,000.00
 Type: Second Mortgage
 Reason: Loss of income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

B. Loan Recipient: Dustin A. Culver & Cassye J. Thiess
 Location: 3442 James Run Road, Aberdeen (Harford County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Increase in utilities and credit

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

G. Loan Recipient: Statia F. Evans
 Location: 305 S. Chapel Street, Baltimore (Baltimore City)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Victim of crime in the home

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

H. Loan Recipient: Adrian C. Ellis
 Location: 2605 Emerson Dr., Frederick (Frederick County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Reduction in income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

I. Loan Recipient: Samuel K. Randall & Ezha A. Berhanu
 Location: 5507 Chris Mar Ave., Clinton (Prince George's County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Reduction in income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

J. Loan Recipient: Crystal M. Hiner & John T. Esler, III
 Location: 2422 Prentice Ct., Frederick (Frederick County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Reduction in income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

K. Loan Recipient: Laura E. Haviland
 Location: 137 Truitt St., Salisbury (Wicomico County)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Reduction in income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

L. Loan Recipient: Loren Scheiber
 Location: 828 Marcie Ct., Bel Air, MD (Harford County)
 Original Loan: \$10,000
 Current Balance: \$10,000
 Type: Second Mortgage
 Reason: Unemployment

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

M. Loan Recipient: Lucas W. & Kendra Zile
 Location: 83 Carroll View Ave., Westminster (Carroll County)
 Original Loan: \$7,500
 Current Balance: \$7,500
 Type: Second Mortgage
 Reason: Reduction in income

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

N. Loan Recipient: Justin Torres and Corienna Staples
 Location: 1315 Northview Rd., Baltimore (Baltimore City)
 Original Loan: \$5,000
 Current Balance: \$5,000
 Type: Second Mortgage
 Reason: Separation/Divorce

Remarks: In place of the lien, DHCD will take an unsecured promissory note.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact: Ellen Frketic 410-729-8307
efrke@menv.com

**17. MARYLAND ENVIRONMENTAL SERVICE
*Eastern Correctional Institution***

A/E CONTRACT	MES Project #08-05-27 Water Treatment Plant Upgrades
ITEM	A/E MOD
ORIGINAL BPW APPROVAL DATE	January 2, 2008
CONTRACTOR	WATEK Engineering Corporation 12122 B Heritage Park Circle Silver Spring, MD 20906

ORIGINAL CONTRACT DESCRIPTION The Eastern Correctional Institution (ECI) Water Treatment Plant (WTP) Upgrade consists of the design and installation of a new 0.72 MGD water treatment system. The scope of work for the A/E includes: siting a 3rd well in the Patapsco aquifer to provide a backup source of water; sizing and selecting a new reverse osmosis treatment system for the removal of chlorides and other dissolved solids; preparing plans and specifications for bidding; assisting during the bid process; and providing construction-related services.

DESCRIPTION OF MODIFICATION Under this modification WATEK will revise the design of ECI water treatment plant to accommodate Somerset County's water needs. The new plant will approximately double in size in order to supply 0.72 MGD to ECI and 0.648 MGD or more to the Somerset County Sanitary District. In addition, the A/E has been asked to design a new raw water line from the Sanitary District's point of connection at their wells to the ECI water plant.

TERM OF ORIGINAL CONTRACT	12 months (expires Dec. 2009)
TERMS OF MODIFIED CONTRACT	12 months (expires Dec. 2010)
ORIGINAL CONTRACT AMOUNT	\$244,438.00
MODIFICATIONS TO DATE	\$17,604.00
AMOUNT OF THIS MODIFICATION	\$123,676.00
REVISED TOTAL CONTRACT AMOUNT	\$ 385,718.00

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

17. MARYLAND ENVIRONMENTAL SERVICE (cont'd)
Eastern Correctional Institution

PERCENTAGE INCREASE 54%

MBE PARTICIPATION 8.2%

REMARKS: The existing water treatment facility is sized to supply water to the correctional facilities at ECI and the County's detention center. In February 2009, WATEK completed the design of the WTP upgrades, which would serve the same facilities. Under a proposed partnership with the Somerset County Sanitary District, the WTP will be approximately doubled in size to produce enough water to satisfy the demands of the Institution, County Detention Center and the Princess Anne sub-district. WATEK will resize the facilities and revise all construction plans and specifications.

FUND SOURCE MCCBL of 2006

APPROPRIATION CODE 065MCCBL 06, PCA # 10942

RESIDENT BUSINESS Yes

MD TAX CLEARANCE 09-2143-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact Person: Marian Honeczy 410-260-8511
mhoneczy@dnr.state.md.us

18. DEPARTMENT OF NATURAL RESOURCES

The Department of Natural Resources requests Board of Public Works approval to accept a permanent forest conservation easement from the Maryland Transit Administration, a modal agency of the Maryland Department of Transportation. The effect of the easement will be to provide long-term protection of 1.29 acres of forest area located on the Falls Road Light Rail Station, Baltimore County.

The Maryland Transit Administration is donating the easement in accordance with the Forest Conservation Plan that has been prepared in connection with certain development on its property. The Forest Conservation Plan #C04-11 complies with the Forest Conservation Act, Sections 5-1601- -5-1613 of the Natural Resources Article, Maryland Code. This easement is consistent with DNR forest conservation practices.

GRANTOR: State of Maryland to the use of the Maryland Transit Administration, a modal agency for the Maryland Department of Transportation

GRANTEE: State of Maryland to the use of the Department of Natural Resources.

PROPERTY: 1.29 acres on the Falls Road Light Rail Station property, Baltimore County.

PRICE: \$0

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact: Tom Hickey 410-974-2180
thickey@gov.state.md.us

19. DEPARTMENT OF NATURAL RESOURCES

Naming of Choptank River Fishing Pier

Governor Martin O'Malley recommends that the Board of Public Works approve the naming of the *Choptank River Fishing Pier* in Dorchester County in honor of **BILL BURTON**. An iconic figure in Maryland outdoor circles, Mr. Burton is a reporter, writer, and fisherman who has for more than 50 years chronicled outdoor opportunities for Maryland citizens.

Bill Burton has made incredible contributions to natural resource conservation in the field of fisheries. Bill was instrumental in helping to preserve the Choptank River Bridge for a fishing pier when the new bridge was constructed. Known as a destination fishing spot for anglers from across the state, and particularly as a popular access point for many of the working families of Maryland, the Choptank River Fishing Pier offers a perfect tribute to Bill's life's work.

Bill's commitment to the promotion, sustainability and prosperity of fishing and hunting in Maryland is unquestioned by those that know him, but no more evident than in the past two years as he has continued to write professionally while fighting cancer. Despite many physical setbacks, he continues to fish and write about fishing, hunting and the great outdoors, sharing over a half century of accumulated knowledge with readers young and old.

Bill Burton's contributions to the citizens of Maryland, its outdoorsmen, and all of his countless readers have not only helped outdoor enthusiasts, but have helped generations of Marylanders develop a greater appreciation for our outdoor environment, therefore Governor O'Malley highly recommends approval of this item.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION ✓		WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

Contact: Meredith Lathbury 410-260-8450
mlathbury@dnr.state.md.us

**20. DEPARTMENT OF NATURAL RESOURCES
*Naming of Great Eastern Trail and Overlook (Maryland Portion)***

The Secretary of Natural Resources recommends that the Board of Public Works approve the naming the Maryland portion of the Great Eastern Trail and Overlook at Green Ridge State Forest in honor of **FRANCIS ZUMBRUN**, a forester for the Department of Natural Resources since September 20, 1978.

During his career Francis Zumbrun has been a tireless promoter of scientific forest management. He used Green Ridge State Forest, an approximately 46,000 acre mixed oak forest in Allegany County, to demonstrate ecologically sensitive management techniques.

Francis is very aware of the value of forest recreation to bring citizens into the forest providing an opportunity to educate them. He has gone above and beyond his assigned forest management duties to get the Great Eastern Trail, a trail that will one day be comparable to the Appalachian Trail, to be routed through Green Ridge State Forest. The trail now crosses the forest from the Potomac River to the Pennsylvania State Line.

Few foresters have the vision, drive and dedication that Francis Zumbrun has demonstrated in his over 30 years of service --- he has served Maryland well.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

21. 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*, approve second modified loan agreement and the disbursement of special funds for the following shore erosion control project:

Loan Recipient:	ANNE ARUNDEL COUNTY
Project Name/No.:	Holland Point SECD / SEC 03-05
Location:	Walnut Avenue, Chesapeake Bay, North Beach Park, Anne Arundel County, Maryland
Length/Type	5,350 feet – stone reinforcement
Original Loan Approval:	November 3, 2004, BPW Secretary's Agenda, Item 11
Original Loan Amount:	\$200,000.00
Modification Approval:	January 2, 2008, BPW Secretary's Agenda, Item 7
Modification Amount:	\$726,000.00
Second Modification Amount:	\$148,443.19
Final Loan Amount:	\$1,074,443.19
Loan Term:	20 Years
Fund Source:	\$256,000.00 Revolving Loan Fund (03.30.01.05.11) \$818,443.19 Waterway Improvement Fund (03.30.01.05.11)

Authority: Section 8-1005, Natural Resources Article, Annotated Code of Maryland

Remarks: The increase in project cost and the corresponding increase in loan amounts are due to an increase in the scope of the work during the construction of the project.

The original amount previously approved by the BPW facilitated the initiation of the project design and provided some construction funding. The Loan Modifications provide the balance of the funds needed for construction.

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

21. DEPARTMENT OF NATURAL RESOURCES (Continued)
Shoreline Conservation and Management Service

DNR will provide technical and financial assistance to the County Government for the design and construction of the project. The County will pay an administrative fee for DNR services. This loan is interest-free for the stated loan term. The County will pledge its full faith and credit to repay the loan. The loan agreement will be recorded in the County Land Records for the Anne Arundel County. DNR will collect the yearly installments and deposit them in the Shore Erosion Control Revolving Loan Fund.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

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

DESCRIPTION: In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, Board of Public Works approval is requested for the following capital equipment expenditures related to the Bruce Davis Theater Renovation.

<u>Equipment</u>	<u>Award</u>	<u>Amount</u>
Patent Construction Systems (scaffolding)	Patent Construction Systems	\$ 1,300

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

REMARKS: Total proposed expenditures for this agenda item is \$1,300. All solicitations for capital equipment have been in accordance with the procurement policies for St. Mary's College of Maryland.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

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

DESCRIPTION: In accordance with provisions of the State Finance and Procurement Article, Section 8-301, Annotated Code of Maryland, Board of Public Works approval is requested for the following capital equipment expenditures related to Goodpaster Hall (New Academic Building).

<u>Equipment</u>	<u>Award</u>	<u>Amount</u>
Spectrometer (Metal analyzer for the chemistry department)	SPECTRO Analytical Instruments, Inc.	\$ 66,801

FUND SOURCE: M.C.C.B.L 2007 (Approp. Code 07100)
 "Provide Funds to equip the new Academic Building."

REMARKS: Total proposed expenditures for this agenda item is \$66,801. All solicitations for capital equipment have been in accordance with the procurement policies for St. Mary's College of Maryland.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

24. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the sale by Allegany County Government of:

Westmar Middle School

24.49 acre site
 400 Philos Avenue
 Westernport 21562

to Christ Memorial Baptist Church (parcel one/11.2 acres) and to Westernport Youth Football League, Inc. (parcel two/12.8 acres). The County will retain a 100 ft. by 100 ft. portion of the property which contains a water storage tower serving the Town of Westernport.

The IAC further recommends that Allegany County not be required to pay any portion of the sale proceeds to the State.

Background: Previously, the Board of Public Works approved the request of the Allegany County Board of Education to close the Westmar Middle School and transfer it to the Allegany County Government. (Secretary's Agenda Item 3 [Jan. 30, 2008].) The Board placed two conditions on that transfer: that the County assume outstanding State bond debt and that it obtain Board approval before transferring any interest in the property.

Property Transfer: The County seeks to sell 11.2 acres to Christ Memorial Baptist Church for \$50,000. The Church plans to use the parcel as a community center for athletic and cultural events, including a food pantry for the needy and for church functions. The County seeks to sell 12.8 acres to the Westernport Youth Football League, Inc., for \$5,000. The League, a section 501(c)(3) charity, plans to use the parcel as athletic fields for the league and the community.

Sale Proceeds: The State's share of the \$55,000 sale proceeds would be \$2,308. Because the former school property will be used by and for the Westernport community, the Interagency Committee recommends waiving the State share.

Authority: COMAR 23.03.02.24.

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

APPROVED DISAPPROVED DEFERRED WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

25. STATE PUBLIC SCHOOL CONSTRUCTION PROGRAM

Recommendation: The Interagency Committee on School Construction recommends that the Board of Public Works approve the:

- (1) Transfer by the Baltimore County Board of Education to the Baltimore County Government; and
- (2) Subsequent conveyance by the Baltimore County Government to the State Highway Administration of:

Overlea High School
2.4212 Acres
5401 Kenwood Avenue
Baltimore 21206

Background: The Board of Education requests Board of Public Works approval to transfer to the Baltimore County Government 2.4212 acres of land and easement adjacent to Overlea High School. The County will then swap this property with the State Highway Administration. SHA has agreed to convey its Providence Road Park & Ride property (approximately nine acres) in exchange for this property adjacent to Overlea High School. The Board of Education plans to construct a much-needed school bus and transportation depot at the former Park & Ride property. In turn, SHA will use the Overlea property to expand I-95 toll lanes. The school property is not encumbered by State debt.

Authority: COMAR 23.03.02.23B.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JULY 22, 2009

SECRETARY'S AGENDA

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

26. STATE TREASURER*Energy Performance Master Lease—Second Amendment*

Recommendation: That the Board of Public Works approve the resumption of the originally-bid interest rates for the 2007 Energy Performance Contract Master Lease-Purchase Agreement which finances on a consolidated basis the acquisition by State agencies of energy systems or equipment. Through energy performance contracts with State agencies and the Maryland Energy Administration, contractors design, install, and manage energy systems or equipment to improve the energy efficiency of a building or a facility. The Master Lease provides financing for up to \$60 million in such improvements. Reference is made to Secretary's Agenda Item 15 (April 1, 2009), in which the Board of Public Works approved a first amendment to the Master Lease; that amendment adjusted the interest rate to 3.52%. Because the financial markets have now stabilized to a substantial degree, the parties are returning to the original contract rates for future projects to be financed under the Master Lease. This second amendment to the Master Lease will return to the original financing rates bid, in lieu of the rate of 3.52% set forth in the first amendment.

Contractor: Grant Capital Management, Inc.

Contract Approved: Secretary's Agenda Item 14 (Oct. 17, 2007)

Previous Modification: Secretary's Agenda Item 15 (April 1, 2009)

Term: November 1, 2007, through September 30, 2010

MBE Participation: Due to the nature of the financing, the MBE goal was established as utilization of minority firms as escrow agents when escrow accounts are required. Grant Capital Management, Inc., is an MDOT-certified MBE.

Fund Sources: Energy savings from equipment and facility improvements

Amount: \$60,000,000.00

Remarks: Original bids were submitted, and the contract was awarded, as a percentage (discount) of 5, 7 and 10-year Treasury Notes, with the long-term financing (10 to 15 years) based on the 10-year Treasury Notes. On April 1, 2009 the Board approved the Treasurer's request to substitute the State's actual long-term financing costs, established by the March 4, 2009, General Obligation Bond Sale at 3.52%, in lieu of the rate based on 10-year Treasury Notes.

BOARD OF PUBLIC WORKS

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SECRETARY'S AGENDA

- 26. **STATE TREASURER** (cont'd)
Energy Performance Master Lease—Second Amendment

Remarks: (cont'd)

The State has an immediate need to lease-finance certain energy performance systems and equipment, including an approximately \$5,197,534.00 project for the State Police scheduled for financing on July 24, 2009 (see DGS Item 2-EP [June 17, 2009]), and other agency projects. For this and the remaining energy lease projects under the Master Lease, Contractor has agreed to return to the original interest rates it bid based on the percentage (discount) of 10-year Treasury Notes.

In order to proceed in the financing and construction of the State Police project at an appropriate rate of interest, to lower the State's cost of energy financing, and to avoid additional delays and the costs associated with such delays, the Treasurer recommends approval of the second amendment. In addition to the State Police Project, approximately \$4,434,000 of the original \$60,000,000 remains for financing other agency projects. The State Treasurer's Office is preparing a new RFP/IFB for future energy performance contract master lease financing.

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION ✓		WITHOUT DISCUSSION	

BOARD OF PUBLIC WORKS

JULY 22, 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

JULY 22, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: Stephen L. Pattison 410-537-3084
spattison@mde.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1

DEPARTMENT OF ENVIRONMENT

Emergency Response and Planning Directorate

CONTRACT TITLE: Leaking underground fuel oil tank
At 9436 Bethany Place, in Gaithersburg
ADPICS BPO NO. U00B9200030

DESCRIPTION: Vacuum truck services to empty tank contents, tank removal, removal of contaminated soil, remediation.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: May 28, 2009

BIDS: Hydrocarbon Recovery Services, Inc.
(FCC Environmental)
Philadelphia, PA
NTE: \$35,000

AWARD: Hydrocarbon Recovery Services, Inc.
(FCC Environmental)
Philadelphia, PA

AMOUNT: NTE \$35,000

CONTRACT AWARD DATE: May 28, 2009

TERM: May 28, 2009 – June 16, 2009

MBE PARTICIPATION: 0%

BOARD OF PUBLIC WORKS

JULY 22, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 1(continued)

FUND SOURCE: 100% Special funds (Oil Control Fund)

APPROP. CODE: U00.A10.01

REMARKS:

Nature of Emergency: On May 28, MDE assisted Montgomery County Fire Department with a surface spill from an underground storage tank located at 9436 Bethany Place, Gaithersburg. An improperly abandoned fuel oil tank was actively leaking into a storm drain and North Creek Lake. Emergency procurement of contractor services was necessary for the protection of human health and the environment.

Basis for Selection: Selection of Hydrocarbon Recovery Services, Inc. (FCC Environmental) was based upon their capability to perform necessary cleanup activities and their availability at the time of the emergency incident.

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-2066-1111

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

BOARD OF PUBLIC WORKS

JULY 22, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: Alvin Collins 410-767-4960
Alvin.Collins@dgs.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 2**

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Clifton T. Perkins Hospital Center

CONTRACT NO. AND TITLE: Project No. MS-531-090-001
ADPICS No. 001B9200898

CONTRACT TYPE: Maintenance

DESCRIPTION: Labor, materials, and equipment to replace malfunctioning fire alarm devices with new addressable devices (indicates location of alarm), new wiring and raceways, and new addressable modules in the North Wing of the Clifton T. Perkins Hospital Center in Jessup.

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: February 23, 2009

BIDS:	BASE BID	ALLOWANCE*	TOTAL BID
SimplexGrinnell LP Columbia, MD	\$229,830.00	\$3,600.00	\$233,430.00
Mona Electric Group, Inc. Clinton, Md.	\$280,860.00	\$3,600.00	\$284,460.00

*Allowance: The cost allocated for the facilities Elevator Contractor to shut down the elevators and be present when the Fire Alarm Contractor performs fire alarm work related to the elevators.

AWARD: SimplexGrinnell

AMOUNT: \$233,430.00

CONTRACT AWARD DATE: June 17, 2009

BOARD OF PUBLIC WORKS

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APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: Appendix 2 (cont'd)

MBE PARTICIPATION: 36%

FUND SOURCE: MCCBL 2008 Item 010

REMARKS:

Nature of Emergency: The existing fire alarm system in the North Wing is 23 years old, is non-addressable, and does not meet the latest code and ADA requirements. False alarms have been increasing; without knowing where the alarm originates, the entire zone must be evacuated. False alarms cause undue agitation among patients and may diminish the seriousness of a response to the alarm. With these failures and "trouble" status situations on the rise, the old system poses a significant risk to the patients, staff and visitors. Additionally, the existing system is incompatible with the system in the newer parts of the facility.

Basis for Selection: Contractor submitting the lowest responsive and responsible bid committed to 36% Minority Business Enterprise subcontractor participation. Upon declaring the emergency, the Department immediately contracted with an engineering firm to design the failing system (F&H Consultants - \$24,900). When the design was completed in nine weeks, the project was solicited to six contractors and two bids were received.

TAX COMPLIANCE NO: 09-1896-111

RESIDENT BUSINESS: Yes

BOARD OF PUBLIC WORKS ACTION:

REPORT ACCEPTED:

WITH DISCUSSION

WITHOUT DISCUSSION

REPORT REMANDED TO DEPT/AGENCY:

REMARKS:

BOARD OF PUBLIC WORKS

JULY 22, 2009

APPENDIX

SECRETARY'S AGENDA

Contact: Michael T. Halpin 410.767.8733
mhalpin@msrp.state.md.us

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 3**

**BOARD OF TRUSTEES, MARYLAND TEACHERS & STATE EMPLOYEES
SUPPLEMENTAL RETIREMENT PLANS**

CONTRACT TITLE: Emergency Assessment of the Stable Value Fund
ADPICS NO. G50P0400003

CONTRACT TYPE: Services

DESCRIPTION: Analyze safety, soundness and stability of \$750 million MSRP Investment
Contract Pool

PROCUREMENT METHOD: Emergency

DATE EMERGENCY DECLARED: April 6, 2009

BIDS:

Breidenbach Capital Consulting Louisville, KY	\$58,800.00
Ennis Knupp + Associates Chicago, IL	\$87,000.00
Callan Consulting Chicago, IL	\$99,500.00
Aon Investment Consulting Irvine, CA	\$124,000.00

AWARD: Breidenbach Capital Consulting

AMOUNT: \$58,800.00

CONTRACT AWARD DATE: May 22, 2009

MBE PARTICIPATION: None

FUND SOURCE: 100% non-budgeted (fees paid from Stable Value
investment earnings)
Appropriation Code: 26.12.00.01

BOARD OF PUBLIC WORKS

JULY 22, 2009

APPENDIX

SECRETARY'S AGENDA

REPORT OF EMERGENCY PROCUREMENT

ITEM: **Appendix 3** (continued)

REMARKS:

Nature of Emergency: In response to the Office of Legislative Audits' soon-to-be-published review of the Investment Contract Pool (ICP), the Maryland Supplemental Retirement Plans (MSRP) Board of Trustees sought an expert to review the ICP and the Legislative Auditor's analysis prior to publication. This analysis was needed within weeks and would be the basis for the MSRP Board's decisions with respect to ICP management, for communicating with MSRP participants, and for responding to the Audit Report.

The MSRP Board of Trustees is responsible for the administration and oversight of four defined-contribution plans for tax-deferred retirement savings by all State employees and officials. The Investment Contract Pool is a stable value investment option that has traditionally been the single most-popular employee selection. The ICP has grown to \$754 million, which is over 40% of all employee retirement savings in the Plans.

The Stable Value Assessment included investment document reviews and analysis of securities held in the ICP. The analysis confirmed the accuracy of the reported market value and soundness of the ICP and generally endorsed the management of the investments.

Basis for Selection: The MSRP Board selected Breidenbach Capital Consulting because Breidenbach: (1) is uniquely qualified and experienced in all facets of the subject matter and expertly knowledgeable of regulations and best practices; (2) presented the shortest completion timeline; and (3) submitted the lowest price.

TAX COMPLIANCE NO.: TBD

RESIDENT BUSINESS: No

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

July 22, 2009

Secretary's Agenda

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

ITEM 1A
PROGRAM OPEN SPACE LOCAL SHARE:

Approval is requested to commit \$494,500.00 for the following **acquisition** projects located in **Anne Arundel County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Fort Smallwood Park Expansion (Curtis Bay Property) - \$280,500.00**
POS #5526-2-260 - MD20081121-1073

Acquire nine acres of land to connect Ft. Smallwood Park to Weinberg Park. The master plan for Ft. Smallwood - Weinberg Park includes a double boat ramp, visitors, center, dog beach, nature center, canoe launch, disc golf area, and extensive paths and nature trails.

Appraised Value: Bryce Worthington \$235,000.00
Harold Powell \$244,000.00

Property Cost: \$239,500.00

Incidental Costs: \$ 41,000.00

FUND SOURCE: Program 81.20.04 Item 802 \$280,500.00

2. **Carrs Wharf Expansion (Cantler Property) - \$214,000.00**
POS #5665-2-271 - MD20090605-0721

Acquire 0.54 acres of waterfront property on the Rhode River to expand the existing Carrs Wharf Park waterfront access area.

Appraised Value: Harold C. Powell \$250,000.00
Bryce Worthington \$279,000.00

Property Cost: \$185,000.00

Incidental Costs: \$ 29,000.00

FUND SOURCE: Program 81.20.04 Item 802 \$214,000.00

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

July 22, 2009

Secretary's Agenda

ITEM 2A
PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$639,200.00 for the following **development** project located in **Charles County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Recreation Center/Administration Building - \$639,200.00 - POS #5580-8-75
MD20090309-0215

Construct a multi-service recreation center to serve as a central location for county-wide recreation programs and registration. The community center will have activity areas and classrooms to serve recreation programming and sports league associations. In addition, the center will house the newly merged Parks and Recreation Department and will provide county residents easy access to registration opportunities. This project was submitted to and reviewed by Program Open Space prior to approval of SB 163 of the 2009 Legislative Session and as such, according to the conditions set forth by SB 163, is not subject to SB 163's new indoor recreation facility restrictions.

FUND SOURCE: Program 81.20.04 Item 000 \$639,200.00

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

July 22, 2009

Secretary's Agenda

ITEM 3A
PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$63,000.00 for the following **planning** project located in **Dorchester County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

Christ Rock Park - \$63,000.00 - POS #5632-9-143 - MD20090508-0578

Prepare a park master plan for this 10 acre park and begin development of planned park renovations.

FUND SOURCE: Program 81.20.04 Item 809 \$63,000.00

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

July 22, 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 \$3,477,358.00 for the following **acquisition and development** projects located in **Montgomery County**. Funding will come from the Program Open Space Local Share that is allocated to the County.

1. **Cambria Park Improvements (Town of Garrett Park) - \$36,000.00****POS #5514-15-626 - MD20090508-0575**

Improve pedestrian safety and park drainage while expanding the useable area of the park. An asphalt-lined drainage swale will be removed and replaced with a buried pipe. In addition, an ADA compliant walkway will be constructed at the park extending from the upper Cambria Avenue entrance to the swimming pool entrance. Site grading and seeding will add approximately 1/4 acre of useable park area, allowing for expansion of the ballfield.

FUND SOURCE: Program 81.20.04 Item 815 \$36,000.00

2. **Fenton Street Urban Park - \$1,307,500.00 - POS #5650-15-632 - MD20090429-0497**

Acquire .4032 acre as an addition to the existing .2863 acre park. Existing improvements will be razed following acquisition of the property. The park is currently used as passive open space. Ultimately, after the remaining planned acquisition, it is expected that the park will also support active use recreation facilities such as rock climbing walls, fitness facilities, a skate park, horseshoe, and bocce ball courts. Recreation facilities will be determined through a facility planning process that includes public participation.

Appraised Value: Ryland L. Mitchell \$1,215,000.00
Melville E. Peters \$1,315,500.00

Property Cost: \$1,300,000.00

Incidental Costs: \$ 7,500.00

FUND SOURCE: Program 81.20.04 Item 815 \$467,300.00
Program 81.20.04 Item 915 \$840,200.00

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

July 22, 2009

Secretary's Agenda3. **Swim Center Meet/Fitness Addition (City of Rockville) - \$300,000.00****POS #5645-15-636 - MD20090508-0577**

Addition of two fitness rooms, totaling 4,000 sq. ft., to the existing Rockville Swim Center. This project was submitted to and reviewed by Program Open Space prior to approval of SB 163 of the 2009 Legislative Session and as such, according to the conditions set forth by SB 163, is not subject to SB 163's new indoor recreation facility restrictions.

FUND SOURCE: Program 81.20.04 Item 915 \$300,000.00

4. **Thomas Farm Community Center (City of Rockville) - \$1,833,858.00****POS #5646-15-637 - MD20090508-0576**

Construct an 18,000 sq. ft. community center on the former site of the Thomas family residence at the intersection of Montgomery Avenue (State Route 28) and Fallsgrove Drive. The building will include a substantial lobby/gallery area, a 5,700 sq. ft. multi-purpose gymnasium, two multi-purpose rooms, a game room, fitness center, kitchenette, restrooms, offices, and a parking lot with access from Fallsgrove Drive. Total estimated development costs are \$5,047,750. This project was submitted to and reviewed by Program Open Space prior to approval of SB 163 of the 2009 Legislative Session and as such, according to the conditions set forth by SB 163, is not subject to SB 163's new indoor recreation facility restrictions.

FUND SOURCE: Program 81.20.04 Item 815 \$1,833,858.00

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****July 22, 2009****Secretary's Agenda**

ITEM 5A

PROGRAM OPEN SPACE LOCAL SHARE:

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

Approval is requested to commit \$580,000.00 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. **Patuxent Greens Site (City of Laurel) - \$380,000.00 - POS #5641-16-722**
MD20090605-0722

Acquire 2 acres adjacent to the Greenview Drive Park. The parcel has an outdoor pool and locker room, three tennis courts, and a half basketball court. This acquisition will increase the park to 4.1 acres and provide additional recreation opportunities to the eastern communities of the City.

Appraised Value: Lipman, Frizzel, and Mitchell LLC \$1,100,000.00
 Phillip R. Lamb \$1,360,000.00
Property Cost: \$910,000.00
Incidental Costs: \$ 11,000.00

FUND SOURCE: Program 81.20.04 Item 816 \$380,000.00

2. **Greenbelt Aquatic and Fitness Center Facility Upgrades Phase I (City of Greenbelt)**
\$200,000.00 - POS #5292-16-683 - MD20071114-1119

Complete Phase I facility upgrades to the Greenbelt Aquatic and Fitness Center. This phase of development includes the replacement of major mechanical equipment required to operate the facility. Two PoolPak units, which regulate the indoor pool water temperature, air temperature, and relative humidity; and two Heatex units, used to control the air temperature in the men's and women's locker rooms, will be installed. Funds totaling \$318,850.00 were previously approved by the Board of Public Works on the Secretary's Agenda.

FUND SOURCE: Program 81.20.04 Item 140 \$ 85,204.01
 Program 81.20.04 Item 816 \$114,795.99

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

July 22, 2009

Secretary's Agenda

ITEM 6A
RURAL LEGACY PROGRAM FUNDS:

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

Approval is requested to grant to Harford County \$288,500.00 for the following project from the Rural Legacy Funds.

PROJECT NAME: Deer Creek Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$1,600,000 FY 2008 Grant for easement acquisitions in Harford County for the Deer Creek Rural Legacy Area on the April 2, 2008 Program Open Space Agenda Item 9A.

PROJECT DESCRIPTION:

Petty/DeRan Property - \$288,500.00

Acquisition of a conservation easement on this 34.0-acre property in the Deer Creek Rural Legacy Area of Harford County preserves 31 acres of woodland. Water quality will be protected through permanent riparian buffers along 3,550 feet of Deer Creek and feeder streams. Deer Creek is a tributary of the Chesapeake Bay. The easement will be held by Harford County.

VALUE OF EASEMENT: Total easement value \$283,500 -\$8,338.24 per acre

TOTAL OTHER COSTS: \$ 5,000.00

ADMINISTRATIVE: (County paying)
INCIDENTAL: \$5,000.00 (survey)
PROGRAM COMPLIANCE: (County paying)

AMOUNT REQUESTED: \$288,500.00

FUND SOURCE: Program 81.20.04 Item 003 \$288,500.00 (FY 2008)

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

July 22, 2009

Secretary's Agenda

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

ITEM 7A
RURAL LEGACY PROGRAM FUNDS:

Approval is requested to grant to Harford County \$588,700.00 for the following project from the Rural Legacy Funds.

PROJECT NAME: Deer Creek Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$1,600,000 FY 2008 Grant for easement acquisitions in Harford County for the Deer Creek Rural Legacy Area on the April 2, 2008 Program Open Space Agenda Item 9A.

PROJECT DESCRIPTION:

Preston Property - \$588,700.00

Acquisition of a conservation easement on this 70.671-acre property in the Deer Creek Rural Legacy Area of Harford County preserves the entire tract in woodland. Water quality will be protected through permanent riparian buffers along 2,000 feet of Deer Creek, a tributary of the Chesapeake Bay. The easement will be held by Harford County.

VALUE OF EASEMENT: Total easement value \$583,700 -\$8,259.40 per acre

TOTAL OTHER COSTS: \$ 5,000.00

ADMINISTRATIVE: (County paying)
INCIDENTAL: \$5,000.00 (survey)
PROGRAM COMPLIANCE: (County paying)

AMOUNT REQUESTED: \$588,700.00

FUND SOURCE: Program 81.20.04 Item 003 \$588,700.00 (FY 2008)

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

July 22, 2009

Secretary's Agenda

ITEM 8A
RURAL LEGACY PROGRAM FUNDS:

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

Approval is requested to grant to Harford County \$499,900.00 for the following project from the Rural Legacy Funds.

PROJECT NAME: Deer Creek Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$1,600,000 FY 2008 Grant and a \$500,000 FY 2009 Grant for easement acquisitions in Harford County for the Deer Creek Rural Legacy Area on the April 2, 2008 Program Open Space Agenda Item 9A and the January 7, 2009 Program Open Space Agenda Item 10A.

PROJECT DESCRIPTION:

Troyer Property - \$499,900.00

Acquisition of a conservation easement on this 67.977-acre property in the Deer Creek Rural Legacy Area of Harford County preserves 58 acres of woodland. Water quality will be protected through permanent riparian buffers along 1,500 feet of Island Branch, a feeder stream to Deer Creek. Deer Creek is a tributary of the Chesapeake Bay. The easement will be held by Harford County.

VALUE OF EASEMENT: Total easement value \$494,900 -\$7,280.40 per acre

TOTAL OTHER COSTS: \$ 5,000.00

ADMINISTRATIVE: (County paying)
INCIDENTAL: \$5,000.00 (survey)
PROGRAM COMPLIANCE: (County paying)

AMOUNT REQUESTED: \$499,900.00

FUND SOURCE: Program 81.20.04 Item 003 \$231,408.74 (FY 2008)
Program 81.20.04 Item 025 \$268,491.26 (FY 2009)

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

July 22, 2009

Secretary's Agenda

ITEM 9A
RURAL LEGACY PROGRAM FUNDS:

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

Approval is requested to grant to Harford County \$231,508.74 for the following project from the Rural Legacy Funds.

PROJECT NAME: Deer Creek Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$500,000 FY 2009 Grant for easement acquisitions in Harford County for the Deer Creek Rural Legacy Area on the January 7, 2009 Program Open Space Agenda Item 10A.

PROJECT DESCRIPTION:

Harford Land Trust-Raven Rock Property - \$231,508.74

Acquisition of a conservation easement on this 19.562-acre property in the Deer Creek Rural Legacy Area of Harford County preserves the entire tract in woodland. Water quality will be protected through permanent riparian buffers along 1,300 feet of Deer Creek. Deer Creek is a tributary of the Chesapeake Bay. The easement will be held by Harford County.

VALUE OF EASEMENT: Total easement value \$226,508.74 - \$11,579.02 per acre

TOTAL OTHER COSTS: \$ 5,000.00

ADMINISTRATIVE: (County paying)
INCIDENTAL: \$5,000.00 (survey)
PROGRAM COMPLIANCE: (County paying)

AMOUNT REQUESTED: \$231,508.74

FUND SOURCE: Program 81.20.04 Item 003 \$231,508.74 (FY 2009)

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

July 22, 2009

Secretary's Agenda

ITEM 10A
RURAL LEGACY PROGRAM FUNDS:

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

Approval is requested to grant to the Gunpowder Valley Conservancy \$451,457.19 for the following project from the Rural Legacy Funds.

PROJECT NAME: Gunpowder Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$750,000 FY 2008 and a \$500,000 FY 2009 Grant for easement acquisitions in Baltimore County for the Gunpowder Rural Legacy Area on the April 2, 2008 and January 7, 2009 Program Open Space Agenda Items 9A and 10A.

PROJECT DESCRIPTION:

Dowell Property - \$451,457.19

Acquisition of a conservation easement on this 62.12-acre property in the Gunpowder Rural Legacy Area of Baltimore County preserves 22 acres of woodland and 37 acres of pasture. Water quality will be protected through permanent riparian buffers along 1,800 feet of streams feeding into Little Gunpowder Falls, a tributary of the Chesapeake Bay. The easement will be held by the Gunpowder Valley Conservancy and the Maryland Department of Natural Resources.

VALUE OF EASEMENT: Total easement value \$429,410.71 -\$6,912.60 per acre

TOTAL OTHER COSTS: \$ 22,046.48

ADMINISTRATIVE:	\$12,882.32	
INCIDENTAL:	\$ 1,415.00	(Title Insurance)
	\$ 1,213.00	(Other Title fees)
	\$ 95.00	(Recording fees)
PROGRAM COMPLIANCE:	\$ 6,441.16	

AMOUNT REQUESTED: \$451,457.19

<u>FUND SOURCE:</u>	Program 81.20.04	Item 003	\$299,718.68	(FY 2008)
	Program 81.20.04	Item 025	\$151,738.51	(FY 2009)

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

July 22, 2009

Secretary's Agenda

ITEM 11A
RURAL LEGACY PROGRAM FUNDS:

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
(410) 260-8450

Approval is requested to grant to Carroll County \$653,096.96 for the following project from Rural Legacy Funds.

PROJECT NAME: Little Pipe Creek Rural Legacy Area

BACKGROUND: The Board of Public Works authorized a \$1,000,000 FY 2007 Grant and a \$750,000 FY 2008 Grant for easement acquisitions in Carroll County for the Little Pipe Creek Rural Legacy Area on the October 4, 2006 Program Open Space Agenda Item 6A and on the April 2, 2008 Program Open Space Agenda Item 9A.

PROJECT DESCRIPTION:

Smith Property - \$653,096.96

Acquisition of this 107.215 acre conservation easement located in the Little Pipe Creek Rural Legacy Area of Carroll County preserves agricultural land. Water quality will be protected through permanent forested riparian buffers along 2,554 feet of Little Pipe Creek, a tributary of the Chesapeake Bay. The easement will be held by Carroll County.

VALUE OF EASEMENT: Total easement value \$631,290.00 - \$5,888.08 per acre

TOTAL OTHER COSTS: \$ 21,806.96

ADMINISTRATIVE: \$18,938.70
INCIDENTAL: \$ 2,868.26 (title binder)
PROGRAM COMPLIANCE: (County paying)

AMOUNT REQUESTED: \$653,096.96

FUND SOURCE: Program: 81.20.04 Item 000 \$ 43,096.74 (FY 2006)
Program: 81.20.04 Item 000 \$ 13,244.48 (FY 2007)
Program: 81.20.04 Item 003 \$596,755.74 (FY 2008)

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

July 22, 2009

Secretary's Agenda

Contact: Meredith Lathbury
mlathbury@dnr.state.md.us
410-260-8450

ITEM 12A
RURAL LEGACY PROGRAM AND
MARYLAND ENVIRONMENTAL TRUST:

Recommendation: That the Board of Public Works ratify an amendment of a Rural Legacy conservation easement held on property owned by **BAYVIEW ROAD, LLC.** that will establish that the existing structure, the former hunting lodge, is considered the primary residence and the landowner retains the right to a hunting lodge with approximate dimensions of twenty four (24) x forty (40).

Background: Reference is made to Open Space (Department of Natural Resource Rural Legacy Program) Agenda Item 5A (October 4, 2000) in which the Board approved the release of grant funds for easement acquisition from the Rural Legacy Fund. The Maryland Environmental Trust (MET) and Lower Shore Land Trust (LSLT) co-hold the easement in the Coastal Bays Rural Legacy Area. The easement permits one (1) primary residence and one (1) size-restricted non-residential hunting lodge, with approximate dimensions of twenty four (24) x forty (40) feet. The hunting lodge existed at the time of the Rural Legacy Program easement sale. In 2005 MET discovered that the hunting lodge had been enlarged such that the structure no longer met the size-restriction. The new owner, Bayview Road, LLC, enlarged the hunting lodge without the consent of MET and LSLT. This action violated the terms of the easement. The MET Board of Trustees found: (1) the violation did not negatively impact the conservation values of the property; (2) the Amendment will bring the violation into compliance with the easement and; (3) the Amendment does not negatively impact the conservation values of the property.

An assistant attorney general has reviewed and approved the amended Rural Legacy Deed of Conservation Easement for legal form and sufficiency. The Board of the Maryland Environmental Trust and the Rural Legacy Board recommends ratification by the Board of Public Works. (Estimated Value: \$0 – the amendment will have no effect on the conservation values of the original easement; the amendment does not eliminate a reserved right which would have an effect on valuation)

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:** Sharon Mattia
301-884-8171
smattia@charhall.org

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

CONTRACT ID: CHVH-08-001;
Veterans Home Management Contract
ADPICS NO. D55B0400002

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.

AWARD: Health Management Resources (HMR) –
Government Services, Inc.
Easley, SC
dba HMR of Maryland LLC
Charlotte Hall, MD

TERM: 8/1/2009 - 6/30/2014 (w/1 two-year renewal option)

AMOUNT: \$155,000,000 Est. (Base - 4 Years, 11 Months)
\$ 68,000,000 Est. (Option – 2 Years)
\$223,000,000 Est. Total (6 Years, 11 Months)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: **21.1%** (See Requesting Agency Remarks below)

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

ITEM: 1-S (Cont.)

PERFORMANCE BOND: \$2,000,000

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Request For Proposals (RFP) was advertised on *eMarylandMarketplace.com* and the Department of Veteran's Affairs website. Copies of the solicitation notice were mailed directly to ten prospective vendors, four of which are Maryland firms, and included three MBEs. A copy of the notice was also sent to the Governor's Office of Minority Affairs.

Three proposals were received in response to the RFP. However, only two proposals were deemed reasonably susceptible of being selected for award. The third vendor was rejected for failure to submit proper MBE documentation. Award is recommended to HMR of Maryland LLC (HMR), the incumbent, as having the more advantageous offer for the State. HMR had the higher technical ranking and even though its price is just over 3% higher, its technical superiority was determined to outweigh the difference in price.

Besides operating the Charlotte Hall Veterans Home for the past seven years, HMR also operates five additional veteran's homes and 21 other skilled nursing and/or assisted living homes in North Carolina South Carolina, Georgia and Alabama. The combined capacity of the 27 homes, including Charlotte Hall, is 3,241 beds.

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.

The Award Amount and the Financial Offer amounts are different. The Financial Offer amount is based upon an initial one year price to operate the Home at weighted resident occupancy levels from 250 to 462. The RFP limited the price for all future contract years to the percentage of the Consumer Price Adjustment change over initially this first year price, and subsequently each succeeding year's price. The current census level of 394 residents, which has been as high as 402, is expected to increase over the base term of the contract to around 430 residents with an

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

ITEM: 1-S (Cont.)

estimated 3% CPI increase from the second through the fifth years giving the requested approval amount of \$155 million.

For the two-year renewal option period, the requested approval amount of \$68 million is based upon the approximate 430 census and a 3% CPI for each year. If the census is more or less than 430 residents and the CPI is more or less than 3%, the actual amount of funding for the contract will vary. If additional funding is needed, the request for funding will be submitted to the Board of Public Works for approval.

After reviewing the availability of qualified subcontractors in the sub-contractible areas of transportation, housekeeping, laundry, dietary, facility maintenance and security, a 20% MBE participation goal was established for the RFP due to the isolated location of the Home (approx. 40 miles from Washington, DC and 70 miles from Baltimore) and finding a qualified workforce is a challenge for both the prime and its subcontractors. **However, HMR has committed to 21.1% MBE participation.**

FUND SOURCE: 22% General;
33% Federal (US Veterans Administration);
38% Non-Budgeted (Medicaid, Medicare);
7% Non-Budgeted (Resident Payments)

APPROP. CODE: D55P00

RESIDENT BUSINESS: Yes

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: 1-S (Cont.)

ATTACHMENT

BPW 7/22/2009

BIDS OR PROPOSALS:

<u>Offerors</u>	<u>Technical Rank</u>	<u>Financial Offer (Rank) *</u>	<u>Overall Rank **</u>
HMR of Maryland, LLC Easley, SC	1	\$29,687,145.15 (2)	1
Mid-Atlantic Health, LLC Timmonium, MD	2	\$28,805,545.55 (1)	2

Notes: * The amounts listed under the "Financial Offer" for each offeror are the evaluated price amounts, which include weighted averages of each offeror's proposed monthly rates per defined census levels. The anticipated yearly costs are dependent on actual census levels and an annual CPI price adjustment mechanism detailed in the RFP.

** Technical factors were given greater weight than price factors in the overall award determinations.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 2-S **Agency Contact:** Luci A. Sager
410-468-2374
LSager@mdinsurance.state.md.us

DEPARTMENT: Maryland Insurance Administration (MIA)
Producer Licensing

CONTRACT ID: D80R9200005;
Continuing Education and Continuing Education
Reporting Services
ADPICS NO. D80B9200012

CONTRACT DESCRIPTION: Assist the MIA in providing Continuing Education (CE) and CE Reporting Services. The MIA has the responsibility for regulating the Insurance Industry pursuant to the Insurance Article of the Annotated Code of Maryland.

AWARD: Prometric
Baltimore, MD

TERM: 8/1/2009 – 7/31/2012 (w/2 one year renewal options)

AMOUNT: \$1,382,500 Est. (3 Years; Base Contract)
\$ 508,750 Est. (1Year; 1st Renewal Option)
\$ 508,750 Est. (1 Year; 2nd Renewal Option)
\$2,400,000 Est. Total (5 Years)

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 13% (See Requesting Agency Remarks below)

MBE WAIVER: 2% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

INCUMBENT: Same

REQUESTING AGENCY REMARKS: A notice of the availability of the Request for Proposals (RFP) was not advertised on *eMarylandMarketplace.com* (eMM). Copies of the RFP were mailed directly to four prospective vendors, one of which is a Maryland firm and one is an MBE. A copy was also sent to the Governor's Office of Minority Affairs.

This is the second RFP for these services due to problems with the first solicitation, requiring the solicitation to be cancelled and reissued. MIA did not realize that the second solicitation also needed to be advertised on eMM, since the vendors directly solicited were the only vendors who responded to the first solicitation. Because of this omission, MIA is requesting that the Board of Public Works (BPW) approve the contract as voidable per COMAR 21.03.01.03.A because (1) all parties have acted in good faith; (2) ratification of the procurement contract would not undermine the purposes of Title 21; and (3) the violation was insignificant or otherwise did not prevent substantial compliance with Title 21.

Three proposals were received in response to the RFP; all three proposals were determined to be reasonably susceptible of being selected for award. As per the terms of the RFP, one contract is being awarded. Award is recommended to Prometric because it has been determined to be the most advantageous offeror to the State with the overall #1 ranking.

Prometric's technical proposal was ranked #1 with the best experience and the best understanding of the project. Prometric had the second lowest financial proposal. Even though Prometric's financial proposal was almost 13.5% higher than the lowest priced offer, the technical superiority of Prometric's proposal was judged to outweigh the difference in price. Included as part of the technical evaluation is the fact that Prometric is a Maryland firm was judged to provide greater economic benefit to the State.

The Maryland Insurance Administration (MIA) issues licenses to individuals and firms to act as insurance producers. The resident individual insurance producer (licensee) must complete 16 continuing education (CE) credit hours every two years in order to renew the license, as required by Section 10-116 of the Insurance Article, Annotated Code of Maryland. Legislation effective 10/1/2009 will increase the number of CE credit hours needed for license renewals to 24 and mandated that three CE credits must be in Ethics along with other changes in tracking and issuing licenses.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

The scope of work anticipated under this Contract will include, but is not limited to the following services:

- CE Course Approval and Audit Requirements: Review, evaluation and approval of all CE courses, instructors and providers;
- CE Credit Reporting: Provide secure electronic means for CE providers to report attendees (licensees) of CE courses;
- CE Banking of CE Credits of Licensee: Provide a web-based system which will be updated daily for banking the CE credits of the licensee and provide access to the reported/banked CE credits of the licensee;
- CE Compliance: Determine whether each licensee has or has not met the CE requirements and provide 90-days notice to the licensee if the required CE credits have not been met; and
- IT Work Requirements: Maintain a master database of the approved CE courses, providers and instructors to be updated daily; maintain a database of the reported and banked CE credits for individual licensees to be updated daily; and transmit the CE data to the MIA on a daily basis.

CE Course providers are responsible for submitting applications for the CE courses and reporting roster entries for the CE credit hours to the Contractor. The Contractor invoices the providers based on the number of new course/renewal course applications being submitted and by the number of roster entries for licensees per credit hours per course being reported.

The Financial Proposal and Award Amount are based upon the Fixed Unit Prices for different types of CE course approvals – new, out-of-state, or renewals and the Fixed Unit Prices for different types of CE credit hour reporting – paper or electronic roster entries multiplied by the estimated number of courses and/or credit hours that would be needed to perform the services. The estimated courses/credit hours are based upon the history of courses/credit hours. The Award Amount is slightly higher than the proposal amount due to the contract start date being estimated in the RFP as May 1st and is now August 1st. With the new legislation starting in October 2009 requiring more courses to be completed for the license renewals, the prices are higher to accommodate the increase in courses for more months during the base contract period than if the contract start date was in May.

MIA established a 15% MBE participation goal for this contract; however Prometric requested a 2% waiver. MIA determined that a good faith effort was made to acquire MBE participation, and therefore granted the 2% waiver and accepted the 13% commitment from Prometric.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 2-S (Cont.)

FUND SOURCE: 100% Special (Special Assessment to the Insurance Industry & Filing Fees)

APPROP. CODE: D80Z01

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1892-1111

DBM REMARKS: The Secretary of Budget and Management has determined that the procurement should be treated by the BPW as voidable rather than void per COMAR 21.03.01.04.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 2-S

ATTACHMENT

9B
BPW 7/22/2009

BIDS OR PROPOSALS (Cont.):

	<u>Technical Rank</u>	<u>Financial Offer* 3-Yr. Base Contract</u>	<u>1st Option (Year 4)</u>	<u>2nd Option (Year 5)</u>	<u>5 Yrs. Financial Offer Total (Rank)</u>	<u>Overall Rank **</u>
Prometric Baltimore, MD	1	\$1,320,750	\$508,750	\$508,750	\$2,338,250 (2)	1
PSI Burbank, CA	2	\$1,460,250	\$564,500	\$564,500	\$2,589,250 (3)	2
Pearson VUE Bala Cynwyd, PA	3	\$1,185,000	\$438,750	\$438,750	\$2,062,500 (1)	3

Note: * Financial offers are based upon: (1) the Fixed Unit Price per CE course approval for new courses in Maryland; (2) the Fixed Unit Price per CE Course – Prior Approval in Home State (Reciprocity); (3) the Fixed Unit Price per Renewal Course (odd year); (4) the Fixed Unit Price per CE Credit Hour Reported – Paper Roster Entry; and (5) the Fixed Unit Price per CE Credit Hour Reported Electronic Roster Entry multiplied by the estimated number of courses and/or credit hours that would be needed to perform the services.

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

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 3-S **Agency Contact:** Margaret Embardino
410-767-4483
membardi@dbm.state.md.us

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

CONTRACT ID: F10B9200023;
Forensic Toxicology Drug Testing
Laboratory (FTDTL)
ADPICS NO. F10B9200023

CONTRACT DESCRIPTION: Provide forensic toxicology lab testing of specimens to determine the illegal use of drugs by applicants and employees for the State of Maryland.

CONTRACTOR: Phamatech, Inc.
San Diego, CA

TERM: 8/1/2009 - 7/31/2014

AMOUNT: \$111,850 (5 Years)
(See Requesting Agency Remarks below)

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: Kroll Laboratory Specialists, Inc.
New Orleans, LA

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com* and on DBM's Procurement website. Copies of the solicitation notice were mailed directly to 24 prospective vendors, none of which are Maryland firms, and none are MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

A total of nine bids were received in response to the IFB to perform the forensic toxicology drug testing on collected specimens. Phamatech, Inc. had the lowest bid and was determined to be a responsible bidder. Therefore, award is recommended to Phamatech, Inc.

The State of Maryland has been testing applicants and employees for the illegal use of drugs since 1990 to assure its citizens that State employees are not impaired by the illegal use of drugs in the workplace. This practice ensures compliance with the Federal Omnibus Drug Abuse Act of 1988 ("Federal Act") which requires any State receiving Federal funds to establish a drug-free workplace.

The Federal Act also requires the State to have a policy on the use of substances, an employee awareness program and a procedure for employees to report their own convictions. The State conducts testing in seven different situations and for a panel of seven illegal drugs. The contractor will provide all labor, materials and equipment necessary for the transportation and testing of urine specimens.

In accordance with Executive Order 01.01.1991.16 and Code of Maryland Regulations (COMAR) 17.04.09, all applicants for employment in designated sensitive State job categories, as well as State employees in the same sensitive categories, must be tested to detect the presence of illegal drugs in their urine. In addition, any employee for which there is reasonable suspicion of using illegal drugs must be tested. The bulk of the sensitive positions that require testing are Correctional Officers and other personnel of the Department of Public Safety and Correctional Services (DPSCS).

All specimen collections take place at designated collection sites at State and local government facilities throughout the State.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 3-S (Cont.)

An estimated 6,317 specimen collections and subsequent drug tests will be performed each year. The price bids were evaluated based upon a model used in the IFB for evaluation purposes. The *Award Amount* above is estimated based on the projected amount of collections and subsequent lab tests which were used in the financial evaluation model. Since this is an indefinite quantity, fixed unit price contract, the contractor will be paid for lab testing services based on the actual amount and type of services provided and at the unit prices that are fixed in the contract.

There was no MBE goal established for this contract for the following two reasons: (1) there is a need to strengthen the legal defensibility of the chain of custody of the samples being collected and tested by having as few vendors as possible involved in these contracts; and (2) there are no sub-contracting opportunities in conducting the lab tests. This contract is for the provision of sample kits and the testing of the contents. The actual collection of urine samples is under a different contract.

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

FUND SOURCE: 100% Non-Budgeted
APPROP. CODE: F10A0201
RESIDENT BUSINESS: No
MD TAX CLEARANCE: 09-1811-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 3-S (Cont.)

ATTACHMENT

13B
BPW 7/22/2009

BIDS OR PROPOSALS (Cont.):

<u>Bidders</u>	<u>Bid Amount</u>
Phamatech, Inc San Diego, CA	\$111,850
SED Medical Laboratories Albuquerque, NM	\$114,450
Drugscan Warminster, PA	\$117,525
CSS Test, Inc. Vpprjees, NJ	\$119,625
Labcorp Morrisville, NC	\$123,500
Kroll, Inc. Gretna, LA	\$125,545
ACM Medical Laboratory Rochester, NY	\$128,130
Quest Diagnostics, Inc. Collegeville, PA	\$139,800
Carlaw Corporation Bowie, MD	\$170,450

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 4-S **Agency Contact:** John G. Cullen
301-777-2260
jcullen@dhmh.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Thomas B. Finan Center

CONTRACT ID: DHMH/OPASS 10-10131;
Psychiatric Services
Thomas B. Finan Hospital Center
ADPICS NO. M00B0400151

CONTRACT DESCRIPTION: Multiple award contract to provide professional psychiatric services to the patients of the Thomas B. Finan Hospital Center in Cumberland to augment Center staff.

AWARDS: Interim Physicians, LLC
St. Louis, MO

Jackson & Coker
Alpharetta, GA

TERM: 8/1/2009 – 7/31/2014 (5 Years)

AMOUNT: \$925,000 NTE

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS/PROPOSALS: See Attachment

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

INCUMBENT: Interim Physicians, LLC
St. Louis, MO

**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*. Copies of the solicitation notice were mailed directly to four prospective vendors, none of which are Maryland firms, and included no MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Two bids were received in response to the IFB. Both bids were determined to be responsive and the bidders are responsible. Moreover, the prices have been deemed fair and reasonable and other prospective bidders had a reasonable opportunity to respond to the solicitation. The IFB stated that awards would be made to all qualified bidders; therefore award is recommended to Interim Physicians, LLC, the incumbent, and Jackson & Coker.

Vendor comments were received from two companies expressing their regards in not submitting bids. One vendor stated the specifications were too restrictive/too risky and the insurance requirements were prohibitive. The second vendor stated its firm seeks to provide agencies and facilities with permanent professional positions not temporary help.

The Thomas B. Finan Hospital Center (Center), located in Cumberland, Maryland, is an integral part of the Mental Hygiene Administration Service Delivery Systems of the State of Maryland. The Center is one of a network of facilities administered by the Mental Hygiene Administration, Maryland Department of Health and Mental Hygiene. The Center is licensed for 119 psychiatric inpatient beds and currently operates three 22 bed units and a 22 bed Assisted Living Unit for a total of 88 patients.

The Center has positions and seeks to hire employees, but frequently is unable to do so to the extent needed. Accordingly, Center staff is augmented by personnel to be provided under the contract described in this Item. The minimum assignment duration for a psychiatrist is one week.

Personnel provided under this contract will be AMA Board certified physicians, who are licensed to practice medicine in the State of Maryland in the specialty field of psychiatry, to assist in providing comprehensive treatment services to those patients serviced by the Center. As need arises, placement requests will be made to the awardees starting with the contractor whose bid was lower. That contractor will have five days to respond to the contract monitor with candidates' names. If the initial contractor is unable to fill the needs of the Center, the Center will proceed to the higher priced contractor to fulfill the Center's needs.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 4-S (Cont.)

This is a Human Services Contract for psychiatrists to serve the Thomas B. Finan Center. There are no sub-contractible items/services within the scope of this solicitation. Therefore, no MBE participation goal was established for this solicitation.

FUND SOURCE: 100% General

APPROP. CODE: M00L0401

RESIDENT BUSINESS: No for both

MD TAX CLEARANCE: 09-2149-0000 (Interim Physicians, LLC)
09-2241-0000 (Jackson & Coker)

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 4-S (Cont.) **ATTACHMENT**

BPW 7/22/2009

17B

BIDS/PROPOSALS (Cont.):

<u>Bidders</u>	<u>Bid Amount*</u>
Interim Physicians, LLC St. Louis, MO	\$858,000.00
Jackson & Coker Alpharetta, GA	\$925,215.20

Note: * The bids were based upon a model for a fixed hourly rate for an estimated number of hours per year for each year of the contract.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICE CONTRACT

ITEM: 5-S **Agency Contact:** Sandra Johnson
410-767-7408
sjohnso5@dhr.state.md.us

DEPARTMENT/PROGRAM: Human Resources (DHR)
Social Services Administration

CONTRACT ID: SSA/CPA/10-001;
Foster Care Maintenance Payments
Child Placement Agency Services (CPA)
ADPICS NO. N00B0400077

CONTRACT DESCRIPTION: Provide Child Placement Agency (CPA) Service for
a total of 24 clients.

AWARD: Parker Therapeutic Services, Inc.
Baltimore, MD

TERM: 8/1/2009 – 6/30/2010

AMOUNT: \$1,015,344 (11 Months)

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

BIDS OR PROPOSALS: N/A

MBE PARTICIPATION: None (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: None

INCUMBENT: None

REQUESTING AGENCY REMARKS: Request for approval for Child Placement Agency
(CPA) Services for a total of 24 clients.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

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.

CPA Programs 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. These requirements are designed to protect the health, safety, and well being of children placed in child placement agency services programs.

No MBE goal was established for this contract because it did not meet the criterion for inclusion of a 5% MBE subcontracting goal as established by DHR and the Department of Juvenile Services (DJS). The criterion requires that all foster care/per diem providers who have a capacity, as approved by the Interagency Rate Committee (IRC), of 25 or more slots across all programs to have an MBE goal. This provider only has twenty four (24) slots. This provider is located in Baltimore City and is one of many child placing agencies that serve Baltimore City Department of Social Services. As DHR decreased the number of group home beds to improve the family centered practice, an expansion of treatment foster care was needed to accommodate those children leaving group homes.

The following list details the category of foster care services to be provided:

<u>Type of Services</u>	<u># of Clients</u>	<u># of Contracts</u>	<u>One Year Award Amounts</u>
CPA	24	1	\$1,015,344

The total award amount of \$1,015,344 assumes that each slot purchased will be occupied by a child 365 days during the fiscal period covered by the contract. This is a reimbursement contract. The vendor is 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 procurement laws provide for procuring certain human, social and educational services under the State Finance and Procurement article Section 13-106 and COMAR 21.14.01.03G.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 5-S (Cont.)

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 this service provider has complied with the Law's requirement for Non-Competitive Negotiation Procurement of Human, Social or Educational Services. In accordance with COMAR 21.14.01.04, below are reasons for this method of procurement:

1. Neither DHR nor GOC, on behalf of the Sub-cabinet, has the facilities or personnel to provide this type of service for twenty four (24) youth committed to DHR to be served under this contract. Therefore, it is in the best interest of the State that DHR contracts for these services.
2. The services are for child placement agency services and the licensing standards are found in COMAR 07.02.11, 07.02.13, 07.02.21 and 07.02.23.

FUND SOURCE: 66% General; 34% Federal (Title IV-E)
APPROP. CODE: N00G0001
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-1595-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT

ITEM: 6-S **Agency Contact:** R. Carter Ward
410-230-6024
rsward@dllr.state.md.us

DEPARTMENT/PROGRAM: Labor, Licensing and Regulation (DLLR)
Boards of Barbers and Cosmetologists

CONTRACT ID: DLLR-2008-004;
Maryland State Board of Barbers and
Cosmetologists Licensing Examination Services
ADPICS NO. P00B9200193

CONTRACT DESCRIPTION: Contract to develop and administer standardized,
consistent, and reliable computer-based examinations (practical and theory) to accurately test the
minimum competency skills of candidates seeking licensure with the Board of Barbers and the
Board of Cosmetologists.

AWARD: Prometric
Baltimore, MD

TERM: 12/1/2009 – 11/30/2014 (5 Years)

AMOUNT: \$13,427,500

PROCUREMENT METHOD: Competitive Sealed Proposals

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 16% (See Requesting Agency Remarks below)

MBE WAIVER: 9% (See Requesting Agency Remarks below)

PERFORMANCE SECURITY: \$200,000 Performance Bond

INCUMBENT: Same

**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 was posted on the DLLR Bid Board. Notification of the solicitation was sent to 92 firms, of which 70 were Maryland firms and 16 were MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

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

Prometric's proposal addressed each aspect of the RFP in detail with specific strategies and suggestions for the Electronic Examination service above the requirements set forth in the RFP. The selected vendor has proposed strongly responsive plans regarding examination development and validation, updating and test form usage, security issues and test sites. Prometric's proposal also included a very comprehensive detailed account of potential problems which could be encountered in the fulfillment of their contractual obligations and how they would successfully address the issues. Accordingly, Prometric was ranked highest technically and its technical superiority was judged to outweigh the difference in price.

Additionally, Prometric's proposal was fully conversant regarding the intricacies and complexities of the DLLR electronic examination requirements and has an impeccable record of customer service, timeliness of turnaround time and resolution of problems. The company is quite cognizant of the critical nature of the business and previous volume of the licensees that requires testing in the barber and cosmetology business.

The purpose of this contract is to obtain, at a minimum, the following services: applicant information development; screen and form development; information and form dissemination; examination development and administration for both practical demonstrations and theory portions of cosmetology and barber licensing categories; develop and provide candidate application processing, candidate application packet, application review process, approval process, notification process, processing candidate and examination fee payments; facility, equipment and personnel procurement; examination scheduling and administration; examination booklets and score sheet shipping; grading and review; compiling pass/fail grade status; candidate results notification; management, audit and statistical report generation; and dissemination of the process for applying for an original license.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 6-S (Cont.)

There are no direct payments from the State to the contractor under this contract. Instead, funds are collected directly from the examination applicants by and payable to the contractor under the Annotated Code of Maryland's Business Occupational and Professions Article, Sections 4.304.1 and 5.307.1 entitled *Examinations* which fully covers all services provided by the contractor. Pursuant to Section 4-304 and 5-307, DLLR establishes the examination fee to be collected based upon the contractor's offer price fee per examination category for these services.

Fees will be \$80 per candidate for first-time, full examinations and \$50 per candidate for partial test retakes, per category, once the regulations have been changed for the new rates. The modification to extend the current contract in order to promulgate regulations is Item 14-S-MOD on this agenda.

DLLR established a 25% MBE goal for this solicitation, however, Prometric committed to a 16% MBE participation and requested and was granted a 9% waiver. Documentation was provided to verify the firm's good faith effort to achieve the goal. Upon review of the information DLLR has agreed to issue a waiver for the remainder 9% MBE goal. The company plans to use MBEs for non-critical services, such as a travel agency, office supplies and computers.

FUND SOURCE: 100% Non-Budgeted

APPROP. CODE: P00F0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1747-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

ITEM: 6-S

ATTACHMENT

BIDS OR PROPOSALS (Cont):

	<u>Technical</u>	<u>Price (Rank) *</u>	<u>Overall**</u>
Prometric Baltimore, Maryland	1	\$13,427,500 (2)	1
P.S.I. Burbank, California	2	\$11,615,100 (1)	2
Pearson Vue Bala Cynwyd, Pennsylvania	3	\$24,203,000 (3)	3

Note: * Based upon a model in the RFP of firm, fixed unit prices times an estimated number of examinations to be taken.

****** Technical ranking has more weight than the financial ranking in the overall award determination.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S (Cont.)

INCUMBENTS:

John K. Taylor/St. Francis Dental
Baltimore, MD

Dentrust Dental Maryland PA
Warrington, PA

(See Requesting Agency Remarks below)

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandMarketplace.com*. Copies of the solicitation notice were mailed directly to 24 prospective vendors, of which 22 are Maryland firms, and included three MBEs. A copy was also sent to the Governor's Office of Minority Affairs.

Two bids were received in response to the IFB. One bid was determined to be non-responsive for failure to correctly submit the MBE packet. The one remaining responsive bid was from Dentrust Dental Maryland, P.A., who been determined to be responsible. Moreover, the price has been deemed fair and reasonable, and it has been determined that other bidders had a reasonable opportunity to respond to the solicitation. Therefore, Dentrust Dental Maryland, P.A. is recommended for award.

Vendors not submitting bids were surveyed to determine their reasons for not responding to the IFB. The survey results are as follows: (1) the location of Victor Cullen Center; (2) the apprehensiveness to work at this type of facility; (3) not interested in performing this service; and/or (4) did not perform this service.

The Contractor shall provide dental services to youth residing at the Victor Cullen Center (VCC). Youth to be served are males, aged 12 to 20, who are adjudicated delinquents and committed to DJS. VCC has a maximum daily population of 48 male youth. The average length of stay is nine months with a range of six to 12 months. All youth are expected to have a dental examination within 30 days of admission and are to receive timely care for dental problems that are identified.

Dental services are critical to the State in order to protect the health of youth in the care and custody of DJS. The youth are receiving dental examinations and routine dental care, as needed. These youth are often diagnosed with unmet and complicated dental needs. The contract provides for up to eight hours of dental care every two weeks depending on the number of youth requiring services and the level of care required.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 7-S (Cont.)

Dentrust Dental Maryland P.A. is currently providing quality dental services at the Charles H. Hickey School.

Since VCC opened 7/1/2007, dental services have been provided through Small Procurements until the current IFB was developed, approved, issued and awarded for a long term contract. Dentrust Dental was awarded the first small procurement contract for 6 ½ months and John K. Taylor/St. Francis Dental had the second small procurement contract for the past year and four months. The contract with John K. Taylor/St. Francis Dental ended on 5/31/2009 and it would not extend the contract for two months in order to bring the new contract to the Board of Public Works for approval. So, Dentrust Dental was willing to do a two month purchase order for June and July 2009 totaling \$6,864.00.

A 5% MBE participation goal was established to provide dental supplies and equipment.

FUND SOURCE	100% General
APPROPRIATION CODE:	V00I0103
RESIDENT BUSINESS:	No
MD TAX CLEARANCE:	09-2008-0111

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

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

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 8-S-OPTION **Agency Contact:** Richard E. Norman
410-229-4109
rnorman@oah.state.md.us

DEPARTMENT/PROGRAM: Office Of Administrative Hearings
Administration (OAH)

CONTRACT ID: OAH CR 08-01;
Court Reporting Services
ADPICS NO. D99B9200005

CONTRACT APPROVED: 8/20/2008 DBM BPW Agenda Item 1-S

CONTRACTOR: For The Record, Inc.
Waldorf, MD

CONTRACT DESCRIPTION: Contract to provide court-reporting services including: recording testimony, transcription and furnishing transcripts or other media for administrative hearings and other events as needed.

OPTION DESCRIPTION: Approval request to continue the existing services by exercising the first of two renewal options as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 9/1/2008 – 8/31/2009 (w/2 one-year renewal options)

TERM OF OPTION: 9/1/2009 – 8/31/2010

AMOUNT OF ORIGINAL CONTRACT: \$291,883 (1 Year)

AMOUNT OF OPTION: \$291,883 (1 Year)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$583,766

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 8-S OPTION (Cont.)

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE)
5% Subcontracting goal

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

This contract has provided the Office of Administrative Hearings (OAH) with court reporting services. Court reporting and transcriptions are vital to preserve administrative hearings for appellate review.

For The Record, Inc. (FTR) has provided an outstanding level of service with regard to its high quality of court transcripts, timeliness, responsiveness and accuracy through its experienced staff and established procedures. For FY09, FTR has provided services for 331 OAH hearings with approximately 225 transcriptions being done that range from 5 pages to over 350 pages with few or no errors.

Each agency is responsible for funding the transcriptions for its own court cases. The budget is established based on the history of cases for the agency. OAH does not receive copies of all transcripts. Sometimes only one copy is provided to the agency. If other participants want copies of the transcripts, they must pay for them separately.

FUND SOURCE: 100% Reimbursable

APPROP. CODE: D99A1101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1943-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 9-S-OPTION **Agency Contact:** Michael Halpin
410-767-8733
mhalpin@msrp.state.md.us

DEPARTMENT/PROGRAM: Maryland Supplemental Retirement Plans
(MSRP)
Board of Trustees for the Maryland
Teachers & State Employees
Supplemental Retirement Plans

CONTRACT ID: G50-05/2006; Consult
Benefit and Investment Consulting Service
ADPICS NO. G50B0400002

CONTRACT APPROVED: 7/26/2006 DBM BPW Agenda Item 1-S

CONTRACTOR: Mercer Investment Consulting
Washington, DC
(local office in Baltimore, MD)

CONTRACT DESCRIPTION: Contract to provide general Defined
Contribution and Pension Plan consulting services to include investment advisory and other
services to the Board of Trustees for assistance in administering the MD Supplemental
Retirement Plans.

OPTION DESCRIPTION: Approval request to exercise the single two-
year renewal option as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 8/1/2006 – 7/31/2009 (w/1 two-year
Renewal Option)

TERM OF OPTION: 8/1/2009 – 7/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$388,275 (3 Years)

AMOUNT OF OPTION: \$267,800 (2 Years)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-OPTION (Cont.)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$656,075

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 5%

REQUESTING AGENCY REMARKS: Request for approval to exercise the single two-year renewal option as contained in the original contract. For the two-year renewal period, the contractor has agreed to forgo an annual fee increase for each option year of \$4,700 for FY2010 and \$9,500 For FY2011 or \$14,200 total.

Under this agreement, the contractor, Mercer Investment Consulting (Mercer), performs ongoing review and quarterly reports of the MSRP investments performance and results, assists with employee communication materials and provides recommendations on tax, securities and other regulatory requirements. This investment advice is crucial to the MSRP Board's evaluation and approval of the various financial products and service providers that may be included in the MSRP for the benefit of the participants.

It is in the best interest of the State to exercise this single renewal option with Mercer because of the quality of service Mercer has provided MSRP over the last three years of the contract and the added savings of not increasing the annual fee for the duration of the renewal option period. Recent difficulties in financial markets strengthen the need for consistent and uninterrupted expert advice in these areas.

Since this is only renewal option available on this contract, MSRP intends to prepare and publish an RFP in the December 2010 and present a new Benefit and Investment Consulting Service contract to the BPW for approval in March 2011.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 9-S-OPTION (Cont.)

FUND SOURCE: 100% Special (Participant Account Fees)

APPROP. CODE: G50L0001

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-2067-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 10-S-OPTION **Agency Contact:** Michael Halpin
410-767-8733
mhalpin@msrp.state.md.us

DEPARTMENT/PROGRAM: Maryland Supplemental Retirement Plans
(MSRP)
Board of Trustees for the Maryland
Teachers & State Employees
Supplemental Retirement Plans

CONTRACT ID: MSRP-05/2006; Investment Management
Services Stable Value Fund
ADPICS NO. G50B0400001

CONTRACT APPROVED: 7/5/2006 DBM BPW Agenda Item 4-S

CONTRACTOR: Deutsche Investment Management
Americas, Inc.
New York, NY
(Local Office in Baltimore, MD)

CONTRACT DESCRIPTION: Contract to provide investment management
services for the Maryland Supplemental Retirement Plans Stable Value Fund.

OPTION DESCRIPTION: Approval request to exercise the single two-
year renewal option as contained in the original contract.

TERM OF ORIGINAL CONTRACT: 7/24/2006 – 7/23/2009 (w/1 two-year
Renewal Option)

TERM OF OPTION: 7/24/2009 – 7/23/2011

AMOUNT OF ORIGINAL CONTRACT: \$1,500,000 (3 Years)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 10-S-OPTION (Cont.)

AMOUNT OF OPTION: \$1,010,000 Est. (2 Years) (based upon
0.15% of the first \$100 million of assets;
0.08% of the next \$200 million of assets;
0.05% of the next \$300 million of assets; &
0.03% of assets over \$600 million)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$2,510,000

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 8% of the Assets to Invest

REQUESTING AGENCY REMARKS: This contract provides investment management services for the MSRP Stable Value Fund. The contractor is a Plan fiduciary and manages this pool of assets as one of the investment options for the participants of the Maryland 457 Plan, 401(k) Plan, and 401(a) Match Plan. The Stable Value Fund, also referred to as the Investment Contract Pool, is currently valued at about \$750 million.

As is customary in many investment manager agreements, the fees for this stable value arrangement are paid out of earnings or assets of the Stable Value Fund. These charges are invoiced and monitored through the Board of Trustees' staff and payment initiated through the third-party administrator (currently Nationwide Retirement Solutions, Inc. of Columbus, Ohio.)

The Maryland Supplemental Retirement Plans (MSRP) Board of Trustees (the Board) has general oversight authority and responsibility for the above-mentioned Plans. MSRP enables State employees and teachers to participate in voluntary, tax-favored retirement savings plans. The Board has ongoing authority for (1) reviewing plans administration performance and results, and (2) assisting with employee communication materials, and (3) meeting tax, securities, and various other regulatory promulgations and requirements of administering the Plans.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 10-S-OPTION (Cont.)

It is in the best interest of the State to exercise this two-year renewal option. The fee arrangement on this contract includes a decreasing scale that reduces total percentage cost as the asset size if the managed investment grows. Recent increases have exceeded projections, lowering the effective total fee rate to about six and three-quarter basis points (0.0675%). Contacts to several other state government supplemental retirement plan sponsors confirmed that they are paying comparable scaled fees for similar services. MSRP's investment advisor consultant has confirmed that the fee arrangement is a competitive arrangement as written. In addition to costs, recent financial turmoil and credit market difficulties are best managed by the incumbent who has performed more than satisfactorily.

MSRP expects to publish a RFP around October 2010 to present the award of a new Stable Value Manager contract in January 2011.

An 8% MBE participation goal was established for the MBE subcontractor to invest 8% of the total assets. To date the MBE has been investing 11.3% of the assets or \$85,200,000 of the \$729,099,986 total assets.

FUND SOURCE:	100% Non-Budgeted (Fees paid from Investment Earnings)
APPROP. CODE:	G50L0001
RESIDENT BUSINESS:	Yes
MD TAX CLEARANCE:	09-2141-0011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 11-S-OPTION **Agency Contact:** Mary Jane Osazuwa
410-767-5622
Mosazuwa@dhhm.state.md.us

DEPARTMENT/PROGRAM: Health and Mental Hygiene (DHMH)
Developmental Disabilities Administration
(DDA)

CONTRACT ID: DHMH-OCMP: 07-9298;
Utilization Review Services
ADPICS NO. M00B9200597

CONTRACT APPROVED: 8/9/2006 DBM BPW Agenda Item 4-S

CONTRACTOR: APS Healthcare
Silver Spring, MD

CONTRACT DESCRIPTION: Contract to provide utilization review
services for individuals with developmental disabilities in Maryland.

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

TERM OF ORIGINAL CONTRACT: 9/1/2006 – 8/31/2009 (w/2 one-year renewal
options)

TERM OF OPTION: 9/1/2009 – 8/31/2010

AMOUNT OF ORIGINAL CONTRACT: \$3,262,783 (3 Years)

AMOUNT OF OPTION: \$1,129,940 (1 Year)

PRIOR MODIFICATIONS/OPTIONS: None

REVISED TOTAL CONTRACT AMOUNT: \$4,392,723

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 11-S-OPTION (Cont.)

MBE PARTICIPATION: 5%

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

The purpose of this contract is to determine a level of need for individuals entering three types of services funded by DDA's Fee Payment System services in order to assist in determining rates for payment to the service provider. In addition, the services also include conducting performance audits for individuals currently receiving Community Supported Living Arrangements (CSLA) services to enable DDA to recover money if the services were not delivered at the levels funded.

APS Healthcare (APS) has been providing utilization review services for DDA since the inception of the services in 2006. APS has provided DDA with timely and quality services and accurate data that DDA was able to use to determine the rates for certain services and to recoup funds for services that were not delivered. APS has provided approximately 200 additional "level of need" assessments each year than the projected number in the original contract. During the fiscal years 2007 and 2008, DDA recouped a total of \$233,328. DDA has provided much training and technical assistance to APS staff to ensure timely, quality utilization review services. Therefore, it is in the best interest of the State to exercise the renewal option with APS.

FUND SOURCE: 72% General; 28% Federal

APPROP. CODE: M00M0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1143-0110

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 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: OPASS 07-9250;
Drug Use Review Analyses, Evaluations
and Interventions for Maryland
Medicaid Recipients
ADPICS NO. M00B0400134

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

CONTRACTOR: Health Information Design
Auburn, AL
(Local Office in Pikesville, MD)

CONTRACT DESCRIPTION: Contract to provide development, operation
and management of the Drug Use Review Analyses, Evaluations and Interventions for Maryland
Medicaid Recipients.

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 – 7/31/2009 (w/2 two-year
renewal options)

TERM OF OPTION: 8/1/2009 – 7/31/2011

AMOUNT OF ORIGINAL CONTRACT: \$1,722,234 (3 Years)

AMOUNT OF OPTION: \$1,346,831 (2 Years)

PRIOR MODIFICATIONS/OPTIONS: \$84,958 (See Attachment)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 12-S-OPTION (Cont.)

REVISED TOTAL CONTRACT AMOUNT: \$3,154,023

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 10%

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

Currently, the Fee for Service (FFS) Preferred Drug List (PDL) is maintained by the vendor on the Epocrates™ Formulary Listing Service software. This inclusion provides the prescribers with a comprehensive and accurate resource of all covered medications under the Maryland Managed Care and FFS programs and reduces unnecessary denials and delays for the recipients in obtaining their much needed medication. In addition, it will continue to improve medication compliance with the Managed Care Organizations (MCO) and FFS formularies, hence allowing for long term savings on effective, yet less expensive medications.

Health Information Design (HID) provides technical and administrative support and acts as the executive secretariat to the Drug Utilization Review (DUR) Board as required in the Omnibus Budget Reconciliation Act (OBRA) of 1990. The objectives of this Contract are for HID to: (1) Perform retrospective DUR analyses; (2) Manage the State DUR Board; (3) Provide advice and recommendations to DHMH for DUR related educational and administrative interventions; and (4) Provide oversight and evaluation of the DUR programs in the Medicaid fee-for-service, managed care, and mental health programs.

It is in the best interest of the State to exercise this two-year renewal option with the current vendor to enable continued administration of pharmaceutical services provided to the Maryland Medicaid recipients and the providers that serve them and also to keep in compliance with Federal regulations. In addition, continuity of the current vendor's services ensures that ongoing cost containment efforts remain in place for prescribers to have comprehensive and accurate information provided through the Epocrates™ Formulary Listing Service software that is maintained by HID.

HID also agreed to reduce the price paid by the State for the renewal option. This renewal option price is \$23,525 less than the modification renewal option amount approved on the 2/27/2008 DBM BPW Agenda, Item 7-S-MOD.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 12-S-OPTION (Cont.)

HID's performance on this contract has met and exceeded all of the contractual requirements. The tools that the vendor employs to perform the Drug Utilization review and the subsequent provider interventions to providers that service the Maryland FFS, HealthChoice MCO and Primary Adult Care MCO members, have allowed the agency to achieve significant savings due to the reduction in inappropriate drug utilization by members, and inappropriate prescribing habits by providers. The total amount saved each year is approximately \$429,370.

FUND SOURCE: 50% General; 50% Federal

APPROP. CODE: M00Q0103

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1936-0110

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 7/22/2009

MOD #1

\$84,958

Modification to allow the vendor to extend the Epocrates Formulary Listing Services currently offered to DHMH by maintaining the formulary listings of all HealthChoice MCOs on the Epocrates system for the period 4/1/2008 - 7/31/2009. This mod also increased the prices for the renewal options, if exercised, Option #1: \$1,370,356, an increase of \$134,366 (effective 8/1/2009 - 7/31/2011); and Option #2: \$1,453,811, an increase of \$142,549 (effective 8/1/2011 - 7/31/2013). Approved on the 2/27/2008 DBM BPW Agenda Item 7-S-MOD.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 13-S-MOD **Agency Contact:** Linda Lamone
410-269-2852
llamone@elections.state.md.us

DEPARTMENT/PROGRAM: State Board of Elections (SBE)

CONTRACT ID: SBE-2005-05; Election Reform Program
Management Office Support
ADPICS NO. COB56224

CONTRACT APPROVED: 3/2/2005 DBM BPW Agenda Item 1-S

CONTRACTOR: Saber Government Solutions,
an EDS Company
(formerly Electronic Data Systems Corp.)

CONTRACT DESCRIPTION: Contract to provide Program Management
Office (PMO) support, to include support to SBE in implementing requirements of the Help
America Vote Act of 2002 (HAVA), except for those relating to Voter Registration
implementation and support.

MODIFICATION DESCRIPTION: Modify the contract to add a project
manager for the Prince George's County Board of Elections. (See Requesting Agency Remarks
below.)

TERM OF ORIGINAL CONTRACT: 3/16/2005 – 12/31/2006 (w/4 one-year
renewal options)

TERM OF MODIFICATION: 7/27/2009 – 12/31/2009

AMOUNT OF ORIGINAL CONTRACT: \$2,500,000 Est.

AMOUNT OF MODIFICATION: \$119,990 (5 ½ Months)

PRIOR MODIFICATIONS/OPTIONS: \$2,201,771 Est. (See Attachment)

REVISED TOTAL CONTRACT AMOUNT: \$4,821,761 Est.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 13-S-MOD (Cont.)

OVERALL PERCENT +/- (THIS MOD): +4.80%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 26%

REQUESTING AGENCY REMARKS: Request for approval to modify the contract to add a project manager to the Prince George's County Board of Elections.

The 2008 Presidential General Election posed significant challenges for election officials around the country. In Maryland, the election pointed out a lot of successes and also areas for improvement. One area SBE has identified as needing improvement was certain business processes and project planning in Prince George's County. Accordingly, this modification is being sought in order to secure needed resources for the Prince George's County Board of Elections in order to assist them with the establishment of sound business processes and project management methodologies. These services are especially needed given the fact that the Prince George's County Board has limited staff resources but will still be faced with planning for three major projects, including implementation of a new voting system, conducting early voting for the first time, and the 2010 Gubernatorial Election.

The PMO assistance from Saber Government Solutions, an EDS Company, will provide the Prince George's County Board of Elections with the following discrete activities:

- Planning and scheduling;
- Resource management and cost control;
- Business process review and improvement;
- Training;
- Assessment and mitigation of risks;
- Disaster recovery and continuity of operations;
- Security;
- Quality assurance and control;
- Election day support;
- Communications planning and implementation; and
- Election cycle performance reporting.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 13-S-MOD (Cont.)

FUND SOURCE: 100% Special (Costs allocated to the Local
Elections Office)

APPROP. CODE: D38I0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-2105-1011

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 13-S-MOD (Cont.)

ATTACHMENT

BPW 7/22/2009

PREVIOUS OPTIONS/MODIFICATIONS (Cont.):

Option 1	\$1,601,771	Exercised the first of four one-year renewal options for the period 1/1/2007 – 12/31/2007. Approved 12/6/2006 DBM BPW Agenda, Item 3-S-OPTION.
Option 2	\$ 600,000	Exercised the second of four one-year renewal options for the period 1/1/2008 – 12/31/2008. Approved on the 12/12/2007 DBM BPW Agenda, Item 10-S-OPTION.
Option 3	\$ 0	Exercised the third of four one-year renewal options for the period 1/1/2009 – 12/31/2009. Approved on the 12/17/2008 DBM BPW Agenda, Item 3-S-OPTION. Estimated payments to the Contractor during the year: \$578,880.
Total	<u>\$2,201,771</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT MODIFICATION

ITEM: 14-S-MOD **Agency Contact:** R. Carter Ward
410-230-6024
rsward@dllr.state.md.us

DEPARTMENT/PROGRAM: Labor, Licensing and Regulation (DLLR)
Boards of Barbers and Cosmetologists

CONTRACT ID: P00R3200001;
Board of Barbers & Board of
Cosmetologists License Exams
ADPICS NO. COB59938

CONTRACT APPROVED: 11/20/2002 DBM BPW Agenda Item 3-IT

CONTRACTOR: Prometric, Inc.
Baltimore, MD
(formerly known as Thomson Prometric,
a Division of Thomson Learning, Inc.)

CONTRACT DESCRIPTION: Contract to develop computer based
examinations and provide professional testing and related services for the Board of Barbers and
the Board of Cosmetologists.

MODIFICATION DESCRIPTION: Approval request to extend the term of the
existing contract by four months to allow time to promulgate regulations. (See Requesting
Agency Remarks below.)

TERM OF ORIGINAL CONTRACT: 12/1/2002 - 11/30/2005 (w/2 one-year
renewal options)

TERM OF MODIFICATION: 8/1/2009 - 11/30/2009

AMOUNT OF ORIGINAL CONTRACT: 1,058,670

AMOUNT OF MODIFICATION: \$120,000 (4 Months)

PRIOR MODIFICATIONS/OPTIONS: \$1,616,500 (See Attachment)

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 14-S-MOD

REVISED TOTAL CONTRACT AMOUNT: \$2,795,170

PERCENT +/- (THIS MODIFICATION): 11.33%

OVERALL PERCENT +/-: 58.23%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to extend the contract by four months in order to allow time to promulgate regulations.

The Department has finalized the procurement and has submitted Item 7-S on this Agenda with an award recommendation; however the new examination rates proposed by the recommended awardee will be increased \$5 for each test category in the new contract. These new fee amounts must be changed in regulations. The normal length of time needed to process a regulation change is four months; therefore this extension will allow time to complete the regulation change process.

This contract requires performance of a broad array of services relating to licensing examination development and administration on behalf of the State Board of Barbers and the State Board of Cosmetologists. The two Boards regulate 50,000 licensed practitioners, salons and shops.

There are no direct payments from the State to the contractor under this contract. Instead, the contractor collects a specified per candidate fee from each candidate which fully covers all services provided by the contractor. Fees are \$45 or \$75 per candidate depending on the category tested, and whether a full or partial exam is being administered. As listed in Item 6-S, these fees will increase to \$50 and \$80. The average number of exams per month is expected to be 600 during the extension of this contract. The monthly value of exams is expected to be \$30,000 per month.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 14-S-MOD

FUND SOURCE: 100% Non-Budgeted

APPROP. CODE: P00F0101

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1747-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

ITEM: 14-S-MOD (Cont.)

ATTACHMENT

BPW 7/22/2009

PRIOR MODIFICATIONS/OPTIONS (Cont.):

Mod. #1	\$ 20,000	Extended the period of the original contract from 12/1/2005-12/14/2005. Approved by DLLR.
Opt. #1	\$ 500,000	Renewed contract for the period 12/15/2005-11/30/2006 (Option 1 of 2). Approved on the 12/14/2005 DBM BPW Agenda Item, 16-S-Option.
Mod #2	\$ 28,000	Extended the period of Option #1 from 12/1/2006 - 12/21/2006. Also changed the contractor from Experior Assessments, LLC. to Thomson Prometric. Approved by DBM and reported to the BPW on the NOV. 2006 PAAR.
Opt. # 2	\$ 500,000	Renewed contract for the period 12/22/2006 – 11/30/2007 (Option 2 of 2). Also changed the contractor from Thomson Prometric to Prometric, Inc. Approved on the 12/20/2006 DBM BPW Agenda, Item 9-IT-Option.
Mod. #3	\$ 276,000	Extended the period of Option #2 from 12/1/2007 – 9/30/2008. Approved on the 11/14/2007 DBM BPW Agenda, Item 4-IT-MOD.
Mod. #4	\$ 12,500	Extended the period of Option #2 from 10/1/2008 – 10/15/2008 to allow time for an additional extension period to be approved by the BPW via this Agenda Item. Approved by DBM to be reported to the BPW on the DBM SEPT. 2008 PAAR.
Mod. #5	\$ 250,000	Extended the period of Option #2 from 10/16/2008 – 6/30/2009 to allow time for the competitive procurement and award of a new contract. Approved on the 10/15/2008 DBM BPW Agenda, Item 14-S-MOD.
Mod. #6	\$ 30,000	Extended the period of Option #2 from 7/1/2009 – 7/31/2009 to allow time for an additional extension period to be approved by the BPW via this Agenda Item. Approved by DBM to be reported to the BPW on the DBM JULY 2009 PAAR.
Total	<u>\$1,616,500</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 15-GM **Agency Contact:** Larry Williams
410-260-7195
larryw@dbm.state.md.us

DEPARTMENT: Budget and Management (DBM)
Division of Procurement Policy
& Administration (DPPA)
Fleet Administration Unit (FAU)

AMOUNT OF REQUEST: N/A

DESCRIPTION: Request for approval of Motor Vehicle Purchase
Standards for FY 2010.

REQUESTING AGENCY REMARKS: In accordance with Section 3-502 State Finance and Procurement Article, DBM is responsible for approving and submitting to the BPW for approval of Purchase Standards for motor vehicles for use by the Executive Branch of State Government during FY 2010. Vehicle types included are similar to those approved for FY 2009. About 95% of the State's vehicle acquisitions are covered by the Purchase Standards presented with this Agenda item. Purchase Standards will be submitted throughout the remainder of FY 2010 as they are developed for low volume, special purpose motor vehicles.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 16-GM **Agency Contact:** Lisa O. Arnquist, AAG
410-585-3079
loarnquist@dpscs.state.md.us

DEPARTMENT: Public Safety & Correctional Services

AMOUNT OF REQUEST: \$65,000.00

DESCRIPTION: Settlement of Civil Action, *Kim V. Williams v. Department of Public Safety & Correctional Services*,
U.S. District Court, District of Maryland
Civil Action No. JFM-08-2956

FUND SOURCE: State Insurance Trust Fund

APPROPRIATION CODE: E20B0202

DESCRIPTION: The Department of Public Safety and Correctional Services ("Department"), through the Office of the Attorney General (OAG), requests approval to enter into a settlement of all claims against the Department as the sole defendant in *Kim V. Williams v. Department of Public Safety & Correctional Services*, U.S. District Court, District of Maryland, Civil Action No. JFM-08-2956. This case involves a claim of gender discrimination (sexual harassment) and retaliation brought pursuant to Title VII of the Civil Rights Act of 1964 by an employee of the Department's Division of Pretrial Detention and Services.

REQUESTING AGENCY'S REMARKS: The plaintiff, a female Correctional Maintenance Officer, alleges that she was subjected to gender discrimination and a hostile work environment created by the conduct of at least nine of her male co-workers while she was employed in the maintenance shop at Baltimore City Detention Center from July of 2004 until May of 2007. Plaintiff made her first complaints of sex harassment in May of 2005. In May of 2007, the Department's Equal Employment Opportunity Division sustained Plaintiff's allegations of a hostile work environment. The proposed settlement requires the Department to pay Plaintiff \$65,000, inclusive of attorneys' fees. Plaintiff would dismiss her case with prejudice and release all claims against the Department, the State and its employees arising from the events described above.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 16-GM (Cont.)

The Department and OAG recommend paying \$65,000 to settle all claims, including attorneys' fees, pursuant to Md. Code Ann, State Gov't § 12-404, as in the best interest of the State.

If this request is approved by the Board, a check in the amount of \$65,000.00 should be made jointly payable to Kim V. Williams and Curtis Cooper, Esquire, as legal counsel to the Plaintiff. The check should be mailed to Lisa O. Arnquist, Assistant Attorney General, Department of Public Safety and Correctional Services, 6776 Reisterstown Road, Suite 313, Baltimore, Maryland 21215 to be delivered to Mr. Cooper and to ensure that all of the necessary documentation and releases are completed.

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: 17-GM **Agency Contact:** Valerie Smith, AAG
410-537-1007
vsmith@mdta.state.md.us

DEPARTMENT: Maryland Transportation Authority (MdTA)

AMOUNT OF REQUEST: \$200,000.00

DESCRIPTION: The Maryland Transportation Authority and the Office of the Attorney General request approval, under §12-404 and §12-405 of the State Government Article, to enter into a settlement agreement of all claims in the Civil Action, *George Spicka v. Officer Jeffery Stewart, et al.*, Case No. 24-C-07-009474, in the Circuit Court for Baltimore City.

FUND SOURCE: State Insurance Trust Fund

APPROPRIATION CODE: E20B0202

REQUESTING AGENCY'S REMARKS: The Office of the Attorney General has determined that the Officers were neither grossly negligent nor malicious in the performance of their duties and this request otherwise accords with §12-405 of the State Government Article, Maryland Code. The members of the Maryland Transportation Authority met on April 22, 2009 and formally approve the terms of the proposed agreement and also this request to the Board.

The Maryland Transportation Authority and the Office of the Attorney General recommend that the Board find that the Officers were neither grossly negligent nor malicious in the performance of their duties and approve this settlement to be paid from the State Insurance Trust Fund under §12-404, §12-405, §12-406, and §12-501 of the State Government Article.

The above referenced action arises out of the arrest of Plaintiff, George Spicka, on 10/11/2006 at his home in Woodlawn, Maryland. The arresting officers were Detectives Aaron Chapman and Jeffery Stewart of the Maryland Transportation Authority Police Force. This case also involves the search of Mr. Spicka's home after his arrest and subsequent announcement to the media of the details of the arrest. The Defendants are former Authority Police Officers Aaron Chapman, David Ramnath, Sean Kent, and current Authority Police Officers Jeffery Stewart, Pamela Thorne and Jonathan Green.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 17-GM (Cont.)

The proposed settlement agreement provides that the State of Maryland will pay Mr. Spicka the sum of two hundred thousand dollars (\$200,000). The Authority would also issue an agreed upon retraction to media outlets selected by Mr. Spicka and his attorney. Mr. Spicka, in turn, will release the Defendant Authority Officers and the State from all liability arising from this incident.

If this request is approved, a check in the amount of \$200,000.00 should be made jointly payable to George F. Spicka and the Law Offices of Rhonda Framm, LLC, and should be delivered to Valerie J. Smith, Principal Counsel, Office of the Attorney General, MdTA, 2310 Broening Hwy, Suite 150, Baltimore, MD 21224.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

SERVICES CONTRACT RENEWAL OPTION

ITEM: 18-S-OPTION **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 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.

RENEWAL OPTION DESCRIPTION: Approval request to exercise both one-month renewal options as contained in the modification extension to the current contract in order to respond to a protest on the recommended award.

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

TERM OF RENEWAL OPTIONS: 8/1/2009 – 9/30/2009 (2 Months)

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

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

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 18-S-OPTION (Cont.)

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

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

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REQUESTING AGENCY REMARKS: Request for approval to exercise both one-month renewal options as contained in the modification extension to the current contract in order to respond to a protest on the recommended award.

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.

The estimated amount of funding needed for the two one-month extensions is approximately \$5.0 million; however, the total estimated contract amount of \$169,741,622 for the base contract, option period and one-month extension period will not have been exceeded as of the end of the current contract term on July 31, 2009. It is estimated that approximately \$11.5 million of spending authorization will be left on the contract, which will more than cover the amount needed for these two one-month extensions.

The new award recommendation to operate the Home was submitted to the BPW for approval on this 7/22/2009 DBM BPW Agenda as Item 1-S; however, a timely protest by the non-winning offeror was filed on 7/21/2009. Therefore, Item 1-S is being withdrawn and replaced with this agenda item to exercise both available one-month renewal options. The two one-month renewal options are needed to have time to respond to the protest and bring the award recommendation back to the BPW for approval.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 18-S-OPTION (Cont.)

FUND SOURCE: 22% General;
33% Federal (US Veterans Administration);
38% Non-Budgeted (Medicaid, Medicare);
7% Non-Budgeted (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: 18-S-OPTION (Cont.) **ATTACHMENT**

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.
Mod. #1	\$0	Modification 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 for the period 7/1/2009 – 7/31/2009. Approved on the 6/17/2009 DBM BPW Agenda Item 17-S-MOD.
Total	<u>\$46,000,000</u>	

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

GENERAL MISCELLANEOUS

ITEM: 19-GM Agency Contact: T. Eloise Foster
410-260-7041

DEPARTMENT: Budget and Management (DBM)

FUND SOURCES: (\$205,329,457) General Funds
(\$ 8,032,843) Special Funds
(\$ 54,319,164) Federal Funds

APPROP. CODES: See Backup

AMOUNT OF REQUEST: **(\$267,681,464)**
(See Backup for a summary by
Department/Agency)

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

REQUESTING AGENCY REMARKS: The Backup to this Item, for the Board's approval, is the Governor's list of reductions for fiscal year 2010, by Department and Independent Agency. Consistent with the provisions of §7-213(b) of the State Finance and Procurement Article, no appropriations have been reduced for the payment of the principal and interest on State Debt, public schools mandated funding (including the School for the Deaf and the School for the Blind), or the salary of a public officer during the term of office. No reduction exceeds 25% of the appropriation.

Reversion amounts and fund balance transfers are shown for informational purposes for the General Assembly, the Judiciary and Executive Branch agencies. These reversions will not be part of the reductions to be approved by the Board. These reversions were agreed to by staff of each of the departments.

The Backup sets out the total amount of the reductions for each Agency. These reductions will result in the elimination of 57.5 State employee positions, of which 39.0 are currently filled. The Backup also lists the positions to be eliminated.

**DEPARTMENT OF BUDGET AND MANAGEMENT
ACTION AGENDA**

ITEM: 19-GM (Cont.)

The Secretary of Budget and Management has determined that employees who are separated from State employment as a result of this action shall be granted a lump sum payment equivalent to four weeks of pay. These individuals may also receive four months of State paid (the State's and the employee's share) health insurance, dental and prescription benefits. With the exception of two, these positions shall be eliminated effective 7/29/2009. PINS 015637 and 015962 in the Department of Health and Mental Hygiene will be eliminated effective 10/1/2009.

DBM REMARKS: Approval recommended.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BACK-UP

Agency Reductions
For FY 2010 Amended Appropriation
General Funds

Agency Code	Agency	Legislative Appropriation (in Millions of \$)	Across the Board Reductions (\$)	Other Reductions (\$)	Total Recommended Reductions (\$)	Reduction as a % of Amend. Approp.	Positions
C80	Office of the Public Defender	88.25	200,000	200,000	400,000	0.45%	
C81	Office of the Attorney General	18.88	150,000	50,000	200,000	1.06%	
D10/15/16/18	Exec. Dept - Office of the Governor, Boards and Commissions, Governor's Office for Children, and Secretary of State	109.31	0	200,000	200,000	0.18%	
D26	Dept. of Aging	23.78	0	287,417	287,417	1.21%	
D28	MD Stadium Authority	14.81	0	100,000	100,000	0.68%	
D38	St. Brd of Elections	8.85	0	229,999	229,999	2.60%	
D50	Military Dept.	15.05	0	394,000	394,000	2.62%	
D55	Veterans Affairs	8.31	0	291,000	291,000	3.50%	
D60	State Archives	2.70	0	94,000	94,000	3.49%	
E00	Office of the Comptroller	76.22	0	1,001,453	1,001,453	1.31%	
E20	Treasurer	4.99	0	75,000	75,000	1.50%	
E50	Dept. of Assessments and Taxation	104.17	180,000	0	180,000	0.17%	
E75	State Lottery Agency	1.95	0	68,000	68,000	3.48%	1.00
F50	Dept. of Information Technology	25.03	0	820,050	820,050	3.28%	
H00	Dept. of General Services	59.17	1,500,000	2,071,000	3,571,000	6.03%	
K00	Dept. of Natural Resources	52.17	50,000	2,145,242	2,195,242	4.21%	23.50
L00	Maryland Department of Agriculture	29.96	0	2,205,427	2,205,427	7.36%	6.00
M00	Dept. of Health and Mental Hygiene	3,165.02	200,000	144,734,836	144,934,836	4.58%	11.00
N00	Dept. of Human Resources	566.45	1,120,000	3,285,996	4,405,996	0.78%	1.00
P00	Dept. of Labor, Licensing and Regulation	35.99	0	573,084	573,084	1.59%	1.00
Q00	Dept. of Public Safety and Correctional Services	1,049.67	800,000	613,000	1,413,000	0.13%	
R00	MD State Dept. of Education -Headquarters	103.27	50,000	3,750,469	3,800,469	3.68%	
R00	MD State Dept. of Education - Funding for Educational Orgs.	23.23	0	478,494	478,494	2.06%	
R00	MD State Dept. of Education - Children's Cabinet Interagency Fun	29.06	0	1,017,000	1,017,000	3.50%	
R13	Morgan State University	71.32	0	696,000	696,000	0.98%	
R15	MD Public Television	10.03	0	234,000	234,000	2.33%	
R30	Univ. System of MD	1,034.82	0	17,686,201	17,686,201	1.71%	
R62	Maryland Higher Education Commission	423.96	0	3,033,581	3,033,581	0.72%	
R95	Baltimore City Community College	41.66	0	1,458,000	1,458,000	3.50%	
S00	Dept. of Housing and Community Development	2.52	0	453,418	453,418	18.00%	
T00	Dept. of Business and Economic Development	54.76	0	3,400,507	3,400,507	6.21%	11.00
T50	MD Technology Development Corporation	19.07	0	3,000,000	3,000,000	15.73%	
U00	MD Dept. of the Environment	38.02	200,000	574,623	774,623	2.04%	
V00	Dept. of Juvenile Services	262.12	300,000	2,813,649	3,113,649	1.19%	
W00	Dept. of State Police	170.23	250,000	2,294,011	2,544,011	1.49%	3.00
Total - General Funds:		7,744.81	5,000,000	200,329,457	205,329,457	2.65%	57.50

ITEM: 19-GM

BACK-UP

		Agency Reductions For FY 2010 Amended Appropriation General Funds			Total Recommended Reductions (\$)	Reduction as a % of Amend. Approp.	PINS
Agency Code	Agency	Legislative Appropriation (in Millions of \$)	Across the Board Reductions (\$)	Other Reductions (\$)			
	Prior Year Reversions						
D40	MD Dept of Planning Statewide				250,000		
	Total - Prior Year Reversions				<u>10,000,000</u>		
					10,250,000		
	FY 2010 Reversions						
B75	General Assembly of Maryland				3,000,000		
C00	Judiciary				3,500,000		
M00	Dept. of Health and Mental Hygiene				425,000		
	Total FY 2010 Reversions				<u>6,925,000</u>		
					6,925,000		
	FY 2009 Revenue Transfers						
E20	Treasurer				6,000,000		
W00	Dept. of State Police				4,140,000		
	Total FY 2009 Revenue Transfers				<u>10,140,000</u>		
					10,140,000		
	FY 2010 Revenue Transfers						
C81	Office of the Attorney General				6,000,000		
E75	State Lottery Agency				5,547,033		
	Statewide - Special Fund Interest				10,000,000		
	Total FY 2010 Revenue Transfers				<u>21,547,033</u>		
					21,547,033		
	Fund Balance Transfers						
E50	Dept. of Assessments and Taxation				3,000,000		
F10	Dept. of Budget and Management				500,000		
K00	Dept. of Natural Resources				2,000,000		
Q00	Dept. of Public Safety and Correctional Services				500,000		
R13	Morgan State University				82,097		
R30	Univ. System of MD				20,000,000		
U00	MD Dept. of the Environment				1,250,000		
	FY 2010 Fund Balance Transfers				<u>27,332,097</u>		
					27,332,097		
	Total Fund Balance/Revenue Transfers and Reversions				<u>76,194,130</u>		
					76,194,130		
	TOTAL GENERAL FUND REDUCTIONS AND FY 2010 REVERSIONS				<u>281,523,587</u>		
					281,523,587		

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BACK-UP

**Agency Reductions
 For FY 2010 Amended Appropriation
 Special Funds**

Agency Code	Agency	Amended Appropriation (in Millions of \$)	Across the Board Reductions (\$)	Other Reductions (\$)	Total Recommended Reductions (\$)	Reduction as a % of Amend. Approp.
E75	State Lottery Agency	59.52	0	5,547,033	5,547,033	9.32%
K00	Dept. of Natural Resources	110.13	0	2,485,810	2,485,810	2.26%
Total - Special Funds:		169.65	0	8,032,843	8,032,843	4.73%

**For FY 2010 Amended Appropriation
 Federal Funds**

Agency Code	Agency	Amended Appropriation (in Millions of \$)	Across the Board Reductions (\$)	Other Reductions (\$)	Total Recommended Reductions (\$)	Reduction as a % of Amend. Approp.
D50	Military Dept.	86.29	0	115,000	115,000	0.13%
M00	Dept. of Health and Mental Hygiene	4,418.19	0	53,478,363	53,478,363	1.21%
N00	Dept. of Human Resources	1257.79	0	725,801	725,801	0.06%
Total - Federal Funds:		5,762.26	0	54,319,164	54,319,164	0.94%

TOTAL REDUCTIONS - ALL FUNDS

267,681,464

TOTAL REDUCTIONS - ALL FUNDS (including REVERSIONS)

343,875,594

Back-Up
FY 2010 Cost Containment Position Reductions

PIN Number	Class Code	Class Title	FTE	FY 2010 Salary	Grade	Vacant	Filled
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Maryland State Lottery

087306	2587	Administrator II	1.00	\$47,033	17	1.00	0.00
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Department of Natural Resources

062065	5053	Executive Associate III	1.00	\$55,682	17	0.00	1.00
075314	4409	Computer Information Services Specialist II	1.00	\$49,859	15	0.00	1.00
062107	1362	Office Secretary III	1.00	\$35,144	10	0.00	1.00
013793	3123	Natural Resources Manager III	1.00	\$63,618	17	0.00	1.00
013748	0670	Natural Resources Technician III	1.00	\$39,895	10	0.00	1.00
013594	0213	Administrator VI	1.00	\$75,320	19	0.00	1.00
014020	2139	Park Services Associate I	1.00	\$32,091	12	1.00	0.00
013559A	2043	Administrative Specialist III	0.50	\$16,046	12	0.50	0.00
055463	2310	Natural Resources Planner V	1.00	\$71,129	19	0.00	1.00
056294	2586	Administrator I	1.00	\$59,609	16	1.00	0.00
056297	2310	Natural Resources Planner V	1.00	\$62,220	19	0.00	1.00
013484	2043	Administrative Specialist III	1.00	\$46,055	12	1.00	0.00
046627	6296	Administrator V	1.00	\$77,359	20	0.00	1.00
056309	0023	Research Analyst	1.00	\$49,080	13	0.00	1.00
055563	2589	Administrator V	1.00	\$75,320	19	0.00	1.00
014783	1055	Geologist Program Chief MGS	1.00	\$87,334	21	0.00	1.00
062025	1867	Water Resources Engineer IV Hydrology	1.00	\$70,562	19	0.00	1.00
013634	2572	Administrative Aide	1.00	\$41,694	11	0.00	1.00
053950	6094	Administrator I	1.00	\$59,609	16	0.00	1.00
013664	3121	Natural Resources Biologist II	1.00	\$56,930	15	0.00	1.00
013690	3121	Natural Resources Biologist II	1.00	\$55,859	15	0.00	1.00
013643	2604	Research Statistician IV	1.00	\$64,847	17	0.00	1.00
013810	4462	Natural Resources Technician VI	1.00	\$46,408	13	0.00	1.00
014142	2586	Administrator I	1.00	\$60,757	16	0.00	1.00
TOTAL DNR			23.50			3.50	20.00

Back-Up
FY 2010 Cost Containment Position Reductions

PIN Number	Class Code	Class Title	FTE	FY 2010 Salary	Grade	Vacant	Filled
Agriculture							
014895	2869	Agricultural Marketing Specialist III	1.00	\$65,568	16	0.00	1.00
087345	0517	Soil Conservation Planner II	1.00	\$34,113	13	1.00	0.00
087346	0517	Soil Conservation Planner II	1.00	\$34,113	13	1.00	0.00
087347	0517	Soil Conservation Planner II	1.00	\$34,113	13	1.00	0.00
087348	0517	Soil Conservation Planner II	1.00	\$34,113	13	1.00	0.00
087349	0517	Soil Conservation Planner II	1.00	\$34,113	13	1.00	0.00
TOTAL Agriculture			6.00			5.00	1.00
Department of Health and Mental Hygiene							
020558	2419	Health Policy Analyst II	1.00	\$60,083	17	0.00	1.00
046274	4517	Fiscal Accounts Clerk I	1.00	\$31,708	7	1.00	0.00
015637	3424	Financial Agent III	1.00	\$41,378	10	0.00	1.00
015962	1376	Office Services Clerk	1.00	\$37,890	8	0.00	1.00
005078	987	Agency Budget Specialist II	1.00	\$53,780	15	1.00	0.00
015331	145	Maintenance Engineer I	1.00	\$58,022	15	1.00	0.00
018552	672	Program Administrator V Health Services	1.00	\$70,339	20	1.00	0.00
017152	1376	Offices Services Clerk	1.00	\$36,878	8	0.00	1.00
017269	1376	Offices Services Clerk	1.00	\$36,878	8	0.00	1.00
049561	1376	Offices Services Clerk	1.00	\$30,016	8	0.00	1.00
048229	3617	Health Records Technician II	1.00	\$34,881	9	1.00	0.00
TOTAL DHMH			11.00			5.00	6.00
Department of Human Resources							
032626	2589	Administrator IV	1.00	64,642	19	1.00	0.00
Department of Labor Licensing and Regulation							
033115	2572	Administrative Officer II	1.00	\$42,858	11	0.00	1.00

Back-Up
FY 2010 Cost Containment Position Reductions

PIN Number	Class Code	Class Title	FTE	FY 2010 Salary	Grade	Vacant	Filled
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Department of Business and Economic Development

031905	6094	Administrator I	1.00	\$64,337	16	0.00	1.00
032225	6096	Administrator III	1.00	\$57,208	18	0.00	1.00
052859	3305	Management Specialist III	1.00	\$53,359	14	0.00	1.00
062809	6217	Administrative Officer I	1.00	\$41,581	13	0.00	1.00
076239	6413	Management Associate	1.00	\$41,567	13	1.00	0.00
031360	6094	Administrator III	1.00	\$57,386	16	0.00	1.00
062802	5485	Program Manager Senior IV	1.00	\$123,363	20	0.00	1.00
051119	3184	Administrator V	1.00	\$81,872	20	0.00	1.00
076222	5061	Travel Information Aide II	1.00	\$37,498	9	0.00	1.00
076226	5061	Travel Information Aide II	1.00	\$36,165	9	1.00	0.00
030803	6296	Administrator V	1.00	\$83,433	20	1.00	0.00
TOTAL DBED			11.00			3.00	8.00

State Police

038829	2185	Print Shop Supervisor III	1.00	\$46,055	12	0.00	1.00
038830	760	Offset Machine Operator II	1.00	\$33,752	7	0.00	1.00
077499	5479	Program Manager IV	1.00	\$89,717	22	0.00	1.00
TOTAL State Police			3.00			0.00	3.00

GRAND TOTAL**57.50****18.50****39.00**

Summary of Proposed 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Health and Mental Hygiene					
Medicaid federal fund swap	Due to growth in the State's unemployment rate, Maryland now qualifies for additional funding authorized by the American Recovery and Reinvestment Act of 2009 (ARRA).	75,000,000	75,000,000	0.00	
Hospital assessment fund swap	Increase hospital assessment in FY2010 to reflect higher-than-expected uncompensated care savings.	11,300,000	11,300,000	0.00	
Other fund swaps	(a) Federal Funds are available to support personnel costs in the Office of Health Care Quality, AIDS Administration, and Developmental Disabilities Administration; (b) AIDS drug rebates will support case management services of the Maryland AIDS Drug Assistance Program; (c) Higher-than-expected premium collections will support Maryland Children's Health Program.	3,034,981	3,034,981	0.00	
Medicaid recoveries	Increase estimate of recoveries from Program Integrity activities based on recent successes.	1,000,000	384,100	0.00	
Improve enforcement of eligibility policy	Accelerate disenrollment of individuals whose eligibility for the Primary Adult Care program has expired. No change will be made to eligibility standards, methodologies, or procedures relative to those in effect as of July 1, 2008.	3,600,000	1,357,262	0.00	
Miscellaneous operating expenses	Reduce funding for travel, training, printing, software, vehicle replacement, utilities, advertising and other contractual services.	233,127	233,127	0.00	
Mental Hygiene administrative contracts	Reduce funding for administrative services, pharmacy services, and dietary service contracts based on lower-than-expected need.	1,667,738	1,052,753	0.00	
Other contracts	Projected savings from rebidding contracts in a favorable procurement environment.	1,000,000	1,000,000	0.00	
Utility costs	Reflect savings from energy efficiency projects at Deer's Head and Spring Grove Hospitals.	630,000	630,000	0.00	
Medicaid expansion	Expand Primary Adult Care program to cover emergency room services for childless adults as of January 1 and increase hospital assessment to reflect newly averted uncompensated care.	3,353,000	3,353,000	0.00	

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Summary of Proposed 2009 BPW Reductions

<u>Reduction Item</u>	<u>Reduction Recommendation</u>	<u>Total Fund Reduction</u>	<u>General Fund Reduction</u>	<u>Positions Reduced</u>	<u>Fund Balance/ Reversions</u>
Prescription drug savings	Reduce spending on high-cost drugs in psychiatric hospitals and Maryland Pharmacy Program where there is no indication that medications would be better for patients than less expensive alternatives.	2,400,000	1,168,200	0.00	
Western Maryland Hospital	Reduce budget to reflect lower-than-budgeted population served.	383,776	383,776	0.00	
Eastern Shore Hospital	Convert Eastern Shore Hospital Residential Unit into an Assistive Living Unit, reducing staffing requirements. Staff retained through current vacancies.	718,516	718,516	0.00	
Psychiatric institutions	Reduce budgets for Carter Center, Perkins Hospital, and Springfield Hospital to reflect lower-than-budgeted population served. This reduction will delay opening of high-security unit at Perkins by three months.	5,966,740	5,966,740	0.00	
Hospital savings	Reimplement Medicaid day limits at 120% of average length of stay, effective January 1, or an alternative approved by the HSCRC that generates the same amount of general fund savings.	24,200,000	8,897,720	0.00	
Kennedy Krieger Institute	Allow the temporary rate adjustment for services performed offsite during renovations to expire as planned on January 1, 2010.	1,140,000	437,874	0.00	
DC Children's National Medical Center	Freeze rates to the hospital.	2,000,000	768,200	0.00	
Other hospital payments	Reduce budget based on lower-than-expected HSCRC-regulated rates for psychiatric services.	1,640,000	629,924	0.00	
Provider rates	Eliminate the 0.9% inflation adjustment for community providers.	13,293,206	8,091,299	0.00	
Nursing facilities	Reduce Medicaid rates by 2% as of August 1.	23,100,000	8,872,710	0.00	
New community placements	Reduce funding to reflect delay in moving 40 dually-diagnosed individuals deemed not yet ready for community placements. Placements anticipated by October 1.	836,315	400,000	0.00	

Summary of Proposed July 2009 BPW Reductions

<u>Reduction Item</u>	<u>Reduction Recommendation</u>	<u>Total Fund Reduction</u>	<u>General Fund Reduction</u>	<u>Positions Reduced</u>	<u>Fund Balance/ Reversions</u>
Continue March 2009 cost containment	Continue reduction to Medicaid/MCHP managed care organization (MCO) rates approved for FY 2009, implemented in June 2009; and reinforce cap on payments for MCO administrative expenses as percentage of expected medical expenses.	17,000,000	6,483,282	0.00	
Reversion	Do not expend funding set aside for Medbank grant.				425,000
Bonuses	Eliminate nurse retention bonus consistent with Section 14 of the Budget Reconciliation and Financing Act (BRFA) of 2009.	1,066,742	1,066,742	0.00	
Other salary savings	Eliminate eleven positions (seven filled), keep additional positions vacant for part of the year, reduce overtime, and reduce contractual and temp employment.	3,649,058	3,504,630	11.00	
Public Safety & Correctional Services					
Bonuses	Eliminate correctional officer retention bonus consistent with Section 14 of the Budget Reconciliation and Financing Act (BRFA) of 2009.	588,000	588,000		
Contractual services	Re-estimate contract costs based on actual expenditures.	25,000	25,000	0.00	
Fund balance transfer	Transfer \$500K from Maryland Correctional Enterprises fund balance (\$1m) to General Fund.				500,000
Higher Education					
University System of Maryland					
Operating expenses	Reduce funding for facilities renewal and operating expenses.	17,686,201	17,686,201	0.00	
Fund balance transfer	USM will transfer 3.5% (\$20M) from its fund balance into the General Fund.				20,000,000
Morgan State University					
Operating expenses	Reduce funding for institutional support and increase adjunct faculty.	696,000	696,000	0.00	

Summary of Proposed 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Fund balance transfer	Morgan will transfer 3.5% (\$82,097) from its fund balance into the General Fund.				82,097
Baltimore City Community College					
Operating expenses	Eliminate salaries and fringes associated with positions abolished by BPW in March 2009.	1,458,000	1,458,000	0.00	
Human Resources					
Revised estimate	Reduce Public Assistance payments for adults to reflect estimated caseload and monthly payments.	1,000,000	1,000,000	0.00	
Non-custodial parent employment	Eliminate general funding of Non-custodial parent employment program; reduction will not affect TANF eligible participants; others could be served through other DHR and DLLR programs.	1,500,000	1,500,000	0.00	
Food Stamp Program	Reduce general funding for Food Stamp Corrective Action Plan, as remediation has been completed.	1,417,857	692,056	0.00	
Women's Commission	Reduce funding for Maryland Women's Commission. Eliminates one vacant position.	93,940	93,940	1.00	
Business & Economic Development					
Position abolitions	Abolish 7 filled and 2 vacant positions throughout the agency. Functions will be down-sized and absorbed by remaining staff.	547,088	547,088	9.00	
Contractual services	Reduce contractual services across different programs.	57,200	57,200	0.00	
Economic development	Reduce grants to MD Israeli Development Center, World Trade Center Institute, Military Alliances, Economic Development, and Chesapeake Crescent; \$1,887,883 grant funds will remain.	124,000	124,000	0.00	
Maryland Industrial Training	Eliminate remaining funding for program.	30,958	30,958	0.00	
Nanobiotech grant	Reduce Nanobiotech grant to USM by 50%. This will leave \$250K to continue faculty recruitment.	250,000	250,000	0.00	

Summary of Proposed 2009 BPW Reductions

<u>Reduction Item</u>	<u>Reduction Recommendation</u>	<u>Total Fund Reduction</u>	<u>General Fund Reduction</u>	<u>Positions Reduced</u>	<u>Fund Balance/ Reversions</u>
Welcome Centers	Eliminate 2 positions (1 filled, 1 vacant), reduce contractual hours, and close two centers with lowest annual visitor count (Bay Country & Sideling Hill).	392,226	392,226	2.00	
Fund swap	Fund workforce training grants with Special Funds.	250,000	250,000	0.00	
Contractual positions	Eliminate contractual positions in various programs. Duties will be absorbed by other personnel.	92,710	92,710	0.00	
Operating expenses	Reduce operating expenses, including event sponsorships, management studies, software licenses, tradeshow, advertising, tourism promotion, and strategic planning.	556,325	556,325	0.00	
Tourism Development	Reduce funding for Maryland Tourism Development Board for marketing and promotional activities. \$4.9 million remains.	1,100,000	1,100,000		
Education					
Operating expenses	Reduce operating expenses in Superintendent's Office and juvenile services facilities.	314,286	314,286	0.00	
Fund swap	Shift operating costs to Special Funds.	248,530	248,530	0.00	
Fund swap	Fund half of materials for Library for the Blind with Federal Funds.	100,000	100,000	0.00	
Fund swap	Reduce General Funds and backfill with anticipated increase in indirect cost attainment.	2,084,261	2,084,261	0.00	
Executive pay plan	No salary increase to employees in the Executive Pay Plan.	20,106	20,106	0.00	
Administrative costs	Reduce administrative funding for Infant Hearing Aid Bank (\$53,286). Sufficient funds will remain to purchase hearing aid equipment.	53,286	53,286	0.00	
Contractual services	Eliminate funding for Barcode Contract under which local jurisdictions count assessment tests via scanning devices.	650,000	650,000	0.00	
Loaned educators	Eliminate Headquarters' Reading Program loaned educator. Services should be able to be provided by other pre-K reading initiatives.	130,000	130,000	0.00	

Summary of Proposed 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Enhance services	Use stimulus funds to effect operational efficiencies for the Blind and Physically Handicapped population.	150,000	150,000	0.00	
State Aided Institutions	Reduce grants to State aided institutions by 10%; \$4,306,446 in grant funds remain.	478,494	478,494	0.00	
Planning					
Women's Museum grant	Revert prior year unspent grant funds; museum has a substantial balance from FY 2008 & FY 2009 (approximately \$500k available).			0.00	250,000
Higher Education Commission					
Operating expenses	Hold positions vacant, delay software procurement & reduce operating expenses.	218,000	218,000	0.00	
Reduce educational grants	Reduce grants to Washington Center, UMB Wellmobile, and Academy of Leadership by 50%.	410,250	410,250	0.00	
Sellinger Program	Reduce grant to private institutions to fund at the FY 2009 level.	1,731,793	1,731,793	0.00	
Physician Assistant/Nurse Practitioner grant program	Eliminate program that provides grants to institutions; duplicative of existing grant opportunities.	73,538	73,538	0.00	
Statewide and Health Manpower out-of-county tuition reimbursement	Reduce funding for Statewide and Health Manpower program as MHEC is currently undertaking a review to streamline the program. After reduction over \$6M remains to cover out-of-county tuition reimbursement to institutions for students in eligible programs.	600,000	600,000	0.00	
TEDCO					
Stem Cell Research	Reduce grant funds. After reduction program has \$12.4M to support Stem Cell Research.	3,000,000	3,000,000	0.00	
Juvenile Services					
Structured Shelter Care	Eliminate funding for two contracts, both of which ended on June 30, 2009.	1,355,094	1,355,094	0.00	

Summary of Proposed 2009 BPW Reductions

<u>Reduction Item</u>	<u>Reduction Recommendation</u>	<u>Total Fund Reduction</u>	<u>General Fund Reduction</u>	<u>Positions Reduced</u>	<u>Fund Balance/ Reversions</u>
Mount Clare House	Contract with Mount Clare House (group home provider) ended in March 2009.	882,058	882,058	0.00	
Contracts	Eliminate funding for 3 Intensive Intervention contracts that ended in FY 2009.	576,497	576,497	0.00	
State Police					
Operating expenses	Reduce vehicle purchases, ammunition expenditures, and eliminate one filled position in Media Relations.	1,962,413	1,962,413	1.00	
Print shop	Eliminate print shop operations and outsource to Maryland Correctional Enterprise; abolish 2 filled positions.	199,662	199,662	2.00	
Consolidate operations	Consolidate operations and eliminate certain leased space requirements.	131,936	131,936	0.00	
Natural Resources					
Position abolitions	Abolish 18 filled and 3.5 vacant positions based on department-wide functional analysis and reorganization.	1,794,142	1,396,316	21.50	
Chesapeake Bay 2010 Trust Fund	Reduce by \$2 million and transfer funds to GF; leaves \$8 million	2,000,000			2,000,000
Fund swap	Replace General Funds with Special Funds to support services in three administrations (Forest Services, Natural Resources Police, and Engineering and Construction).	397,826	397,826	0.00	
Contractual services	Reduce contracts that provide non-essential services.	33,958	33,958	0.00	
Fire suppression coordination	Eliminate fire suppression coordination in Central and Southern regions, including two filled positions. Retains staffing in Western and Eastern regions to meet federal match.	107,165	107,165	2.00	
Phytoplankton Monitoring Program	Eliminate monitoring program identified by Chesapeake Bay Program as lower priority.	219,961	131,977	0.00	
Survey	Conduct fishing survey tri-annually versus annually.	78,000	78,000	0.00	

Summary of Proposed 2009 BPW Reductions

<u>Reduction Item</u>	<u>Reduction Recommendation</u>	<u>Total Fund Reduction</u>	<u>General Fund Reduction</u>	<u>Positions Reduced</u>	<u>Fund Balance/ Reversions</u>
General Services					
Operating expenses	Reduce operating expenses, including materials and supplies and equipment replacement.	276,500	276,500	0.00	
Utility savings	Reduce electricity expenditures to reflect anticipated energy savings	500,000	500,000	0.00	
Contractual services	Reduce cleaning services to those most efficient and critical to environment.	794,500	794,500	0.00	
Critical maintenance	Reprioritize scheduled critical maintenance projects to fund projects needing immediate attention.	500,000	500,000	0.00	
Agriculture					
MARBIDCO	Reduce funding for low cost rural business loans by 36%. Leaves \$1.75 million	1,000,000	1,000,000	0.00	
Soil Conservation Districts	Eliminate 5 vacant positions and operating funds for soil conservation districts. Leaves 77 positions.	400,000	400,000	5.00	
Gypsy moth control	Reduce funding by 50%. Additional Federal Funds anticipated and high rainfall expected to reduce moth population.	350,000	350,000	0.00	
Operating expenses	Reduce funding for new vehicle procurements by 50% and print and media advertising by 60%.	202,000	202,000	0.00	
Conservation grants	Eliminate state reimbursement for nutrient management plans and financial assistance for manure transport for non-poultry manures. Will require UM extension service to absorb a larger workload.	170,427	170,427	0.00	
Resource Conservation grants	Eliminate General Fund support for emergency maintenance of drainage outlet systems on the Eastern Shore. After reduction over \$31K still available to support activities.	8,000	8,000	0.00	
Position abolition	Eliminate a filled position supporting the International Marketing Program.	75,000	75,000	1.00	

Summary of Proposed 2009 BPW Reductions

<u>Reduction Item</u>	<u>Reduction Recommendation</u>	<u>Total Fund Reduction</u>	<u>General Fund Reduction</u>	<u>Positions Reduced</u>	<u>Fund Balance/ Reversions</u>
Children's Cabinet Fund					
Local Management Boards (LMBs)	Reduce administrative funding of Local Management Boards by 14%; \$8,135,429 in General Funds will still be available to support LMB administrative services.	1,017,000	1,017,000	0.00	
Comptroller					
Lease purchase costs	Delay purchase of mainframe printers and remittance processors for Annapolis Data Center until late FY 2010; first lease payment not due until FY 2011.	459,759	459,759	0.00	
Operating expenses	Reduce funding for software, computer, and furniture purchases.	481,694	481,694	0.00	
Banking fees	Reduce amount budgeted for banking fees, due to decline in paper tax refunds.	60,000	60,000	0.00	
Information Technology					
Fund swap	Fund operating costs with Special Funds.	250,000	250,000	0.00	
Major IT fund	Reduce to reflect cash flow needs in FY 2010.	285,000	285,000	0.00	
Operating expenses	Delay purchase of project management software and reduce maintenance costs. Maintenance will be purchased in FY 2009 to cover FY 2010.	40,000	40,000	0.00	
Operating expenses	Reduce hardware maintenance, cost of frequency coordination services, and lease PBXs in Network Services program.	245,050	245,050	0.00	
Labor, Licensing & Regulation					
Equipment purchases	Reduce instructional and computer equipment purchases among different units.	179,700	179,700	0.00	
Fund swap	Transfer General Fund position in Apprenticeship and Training to new Workplace Fraud Unit and support with Special Funds.	61,250	61,250	0.00	
Board of Stationary Engineers	Eliminate vacant contractual position in Board of Stationary Engineers.	30,504	30,504	0.00	

Summary of Proposed 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Salary savings	Hold 5 positions vacant in Correctional Education for several months.	152,910	152,910	0.00	
Foreign Trained Nurse Program	Reduce program funding; leaving \$150,000.	50,000	50,000	0.00	
Position abolition	Abolish 1 filled position in DLLR's regulatory programs	48,720	48,720	1.00	
Fund swap	Reallocate funding for Attorney General office to reflect time charges that can be supported with Special and Federal Funds.	50,000	50,000	0.00	
Environment					
Used Tire Cleanup and Recycling Fund	Transfer funds from Used Tire Cleanup and Recycling Fund. Alternative funds may be available.				1,100,000
Radiation Control Fund	Transfer funds from Radiation Control Fund. One-time reduction possible due to influx of penalty money.				150,000
Contract savings	Fund contracts with special funds and encumbrances,	350,000	350,000	0.00	
Reorganization	Reassign 3 staff from Permit Application Assistance to higher priority functions supported by Special Funds.	102,411	102,411	0.00	
Fund swap	Use Special Funds for staffing in the recycling program.	65,366	65,366	0.00	
Operating expenses	Eliminate administrative support to Environmental Health Program and reassign position to non-general fund program.	56,846	56,846	0.00	
Housing & Community					
Fund swap	Fund operating expenses in Division of Neighborhood Revitalization with Special Funds.	203,418	203,418	0.00	
Community Legacy	Eliminate grant for Community Legacy projects. \$4M of capital funding remains.	250,000	250,000	0.00	

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Summary of Proposed July 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Military					
Operating expenses & contractual payroll	Reduce operating expenses (supplies, equipment purchase, travel and training) and contractual payroll that funds employees who support distance learning sites.	409,000	294,000	0.00	
Tuition Assistance Program	Reduce Maryland National Guard's tuition assistance program to \$400,000, which exceeds amount spent per year since FY 2006.	100,000	100,000	0.00	
Veterans Affairs					
Operating expenses	Reduce funding for various expenses, including advertising, printing, equipment rentals, food services, grounds maintenance, repairs and maintenance of buildings and equipment. After reduction almost \$3.9M available for operating expenses.	291,000	291,000	0.00	
Aging					
Fund swap	Shift salary and benefits expenses to Federal Funds.	99,817	99,817	0.00	
Senior Assisted Living Group Housing	Reflects one-time savings from enrollment freeze implemented during FY 2009.	82,873	82,873	0.00	
Naturally-Occurring Retirement Communities (NORCs)	Eliminate \$50,000 no longer needed for administration; \$450,000 in grant funds remain.	50,000	50,000	0.00	
Health Promotion Program	Eliminate State funding as program is duplicative of activities supported by other fund sources.	54,727	54,727	0.00	
Maryland Public Television					
Salary savings	Salary savings from reducing funding for two vacancies.	83,000	83,000	0.00	
Fund swap	Fund portion of master lease payments with Special Funds.	151,000	151,000	0.00	
Board of Elections					
Operating expenses	Reduce funding for technical and special fees and office supplies.	150,000	150,000	0.00	
Replacement equipment	Eliminate funding for replacement computer equipment.	79,999	79,999	0.00	

Summary of Proposed July 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Public Defender					
Capital Defense Division	Anticipated turnover savings from elimination of this division due to 2009 legislation limiting death penalty. Staff will be transferred to other units.	200,000	200,000	0.00	
Governor's Offices					
Salary savings	Increase turnover by delaying filling current and new vacancies. Hold 3 vacancies open through fiscal year.	200,000	200,000	0.00	
Maryland Stadium Authority					
Fund swap	Use non-budgeted funds to cover General Fund reduction to Montgomery County Conference Center.	100,000	100,000	0.00	
Archives					
Fund swap	Fund salary and fringe costs for five positions and warehouse rental fees with Special Funds.	94,000	94,000	0.00	
Treasurer					
Contract reduction	Reduce scope of business recovery services by eliminating contingent hosting support.	35,000	35,000	0.00	
Banking fees	Reduce amount budgeted for banking fees, due to expected reduced investment trades and transactions.	40,000	40,000	0.00	
FY 2009 Revenue	Agency will revert additional \$6 million associated with Unpresented Check Fund and Undeliverable Check Fund.				6,000,000
State Lottery					
Advertising - General Fund Revenue	Reduce advertising budget. After reduction over \$11.8M still available for advertising expenditures.	5,500,000			5,500,000
Operating expenses	Reduce operating expenses. Reduction will be covered by savings in rental of video lottery terminals.	68,000	68,000	0.00	

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Summary of Proposed 2009 BPW Reductions

Reduction Item	Reduction Recommendation	Total Fund Reduction	General Fund Reduction	Positions Reduced	Fund Balance/ Reversions
Position abolition	Eliminate one vacant Special Fund position in video lottery terminal operations. No adverse impact expected.	47,033	0	1.00	47,033
Attorney General					
Salary savings	Agency will delay hiring legal secretary; existing 3 positions will support 15 lawyers.	50,000	50,000	0.00	
FY2010 reversion	Agency anticipates receiving additional payments of approximately \$6M as result of multi-state settlements related to sales of Auction Rate Securities in violation of the Maryland Securities Act.				6,000,000
Judiciary					
Planned reversion (FY 2010)	Judiciary will institute additional cost containment efforts and revert funds at close of FY2010.				3,500,000
General Assembly					
Legislative reversion (FY 2010)	Revert funds to General Fund from the Legislative Branch				3,000,000
Assessments & Taxation					
Fund balance transfer	Transfer \$3M from Charter Unit fund balance to General Fund at end of FY 2010.				3,000,000
Budget & Management					
Fund balance	Transfer \$500,000 from Central Collection Unit fund balance.				500,000
Statewide Reductions					
Real Estate Management Broker	Savings from negotiating lower rental rates.	3,000,000	3,000,000		
Electricity	Savings from rebidding of electricity purchase for State agencies	2,000,000	2,000,000		
FY 2008 and earlier encumbrances	Cancel the encumbrances and revert the funds				10,000,000
Revenues	Assign interest from Special Fund balances to General Fund				10,000,000
Insurance proceeds	Settlement from insurance company related to the crash of a Medevac Helicopter.				4,140,000
TOTAL		<u>267,681,464</u>	<u>205,329,457</u>	<u>57.50</u>	<u>76,194,130</u>

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Combined Total of General Fund Reductions and Fund Balance Reversions	281,523,587
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**SUPPLEMENT C
UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 1-C-MOD

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

INSTITUTION: University of Maryland, College Park

CONTRACT ID: Contract No. B-135384-K
Project No. 02-016-926-00
Construction Management at Risk Services
Denton Dining Hall Renovation

CONTRACT APPROVED: Construction Management at Risk Services
(USM Item 1-C 10/03/07) Pre-Construction Award
(USM Item 4-C MOD 10/01/08) Revised Scope &
Extended Pre-Construction Phase

CONTRACTOR: J. Vinton Schafer & Sons, Inc.
Abington, MD 21009

CONTRACT DESCRIPTION: Construction management services for both pre-construction/design and construction phases to renovate Denton Dining Hall. The 43,859 GSF/27,696 NASF renovation will include a new food court, new cold food production area, expanded loading dock, replacement of the heating ventilation and cooling system, and will be connected to the SCUB V project. The renovation will allow for future creation of new dining options, meet current food safety regulations, solve operating inefficiencies, improve cold food storage and production, and provide improved efficiency.

MODIFICATION DESCRIPTION: To incorporate the Guaranteed Maximum Price (GMP) for renovation of the Denton Dining Hall.

TERM OF ORIGINAL CONTRACT: 9 months - Pre-Construction Phase
(10/03/07 – 7/03/08) Extended to 04/01/09
12 months - Construction Phase

TERM OF MODIFICATION: Construction - 12 months (7/22/09-7/21/10)

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

ITEM: 1-C-MOD (continued)

AMOUNT ORIGINAL CONTRACT: \$ 257,200 (Pre-Construction Phase Only)

MODIFICATIONS TO DATE \$ 298,197

AMOUNT OF MODIFICATION \$14,159,084

REVISED CONTRACT AMOUNT \$14,714,481

PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

PERFORMANCE SECURITY: Payment and Performance bonds at 100% of the contract amount

REMARKS: Contractor has submitted an acceptable GMP proposal. The University's estimate for the base scope of work was \$11.5 million, which compares favorably with the GMP of \$11,565,051 for the same base scope of work. The balance of the proposed GMP of \$2,594,033 is for add alternates bringing the total GMP to \$14,714,481.

Contractor has committed to MBE participation totaling 27.3%, which exceeds the project goal of 25%.

This renovated facility is designed to achieve LEED Silver certification. Building systems and controls are being replaced to improve efficiency. Building envelope improvements include replacing exterior window and doors. The project includes constructing a green roof.

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

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

ITEM: 1-C-MOD (continued)

APPROP CODE: R30B22
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-2099-1111

BOARD OF PUBLIC WORKS

THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

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

CONSTRUCTION CONTRACT MODIFICATION

ITEM: 2-C MOD

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

INSTITUTION:

University of Maryland, Baltimore

CONTRACT ID:

Construction Manager for Phase 1 of the
Towson University College of Liberal Arts
Building, RFP 05-927 RA

CONTRACT APPROVED:

12/15/04 USM BPW Agenda Item 3-C
02/27/08 USM BPW Agenda Item 3-C-Mod
05/20/09 USM BPW Agenda Item 3-C-Mod

CONTRACTOR:

Whiting-Turner Contracting Company
Baltimore, Maryland

CONTRACT DESCRIPTION: Construction management services for both pre-construction and construction phases inclusive of constructing Phase 1 of the project.

MODIFICATION DESCRIPTION: Award GMP #2 for Phase 2: includes Utilities & Final Earthwork, Masonry & Cast Stone, Structural Steel, Exterior Miscellaneous Metals, Roofing, Curtainwall, Plumbing/HVAC/ATC, Fire Protection and Electrical trades, as well as the remaining General Conditions for Phase 2.

ORIGINAL TERM OF CONTRACT:

January 19, 2005 through February 19, 2009

MODIFICATION TERM OF CONTRACT:

January 19, 2005 through August 19, 2011

AMOUNT OF ORIGINAL CONTRACT:

\$38,435,090.

AMOUNT OF MODIFICATION:

\$27,610,853

PRIOR MODIFICATIONS:

\$29,891,924

REVISED TOTAL CONTRACT AMOUNT:

\$95,937,867

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

ITEM: 2-C MOD (continued)

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

MBE PARTICIPATION: 25%

REMARKS: The project will consolidate the Departments of English, Modern Languages, Philosophy/Religious Studies, Sociology, Anthropology, Criminal Justice, History, Geography, Environmental Planning, Political Science, Psychology, Interdisciplinary Studies, Gerontology, and Women's Studies into one building as well as to plan for projected growth in the undergraduate enrollment at Towson University. Phase I is scheduled for completion by 8/19/09.

Construction of Phase 2 of the project is underway. This modification is to award GMP #2. We anticipate at least two more GMPs for construction of Phase 2. The estimated construction cost for Phase 2 is \$66,700,000.

The MBE commitment for this project is 25%. The Construction Manager has met the MBE commitment of 25% for Phase 1. GMP #2 for Phase 2 has achieved 29.4% MBE participation and overall Phase 2 has achieved 25.6% MBE participation.

FUND SOURCE: MCCBL 2009, Item 057

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-0292-1111

BOARD OF PUBLIC WORKS THE ABOVE REFERENCED ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA

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

REAL PROPERTY: Acquisition by Deed

ITEM: 3-RP

INSTITUTION: Salisbury University

DESCRIPTION: Salisbury University seeks approval to acquire an approximate 2.9 acre parcel of land located on the west side of Route 13 in Salisbury. The property is contiguous to the University campus and is improved with approximately 26,270 square feet of vacated retail space that fronts Route 13.

PROPERTY: 1306-1322 S. Salisbury Boulevard
Salisbury

GRANTOR: Salisbury University Foundation, Inc.

GRANTEE: State of Maryland for the use of the University System of Maryland on behalf of its constituent institution Salisbury University

APPRAISED VALUE: Appraisal Services, Inc. \$3,125,000
W. R. McCain & Associates \$2,960,000

FUND SOURCE: Plant Funds

APPROP. CODE: R29 B29

PRICE: \$3,125,000.00

**UNIVERSITY SYSTEM OF MARYLAND
ACTION AGENDA**

ITEM: 3-RP (continued)

REMARKS: Salisbury University is in the midst of the largest enrollment increase in its history; this includes a significant increase in demand for on-campus housing. Currently, the University has on campus housing for approximately 1700 students with an approximate unmet demand of 960.

According to a 2007 study, housing within the City of Salisbury is 96% saturated. The acquisition of the S. Salisbury Boulevard property will accommodate an approximate 600-bed residence hall through a \$45 million public/private partnership constructed above approximately 23,000 square feet of privately funded retail and dining venues. The University is currently negotiating with a developer selected under a competitive process for the design and construction of this mixed used development. Upon completion of negotiations with the developer, the University will return to the Board of Public Works for the approval of a ground lease and details concerning the proposed housing and retail project. The projected completion date for this project is August 2011.

This acquisition was approved by the Board of Regents on June 20, 2008.

BOARD OF PUBLIC WORKS

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: Ronald Brothers
(410) 585-3100
rbrothers@dpsc.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT: Public Safety & Correctional Services (DPSCS)

CONTRACT NO & TITLE: DPSCS IT&CD 2009-33
ADPICS NO. Q00B9200323

DESCRIPTION: System management support maintenance of existing software products.

AWARD: BMC Software Distribution, Inc.
Houston, TX

TERM: 8/01/2009 - 7/31/2012

AMOUNT: \$149,859 (3 Years)

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None

INCUMBENT: Same

REMARKS: This contract continues essential maintenance for proprietary software products that perform management and intelligent optimization tasks on the DPSCS mainframe infrastructure. The utility enables DPSCS to develop and maintain a strategy that aligns technology to business needs. In addition, the utility provides DPSCS with the tools necessary to manage system workload, performance, and throughput of mission critical business applications and ensures that the system is always available. The software provides a consolidated view of systems activities and components allowing for centralized performance and capacity management to monitor storage resources and receive alerts regarding potential problems. BMC Software, Inc. is the sole owner of the propriety software; because of this there is no subcontractor participation.

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

ITEM: 1-IT (Cont.)

FUND SOURCE: 100 % Gen.

APPROP. CODE: Q00A0102

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1249-1111

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:

Carmina Perez-Fowler 410-865-1121
cperezfowler@mdotstat.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Department of Transportation (MDOT)

CONTRACT ID:

MDOT-09-NMS
ADPICS NO. J01B9200013

CONTRACT DESCRIPTION: Information Communications and Technology (ICT) network management and maintenance services. The contractor will also provide operations support, technical services, disaster recovery services, as well as security and certification services for the MDOT enterprise network

AWARD:

L-3 Services, Inc.
Reston VA

TERM:

7/23/2009 – 7/22/2014 (w/2 one-year renewal options)

AMOUNT:

\$42,944,221 – (5 Year; Base Contract)
\$ 8,201,247 – (1 Year, 1st Renewal)
\$ 8,444,107 – (1 Year, 2nd Renewal)
\$59,589,575 – (Total 7 Years)

PROCUREMENT METHOD:

Competitive Sealed Proposals

BIDS OR PROPOSALS:

See Attachment

MBE PARTICIPATION:

35%

PERFORMANCE SECURITY:

\$2,000,000

INCUMBENT:

Computer Science Corporation, Inc.

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

ITEM: 2-IT (Cont.)

REMARKS: A notice of the availability of the Request for Proposals was advertised on *eMarylandMarketplace.com* and the MDOT website. The RFP was sent to the Governor's Office of Minority Affairs. Six proposals were received, four of which were deemed reasonably susceptible of award and were evaluated.

Through its technical proposal and oral presentation, L-3 Services, Inc. demonstrated the knowledge, ability and proactive approach for meeting MDOT's capacity management needs; L-3's response indicated a clear, detailed and proven understanding of the Information Technology Infrastructure Library framework. Further, L-3 showed technical depth of IT Service Continuity Management, Network Security, Chain of Custody and Forensics. All of these areas are extremely important for the management of MDOT's network, including the safekeeping of sensitive information.

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

MDOT's enterprise wide network is currently being managed through a coordinated approach to avoid unnecessary redundancy and provide seamless, cost-effective access for all Transportation Business Unit administrations including the Maryland Aviation Administration, Maryland Transportation Authority, Maryland Port Administration, Maryland Transit Administration, Maryland Motor Vehicle Administration, State Highway Administration, Coordinated Highway Action Response Team (CHART), and The Secretary's Office.

This is a fixed-price contract for Capacity Management of the network, based on the services to be provided in support of the network devices, their topology, geographic concentration, and the resources required to meet or exceed the Service Level Agreements. It also includes labor rates for time and material services for project based services in support of the network, throughout the term of the resulting Contract.

In addition, there was 30% MBE participation goal in the RFP, L-3 has exceeded the goal by agreeing to a participation goal of 35%.

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

ITEM: 2-IT

FUND SOURCE: 100% Special (Transportation Trust Fund)

APPROP. CODE: J01 39293 09293 0880 Program 07

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1966-1111

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

APPROVED

DISAPPROVED

DEFERRED ✓

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

BIDS OR PROPOSALS:

	<u>Technical Rank</u>	<u>Financial Offer/Rank</u>	<u>Overall Rank*</u>
L-3 Services, Inc., Reston Va.	2	\$59,589,576 (2)	1
Gantech, Columbia, Md	1	\$92,101,816 (3)	2
CSC, Hanover, Md.	3	\$42,982,489 (1)	3
Verizon, Hanover, Md.	4	\$99,570,975 (4)	4

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

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

ITEM: 3-IT MOD

Agency Contact:

Dorothy Rice 410.767.7024

DRice@dhhm.state.md.us

Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

CONTRACT ID: OPASS 05-8466
Data Entry Services
ADPICS NO. COB55281

CONTRACT APPROVED: 8/11/2004 DBM 7-IT

CONTRACTOR: Highland Data Services
Blue Grass VA

CONTRACT DESCRIPTION: Data entry and 100% key verification services for DHMH's Public Health, Medical Assistance, Vital Records, and General Accounting programs.

MODIFICATION DESCRIPTION: Six-month extension to award new contract.

TERM OF ORIGINAL CONTRACT: 8/16/04 – 8/1/05 (W/4 one-year renewal options)

TERM OF MODIFICATION: 8/16/09 – 2/15/10

AMOUNT OF ORIGINAL CONTRACT: \$207,656

AMOUNT OF MODIFICATION: \$250,000.00 (6 Months)

PRIOR MODIFICATIONS/OPTIONS: See Attachment

REVISED TOTAL CONTRACT AMOUNT: \$1,904,536

PERCENT +/- (THIS MODIFICATION): 120.6%

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

ITEM: 3-IT MOD (Cont.)

OVERALL PERCENT +/-: 399.7%

ORIGINAL PROCUREMENT METHOD: Competitive Sealed Proposals

REMARKS: A solicitation through a multi-step bid process was issued April 27, 2009. Bids were received from four bidders. Three of the four bids failed the technical test required to be considered responsible for award. Bidders were required to submit test files of all of the documents currently being processed under the existing contract. Only the incumbent submitted acceptable test files for all of the documents.

Due to questions raised by one bidder about the clarity and fairness of the testing materials and the DHMH's desire to obtain competition. DHMH determined the best course of action was to revise and reissue the solicitation. This six-month extension of the current contract at the existing rates will allow time for this.

FUND SOURCE: General 70.6%; Federal 29.4%

APPROP. CODE: A248G; T220G; T379G; T3790

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1938-0000

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

Mod #1	\$0	No cost modification to increase the pre record price for Three document types. Increased per record processing price for three documents (Fetals, FMIS, UBIP/OP) due to discrepancy between estimated number of records per document in solicitation and actual number of records being processed by vendor. For the period from 3/1/2005 to 8/15/2005.
Opt. #1	\$216,720	Exercise the first of four one-year renewal options for the period from 8/16/2005 to 8/15/2006.
Mod #2	\$0	Revised pricing for two documents due to formatting changes and added one additional document to the contract No change in overall price of the contract. Formatting changes to documents identified as "Cancer" and "Kidney" resulted in additional key strokes by vendor to process; price was adjusted accordingly from \$0.55 to \$1.51 (Cancer) and \$0.31 to \$1.69 (Kidney); new document identified as "Children's Medical Services" added to contract at price of \$1.31 per document. For the period from 8/31/2005 to 8/15/2006.
Opt. #2	\$216,720	Exercise the second of four one-year renewal options for the period from 8/16/2006 to 8/15/2007.
Mod #3	\$ 45,000	Modification to provide additional funding for Option #2, Year 3 of the contract. The additional funding is necessary due to previous increases in document data processing price and high volume of work. For the period from 7/15/2007 to 8/15/2007.
Opt #3	\$216,720.28	Exercise the third of four one-year renewal options for the period 8/16/2007 to 8/15/2008
Mod #4	\$210,000	Emergency modification (July 2, 2008 Secretary's Agenda Appendix 1) to provide additional funding for Option #3 Funding is necessary due to sudden and unanticipated increase in number of Medicaid UBIP/OP records submitted for processing.
Opt. #4	\$216,720	Exercised renewal option for the period 8/16/2008 - 8/15/2009. DoIT BPW Agenda 7/16/2008, Item Item 2-IT-MOD.
Mod. #5	\$325,000	Modification to add funding for Option Year #4. DoIT/BPW Agenda 7/16/2008, Item 2-IT-MOD.
	<u>\$1,446,880</u>	
	Total	

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

ITEM: 4-IT

Agency Contact:

Michele Molesworth 410-585-1950

mmolesworth@dnhm.state.md.us

Robert Krysiak (410) 260-7179

Robert.Krysiak@doit.state.md.us

DEPARTMENT: Health and Mental Hygiene (DHMH)

CONTRACT ID: OPASS 10-10183
Upgrade licensing database to
Web-based version MyLicense Office
ADPICS NO. M00B0400063

DESCRIPTION: Upgrade the License 2000 database to a newer version - MyLicense Office - is totally Web based. This version will enhance to the licensing and credentialing portion of the database as well as the enforcement module for more efficient and effective tracking and monitoring of complaints and rehabilitation. In addition, the license verification portion which is available online for employers will become real-time instead of one day out.

AWARD: System Automation
Columbia, MD

TERM: 8/1/2009 – 6/28/2010

AMOUNT: \$146,500

PROCUREMENT METHOD: Sole Source

MBE PARTICIPATION: None (See Remarks)

INCUMBENT: Same

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

ITEM: 4-IT (Cont.)

REMARKS: The Board of Nursing initially contracted with System Automation, Inc. as the result of the award of an RFP for a licensing database in 1995. The licensing database moved the Board's records from the Annapolis Data Center and the mainframe to a client server environment using Oracle as the database engine. This system was called the Nursing Information System (NIS).

NIS provided the ability to issue and renew nursing licenses and track complaint and rehabilitation issues for nurses. The Nursing Board was able to do away with a number of manual tracking processes and maintain more efficient and effective records by using the database. All licenses were printed at the Nursing Board's office rather than off site which allowed for better control of the process. Bubble scanning was implemented at approximately the same time. All renewal applications were scanned and the file imported into NIS for renewal and printing.

In 1997, the Nursing Board moved to an imaging system using handwriting recognition software and with workflow. This system was integrated to work well with the licensing database and both systems have continued to thrive. In 1999 the Nursing Board was mandated to begin certifying nursing assistants as of January 1, 2000. DHMH moved to a more generic version of the licensing database called License 2000.

DHMH would now like to move to the newer version called MyLicense Office and MyLicense Verification which will provide additional features for licensing and credentialing as well as a more efficient and effective enforcement module. MyLicense Verification will allow for real-time licensing and certification information to be available for employers since the Nursing Board no longer issues licenses or certificates. The Nursing Board had its initial database developed by this vendor in 1995 and has continued to use the product for our licensing database.

Since this is proprietary software and System Automation is the only vendor with access to the source code to make changes, there are no subcontracting opportunities.

FUND SOURCE: 100 % Special Funds

APPROP CODE: M00A0105

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

ITEM: 4-IT (Cont.)

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1711-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 5-IT

Agency Contact:

Elliot Schlanger
(410) 260-2994
Elliot.Schlanger@doit.state.md.us
Robert Krysiak (410) 260-7179
Robert.Krysiak@doit.state.md.us

DEPARTMENT:

Information Technology (DoIT)

CONTRACT ID:

Resource Sharing Agreement
ADPICS NO. F50B0400003

DESCRIPTION:

Resource sharing agreement in consideration of Maryland Institute for Emergency Medical Services Systems (MIEMSS) entering into a microwave relocation agreement.

AWARD:

T Mobile USA, Inc
Bellevue, WA

TERM:

7/22/2009 - 7/21/2010

AMOUNT:

N/A (see Remarks below)

PROCUREMENT METHOD:

N/A

MBE PARTICIPATION:

N/A

REMARKS: The Federal Communications Commission reallocated and auctioned certain frequencies, including those used by the affected paths in this agreement, to T-Mobile for use by emerging technologies known as Advanced Wireless Services. T-Mobile has determined that this system may interfere with MIEMSS' affected paths and therefore desires that MIEMSS voluntarily cancel its license and use of the affected paths in accordance with FCC procedures. In exchange, T-Mobile has agreed to provide MIEMSS with a replacement system.

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

ITEM: 5-IT (Cont.)

In-kind compensation due from the company to the State includes establishing a line of credit with Microwave Networks, Inc. in the amount of \$81,016 and Communications Electronics, Inc. in the amount of 50,263.20 to be charged against by MIEMSS solely for the purpose of purchasing equipment and services for the new facilities, as well as a line of credit in the amount of \$25,000 to be charged against by the State and MIEMSS solely for the purchasing equipment and services as required for temporary facilities. Total value to the State is \$156,279.20.

Installation of new facilities will allow MIEMSS to continue to operate those services formerly utilizing the frequencies reallocated and auctioned by the FCC.

As required under Section 3A-307(c)(3)(ii) of the State Finance and Procurement Article, this item has been submitted to the Legislative Policy Committee (LPC) for review and comment and public notice has been posted on *eMarylandMarketplace.com*. LPC concurrence was obtained 7/7/09.

FUND SOURCE: Revenue Generating
APPROP. CODE: N/A
RESIDENT BUSINESS: Yes
MD TAX CLEARANCE: 09-2127-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

ITEM: 6-IT (Cont.)

ESRI has provided maintenance to MDE since 1997 in support of their GIS software. In March 2009, ESRI and MDE began a difficult negotiation of terms and conditions for a new contract that caused a delay in finalizing the contract resulting in this request for retroactive approval.

Due to the proprietary nature of this service, there is no subcontract participation.

FUND SOURCE: 91% General, 4% Federal, 3% Reimbursable, and 2% Special (The Clean Air Fund)

APPROP. CODE: U0501

RESIDENT BUSINESS: No

MD TAX CLEARANCE: 09-1886-1011

DoIT REMARKS: Retroactive approval requested pursuant to 11-201(c) State Finance & Procurement Article.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 1-C

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-0590-0940R
Maryland & Delaware Railroad – Massey to Chestertown
Rehabilitation MP 0.5 to MP 16.8
ADPICS NO. T05900940

CONTRACT DESCRIPTION: This contract is for the rehabilitation of the track segment identified as the Chestertown Line of the Maryland and Delaware Railroad; Headquarters located in Federalsburg, MD.

AWARD: Bullock Construction, Inc.
Easton, MD

TERM: 240 Calendar Days

AMOUNT: \$1,546,493.00

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:
Bullock Construction, Inc. \$1,546,493.00
Easton, MD

Amtrac Railroad Contractors of MD, Inc. \$1,627,354.50
Hagerstown, MD

Railroad Constructors, Inc. \$1,691,706.00
Paulsboro, NJ

Atlas Railroad Construction Co. \$1,863,663.80
Eighty Four, PA

DBE PARTICIPATION: 19%

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

REMARKS: The Engineer's Estimate for this contract was \$2,162,751.00

This Solicitation was advertised in eMaryland Marketplace and on MTA's Web Site on 8/28/08. Forty-one (41) firms received bid packages; Fourteen (14) were Maryland firms. Four (4) bids were received.

ITEM: 1-C (Continued)

BPW – 07/22/09

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-2034-1111

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 2-C

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-1076-0240
Eastern Maintenance Bldg. Addition & Bus Facilities
Rehabilitation
ADPICS NO. T10760240

CONTRACT DESCRIPTION: This contract is for the expansion and renovation of the Eastern Bus Maintenance Building, located on Eastern Avenue in Baltimore, MD. The work to be performed will include the construction of a new 2,950 square foot building addition and the resurfacing of the entire floor with a wear resistance polyurethane composite coating. Also included is the minor modification of the Wash Water Recycling system.

AWARD: Brawner Builders, Inc.
Hunt Valley, MD

TERM: 270 Calendar Days

AMOUNT: \$1,229,700.00

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Brawner Builders, Inc. Hunt Valley, MD	\$1,229,700.00
Towson Mechanical Timonium, MD	\$1,354,802.00
Orfanos Contractors, Inc. Baltimore, MD	\$1,378,000.00
Warwick Supply & Equip. Co., Inc. Sparks, MD	\$1,564,000.00
Total Site Contractors, Inc. Baltimore, MD	\$1,820,878.00
System "42" Inc. Beltsville, MD	\$1,824,241.00

DBE PARTICIPATION: 30%

ITEM: 2-C (Continued)

BPW – 07/22/09

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

REMARKS: The Engineer's Estimate for this contract was \$1,381,645.00.

This Solicitation was advertised in eMaryland Marketplace and on MTA's Web Site on 7/23/08. Fifty-four (54) firms received bid packages; Forty-five (45) were Maryland firms. Six (6) bids were received.

MTA is modifying the current energy efficient steam heating system to accommodate the new space and will be using green insulation materials to seal in the controlled indoor temperatures. Recycled water will be used in the maintenance facility.

FUND SOURCE: 80% Federal Funds
20% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1517-0111

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 – 07/22/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

CONSTRUCTION CONTRACT

ITEM: 3-C

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT ID: T-1076-0540
Bush Bus Division No. 2 Heating & Ventilation
Replacement
ADPICS NO. T10760540

CONTRACT DESCRIPTION: This contract is for the removal and replacement of the heating and ventilation system located in the Maintenance Building 2, at the MTA Bush Street Bus Division, 1515 Washington Blvd in Baltimore, MD. The existing heating and ventilation system is 30 years old.

AWARD: Towson Mechanical, Inc.
Timonium, MD

TERM: 240 Calendar Days

AMOUNT: \$1,166,975.00

PROCUREMENT METHOD: **Competitive Sealed Bidding**

- BIDS:**
- Towson Mechanical, Inc. \$1,166,975.00
Timonium, MD
 - Arica Consulting & Contracting, LLC \$1,370,000.00
Jessup, MD
 - J. F. Fischer, Inc. \$1,373,000.00
Baltimore, MD
 - Denver-Elek, Inc. \$1,465,806.00
Baltimore, MD
 - Welch Rushe \$1,507,800.00
Upper Marlboro, MD
 - C & H Mechanical Corporation \$1,622,000.00
Millersville, MD

ITEM: 3-C (Continued)

BPW – 07/22/09

BIDS (Cont'd):

Temp Air Co., Inc. Baltimore, MD	\$1,763,384.00
EMCOR Services Combustioneer Rockville, MD	\$1,784,800.00
Warren-Ehert Co. of MD, Inc. Baltimore, MD	\$1,807,395.00
Hot & Cold Corporation Clinton, MD	\$1,981,200.00

DBE PARTICIPATION: 35%

PERFORMANCE SECURITY: Performance Bond at 100% of Contract Amount

REMARKS: The Engineer's Estimate for this contract was \$1,478,130.

This project was advertised in eMaryland Marketplace and on MTA's Web Site on 12/15/08. Sixty-six (66) firms received bid packages; Fifty-eight (58) were Maryland firms. Ten (10) bids were received.

FUND SOURCE: 80% Federal Funds
20% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05H0105

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-2122-0111

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

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

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM: 4 -C

MOTOR VEHICLE ADMINISTRATION

CONTRACT ID: V-MUL-08053-C
Roof Replacement for Annapolis, Waldorf, Salisbury
ADPICS NO. VMUL08053C

CONTRACT DESCRIPTION: This contract provides for the furnishing of all labor, materials and supervision necessary for the roof replacement for the MVA Annapolis, Waldorf and Salisbury Branch Offices.

AWARD: Warren-Ehret Company of Maryland Inc.
Baltimore, MD

AMOUNT: \$1,279,507.00

TERM OF CONTRACT: 180 Calendar Days

PROCUREMENT METHOD: **Competitive Sealed Bidding**

PERFORMANCE SECURITY: A Performance Bond and Payment Bond for 100% of the award exists for this Contract.

BIDS:

Warren-Ehret Company of Maryland Inc. \$1,279,507.00
Baltimore, MD

Phoenix Contracting Services Inc. \$1,405,878.00
Baltimore, MD

Potteiger-Raintree, Inc. \$1,430,390.00
Fruitland, MD

Ruff Roofers Inc. \$1,455,740.00
Baltimore, MD

Alliance Roofing & Sheet Metal Inc. \$1,627,127.00
Baltimore, MD

Vista Contracting, Inc. \$1,715,000.00
Washington, DC

ITEM: 4-C (Continued)

BPW – 07/22/09

MBE PARTICIPATION: 12%

REMARKS: The Engineer's Estimate for this project was \$1,647,956.00.

This Solicitation was advertised on the eMaryland Market Place on 2/24/09. Thirty-three (33) contractors purchased plans and specifications, of which twenty-six (26) were Maryland firms. Ten (10) bids were received, three (3) bids were deemed non-responsible due to unable to provide the MVA with a 25 year NDL warranty and one (1) bid was deemed non-responsive due to incomplete MBE forms.

FUND SOURCE: 100% Special Funds Budgeted to MVA

APPROPRIATION CODE: J04E0003

TAX COMPLIANCE NO: 09-2033-1111

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

ARCHITECTURAL/ENGINEERING SERVICES:

ITEM: 5-AE

MARYLAND TRANSPORTATION AUTHORITY:

CONTRACT ID: MdTA 2007-02, A, B, C, D
Comprehensive Project Planning and Miscellaneous
Consulting Services

DESCRIPTION: These are four (4) task order based contracts, which will provide comprehensive project planning and miscellaneous consulting services for the Maryland Transportation Authority. The services will include planning, environmental services, travel forecasting and miscellaneous consulting services including revenue and expense forecasting, toll analyses, right-of-way/real estate services, public relations, and on behalf of the Authority, review documents pertaining to traffic developed by others as directed by the Authority.

PROCUREMENT METHOD: Maryland Architectural and Engineering Services Act: recommendation approved by the Transportation Professional Services Selection Board on July 2, 2009

AWARD:

Rummel, Klepper & Kahl, LLP Contract A
Baltimore, MD

URS Corporation Contract B
Hunt Valley, MD

Johnson, Mirmiran & Thompson, Inc. Contract C
Sparks, MD

Jacobs Engineering Group, Inc. Contract D
Baltimore, MD

CONTRACT TERM: Four (4) years (ending July 2013)

AMOUNT: \$8,000,000.00 (Contract A)
\$6,000,000.00 (Contract B & C each)
\$4,000,000.00 (Contract D)

MBE PARTICIPATION: 25%

ITEM:	5-AE (Continued)	BPW -- 07/22/09 2 nd REVISION	
PROPOSALS:	<u>Technical Proposal Rating</u>	<u>Technical Rating</u>	<u>NTE Price</u>
Rummel, Klepper & Kahl, LLP Baltimore, MD	930.00	1	\$8,000,000.00
URS Corporation Hunt Valley, MD	927.63	2	\$6,000,000.00
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	896.62	3	\$6,000,000.00
Jacobs Engineering Group, Inc. Baltimore, MD	802.45	4	\$4,000,000.00
Wallace, Montgomery & Associates / Skelly Loy JV Baltimore, MD	801.78	5	N/A
McCormick Taylor / DMJM Harris JV Baltimore, MD	801.72	6	N/A
Gannett Fleming / A. Morton Thomas JV Baltimore, MD	721.00	7	N/A
Century Engineering, Inc. / Greenhorne & O'Mara JV Baltimore, MD	686.17	8	N/A
KCI Technologies / STV Incorporated JV Baltimore, MD	635.50	9	N/A

REMARKS: This Solicitation was advertised in the The Daily Record and eMaryland Marketplace. A total of nine (9) engineering consultant firms submitted technical proposals for this project, all of which are Maryland firms. Price proposals were solicited and received from the top four (4) ranked firms. The five (5) firms that were not selected were debriefed.

The consultant will provide travel-forecasting data including transit use, develop indirect and cumulative effects analyses and conduct community involvement activities to complete environmental documents meeting the requirements of the National Environmental Policy Act and Maryland Environmental Policy Act, as applicable to Authority Projects.

The consultants shall perform all services in accordance with the solicitation for the Project. The work areas are: Harry W. Nice Memorial Bridge, Thomas J. Hatem Memorial Bridge, William Preston Lane Jr. Memorial Bridge, Baltimore Harbor Tunnel Thruway, Fort McHenry Tunnel, Francis Scott Key Bridge, Seagirt Marine Terminal, Point Breeze, Inter County Connector (ICC) and John F. Kennedy Memorial Highway and any new facilities the authority may acquire or Construct in the future.

ITEM: 5-AE (Continued)

BPW -- 07/22/09

2nd REVISION

We further note that in compliance with BPW Advisory No. 1995-01 the original contracts contain a provision authorizing no-cost extensions.

FUND SOURCE: 100% Toll Revenue

APPROPRIATION CODE: 29.10.02.01

MD TAX CLEARANCE:	Rummel, Klepper & Kahl, LLP	09-1656-1111
	URS Corporation	09-1657-1111
	Johnson, Mirmiran & Thompson, Inc.	09-1658-1111
	Jacobs Engineering	09-1668-1111

RESIDENT BUSINESS: Yes

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	

Robert P. Gay (410) 545-0433
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BPW – 07/22/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 6-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2008-12B
Landscape Inspection Services, Statewide
ADPICS NOS.: SBCS0812B

CONTRACT DESCRIPTION: This is one (1) of two (2) open-end task order contracts to provide landscape inspection services, Statewide.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;** recommendation approved by the Transportation Professional Services Selection Board on July 2, 2009.

AWARD: Whitney, Bailey, Cox & Magnani, LLC
Century Engineering, Inc.
Baltimore, MD

AMOUNT: \$3,000,000.00

TERM: Five (5) Years (ending July 1, 2014)

MBE PARTICIPATION: 12%

PROPOSALS:

	<u>Technical Proposal Rating (Max 770)</u>	<u>Technical Ranking</u>	<u>Negotiated Price</u>
Development Facilitators, Inc. Millersville, MD	557	1	Contract A
Whitney, Bailey, Cox & Magnani, LLC/ Century Engineering, Inc. Baltimore, MD	548	2	\$3,000,000.00
Johnson, Mirmiran & Thompson, Inc. Sparks, MD	517	3	N/A
Greenhorne & O'Mara, Inc. Laurel, MD	476	4	N/A

ITEM: 6-AE (Continued)

BPW – 07/22/09

REMARKS: This Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page. A total of four (4) engineering consultant firms submitted technical proposals for this project, of which all are Maryland firms.

The Consultant will perform inspection services for specific landscape construction, landscape maintenance and vegetation management projects as directed by the Landscape Operations Division. The work will also include environmental analysis and landscape architectural services.

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: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: B0101

MD TAX CLEARANCE: 09-1891-1111

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
 Rgay@sha.state.md.us

BPW -- 07/22/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 7-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2008-15 B
 Construction Contract Claims and CPM Review Services,
 District 6 (Allegany, Garrett and Washington Counties)
 ADPICS NO.: SBCS0815B

CONTRACT DESCRIPTION: This is the second of two (2) task order contracts for
 Construction Claims Services, District 6.

PROCUREMENT METHOD: **Maryland Architectural and Engineering Services Act;**
 recommendation approved by the Transportation
 Professional Services Selection Board on July 2, 2009.

AWARD: Alpha Corporation
 Baltimore, MD

AMOUNT: \$1,000,000.00

TERM: Five (5) Years (ending July 1, 2014)

DBE PARTICIPATION: 20%

PROPOSALS:

	<u>Technical Proposal Rating (Max 790)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Alpha Corporation Baltimore, Maryland	471	1	\$1,000,000.00
McDonough Bolyard Peck / Michael Baker Jr., Inc. Columbia, Maryland	459	2	N/A
Rummel, Klepper & Kahl, LLP Baltimore, Maryland	443	3	N/A
Century Engineering, Inc./ Whitney, Bailey Cox, & Magnani, LLC/ Urban Engineers, Inc. Hunt Valley, Maryland	418	4	N/A

ITEM: 7-AE (Continued)

BPW -- 07/22/09

PROPOSALS (Cont'd):

	<u>Technical Proposal Rating (Max 790)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Trauner Consulting Services, Inc. Philadelphia, Pennsylvania	384	5	N/A
MDC Systems, Corp., LLC Paoli, Pennsylvania	319	6	N/A

REMARKS: The Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page.

The Consultant shall perform Construction Contract Claims and CPM Review Services to supplement the District 6 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 Administration's construction office in District 6, 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: 09-1376-1111

RESIDENT BUSINESSES: Yes

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

APPROVED
 DISAPPROVED
 DEFERRED
 WITHDRAWN
 WITH DISCUSSION
 WITHOUT DISCUSSION
 180

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

BPW -- 07/22/09
REVISED

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

ARCHITECTURAL/ENGINEERING SERVICES

ITEM: 8-AE

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BCS 2009-01 A
 Supplemental Engineering Support Services,
 District 3 (Montgomery and Prince George's
 Counties)
 ADPICS NO.: SBCS0901A

CONTRACT DESCRIPTION: This is a single task order contract for supplemental
 engineering support services in District 3.

PROCUREMENT METHOD: **Maryland Architectural and Engineering
 Services Act**; recommendation approved by the
 Transportation Professional Services Selection
 Board on July 2, 2009.

AWARD: Rummel, Klepper & Kahl, LLP
 Baltimore, MD

AMOUNT: \$3,000,000.00

TERM: Five (5) Years (ending July 1, 2014)

DBE PARTICIPATION: 40%

PROPOSALS:

	<u>Technical Proposal Rating (Max 660)</u>	<u>Technical Ranking</u>	<u>NTE Price</u>
Rummel, Klepper & Kahl, LLP Baltimore, MD	502	1	\$3,000,000.00
Greenman Pedersen, Inc Wallace Montgomery & Assoc., Inc. Annapolis Junction, MD	443	2	N/A
Dewberry & Davis, Inc. / Greenhorne & O'Mara, Inc. Baltimore, MD	438	3	N/A
Gannett Fleming, Inc. Baltimore, MD	421	4	N/A

ITEM: 8-AE (Continued)

BPW -- 07/22/09

REVISED

REMARKS: This Solicitation was advertised in The Daily Record, eMaryland Marketplace and SHA web page.

The goal established for this contract was 27%. The contractor is exceeding the goal by 13%.

The Consultant shall perform Supplemental Engineering Support Services to supplement the District 3 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 Highway Administration's District 3 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: 09-1831-1111

RESIDENT BUSINESSES: 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 -- 07/22/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT:

ITEM: 9-M

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MC-10-001
 Radio and Communications Equipment Radio & Maintenance at
 BWI Thurgood Marshall and Martin State Airports
 ADPICS NO. MAAMC10001

CONTRACT DESCRIPTION: This contract provides for repair and maintenance of 1,123 pieces of communication equipment which are the property of Maryland Aviation Administration (MAA).

AWARD: Communications Electronics, Inc.
 Timonium, MD

TERM OF CONTRACT: Three (3) Years (December 1, 2009-November 30, 2012), with one
 (1) two (2) year renewal option

AMOUNT: \$669,344.00 (3 Years)
\$465,500.00 (cost of two-year option including 3% CPI increase)
 \$1,134,844.00 (aggregate value including two-year renewal
 option)

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Communications Electronics, Inc. \$669,344.00
 Timonium, MD

Transcore \$727,483.60
 Lanham, MD

AR, Inc. \$982,520.00
 Annapolis, MD

MBE PARTICIPATION: 0% (no certified MBE firms available)

REMARKS: MAA Advertised on eMaryland Marketplace and the MAA Website on 5/7/09. Eight (8) sets of plans and specifications were sold and four (4) bids was received. The number of firms with the expertise to perform the contract requirements for this specialized aviation – related equipment is limited.

ITEM: 9-M (Continued)

BPW -- 07/22/09

FUND SOURCE: 100% Special Funds Budgeted to MAA

APPROPRIATION CODE: JO6I00023

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1992-1111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

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

BPW -- 07/22/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT:

ITEM: 10-M

MARYLAND AVIATION ADMINISTRATION:

CONTRACT ID: MAA-MC-10-007
 Inspections, Repair and Maintenance of Portable
 Fire Extinguishers and Other Non-Water Based Protection Systems
 at BWI Thurgood Marshall and Martin State Airports
 ADPICS NO. MAAMC10007

CONTRACT DESCRIPTION: This contract provides for inspection, repair and maintenance of various fire suppression systems at BWI Thurgood Marshall and Martin State Airport.

AWARD: Fireline Corporation
 Baltimore, MD

TERM OF CONTRACT: Five (5) Years (September 1, 2009-August 31, 2014), with one (1) five (5) year renewal option

AMOUNT: \$182,601.76 (5 Years)
\$189,000.00 (cost of five-year option including 3% CPI increase)
 \$371,601.76 (aggregate value including five-year renewal option)

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Fireline Corporation \$182,601.76
 Baltimore, MD

Harris Fire Protection Co., Inc. \$222,236.00
 Fallston, MD

MBE PARTICIPATION: 0% (see remarks)

REMARKS: MAA Advertised on eMaryland Marketplace and the MAA Website on 4/30/09. Six (6) sets of plans and specifications were sold and two (2) bids was received.

Only one (1) MBE Firm is certified by the Maryland Department of Transportation to perform these services.

FUND SOURCE: 100% Special Funds Budgeted to MAA

ITEM: 10-M (Continued)

BPW -- 07/22/09

APPROPRIATION CODE: JO6I00023

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1993-1111

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 – 07/22/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 11-M

MARYLAND PORT ADMINISTRATION

CONTRACT ID: 290029-M
 Rail Maintenance Services
 ADPICS NO. P090657

CONTRACT DESCRIPTION: The contract requires routine preventive rail maintenance and emergency repairs at MPA marine terminals. The contract term is two (2) years with two (2), two-year renewal options, subject to a CPI increase in price not to exceed 4% for each renewal period.

AWARD: Amtrac Railroad Contractors of Maryland Inc.
 Hagerstown, MD

AMOUNT: \$ 722,300.00 (2 years – initial term)
 \$ 751,192.00 (1st renewal option including NTE 4% CPI)
 \$ 781,240.00 (2nd renewal option including NTE 4% CPI)
 \$2,254,732.00 (aggregate value)

TERM: September 1, 2009 through August 31, 2011 (initial term)
 September 1, 2011 through August 31, 2013 (1st renewal option)
 September 1, 2013 through August 31, 2015 (2nd renewal option)

PROCUREMENT METHOD: **Competitive Sealed Bidding**
 (Single Bid Received)

MBE PARTICIPATION: 100%

PERFORMANCE SECURITY: Performance Bond at 100% of the Contract Amount

REMARKS: This Solicitation was advertised on eMaryland Marketplace on 4/2/09. Fourteen contractors received notification of the solicitation, including four certified MBE firms that were directly solicited and five Maryland companies. Only one (1) bid was received, from Amtrac Railroad Contractors of Maryland Inc., an MDOT Certified MBE firm.

The contract requires routine preventive rail maintenance and repairs which includes emergency situations 24 hours/day, 7 days/week at various MPA marine terminals. Examples of work include: maintain the level and grade of railroad track; perform periodic inspections of track, switches and related gear to identify hazardous and wearing conditions; repair railroad track switches, boxes and associated gear; perform monthly preventive maintenance and dispose of used railroad ties and switch ties.

ITEM: 11-M (Continued)

BPW – 07/22/09

There was a 0% MBE subcontracting goal established for this contract due to the small number of employees to be supplied by the contractor (one supervisor/track inspector, one trackman, and one laborer) and the specialized nature of the work required (track maintenance in accordance with Federal railroad regulations and a Federally-licensed supervisor/inspector).

FUND SOURCE: 100% Special Funds Budgeted to MPA

APPROPRIATION CODE: J03D0002

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1531-1111

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 -- 07/22/09

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

MAINTENANCE CONTRACT

ITEM: 12-M

STATE HIGHWAY ADMINISTRATION

CONTRACT ID: BA8626114
 Landscape Maintenance of the I-83 Corridor and Various Interchanges from I-695 to the Pennsylvania State Line in Baltimore County, Maryland
 ADPICS NO. BA8626114

CONTRACT DESCRIPTION: This Contract consists of the landscape maintenance of the I-83 corridor and various interchanges from I-695 to the Pennsylvania State Line in Baltimore County.

AWARD: Ground Covers Unlimited, Inc.
 Joppa, MD

AMOUNT: \$228,582.00 NTE

TERM OF CONTRACT: August 3, 2009 through April 30, 2011

PROCUREMENT METHOD: **Competitive Sealed Bidding**

BIDS:

Ground Covers Unlimited, Inc. \$228,582.00
 Joppa, MD

Lorenz Lawn & Landscape, Inc. \$240,372.00
 Baltimore, MD

MBE PARTICIPATION: 2%

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

REMARKS: The Solicitation was advertised on eMaryland Marketplace and SHA's Internet Web Page on 1/6/09. One-hundred seventy-two (172) contractors were notified for this project on eMaryland Marketplace; Twenty eight (28) of which were MDOT Certified MBE's.

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

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

ITEM: 12-M (Continued)

BPW – 07/22/09

FUND SOURCE: 100% Special Funds Budgeted to SHA

APPROPRIATION CODE: J02B0102

RESIDENT BUSINESS: Yes

MD TAX CLEARANCE: 09-1454-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

190

**DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA**

CONTRACT MODIFICATION (Maintenance)

ITEM: 13-M-MOD

MARYLAND TRANSIT ADMINISTRATION:

CONTRACT NO. & TITLE: T-8000-0218
 Light Rail Vehicle Traction Motor Overhaul/Repair
 ADPICS NO. T80000218

ORIGINAL CONTRACT APPROVED: Item 5-M, DOT Agenda 11/28/07

MODIFICATION: Change Order No. 2 provides additional funding for overhaul and repair of traction motors used in the Light Rail Operation.

CONTRACTOR: Sherwood Electromotion, Inc.
 Woodbridge, Ontario Canada

AMOUNT: \$48,000.00

ORIGINAL CONTRACT AMOUNT: \$214,250.00

REVISED CONTRACT AMOUNT: \$307,250.00

PERCENTAGE INCREASE: 22.4% (Change Order No. 2)
 43.4% (Overall)

ORIGINAL TERM: December 17, 2007 – December 16, 2009

ORIGINAL MBE PARTICIPATION: 10%

PERFORMANCE SECURITY: N/A

REMARKS: The contract provides overhaul and repair of the light rail vehicle traction motors. The OEM (original equipment manufacturer) requires that the motors be overhauled every 10 years. Most of the motors are beyond that period and it is showing up as additional repairs and increased costs within this current contract. The additional funding is needed to cover the additional cost and allow the remaining motors on the Light Rail vehicles to receive the overhauls.

FUND SOURCE: 100% Special Funds Budgeted to MTA

APPROPRIATION CODE: J05 H0105

ITEM: 13-M-MOD (Continued)

BPW – 07/22/09

RESIDENT BUSINESS: No

TAX COMPLIANCE NO.: 09-2032-0000

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	192

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

BPW – 07/22/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 14-RP MMC# 08-2179

STATE HIGHWAY ADMINISTRATION: Located south of Epping Forest Road between MD 178 and the former WB&A Railroad right-of-way in Anne Arundel County, Maryland

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of this parcel of land, as described. The property to be conveyed consists of ± 0.618 acres and is being conveyed at the appraised value to the sole adjoining owner

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Clockwise, LLC

CONSIDERATION: \$12,000.00

APPRAISED VALUE: \$12,000.00 appraised by Thomas Herbert, fee appraiser. Reviewed and approved by William T. Caffrey, Jr., Chief of SHA Appraisal Review Division (one appraisal, one review appraisal per form 19)

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

SHA is concurrently requesting permission to dispose and execution of the Deed. The Deed has been forwarded to the Executive Secretary, Board of Public Works for execution.

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

APPROVED **DISAPPROVED** **DEFERRED** **WITHDRAWN**
WITH DISCUSSION **WITHOUT DISCUSSION** 193

Robert Gay – 410-545-0433
Rgay@sha.state.md.us

BPW -- 07/22/09

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 15-RP MMC# 09-2234

STATE HIGHWAY ADMINISTRATION: Eastside of MD 237 at Nancy Lane in St. Mary's County, Maryland.

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described which is excess to the needs of the State Highway Administration.

This property being conveyed is part of a right-of-way transaction for the MD 237 roadway improvements from MD 235 to Pegg Road in St. Mary's County. The property to be conveyed consists of ± 7,086 SF and in non-developable.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Raymond G. and Shirley A. Combs

CONSIDERATION: \$12,400.00

APPRAISED VALUE: \$12,400.00 appraised by Thomas Herbert, fee appraiser, report reviewed and approved by J. Michael Jones, SHA Appraisal Review, as per form 19.

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

The initial offer for the right of way acquisition from the Combs was \$41,200. Settlement is in the amount of \$53,600 which includes the initial offer plus the value of the extra land being conveyed.

As part of right of way settlement, SHA and the Grantee agreed that in compensation for other land acquired from the Grantee by SHA for the widening of MD 237, SHA would convey to the subject parcel, which is adjacent to the Grantee's existing property.

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

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

BPW – 07/22/09
REVISED

**DEPARTMENT OF TRANSPORTATION
ACTION AGENDA**

REAL PROPERTY CONVEYANCE

ITEM: 16-RP MMC# 08-2217

STATE HIGHWAY ADMINISTRATION: Park and Ride lot located on Providence Road north of I-695 in Baltimore County, Maryland

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of 8.2 ± acre parcel of land improved with a Park and Ride lot located on Providence Road in Baltimore County. In accordance with the Annotated Code, SHA is required to convey the property for the lesser of the appraised value versus the original acquisition costs, plus interest.

SPECIAL CONDITIONS: Property will remain as a Park and Ride

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Board of Education of Baltimore County, Maryland

CONSIDERATION: Parcel of land owned by Grantee (valued at \$363,200) to MDOT, (Maryland Transportation Authority (MdTA)

APPRAISED VALUE: \$823,000 appraised by Stephen Muller and appraisal report reviewed by Paul Mazelis, Approved by William T. Caffrey, Jr., Chief of SHA Appraisal Review Division and Gina M. Anthony, Deputy Director (one appraisal, one review appraisal per form 19)

REMARKS: In accordance with the Section 8-309(g)(1)(2)(ii) and Section 8-303(b)(1) and (c)(1) of the Transportation Article, Annotated Code of Maryland. SHA will convey the Park and Ride to the Board of Education of Baltimore County for SHA’s original acquisition costs, plus interest which totals to \$127, 395. In exchange for the Park and Ride parcel, Baltimore County will convey to the MDOT, Maryland Transportation Authority 2.42 acres of right of way located adjacent to I-95 south of I-695 that is needed by the MdTA for its I-95, Section 100 project.

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

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF TRANSPORTATION
ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 17-RP MMC# 09-2232

STATE HIGHWAY ADMINISTRATION: Located Southeast side of Garrett Road and Overhill Road, Montgomery County, Maryland.

EXPLANATION: In accordance with COMAR 14.24.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of SHA.

The property to be conveyed consists of ± 0.892 acres and is being conveyed to the adjoining owner as part of a right-of-way transaction.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, State Highway Administration

GRANTEE: Dorothy Kent

CONSIDERATION: \$45,000.00

APPRAISED VALUE: \$45,000.00, Stephen H. Muller, fee appraiser
Reviewed and approved by Shelby J Hicks,
Review Appraiser, as per form 19.

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

This property is being conveyed in accordance with the terms of an “Agreed Inquisition” settlement for property acquired by SHA for the Intercounty Connector project in Montgomery County.

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

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

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

APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
	WITH DISCUSSION	WITHOUT DISCUSSION	

David K. Greene - 410-537-1073
dgreenc2@mdta.state.md.us

BPW – 7/22/09

DEPARTMENT OF TRANSPORTATION
 ACTION AGENDA

REAL PROPERTY CONVEYANCE

ITEM: 18-RP MMC# 09-7008

MARYLAND TRANSPORTATION AUTHORITY: I-95 Section 100 Extended from South of I-95/I-895 North Split (Moravia Road) to North of 43 (New Forge Road)

EXPLANATION: In accordance with COMAR 14.25.05, approval is requested to dispose of a parcel of land, as described, which is excess to the needs of the MdTA.

The property to be conveyed consists of +/- 0.3551 acres and is being conveyed in accordance with the terms of an option agreement.

SPECIAL CONDITIONS: None

GRANTOR: State of Maryland, Maryland Transportation Authority

GRANTEE: Honeygo Run Reclamation Center, Inc.

CONSIDERATION: \$108,300.00

APPRAISED VALUE: \$108,300.00, appraised by Brendi Hantzes, fee appraiser, on August 8th 2008. Reviewed and approved by Joseph DiPietro Review Appraiser, MD 04-1192

REMARKS: Approval of conveyance is requested in accordance with Section 8-309 (f) (1) (i) of the Transportation Article of the Annotated Code of Maryland. This parcel is not capable of an independent use, because of its location and the fact the parcel is landlocked. MdTA is concurrently requesting permission to dispose of the excess land and for execution of the Deed. A second appraisal was prepared by Karen Belinko on November 28th 2008 in the amount of \$120,750.00. Mr. DiPietro determined that the value of \$108,300.00 was within the fair market value range of this parcel.

MdTA agreed to dispose of this extra land to lower the cost of acquisition by \$108,300 from Honeygo Run Reclamation Center, Inc Item No's 97742, 97743, 97744, 97745 and 97746. The subject property was cleared thru The Modal Clearance Process as an exclusionary item, due to its size and landlocked status. The Capital Committee voted to dispose of this parcel on June 4th 2009 and following the Committee's recommendation the Authority Members approved the disposal of the parcel at their meeting on June 24th 2009.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

197

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C

DEPARTMENT OF THE ENVIRONMENT

Bureau of Mines
Allegany County, MD.

CONTRACT NO. AND TITLE

Project No. F-001-082-004;
Kirby Energy Permit #373 Forfeiture
Reclamation Project
ADPICS NO. 001B0400044

DESCRIPTION

restoration of a 22 acre forfeited surface coal mine site.

This project consists of the stabilization and

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

A.L.L. Construction., Inc.
Mt. Storm, WV.
Earth Movers Unlimited, Inc.
Kylertown, PA.
Pine Mountain Coal Company, Inc.
Frostburg, MD
Excavating Associates, Inc.
Ellerslie, MD.

AMOUNT

\$457,400.00
\$457,930.00
\$472,763.00
\$580,186.00

AWARD

A.L.L. Construction, Inc.
Mt. Storm, WV.

AMOUNT

\$457,400.00

TERM

120 Calendar Days

MBE PARTICIPATION

17.31%

PERFORMANCE BOND

100% of full contract amount

REMARKS

This project was advertised for construction on eMarylandMarketplace on April 22, 2009. Bids were received on May 14, 2009 with four bidders responding. The government estimate was \$546,158.00.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT

ITEM 1-C

The MBE goal of 15% no split was exceeded by A.L.L. Construction as affirmed by DGS Office memorandum dated May 22, 2009.

The project site is located one-half mile south of Mount Savage in northwestern Allegany County. The mine operator’s permit was revoked, and bond forfeited, in 2001 due to non-compliance with State and Federal mining laws. The Bureau of Mines decided to proceed with formal reclamation following unsuccessful attempts to have a new operator reinstate the permit.

Restoration work will involve the backfilling and re-grading of approximately 345,000 cubic yards of spoil material, and revegetation of the 22 acre site. Existing site drainage ditches and ponds will be maintained in proper functional condition, and additional sediment and erosion control measures will be provided as necessary to prevent on-site and off-site sedimentation.

FUND SOURCE U00.A04.10.48525.03.0899.4181
Bituminous Coal Open Pit Mining
Reclamation

RESIDENT BUSINESS No

TAX COMPLIANCE NO. 09-1722-0001

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION ✓

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT**ITEM** 2-C**MARYLAND PUBLIC TELEVISION**Statewide Digital Interconnection System
Baltimore & Anne Arundel Counties**CONTRACT NO. AND TITLE**Project No.TV-000-094-001;
Television Tower Demolition and Removal
ADPICS NO. 001B0400045**DESCRIPTION**

Contract approval for the safe demolition and removal of two guyed Analog television towers, and related site work in conjunction with the Statewide Digital Interconnect System with one location in Owings Mills and a second location in Crownsville, MD.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS**AMOUNT**

G-W Management Services, LLC. Rockville, MD.	\$237,000.00
Vertical Technology Services, LLC. Hagerstown, MD.	\$321,940.00
United States Tower Services, LTD. Frederick, MD.	\$403,644.00
Service All, Inc. Mitchellville, MD.	\$431,000.00
FPECINC, Baltimore, MD.	\$450,000.00
GOEL Services, Inc. Washington, DC.	\$494,900.00

AWARDG-W Management Services, LLC.
Rockville, MD.**AMOUNT**

\$237,000.00

TERM

90 Calendar Days

MBE PARTICIPATION

20%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CONSTRUCTION CONTRACT MODIFICATION

ITEM 3-C-MOD

DEPARTMENT OF GENERAL SERVICES

James and Miller Senate Buildings
Annapolis, MD.

CONTRACT NO. AND TITLE

Project No. BA-000-071-101;
Brick Wall and Courtyard Reconstruction
ADPICS NO. COB58528

ORIGINAL IQC TASK ORDER APPROVED

DPRB Item IQC-05 9/19/2008

CONTRACTOR

North Point Builders, Inc.
Baltimore, MD.

CONTRACT DESCRIPTION

Contract approval for the selective demolition, material salvage for reuse, re-pointing, masonry cleaning, and partial reconstruction of the existing brick wall along, the Bladen Street Courtyard between the James and Miller Senate Buildings, plus Alternate #1 to renovate the College Avenue Courtyard, and Alternate #2 to extend irrigation water supply from the Miller Building basement to the Bladen Street Courtyard.

MODIFICATION DESCRIPTION

This modification includes the costs of deleting Alternate #1 - the College Avenue Courtyard renovation (\$184,300.00), deleting three Allowances in the base contract (\$100,000.00), and adding the interior hardscape and landscape improvements in the Bladen Street Courtyard \$314,500.00. (See Remarks below)

TERM OF ORIGINAL CONTRACT

120 Calendar Days

AMOUNT OF ORIGINAL CONTRACT

\$438,300.00

AMOUNT OF MODIFICATION

\$30,200.00

PRIOR MODIFICATIONS/OPTIONS

\$0 – 133 day extension

REVISED TOTAL CONTRACT AMOUNT

\$468,500.00

PERCENT +/- (THIS MODIFICATION)

6.89%

OVERALL PERCENT

6.89%

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 4-M

**DEPARTMENT OF HEALTH AND
MENTAL HYGIENE**

Rosewood Center
Owings Mills, MD.

CONTRACT NO. AND TITLE

Uniformed Guard Services at
Rosewood Center;
ADPICS NO. 001B0400027

DESCRIPTION

Approval is requested for a contract to provide unarmed uniformed guard service for the Rosewood Center, a DHMH facility, located in Owings Mills, MD.

PROCUREMENT METHOD

Competitive Sealed Bidding
Small Business Reserve (SBR)

BIDS OR PROPOSALS

Graham Security Services
Glen Burnie, MD.

AMOUNT
\$226,008.00

Dunbar Guard Services
Baltimore, MD.

\$228,490.00

American Security Co., Inc.
Upper Marlboro, MD.

\$229,950.00

Amazing Security & Investigations, LLC.
Wheaton, MD.

\$251,850.00

Philadelphia Protection Service
Oreland, PA.

\$268,494.00

Maryland Security Professionals
Annapolis, MD.

\$277,400.00

AWARD

Graham Security Services
Glen Burnie, MD.
(Small Business Reserve #SB08-2879)

TERM

8/1/2009 - 7/31/2010 (W/2 one-year renewal options)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 5-M

PUBLIC SAFETY AND CORRECTIONAL SERVICES Division of Pretrial Detention Services
Baltimore, MD.

CONTRACT NO. AND TITLE Unarmed Uniformed Guard Services;
ADPICS NO. 001B9200859

DESCRIPTION Approval is requested for a contract to
provide unarmed uniformed guard services at the Division of Pretrial and Detention Services
located in Baltimore, MD. for a period of three (3) years

PROCUREMENT METHOD Competitive Sealed Bidding
(Small Business Reserve)

<u>BIDS OR PROPOSALS</u>	<u>BASE BID</u>
I.W.G. Protection Agency, Inc. Baltimore, MD.	\$706,043.52
Triad Security Service, Inc. Silver Spring, MD.	\$726,485.76
Amazing Security & Investigations, LLC. Wheaton, MD.	\$726,485.76
Dunbar Guard Services Baltimore, MD.	\$759,507.84
BTI Security Silver Spring, MD.	\$774,184.32
Safe Sites Security Co. Inc. Owings Mills, MD.	\$785,191.68
American Security Company Inc. Upper Marlboro, MD.	\$786,240.00
Armed Security, Inc T/A Butler Security Halethorpe, MD.	\$814,020.48
Shields of Honor, LLC. Laurel, MD.	\$816,117.12
Integrity Security Services Windsor, MD.	\$966,552.00

AWARD I.W.G. Protection Agency
Baltimore, MD.

Martin O'Malley
Governor

Anthony G. Brown
Governor



Alvin C. Collins
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

September 14, 2009

OK
File

Sheila McDonald, Esq.
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, Maryland 21401-1991

RECEIVED
2009 SEP 15 AM 10:45
BOARD OF PUBLIC WORKS

SUBJECT: July 22, 2009 BPW Action Agenda Item

Dear Ms. McDonald:

This is to advise you of the following changes to the Department of General Services' Agenda item previously approved by the Board of Public Works.

<u>BPW July 22, 2009</u>	<u>FROM:\$ 706,043.52 – H00 10257 0808 420</u>
<u>Item 5-M</u>	<u>(DPSC Operating Funds)</u>
<u>Pages 10-11</u>	
<u>Unarmed Uniformed Guard</u>	<u>TO:\$ 215,735.52 – Q09 10 51110 8230</u>
<u>Service</u>	<u>235,347.84 – Q09 11 51110 8230</u>
<u>Division of Pretrial Detention</u>	<u>235,347.84 - Q09 12 51110 8230</u>
<u>Service</u>	<u>19,612.32 – Q09 13 51110 8230</u>
<u>Baltimore, Maryland</u>	<u>(DPSC Operating Funds)</u>

Reason: Incorrect fund source.

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

MAINTENANCE CONTRACT

ITEM 6-M (Revised)

DEPARTMENT OF GENERAL SERVICES

Maryland State House
State Circle
Annapolis, MD.

CONTRACT NO. AND TITLE

Project# BA-491-020-70;
Remove and Replace Electrical Rag Wire
State House;
ADPICS NO. 001B0400057

DESCRIPTION

Approval requested for the recommended contractor to supply all of the labor, materials and equipment to remove and replace old faulty wiring, switches, receptacles and other circuits at various locations within the building.

PROCUREMENT METHOD

Sole Source

BIDS OR PROPOSALS

NV Enterprises Inc., Reston VA.

AMOUNT

\$577,551.48

AWARD

NV Enterprises Inc.
Reston VA.
(MDOT certified MBE)

TERM

180 days

AMOUNT

\$577,551.48

MBE PARTICIPATION

100%/5%

PERFORMANCE BOND

100% of full contract amount

REMARKS

The work is necessary to correct and eliminate potential fire hazards and to correct electrical code violations due to the existing rag wire and other faulty wiring systems that were discovered during the recent renovations at the State House. The work requires routing of plaster walls, ceilings and repairing of those finished surfaces.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

MAINTENANCE CONTRACT

ITEM 6-M (Cont.) (Revised)

The State House is a significant historic structure and the contractor is required to follow specific requirements when working within the building. The recommended contractor, NV Enterprises Inc., was the electrical sub-contractor for the State House renovations. They are very familiar with the complex and sensitive historic renovations requirements. Therefore, it is in the best interest of the State to award this sole source contract to the recommended contractor

The State House Trust has recommended that the work be accomplished according to Renovation of Historic Structures State Finance and Procurement Article 11-203 (a)(1)(xviii). This exempts Historic Structures built in the 18th and 19th centuries from Division II procurement regulations. NV Enterprises Inc. is a certified MBE firm and is approved by the Maryland Historical Trust to perform work within the State House.

FUND SOURCE

MCCBL 07 Item 035

RESIDENT BUSINESS

No

TAX COMPLIANCE NO.

09-2239-0111

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

GENERAL MISCELLANEOUS

ITEM 7-GM

DEPARTMENT OF ENVIRONMENT

Bureau of Mines
Kempton Site
Garrett County, MD.

DESCRIPTION

Board of Public Works approval is requested to declare a 5,000 square-foot, pre-engineered metal building, as surplus and dispose of it on *GovDeals.com* for the best bid to be received. This building is located near Kempton in Garrett County.

OWNERSHIP

State of Maryland, to the use of the Department of Environment, Bureau of Mines

PROPERTY

5,000 square foot metal building

REMARKS

The Clearinghouse conducted an intergovernmental review of the project under MD20090130-0089 and has recommended declaring the pre-engineered metal building including roofing, siding, doors, lighting, and structural frame as surplus to the needs of the State along with offering the metal building and construction material for public sale. The building is located one (1) mile north/northeast of Kempton, MD.

The Department of Environment 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 8-RP

DEPARTMENT OF NATURAL RESOURCES Oldfields School, Inc.
90 acres
Baltimore County
File# 23-0267
POS# 3926

REFERENCE

Approval is requested for the acquisition of 90 acres +/- of an undeveloped portion of the Oldfields School property. The property is adjacent to the Northern Central Railroad (NCR) Trail, renamed the Torrey C. Brown Rail Trail, which connects to the Gunpowder Falls State Park. The majority of the property is second growth forest, with massive rock outcrops at the northern end of the property. This acquisition will preserve the forested slopes, provide increased recreational access, protect the viewshed from the NCR- Torrey Brown Trail (“Trail”), maintain water quality in the stream, and provide for a diverse habitat on the rocky slopes. This parcel lies within the Target Ecological Area and has received an ecological ranking of 60 under the new Program Open Space Targeting System.

The POS Targeting Protocol incorporates an ecological screen that uses an ecological baseline to select Target Ecological Areas. From the collection of selected areas, a programmatic screen uses implementation criteria to identify Annual Focus Areas. Finally, a parcel screen is used to assess multiple benefits and management considerations to prioritize parcels within the focus areas. A smaller portion of State POS funds will still be used to acquire high priority recreational, cultural, and historic sites, providing trails connections, and state park in-holdings. The Oldfields acquisition is being considered for inclusion to Gunpowder State Park for public access and buffer to the Trail, a popular and heavily used nature-trail. This project qualifies to be considered for acquisition as a parks recreational project outside of the ecological targeting protocol as outlined above.

In accordance with the POS Targeting protocol, the following could be grounds for acquiring properties regardless of their ecological rankings; The property is an important in-holding or adjacent parcel that will address important, long term management concerns for an existing land management unit of DNR, the property would provide exceptionally high value resource-based recreation, such as a public beach or water access in an access-limited area or a critical trail connection, the property has exceptional educational, cultural or historical value.

The Agreement of Sale has been approved by the Office of the Attorney General. Title and transfer agreements are subject to legal review.

Martin-O'Malley
Governor

Anthony G. Brown
Governor



OK to file
[Signature]

Alvin C. Collins
Secretary

MARYLAND DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

RECEIVED
2009 NOV 30 AM 11:37
BOARD OF PUBLIC WORKS

November 24, 2009

Sheila McDonald, Esq.
Secretary to the Board of Public Works
Louis L. Goldstein Treasury Building, Room 213
Annapolis, Maryland 21401-1991

SUBJECT: April 1, 2009 and November 4, 2009 Secretary's Agenda, July 22, 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 Secretary's Agenda item previously approved by the Board of Public Works.

<u>BPW April 1, 2009</u>	FROM:\$ 200,000.00 – Using Agency Funds
Item Appendix 1	227,400.00 – Item 008, CA 2007
Pages A1-A3	
Replace Boilers at	TO:\$ 185,360.00 – Using Agency Funds
Administration Building	242,040.00 – Item 008, CA 2007
Victor Cullen Center	

Reason: To utilize available capital funds.

<u>BPW July 22, 2009</u>	FROM:\$ 1,080,000.00 - POS 81.20.03 Item 445 FY10
Item 8-RP	
Pages 15-16	TO:\$ 1,065,982.80 – POS 81.20.03 Item 445 FY10
90 Acres	
Oldfields School Inc	
Baltimore County	
Department of Natural Resources	

Reason: To decrease real property acquisition price due to results of subsequent survey.



Ms. Sheila McDonald
Page 2

BPW November 4, 2009
Item Appendix 1
Pages A1-A2
Union Dam – Demolish
And Remove
Patapsco Valley State Park

FROM: \$ 522,723.24 – Item 403 POS 2007
\$ 59,021.03 – Item 024 MCCBL 2003
\$ 499,715.78 – Item 016 MCCBL 2004
\$ 376,089.95 – Item 434 POS 2008

TO:\$ 59,021.03 – Item 024, MCCBL 2003
151,166.97 – Item 016, MCCBL 2004
1,247,362.00 – DNR Grant Funds

Reason: To utilize available agency grant funds.

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 9-RP

DEPARTMENT OF HEALTH AND
MENTAL HYGIENE

Widening Dorsey Run Road;
Howard County
File# 8417

REFERENCE

Board of Public Works approval is requested to declare surplus 1.502 acres +/- in fee simple, .922 acre +/- in storm water and utility easements and 0.528 acres +/- in temporary revertible grading easement across the lands of the Clifton T Perkins Hospital (a DHMH facility) for widening Dorsey Run Road in Howard County.

GRANTOR

State of Maryland, to the use of the Department of Health and Mental Hygiene

GRANTEE

Howard County

PROPERTY

1.502 +/- acres fee simple
0.922 +/- acres storm water and utility easement
0.528 +/- acre temporary grading easement

REMARKS

1. The Clearinghouse conducted an intergovernmental review of the project under MD20070130-0065 and has recommended to declare the +/- 1.502 acres at Clifton T. Perkins Hospital surplus to the needs of the State of Maryland, and to sell the land to Howard County. It is also recommended to grant two permanent storm water and utility easements of +/- 0.922 acres, and a temporary revertible grading easement of +/- 0.528 acres, across the land of Clifton T. Perkins Hospital to Howard County. Howard County plans to widen and improve Dorsey Run Road.
2. 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 10-RP

DEPARTMENT OF TRANSPORTATION

Motor Vehicle Administration (MVA)
Vehicle Emissions Inspection Program
(VEIP)
Prince Frederick, MD.
Calvert County
File # 8362

REFERENCE

Board of Public Works approval is requested to surplus five easements totaling approximately 0.7802 ac +/- titled to the use of the Department of Transportation (MDOT) at the intersection of Theater Drive and Stoakley Road in Prince Frederick, Calvert County. This will allow Calvert County to maintain the recent reconstruction and extension of Theater Drive from its intersection with Stoakley Road to a point across the stream at the rear of MDOT's VEIP facility.

OWNERSHIP

The State of Maryland to the use of the Department of Transportation

PROPERTY

.7802 ac +/-

REMARKS

1. The Department of Transportation agrees with this transaction.
2. The clearinghouse conducted an intergovernmental review of the project under MD20081030-1029 and has recommended granting five (5) permanent easements across the land of the Calvert County Vehicle Emission Inspection Station to Calvert County. Calvert County seeks to acquire easements of +/- 0.78 acres the will facilitate the improvement of the road area at and around the Inspection Station. Calvert County plans to use the easements for the purposes of: drainage, storm water management, flood plain maintenance, and a revertible easement for the supporting slope.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 11-RP

DEPARTMENT OF NATURAL RESOURCES

Carroll County, MD.
Patapsco Valley State Park
Marriottsville Road
File # 8398

REFERENCE

Board of Public Works approval is requested to surplus approximately 0.741 ac +/- in fee and .167 acre +/- in easements titled to the use of the Department of Natural Resources (DNR) at the intersection of Marriottsville Road and Marriottsville Road No. 2 in Carroll County. Carroll County plans on improving the intersection by constructing a bypass and a right hand turn lane at this location. This will allow the State to sell to the County, at a later date, an easement for the maintenance of the road improvements.

OWNERSHIP

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

PROPERTY

.741 ac +/-

REMARKS

- 1 The Department of Transportation agrees with this transaction.
2. The clearinghouse conducted an intergovernmental review of the project under MD20060725-0844 and has recommended to declare +/- 0.7525 acres of land at the Patapsco Valley State Park surplus to the needs of the State of Maryland, and to offer to sell the land to Carroll County. It is further recommended to grant two (2) drainage easements totaling +/- 0.16786 acres, across land at the Patapsco Valley State Park, to Carroll County. As stated above, Carroll County plans to open up the intersection at Marriottsville Road and Marriottsville Road No. 2 by constructing a bypass lane and a right hand turn lane. The purpose of these improvements is to address the documented history of congestion and accidents.

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 12-RP

DEPARTMENT OF AGRICULTURE

Maryland Agricultural Land
Preservation Foundation (MALPF)
File # 13-82-04 (DGS File #2234)
Howard County, MD.

REFERENCE

Reference is made to Item 49-RP of this Department's Agenda of August 17, 1983, for the meeting of the Board of Public Works wherein approval was given to the Maryland Agricultural Land Preservation Foundation (MALPF) to acquire an agricultural preservation easement over 202+/- acres of land for \$239,976.00. Purchase of the easement was completed on December 29, 1983 over 203.04 acres of land.

Board of Public Works Approval is requested to grant a partial release wherein the State of Maryland, to the use of MALPF, will release 1.00 acre of land from the operation and effect of said agricultural preservation easement in exchange for 1.00 acre of land to be added to the agricultural preservation area by placing it under the Deed of Easement.

The MALPF Board of Trustees has approved the transaction by determining that the exchange will benefit the agricultural operation of the farm. The 1.00 acre parcel to be added (hereinafter, "Parcel A") is located in the middle of the farm. It was originally withheld from the Easement when MALPF purchased the Easement because it was under different ownership from the farm at that time. Parcel A was accessed by a 20 foot wide right of way through the farm for ingress and egress to the public road. Parcel A has since been acquired by one of the partners of the owner of the farm. The 1.00 acre parcel of land proposed to be released from the Easement (hereinafter "Parcel B") is located at the corner of the farm, along a public road, and no productive farmland would need to be disturbed to gain access to Parcel B.

This request is being made in order to remove the possibility of a residence in the center of the agricultural operation, a situation that could lead to nuisance suits and to permit the building of a residence in a more desirable location, on the public road. Both Parcel A and Parcel B are the same class of soils.

RELEASOR

The State of Maryland, to the use of the
Maryland Agricultural Land Preservation
Foundation of the Department of
Agriculture

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

REAL PROPERTY

ITEM 12-RP (Cont.)

RELEASEE Michael Mullinix and Mullinix Brothers Partnership

PROPERTY: 1.00 acre

GRANTOR: Michael Mullinix and Mullinix Brothers Partnership

GRANTEE The State of Maryland, to the use of the Maryland Agricultural Land Preservation Foundation of the Department of Agriculture

PROPERTY 1.00 acre

CONSIDERATION Even exchange

REMARKS The Maryland Agricultural Land Preservation Foundation recommends approval of this item and costs associated with this exchange will be paid by the landowners.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LANDLORD LEASE**ITEM** 13-LL

DEPARTMENT OF NATURAL RESOURCES
(Land and Property Management)

Tenant Christina Marie Van Norman
Chrobot House Curatorship
24724 Hipsley Mill Road
Laytonsville, MD. 20882

Property Location 24724 Hipsley Mill Road
Montgomery County, MD. 20882

Space Type Residential Dwelling **Lease Type** Modification **Acres** 4.2 ac.
Duration Lifetime Tenancy **Effective** August 1, 2009
Annual Rent \$1.00

Utilities Responsibility Tenant
Custodial Responsibility Tenant
Previous Board Action(s) 02/14/2007 – Item 1-LL

History

On February 14, 2007, as item 13-LL, the Board of Public Works approved a lease to Christian Van Norman which allowed the Tenant a lifetime tenancy. In return Christina Van Norman agreed to restore and repair where necessary the dwelling as a gift to the State of Maryland with an expenditure of not less than \$164,831.00.

In March 2009, Christina Van Norman and David Lee Coe were married. Approval of this modification will allow Ms. Van Norman to add Mr. Coe to the 2007 Curatorship Agreement.

This project is part of the Department of Natural Resources Resident Curatorship program which secures private funding for the restoration and maintenance of historic structures at no cost to the State of Maryland.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE**ITEM** 14-LT

DEPARTMENT OF JUVENILE SERVICES Cambridge, MD.
Dorchester County

Landlord Poplar Street Partners, LLC
31 Goldsborough Street
Easton, MD. 21601

Property Location 527 Poplar Street
Cambridge, MD. 21613

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	4,021
<u>Duration</u>	10 Years	<u>Effective</u>	November 1, 2009		
<u>Annual Rent</u>	\$60,315.00 Average	<u>Square Foot Rate</u>	\$15.00 Average		
		<u>Effective Sq. Ft. Rate</u>	\$17.50 Average		

Utilities Responsibility Tenant
Custodial Responsibility Landlord
Previous Board Action(s) N/A

Special Conditions

1. The lease contains escalations/de-escalations for custodial services and real estate taxes.
2. The lease contains an option to renew for 5 years subject 18 months prior notice.

Remarks

1. This office functions as the Department of Juvenile Services Dorchester County District Office for field services. All intake, probation, aftercare, drug court and community liaisons activities will be accommodated at this location. Client contact will take place throughout each day.
2. The rent for years 1-5 is \$14.00 per Net Usable Square Foot (NUSF) and \$16.00 per NUSF for years 6-10 which results in an average net usable square foot rate of \$15.00 over the lease term

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 14-LT (Cont.)

- 3. Through detailed space analysis and negotiations, the Department of General Services was able to reduce the average annual NUSF rate by \$2.00. The reduction calculates to an average savings of \$9,042.00 annually and \$90,420.00 over then term.
- 4. The lease contains a termination for convenience clause.
- 5. In accordance with the State Finance and Procurement Article, Section 4-320 of the Annotated Code of Maryland and DGS Space Management Manual Sec. 305 D.3 the above space request was advertised in the Daily Record, eMaryland Marketplace, and the DGS website. No proposals were received. Through electronic and in person searches, this site was identified. 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** 15-LT**COMPTROLLER OF MARYLAND**
(Revenue Administration)Waldorf, MD.
Charles County**Landlord** Leading Edge Properties, LLC.
2835 Kelly Court
Waldorf, MD. 20603**Property Location** 1036 St. Nicholas Drive, Suite 202
Waldorf, MD. 20603

<u>Space Type</u>	Office	<u>Lease Type</u>	New	<u>Square Feet</u>	1,634
<u>Duration</u>	5 Years	<u>Effective</u>	September 1, 2009		
<u>Annual Rent</u>	\$37,582.00	<u>Square Foot Rate</u>	\$23.00		
		<u>Eff. Square Foot Rate</u>	\$25.00		

<u>Utilities Responsibility</u>	Tenant
<u>Custodial Responsibility</u>	Landlord
<u>Previous Board Action(s)</u>	N/A

Fund Source E00A401 OBJ. 1301 100% General Funds**Special Conditions**

1. The lease contains escalations/de-escalations for janitorial service and real estate taxes.
2. The lease contains one (1) option renewal for a term of five (5) years.
3. The lease incorporates seven (7) use-in-common parking spaces free of charge.

Remarks

1. This space will be used to provide taxpayer services to the residents of Charles County. The office also conducts audits; engage in collection activities and investigations of individuals and local businesses to ensure compliance with the revenue laws of the State.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

TENANT LEASE

ITEM 15-LT (Cont.)

- 2. Through negotiations the Department of General Services secured a rental cost savings of \$16,340 over the initial term of the lease by reducing the Landlord’s original written proposed rental rate by \$2.00 per net usable square foot.
- 3. The lease contains a termination for convenience clause.
- 4. In accordance with the State Finance and Procurement Article, Section(s) 13-105 and 4-318, this space is exempt from publicly advertising. The Department of General Services, in conjunction with the using Agency, recommends the approval of this Item.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LICENSE AGREEMENT**ITEM** 16-L**DEPARTMENT OF NATURAL RESOURCES**
(Land and Property Management)

Howard County, MD.

Licensee Cricket Communications, Inc.
d/b/a Cricket Wireless, Inc.
10307 Pacific Center Court
San Diego, CA. 92121

Property Location Hollofield Communications Tower
Patapsco Valley State Park
Howard County, MD.

<u>Space Type</u>	Tower/Ground Space	<u>Type</u>	New	<u>Acre(s)</u>	.25
<u>Duration</u>	10 Years	<u>Effective</u>	August 1, 2009		
<u>Annual Fee</u>	\$26,280.00				
	Subject to 4% annual increase				

Utilities Responsibility Licensee
Custodial Responsibility Licensee

Special Conditions

1. Licensee shall occupy and use the Premises for and only for the placement, use, maintenance, and repair of three (3) antennas at one hundred seventy (170) foot level on the tower, ground space at the base of tower for cabinets along with associated equipment for use as wireless communications service.
2. Licensee shall be responsible for all maintenance of the property.
3. Licensee shall be responsible for obtaining all permits, licenses, inspections and approvals required for its use and occupancy of the premises.
4. Licensee shall maintain at its expense, throughout the term, insurance against loss or liability in connection with bodily injury, death, property damage or destruction, occurring within the demised premises. General Comprehensive Liability (GCL) insurance will have a minimum coverage of \$2,000,000.00 combined single limit per occurrence and shall contain broad form GCL endorsement or its equivalent.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

LICENSE AGREEMENT

ITEM 16-L (Cont.)

- 5. Licensee shall indemnify and hold harmless the State of Maryland and Department of Natural Resources against any and all liability or claim of liability (including reasonable attorney fees) arising out of Licensee’s use and occupancy, conduct, operation or management of the premises during the term.
- 6. Licensor or Licensee may terminate this license at any time by providing thirty (30) days prior written notice to the other.
- 7. Licensee agrees to provide improvements and equipment to the Premises with a value of \$116,402.00. A fee credit will be applied toward the payment of annual license fee.

Improvement and Equipment

- A. Site preparation work
- B. Site installation work
- C. Grounding system
- D. Equipment building improvements
- E. Concrete equipment shelter
- F. Generator

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN ✓

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 17-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION

That the Board of Public Works authorize that funds be encumbered for the following grant:

Prince George’s Community College

Structural Renovations: Marlboro & Queen Anne Halls, Foot Bridge Construction
The proposed project involves the structural modifications to correct major concrete cracking in Marlboro Hall and Queen Anne Fine Arts Buildings and to reconstruct the Pedestrian Foot Bridge

\$971,000.00

Maryland Consolidated Capital Bond Loan of 2007, Item #045. CC-08-MC06/07-399

MATCHING FUND Prince George’s Community College – \$572,720.00

Cost sharing is 62.9% State share, 37.1% local share and is in accordance with Section 11-105(j) of the Education Article.

<u>BACKGROUND</u>	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$1,714,435.00	\$1,061,300.00	\$653,135.00
This Action	\$1,543,720.00	\$ 971,000.00	\$572,720.00
Previous Action –19 CGL, 10/03/07	\$ 170,715.00	\$ 90,300.00	\$ 80,415.00

REMARKS

- (1) This action is in accordance with Procedures and Guidelines adopted by MHEC 06/02/92 and approved by BPW 06/17/92.
- (2) The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Prince George’s Community College and signed by local authorities.
- (3) The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 18-CGL

MARYLAND HIGHER EDUCATION COMMISSION

RECOMMENDATION

That the Board of Public Works authorize that funds be encumbered for the following grant:

Chesapeake College

Kent Humanities Building Renovation – Construction

The proposed project involves the renovation of the existing 19,000 Gross Square Foot (GSF) Kent Humanities Building constructed in 1968 and will include reconfiguring the entire building interior to a 21st Century learning environment.

\$6,030,000.00

Maryland Consolidated Capital Bond Loan of 2008, Item 020. CC-11-MC07/08-403

MATCHING FUND Chesapeake College – \$2,010,000.00

Cost sharing is 75 % State share, 25% local share and is in accordance with Section 11-105(j) of the Education Article.

BACKGROUND

	<u>Total Amount</u>	<u>State Share</u>	<u>Local Share</u>
Total Project	\$8,677,000.00	\$6,508,000.00	\$2,169,000.00
This Action	\$8,040,000.00	\$6,030,000.00	\$2,010,000.00
Previous Action –34-CGL, 06/11/08	\$ 637,000.00	\$ 478,000.00	\$ 159,000.00

REMARKS

1. This action is in accordance with Procedures and Guidelines adopted by MHEC 06/02/92 and approved by the BPW on 6/17/92.
2. The Maryland Higher Education Commission, the Department of Budget and Management and the Department of General Services recommends approval. All contracts will be awarded by Chesapeake College and signed by local authorities.
3. The Comptroller may not disburse State funds until after the Comptroller verifies that the grant recipient has expended the matching fund and the required amount for reimbursement.

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Worcester County Commissioners
Worcester County Government Center
1 W. Market Street, Room 1103
Snow Hill, MD.. 21863

PROJECT NO. AND TITLE

OHC-CB-15005,
Worcester County Public Dental Clinic
Berlin, MD.

DESCRIPTION

Board of Public Works approval is requested for a State grant of \$194,864.00 to Worcester County for acquiring dental equipment and architectural services for renovations to an existing 2,992- Gross-Square Foot (GSF) building at 107 William St., Berlin, MD. 21811. Upon completion of the renovations, the building will become a dental clinic for the Worcester County Health Department to serve the county's children (ages 1 to 18) who are uninsured or are receiving Medical Assistance.

Additionally, Board approval is requested for the following:

1. Department of Health and Mental Hygiene Capital Grant Agreement for the MCCBL for Oral Health Safety Net Program of 2008, Chapter 336 Acts of 2008.
2. Capital expenditures toward dental equipment supply and services for three dental operatories.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDDERS

Patterson Dental Supply, Inc., Laurel, MD.

AMOUNT

\$163,164.00

AWARD

Patterson Dental Supply, Inc.
Laurel, MD.

AMOUNT

\$163,164.00

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 19-CGL (Cont.)

3. Architectural services contract to design renovations for a 2,992 square-foot single-story building. Services include design, construction documents, bidding, and construction administration.

PROCUREMENT METHOD

Competitive Sealed Bidding

BIDS OR PROPOSALS

AMOUNT

Becker Morgan Group, Inc., Salisbury, MD.	\$28,500.00
MAD Engineering, Inc., Ocean City, MD.	\$29,936.00
Davis, Bowen & Friedel, Inc., Salisbury, MD.	\$31,500.00
French + Ryan, Inc., Georgetown, DE.	\$36,000.00
Jennifer Martella AIA, Architect, St. Michaels, MD.	\$36,000.00
JSR Associates, Inc., Ellicott City, MD.	\$39,000.00
Atelier 11, Ltd., Easton, MD.	\$44,560.00
Element, Inc., Lewes, DE.	\$60,000.00
Clark Nexsen Architecture & Engineering Norfolk, VA.	\$67,000.00
Todd & Associates, Inc., Salisbury, MD.	\$77,500.00

AWARD

Becker Morgan Group, Inc.
Salisbury, MD.

AMOUNT

\$28,500.00

4. Site Survey

PROCUREMENT METHOD

Small Procurement

AWARD

L.E. Bunting Surveys, Inc.
Berlin, MD.

AMOUNT

\$800.00

5. Materials Testing

PROCUREMENT METHOD

Small Procurement

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

NAME OF GRANTEE/BORROWER

Vesta Enteka, Inc.
10123 Senate Drive
Lanham, MD. 20706

PROJECT NO. AND TITLE

MHA-CB-09-408-01;
Vesta Enteka, Inc. - Renovation of two
homes

DESCRIPTION

for the following:

Board of Public Works approval is requested

1. A state grant of \$115,000.00 to assist Vesta Enteka, Inc., a nonprofit organization, in the cost of renovating a five-bedroom, single-story home at 9125 Alcona Street and, a five-bedroom single-story home at 7013 Saint Annes Avenue. Both properties are located in Lanham, MD. The two buildings will provide housing for ten (10) psychiatrically disabled individuals.
2. 9125 Alcona - Capital expenditures toward the construction contract to renovate the 3,521-Gross-Square-Foot (GSF) home. Site work will includeS a new concrete sidewalk, a new wood ramp, and a wood retaining wall at the rear of the residence. Exterior work will include removing and replacing the asphalt-shingled roof, repairing exterior trim and siding, and replacing some vinyl windows. Interior work will include installing new kitchen appliances, countertops and cabinetry, new interior doors, a handicap-accessible bathroom and laundry room, ceramic tile in the bathrooms, and carpet in the bedrooms. Plumbing work will include installing appliances, plumbing fixtures, sprinkler system, water heater, and sump-pump. Mechanical work will include installing HVAC equipment, dryer vents and cleaning ductwork. Electrical work will consist of installing receptacles, exhaust fans, light fixtures, and switches, and hard-wired smoke detectors.

7013 Saint Annes Avenue - Capital expenditures toward the construction contract to renovate the 3,097-GSF home. Site improvements consist of a new wood deck and landscaping. Exterior work will include repairing exterior trim and siding, replacing some vinyl windows, and brick pointing. Interior work will include refinishing the existing hardwood floors, installing new interior doors and walls, and installing carpet in the bedrooms. Mechanical work will include installing a new HVAC compressor and dryer vents and cleaning ductwork. Electrical work will consist of installing receptacles, exhaust fans, light fixtures, switches, and hard-wired smoke detectors.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL (Cont.)

PROCUREMENT METHOD

Negotiated

AWARD

Trionfo Builders, Inc.
Phoenix, MD.

AMOUNT

\$180,753.00* Alcona
\$ 73,512.00* Saint Annes

TOTAL CONTRACT

\$254,265.00 Total

FUND SOURCE

\$139,265.00 (54.77%) - Applicant's Share
\$ 39,265.00 Mortgage - U.S. Department of
Housing and Urban
Development
\$100,000.00 Maryland Affordable Housing
Trust
\$115,000.00 (45.23%) State's Share
MCCBL 2008, Community
Health Facility Funds

- 3 A Waiver of Priority and Subordination Agreement. Vesta Enteka, Inc. has a financing agreement with the U.S. Department of Housing and Urban Development (HUD) with the condition that the State agrees to subordinate its right of recovery to HUD's first deed of trust in the amount of \$945,300.00. The mortgage amount includes \$906,035.00 for acquiring the properties and \$39,265.00 for renovations.

REMARKS

*Matching funds for this project are being provided partly by a HUD 811 mortgage. As part of the process in applying for a HUD loan, HUD required Way Station, Inc., the sponsoring organization, to form a project team. The team included a developer (Vesta, Inc.), an architect (Zemaitis & Associates Architects), and a contractor (Trionfo Builders, Inc.). The team, along with a HUD representative, inspected the identified properties and developed a scope of work as a result of the findings. Once the scope was determined, the general contractor bid out each of the individual trades to develop a project cost.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 20-CGL (Cont.)

Before HUD approved the loan, it also required Building Consultants, Inc. of Columbia, MD. to prepare an independent cost analysis of the proposed project budget. Based on this review, Building Consultants has certified that the costs are reasonable for the proposed scope of work. Trionfo Builders, Inc. was chosen to participate in the project team based upon prior experience in rehabilitating Vesta properties.

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

In accordance with Subtitle 6 of the Health-General Article of the *Annotated Code of Maryland*, the Board's approval is further contingent upon the State's right of recovery being included in the Deed(s) or otherwise recorded among the Land Records of Prince George's County.

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 21-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 Franklin Square Hospital Center, Inc.
(Baltimore County)*

Franklin Square Hospital Center Emergency Department

“For the planning, design, renovation, expansion, repair, construction, relocation, and capital equipping of a new Emergency Department, located in Baltimore County (Baltimore County).”

\$1,130,000.00

*Maryland Consolidated Capital Bond Loan of 2008 (MHA - Chapter 336, Acts of 2008)
DGS Item G199, (SL-030-040-038)*

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, 2010. The Board of Directors of Franklin Square Hospital Center, Inc. has submitted evidence in the form of a canceled check and invoice that it has \$4,027,365.00 in eligible expenditures to meet the matching fund requirement for this project.

Board of Public Works approval is also requested to reimburse the Board of Directors of Franklin Square Hospital Center, Inc. \$1,130,000.00 for eligible expenditures.

BACKGROUND

Total Project	\$25,445,912.00
08-G199 (This Action)	\$ 1,130,000.00
04-G045 (Prior Action)	\$ 209,000.00
Local Cost	\$24,106,912.00

(Prior action: 04/19/06 Agenda, Item 28-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 21-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 22-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

County Council of Wicomico County (Wicomico County)

Wicomico County Detention Center

“To assist in the equipping of the expansion and renovation of the Wicomico County Detention Center.”

\$300,000.00 - encumber \$148,810.00

Maryland Consolidated Capital Bond Loan – Wicomico County Detention Center Loan of 1998 (Chapter 138, Acts of 1998)

DGS Item G013, (CJ-001-098-038)

MATCHING FUND 04/05/00 Agenda, Item 10-CGL

<u>BACKGROUND</u>	Total Project	\$1,500,000.00
	98-G013 (This Action)	\$ 148,810.00
	Local Cost	\$1,351,190.00

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 23-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grants:

*Mayor and Board of Aldermen of the City of Frederick
(Frederick County)*

Frederick Keys Stadium

“To assist in the design, construction, renovation, and capital equipping of improvements to the Harry Grove Stadium in Frederick.”

\$850,000.00 - encumber \$27,505.00

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

DGS Item 035

Harry Grove Stadium Renovation

\$150,000.00 - encumber \$150,000.00

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

DGS Item G067

Frederick Keys - Harry Grove Stadium

\$1,000,000.00 - encumber \$1,000,000.00

Capital Appropriations (Fiscal Year 2007) (Chapter 216, Acts of 2006)

DGS G201, (SL-063-050-038)

NON-MATCHING FUND

05-035 - 05/03/06 Agenda, Item 11-CGL

MATCHING FUND

05-G067 - 05/03/06 Agenda, Item 14-CGL

06-G201 - 12/12/07 Agenda, Item 15-CGL D.

BACKGROUND

Total Project	\$7,014,000.00
05-035 (This Action)	\$ 27,505.00 - (Non-match)
05-G067 (This Action)	\$ 150,000.00 - (Match)
06-G201 (This Action)	\$1,000,000.00 - (Match)
05-035 (Prior Action)	\$ 822,495.00 - (Non-match)
Local Cost	\$5,014,000.00

(Prior action: 02/13/08 Agenda, Item 17-CGL)

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 23-CGL (Cont.)

REMARKS

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

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

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 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 Comprehensive Housing Assistance, Inc. & Board of Directors of the Harry and Jeannette Weinberg Village V Limited Partnership (Baltimore County)

Weinberg Village V Senior Apartment Building

“For the planning, design, construction, repair, and capital equipping of the Weinberg Village V Senior Apartment Building, located in Owings Mills.”

\$250,000.00

Maryland Consolidated Capital Bond Loan of 2008 (LSI - Chapter 336, Acts of 2008) DGS Item G052, (SL-021-080-038)

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, 2010. The Board of Directors of Comprehensive Housing Assistance, Inc. has submitted documentation that it has received a grant in the amount of \$2,500,000 from the Harry and Jeanette Weinberg Foundation to meet the matching fund requirement for this project.

BACKGROUND

Total Project	\$16,807,925.00
08-G052 (This Action)	\$ 250,000.00
Local Cost	\$16,557,925.00

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 25-CGL

RECOMMENDATION That the Board of Public Works authorize that funds be encumbered for the following grant:

*Board of Directors of the Baltimore Symphony Orchestra, Inc.
(Baltimore City)*

Joseph Meyerhoff Symphony Hall

“For the planning, design, renovation, repair, and capital equipping of the Joseph Meyerhoff Symphony Hall, located in Baltimore City.”

\$600,000.00 - encumber \$600,000.00

*Maryland Consolidated Capital Bond Loan of 2004 (LCIL - Chapter 432, Acts of 2004)
DGS Item G058, (SL-009-971-038)*

MATCHING FUND 04/19/06 Agenda, Item 21-CGL

<u>BACKGROUND</u>	Total Project	\$3,584,000.00
	04-G058 (This Action)	\$ 600,000.00 (Match)
	01-G000 (Prior Action)	\$ 500,000.00 (Match)
	00-016 (Prior Action)	\$1,000,000.00 (Non-Match)
	Local Cost	\$1,484,000.00

(Prior Actions: McDonald letter dated 03/01/01; 11/14/01 Agenda, Item 20-CGL; and 05/22/02 Agenda, Item 23-CGL A.)

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 26-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 grants:

*Board of Directors of the Havre de Grace Maritime Museum, Inc.
(Harford County)*

Havre de Grace Maritime Museum

“For the planning, design, construction, renovation, reconstruction, and capital equipping of improvements to the Havre de Grace Maritime Museum, located in Havre de Grace.”

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2007 (LHI - Chapter 488, Acts of 2007)
DGS Item G053*

\$150,000.00

*Maryland Consolidated Capital Bond Loan of 2007 (LSI - Chapter 488, Acts of 2007)
DGS Item G134, (SL-072-070-038)*

MATCHING FUND The MCCBL requires the grant recipient to provide a matching fund and the Board of Public Works to certify a matching fund no later than June 1, 2009. The Board of Directors of the Havre de Grace Maritime Museum, Inc. has submitted evidence in the form of invoices and canceled checks that it has \$318,495.83 in eligible expenditures and \$47,492.00 of in-kind contributions for a total of \$365,987.83 to meet the matching fund requirement for this project. *Documents for certification of match were received by the Department of General Services prior to May 31, 2009.*

Board of Public Works approval is also requested to reimburse the Board of Directors of the Havre de Grace Maritime Museum, Inc. \$65,987.83 for eligible expenditures.

BACKGROUND

Total Project	\$713,069.00
07-G053 (This Action)	\$150,000.00
07-G134 (This Action)	\$150,000.00
Local Cost	\$413,069.00

REMARKS

(1) This action is in accordance with the enabling legislation and complies with the tax-exempt bond provisions of the Internal Revenue Code.

DEPARTMENT OF GENERAL SERVICES
ACTION AGENDA

CAPITAL GRANTS AND LOANS

ITEM 26-CGL (Cont.)

(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

There being no further business, the meeting of July 22, 2009 was adjourned.

Respectfully submitted,

A handwritten signature in blue ink that reads "Sheila C. McDonald". The signature is written in a cursive style with a large, stylized initial "S".

Sheila C. McDonald, Esq.
Executive Secretary

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