

**MARYLAND TRANSPORTATION AUTHORITY  
MONTHLY CAPITAL COMMITTEE MEETING  
THURSDAY, MAY 1, 2014  
PT. BREEZE HEADQUARTERS BUILDING  
BALTIMORE, MD**

**OPEN SESSION**

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

**STAFF ATTENDING:** Bruce Gartner  
Deb Sharpless  
Doug Hutcheson  
Dan Williams  
Dave LaBella  
Joseph Jachelski  
Will Pines  
Donna DiCerbo  
Meshelle Howard  
Cheryl Sparks  
Gordon Garrettson  
Rebecca Freeberger  
Kimberly Millender, Esquire  
Chris Thompson  
Elizabeth Sogard

**OTHERS ATTENDING:** Gradon Tobery, I-95 GEC  
Dan Papiernic, Consultant, HNTB

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

Member Bill Hellmann and Mr. Doug Hutcheson were not present for and did not participate in the discussion of Items # 1 and 2 on the agenda.

**APPROVAL- OPEN AND CLOSED SESSION MINUTES OF APRIL 3, 2014**

Chairman Calhoun asked the Members if they had any questions or comments regarding the meeting minutes of April 3, 2014. Mr. Bruce Gartner suggested several amendments to the minutes. Upon motion by Mr. Mims and seconded by Mr. Whitson,

the Closed and Open Session meeting minutes of the Capital Committee's Meeting held on April 3, 2014 were unanimously approved, as amended.

### **APPROVAL CONTRACT**

#### **Contract No. MDTA 2013-04; AE 2793-000-001/6, AE 2794-000-001/6, AE 2795-000-001/6, AE 2796-000-001/6, AE 2797-000-001/6, AE 2798-000-001/6, AE 2799-000-001/6, AE 2801-000-001/6 – Comprehensive Preliminary and Final Engineering Design Services**

Mr. Dave LaBella presented this request to seek a recommended approval from the Capital Committee to present Contract Numbers: AE 2793-000-001/6, AE 2794-000-001/6, AE 2795-000-001/6, AE 2796-000-001/6, AE 2797-000-001/6, AE 2798-000-001/6, AE 2799-000-001/6, and AE 2801-000-001/6 for Comprehensive Preliminary and Final Engineering Design Services for the MDTA, to the full MDTA Board for award at its next scheduled meeting. Approval of these contracts is contingent upon the approval of the Transportation Professional Services Selection Board (TPSSB) and the Board of Public Works (BPW).

The scope of services to be provided under these Contracts includes but is not limited to: Preliminary and Final Comprehensive Engineering Design, associated with the preparation of construction plans and documents. The work encompasses all the Maryland Transportation Authority's facilities, including:

- I-95 (John F. Kennedy Memorial Highway) in Baltimore, Harford and Cecil Counties
- I-895 (Baltimore Harbor Tunnel Thruway) in Baltimore City and Baltimore, Howard, and Anne Arundel Counties
- I-95 and I-395 (Fort McHenry Tunnel) in Baltimore City
- I-695 (Francis Scott Key Bridge) in Baltimore City and Baltimore and Anne Arundel Counties
- Harry W. Nice Memorial Bridge in Charles County
- Bay Bridge in Anne Arundel and Queen Anne's Counties
- Thomas J. Hatem Memorial Bridge in Harford and Cecil Counties
- Inter County Connector (ICC) in Montgomery and Prince Georges Counties.

This work shall include but not be limited to: structural analysis, design and rehabilitation of complex and routine bridge structures, small structures, sign structures, noise walls, retaining walls, tunnels and buildings; highway design, including major highway and interchange widening and reconstruction (including elevated structures); development of maintenance of traffic for projects, performing traffic studies and revenue studies; toll plaza and truck inspection station design and reconstruction; design of signing and lighting and signalization; utility design; landscape design; noise analysis and mitigation, survey services; geotechnical engineering and drilling services; various mechanical and electrical engineering services related to bridge, highway and facility (building) projects; condition and construction inspection, and "Phase V" services; value engineering; public relations support and supplemental staffing as

required. The Consultant may be required to perform Program Management as a General Engineering Consultant (GEC) for the Maryland Transportation Authority. This would include large programs underway.

These eight (8) task-based contracts will be cost awarded as plus fixed fee Contracts, valued at Eight Million Dollars (\$8,000,000.00) to Fifteen Million Dollars (\$15,000,000.00) each for a total Not-to-Exceed cost of Ninety Million Dollars (\$90,000,000.00). The project was approved by Acting Secretary of Transportation, Darrell Mobley on May 20, 2013.

The Minority Business Enterprise (MBE) participation goal for each contract is Twenty-Six Percent (26%) with sub-goals of Six Percent (6%) for African American, Two Percent (2%) for Hispanic, and Nine Percent (9%) for Women-Owned. This Contract also contains a One Percent (1%) goal for Veteran Owned Small Business Enterprise (VSBE). All of the recommended prime contractors have submitted MBE and VSBE plans that meet the goals.

### **History from Solicitation of Interest**

- Advertised Expression Interest on June 20, 2013.
- Thirteen (13) firms responded by submitting Expressions of Interest on July 11, 2013.
- Expressions of Interest were received and evaluated and thirteen (13) firms were placed on the Reduced Candidate List.
- The RFP was issued on September 3, 2013.
- Technical Proposals were received on October 8, 2013 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 December 9, 2013 to Solicit Price Proposals from the top eight (8) ranked firms.
- Price Proposals were received on February 3, 2014 and negotiations were held.
- Requested and received approval from Executive Director, Bruce W. Gartner on April 30, 2014 on the negotiated price proposals.

The firm selected for award of Contract No. AE 2793-000-001/6 in the amount of \$15,000,000.00 is STV/Parson Brinckerhoff, A Joint Venture (the highest rated firm). Its sub-consultants are:

Athavale, Lystad & Associates, Inc. – MBE;  
BVF Engineering, Inc. – MBE;  
Chesapeake Environmental Management, Inc. – MBE;  
E2CR, Inc. – MBE;  
iCivil, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;

Prime AE Group, Inc. – MBE;  
Puente Consultants, LLC. – MBE;  
Straughan Environmental – MBE; and  
HSJMet & Associates, LLC. – VSBE.

The firm selected for award of Contract No. AE 2794-000-001/6 in the amount of \$15,000,000.00 is URS Corporation/ Wallace Montgomery & Associates, A Joint Venture, (the second highest rated firm). Its sub-consultants are:

Infrastructure Technologies, LLC – MBE;  
Chesapeake Environmental Management, Inc. – MBE;  
iDesign Engineering, Inc. – MBE;  
Athavale, Lystad & Associates, Inc. – MBE;  
Findling, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
Sabra, Wang & Associates, Inc. – MBE;  
Prime AE Group, Inc. – MBE; and  
DVA Architects – VSBE

The firm selected for award of Contract No. AE 2795-000-001/6 in the amount of \$12,000,000.00 is Rummel, Klepper & Kahl, LLP, (the third highest rated firm). Its sub-consultants are:

Mahan Rykiel Associates, Inc. – MBE;  
Athavale, Lystad & Associates, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
Constellation Design Group, Inc. – MBE;  
Phoenix Engineering, Inc. – MBE;  
T3 Design Corporation – MBE;  
Alvi Associates, Inc. – MBE;  
E2CR, Inc. – MBE;  
Prime AE Group, Inc. – MBE;  
Argo Systems, Inc. –VSBE;  
Modjeski and Masters, Inc.; and  
Jenkins Engineering Company.

The firm selected for award of Contract No. AE 2796-000-001/6 in the amount of \$12,000,000.00 is Johnson, Mirmiran & Thompson, (the fourth highest rated firm). Its sub-consultants are:

Athavale, Lystad & Associates, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
iCivil, Inc. – MBE;  
Traffic Engineering Services, LLC – MBE;  
Phoenix Engineering, Inc. – MBE;  
Straughan Environmental, Inc. – MBE;

Infrastructure Technologies, LLC – MBE;  
Alvi Associates, Inc. – MBE;  
E2CR, Inc. – MBE;  
Prime AE Group, Inc. – MBE; and  
Olson Surveying, LLC – VSBE.

The firm selected for award of Contract No. AE 2797-000-001/6 in the amount of \$12,000,000.00 is Whitman, Requardt & Associates/AECOM Technical Services/Ammann & Whitney Consulting Engineers, A Tri Venture, (the fifth highest rated firm). Its sub-consultants are:

Mahan Rykiel Associates, Inc. – MBE;  
Athavale, Lystad & Associates, Inc. – MBE;  
Legion Design/Campbell & Associates Chartered – MBE;  
Constellation Design Group, Inc. – MBE;  
T3 Design Corporation – MBE;  
Chesapeake Environmental Management – MBE;  
Puente Consultants, LLC – MBE;  
Diversified Property Services – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
Prime AE Group, Inc. – MBE;  
RJM Engineering, Inc. – MBE;  
E2CR, Inc. – MBE;  
AB Consultants, Inc. – MBE; and  
RASCO, Inc. – VSBE.

The firm selected for award of Contract No. AE 2798-000-001/6 in the amount of \$8,000,000.00 is Stantec Consulting Services, Inc./Hardesty & Hanover, LLC/CDM Smith, Inc., A Tri Venture, (the sixth highest rated firm). Its sub-consultants are:

Athavale, Lystad & Associates, Inc. – MBE;  
BVF Engineering, Inc. – MBE;  
Constellation Design Group, Inc. – MBE;  
Endesco, Inc. – MBE;  
Environmental Research Group – VSBE;  
Floura Tetter Landscape Architects – MBE;  
NXL, Inc. – MBE;  
Prime AE Group, Inc. – MBE;  
Remline Corporation – MBE;  
Sabra, Wang & Associates – MBE;  
Schnabel Engineering and  
Straughan Environmental, Inc. – MBE.

The firm selected for award of Contract No. AE 2799-000-001/6 in the amount of \$8,000,000.00 is Whitney Bailey Cox & Magnani, LLC/Jacobs Engineering Group, Inc., A Joint Venture, (the seventh highest rated firm). Its sub-consultants are:

Pennoni Associates, Inc. – MBE;  
Schnabel Engineering – MBE;  
Chesapeake Environmental Management, Inc. – MBE;  
Floura Teeter Landscape Architects, Inc. – MBE;  
Argo Systems, LLC – VSBE;  
Athavale, Lystad & Associates – MBE;  
Mercado Consultants, Inc. – MBE;  
Sabra Wang & Associates, Inc. – MBE; Remline Corporation – MBE; and  
BVF Engineering, Inc. – MBE.

The firm selected for award of Contract No. AE 2801-000-001/6 in the amount of \$8,000,000.00 is KCI Technologies, Inc. (the eighth highest rated firm). Its sub-consultants are:

Athavale, Lystad & Associates, Inc. – MBE;  
Constellation Design Group, Inc. – MBE;  
Findling, Inc. – MBE;  
Mercado Consultants, Inc. – MBE;  
Mimar Architects, Inc. – MBE;  
PELA Design, Inc. – MBE;  
Sabra, Wang & Associates, Inc. – MBE;  
T3 Design Corporation – MBE;  
Transportation Economics & Management Systems, Inc. – MBE;  
Diversified Property Services, Inc. – MBE;  
BZT, LLC. – VSBE; and  
HDR Engineering, Inc.

Notice to Proceed (NTP) for these contracts is anticipated in June, 2014. 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 motion by Mr. Whitson and seconded by Mr. Mims, the Members unanimously recommended approval of Contract No., AE 2793-000-001/6, AE 2794-000-001/6, AE 2795-000-001/6, AE 2796-000-001/6, AE 2797-000-001/6, AE 2798-000-001/6, AE 2799-000-001/6, and AE 2801-000-001/6 for Comprehensive Preliminary and Final Engineering Design Services for the MDTA, to the MDTA Board at its next scheduled meeting. Mr. Hellmann abstained from the discussion and vote in this matter. Mr. Mims abstained from the discussion and vote on this matter related to STV/Parson Brinckerhoff.

At this time Member Hellmann and Mr. Doug Hutcheson joined the meeting.

**Contract No. FT 2693-000-006R – Miscellaneous Structural Repairs Inside the Fort McHenry Tunnel**

Mr. Will Pines presented this request to seek a recommended approval from the Capital Committee to present Contract No. FT-2693-000-006R, Miscellaneous Structural Repairs Inside the Fort McHenry Tunnel to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located at the Fort McHenry Tunnel on I-95 in Baltimore City.

An allowance of \$250,000.00 was included in the IFB for Miscellaneous Repairs and Modifications which will only be used if necessary and will not be used without prior approval of the Project Engineer.

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

- 1) Perform concrete repairs to the underside of the roadway slab and slab side walls supporting the roadway slabs.
- 2) Specifically;
  - pressure injected epoxy crack repair,
  - selective demolition of concrete spalls and delaminated areas by hydro-demolition,
  - limited hand chipping, cleaning and coating existing reinforcing steel,
  - installation of reinforcing steel and welded wire fabric, and
  - repairs of concrete spalls using pneumatically applied mortar.
- 3) Miscellaneous structural repairs throughout the Fort McHenry Tunnel Facility as directed by the Engineer.

This project was advertised on November 26, 2013.

Four (4) bids were received on January 23, 2014; however, one (1) bid was rejected. A protest was received and denied with the concurrence of Legal Counsel. The responsive bid results were as follows:

<b>Contractor</b>	<b>Bid Amount</b>	<b>% Variance To Eng. Est.</b>
Coastal Gunit Construction Co.	\$19,922,700.00	(10.59%)
Freyssinet, Inc.	\$20,552,460.00	(7.75%)
MD Miller Co., Inc t/a The Marksmen Co.	\$22,660,000.00	1.69%

The Engineer's Estimate is \$22,282,500.00. It was noted that the low bid was 10.59% 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

Coastal Gunitite Construction Company 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. This contract was also advertised with a minimum VSBE participation goal of one percent (1%). Coastal Gunitite Construction Company submitted an MBE plan and a VSBE plan that meet the goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in July, 2014. The contract term is for Four Hundred Ten (410) 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. Hellmann and seconded by Mr. Mims, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

**Contract No. KH 1303-000-006 – I-95/I-695 Interchange: Reconstruction of I-695 Roadway from US 1 to MD 7**

Mr. Dave LaBella presented this item to seek recommended approval from the Capital Committee to present Contract No. KH-1303-000-006: I/95/I-695 Interchange: Reconstruction of I-695 Roadway from US 1 to MD 7 to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is for the reconstruction of I-695 (Baltimore Beltway) at I-95 for a distance of approximately 1.5 miles.

Allowances of \$1,200,000.00 were included in the Invitation For Bid for Public Relations (\$50,000.00), Facility Maintenance (\$50,000.00), and Diesel Fuel Price Adjustments (\$1,100,000.00) which will only be used if necessary and will not be used without prior approval of the Project Engineer.

This project involves the reconstruction and realignment of this existing six (6) lane divided highway.

This project includes, but is not limited to:

- Carbide Grinding and Resurfacing
- Full Depth Pavement Construction
- Resurfacing
- Patching
- New Storm Drain Improvements
- New Storm water Management Facilities
- New Noise Wall and Retaining Wall Structures
- Landscaping
- Signing and Marking
- Lighting; Low Level

- Intelligent Transportation System(ITS)
- Electrical and Communication Systems
- Providing all necessary Maintenance of Traffic (MOT)

This project was advertised on January 16, 2014.

Four (4) responsive Bids were received on March 13, 2014, and the bid results were as follows:

<b>Contractor</b>	<b>Bid Amount</b>	<b>% Variance To Eng. Est.</b>
American Infrastructure – MD, Inc.	\$56,137,777.00	(3.33 %)
G.A and F.C Wagman, Inc.	\$59,232,387.21	2.0 %
Concrete General, Inc.	\$59,876,848.38	3.07 %
Cherry Hill Construction, Inc.	\$67,888,000.00	16.9 %

The Engineer's Estimate is \$58,071,444.30. It was noted that the low bid was 3.33% 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 American Infrastructure – MD, Inc., was determined to be acceptable. 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 and four percent (4%) for Asian-American owned companies. The contract was also advertised with a one percent (1%) Veteran-owned Small Business Enterprise (VSBE) participation goal. American Infrastructure-MD, Inc., submitted an MBE plan and a VSBE plan that meet the goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in July, 2014. The contract term is for Seven Hundred Thirty (730) 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. Mims and seconded by Mr. Hellmann, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

#### **Contract No. KH 2422-000-006 – Tydings Bridge Foundation and Substructure Repairs**

Mr. Dave LaBella presented this item to seek a recommended approval from the Capital Committee to exceed a Capital Expenditure in excess of \$500,000 and to propose to the full Authority for approval at the next scheduled meeting.

The original construction budget reflected the low bid amount of \$30,649,120.00 plus \$3,064,912.00 or 10% for extra work. The current authorized construction budget is \$33,714,032.00.

Staff requested approval to make a \$1,000,000 Capital Expenditure that exceeds \$500,000 for a Contract Modification. This modification is within the original construction budget and the Delegated Authority.

The Extra Work Authorization is needed due to impacted work as a result of unforeseen site conditions (rock obstructions) at Pier 3.

#### Pending Extra Work Authorization EWA #11 Pier 3 Obstructions

An unforeseen site condition at Pier 3 was discovered while driving sheet piles and excavating to bedrock. The contractor hit rock boulder obstructions that delayed and impacted the piling and excavation operations. The boulders were not shown on the nearest boring log. When the excavation reached approximately elevation -42.00, a split in the sheet piles was encountered on the west wall that required a re-design to construct the remainder of the foundation repair. This EWA includes a ninety-nine calendar day time extension and \$1,000,000.00 for impacted and delayed costs.

Original Contract Amount	\$30,649,120		
Delegated Authority Limit	<u>\$ 3,064,912</u>	or	10.00%
Authorized Construction Budget	\$33,714,032		
Total Proposed EWA No. 11	\$ 1,000,000	or	3.26%
Original Contract Amount	\$30,649,120		
Proposed EWA #11	\$ 1,000,000		
Approved EWA's No. 1 – 10	\$ 561,675		
Item Overruns to Date	\$ 46,800	or	0.15%
Anticipated Item Under Runs	- ( <u>\$ 3,152,808</u> )	or	-10.29%
Revised Construction Budget	\$29,104,787	or	94.96%

Upon motion by Mr. Hellmann and seconded by Mr. Mims, the Members unanimously recommended approval to the full MDTA Board at its next regularly scheduled meeting to exceed a Capital Expenditure in excess of \$500,000.

#### VIDEO TOLL AND CITATIONS PROJECT

Ms. 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.

- Mailings and web access to PDF's were interrupted temporarily due to hardware and image server issues. The image server is scheduled to be replaced;
- Increased communication with court system regarding case loads;
- Court representative staff hired;
- Test and deploy updated court process module;
- Begin to schedule court dates;
- Train MDTA court representative staff;

- Review of initial case files for completeness prior to court dates; and
- Xerox assigning a new Project Manager.

Ms. Meshelle Howard stated as of April 14, 2014 Xerox has submitted its request for a MBE Plan Modification approval. The Division of Civil Rights and Fair Practices is in the process of evaluating the submission and will work with Xerox to ensure it has submitted a plan that meets the goal.

### **BAY BRIDGE PUBLIC SAFETY AND EDUCATIONAL CAMPAIGN**

Mr. Gartner thanked Mr. Garrettson and the Division of Communications for all their efforts on the media attention on our ospreys, Ozzie and Harriett, who built their nest in front of the Bay Bridge traffic cameras.

Ms. Cheryl Sparks, Ms. Rebecca Freeberger and Mr. Gordon Garrettson presented this update to the Capital Committee on communications' efforts for the new safety features and summer-travel season at the Bay Bridge.

The Bay Bridge Summer Travel Public Safety Campaign kicked off in late April with a mini-safety campaign highlighting the new features and signage: Mandatory headlight use at all times, curve warning signs, 40 mph speed-limit signs for curves, "Your Speed Is" signs, "Congestion Ahead" signs and "Do Not Tailgate" signs. The campaign will then add the summer-travel education just before Memorial Day to include safety, planning and distracted driving. With the equity investment from previous years' campaigns, MDTA "spokesbirds" Spike and Otis have returned to promote safety tips, 1-877-BAYSPAN, baybridge.com, and best times to travel.

The Division of Communications (DOC) is utilizing McAndrew Company (Contract #20120002) to develop and produce the 2014 campaign. Summer-travel media spending has decreased in the last several years, from \$835,000 in 2009 to an effective spending budget of \$620,000 for 2014, which includes the additional education efforts for the mini-safety campaign. The DOC also continues to rely heavily on traditional PR and grassroots outreach efforts.

The 2014 campaign expands the use of social media through Facebook, Twitter, Instagram, Vine and FLICKR during the summer season and will have a large interactive media presence.

Since 1-877-BAYSPAN went live in 2005 and baybridge.com was launched in 2007, the MDTA's customers consistently rely on these information sources not just during the summer, but throughout the year.

Members thanked Mr. Garretson and the Division of Communications for all the work they do on public safety efforts at the Bay Bridge.

This item will also be presented to the Finance Committee.

## **SYSTEM PRESERVATION PROGRAM QUARTERLY UPDATE**

Mr. Dave LaBella presented this update to the Capital Committee on the status of the Maryland Transportation Authority's (MDTA's) System Preservation Program.

As part of our quarterly update to the Capital Committee, and as discussed in previous meetings, the System Preservation Program Team continues to manage several projects through the study, design, and procurement process according to an established program milestone schedule.

Additional projects are being programmed when practicable to maintain cash flow expenditures, including several large projects that were recently added to the program. The Team continues to perform financial tracking and reporting to support the management of the System Preservation Program. Design milestones continue to be met, as the Team continues to review submittals and deliverables for various projects.

This presentation included a discussion of the status of the system preservation projects, as well as the financial aspects of the System Preservation Program.

Members suggested a meeting with State Highway Administration and City of Baltimore to coordinate adjacent construction projects so there is less impact on motorist.

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 Mr. Mims and seconded by Mr. Hellmann.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, June 5, 2014 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.