

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING
THURSDAY, AUGUST 27, 2015
2310 BROENING HIGHWAY, BALTIMORE, MD 21224

OPEN SESSION

Pete K. Rahn, Chairman

MEMBERS ATTENDING:

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

STAFF ATTENDING:

Percy Dangerfield
Donna DiCerbo
David Greene
Trudy Edwards
Valencia Hainesworth
James Harkness
Jaclyn Hartman
Carroll Hicks
Derek Jones
Colonel Mike Kundrat
Kimberly Millender, Esquire
Tonya Morant
Mike Rice
Deborah Sharpless
Cheryl Sparks

OTHERS ATTENDING:

Jay Ayd
Lydia Banks
Marge Gilbert
Vera Hayden
Marvin Jackson
Sandy Jackson
Ed McDonald – Chief of Staff, TSO
Michael McGeady - Cianbro

At 9:07 a.m. Chairman Pete K. Rahn, called the meeting of the Maryland Transportation Authority (“MDTA”) Board to order.

At 9:08 a.m. upon motion by Member Michael Leahy and seconded by Member William Ensor, the Members unanimously voted to move into Closed Session pursuant to Section 3-305(b)(1) and (9) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment of an individual to serve as the Executive Director including discussion of the qualifications of one or more specific individuals for the position; and to discuss pending collective bargaining negotiations and to consider matters that relate to the negotiations with FOP 34. The following persons were present during the closed session: Pete Rahn, Jack Basso, Reverend Dr. William C. Calhoun, Sr., William Ensor III, W. Lee Gaines, Jr., William Hellmann, Michael Leahy, Randall Nixon, Michael Whitson (by telephone), Milton Chaffee, Percy Dangerfield, Trudy Edwards, Jaelyn Hartman, Michael Kundrat, Ed McDonald, Kimberly Millender, Esquire, Tonya Morant and Deborah Sharpless.

At 9:58 a.m. a motion by Member P. Jack Basso and seconded by Member Leahy the Members unanimously voted to return to Open Session.

RATIFICATION OF ACTIONS TAKEN DURING CLOSED SESSION

Upon motion by Member Calhoun, and seconded by Member Leahy, the Members ratified their unanimous vote in Closed Session to approve and name Milton Chaffee as the Executive Director.

No other actions were taken during closed session.

APPROVAL – CLOSED AND OPEN SESSION MINUTES OF JULY 30, 2015

Upon motion by Member Calhoun and seconded by Member William Ensor, III, the closed and open meeting minutes of the MDTA Board Meeting held on July 30, 2015 were unanimously approved.

RESOLUTIONS – YEARS OF SERVICE RECOGNITION

Ms. Deb Sharpless recognized the retirement of fourteen employees: John Ayd, Jr., Lydia Banks, Kathy Bradley, Michelle Brown, Regina Buehler, Christopher Darago, Sr., Phyllis Duncan, Vera Hayden, Captain Marvin Jackson, Jr., Kip McKenzie, Elizabeth A. Smith, Ronald Wagoner, Miriam S. Yarosh, Mary A. Young. In addition, Ms. Sharpless read a Resolution for the Thomas J. Hatem Memorial Bridge (US 40) recognizing the 75th Anniversary of its Opening. On the occasion of the employees’ retirements from their distinguished careers of exemplary service, the Chairman and Members of the Maryland Transportation Authority hereby express their most sincere appreciation for their excellence and commitment.

APPROVAL – DEBT POLICY

Ms. Jaclyn Hartman requested approval for the required annual review of the Debt Management Policies and certain recommended changes. This item was reviewed by the Finance Committee and recommended for approval.

The Debt Management Policies have been updated to reflect certain changes recommended by staff in consultation with MDTA's Attorney General's Office. The financial advisor, Mitch Brigulio of Davenport, also reviewed the Policies and concurs with the recommended changes. Steve Kantor of First Southwest did not provide any recommendations for changes.

Upon motion by Member Basso and seconded by Member Hellman, the Members approved the Draft Fiscal Year 2016-2021 Consolidated Transportation Program with seven Members voting in favor and two Members voting against.

APPROVAL – CANTON RAILROAD BOARD

Ms. Deborah Sharpless requested approval for the proposed members for the Canton Board of Directors and designation of the Deputy Executive Director as proxy to attend the Annual Meeting of the stockholders of the Canton Development Company, Inc., on September 30, 2015 to vote to approve the election of the Canton Board of Directors.

Ms. Sharpless requested action on four items: 1) Select an Authority Member as ex officio to serve on the Canton Board of Directors. 2) Approve the designated candidates nominated to serve as the members of the Canton Board of Directors. 3) Approve staggering the terms to three years so that no more than two members expire in one year. 4) Appoint the Deputy Executive Director, as proxy to attend the September 30, 2015 Annual Meeting of the stockholders of the Canton Development Company, Inc.

Upon motion by Member Ensor and seconded by Member Calhoun, the Members unanimously approved the designated candidates nominated to serve as the members of the Canton Board of Directors; approved Member William Hellmann as ex officio to serve on the Canton Board of Directors; approved staggering the terms to three years so that no more than two members expire in one year; and appointed the Deputy Executive Director as proxy to attend and approve the designated candidates to serve as the members of the Canton Board of Directors at their September 30, 2015 meeting.

APPROVAL CONTRACT – AWARD

- **CONTRACT NO. 20150017 JANITORIAL SERVICES – JFK MEMORIAL HIGHWAY AND HATEM BRIDGE FACILITIES**

Ms. Donna DiCerbo requested approval to execute this Small Business Reserve (SBR) Contract No. 20150017, Janitorial Services – John F. Kennedy (JFK) Memorial Highway and Hatem Bridge facilities. This procurement was reviewed by the Finance Committee and recommended for approval.

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 for MDTA's JFK Memorial Highway and Hatem Bridge facilities.

The MDTA solicited Competitive Sealed Bids for these services, pursuant to the Code of Maryland Regulations (COMAR) 21.06.03.02 B(1)5.01.02.

Four (4) bids were received one (1) bid was rejected with the concurrence of legal counsel.

CMS, LLC is the lowest responsive and responsible Bidder for this Contract. As the Contractor is new to the MDTA, references were checked and experience was verified by the Procurement Officer.

This Contract has a base term of three (3) years valued at \$259,200, with one (1) two-year Renewal option valued at \$172,800 for a Total Contract value of \$432,000.

This Contract was designated as a Small Business Reserve (SBR) procurement, with no Minority Business Enterprise (MBE) or Veteran Owned Small Business Enterprise (VSBE) goals established. This item does require the Board of Public Works (BPW) approval as the Contract value exceeds the delegated authority under Resolution of 15-01.

Upon motion by Member Basso and seconded by Member Calhoun, the Members unanimously approved the award of Contract No. 20150017 Janitorial Services – John F. Kennedy Memorial Highway and Hatem Bridge facilities to CMS, LLC for the base term of three years valued at \$259,200, with one 2-year renewal option valued at \$172,800, for a Total Contract value of \$432,000.

- **CONTRACT NO. MT 3031-0000 – JANITORIAL SERVICES – MDTA POLICE HEADQUARTERS & QUARTERMASTER/SERVICE BUILDINGS**

Ms. DiCerbo requested approval for Contract No. MT 3031-0000 Janitorial Services for the MDTA Police Headquarters and Quartermaster/Service Buildings. This item was reviewed by the Finance Committee and recommended for approval.

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 MDTA's Police Headquarters and Quartermaster/Service Buildings.

The MDTA solicited pricing 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 July 28, 2015. The National Center on Institutions & Alternatives, Inc. (NCIA) is the incumbent for current services at other facilities, and the MDTA is satisfied with the janitorial services NCIA has provided.

This Contract has a Base term of three (3) years valued at \$375,213, with one (1) 2-year Renewal option valued at \$250,142, for a Total Contract Value of \$625,355.

As the total value of this Contract exceeds the delegated authority of Resolution 15-01 dated 1/23/15, the MDTA will seek approval by the Board of Public Works.

Upon motion by Member Calhoun and seconded by Member Basso, the Members unanimously approved the Contract No. MT 3031-0000 Janitorial Services – MDTA Police Headquarters and Quartermaster/Service Buildings to National Center on Institutions & Alternatives, Inc. for a Base term of three (3) years valued at \$375,213, with one (1) 2-year Renewal option valued at \$250,142, for a Total Contract value of \$625,355.

UPDATE - E-ZPass[®] InterAgency Group

Ms. Sharpless reported on several topics related to the E-ZPass InterAgency Group including an overview regarding the current Kapsch contract and discussions regarding incorporation of the group.

UPDATE – DEPUTY EXECUTIVE DIRECTOR’S REPORT

Ms. Sharpless reported on several ongoing topics giving a brief overview on their progress, including the FT 2425 Project south of the Fort McHenry Tunnel, Maximo IT Project, and recent staff vacancies.

There being no further business, the meeting of the MDTA Board was adjourned by general consensus at 11:04 a.m.

The next MDTA Board Meeting will be held on September 24, 2015 at 9:00 a.m. at the Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland 21224.

APPROVED AND CONCURRED IN:

Jim Ports, Acting Chairman



MARYLAND TRANSPORTATION AUTHORITY

STATEMENT FOR CLOSING A MEETING

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

DATE: 8/27/2015

TIME:

MOTION BY: _____

SECONDED BY: _____

VOTE TO CLOSE SESSION:

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

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

- (1) [X] 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) [] 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) ^{(1) and (9)} of the General Provisions Article of the Annotated Code of Maryland, to discuss *the appointment of an individual to serve as the Executive Director including discussion of the qualifications of one or more specific individuals; and to discuss status of on-going collective bargaining negotiations with FOP 34.*

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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