

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
MONDAY, MARCH 13, 2017
PT. BREEZE HEADQUARTERS BUILDING
BALTIMORE, MD**

OPEN SESSION

MEMBERS ATTENDING: William K. Hellmann, P.E. – Chairman
William H. Cox, Jr.
William Ensor, III
W. Lee Gaines, Jr. – via telephone

STAFF ATTENDING: Deborah Sharpless
Dan Williams
James Harkness
Meshelle Howard
Kim Millender, Esquire
Melissa Williams
Donna DiCerbo
Kataw Say
Thomas O'Donnell
Lillian Sidrak
Darol Smith
Chris Thompson

CONSULTANTS: Matt Stork, STV

At 9:07 a.m. the meeting of the Maryland Transportation Authority (MDTA) Capital Committee was called to order by Chairman Hellmann.

APPROVAL- OPEN SESSION MINUTES OF FEBRUARY 2, 2017

Upon motion by Member Ensor and seconded by Member Gaines, the Open Session meeting minutes of the Capital Committee's Meeting held on February 2, 2017 were unanimously approved.

APPROVAL CONTRACTS

Contract No. FT 2826-000-006R, Install Lightning in Supply Air Ducts at Fort McHenry Tunnel

Mr. Kataw Say presented this request seeking a recommended approval from the Capital Committee to present Contract No. FT 2826-000-006R, Install Lightning in Supply Air Ducts at Fort McHenry Tunnels, to the full MDTA Board at its next scheduled meeting.

This project consists of removing and replacing existing lights, lamps, wires, conduits, panel boards, and related controls, such as switches and contactors. The Contractor shall provide all work and materials necessary to provide complete and functioning systems.

There are allowances of \$50,000 for Electrical Demolition and \$50,000 for Miscellaneous Electrical Repairs and Construction included in the Invitation for Bids (IFB). These allowances will only be used if necessary and with prior approval of the Engineer.

This project was advertised on June 8, 2016. Eight (8) Bids were received on July 28, 2016. One (1) bid was determined nonresponsive and one (1) bid was determined not responsible and both were rejected with the concurrence of Legal Counsel. The responsive and responsible Bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
Enterprise Electric Co.	\$2,061,287.50	(14%)
Amber Enterprises, Inc.	\$2,094,240.61	(13%)
Control Sources LLC	\$2,199,627.09	(8%)
Freestate Baltimore LLC	\$2,437,112.44	1%
P.D. Valle Electric Co.	\$2,927,334.00	21%
Tissa Enterprises, Inc.	\$3,114,997.86	29%

The Engineer's Estimate for this project was \$2,411,637.00. It was noted that the low bid was 14% below the Engineer's Estimate. Enterprise Electric Company is the lowest responsive and responsible bidder and is therefore recommended for award to the full Authority. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Enterprise Electric Company was determined to be fair and reasonable. This company has performed work on prior MDTA projects. Two protests were received and denied with the concurrence of Legal Counsel. An appeal was filed and denied at the Maryland State Board of Contract Appeals.

This project was advertised with a Minority Business Enterprise (MBE) overall participation goal of 20% with no sub-goals, and a 1% Veteran Small Business Enterprise (VSBE) participation goal. Enterprise submitted an MBE plan and a VSBE plan that meets the goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in May, 2017. The Contract will be valid for four hundred and thirty-five (435) calendar days.

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

Contract Nos. MR 3006-0000A and MR 3006-0000B, On-Call Electrical and ITS Repairs and Services Contracts

Mr. Thomas O'Donnell presented this request seeking a recommended approval from the Capital Committee to present Contract Nos. MR 3006-0000A and MR 3006-0000B, On-Call Electrical and ITS Repairs and Services Contracts, to the full MDTA Board at its next scheduled meeting. This project is a multi-award contract to provide the labor, equipment, and materials necessary in performing miscellaneous electrical, ITS, and other types of repairs, upgrades, replacements, and new construction as directed by the Engineer in an on-call or task-based manner. This work may be required on any MDTA assets (bridges, tunnels, highways, buildings, and all appurtenances) at any of the Authority's facilities.

The contract included allowances of \$333,333.33 for Miscellaneous Materials, \$333,333.33 for Specialty Subcontractors, and \$2,000.00 for Utility Services. The allowances will only be used if necessary and with prior approval of the Engineer.

This project was advertised on November 15, 2016 as a multi-award contract and the MDTA determined to award two (2) contracts, in a total Not-To-Exceed amount of \$9 million. Four (4) Bids were received on December 20, 2016, and the responsive Bid results are as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
Brawner Builders, Inc.	\$2,945,889.99	(2%)
Dvorak, LLC	\$3,035,544.79	1%
Denver-Elek, Inc.	\$3,489,904.00	16%
Bruce-Merrilees Electric Company	\$5,087,714.00	70%

The Engineer's Estimate for this project was \$2,999,750.00. It was noted that the low bid was 2% below the Engineer's Estimate. Brawner Builders, Inc. is the lowest responsive and responsible bidder and is therefore recommended for award to the full Authority as Contract A in the amount of \$4,750,000.00. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Brawner Builders, Inc. was determined to be fair and reasonable. A bid justification was not conducted. This company has performed work on prior MDTA projects.

It was also noted that the 2nd lowest bid was 1 % above the Engineer's Estimate. Dvorak, LLC is the 2nd lowest responsive and responsible bidder and is therefore recommended for award to the full Authority as Contract B in the amount of 4,250,000.00. An analysis of the bid compared to the Engineer's Estimate performed by the Division of Engineering and the 2nd lowest bid submitted by Dvorak, LLC was determined to be fair and reasonable. This company has performed work on prior MDTA projects.

This project was advertised with an overall Minority Business Enterprise (MBE) participation goal of 19% with no sub-goals, and a 1% Veteran Small Business Enterprise (VSBE) participation goal. Brawner Builders and Dvorak have submitted MBE and VSBE plans that

meet these goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in May, 2017. The Contract shall be for a period of three (3) years from Notice to Proceed. At the sole discretion of the MDTA, these Contracts may be renewed for two separate one year periods at the expiration of the initial 3 year term.

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

Contract No. MA 2864-000-001, Facility Wide Culvert and Pipe Rehabilitation

Ms. Lillian Sidrak presented this request seeking a recommended approval from the Capital Committee to present Contract No. MA 2864-000-001, Facility Wide Culvert and Pipe Rehabilitation to the full MDTA Board at its next scheduled meeting.

The work under this Contract includes the structural and environmental rehabilitation of 21 pipe culverts which exist beneath the roadways along MDTA facilities located in Anne Arundel County, Baltimore County, Baltimore City, Cecil County, Harford County, and Howard County. This work shall include but is not limited to all labor, equipment, materials, etc. necessary to perform invert paving of the pipes, joint repairs, cracks and spall repairs, steel repairs, headwall repairs, landscaping, and placement of rip rap at the upstream and downstream ends of the pipe to allow for the proper dissipation of stream water. Enhancement of these pipe culverts will be performed in accordance with the latest standards set forth by the Maryland Department of the Environment.

There is an allowance of \$200,000 for Miscellaneous Structural Repairs included in the Invitation for Bids (IFB). This allowance will only be used if necessary and with prior approval of the Engineer. This project was advertised on December 27, 2016. Two (2) Bids were received on January 31, 2017 and the responsive Bid results are as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
Proshot Concrete, Inc.	\$1,878,750.00	(23%)
Marine Technologies Construction, Inc.	\$3,645,705.00	48%

The Engineer's Estimate for this project is \$2,455,362.10. It was noted that the low bid was 23% lower than the Engineer's Estimate. Proshot Concrete, Inc. is the lowest responsive and responsible Bidder and is therefore recommended for award to the full Authority. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Proshot Concrete, Inc. was determined to be fair and reasonable. A bid justification was also conducted and the bid was determined to be fair and reasonable. This company has performed work on prior MDTA projects.

This project was designated as a Small Business Reserve (SBR), with no Minority Business Enterprise (MBE) or Veteran Owned Small Business Enterprise (VSBE) goals. The Notice-to-Proceed (NTP) for this Contact is anticipated in May, 2017. The Contract shall be for a period four hundred and forty-five (445) 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 motion by Member Cox and seconded by Member Ensor, the Members unanimously recommended approval of these contracts by the MDTA Board at its next scheduled meeting.

PORT COVINGTON ACCESS I-95

Mrs. Melissa Williams and Mr. Matt Stork presented this request seeking a recommended approval from the Capital Committee to present the elements in the preferred alternative as identified by the project team. The preferred alternative includes improvements to both I-95 ramps and local surface streets that provide access for the Port Covington development.

Once the preferred alternative is selected, the NEPA work will continue through 2017. Ongoing coordination will also continue between MDTA and Baltimore City, each of whom have jurisdiction over segments of the project, and Port Covington Master Developer, LLC (PCMD).

PCMD developed a Master Plan, approved by the City of Baltimore in June 2016, for the 266-acre Port Covington site, which will contain a mixed-use development comprising residential, restaurant, retail, entertainment, hospitality, maker space, commodity, and office space. To accommodate the development and provide adequate access to the site, infrastructure improvements will be required to I-95 and the surrounding local street network. Additionally, local transit improvements are necessary to accommodate the development's desired mode split.

Two phases of I-95 improvements are anticipated, with funding comprising federal, State, and private contributions, and Baltimore TIF bond issuances. In March 2016, MDTA committed to funding a portion of the Phase 1 work (\$32.9965 million) as part of a FASTLANE I grant application submitted in April 2016. The application to the USDOT was made on behalf of MDOT and Baltimore City; however, the grant was not selected to receive funding.

In November 2016, MDTA extended the agreement to fund \$32.9965 million in improvements as part of a FASTLANE II grant application submitted in December 2016. The FASTLANE II grant recipients have not been announced and the status of the program is currently unknown under the new federal administration. But this funding is currently in the Program per the Board's previous approval. At this time, the costs for MDTA's portion of the Phase 1 improvements are anticipated to remain at the currently approved \$32.9965 million. However, the preliminary cost estimates are being finalized through February 2017 and will ultimately be based on the preferred alternative.

The elements in the preferred alternative were refined as part of the NEPA process. The Phase 1 improvements proposed for the preferred alternative are as follows (all costs are in current year,

2017, dollars and include CSX costs quantified by PCMD, and assume no right-of-way is required):

1. **McComas Street from Hanover Street to Key Highway.** Relocate McComas Street between Hanover Street and Key Highway to the south side of I-95, modify the Key Highway intersection, and widen northbound Key Highway by one lane between McComas Street and McHenry Row – \$51.218 million.
2. **I-95 southbound off ramp to McComas Street.** Construct a new single lane off ramp that will connect I-95 southbound to McComas Street west of the intersection of Key Highway – \$29.579 million.
3. **McComas Street on ramp to I-95 southbound.** Reconstruct the existing on ramp to accommodate the proposed I-95 southbound off ramp to McComas Street – \$33.949 million.
4. **Pedestrian and Bicycle Enhancements.** Provide addition pedestrian and bicycle access to the Port Covington development between Hanover Street and Key Highway – \$11.332 million.

The total cost in current dollars for Phase 1 of the preferred alternative is \$126,078,078. In addition, the project also includes elements that are part of Phase 1, but are not being funded by MDTA:

5. **CSX Track Relocation.** Relocate the existing CSX sidetrack that services the Maryland Port Administration over top of the I-95 Fort McHenry Tunnel (FMT) – \$19.465 million.
6. **National Environmental Policy Act and Interstate Access Point Approval Study.** Costs for consultant to develop alternatives and traffic and environmental analyses to support National Environmental Policy Act and Interstate Access Point Approval requirements – \$5.074 million.

Potential Phase 2 improvements include the following elements (note that the costs listed for these elements do not include potential right-of-way costs):

1. **I-95 northbound off ramp at Russell Street to McComas Street.** Construct a single lane off ramp from Russell Street exit to McComas Street on the west side of Port Covington, including spur ramp from I-395 southbound ramp to west side of Port Covington – \$114.972 million.
2. **McComas Street between I-95 and MD 295 ramps to Hanover Street.** Relocate McComas Street between the I-95 ramps and Hanover Street. Relocate McComas Street to align with the proposed I-95 ramps and the Hanover Street intersection – \$7.061 million.
3. **I-95 northbound off ramp to Hanover Street.** Remove the existing I-95 northbound ramp to Hanover Street – \$5.781 million.

4. **I-95 northbound off ramp to McComas Street.** Reconstruct the existing single lane off ramp from I-95 NB to McComas Street to the east side of Port Covington – \$70.489 million.
5. **McComas Street on ramp to I-95 northbound.** Construct a new single lane on ramp from McComas Street east of Hanover Street to I-95 NB – \$26.982 million.

The total cost of Phase 2 improvements, not including right-of-way, is estimated at \$225,284,000. Funding for Phase 2 was not sought under the FASTLANE II Grant Application nor is a funding commitment being sought from MDTA for the I-95 improvements included in Phase 2 at this time.

The NEPA study is ongoing with anticipated completion by early 2018. The major milestones are as follows:

- Finalize selection of preferred alternative – March 2017
- Publish EA / Conduct Public Hearing – October 2017
- FHWA signs Finding of No Significant Impacts – February 2018
- FHWA approves IAPA – March 2018

After reviewing the elements of the preferred alternative, upon motion by Member Cox and seconded by Member Ensor, the Members unanimously recommended approval of the elements of the preferred alternative by the MDTA Board at its next scheduled meeting.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 10:50 a.m. following a motion by Member Ensor and seconded by Member Cox.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, April 6, 2017 at 9:00 a.m. at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.