

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
THURSDAY, APRIL 7, 2016
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 (via telephone)

STAFF ATTENDING: Milt Chaffee
Dan Williams
Will Pines
Dave LaBella
Cheryl McKinlay
Peter Mattejat
Dennis Simpson
Mike Rice
Meshelle Howard
Jessica Mettle
John Sales
Chris Thompson
Sabrina Beverley
Kimberly Millender, Esquire

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 February 8, 2015

Upon motion by Member Gaines and seconded by Member Ensor, the Open Session meeting minutes of the Capital Committee's Meeting held on February 8, 2015 were unanimously approved.

APPROVAL CONTRACTS

Contract No. BB 2754-000-006 – Westbound Bridge Suspension Span Rehabilitation

Mr. Will Pines presented this request seeking a recommended approval from the Capital Committee to present Contract Number BB 2754-000-006 Westbound Bridge Suspension Span Rehabilitation to the full MDTA Board for award at its next scheduled meeting.

The work to be performed under this Contract is located at the William Preston Lane Jr., Memorial Bridge (WPL). The Scope of Work includes but is not limited to the following work at the WPL: performing structural surveying; providing access to main cables and anchorage structures; removing, storing and re-setting existing anti-climb fences; and furnishing and installing supplemental suspension strands, new suspender ropes, truss brackets for suspender ropes, anchors at towers for supplemental suspension strands, anchors at anchorages for supplemental suspension strands, new platforms inside anchorages, wind tongue rehabilitation; rocker link replacement, anchor pier bearing retrofit, priority steel repair work, drainage trough installation at Piers 31, 32, 33 and 34, and modifications to existing acoustic monitoring and dehumidification components.

There are allowances of \$500,000 for Contingent Miscellaneous Repairs and Modifications, \$100,000 for Wind Tunnel Testing, \$3,000 for Contractor Partnering and \$100,000 for Structural Steel Repairs, Repair Type PR-1 in the Request for Proposals (RFP) that will only be used if necessary and with prior approval of the Engineer.

A Competitive Sealed Proposal (CSP) procurement method pursuant to the Code of Maryland Regulation (COMAR) 21.05.01.02. was used for this project.

The Procurement Process

- The RFP was issued on March 13, 2015.
- A Pre-Proposal Conference and Site visit were held on April 21, 2015.
- Four (4) Proposals were received on August 21, 2015.
- Oral Presentations were given on December 1, 2015.
- Two (2) Technical Best and Final Offers (BAFO) were requested and received from all four (4) firms.
- Price Proposals were opened and ranked, and Price BAFOS were requested and received from all four (4) firms.
- Debriefings were held on March 25, 2016.

As stated in the RFP, the Evaluation Committee was required to give equal weight to Technical and Financial factors. The Evaluation Committee provided the following ranking for each Offeror:

<u>OFFEROR</u>	<u>TECHNICAL RANK</u>	<u>BAFO FINANCIAL PRICE</u>	<u>BAFO RANK</u>	<u>OVERALL RANK</u>
Kiewit	1	\$29,625,000	1	1
American Bridge	2	\$36,747,600	3	2
Cianbro	3	\$35,655,602	2	3
Skanska	4	\$39,611,800	4	4

The Engineers Estimate for this project was \$42,994,353.39. Ranked first technically, Kiewit Infrastructure Co., demonstrated superiority in each of the technical evaluation components. Ranked first financially, Kiewit Infrastructure Co, offered the lowest price and best value; therefore, the Evaluation Committee recommended Kiewit Infrastructure Co., for award, as they provided the most advantageous offer to the State. A bid justification was performed by the Division of Engineering and Kiewit Infrastructure Company's offer was determined to be fair and reasonable. This company has performed work on prior MDTA projects.

This project has an overall Minority Business Enterprise (MBE) participation goal of Seventeen Percent (17%) with no sub-goals and a Zero Point Five Percent (0.5%) Veteran-owned Small Business Enterprise (VSBE) participation goal. Kiewit Infrastructure Co., has submitted MBE and VSBE plans that meet the goals. Notice-to-Proceed (NTP) for this Contract is anticipated in May, 2016. The Contract term is Seven Hundred Thirty (730) Calendar Days from Notice-To-Proceed.

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

Contract No. HT-2658-000-006 – I-895 Over Patapsco River Flats Superstructure Replacement

Mr. Dave LaBella presented this request seeking a recommended conditional approval from the Capital Committee to present Contract No. HT-2658-000-006 – I-895 Over Patapsco River Flats Superstructure Replacement to the full MDTA Board at its next scheduled meeting.

The work to be performed under this Contract is located at Bridge No. B-Y059001 located on I-895 over the Patapsco River Flats in Baltimore and Anne Arundel Counties and Baltimore City. The superstructure of this bridge will be replaced in its entirety. The scope of work includes but is not limited to superstructure replacement, structural concrete repairs including selective concrete removal and repairs, crack repairs by pressure epoxy injection and pier overhang reconstruction, grinding and resurfacing, full depth shoulder replacement, replacement of existing pavement markings, maintenance of traffic, removal and reconstruction of concrete traffic barrier, signage, grass swale grading; and lighting.

There are allowances in the Contract of \$70,000.00 for Diesel Fuel Price Adjustment, \$125,000.00 for Public Relations Support, \$1,000,000.00 for Miscellaneous Structural Repairs, \$112,275.00 for a Price Adjustment for Asphalt Binder, \$42,100.00 for Payment Adjustment for Pavement Density and \$42,100.00 for Payment Adjustment for Asphalt Mixture 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 December 2, 2015.

Ten (10) Bids were received on February 18, 2016 and the responsive Bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>To Eng. Est.</u>
McLean Contracting Company	\$48,513,563.78	(15%)
Tutor Perini Corporation	\$49,618,000.00	(13%)
Wagman Heavy Civil, Inc.	\$49,710,029.85	(13%)
Facchina Construction, Corp.	\$49,879,859.00	(13%)
Joseph B. Fay	\$50,578,247.00	(12%)
Cianbro Corp.	\$50,744,256.90	(11%)
The Six M Company, Inc.	\$52,481,720.10	(8%)
Concrete General	\$60,369,317.65	5%
Kiewit Infrastructure	\$62,577,574.00	9%
Johnson Brothers Corp.	\$86,947,271.81	52%

The Engineers Estimate for this project was \$57,294,397.00. As the low bid was Fifteen Percent (15%) lower than the Engineer's Estimate, a bid justification was not conducted and the bid was determined to be fair and reasonable. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by McLean Contracting Company 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 25% with sub-goals of 7% African American, 4% Asian American and a 1% Veteran Small Business Enterprise (VSBE) participation goal. McLean Contracting Company has submitted MBE and VSBE plans that exceed those goals. Notice-to-Proceed (NTP) for this Contract is anticipated in June, 2016. The Contract term is One Thousand One Hundred Forty (1140) 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 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.

Contract No. KB-2521-000-006R2 – Francis Scott Key Bridge Facility Fuel Tank

Ms. Cheryl McKinlay presented this request seeking a recommended approval from the Capital Committee to present Contract No. KB-2521-000-006R2, Francis Scott Key Bridge Facility Fuel Tank to the full MDTA Board at its next scheduled meeting.

The work to be performed under this Contract is located at the Francis Scott Key Memorial Bridge (FSK) Maintenance Facility. The revised project scope includes the removal of three underground storage tanks (UST): a 6000 gallon gasoline UST, a 6000 gallon bio-diesel UST and the 600 gallon heating oil UST. The new fuel station USTs will consist of the following: one (1) 6,000 gallon biodiesel fuel and one (1) compartmentalized tank containing 4,000 gallon

gasoline fuel and 2,000 gallon E-85 fuel. Due to site space constraints and vehicular traffic circulation, the new fuel tanks will be located in the same area as the existing tank field. This project includes a temporary split 6,000 gallon (4,000 gasoline and 2,000 bio-diesel) fuel dispensing system and associated temporary lighting. A new Diesel Exhaust Fluid (DEF) system is included. The 500 gallon DEF AST is located in the FSK Garage renovated Grease Room; requiring a new heating system, new doorway and masonry; eliminating single pane windows and the previous Above Ground Storage Tank (AST).

There are allowances of \$70,000 for Removal and Disposal of Contaminated Soil, \$60,000 for Removal and Disposal of Contaminated Groundwater, and \$15,000 for a Stage II Vapor Recovery System 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 December 23, 2015. Three (3) Bids were received on February 16, 2016 and the responsive Bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>To Eng. Est.</u>
Kalyani Environmental Solutions, LLC	\$1,437,000.00	34%
Tanks Direct	\$1,680,000.00	57%
JF Acquisition, LLC	\$2,252,026.44	110%

The Engineers Estimate for this project was \$1,067,493.00. It was noted that the low bid was 34% higher the Engineer's Estimate. A bid justification was conducted and the bid was determined to be fair and reasonable. Kalyani Environmental Solutions, LLC (KES) 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 Kalyani Environmental Solutions, LLC bid was determined to be fair and reasonable. This company has performed work on prior MDTA projects.

This solicitation was advertised with no Minority Business Enterprise (MBE) participation goal or sub-goals and no Veteran Small Business Enterprise (VSBE) participation goal. Notice-to-Proceed (NTP) for this Contract is anticipated in July, 2016. The Contract term is One Hundred Eighty (180) 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 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.

DECLARATIONS OF EXCESS LAND FORMER IMMACULATE CONCEPTION CHURCH OF ELKTON, MARYLAND (BELLE HILL WATER TOWER – TOWN OF ELKTON)

Mr. Dennis Simpson presented this request to seek a recommended approval from the Capital Committee for the disposition of a Maryland Transportation Authority (MDTA) owned property containing 22,204 square feet (0.506± acres) located along I-95 in Cecil County, Maryland.

The property is located along I-95 North East Expressway in the Town of Elkton, Cecil County, Maryland. As part of the I-95 construction, an acquisition was required from the Immaculate Conception Church of Elkton, Maryland that was conveyed to the State of Maryland in October 1964. The town of Elkton requested the use of 0.506± acres from the MDTA to construct and maintain a water tower. The MDTA and the Town of Elkton entered into a Deed of Perpetual Easement on November 19, 1986 for such land use. The Deed is recorded in Cecil County's land records under Liber 186 at folio 673 for the amount of \$1.00.

Recently, the Town of Elkton has expressed an interest for the property where the water tower is located to be conveyed by the MDTA in fee simple. This conveyance would allow for the integration of their water distribution system for the next 100 years. We obtained an independent appraisal, which has been reviewed for validity. The appraiser indicates the value of the property at \$49,000.

A request was made to the other divisions within MDTA to determine if there were any current or future needs for the property. It was determined that there were no needs for this property.

It is recommended that the disposition of the right of way be conveyed to the Town of Elkton in fee simple for the fair market value of \$49,000.00 for the enhancement of the Town's water supply system.

If approved for disposal by the MDTA Board, the property will proceed through the Modal Clearance process and approval by the Board of Public Works.

Upon 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.

DECLARATIONS OF EXCESS LAND – THOMAS J. HATEM BRIDGE – LEASE TO THE TOWN OF PERRYVILLE FOR PARKING – POINT BREEZE – LEASE TO TERMINAL CORPORATION FOR TRUCK PARKING

Mr. Dennis Simpson presented this request to seek a recommended approval from the Capital Committee for the lease of property under the Thomas J. Hatem Memorial Bridge for parking for the Town of Perryville and for the lease of property located at the Point Breeze Industrial Park for truck parking for the Terminal Corporation.

Town of Perryville

The MDTA temporarily terminated the Town of Perryville's lease as a result of a MDTA construction project on the Thomas J. Hatem Bridge. The properties to be leased consist of two parcels totaling 2.89± acres located beneath the Hatem Bridge in Cecil County, Maryland. The Town of Perryville intends to use the parcels to provide overflow parking to the public for their boat ramp facility.

Upon completion of the construction project the MDTA provided written notice that it would reinstate the lease. The lease is for a term of five years with a monthly rental amount of \$958.33 at the annual rental amount of \$11,500.00.

Upon motion by Member Gaines and seconded by Member Ensor, the Members unanimously recommended approval of Declarations of Excess Land – Thomas J. Hatem Memorial Bridge – Lease to the Town of Perryville for Parking by the MDTA Board at its next scheduled meeting.

Terminal Corporation

The MDTA intends to implement a new five year lease with Terminal Corporation, whom has been a tenant of the MDTA since 1989. The MDTA owns Parcel 3, Lot 2 within the Point Breeze Industrial Park. Terminal is using 3.1944 ± acres of the property for storing commercial trailers, equipment and employee parking.

The tenant's business operation services the Seagirt Marine Terminal and the Intermodal Transfer Facility (ICTF), which is located adjacent to the leased property.

The five year lease includes a monthly rental amount of \$6,416.60 at the annual rental amount of \$77, 000.00.

Upon motion by Member Whitson and seconded by Member Gaines, the Members unanimously recommended approval of Declarations of Excess Land – Point Breeze – Lease to Terminal Corporation for Truck Parking 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 9:40 a.m. following a motion by Member Whitson and seconded by Member Ensor.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, May 5, 2016 at 9:00 a.m. at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.