

**MARYLAND TRANSPORTATION AUTHORITY
MONTHLY CAPITAL COMMITTEE MEETING
THURSDAY, APRIL 2, 2015
PT. BREEZE HEADQUARTERS BUILDING
BALTIMORE, MD**

OPEN SESSION

MEMBERS ATTENDING: Rev. Dr. William C. Calhoun, Sr.
William K. Hellmann, P.E.
Michael J. Whitson

STAFF ATTENDING: Bruce Gartner
Deb Sharpless
Dan Williams
Will Pines
Dave LaBella
Joseph Jachelski
Donna DiCerbo
Meshelle Howard
Kelly Melhem
Jaclyn Hartman
Sabrina Beverley
Kimberly Millender, Esquire

OTHERS ATTENDING: Liz Sogard, Stantec

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 moving Item 7 - IT Projects before Item 2 - BB 2805-000-006 Cleaning and Painting Structural Steel and Miscellaneous Repairs at the Westbound Bay Bridge.

Upon motion by Member Whitson and seconded by Member Hellman, the agenda was amended by concurrence of the Members.

APPROVAL - OPEN SESSION MINUTES OF MARCH 6, 2015 AND CLOSED AND OPEN SESSION MINUTES OF MARCH 17, 2015

Upon motion by Member Whitson and seconded by Member Hellmann, the Open Session meeting minutes of the Capital Committee's Meeting held on March 6, 2015 and the Closed and Open Session Minutes of March 17, 2015 were unanimously approved.

IMPLEMENTATION OF NEW IT SYSTEMS

Ms. Jaclyn Hartman presented this update to the Capital Committee on new IT projects recently implemented and underway.

Over the last several years, the Finance Division has been very active in IT projects and developing new systems that improve efficiency. In October 2014, a major new IT project was implemented that includes a complete restructuring of MDTA's Chart of Accounts (COA) and implementation of new modules (Purchasing and Contract) in MDTA's financial accounting system, Microsoft Dynamics SL. Although the project was spearheaded by the Finance Division, these improvements impact users MDTA-wide. Although there has been a significant learning curve, numerous benefits are already accruing.

One of the biggest benefits of the COA and related projects is that it lays the foundation for the Operations System Upgrade project that is currently underway. MDTA's current Operations system is outdated and limits our abilities in many ways. This project will expand MDTA's financial accounting software to an enterprise system MDTA-wide.

APPROVAL CONTRACTS

Contract No. BB-2805-000-006 - Cleaning and Painting Structural Steel and Miscellaneous Repairs at the Westbound Bay Bridge

Mr. Dave LaBella presented this request seeking a recommended approval from the Capital Committee to present this Contract No. BB-2805-000-006 - Cleaning and Painting Structural Steel and Miscellaneous Repairs at the Westbound Bay Bridge to the full MDTA Board at its next scheduled meeting.

The work to be performed under this contract is located at Bridge No. AAZ05004, the William Preston Lane, Jr. Memorial Bridge, located on US Route 50 Westbound over the Chesapeake Bay in Anne Arundel and Queen Anne's Counties. The scope of work includes cleaning and painting the structural steel at the through truss spans (Spans 44, 45 & 46), east girder spans (Spans 47, 48 & 49), and cleaning and painting the lane use signal gantries through the bridge. Also included are the steel railing members 1, 2 & 4 throughout the bridge, and cleaning and painting the steel barrier posts throughout the bridge except the suspension spans and deck truss spans as specified herein. These special provisions include providing for all necessary Maintenance of Traffic (MOT), and completing miscellaneous structural repairs as assigned by the Engineer.

There is an allowance of \$75,000.00 for Lane Closure Cancellation and an allowance of \$250,000.00 for Miscellaneous Structural 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 January 9, 2015. Three (3) bids were received on February 19, 2015 and the responsive bid results were as follows:

Contractor	Bid Amount	Variance % To Eng. Est.
Blastech Enterprises, Inc.	\$21,063,500.00	11.70%
Hercules Painting Co., Inc.	\$21,287,820.00	12.89%
Alpha Painting & Construction/ Liberty Maintenance, Inc. JV	\$21,988,900.00	16.60%

A protest was received and denied with the concurrence of Legal Counsel. The appeal period is still pending.

The Engineers Estimate for this project is \$18,857,641.00. It was noted that the low bid was 11.70% higher than the Engineer's Estimate. Blastech Enterprises, 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 Blastech Enterprises, 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 Twenty-Nine Percent (29%) with sub-goals of Seven Percent (7%) for African American-owned and Four Percent (4%) for Asian American-owned companies; and a One Percent (1%) Veteran-owned Small Business Enterprise (VSBE) participation goal. Blastech Enterprises, Inc. has submitted MBE and VSBE plans that meet the goals. Notice-to-Proceed (NTP) for this Contract is anticipated in May, 2015. The contract term is 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 Member Hellmann and seconded by Member Whitson, the Members unanimously recommended a conditional approval of this contract by the MDTA Board at its next scheduled meeting.

Member Hellmann left the meeting for the following contract approval.

Contract No. AE 3001 – Project No. MDTA 2014-02 - Nice Bridge Replacement and Authority Wide Comprehensive GEC and Preliminary Engineering and Final Design and Construction Management Inspection (CMI) Services

Mr. Will Pines presented this request seeking a recommended approval from the Capital Committee to present this Contract No. AE 3001 – Project No. MDTA 2014-02 - Nice Bridge Replacement and Authority Wide Comprehensive GEC and Preliminary Engineering and Final Design and Construction Management Inspection (CMI) Services to the full MDTA Board at its next scheduled meeting.

Approval of this contract 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 this Contract are preliminary and final comprehensive engineering design associated with the preparation of construction plans and documents and construction management inspection services. The Consultant will be required to perform Program Management as a General Engineering Consultant (GEC) for the Maryland Transportation Authority for the Nice Bridge replacement.

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 management and inspection, and "Phase V" services; value engineering; public relations support and supplemental staffing as required.

This one (1) task-based contract will be a cost plus fixed fee Contract, valued at a Not-to-Exceed cost of Fifteen Million Dollars (\$15,000,000.00). The project was initially approved by Secretary of Transportation, James T. Smith, on May 21, 2014.

The Minority Business Enterprise (MBE) participation goal is 29% with sub-goals of 6% African American, 2% Hispanic American, and 9% Women-Owned, and a 1% Veteran-Owned Small Business Enterprise (VSBE) participation goal. The prime contractor has submitted MBE and VSBE plans that meet the goals.

- Advertised Expressions of Interest on June 12, 2014.
- Five (5) firms responded by submitting Expressions of Interest on July 30, 2014.
- Expressions of Interest were received and evaluated and three (3) firms were placed on the Reduced Candidate List.
- The RFP was issued on September 18, 2014.
- Technical Proposals were received on November 12, 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 December 23, 2014 to solicit a Price Proposal from the top ranked firm.
- Price Proposal was received on January 29, 2015 and negotiations were held.
- Requested and received approval from Executive Director, Bruce W. Gartner, on March 18, 2015 on the negotiated price proposal.

The firm selected for award of Contract No. AE 3001 in the amount of \$15,000,000.00 is Johnson, Mirmiran & Thompson/Parsons Brinckerhoff, Inc., a Joint Venture. Its sub-consultants are:

Athavale, Lystad & Associates, Inc. – MBE;
Findling, Inc. – MBE;
Navarro & Wright Consulting Engineers, Inc. – MBE;
NXL Construction Services, Inc. – MBE;
Coastal Resources, Inc. – MBE;
Constellation Design Group, Inc. – MBE;
Remline Corp. – MBE;
Transtech Engineering Consultants, Inc. – MBE;
E2CR, Inc. – MBE;
Alvi Associates, Inc. – MBE;
RJM Engineering, Inc. – MBE;
AB Consultants, Inc. – MBE
EA Engineering, Science, and Technology, Inc.
Northeast Engineering, Inc. - VSBE

The recommended firm has committed to the established MBE and VSBE goals. Notice to Proceed (NTP) for this contract is anticipated in June 2015. The Contract will be valid for a seven (7) 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 Whitson and seconded by Chairman Calhoun, the Members unanimously recommended approval of this contract by the MDTA Board at its next scheduled meeting.

Member Hellmann rejoined the meeting.

Contract No. KH 1402-000-006R – I-95 Express Toll Lanes MD 43 Interchange

Mr. Joseph Jachelski and Mr. Dave LaBella presented this request seeking a recommended approval from the Capital Committee to present this Contract No. KH 1402-000-006R – I-95 Express Toll Lanes MD 43 Interchange, Capital Expenditure that exceeds \$500,000 for a contract modification to the full MDTA Board at its next scheduled meeting.

The original construction budget of the contract reflected the low bid amount of \$142,588,000.00 plus \$14,258,800.00 or a 10% contingency for additional work. The current authorized construction budget is \$156,846,800.00.

We are requesting approval to make a \$2,696,500.00 Capital Expenditure that exceeds \$500,000.00 for a contract modification. This modification is within the original construction budget and the delegated Authority.

The additional increase is needed to perform additional work as a result of unforeseen site conditions consisting of unsuitable base foundation material under the existing lanes of I-95 northbound and southbound, north of Campbell Boulevard to the MD 43 Interchange.

Pending Extra Work Authorization (EWA 2): TX No. 7 Geogrid:

The existing grade has in excess of 4 feet depth and 65,000 S.Y. of wet, pumping and unstable material which under the traditional construction method of removal and refill with a select borrow material would have high costs associated with the removal and the time consuming practice would delay the contract schedule. In an effort to minimize the delay the stabilization of the existing material by engineering design use of material to bridge the supporting material.

Pending Extra Work Authorization (EWA 2): No. 2 Aggregate:

In conjunction with the geogrid textile, this bridging layer of stone will react with the existing unsuitable material and bridge the existing unstable material.

Pending Extra Work Authorization (EWA 2): Diesel Fuel Price Adjustment:

The existing contract line item number 1048.01A was included to pay for variable cost increases to fuel due to economic conditions. The diesel fuel index has been steady for over 80% of the contract and the deducted amount is not anticipated to be utilized.

Costs associated with these items are shown below:

Original contract amount:	\$142,588,000.00		
Delegated authority limit:	\$ 14,258,800.00		
Authorized Construction budget:	\$156,846,800.00		
Proposed EWA 2: TX No.7 Geogrid	\$ 936,000.00	or	0.66%
Proposed EWA 2: No. 2 Aggregate	\$ 1,760,500.00	or	1.23%
Proposed EWA 2: Diesel Fuel Price Adjustment	-\$ 2,696,500.00	or	-1.89%
Total proposed EWA No. 2	\$ 0.00	or	.00%
Original Contract Amount:	\$ 142,588,000.00		
Approved EWA No. 1 VECP Concrete Collar Elimination:	\$ - 21,194.66	or	-0.01%
Proposed EWA No. 2: TX No 7 Geogrid, No 2 Aggregate, Diesel Fuel Price Adjustment:	\$ 0.00	or	0.00%
Items Overruns to Date:	\$ 9,926,760.27	or	6.96%
Approved AWI's No 1- 27:	\$ 2,138,865.00	or	1.05%
Revised Construction Amount:	\$ 154,632,430.61		

Upon a motion by Member Hellmann and seconded by Member Whitson, the Members unanimously recommended approval of this Capital Expenditure that exceeds \$500,000.00 for a contract modification by the MDTA Board at its next scheduled meeting.

Contract No. KH 1403-000-006 – I-95 Express Toll Lanes Project – I-95 from North of MD 43 to North of Joppa Road

Mr. Joseph Jachelski and Mr. Dave LaBella presented this request seeking a recommended approval from the Capital Committee to present Contract No. KH 1403-000-006 – I-95 Express Toll Lanes Project – I-95 from North of MD 43 to North of Joppa Road, request to increase the Delegated Authority to \$3,893,000.00 for unforeseen site conditions and owner initiated changes which resulted in red line revisions and field modifications to the full MDTA Board at its next scheduled meeting.

The original construction budget reflected the low bid amount of \$28,136,777.00 plus \$2,813,677.00, or Ten Percent (10%) for extra work, for an authorized budget of \$30,950,454. The authorized construction budget was previously increased on

October 24, 2013 by \$8,205,264.00. The current authorized construction budget is \$39,155,718.00.

The additional increase of \$3,893,000.00 is needed to perform extra work as a result of unforeseen site conditions and owner initiated changes which resulted in red line revisions, and field modifications on northbound and southbound I-95, north of MD 43.

This proposed \$3,900,000.00 increase is largely a result of necessary work associated with slope stability rehabilitation encountered on northbound I-95 north of MD 43. There are eleven (11) Extra Work Authorizations (EWA's) totaling approximately \$2,000,000.00 which are associated with the rehabilitation.

In addition, \$500,000.00 of this overall increase relates to construction of concrete barriers in order to protect motorists and surround low level lighting on the I-95 managed lanes. Finally, \$500,000.00 of this increase includes anticipated overruns to include gap-graded asphalt, maintenance of traffic items, and other related items to finish paving I-95.

A comprehensive list and description of the all the EWA's that also comprises the balance of this requested increase is as follows. EWA Nos. 11, 12, 14, 15, 17, 18, 19, 20, 25, 26, and 27 are associated with the slope stability rehabilitation. EWA No. 11: MOT Items:

Additional maintenance of traffic (MOT) closures are required for roadway elevation settlement surveys, repairs to settlement of roadway, and additional lanes required for the stabilization of the slope slide. Included in the overrun quantities are the lane closures, variable message signs, arrow panels and additional signing.

EWA No. 12: Class 1A Excavation:

Unanticipated unsuitable material in the existing subgrade was discovered when widening I-95. In order to build a stable roadway foundation, the material was required to be removed and replaced with suitable firm material to stabilize the roadway foundation.

EWA No. 13: Select Borrow:

In order to replace the excavated unsuitable material in EWA 12, additional quantities of select borrow material was required to be brought in, overrunning the existing item quantity.

EWA No. 14: Additional Well Pumping:

Additional time to pump water was necessary in order to reduce the ground water from negatively affecting the support of excavation supporting I-95 and the construction of the global slide slope failure caisson wall. The unanticipated time was increased after evaluation of the soils during construction of the caisson wall foundation.

EWA No. 15: Survey Monitoring:

Monitoring of the global slide was extended northbound along the support of excavation wall to ensure the integrity of the I-95 slope adjacent to the global slide. In addition, the monitoring of the global slide area was extended to ensure the cessation of the global slide and the stability of the I-95 roadway.

EWA No. 16: Jack and Bore Rock Impact:

Changed conditions caused a delay and unanticipated measures by the contractor due to encountering rock while boring under I-95 to install drainage pipe. The existing borings in the area indicated that no rock should have been encountered.

EWA No. 17: E&S Overruns:

The required erosion and sediment control measures mandated by the MDE added to the overrun of required erosion and control measures. The additional measures included 24 inch pipe slope drains, temporary gabion outlet structures, class 1 riprap, 2 foot to 3 foot stone for sediment control, and a super silt fence

EWA No. 18: Emergency Response to Failing Roadway:

Southbound I-95 developed a sinkhole between lanes 1 and 2 which required immediate remediation. The contractor was directed to mobilize forces including milling machine and paving equipment to repair the sinkhole.

EWA No. 19: Paving Category Overruns:

Utilizing existing bid items, overruns occurred due to changes to the project's tie-in points. An additional 500 feet of northbound I-95 was included in this contract to avoid a delay to the adjacent KH-1402-000-006 contract, which was necessitated by the delay from the global slide.

EWA No. 20: Shoulder Construction Category Overruns:

These included traffic barrier and additional concrete barrier wall as a result of the inclusion of an additional 500 feet of caisson wall construction adjacent to the global slide.

EWA No. 21: (Redline 3):

To encompass the low level lighting in the median portion between the north and south managed lanes, concrete barrier transitions were added to protect the travelling public.

EWA No. 22: (Redline No. 5):

In order to establish the required slope layback an existing man hole and associated piping had to be removed and re-established to avoid the conflict.

EWA No. 23: Contractor Overhead 3 Months:

As a result of the Travel Time system being incorporated into the project, additional time associated with redline revisions 3 and 4, and other required additional work, the contractor is entitled to additional home office and overhead costs associated with these additional work items.

EWA No. 24: Additional Housing Demolition Costs: The five houses scheduled to be razed were found with asbestos and lead which required additional abatement methods.

EWA No. 25: Milling Transition South End of Project: Contract No. KH-1402-000-006R (I-95/MD 43 Interchange) completed the managed and general purpose lanes ahead of

Contract KH 1403. Pavement milling was required to re-section the roadway from the temporary transition which was installed due to the delay from the global slope slide.

EWA No. 26: ETL Opening: Additional work was required for the opening of the express toll lanes due to delays resulting from the I-95 slope slide. Those costs included maintenance of traffic activities, installation of signage, removing and relocating signs.

EWA No. 27: Roadside Development Category Overrun:
The anticipated available onsite topsoil was not present, which required the contractor to furnish topsoil for the establishment of turf. Additional matting was also necessary.

EWA No. 28: Electrical Category Overrun:
Green line changes to the plans to accommodate revisions to the electrical and information technology systems.

Costs associated with overruns and redline revisions because of unforeseen conditions:

Proposed Cost of EWA's No. 11 thru No. 28

Proposed EWA No. 11: MOT Items	\$ 250,000 or 0.64%
Proposed EWA No. 12: Class 1A Excavation	\$ 500,000 or 1.28%
Proposed EWA No. 13: Select Borrow:	\$ 250,000 or 0.64%
Proposed EWA No. 14: Additional Well Pumping:	\$ 50,000 or 0.13%
Proposed EWA No. 15: Survey Monitoring:	\$ 200,000 or 0.51%
Proposed EWA No. 16: Jack and Bore Rock Impact:	\$ 165,000 or 0.42%
Proposed EWA No. 17: E&S Overruns:	\$ 150,000 or .38%
Proposed EWA No 18: Emergency Response to Failing Roadway	\$ 30,000 or .08%
Proposed EWA No. 19: Paving Category Overruns:	\$ 538,000 or 1.37%
Proposed EWA No 20: Shoulder Construction Category Overruns:	\$ 50,000 or .13%
Proposed EWA No. 21: (Redline 3):	\$ 500,000 or 1.28%
Proposed EWA No 22: (Redline No. 5):	\$ 150,000 or 0.38%
Proposed EWA No. 23: Contractor Overhead 3 Months:	\$ 100,000 or 0.26%
Proposed EWA No 24: Additional Housing Demolition Costs:	\$ 50,000 or 0.13%
Proposed EWA No. 25: Milling Transition South End of Project:	\$ 100,000 or 0.26%
Proposed EWA No. 26: ETL Opening:	\$ 100,000 or 0.26%
Proposed EWA No 27: Roadside Development Category Overrun:	\$ 60,000 or 0.15%
Proposed EWA No. 28: Electrical Category Overrun:	\$ 150,000 or 0.38%
Total Cost of Proposed EWA's	\$ 3,393,000 or 8.67%

Original Contract Amount	\$ 28,136,777
Delegated Authority Limit	\$ 11,018,941
Authorized Construction Budget	\$ 39,155,718
Adjusted Contract Amount	\$ 39,155,718.00
Proposed EWA's 11 thru 28	\$ 3,393,000.00

Anticipated Item Overruns due to Extension	\$ 500,000.00
Revised Construction Budget	\$ 43,048,718.00

Upon a motion by Member Hellman and seconded by Member Whitson, the Members unanimously recommended approval to increase the Delegated Authority to \$3,893,000.00 for unforeseen site conditions and owner initiated changes which results in red line revisions and field modifications to the full MDTA Board at its next scheduled meeting.

FY 2014 CONTRACTS AWARDS

Ms. Donna DiCerbo updated the Capital Committee on the Division of Procurement's (DOP) 2014 Contract Awards over \$25,000.00.

The presentation provided details of the DOP's 2014 contract awards and associated data.

- Procurement awarded Forty (40) contracts
- Twenty-Four (20) contracts had Minority Business Enterprise (MBE) goals
- Four (4) Small Business Reserve (SBR) contracts
- Seventeen (17) contracts had Veteran Small Business Enterprise (VSBE) goals

VIDEO TOLL AND CITATIONS PROJECT

Mr. Bruce Gartner 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 include:

- Legislation has moved through the House
- Working with the District Court to make the citations
- This summer we will be sending out suspensions

There being no further business, the meeting of the MDTA Capital Committee was adjourned by general consensus at 10:35 a.m. following a motion by Member Whitson and seconded by Member Hellmann.

The next meeting of the MDTA Capital Committee is scheduled for Thursday, May 7, 2015 at 9:00 a.m., at Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland.