

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING
THURSDAY, FEBRUARY 25, 2016
2310 BROENING HIGHWAY, BALTIMORE, MD 21224

OPEN SESSION

Jim Ports, Acting Chairman

MEMBERS ATTENDING:

P. Jack Basso
Rev. Dr. William C. Calhoun, Sr.
William Ensor
W. Lee Gaines, Jr.
William K. Hellmann
Michael Leahy, Esquire
Randall Nixon, Esquire
Michael Whitson (via Telephone)

STAFF ATTENDING:

Milt Chaffee
Percy Dangerfield
Donna DiCerbo
Trudy Edwards
David Goldsborough
Michele Gross
Jaclyn Hartman
Meshelle Howard
Colonel Jerry Jones
Kelly Melhem
Kimberly Millender, Esquire
Tonya Morant
John O'Neill
Diedre Parish
William Pines
Deb Sharpless
Dan Williams

OTHERS ATTENDING:

At 9:33 a.m. Acting Chairman Jim Ports called the meeting of the Maryland Transportation Authority (“MDTA”) Board to order.

APPROVAL – CLOSED AND OPEN SESSION MINUTES OF JANUARY 28, 2016

Upon motion by Member Reverend Doctor William C. Calhoun, Sr. and seconded by Member Randall Nixon, the closed and open meeting minutes of the MDTA Board meeting held on January 28, 2016 were unanimously approved.

APPROVAL – CONTRACT AWARD

• **CONTRACT NO. J01B6400012 CROSS MATCH LIVESCAN FINGERPRINTING EQUIPMENT**

Ms. Donna DiCerbo requested approval for Contract No. J01B6400012 for Cross Match Livescan Fingerprinting Equipment. This contract was reviewed by the Finance Committee and recommended for approval. As the total value of this Contract Exceeds the delegated authority of Resolution 15-01 dated January 23, 2105, approval of the Maryland Department of Information Technology is required.

This is a fixed-price Contract to provide Cross Match Livescan Fingerprinting Equipment, software licenses, and extended warranties to the MDTA Police on an as-needed basis. There is a need to purchase equipment for the Port Police and the Maryland State Police (MSP) Barrack M – John F. Kennedy (JFK) Memorial Highway with additional purchases for other locations anticipated within the next few years.

The products purchased on this contract must be Cross Match as this is the equipment currently in use at eight (8) MDTA locations; additional equipment, software licenses and extended warranties must be compatible with the existing equipment.

This solicitation was advertised as a Competitive Sealed Bid, pursuant to the Code of Maryland Regulation (COMAR) 21.06.03.02 B(1)5.01.02, with no Minority Business Enterprise (MBE) participation goal, no Veteran Small Business Enterprise (VSBE) participation goal, and no Small Business Reserve (SBR) designation.

Two (2) bids were received, and MOSA Technology Solutions, LLC (MOSA) is the lowest and responsive and responsible Bidder. This Contract is for a term of three (3) years, with a total Not-to-Exceed contract value of \$200,000.

Upon motion by Member P. Jack Basso and seconded by Member Michael Leahy, the Board unanimously approved Contract No. J01B6400012 Cross Match Livescan Fingerprinting Equipment to MOSA Technology Solutions, LLC for a Contract term of three (3) years and a Not-to-Exceed contract value of \$200,000.

- **CONTRACT NO. MT 3040-0000 JANITORIAL SERVICES – FT. MCHENRY TUNNEL BUILDINGS 3990 AND 4000 AND BALTIMORE HARBOR TUNNEL ADMINISTRATIVE BUILDING**

Ms. DiCerbo requested approval for Contract No. MT 3040-0000 for Janitorial Services at the Fort McHenry Tunnel Buildings 3990 and 4000 and Baltimore Harbor Tunnel Administrative Building. This item was reviewed by the Finance Committee and recommended for approval. The total value of this Contract exceeds the delegated authority of Resolution 15-01 dated January, 23, 2015; therefore, approval by the Board of Public Works is needed.

This is a Fixed Price Contract to provide all labor, materials, equipment, supervision, and incidental materials necessary to ensure the satisfactory performance and efficient janitorial services to the Fort McHenry Tunnel Buildings 3990 and 4000, and the Harbor Tunnel Administrative Building.

Pricing was solicited from the Maryland Works Program for these services, pursuant to the Code of Maryland Regulations (COMAR), Title 21.11.05. Pricing for this contract was approved by the Pricing and Selection Committee as fair market value on January 21, 2016.

Lyles Cleaning Services, LLC, dba as MultiCorp, is the incumbent for the current services. This Contract has a base term of three (3) years valued at \$308,725.44, with one (1) 2-year renewal option valued at \$205,816.96 for a Total Contract value of \$514,542.40.

Upon motion by Member Leahy and seconded by Member William Ensor, the Board unanimously approved Contract No. MT 3040-0000 Janitorial Services – Fort McHenry Tunnel Buildings 3990 and 4000 and Baltimore Harbor Tunnel Administration Building for award to Lyles Cleaning Services, LLC, dba as MultiCorp, for a Contract base term of three (3) years valued at \$308,725.44, with one (1) 2-year renewal option valued at \$205,816.96 for a Total Contract value of \$514,542.40.

- **CONTRACT NO. MA 2775-000-006 UPGRADE FIRE ALARM AND SECURITY SYSTEMS**

Ms. DiCerbo requested approval for Contract No. MA 2775-000-006 to Upgrade Fire Alarm and Security Systems at all MDTA Facilities. This item was reviewed by the Capital Committee and recommended for approval.

The project includes new fire alarm systems for thirty-seven (37) existing MDTA buildings. Three of these buildings include only extensions of the existing addressable fire alarm panel. Sixteen (16) of these buildings presently contain existing fire alarm systems, which are to be demolished after the new fire alarm systems are installed. Twenty-one (21) buildings are designed for digital addressable fire alarm systems and sixteen (16) are designed for conventional zoned fire alarm systems. Each fire alarm system shall be provided with a two-year warranty for parts and labor. In addition, a two-year inspection, testing, maintenance, and monitoring contract shall be provided by the Contractor. The scope of this contract also includes numerous security system upgrades.

There is an allowance of \$270,000 for miscellaneous repairs that will only be used if necessary and with prior approval of the Engineer.

Four (4) bids were received ranging from 26.49% above to 19.54% below the Engineers Estimate of \$2,686,559. Kratos Public Safety & Security Solutions is the lowest responsive and responsible bidder. As their bid was nineteen point fifty-four percent (19.54%) below the Engineers Estimate, a bid justification was conducted and the bid was determined to be fair and reasonable. This company has performed work on prior MDTA projects.

This contract was advertised with a Minority Business Enterprise (MBE) participation goal of six percent (6%) with no sub goals, and Kratos Public Safety & Security Solutions has submitted an MBE plan that exceeds the goal.

Upon motion by Member Basso and seconded by Member Calhoun, the Board unanimously approved Contract No. MA 2775-000-006 Upgrade Fire Alarm and Security Systems for award to Kratos Public Safety & Security Solutions in the amount of \$2,161,576.

• **CONTRACT NO. HB 2818-000-007 SUBSTRUCTURE AND SUPERSTRUCTURE REHABILITATION OF U.S. 40 BRIDGE OVER THE SUSQUEHANNA RIVER**

Ms. DiCerbo requested approval for Contract No. HB 2818-000-007 for Substructure and Superstructure Rehabilitation of U.S. 40 Bridge over the Susquehanna River. This item was reviewed by the Capital Committee and recommended for approval.

The work to be performed under this contract is located at the Thomas J. Hatem Memorial Bridge (Hatem) located in Cecil and Harford Counties, Maryland. This project is intended to perform repairs for the Thomas J. Hatem Memorial Bridge. The repairs include structural weld repairs; structural steel crack arrest; structural steel and bearing hardware repairs; tack weld removal; replacement of cotter pins; structural rivets and bolts replacements; cleaning and painting existing steel; concrete spall/delaminated area repair; implementation of Maintenance of Traffic (MOT); and other miscellaneous items of work as prescribed in the Contract Documents.

There are allowances of \$25,000 for NS Railroad Expenses, \$25,000 for CSXT Railroad Expenses; \$250,000 for Miscellaneous Repairs, and \$140,000 for Debris Removal, which will only be used if necessary and with prior approval of the Engineer. Two (2) bids were received ranging from 80.36% to 29.91% above the Engineers Estimate of \$3,262,756. MD Miller Co. Inc., t/a The Marksmen Co. is the lowest responsive and responsible Bidder. As their bid was Twenty-nine Point Ninety-One Percent (21.91%) higher than the Engineer's Estimate, a bid justification was conducted and the bid was determined to be fair and reasonable. This company has performed work on prior MDTA projects.

The contract was advertised with an overall Minority Business Enterprise participation goal of Twenty-seven Percent (27%) with sub-goals of Seven Percent (7%) for African American-owned, and Four Percent (4%) for Asian American-owned firms. This contract was also advertised with a Veteran Small Business Enterprise (VSBE) participation goal of One Percent (1%). The Marksman Co. has submitted a MBE plan that exceeds the goal, and a VSBE plan that meets the goal.

Upon motion by Member William Hellmann and seconded by Member Leahy, the Board unanimously approved Contract No. HB 2818-000-007 Substructure and Superstructure Rehabilitation of U.S. 40 Bridge over the Susquehanna River for award to M.D. Miller Co. Inc., t/a The Marksman Co. in the amount of \$4,238,504.60.

CONTRACT MODIFICATIONS

- **CONTRACT NO. MA 2695-000-006 UPGRADE AND REPLACE EXISTING WEIGH STATIONS I-95 (JOHN F. KENNEDY MEMORIAL HIGHWAY) U.S. 40 (THOMAS J. HATEM MEMORIAL BRIDGE) U.S. 50 (WILLIAM PRESTON LANE MEMORIAL BRIDGE)**

Ms. DiCerbo requested approval to execute a contract modification to decrease the value of Contract No. MA 2695-000-006 for the Upgrade and Replace Existing Weigh Stations I-95 (John F. Kennedy Memorial Highway) U.S. 40 (Thomas J. Hatem Memorial Bridge) U.S. 50 (William Preston Lane Memorial Bridge). This item was reviewed by the Capital Committee and recommended for approval, which approval is contingent upon the approval of the Board of Public Works.

The current (original) and revised contract values of MA 2695-000-006 are below:

Current (original):	\$12,473,535.93
Proposed credit/revision:	<u>-\$ 1,140,955.89</u>
Revised contract value:	\$11,332,580.04

The proposed credit amounts to 9.1% of the total contract value and is a result of two (2) proposed redline revisions, which include:

1. Modifications to scale system at the Thomas J. Hatem Memorial Bridge Toll Plaza, and
2. Modifications to the scale foundations at the William Preston Lane Memorial Bridge site.

Thomas J. Hatem Memorial Bridge Toll Plaza Redline - \$754,692.22 Credit

The proposed credit, based on approved contractor prices at the Thomas J. Hatem Memorial Bridge Toll Plaza, is a direct result of the deferral of another project at this location that necessitates a revision in the project scope. Included in that project's scope were significant subgrade modifications and the construction of a deep foundation that would allow the scale contractor to install a new scale system in an expeditious manner. The MDTA evaluated several alternatives and is proposing the installation of temporary scales on U.S. 40 eastbound and westbound that will still allow trucks to be weighed accurately and quickly, and can be used until comprehensive subgrade/foundations are constructed. The use of temporary scales in other locations in Maryland has proven to be effective. The contractor has provided a 5-year warranty with these scales.

Bay Bridge Redline - \$386,263.67 Credit

During construction and excavation of the foundations for the scales at the Bay Bridge site, it was assessed that a deep foundation may infringe on the existing water table on U.S. 50. Following a redesign of the foundations, it was determined that a more economical shallow pit foundation could be constructed and would adequately support the scale system and associated live (truck) loads. As a result, a credit is being realized for this portion of work.

It should be noted that the 20% Minority Business Enterprise (MBE) participation goal on the contract is on track to still be achieved.

Upon motion by Member Leahy and seconded by Member William Ensor, the Board unanimously approved the Contract Modification for Contract No. MA 2695-000-006 Upgrade and Replace Existing Weigh Stations I-95 (John F. Kennedy Memorial Highway) U.S. 40 (Thomas J. Hatem Memorial Bridge) U.S. 50 (William Preston Lane Memorial Bridge), to decrease the value by \$1,140,955.89 for a revised Contract value of \$11,332,580.04 pending approval of the BPW.

UPDATE – HUMAN RESOURCES COMMITTEE

Member Calhoun requested Tonya Morant present the summation of the Human Resource Committee Meeting that was held on February 18, 2016. Ms. Kalia Hendricks, the new Employee Services & Program Manager, was introduced. Ms. Hendricks has more than thirteen years of experience in the Human Resources field. Other topics discussed at the meeting were Lean Six Sigma and various Workforce Development Initiatives.

UPDATE – FISCAL 2017 LEGISLATIVE BUDGET HEARINGS

Ms. Jaclyn Hartman presented a review of the recent legislative budget hearings including an overview of the analysis from the Department of Legislative Services and MDTA's responses.

UPDATE – LEGISLATIVE SESSION

Ms. Michele Gross reviewed legislation that impacts MDTA: Senate Bill (SB) 240 Intercounty Connector – Public School Bus – Exemption From Toll; SB 416 Transportation – Toll Transportation Facilities Project – Annual Pass – Study; SB 907 Transportation – Harry W. Nice Memorial Bridge Potomac River Bridge – Replacement; House Bills (HB) 964 Maryland Transportation Authority – Francis Scott Key Bridge – Toll Discount Plans; HB 972 Transportation – Harry W. Nice Bridge Memorial Potomac River Bridge – Replacement; HB 1013 Maryland Open Transportation Investment Decision Act of 2016; and HB 1394 Maryland Transportation Authority - Decreases in Tolls or Other Charges – Notice and Public Comment.

At 10:45am Member Basso ended his participation and left the meeting.

UPDATE – EXECUTIVE DIRECTOR’S REPORT

Mr. Milt Chaffee reported the Sagamore Development Company has requested to attend the March Board Meeting to give a presentation on the Port Covington Development. Mr. Chaffee also reported that Senior Officer James Kruszynski is the new FOP 34 President.

At 10:54 a.m. upon motion by Member Randall Nixon and seconded by Member Leahy, the Board unanimously voted to move into Closed Session pursuant to § 3-305(b)(14) of the General Provisions Article of the Annotated Code of Maryland, to discuss a future solicitation for the 3rd Generation Electronic Toll Collection project, including the detailed contents of the project, the solicitation, and strategies to obtain the most favorable bids or proposals, which discussions would impair the competitive proposal process.

The following persons were present during the closed session: Jim Ports, Acting Chairman, Reverend Dr. William C. Calhoun, Sr., William Ensor III, W. Lee Gaines, Jr., William Hellmann, Michael Leahy, Randall Nixon, Michael Whitson (via telephone), Milton Chaffee, Percy Dangerfield, Donna DiCerbo, Trudy Edwards, Kimberly Millender, Esquire and Deborah Sharpless.

At 11:15 a.m., upon a motion by Member Michael Leahy and seconded by Member Nixon, the Members unanimously voted to return to Open Session.

NO ACTIONS WERE TAKEN IN CLOSED SESSION

There being no further business, the meeting of the MDTA Board was adjourned by general consensus at 11:16 a.m.

The next MDTA Board Meeting will be held on March 31, 2016 at 9:00 a.m. at the Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland 21224.

APPROVED AND CONCURRED IN:

Jim F. Ports, Acting Chair



MARYLAND TRANSPORTATION AUTHORITY

STATEMENT FOR CLOSING A MEETING

LOCATION: Maryland Transportation Authority
Point Breeze Headquarters Building
2310 Broening Highway.
Baltimore, Maryland 21224

DATE: February 25, 2015

TIME: 9:00 a.m.

MOTION BY: Randall Nixon

SECONDED BY: Michael Leahy

VOTE TO CLOSE SESSION:

Table with 5 columns: Name, AYE, NAY, ABSTAIN, ABSENT. Rows include Rev. Dr. William C. Calhoun, Sr., Michael J. Whitson - phone, Peter J. Basso, William K. Hellmann, P.E., W. Lee Gaines, Jr., William E. Ensor, III, Michael G. Leahy, Randall Nixon, and Chair - Jim Ports.

STATUTORY AUTHORITY TO CLOSE SESSION
GENERAL PROVISIONS ARTICLE, §3-305(b)

- (1) [] To discuss:
(i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
(ii) any other personnel matter that affects 1 or more specific individuals.
(2) [] To protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
(3) [] To consider the acquisition of real property for a public purpose and matters directly related thereto.
(4) [] To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State.

STATEMENT FOR CLOSING A MEETING

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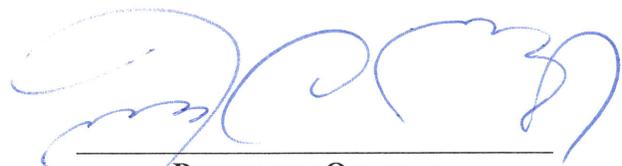
- (5) [] To consider the investment of public funds.
- (6) [] To consider the marketing of public securities.
- (7) [] To consult with counsel to obtain legal advice.
- (8) [] To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) [] To conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- (10) [] To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
 - (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans.
- (11) [] To prepare, administer, or grade a scholastic, licensing, or qualifying examination.
- (12) [] To conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- (13) [] To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.
- (14) [X] Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

TOPICS TO BE DISCUSSED:

The Meeting will be closed under § 3-305(b)(14) of the General Provisions Article of the Annotated Code of Maryland, to discuss a future solicitation for the 3rd Generation Electronic Toll Collection project, including the detailed contents of the project, the solicitation, and strategies to obtain the most favorable bids or proposals, which discussions would impair the competitive proposal process.

REASON FOR CLOSING:

To discuss matters that are permitted by statute to be discussed during a closed session of a meeting of a public body.



PRESIDING OFFICER