

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
THURSDAY, AUGUST 7, 2014
PT. BREEZE HEADQUARTERS BUILDING
BALTIMORE, MD**

OPEN SESSION

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

STAFF ATTENDING: Bruce Gartner
Deb Sharpless
Dan Williams
Robert Michael
James Wesselhoff
Dave LaBella
Dennis Simpson
Jessica Mettle
Meshelle Howard
John Sales
David K. Greene
Mike Rice
Kimberly Millender, Esquire
Chris Thompson

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

APPROVAL- OPEN SESSION MINUTES OF JULY 10, 2014

Upon motion by Mr. Mims and seconded by Mr. Whitson, the Open Session meeting minutes of the Capital Committee's Meeting held on July 10, 2014 were unanimously approved.

APPROVAL CONTRACTS

Contract No. BB-2707-000-006 – Bay Bridge Toll Plaza Concrete Paving Repairs

Mr. James Wesselhoff presented this request to seek a recommended approval from the Capital Committee to present Contract No. BB 2707-000-006, Bay Bridge Toll Plaza Concrete Paving Repairs to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is for the complete removal and replacement of the existing concrete pavement within the limits of the approach to the toll plaza along eastbound US 50 prior to the Bay Bridge. The project will include grinding, resurfacing and restriping the approach to the concrete pavement prior to the existing toll plaza, curb and gutter replacement, miscellaneous repairs and maintaining existing drainage structures during construction.

The work includes but is not limited to:

- Grinding and Resurfacing
- Full Depth Reinforced Portland Cement Concrete Pavement Construction
- Resurfacing
- Under drains
- Patching
- Removing and Installing Combination Curb & Gutter
- Miscellaneous Repairs to Underground Pedestrian Tunnel
- Replacing Existing Pavement Markings
- Maintenance of Traffic

An allowance of \$50,000.00 was included in the IFB for Miscellaneous Structure Repairs and/or Construction to the Pedestrian Tunnel which will only be used if necessary and will not be used without prior approval of the Construction Manager.

This project was advertised on May 9, 2014. Four (4) responsive Bids were received on June 24, 2014 and the results were as follows:

Contractor	Bid Amount	% Variance To Eng. Est.
P. Flanigan & Sons, Inc.	\$3,598,000.00	14.57 %
Brawner Builders, Inc.	\$4,255,786.00	35.52 %
J.J.I.D., Inc.	\$4,280,166.80	36.30 %
Milani Construction, Inc.	\$ 5,300,113.00	68.78 %

The Engineer's Estimate is \$3,140,301.75. It was noted that the low bid was 14.57% higher than the Engineer's Estimate. A bid justification was completed and the bid was determined to be fair and reasonable. This company has performed work on prior MDTA projects. A protest was received and denied with the concurrence of Legal Counsel, and the appeal period has passed. 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 and Sons, Inc., was determined to be acceptable. This solicitation was advertised with a Minority Business Enterprise (MBE) participation goal of Thirty-Four Percent (34%) with sub-goals of Seven Percent (7%) for African American-owned companies and Four Percent (4%) for Asian American-owned

companies. This solicitation was also advertised with a Two Percent (2%) Veteran-owned Small Business Enterprise (VSBE) participation goal. P. Flanigan and Sons, Inc., has submitted MBE and VSBE plans that meet the goals. The Notice-to-Proceed (NTP) for this Contract is anticipated in September, 2014. The contract term is until May 19, 2015.

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

Contract No. HT 2698-000-006 – HVAC Replacement at Baltimore Harbor Tunnel Administration Building

Mr. Robert Michael presented this request to seek a recommended approval from the Capital Committee to present this Small Business Reserve (SBR) Contract No. HT-2698-000-006, HVAC Replacement at Baltimore Harbor Tunnel Administration Building to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is to address the Heating Ventilation and Air Conditioning (HVAC) systems and wiring at the Baltimore Harbor Tunnel (BHT) Administration Building on the BHT campus located in Baltimore City that have been identified as needing replacement based on age and loss of function.

An allowance of \$205,400.00 was included in the IFB for Miscellaneous Construction which will only be used if necessary and will not be used without prior approval of the Construction Manager.

This project was advertised on May 12, 2014. Four (4) responsive bids were received June 25, 2014, and the bid results were as follows:

Contractor	Bid Amount	% Variance To Eng. Est.
Fresh Air Concepts, LLC	\$1,792,802.00	(21.32%)
Temp Air Company	\$1,804,920.00	(20.79%)
Control Sources, LLC	\$2,177,490.00	(4.44%)
Arica Consulting & Contracting	\$2,586,283.00	13.50%

The Engineer's Estimate is \$2,278,697.50. It was noted that the low bid was 21.32% lower than the Engineer's Estimate. A bid justification was completed and the bid was determined to be fair and reasonable. This company 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 Fresh Air Concepts, LLC, was determined to be acceptable. This solicitation was advertised as a SBR contract with a Five Percent (5%) Veteran-owned Small Business Enterprise

(VSBE) participation goal. Fresh Air Concepts, LLC is a certified Small Business and has submitted a VSBE plan that meets the goal.

Notice-to-Proceed (NTP) for this Contract is anticipated in Fall 2014. The contract term is for seven hundred twenty (720) 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. Whitson and seconded by Mr. Mims, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

Mr. Hellmann recused himself and abstained from the discussion and vote for Item #4 on the agenda.

Mr. Mims abstained from the discussion and vote on the matter related to AE 2813-000-001/6 Parson Brinckerhoff, Inc./Wallace, Montgomery & Associates, LLP.

Contract No. MDTA 2013-05B - AE 2808-000-001/6, AE 2809-000-001/6, AE 2811-000-001/6, AE 2812-000-001/6, AE 2813-000-001/6, AE 2814-000-001/6, AE 2815-000-001/6, AE 2816-000-001/6, and AE 2817-000-001/6

Mr. Dan Williams presented this request to seek a recommended approval from the Capital Committee to present Contract Numbers; AE 2808-000-001/6, AE 2809-000-001/6, AE 2811-000-001/6, AE 2812-000-001/6, AE 2813-000-001/6, AE 2814-000-001/6, AE 2815-000-001/6, AE 2816-000-001/6, and AE 2817-000-001/6 for Construction Management and Inspection 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:

Construction Management and Inspection Services for construction projects on an on-call and on-site basis, as directed by the MDTA. The work encompasses all the Maryland Transportation Authority's facilities, which include but are not limited to:

- 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
- InterCounty Connector (ICC) in Montgomery and Prince Georges Counties.
Point Breeze in Baltimore City

This work 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 Requests for Information (RFI), and assist the MDTA's compliance officers with monitoring and enforcement of the Minority Business Enterprise (MBE) goals. The Consultant may be required to perform Program Management as a General Engineering Consultant (GEC) for the MDTA. This would include large programs underway.

These nine (9) task-based contracts will be cost plus fixed fee Contracts, valued at Eight Million Dollars (\$8,000,000.00) to Eleven Million Dollars (\$11,000,000.00) each with a total Not-to-Exceed cost of Eighty Four Million Dollars (\$84,000,000.00). The project was approved by Secretary of Transportation, James T. Smith, on July 8, 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 firms, Two Percent (2%) for Hispanic firms, and Nine Percent (9%) for Women-Owned firms. The prime contractors have submitted MBE plans that meet the goals.

History from Solicitation of Interest

- Advertised Expression Interest on July 26, 2013.
- Ten (10) firms responded by submitting Expressions of Interest on August 20, 2013.
- Expressions of Interest were received and evaluated and ten (10) firms were placed on the Reduced Candidate List.
- The RFP was issued on November 20, 2013
- Technical Proposals were received on January 15, 2014 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 March 13, 2014 to Solicit Price Proposals from the top nine (9) ranked firms.
- Price Proposals were received on April 30, 2014 and negotiations were held.

- Requested and received approval from Executive Director, Bruce W. Gartner on July 14, 2014 and July 24, 2014, on the negotiated price proposals.

The firm selected for award of Contract No. AE 2808-000-001/6 in the amount of \$11,000,000.00 is Johnson, Mirmiran & Thompson, Inc., (the highest rated firm). Its sub-consultants are:

Constellation Design Group, Inc. – MBE;
iCivil, Inc. – MBE;
Hanover Land Services – MBE;
Eborn Enterprises, Inc. – MBE;
Kumi Construction Management Corporation – MBE;
Navarro & Wright Consulting Engineers, Inc. – MBE;
E2CR, Inc. – MBE; and
Prime AE Group, Inc. – MBE

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

The firm selected for award of Contract No. AE 2809-000-001/6 in the amount of \$11,000,000.00 is STV Incorporated and KCI Technologies, Inc., a Joint Venture, (the second highest rated firm). Its sub-consultants are:

Belcher Consultants, Inc. – MBE;
Findling, Inc. – MBE;
iCivil, Inc. – MBE;
KHAFRA Engineering Consultants, Inc. – MBE;
Navarro & Wright Consulting Engineers, Inc. – MBE;
Phoenix Engineering – MBE; and
Puente Consultants, LLC – MBE

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

The firm selected for award of Contract No. AE 2811-000-001/6 in the amount of \$9,500,000.00 is Rummel, Klepper & Kahl, LLP, (the third highest rated firm). Its sub-consultants are:

Eborn Enterprises, Inc. – MBE;
Findling, Inc. – MBE;
NXL Construction Services, Inc. – MBE;
Constellation Design Group, Inc. – MBE;
Infrastructure Technologies, Inc. – MBE;
Prime AE Group, Inc. – MBE; and
Alpha Corporation

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

The firm selected for award of Contract No. AE 2812-000-001/6 in the amount of \$9,500,000.00 is Whitman, Requardt & Associates, LLP/ O'Connell & Lawrence, Inc., a Joint Venture, (the fourth highest rated firm). It sub-consultants are:

Prime AE Group, Inc. – MBE;
Navarro & Wright Consulting Engineers, Inc. – MBE;
Findling, Inc. – MBE;
Eborn Enterprises, Inc. – MBE;
Khafra Engineering Consultants, Inc. – MBE;
Constellation Design Group, Inc. – MBE;
Puente Consultants, LLC – MBE; and
Infrastructure Technologies, LLC – MBE

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

The firm selected for award of Contract No. AE 2813-000-001/6 in the amount of \$9,000,000.00 is Parsons Brinckerhoff, Inc./Wallace, Montgomery & Associates, LLP, a Joint Venture, (the fifth highest rated firm). It sub-consultants are:

Volkert, Inc;
EBA Engineering, Inc. – MBE;
The Constellation Design Group, Inc. – MBE;
Puente Consultants, LLC – MBE;
Findling, Inc. – MBE; and
Navarro & Wright Consulting Engineers, Inc. – MBE

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

The firm selected for award of Contract No. AE 2814-000-001/6 in the amount of \$9,000,000.00 is A. Morton Thomas and Associates, Inc./Urban Engineers, Inc., a Joint Venture, (the sixth highest rated firm). It sub-consultants are:

Keville Enterprises, Inc. – MBE;
Eborn Enterprises, Inc. – MBE;
Mercado Consultants, Inc. – MBE;
EBA Engineering, Inc. – MBE;
AB Consultants, Inc. – MBE;
Pennoni Associates, Inc; and
Specialized Engineering

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

The firm selected for award of Contract No. AE 2815-000-001/6 in the amount of \$9,000,000.00 is Greenman-Pedersen, Inc./Gannett Fleming, Inc., a Joint Venture, (the seventh highest rated firm). It sub-consultants are:

Puente Consultants, LLC. – MBE;
Infrastructure Technologies, LLC – MBE;
Phoenix Engineering, Inc. – MBE;
Quinn Consulting Services, Inc. – MBE;
Findling, Inc. – MBE;
Athavale, Lystad & Associates, Inc. – MBE;
Eborn Enterprises, Inc. – MBE;
Navarro & Wright Consulting Engineers, Inc. – MBE; and
Prime AE Group, Inc. – MBE

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

The firm selected for award of Contract No. AE 2816-000-001/6 in the amount of \$8,000,000.00 is Century Engineering, Inc./Development Facilitators, Inc./Michael Baker Jr., Inc., a Joint Venture, (the eighth highest rated firm). It sub-consultants are:

Chesapeake Environmental Management, Inc. – MBE;
The Constellation Design Group, Inc. – MBE;
Drive Engineering Corporation – MBE;
Findling, Inc. – MBE;
Prime AE Group, Inc. – MBE;
RJM Engineering – MBE and;
Whitney Bailey Cox & Magnani, LLC

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

The firm selected for award of Contract No. AE 2817-000-001/6 in the amount of \$8,000,000.00 is AECOM Technical Services, Inc./URS Corporation/Stantec Consulting Services, Inc., a Joint Venture, (the ninth highest rated firm). It sub-consultants are:

Phoenix Engineering, Inc. – MBE;
Findling, Inc. – MBE;
E2CR, Inc. – MBE;
Prime AE Group, Inc. – MBE;
iCivil, Inc. – MBE;
Infrastructure Technologies, Inc.; MBE and
Mercado Consultants, Inc. – MBE

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

Notice to Proceed (NTP) for these contracts is anticipated in September, 2014. The Contracts will be valid for a four (4) year period and include a provision authorizing an extension of one-third of the original base term in accordance with BPW Advisory 1995-1.

Mr. Hellmann recused himself and abstained from the discussion and vote on all of the contracts.

Upon motion by Mr. Mims and seconded by Mr. Whitson, the Members unanimously recommended approval of Contract No. MDTA 2013-05B - AE 2808-000-001/6, AE 2809-000-001/6, AE 2811-000-001/6, AE 2812-000-001/6, AE 2814-000-001/6, AE 2815-000-001/6, AE 2816-000-001/6 and AE 2817-000-001/6 for Construction Management and Inspection, to the MDTA Board at its next scheduled meeting.

Mr. Mims abstained from the discussion and vote on the matter related to AE 2813-000-001/6 for Parson Brinckerhoff, Inc./Wallace, Montgomery & Associates, LLP.

Mr. Whitson and Mr. Calhoun unanimously concurred in the recommendation to forward for approval Contract No. AE 2813-000-001/6 for Construction Management and Inspection, to the MDTA Board at its next scheduled meeting.

CANTON RAILROAD – PROPOSED KANE STREET RAIL YARD ACQUISITION

Mr. Dennis Simpson presented this request to seek recommendation from the Capital Committee to the MDTA Board at its next scheduled meeting to approve the purchase of a 9.385 acre parcel of land (the Property) owned by Baltimore City for use by Canton Railroad for a rail yard; to approve MDTA moving forward with the necessary steps to lease the property to Canton Railroad and to grant an easement to Baltimore City for access to utilities on the parcel; and to delegate authority to the Executive Director to execute any and all related documents once finalized.

In January 2004, the President of Canton Railroad (John Magness) presented a proposal to the MDTA Board for the purchase of the Property to enable the expansion of the Canton's car storage and freight handling capacity. The property is located between Kane Street and I-95, just north of Eastern Avenue. At its May 18, 2004 meeting, the MDTA Board expressed consensus regarding the proposal for the MDTA to pursue the purchase of the Property from the City for use by Canton Railroad as a rail yard. The MDTA was to purchase the 9.385 acre parcel of land owned by Baltimore City (the City) for a price of \$8,400. After MDTA purchased the Property from the City, MDTA proposed to lease the Property to Canton Railroad for development and use as a rail yard.

Since the Property was originally purchased by the City with federal funds for I-95 construction (it is a land-locked excess parcel), the Federal Highway Administration (FHWA) is involved. FHWA advised the City that the federal funds reimbursement for the Property upon transfer to another party is 90% of the Fair Market Value (FMV) or 10% of the FMV if the City agreed to a land swap or sale of the Property to the MDTA for transportation use. The FMV of the Property has been determined to be \$84,000. The Purchase Agreement between MDTA and the City would evidence a purchase price of \$8,400 based on FHWA waiving the 90% reimbursement requirement.

After extended discussions with the City and environmental due diligence activities, the Property transaction was presented at the November 24, 2010 MDTA Board meeting. At that meeting, the MDTA Board approved the purchase of the property from the City for the sum of \$8,400 and authorized the Acting Executive Secretary to review and, if acceptable, approve the pending Sales Agreement upon receipt from the City.

From Canton Railroad's perspective, the company has very little land upon which to base an expansion in rail services, and seeking shared track and storage with CSX and Norfolk Southern has proven both time-consuming and expensive. This project will allow the Canton Railroad to expand its operations while reducing vehicle and train conflicts and improving economic and environmental efficiencies.

The following outlines the series of events that have taken place:

- As part of the due diligence in advance of acquisition, the MDTA completed a Phase I environmental review, Sampling and Analysis Plan (SAP) and a Phase II Environmental Site Assessment, all in recognition of the proposed use of the site for a rail yard. The MDTA and the Canton Railroad worked cooperatively with the Maryland Department of the Environment (MDE). The MDE's Land Restoration Program provided a letter in May of 2012 approving of the conceptual approach to the stormwater management plan and requesting to review the draft designs of the soil and erosion control, re-forestation and landscaping plans when ready. The Canton Railroad submitted these plans to MDE on February 21, 2014 for their approval.
- In September 2011, MDOT was awarded a Rail Line Relocation and Improvement (RLR) grant from the Federal Railroad Administration (FRA) for \$1,742,240 for the Canton Railroad Canton Area Rail Improvement Project. The total project cost at that time was estimated to be \$2.517 million with the Canton Railroad contributing \$774,760 to the project.
- Environmental site assessment costs in anticipation of the acquisition of the Property expended by MDTA through December 2012 were \$148,000.
- In the period following, the Canton Railroad determined that there were additional site conditions not covered by the initial cost and worked with MDOT to develop a

solid construction cost estimate and review if project was still economically beneficial.

- As of 12/16/13, the revised project cost was set at \$3.879 million. In order to make up the funding shortfall, MDOT and the Canton Railroad agreed to contribute from their own sources. MDOT has budgeted \$1 million for the project, and the Canton Railroad's share increased to \$986,760.
- The remaining shortfall of approximately \$150,000 represents the due diligence work MDTA has already performed in review of the purchase of the property. This amount and the purchase price of the property from Baltimore City was discussed to be repaid to MDTA by the Canton Railroad through the lease but is now recommended to be deemed as MDTA's contribution to the project pending MDTA Board approval to move forward with the purchase of the property.
- Baltimore City has requested permission to continue to have access to the site to reach utilities. MDTA staff has recommended that this be accomplished through a right of entry agreement until an easement for those areas can be finalized.

Baltimore City presented this item to Baltimore City Planning Commission at their February 4, 2010 meeting. The measure to sell the parcel to the MDTA was approved in April 2010. In May 2010, Baltimore City approved the Sales Ordinance to sell the Kane Street property to the MDTA. The Purchase Agreement was updated in 2014 and the City's Board of Estimates approved it on May 7, 2014.

Recommendation for the MDTA Board's approval is requested to proceed with the purchase of the property from Baltimore City for \$8,400 for use by the Canton Railroad for a rail yard, recognition of up to \$150,000 in due diligence costs representing MDTA's contribution to the project; to proceed with leasing of the property to Canton Railroad and granting an easement to Baltimore City for access to utilities on the parcel including seeking approval from BPW; and to delegate authority to the Executive Director to execute any and all related documents once finalized.

Upon motion by Mr. Mims and seconded by Mr. Whitson, the Members unanimously recommended approval to the full MDTA Board at its next regularly scheduled meeting to approve the purchase of a 9.385 acre parcel of land (the Property) owned by Baltimore City for use by Canton Railroad for a rail yard; to approve MDTA moving forward with the necessary steps to lease the property to Canton Railroad and to grant an easement to Baltimore City for access to utilities on the parcel; and to delegate authority to the Executive Director to execute any and all related documents once finalized.

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE MARYLAND
TRANSPORTATION AUTHORITY (MDTA) AND THE STATE HIGHWAY
ADMINISTRATION (SHA) FOR THE INSTALLATION OF VIRTUAL WEIGH
STATIONS (VWS) ALONG MDTA FACILITIES**

Mr. Dennis Simpson presented this request to seek recommended approval from the Capital Committee to the MDTA Board at its next scheduled meeting, including delegating signatory authority to the Executive Director for the attached MOU between MDTA and SHA for the installation of VWS along MDTA facilities.

The MOU provides for the establishment of responsibilities between the MDTA and SHA for the installation of ten (10) new virtual weigh station sites on MDTA facilities to be implemented by the State Highway Administration (SHA).

The ten sites are as follows:

1. I-95 John F. Kennedy Memorial Highway – Northbound
2. I-95 John F. Kennedy Memorial Highway – Southbound
3. US 40 Thomas J. Hatem Bridge – Eastbound
4. US 40 Thomas J. Hatem Bridge – Westbound
5. I-95 Fort McHenry Tunnel – Southbound
6. I-895 Baltimore Harbor Tunnel – Northbound
7. I-895 Baltimore Harbor Tunnel – Southbound
8. MD 695 Francis Scott Key Bridge – Eastbound
9. MD 695 Francis Scott Key Bridge – Westbound
10. Broening Highway at MD 695

The MOU also transfers ownership and maintenance responsibilities for two existing VWS locations to MDTA at the following locations:

1. I-95 Fort McHenry Tunnel – Northbound
2. US 50 Bay Bridge – Westbound

The total estimated cost to implement all ten (10) of these MDTA sites is approximately \$7.2 million. The MDTA has budgeted these funds in the final FY 2014-2019 Consolidated Transportation Program for expenditure in fiscal years (FY) 2015, 2016 and 2017. The thinking is to implement four (4) sites per year in FY 2015 and FY 2016 and complete the remaining two (2) in FY 2017.

The SHA will:

1. coordinate the construction and implementation of ten (10) new VWS Locations as described above;
2. provide training to MDTA employees designated to monitor and operate VWS installations;

3. coordinate with MDTA and the vendor on routine calibration, semi-annual maintenance, and general monitoring of the system to ensure proper operation for pre-screening and data collection;
4. provide technical, operational and data management expertise to MDTA; and,
5. provide MDTA with access to the VWS monitor and analytical module which will help MDTA generate statistical data for trend analysis and highway planning.

The MDTA will:

1. fund the construction and implementation of ten (10) new VWS Locations as described above;
2. providing electrical service to the ten (10) new VWS Locations described above
3. assume ownership and maintenance responsibilities for the equipment at the (2) two existing VWS locations described above;
4. commit to providing adequate enforcement staffing, as determined by MDTA;
5. maintain certified static scale operations related to the VWS in enforcement ready condition;
6. provide for roving enforcement vehicles and portable scale equipment to conduct commercial vehicle inspections at VWS roadside operations;
7. schedule and carry out targeted commercial vehicle safety initiatives based upon VWS data; and,
8. own and maintain the ten (10) new VWS Locations as described above, once they have been constructed and implemented.

This MOU shall be valid for a period of five (5) years from the date of ratification. It shall be automatically renewed for an additional five (5) year period on each successive anniversary date unless otherwise modified by mutual agreement or terminated by either of the parties. SHA and MDTA have the absolute right to terminate their participation in this MOU by providing thirty (30) days-notice, in writing, to the other party. Adequate time shall be allowed by all parties for a transition so as not to disrupt service, the removal of equipment, and a final auditing/reconciliation of financial issues.

Upon motion by Mr. Mims and seconded by Mr. Hellmann, the Members unanimously recommended approval to the full MDTA Board at its next regularly scheduled meeting to approve MOU between MDTA and SHA for the installation of VWS along MDTA facilities including delegating signatory authority to the Executive Director.

ETL PROJECT UPDATE

Mr. Dennis Simpson updated the Capital Committee on the issues and activities underway to support the opening of the I-95 Express Toll Lanes, including details of the activities associated with the opening of the I-95 Express Toll Lanes.

VIDEO TOLL AND CITATIONS PROJECT

Ms. Deb 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.

Ms. Sharpless provided details of status the associated activities and major issues for the video toll and citation process, including an update on court activities and implementation of referrals to MVA.

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 9:45 a.m. following a motion by Mr. Whitson and seconded by Mr. Hellmann.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, September 4, 2014 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.