

**MARYLAND TRANSPORTATION AUTHORITY  
MONTHLY CAPITAL COMMITTEE MEETING  
THURSDAY, June 4, 2015  
PT. BREEZE HEADQUARTERS BUILDING  
BALTIMORE, MD**

**OPEN SESSION**

**MEMBERS ATTENDING:** Rev. Dr. William C. Calhoun, Sr.  
W. Lee Gaines, Jr.  
William K. Hellmann, P.E.  
Michael J. Whitson

**STAFF ATTENDING:** Bruce Gartner  
Deb Sharpless  
Dan Williams  
Will Pines  
James Harkness  
Dave LaBella  
Reta Kabtimer  
Dennis Simpson  
Jeanne Marriott  
Sheila Rivers  
Meshelle Howard  
Cheryl Sparks  
John Sales  
Donna DiCerbo  
Chris Thompson  
Sabrina Beverley  
Kimberly Millender, Esquire

**OTHERS ATTENDING:** Dennis Schrader, MDOT – via telephone  
Chris Fronheiser, AECOM

At 9:05 a.m. the meeting of the Maryland Transportation Authority (MDTA) Capital Committee was called to order by Chairman Calhoun.

Chairman Calhoun amended the agenda by adding a new item to the Agenda – Introduction of the new Chief Engineer. The Members unanimously concurred in the modification to the Agenda.

Mr. Bruce Gartner recognized Mr. Dan Williams as the newly appointed Chief Engineer of the Office of Engineering and Construction (OEC). Mr. Williams had worked on the Express Toll Lane Project and then served as the Deputy Director of OEC and then the

Director of OEC. The Chairman and Members congratulated Mr. Williams and expressed their most sincere appreciation for his excellence and commitment to the MDTA.

### **APPROVAL- OPEN SESSION MINUTES OF May 7, 2015**

Upon motion by Member Whitson and seconded by Member Hellmann, the Open Session meeting minutes of the Capital Committee's Meeting held on May 7, 2015 were unanimously approved.

### **DRAFT FY 2016-2021 CONSOLIDATED TRANSPORTATION PROGRAM (CTP)**

Mr. Dennis Simpson and Ms. Jeanne Marriott presented this request seeking a recommended approval from the Capital Committee for the proposed Draft FY 2016-2021 CTP. The Draft CTP will also be presented to the Finance Committee for recommendation for approval and to the full MDTA Board for final approval.

The six-year FY 2016-2021 budget in the proposed CTP is \$1.8 billion. The proposed CTP reflects a decrease in the six-year FY 2016-2021 budget of \$32.7 million. The net FY 2016-2021 budget decrease is the result of the following changes:

- Increase in the six-year CTP budget by \$83.5 million for all projects except ICC, ETL and reserves
- Decrease in the system preservation allocated and unallocated reserves by \$153.7 million
- Shift of ICC budget by \$35.7 million and ETL budget by \$1.7 million from FY 2015 to the FY 2016-2021 time period
- Per the MDTA Board's direction, the Nice Bridge Replacement Project funding level has remained the same as in the Final FY 2015-2020 CTP.

Highlights of changes to the six-year FY 2016-2021 CTP budget that have been incorporated in the proposed Draft FY 2016-2021 CTP were presented as Attachment #2.

#### **Added New Projects**

Funded 6 new system preservation projects for a total of \$4.2 million transferred from the reserves.

#### **Added Construction Phase**

Funded the construction phase of 4 projects for a total of \$37.4 million transferred from reserves as design reached 60% level and cost estimates were developed based on a fully developed scope.

**Modified Project Budget to Reflect Bids Received**

Transferred \$13.3 million to the CTP reserve which is the net result of construction budget adjustments due to bids received. Seven contracts came in lower than Engineer's Estimate, which resulted in budget reductions of \$14.3 million while two contracts came in higher than Engineer's Estimate, which resulted in budget increases of \$1.1 million.

**Modified Budget to Reflect Completed Projects**

Four projects were completed in FY 2015 and the changes had no impact on the six-year FY 2016-2021 budget.

**Modified Active Projects Due to Cost Changes and Cash Flow Adjustments**

Adjusted cash flows and funded changes in engineering and/or construction budgets for 63 projects for a net budget increase of \$92.6 million.

**System Preservation Reserve Change**

In the six-year FY 2016-2021 budget the unallocated reserves remained the same at \$69.0 million and the allocated reserves decreased by \$153.7 million.

These changes resulted in an overall six-year FY 2016-2021 budget reduction of \$32.7 million.

FY 2015 expenditure is projected to be \$346.8 million vs. \$395.3 million projected in the Final FY 2015-2020 CTP. FY 2015 underspending is projected to be \$48.6 million and has been rolled over into the Draft FY 2016-2021 CTP.

The proposed Draft FY 2016–2021 CTP reflects a decrease of \$32.7 million in the six-year FY 2016-2021 budget, which includes the rollover of FY 2015 unspent funds (\$48.6 million).

Upon a motion by Member Hellmann and seconded by Member Whitson, the Members unanimously recommended approval of the Draft FY 2016-2021 Consolidated Transportation Program (CTP) by the MDTA Board at its next scheduled meeting.

**APPROVAL CONTRACTS****Contract No. KB-2715-000-006 – Bridge Deck Overlay and Miscellaneous Repairs For MD 695 Inner and Outer Loop over Dock Road and MD 695 Inner and Outer Loop Over CSXT Railroad**

Mr. Dave LaBella presented this request seeking a recommended approval from the Capital Committee to present this Contract No. KB-2715-000-006 – Bridge Deck Overlay and Miscellaneous Repairs For MD 695 Inner and Outer Loop over Dock Road

and MD 695 Inner and Outer Loop Over CSXT Railroad to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located at Structure Nos. BCZ492051 and BCZ492061 carrying the MD 695 Inner and Outer Loops over Dock Road and Structure Nos. BCZ496051 and BCZ496061 carrying the MD 695 Inner and Outer Loops over CSXT Railroad. Full depth shoulder reconstruction is required within the project limits along both the right shoulder and left shoulder of the MD 695 Inner Loop and Outer Loop. This will allow two lanes of MD 695 traffic to remain open in each direction during peak hours. A bio-swale will be constructed within the project limits. Milling of the existing deck and placement of latex modified concrete overlay will be required on all bridges. Miscellaneous repairs to the bridge parapets, substructure, and slope protection shall be completed. Asphalt mill and overlay shall be completed within the entire project limits at the completion of the bridge overlays.

There is an allowance of \$20,000.00 for Railroad Expenses and an allowance of \$250,000.00 for Miscellaneous Repairs that was included in the Invitation for Bids (IFB) and will only be used if necessary and with prior approval of the Engineer.

This project was advertised on October 24, 2014.

Six (6) bids were received on January 20, 2015 and the responsive bid results were as follows:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>	<b><u>Variance % To Eng. Est.</u></b>
G.A. & F.C. Wagman, Inc.	\$4,724,386.78	8.04%
Martins Construction Corp.	\$5,082,118.88	16.22%
Concrete General, Inc.	\$5,307,332.70	21.37%
Brawner Builders, Inc.	\$5,437,771.00	24.35%
Fort Myer Construction Corp.	\$5,504,524.95	25.88%
Eastern Highway Specialist, Inc.	\$5,707,303.98	30.52%

The Engineers Estimate for this project is \$4,372,842.29. It was noted that the low bid was 8.04% higher than the Engineer's Estimate. G.A. & F.C. Wagman, 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 G.A. & F.C. Wagman, Inc., was determined to be acceptable. This solicitation was advertised with a Minority Business Enterprise (MBE) participation goal of Thirty-Five Percent (35%) with sub-goals of 7% for African American-owned and 4% for Asian American-owned companies; and a One Percent (1%) Veteran-owned Small Business Enterprise (VSBE) participation goal. G.A. & F.C. Wagman, Inc. requested

and was granted a partial waiver of 5.9% of the overall MBE participation goal; however, Wagman did meet the subgoals. G.A. & F.C. Wagman, Inc. has submitted a VSBE plan that meets the established goal. Notice-to-Proceed (NTP) for this Contract is anticipated in July, 2015. The contract term is Four Hundred Fifty (450) 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 Hellmann and seconded by Member Whitson, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

### **Contract No. KH-2782-000-006R – Rehabilitation of Corrugated Pipe Culverts**

Mr. Reta Kabtimer presented this request seeking a recommended approval from the Capital Committee to present this Contract No. KH-2782-000-006R – Rehabilitation of Corrugated Pipe Culverts to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located on the JFK Memorial Highway in Harford and Cecil Counties. The scope of work will consist of the following, which may not be required for all structures:

- Pave the inverts of the structures,
- Fill undermined or eroded areas of structure with flowable fill, grout bags and/or riprap,
- Repair existing headwalls, wingwalls with cast-in-place concrete,
- Restore deteriorated area of pipe with galvanized structural steel plate, and
- Remove and dispose of debris, coatings, and existing paving at the inlet, outlet, and inside the pipe at the approved site.

The items specified above are not a complete list of work to be performed, nor are all being performed at each structure. The appropriate items and any additional work are shown in the Contract Documents for each specific structure.

There is an allowance of \$100,000 for Miscellaneous Repairs that was included in the Invitation for Bids (IFB) and will only be used if necessary and with prior approval of the Construction Manager.

This project was advertised on February 3, 2015.

Six (6) bids were received on April 17, 2015 and the responsive bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>Variance % To Eng. Est.</u>
Proshot Concrete, Inc.	\$ 679,440.00	(16%)
Marine Technologies, Inc.	\$ 752,700.00	(6%)
Masonry Resurfacing & Constr. Co., Inc.	\$ 818,686.00	2%
Taurus Contractors, LLC	\$ 947,475.00	18%
Coastal Gunitite Construction Co.	\$ 984,250.00	22%
Land Art Associates, LLC	\$2,062,450.12	157%

The Engineers Estimate for this project is \$804,365.00. It was noted that the low bid was 16% lower than the Engineer's Estimate. Proshot Concrete, Inc., has performed similar projects with SHA and other counties in Maryland. 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 acceptable. A bid justification was completed and the bid was determined to be fair and reasonable. This solicitation was advertised with a Minority Business Enterprise (MBE) participation goal of Nineteen Percent (19%) with no sub-goals. Proshot Concrete, Inc. submitted an MBE plan that meets the goals. Notice-to-Proceed (NTP) for this Contract is anticipated in August, 2015. The contract term is two hundred seventy (270) 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 Gaines and seconded by Member Whitson, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

**Contract No. NB-2849-000-006 – Governor Harry W. Nice Memorial Bridge – Subsurface Exploration and Laboratory Testing Program**

Mr. Will Pines presented this request seeking a recommended approval from the Capital Committee to present this Contract No. NB-2849-000-006 – Governor Harry W. Nice Memorial Bridge – Subsurface Exploration and Laboratory Testing Program to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located at the Governor Harry W. Nice Memorial Bridge. The scope of work includes exploring the subsurface conditions within Maryland, Virginia, and in the Potomac River in the vicinity of the existing Governor Harry W. Nice Memorial Bridge. All work, as shown in the Contract Documents shall be performed by means of earth borings with augers, mud rotary, casing, split barrel soil samples, undisturbed samples, rock core borings, In situ testing, installation of groundwater monitoring wells, Munitions and Explosives of Concern (MEC) support services, and conducting laboratory testing.

There is an allowance of \$500,000 for Miscellaneous Subsurface Investigation and Testing that was included in the Invitation for Bids (IFB) and will only be used if necessary and with prior approval of the Construction Manager.

This project was advertised on February 23, 2015.

Two (2) bids were received on April 7, 2015 and the responsive bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>Variance % To Eng. Est.</u>
Froehling & Robertson, Inc.	\$7,351,255.00	38.52%
Hillis-Carnes Engineering Associates	\$10,751,026.00	102.58%

The Engineers Estimate for this project is \$5,306,963.00. It was noted that the low bid was 38.52% higher than the Engineer's Estimate. Froehling & Robertson, Inc., has performed similar work within the State of Maryland. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid submitted by Froehling & Robertson, Inc., was determined to be acceptable. A bid justification was completed and the bid was determined to be fair and reasonable. This project was advertised with a Minority Business Enterprise (MBE) participation goal of Eighteen Percent (18%) with no sub-goals; and a Two Percent (2%) Veteran-owned Small Business Enterprise (VSBE) participation goal. Froehling & Robertson, Inc. submitted MBE and VSBE plans that meet the goals. Notice-to-Proceed (NTP) for this Contract is anticipated in September, 2015. The contract term is three hundred (300) calendar days from NTP.

This is a Construction-related services contract and exceeds the authority delegated to MDTA; therefore, the contract requires approval of the Maryland Board of Public Works.

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 Gaines, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

#### **PB 2804-000-007 – Rehabilitate Point Breeze Parking Lots**

Mr. James Harkness presented this request seeking a recommended approval from the Capital Committee to present this Contract No. PB 2804-000-007 – Rehabilitate Point Breeze Parking Lots to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is for the rehabilitation of two parking facilities and the asphalt roadway approach to MDTA's parking facility located in the rear of the MDTA's Point Breeze Warehouse/Office Complex in Baltimore, MD. The parking facilities are comprised of one lot utilized by MDTA for vehicle and miscellaneous storage and a second larger lot leased to private companies for truck trailers storage, building material storage and hauling staging areas. Additional work will be performed to provide full depth asphalt pavement for the expansion of available storage areas at two separate locations on MDTA property between the existing railroad tracks and the access roadway that are immediately south of the parking facilities that are being rehabilitated. These two areas will also be leased to a private company for additional storage related to trucking operations.

This project includes, but is not limited to:

- Carbide Grinding and Resurfacing
- Full Depth Asphalt Patching (Approx. 3" Depth)
- Full Depth Asphalt Paving
- Concrete Curb and Gutter
- Storm Drain Repairs
- Storm Drain Cleaning

There is an allowance of \$10,000.00 for Hazardous Materials Disposal and an allowance of \$5,000.00 for Erosion and Sediment Control Measures that was included in the Invitation for Bids (IFB) and will only be used if necessary and with prior approval of the Construction Manager.

This project was advertised on March 13, 2015.

Five (5) bids were received on April 30, 2015 and the responsive bid results were as follows:

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>	<b><u>Variance % To Eng. Est.</u></b>
P. Flanigan & Sons, Inc.	\$379,241.25	(24.06%)
Reliable Contracting, Inc.	\$428,642.50	(14.17%)
Image Asphalt Maintenance, Inc.	\$444,432.00	(11.01%)
General Paving & Contracting, Inc.	\$490,771.50	(1.73%)
Gray & Sons, Inc.	\$546,000.00	9.33%

The Engineers Estimate for this project is \$499,402.00. It was noted that the low bid was 24.06% lower than the Engineer's Estimate. P. Flanigan & Sons, Inc., has performed similar work within the State of Maryland. An analysis of the bid compared to the Engineer's Estimate was performed by the Division of Engineering and the low bid

submitted by P. Flanigan & Sons, Inc., was determined to be acceptable. A bid justification was completed and the bid was determined to be fair and reasonable. This solicitation was advertised as a Small Business Preference (SBP) with no Minority Business Enterprise (MBE) participation goals and no Veteran-owned Small Business Enterprise (VSBE) goal. Notice-to-Proceed (NTP) for this Contract is anticipated in July, 2015. The contract term is Ninety (90) calendar days from Notice-To-Proceed.

This is a Construction-related services contract and exceeds the authority delegated to MDTA; therefore, it requires approval of the Maryland Board of Public Works.

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

### **STATUS UPDATE ON THE POINT BREEZE CAMPUS PROPERTY**

Mr. Dennis Simpson updated the Capital Committee on the status of the land use/ownership efforts at the Point Breeze campus. This item will also be presented to the Finance Committee for their information.

MDTA purchased the Point Breeze property in 2001 through a foreclosure sale. Because it was a foreclosure and MDTA did not purchase the entire property; there are some property ownership and maintenance responsibilities that were never clearly defined when the property was transferred.

MDTA reinitiated discussions with RREEF on April 1, 2015. The issues discussed included roadways, sidewalks, drainage facilities, parking lots and a potential land transfer and swap. RREEF currently has a permit to use two parking lots adjacent to its building that are owned by MDTA and the parties are considering swapping a piece of RREEF land for the MDTA-owned lots.

MDTA leases land behind the 2340 building to Terminal Corporation for truck parking and container storage. Terminal Corporation pays the MDTA \$69,000 per year for the lease. MDTA is moving the fence line to provide additional parking for the Point Breeze headquarters complex. This move results in the space being leased to Terminal Corporation being reduced; however, based on updated property appraisals, their new lease amount will be \$64,000 per year.

MDTA staff is also looking at the potential to dispose of land behind the 2340 building that includes a rail line. The benefit of this disposition would be to transfer responsibility for maintenance of the rail line to the new owner.

## **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;

- resolving outstanding issues for CCU referrals
- reviewing video toll legislation
- initiated mailing giving fifteen (15) day notice of referral to CCU (non-MVA eligible)
- reviewed technical requirements and developed standard procedures for system changes to implement new legislation
- published COMAR to implement provisions of new legislation

Mr. Bruce Gartner informed the Members of the loss of one of our MDTA employees. Mike Pearce, a Facility Maintenance Tech II from JFK 1, was struck and killed during a mowing operation on May 28, 2015. Mr. Pearce has been with the MDTA for a year and half. Family and friends may gather to pay their respects on Thursday, June 4, from 5 - 8 p.m. A memorial service will be held at 7 p.m.

Members expressed their condolences to the family, friends and the MDTA family during this difficult time.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 10:40 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, July 9, 2015 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.