

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
THURSDAY, MARCH 6, 2014
PT. BREEZE HEADQUARTERS BUILDING
BALTIMORE, MD**

OPEN SESSION

MEMBERS ATTENDING: Rev. Dr. William C. Calhoun, Sr.
William K. Hellmann, P.E.
Bradley Mims – via telephone
Michael J. Whitson

STAFF ATTENDING: Bruce Gartner
Deb Sharpless
Doug Hutcheson
Dan Williams
David Chapin
Dave LaBella
Dennis Simpson
Donna DiCerbo
Meshelle Howard
Kelly Melhem
Cathy Beasley Pope
Sheila Rivers
Kimberly Millender, Esquire
Chris Thompson
Elizabeth Sogard

OTHERS ATTENDING: Laura Magoon, Rummel, Klepper & Kahl
Neil Leary, Whitman Requardt

At 9:10 a.m. the meeting of the Maryland Transportation Authority (MDTA) Capital Committee was called to order by the Chairman.

APPROVAL - OPEN SESSION MEETING MINUTES – FEBRUARY 6, 2014

Upon motion by Member Michael Whitson and seconded by Member Brad Mims, the minutes of the Capital Committee's February 6, 2014 Open Session Meeting were unanimously approved.

APPROVAL CONTRACT**Contract No. FT-2611-000-006 – Remove And Replace Weathering Steel High Mast Light Poles along I-95**

Mr. Dave LaBella presented this request to seek a recommended approval from the Capital Committee to present Contract No. FT-2611-000-006, Remove and Replace Weathering Steel High Mast Light Poles along I-95 to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract extends from Joh Avenue to Pulaski Highway along I-95 in Baltimore City. An allowance of \$200,000.00 was included in the IFB for Miscellaneous Repairs to Existing Lighting which will only be used if necessary and will not be used without prior approval of the Engineer.

The scope of work includes but is not limited to the following:

1. Removal of existing weathering steel high mast light poles along I-95 mainline, ramps and surface street roadways.
2. Removal of existing pole stubs and exposed anchor bolts on existing foundations.
3. Removal of existing foundations in mowed areas to one foot below grade and backfilling, and removal of three foot below grade in rail road right-of-way.
4. Modification of existing foundations to accommodate new poles.
5. Installation of new foundations and high mast light poles and luminaires.
6. Installation of new manholes, junction boxes and conduit to accommodate new electrical cable.
7. Installation of new electrical cable for new high mast light poles, existing poles within the project limits to remain and existing overhead and cantilever sign structures.
8. Removal of existing median barrier and installation of new 42 inch barrier along I-95.
9. Provide required maintenance of traffic for construction operations.

This project was advertised on November 21, 2013. Bids were received on January 16, 2014, and the bid results were as follows:

Contractor	Bid Amount	% Variance To Eng. Est.
Midasco, LLC	\$13,700,000.00	(10.19%)
Fort Meyer Construction Corp.	\$16,461,525.52	7.9%
Murphy Bird and Phillips, Inc.	\$20,820,591.00	36.48%
Bruce-Merrillees Electric Co.	\$21,805,990.00	42.94%

The Engineer's Estimate is \$15,255,021.00. It was noted that the low bid was 10.19% lower than the Engineer's Estimate. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Midasco, LLC, was determined to be acceptable. This project was advertised with a Minority Business Enterprise (MBE) participation goal of twenty nine percent (29%) with subgoals of seven percent (7%) for African-American owned companies and four percent (4%) for Asian-American owned companies. In addition, the project was advertised with a one percent (1%) Veteran-owned Small Business participation goal. Midasco, LLC submitted an MBE and a VSBE plan that meets the goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in May 2014. The contract term is for Seven Hundred Thirty (730) calendar days from Notice-to-Proceed.

It was noted that the 2nd low bidder filed a protest against the low bidder, (Midasco), based on an allegation that Midasco was proposing to use 3rd tier subcontractors to fulfill its MBE goals. The Division of Procurement and MDTA Legal Counsel determined this was not the case, and the protest was denied on March 5, 2014. Members agreed that the approval is contingent upon the ten day appeal process.

After reviewing and discussing the differences between the Engineer's Estimate and the bid submitted by the recommended Contractor, upon a motion by Mr. Whitson and seconded by Mr. Mims, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting contingent upon expiration of the appeal period for the protest.

Contract No. KH-1405-000-006R – White Marsh Run Mitigation

Mr. Dave LaBella presented this request to seek a recommended approval from the Capital Committee to present Contract No. KH-1405-000-006R, White Marsh Run Mitigation, to the full MDTA Board at its next scheduled meeting.

The project purpose is to restore White Marsh Run, create wetlands and vernal pools, and restore/enhance wetlands including invasive species management. All work is to be done in the 183-acre area known as White Marsh Run Mitigation Site.

An allowance of \$60,000.00 was included in the IFB for Public Relations which will only be used if necessary and will not be used without prior approval of the Project Engineer.

This project was advertised on November 22, 2013. Bids were received on January 10, 2014 and the bid results were as follows:

Contractor	Bid Amount	% Variance To Eng. Est.
Environmental Quality Resources, LLC	\$4,251,789.53	(13.08%)

Meadville Land Services, Inc.	\$4,749,326.38	(2.91%)
Daisy Concrete Inc of Maryland	\$4,897,809.25	0.13%

The Engineer's Estimate is \$4,891,843.75. It was noted that the low bid was 13.08% lower than the Engineer's Estimate. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Environmental Quality Resources, LLC (EQR) was determined to be acceptable. Environmental Quality Resources, LLC has not contracted with the Authority for approximately 10 years; thus, their references were verified by OEC. This project was advertised with a Minority Business Enterprise (MBE) participation goal of thirty percent (30%) with subgoals of seven percent (7%) for African-American owned companies, four percent (4%) for Asian-American owned companies. The minimum VSBE participation goal is two percent (2%) Environmental Quality Resources, LLC submitted an MBE plan and a VSBE plan that meets the goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in May, 2014. The contract term is for Three Hundred and Thirty-Three (333) 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 Mr. Whitson and seconded by Mr. Hellmann, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

LICENSE AGREEMENT FOR ICC SIGNS ON SHADY GROVE METRO ACCESS ROAD

Mr. Dennis Simpson presented this request to seek the Capital Committee's recommended approval to the MDTA Board to delegate the authority to the Executive Director to sign the License Agreement for ICC signs on Shady Grove Metro Access Road.

As part of the Intercounty Connector project, the State Highway Administration (SHA) installed concrete foundations for two (2) overhead sign structures for and on behalf of MDTA on property owned by the Washington Metropolitan Area Transit Authority (WMATA).

WMATA allowed SHA to complete the installation of the overhead component of the signs in accordance with the terms of a letter dated September 9, 2010 from Thomas R. Robinson, Jr., Director, Joint Development and Adjacent Construction of WMATA, to Melinda Peters, Administrator of SHA (License Agreement Exhibit 1)

The location of the two signs and associated fiber optic communications cables and lighting and power connections are noted in License Agreement Exhibit 2.

The License Agreement formalizes the terms and conditions necessary to allow the signs to remain on WMATA property and for MDTA to have continued access to WMATA's property to maintain these signs.

Upon motion by Mr. Hellmann and seconded by Mr. Whitson, the Members unanimously recommended approval including delegation to the Executive Director to sign the License Agreement for ICC Signs on Shady Grove Metro Access Road, by the MDTA Board at its next scheduled meeting.

MDTA RESOLUTION NOS. 14-01 AND 14-02

Ms. Kimberly Millender presented this request to seek approval to recommend to the full MDTA Board adoption of MDTA Resolution Nos. 14-01 and 14-02. Resolution No. 14-01 will update and add to the delegations from the Board to the Executive Director under current Resolution No. 12-05 and Resolution No. 14-02 will update the change in title for the Executive Director.

Resolution 14-01 delegates from the Board to the Executive Director the ability to conduct certain business functions and approve certain documents related to procurements and other contracts. Proposed Resolution 14-01 revises the current delegations under Resolution 12-05 by delegating from the Board to the Executive Director for approval the following additional functions and documents: sole source or "no substitute" procurement determinations; State and federal documents related to transfer and forfeiture of seized assets; and no cost license agreements or right-of-entry permits. In addition the Resolution is updated to reflect the change in title to Executive Director.

Resolution 14-02 reaffirms the existing delegations to the Executive Director to carry-out the day-to-day personnel functions of the MDTA under State law and merely reflects the change in title for the Executive Director.

Upon motion by Mr. Hellmann and seconded by Mr. Whitson, the Members unanimously recommended approval of the MDTA Resolution Nos. 14-01 and 14-02, and to propose to the MDTA Board at its next scheduled meeting.

QUARANTINE ROAD INTERCHANGE/TRUCK CHECK WEIGH STATION TRANSFER OF UNNEEDED LAND TO COURTLAND AND ST. PAUL ST. ASSOCIATES, INC. (CAPSA)

Mr. Dennis Simpson presented this request to seek recommendation from the Capital Committee to the MDTA Board at its next scheduled meeting to approve the transfer of a parcel of land, not required for the construction of the Quarantine Road Interchange project, back to Courtland and St. Paul St. Associates, Inc. ("CAPSA") in accordance

with the terms of an Agreed Inquisition and to delegate authority to the Executive Director to execute any and all related documents once finalized.

As part of the Quarantine Road Interchange / Truck Check Weigh Station Project (Contract No: KB-430-000-006) the I-695/ Ramp 'O' construction required the acquisition of property from two owners. MDTA, through the SHA, filed condemnation to acquire the necessary property from the owners. Because there may have been unknown interests between the two owners in each other's parcels and to gain a clear title, the two property owners were combined into one case. The SHA Office of the Attorney General negotiated a settlement with the owners, and an Agreed Inquisition was approved by the Court on October 10, 2007.

Included in the Agreed Inquisition is a statement that if after completion of the project, a parcel, containing approximately one acre, labeled "Staging and Stockpile Area," was no longer needed for any State transportation purpose, the property could be declared excess property and returned to CAPSA. It has now been determined that this parcel is not required for the construction of the project, and it may be returned to CAPSA as set forth. Plat number 59668 has been created to show the location and size of the parcel.

Also included in the Agreed Inquisition was a provision that the sum of \$100,000.00, the appraised value of the one acre parcel, be withheld as an advance payment of the repurchase amount and not deposited into court. Therefore, there will be no exchange of money involved in the return of the one acre parcel. A deed will be prepared to identify the location and boundaries of this parcel. Although there were two property owners included in this combined case, the terms of the Agreed Inquisition state that any land returned will be returned to CAPSA, exclusively.

The property will need to proceed through the modal clearance process as well as receive Board of Public Works approval before the property may be transferred to CAPSA.

Upon motion by Mr. Mims and seconded by Mr. Whitson, the Members unanimously recommended approval of the request to transfer the excess one (1) acre parcel of property to CAPSA in accordance with the Agreed Inquisition and to delegate authority to the Executive Director to execute any and all necessary documents once finalized, by the MDTA Board at its next scheduled meeting.

VIDEO TOLL AND CITATIONS PROJECT

Mrs. Deb Sharpless presented this update to the Capital Committee on the issues and activities underway to support the implementation of the video toll and citation process approved in HB420.

Mrs. Sharpless detailed the current status of the citation program production schedule and associated activities including a status of Notices of Toll Due (NOTDC) and

Citations that have been issued to date. Ms. Sharpless noted for the Members the very high collection rate experienced to date.

Member Whitson thanked Mrs. Deb Sharpless for all the teamwork and efforts made so far to continue the success of this project.

TOLL RATE REDUCTION PROGRAM – I-895/CHILDS STREET AND MD 695 NORTHBOUND TURNAROUND

Mr. Dennis Simpson presented this update to the Capital Committee on an ongoing effort to develop a toll rate reduction program for the I-895/Childs Street ramps and the MD 695 Northbound turnaround. This information will be presented to the Finance Committee at its March 11, 2014 meeting.

The MDTA has had preliminary discussions with the Maryland Motor Truck Association and the communities near Baltimore Harbor Tunnel Thruway regarding the potential for a toll rate reduction for vehicles (3 axles or greater) that enter or exit I-895 at Childs Street without ever using the tunnel. In addition, MDTA staff recognized a similar issue at the Francis Scott Key Bridge where vehicles enter MD 695 to travel northbound and never use the Francis Scott Key Bridge.

I-895/Child Street

The Childs Street ramps provide access to I-895 to and from the south. The ramps are just north of the Baltimore Harbor Tunnel (BHT) toll plaza. Motorists who are heading northbound on I-895 and wish to access Childs Street currently pay the full toll as a function of vehicle and payment class. This is true of the reciprocal movement for motorists on Child's Street wishing to access I-895 southbound.

It is understood that currently a portion of trucks with origins and destinations in the industrial parks of Shoreline, Fairfield and Wagner's Point are avoiding the Childs Street ramps to I-895 and the toll at BHT and accessing the expressway system from I-695 via the Pennington/Curtis Avenue and Ordnance corridor through residential neighborhoods.

MD 695 Northbound Turnaround

Motorists accessing northbound MD 695 from Broening Highway travel through the rightmost cash toll lane in the southbound direction of the FSK toll plaza and collect a voucher. This movement allows motorists to access service road #3 and make a U-turn and pass through the northbound toll plaza without paying a second toll. The opposite movement is conducted the same way for motorists on MD 695 from the north accessing Broening Highway.

It is anticipated that with the expansion of the Panama Canal truck traffic wishing to make this movement may increase. With this in mind, the Maryland Port Administration

(MPA) has a project to add a new exit from the Port that will support this movement. The MDTA also recently completed a project to upgrade service road #3 to accommodate oversized loads from the Port.

I-895/Childs Street

The analysis estimates the traffic and toll revenue by vehicle and payment class at the BHT toll plaza from motorists to and from Childs Street under multiple alternative reduced toll schedules to determine if there is an applicable toll schedule that may maintain toll revenue and reduce diverting truck traffic.

Based on the attached analysis performed by Jacobs, there is no alternative that maintains toll revenue at today's level. The alternative that reduces revenue the least is Alternative 3 (\$2 per axle). This alternative will reduce toll revenue as compared to today's toll revenue by \$2,694 per day, which will result in an annual revenue loss of \$983,310.

MD 695 Northbound Turnaround

This preliminary traffic and toll revenue analysis quantifies the impact of reducing toll rates for vehicles making this movement. It is anticipated that the lowering of tolls could induce traffic that currently accesses points north via roadways other than MD 695 at the FSK toll plaza to move to this turnaround option.

Based on the attached analysis performed by Jacobs, all of the alternatives increase the number of vehicles making this movement, but none of the alternatives maintain or increase revenue from current levels. The alternative that reduces revenue the least is Alternative 3 (\$2 per axle). This alternative will reduce annual toll revenue as compared to today's annual toll revenue by \$23,191.

Overall Results

This proposed toll rate reduction for both the I-895/Childs Street and MD 695 Northbound Turnaround will benefit truckers and the communities impacted by trucks who avoid using the toll roads. The MDTA has significantly increased tolls for trucks in the past several years.

Given the importance of freight movement to the State and regional economy, we recommend that the MDTA take this proactive step to encourage industrial and port related activity where truck movements will not have an impact on our signature structures, i.e. the Baltimore Harbor Tunnel and the Francis Scott Key Bridge. Also, this toll reduction will move some trucks out of residential areas and back onto the freeway system. This is a win for both truckers and the communities impacted by truckers who use residential streets to avoid the full toll for these movements. Alternative 3 (\$2 per axle) will not reduce the toll for 2-axle vehicles. 2-axle vehicles will continue to pay \$4 to make these movements.

The Members discussed various aspects of the information presented including the concerns from the communities and the Maryland Motor Truck Association. Member Hellman asked that staff create a map that depicts the communities at the Childs Street exit that will be impacted. The Members gave general consensus for the direction that staff was proceeding understanding that a formal proposal will be brought back in the future for review and approval.

REPLACEMENT OF THE CANTON VIADUCT BRIDGE

Mr. Dan Williams and Ms. Laura Magoon briefed the Capital Committee regarding the Office of Engineering and Construction's replacement of the Canton Viaduct bridge on I-895 just north of the Baltimore Harbor Tunnel. This item will also be presented to the Finance Committee on March 13, 2014.

This aging structure is MDTA's only remaining structurally deficient bridge, and requires complete replacement. There are two replacement alternatives that were under final consideration:

Two-stage construction - Reduces I-895 from two lanes to one lane in each direction with shorter duration but higher impacts to the traveling public. Requires improvements to I-95 NB to minimize traffic impacts on I-95 NB due to the diversion from I-895. Negligible benefit is expected with improvements on I-95 SB and, therefore, is not included. Construction includes 24 months in reduced lane capacity on I-895 and total construction duration of 50 months (29 months for I-895; 24 months for I-95 NB; 3 month overlap). Scheduled construction to start in spring 2016.

Four-stage construction - Maintains two lanes in the peak direction and one lane in the off-peak direction on I-895 by utilizing a movable barrier. Requires a much longer duration but with minimal traffic impacts. Construction includes 47 months in reduced lane capacity (for off-peak direction only) on I-895 and total construction duration of 52 months. Scheduled construction to start in spring 2016.

The two-stage alternative is more favorable based on engineering and constructability, but the four-stage alternative is recommended due to the traffic implications and needs of the customer. The current budget in the MDTA's CTP is approximately \$182 million.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 10:35 a.m. following a motion by Mr. Whitson and seconded by Mr. Hellmann.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, April 3, 2014 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.