

**MARYLAND TRANSPORTATION AUTHORITY  
MONTHLY CAPITAL COMMITTEE MEETING  
THURSDAY, AUGUST 3, 2017  
PT. BREEZE HEADQUARTERS BUILDING  
BALTIMORE, MD**

**OPEN SESSION**

**MEMBERS ATTENDING:** William H. Cox, Jr. (via telephone)  
William Ensor, III (via telephone) - Chairman  
W. Lee Gaines, Jr. (via telephone)

**STAFF ATTENDING:** Kevin Reigrut  
Dan Williams  
James Harkness  
John O'Neill  
Meshelle Howard  
Melissa Williams  
Kerry Brandt  
Trudy Edwards  
Jessica Mettle  
Laura Mullen  
Kim Millender, Esquire  
Will Pines  
Robert Michael  
Larry Okpolor

**OTHERS:** Elizabeth Sogard, Stantec

At 9:00 a.m. the meeting of the Maryland Transportation Authority (MDTA) Capital Committee was called to order by Chairman Ensor.

**APPROVAL – OPEN SESSION MINUTES OF JULY 13, 2017**

Upon motion by Member Cox and seconded by Member Gaines, the Open Session meeting minutes of the Capital Committee's Meeting held on July 13, 2017 were unanimously approved.

**DEDICATION OF INTERCOUNTY CONNECTOR/MD 200 FOR FORMER GOVERNOR ROBERT L. EHRLICH**

Mr. Kevin Reigrut presented this request to provide background information and a recommendation, pursuant to MDTA Board Policy A-MDT-STDR-0101, regarding the request by Governor Lawrence J. Hogan, Jr. to dedicate Maryland Route 200, commonly known as the Intercounty Connector (ICC), to former Maryland Governor Robert L. Ehrlich, Jr (2003-2007).

MDTA took ownership of the ICC from the Maryland State Highway Administration (SHA) in 2011, creating the first all-electronic toll road in the state of Maryland and providing a vital 18-mile east-west link between US 1 in Prince George's County and Interstate-270 in Montgomery County.

The ICC was included in transportation planning efforts tracing back to the 1950's. Despite significant financial investment, planning and engineering work, the ICC project had stalled before Governor Ehrlich directed SHA to begin construction. To accomplish this goal, Governor Ehrlich garnered bi-partisan support between federal and local governments to gain key endorsements from the U.S. Department of Transportation and Montgomery County, despite prior opposition to the project.

Governor Ehrlich's leadership in making the ICC a reality directly benefits MDTA customers with a shorter, safer, less congested, and more reliable driving option, while generating a five percent net reduction in traffic and related congestion on sections of I-95, I-495, and I-270. Since the opening of the ICC's final phase, utilization has grown by more than 20%.

Celebrating Governor Ehrlich's foresight and accomplishments by dedicating the ICC in his honor showcases the importance of providing our customers with superior roadway, bridge, and tunnel facilities by delivering major projects in spite of seemingly insurmountable obstacles.

Upon a motion by Member Gaines and seconded by Member Cox, the Members unanimously recommended approval of the request by Governor Hogan to dedicate MD-200 to former Governor Robert L. Ehrlich, Jr. by the MDTA Board at its next scheduled meeting.

### **APPROVAL CONTRACTS**

#### **Contract No. HT-2843-0000R – Various Slope and Drainage Repairs Along Baltimore Harbor Tunnel Thruway**

Mr. Will Pines presented this request for a recommended approval from the Capital Committee to present this Contract No. HT-2843-0000R, Various Slope and Drainage Repairs along Baltimore Harbor Tunnel to the full MDTA Board at its next scheduled meeting.

The work under this Contract includes: a) Excavating at existing gullies and the designated areas to firm ground; b) Backfilling with common borrow with compaction; c) Placing furnished topsoil on existing bare areas and on top of common borrow; d) Establishing vegetative cover on the topsoil as placed; e) Repairing and trimming existing ditches as designated; f) Replacing existing concrete ditches with riprap ditches as designated on the plans; g) Replacing traffic barrier w-beam at locations denoted in the Contract Documents; and h) Full and partial depth repairs and replacement of existing asphalt shoulders.

There is an Allowance of \$550,000 for Miscellaneous 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 May 11, 2017. Three (3) Bids were received on June 15, 2017. The responsive and responsible bid results were as follows:

<u>Contractor</u>	<u>Bid Amount</u>	<u>% Variance To Eng. Est.</u>
American Siteworks, LLC	\$5,896,394.00	16%
Concrete General, Inc.	\$7,599,467.00	49%
Milani Construction, LLC	\$7,665,925.00	51%

The Engineer's Estimate for this project is \$5,084,452.00. It was noted that the low bid was 16% above the Engineer's Estimate. American Siteworks, LLC, 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 American Siteworks, LLC, was determined to be fair and reasonable. A bid justification was performed and the bid has been determined to be fair and reasonable. This company has successfully performed work locally on prior MDOT MAA, National Security Agency (NSA), and General Services Administration (GSA) projects.

This project was advertised with an Overall Minority Business Enterprise (MBE) goal of 32% with sub-goals of 7% African American-owned firms and 4% for Asian American-owned firms and a 2% Veteran Small Business Enterprise (VSBE) goal. American Siteworks LLC has submitted MBE and VSBE plans that meet those goals. Notice-to-Proceed (NTP) for this Contract is anticipated in October, 2017. The Contract will be valid for 730 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 Gaines and seconded by Member Cox, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

### **Contract No. FT-2671-0000 – Salt Barn, Dewatering Facility and Site Improvements**

Mr. Larry Okpolor presented this request for a recommended approval from the Capital Committee to present this Contract No. FT-2671-0000, Salt Barn, Dewatering Facility & Site Improvements to the full MDTA Board at its next scheduled meeting.

The work under this Contract includes: 1) New 6,000 ton salt barn including lean-to structure to accommodate paint and tunnel soap storage and storage of other materials; 2) New dewatering facility building to accommodate material dumped from the MDTA's vector truck and street sweeper. The facility will collect water on a concrete pad and discharge to a grit chamber and then will discharge to the existing sanitary sewer pump station; 3) Reinforced concrete storage bins designed to accommodate the current material stored on the site. The bins will be constructed under the existing elevated ramps; 4) Site and paving work including new and reconfigured paved areas to accommodate circulation for the salt barn, access to the dewatering facility, and storage bins; 5) Miscellaneous site improvements including storm drainage, fencing, and removal of site debris; 6) New drainage and stormwater management facilities; 7) New

electrical work including building and site lighting and electrical infrastructure and appurtenance; and 8) Demolition and removal of the existing salt barn and lean-to structure.

There is an Allowance of \$400,000 for Miscellaneous Contingencies 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 March 9, 2017.

Three (3) Bids were received on May 31, 2017. One (1) bid was determined non-responsive and was 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>
Brawner Builders, Inc.	\$5,988,854.00	25%
Kimball Construction Co., Inc.	\$9,793,472.24	104.3%

The Engineer's Estimate for this project is \$4,800,103.00. It was noted that the low bid was 25% above the Engineer's Estimate. Brawner Builders, Inc. (Brawner) 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 Brawner was determined to be fair and reasonable. A bid justification was performed and the bid has been determined to be fair and reasonable. This company has performed work on prior MDTA projects successfully.

This project was advertised with an Overall Minority Business Enterprise (MBE) goal of 22% with sub-goals of 7% for African American-owned firms and 4% for Asian American- Owned firms and a 1% Veteran Small Business Enterprise (VSBE) goal. Brawner has submitted an MBE plan that exceeds the MBE goal and a VSBE plan that meets the goal. Notice-to-Proceed (NTP) for this Contract is anticipated in October, 2017. The Contract will be valid for 365 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 Gaines, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

Elizabeth Sogard recused herself and left the meeting for the approval of the following contract.

**Contract Nos. AE-3019-0000, AE- 3020-0000, AE-3024-0000, AE-3026-0000, AE-3027-0000, AE-3028-0000 and AE-3029-0000 – Project No. MDTA 2016-02**

Mr. Robert Michael presented this request to seek a recommended approval from the Capital Committee to present Contract Numbers: AE-3019-0000, AE-3020-0000, AE-3024-0000,

AE-3026-0000, AE-3027-0000, AE-3028-0000, and AE-3029-0000 for Comprehensive Construction Management and Inspection (CMI) 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 services to be performed under these Contracts are Comprehensive Construction Management and Inspection (CMI) Services for the Maryland Transportation Authority (MDTA).

The Consultants shall provide professional Construction Management and Inspection (CMI) services related to supplementing and supporting the construction Phase of the Maryland Transportation Authority (MDTA) Consolidated Transportation Program (CTP). The Consultants shall perform services in the following general areas; service shall include, but not be limited to; constructability reviews, conduct pre-construction conferences, monitor and document contractor performance, conduct detailed inspections of all construction work including erosion and sediment control contract compliance, environmental project program monitoring as required, maintenance of traffic, schedule and conduct progress meetings, conduct detailed materials inspections and testing (this may include providing the laboratory to conduct said testing), contract utility coordination and locating of existing facility utilities as needed, monitor project critical path method (CPM) and cash flow schedules, review and process progress and final payments utilizing Maryland Construction Management System (MCMS), provide construction phase review services such as reviewing shop drawings and responding to Request for Information (RFI), and assist the Authority's compliance officers with monitoring and enforcement of the Minority Business Enterprise (MBE) goals.

These are seven (7) of eleven (11) task-based contracts that will be cost plus fixed fee Contracts, with a value between Nine Million Dollars (\$9,000,000.00) to Fourteen Million Dollars (\$14,000,000.00) each, with a total Not-to-Exceed value of Seventy-Four Million Dollars (\$74,000,000.00). The remaining four (4) task-based contracts are anticipated to be presented to the Capital Committee in the near future in the amount of Forty-One Million Dollars (\$41,000,000.00) for a total Not-to-Exceed project value of One Hundred Fifteen Million Dollars (\$115,000,000.00). The project was initially approved by Secretary of Transportation, Pete K. Rahn on February 16, 2016.

The Minority Business Enterprise (MBE) participation goal for each contract is 25% with sub-goals of 6% for African American-owned firms, 2% Hispanic American-owned firms, and 9% Women-owned firms, and a 1% Veteran-Owned Small Business Enterprise (VSBE) goal. The prime contractors have submitted MBE and VSBE plans that meet these goals.

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

- Advertised Expression Interest on April 29, 2016.
- Fifteen (15) firms responded by submitting Expressions of Interest on June 1, 2016.

- Expressions of Interest were received and evaluated and all fifteen (15) firms were placed on the Reduced Candidate List.
- The RFP was issued on October 25, 2016
- Technical Proposals were received on November 29, 2016 and evaluated and ranked.
- Debriefings were held with the non-selected firms.
- The Consultant Screening Committee requested and received approval from Executive Director, Kevin C. Reigrut on February 14, 2017 to Solicit Price Proposals from the top ranked firms.
- Price Proposals were received on May 2, 2017 and negotiations were held.
- Requested and received approval from Executive Director, Kevin C. Reigrut, on July 21, 2017 with respect to Contracts AE-3019-0000, AE-3024-0000, AE-3026-0000, AE-3027-0000, AE-3028-0000, and AE-3029-0000 and on July 26, 2017 with respect to Contract AE-3020-000 on the negotiated price proposals.

The firm selected for award of Contract No. AE-3019-0000 in the amount of \$14,000,000.00 is Whitman, Requardt & Associates, LLP (the highest rated firm). Its sub-consultants are:

Constellation Design Group, Inc. – MBE;  
Puente Consultants, LLC – MBE;  
Infrastructure Technologies, LLC – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
Khafra Engineering Consultants, Inc. - MBE;  
Eborn Enterprises, Inc. – MBE;  
AB Consultants, Inc.;  
Northeast Engineering, Inc. – VSBE;  
Specialized Engineering;  
CH2M Hill, Inc.; and  
Ammann & Whitney Consulting Engineers, PC

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE-3020-0000 in the amount of \$14,000,000.00 is Johnson, Mirmiran & Thompson, Inc. (the second highest rated firm). Its sub-consultants are:

Athavale, Lystad & Associates, Inc. – MBE;  
Eborn Enterprises, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
Rossi Transportation Group – MBE;  
Infrastructure Technologies, LLC – MBE;  
Phoenix Engineering, Inc. – MBE;  
E2CR, Inc.;  
NMP Engineering Consultants, Inc.;  
Olson Surveying, LLC – VSBE; and  
Specialized Engineering

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE-3024-0000 in the amount of \$10,000,000.00 is EBA Engineering, Inc./Stantec Consulting Services, Inc./Michael Baker International, Inc. a Joint Venture (the sixth highest rated firm). Its sub-consultants are:

Phoenix Engineering, Inc. – MBE;  
Chesapeake Environmental Management – MBE;  
Eborn Enterprises, Inc. – MBE;  
Findling, Inc. – MBE  
Mercado Consultants, Inc. – MBE; and  
Anthony Management Group, LLC – VSBE

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE-3026-0000 in the amount of \$9,000,000.00 is Parsons Brinckerhoff, Inc./Wallace, Montgomery & Associates, LLP a Joint Venture (the eighth highest rated firm). Its sub-consultants are:

Specialized Engineering;  
Findling, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
Puente Consulting, LLC – MBE;  
Phoneix Engineering, Inc. – MBE;  
Maryland Technical Services, LLC – MBE; and  
Eborn Enterprises, Inc. - VSBE

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE-3027-0000 in the amount of \$9,000,000.00 is AECOM Technical Services, Inc. (the ninth highest rated firm). Its sub-consultants are:

Phoenix Engineering, Inc. – MBE;  
Eborn Enterprises, Inc. – MBE;  
Navarro & Wright Consulting Engineers, Inc. – MBE;  
NMP Engineering Consultants, Inc. – MBE;  
CS Consulting Engineers, Inc. – VSBE; and  
Specialized Engineering

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE-3028-0000 in the amount of \$9,000,000.00 is Greenman-Pedersen, Inc./Gannett Fleming, Inc. a Joint Venture (the tenth highest rated firm). Its sub-consultants are:

Puente Consultants, LLC – MBE;  
Infrastructure Technologies, LLC – MBE;  
Phoenix Engineering, Inc. – MBE;  
Specialized Engineering;  
Maryland Technical Services, LLC – MBE;  
Athavale, Lystad & Associates, Inc. – MBE;  
Eborn Enterprises, Inc. – MBE;  
Somat Engineering, Inc. – MBE;  
NMP Engineering Consultants, Inc. – MBE; and  
BH Miller Group, LLC - VSBE

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

The firm selected for award of Contract No. AE-3029-0000 in the amount of \$9,000,000.00 is Development Facilitators, Inc./CES Consulting, LLC a Joint Venture (the eleventh highest rated firm). Its sub-consultants are:

Eborn Enterprises, Inc. – MBE & VSBE;  
Mercado Consultants, Inc. – MBE;  
Quality Engineering Solutions, Inc. – MBE;  
Raudenbush Engineering, Inc. – MBE;  
Jacobs Engineering Group, Inc.; and  
Specialized Engineering

The recommended firm has committed to the established MBE goal and sub-goals and the VSBE goal.

Notice to Proceed (NTP) for these contracts is anticipated in September, 2017. 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 a motion by Member Gaines and seconded by Member Cox, the Members unanimously recommended approval of the contract by the MDTA Board at its next scheduled meeting, contingent upon the approval of the Transportation Professional Services Selection Board (TPSSB) and the Board of Public Works (BPW).

Elizabeth Sogard rejoined the meeting.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 9:36 a.m. following a motion by Member Gaines and seconded by Member Cox.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, September 7, 2017 at 9:00 a.m. at Intercounty Connector, Eastern Operations Facility, Admin. Bldg., 13201 Konterra Drive, Laurel, Maryland.