

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
THURSDAY, SEPTEMBER 3, 2015
PT. BREEZE HEADQUARTERS BUILDING
BALTIMORE, MD**

OPEN SESSION

MEMBERS ATTENDING: William Ensor, III
W. Lee Gaines, Jr.
William K. Hellmann, P.E.
Michael J. Whitson

STAFF ATTENDING: Deb Sharpless
Dan Williams
Will Pines
James Harkness
Robert Michael
Bob Jordan
Dave LaBella
Brian Wolfe
Dennis Simpson
Meshelle Howard
Kelly Melhem
Donna DiCerbo
Chris Thompson
Kimberly Millender, Esquire

OTHERS ATTENDING: Jennifer Murno Black, Prime AE
Lori Magoon, RK&K

At 9:00 a.m. the meeting of the Maryland Transportation Authority (MDTA) Capital Committee was called to order by Chairman Hellmann.

APPROVAL- OPEN SESSION MINUTES OF July 9, 2015

Upon motion by Member Whitson and seconded by Member Gaines, the Open Session meeting minutes of the Capital Committee's Meeting held on July 9, 2015 were unanimously approved.

APPROVAL CONTRACTS

Member Hellmann recused himself and left the meeting for the approval of the following contract.

Contract No. AE 3011 and AE 3012 – Project No. MDTA 2014-01 – Comprehensive Building and Facility Engineering and Architectural Design Consulting Services for the MDTA

Mr. Robert Michael presented this request seeking a recommended approval from the Capital Committee to present Contract No. AE 3011 and AE 3012 – Project No. MDTA 2014-01 – Comprehensive Building and Facility Engineering and Architectural Design Consulting Services to the full MDTA Board at its next scheduled meeting. Approval of this contract is contingent upon the approval of the Transportation Professional Services Selection Board (TPSSB) and the Board of Public Works (BPW).

The services to be performed under these Contracts are Comprehensive Building and Facility Engineering and Architectural Design Consulting Services for the Maryland Transportation Authority (MDTA).

The MDTA proposes to utilize consultant services to perform design, investigation, miscellaneous studies, and other consultation services listed in this scope of services for an undetermined number of projects at any of the various facilities maintained by the MDTA, which include but are not limited to: John F. Kennedy Memorial Highway (JFK), Thomas J. Hatem Memorial Bridge (TJH), Baltimore Harbor Tunnel (BHT), Fort McHenry Tunnel (FMT), Francis Scott Key Memorial Bridge (FSK), Governor Harry W. Nice Memorial Bridge (HWN), William Preston Lane, Jr. Memorial Bridge (WPL, BAY BRIDGE), Point Breeze (PB) and the Intercounty Connector (ICC), on an as needed basis.

The Consultant shall provide the resources and expertise needed to perform architectural and engineering design and analysis for buildings and facilities, development of complete contract bid documents, facility condition inspections, asset management, and miscellaneous consulting services including but not limited to, space planning, facility master plan studies, emergency inspections, building envelope evaluations, specialized building systems analysis and design including security, life safety, data, communications, audio/video, electrical, mechanical and plumbing engineering design services.

These two (2) of four (4) task-based contracts will be cost plus fixed fee Contracts, valued at Three Million Dollars (\$3,000,000.00) each with a total Not-to-Exceed cost of Twelve Million Dollars (\$12,000,000.00) for all four contracts. The project was approved by Secretary of Transportation, James T. Smith, on November 7, 2013. Ms. Donna

DiCerbo clarified for the Committee that two (2) additional Facilities A/E contracts that were part of this procurement will be forthcoming at a future Capital Committee, after price proposal negotiations are finalized.

The Minority Business Enterprise (MBE) participation goal for each contract is 35% with sub-goals of 6% for African American-Owned firms, 2% Hispanic American-Owned firms, and 9% Women-Owned firms, and a 1% Veteran-Owned Small Business Enterprise (VSBE) participation goal. The prime contractors have submitted MBE and VSBE plans that meet the goals.

History from Solicitation of Interest

- Advertised Expression Interest on August 1, 2014
- Ten (10) firms responded by submitting Expressions of Interest on September 16, 2014
- Expressions of Interest were received and evaluated and seven (7) firms were placed on the Reduced Candidate List.
- The RFP was issued on February 11, 2015
- Technical Proposals were received on March 19, 2015 and evaluated and ranked.
- Debriefings were held with the non-selected firms.
- The Consultant Screening Committee requested and received approval from Executive Director, Bruce W. Gartner, on June 1, 2015 to Solicit Price Proposals from the top ranked firms.
- Price Proposals were received on July 8, 2015 and negotiations were held.
- Requested and received approval from Executive Director, Bruce W. Gartner, on August 3, 2015 with respect to AE-3011-0000 and August 6, 2015 with respect to AE-3012-0000 on the negotiated price proposals.

The firm selected for award of Contract No. AE 3011-0000 in the amount of \$3,000,000.00 is Whitman, Requardt & Associates, LLP (the highest rated firm). Its sub-consultants are:

Unlimited Systems Support, Inc. – MBE;
BizSolutions 360, Inc. – MBE;
Athavale, Lystad & Associates, Inc. – MBE;
Coleman Consulting, LLC – MBE;
Carroll Engineering, Inc. – MBE;
Streetscape, Inc. – MBE;
Navarro & Wright Consulting Engineers, Inc. – MBE;
MIN Engineering – MBE;
E2CR, Inc. – MBE and;

Veterans Engineering, Inc. – VSBE

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE 3012-0000 in the amount of \$3,000,000.00 is Johnson, Mirmiran & Thompson, Inc. (the second highest rated firm). Its sub-consultants are:

Carroll Engineering, Inc. – MBE;
Findling, Inc. – MBE;
MIN Engineering, Inc. – MBE;
Maximus Environmental, Inc. – MBE;
A.S. Architects, Inc. – MBE;
Forella Group, LLC – MBE and;
Olson Surveying, LLC – VSBE
Garner Engineering, Inc.

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

Notice to Proceed (NTP) for these contracts is anticipated in October 2015. The Contracts will be valid for a five (5) year period and include a provision authorizing an extension of one-third of the original base term in accordance with BPW Advisory 1995-1.

Upon a motion by Member Gaines and seconded by Member Ensor, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

Member Hellman rejoined the meeting.

Contract No. MA-2753-000-006 – Streamlined Storm Water Management Retrofits – Chesapeake Bay Total Maximum Daily Load System (TMDLs) – Phase 3

Ms. Jennifer Murno Black presented this request to seek a recommended approval from the Capital Committee to present this Contract No. MA-2753-000-006, Streamlined Stormwater Management Retrofits – Chesapeake Bay TMDLs – Phase 3 to the full MDTA Board at its next scheduled meeting.

This project, located in Baltimore and Harford Counties, is for the construction of Storm Water Management (SWM) retrofit facilities. The SWM retrofit facilities will be constructed in grass medians and along roadway shoulders along I-95 corridors. The

scope of work includes providing labor, equipment, materials, etc., necessary to perform SWM retrofits as directed by the Engineer.

There is an allowance of \$180,000.00 for Miscellaneous Drainage Work and Repairs included in the Invitation for Bids (IFB) that will only be used if necessary and with prior approval of the Engineer.

This project was advertised on June 10, 2015. Two (2) Bids were received on July 28, 2015 and the responsive Bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
Concrete General, Inc.	\$1,933,226.50	5.11%
MBP Contracting Co., Inc.	\$2,041,808.00	11.02%

The Engineers Estimate for this project is \$1,839,170.00. It was noted that the low bid was 5.11% above the Engineer's Estimate. Concrete General, Inc. has performed work on prior MDTA projects. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Concrete General, Inc., was determined to be acceptable. This solicitation was advertised with a Minority Business Enterprise (MBE) participation goal of Twenty-Five Percent (25%) with no sub-goals. Concrete General, Inc. has submitted an MBE plan that meets the goal. Notice-to-Proceed (NTP) for this Contract is anticipated in October, 2015. The Contract term is Three Hundred Sixty-Five (365) Calendar Days from Notice-To-Proceed.

After reviewing and discussing the differences between the Engineer's Estimate and the bid submitted by the recommended Contractor, upon a motion by Member Whitson and seconded by Member Ensor, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

Contract No. BB-2741-000-006 – William Preston Lane Jr. Memorial Bridge Traffic Systems Modifications

Mr. Bob Jordan presented this request seeking a recommended approval from the Capital Committee to present this Contract No. BB-2741-000-006 – William Preston Lane Jr. Memorial Bridge Traffic Systems Modifications to the full MDTA Board at its next scheduled meeting.

The project shall modify the existing signal hardware and software at the William Preston Lane Bridge (WPL) in order to support reversing the travel lanes. Specifically, the modification will support reversible lane signals to make it easier to control flow of

traffic creating safer driving conditions at WPL. Control Technologies, Inc. (CTI) is the firm that installed the current lane use system in 2001 and was selected by competitive procurement. Since that time, CTI has maintained, improved, and modified the system. The existing software system is owned by CTI and is considered proprietary as CTI is the only firm able to perform the required modifications to the system; therefore, a Sole Source procurement was performed for this contract.

There is an allowance of \$80,000.00 for Miscellaneous Electrical/ Communication Repairs and/or Construction included in the Scope of Services (SOS) that will only be used if necessary and with prior approval of the Engineer.

This Scope of Services was submitted to CTI in May, 2014. The final price was received on July 20, 2015 and the results are as follows:

Contractor	Bid Amount	% Variance To Eng. Est.
Control Technologies, Inc.	\$881,480.00	0.59%

The Engineers Estimate for this project is \$886,700. It was noted that this sole source bid was 0.59% below the Engineer's Estimate. Control Technologies, Inc. has performed work on prior MDTA projects. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Control Technologies, Inc. was determined to be fair and reasonable. This solicitation was advertised with a Minority Business Enterprise (MBE) participation goal of Nine Percent (9%) with no sub goals. Control Technologies, Inc. has submitted an MBE plan that meets the goal.

As the total value of this Contract exceeds the delegated authority of Resolution 15-01 dated 1/23/15, the MDTA will seek approval by the Board of Public Works on October 7, 2015. Notice-to-Proceed (NTP) for this Contract is anticipated in October, 2015. The Contract term is Three Hundred and Sixty-Five (365) Calendar Days from Notice-To-Proceed.

After reviewing and discussing the differences between the Engineer's Estimate and the bid submitted by the recommended Contractor, upon a motion by Member Whitson and seconded by Member Ensor, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

VIDEO TOLL AND CITATIONS PROJECT

Ms. Deb Sharpless updated the Capital Committee on the issues and activities underway to support the implementation of the video toll and citation process approved in HB420. Activities included;

- Working with TSO, MVA and CCU to verify and/or refine processes and public messaging for MVA referrals
- Published COMAR to implement provisions of new legislation
- Developed plan to ensure payment of delinquent tolls though 30 day waiver of civil penalties
- Prepared customer notice and programming actions to implement 30 day civil penalty waiver
- Proposed plan for addressing court backlog
- Reviewed and responded to comments on the proposed COMAR changes

Mr. Dan Williams introduced Mr. Brian Wolfe who recently filled the Bridge and Structures Manager position in the Office of Engineering and Construction. The Chairman and Members welcomed Mr. Wolfe.

Replace Canton Viaduct and Fort McHenry Tunnel North of Tunnel Improvements

Mr. Will Pines updated the Capital Committee regarding the Office of Engineering and Construction's advancement of final design for the Canton Viaduct replacement project, and the recent initiation of the FMT North of Tunnel Improvements project.

The Office of Engineering and Construction has re-evaluated several maintenance of traffic (MOT) alternatives, in conjunction with developing the final design for the Canton Viaduct replacement project. MDTA has determined that constructing the FMT North of Tunnel Improvements will successfully mitigate traffic concerns with the Two Stage construction alternative for the Canton Viaduct Replacement that were previously noted at prior Capital Committee meetings. Based on MDTA's successes with mitigating traffic impacts on the I-95 Deck Overlay project south of FMT, we have determined that the most advantageous alternative to provide best value to our customers is to construct both the Canton Viaduct Replacement in Two Stages and the FMT North of Tunnel Improvements. This approach will provide added value to two interstate facilities, including replacing MDTA's only structurally deficient bridge and adding permanent traffic capacity to MDTA's highest volume facility, for similar costs to the previously considered Four Stage Alternative for the Canton Viaduct Replacement. The presentation provided details on this determination.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 10:00 a.m. following a motion by Member Whitson and seconded by Member Gaines.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, October 1, 2015 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.