

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING
THURSDAY, AUGUST 28, 2014
2310 BROENING HWY, BALTIMORE, MD 21224

OPEN SESSION

James T. Smith, Jr., Chairman

MEMBERS ATTENDING:

Rev. Dr. William Calhoun
Katrina J. Dennis, Esq.
Mary Beyer Halsey
William K. Hellmann
Arthur Hock
A. Bradley Mims
Michael Whitson

STAFF ATTENDING:

Eric Backes
TJ Bathras
Percy Dangerfield
Trudy Edwards
Patrick Fleming
Bruce Gartner
David Greene
Jaclyn Hartman
Meshelle Howard
Doug Hutcheson
Derek Jones
Col. Mike Kundrat
Jessica Mettle
Kimberly Millender, Esquire
Marjorie Nesbitt
Deb Sharpless
Dennis Simpson
Cheryl Sparks
Dan Williams
Eric Willison

OTHERS ATTENDING:

Russell Clemens – AFSCME
Stacy Morin – A&E Com Consultants
Barry Poindexter - Retiree
Sam Sidh – MDOT
Jim Walsh – BWI
Francine Watts – Retiree
Merrilyn Williams - BWI

At 9:03 a.m. Chairman James T. Smith, Jr. called the meeting of the Maryland Transportation Authority (“MDTA”) Board to order.

APPROVAL – CLOSED AND OPEN SESSION MINUTES OF JULY 24, 2014

Upon motion by Member Michael Whitson and seconded by Member William Hellmann, the Closed and Open Session meeting minutes of the MDTA Board Meeting held on July 24, 2014 were unanimously approved.

INTRODUCTIONS – AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES UNION (AFSCME)

Mr. Bruce Gartner introduced Mr. Russell Clemens to the Board. Mr. Clemens thanked the Members for the opportunity to meet and shared background information about AFSCME.

RESOLUTIONS:

Mrs. Deborah Sharpless welcomed Mr. Barry Poindexter and thanked him for his years of service with the MDTA Police as a Corporal. While Corporal Poindexter’s accomplishments “on the job” are great, he may best known for his kindness, thoughtfulness, and dedication to efforts “outside his normal job duties,” including numerous back-to-school backpack and school supply collections for Anne Arundel County schools and organizing Toys for Tots collections at the Bay Bridge, among many others. On the occasion of Corporal Poindexter’s retirement from his distinguished career of exemplary service, the Chairman and Members of the MDTA hereby express to Corporal Barry Poindexter their most sincere appreciation for his excellence and commitment.

Mrs. Sharpless welcomed Mrs. Francine Watts, who was accepting in memory of her late husband Mr. Don G. Watts. Mrs. Sharpless recognized Chief Facility Maintenance Officer Don G. Watts as an individual who always went above and beyond to assist the agency, his coworkers and Maryland’s citizens and visitors, and was often recognized for these efforts, including MDTA participation in the Dundalk 4th of July Parade, contributions to the annual MDTA Fun Day and Truck Rodeo, representing the agency on WJZ-TV’s “Coffee With” segment on November 22nd, 1995, and being honored with an Award of Excellence at the 2004 SERMA Conference, among many others. During his career, Mr. Watts carried out his duties in the most professional and competent manner, and his extraordinary commitment and contagious smile will be missed by all MDTA employees who worked with him. Now therefore it be resolved on the occasion of Mr. Watts’ passing, the Chairman and Members of the MDTA hereby posthumously express to Mr. Don G. Watts their most sincere appreciation for his excellence and commitment.

Ms. Deborah Sharpless also recognized the service of Ms. Teresa Day who retired from the Maryland Transportation Authority. The Chairman and Members of the MDTA hereby express their most sincere appreciation for her excellence and commitment.

APPROVAL – CANTON BOARD OF DIRECTORS AND APPOINTMENT OF PROXY FOR THE ANNUAL MEETING OF STOCKHOLDERS OF THE CANTON DEVELOPMENT COMPANY, INC.

Mr. Bruce Gartner requested approval from the Board for the proposed Canton Board of Directors and designation of the Executive Director as proxy to attend the Annual Meeting of stockholders of the Canton Railroad Development Company, Inc. on September 24, 2014 to vote to approve the election of the Canton Board of Directors.

MDTA is the sole stockholder of the Canton Development Company, Inc. (“Canton”). The day-to-day operations of Canton are managed by Mr. John Magness, the President and CEO, with the oversight of an eight member Board of Directors. Per the By-Laws of Canton, the stock holders are to gather annually and elect the members of the Board of Directors. Mr. Magness has provided MDTA with proper notice of the upcoming Annual Meeting of stockholders to be held on September 24, 2014. Per the By-Laws, the only matter in which the stockholders have authority to vote is the election of the members of Canton’s Board of Director’s. Additionally, the By-Laws of Canton permit the stockholders to be represented by a proxy.

The Canton Board of Director consists of Thomas H. Kerwin, Thomas L. Osborne, JoAnne Zwaitoski, Theodore Venetoulis, Mary B. Halsey and Brian W. Hammock. Mr. Hammock resigned in May, 2014 and Mr. Kerwin will resign in September, 2014. The proposed new Canton Board Members are JoAnne Zwaitoski, Thomas L. Osborne, Theodore Venetoulis, Mary B. Halsey, Frederick P. Rappe, Jr. and Earl Adams, Jr.

Upon motion by Member A. Bradley Mims and seconded by Member Mary Halsey, the Members unanimously approved the designated candidates nominated to serve as the members of the Canton Board of Directors, and delegated Bruce W. Gartner, Executive Director, to serve as proxy and attend the September 24, 2014 Annual Meeting of the stockholders of the Canton Development Company, Inc. to vote to approve the designated candidates nominated to serve as the members of the Canton Board of Directors.

APPROVAL – CANTON RAILROAD – PROPOSED KANE STREET RAIL YARD ACQUISITION

Mr. Dennis Simpson requested approval for actions needed to move forward with the purchase of a 9.385 acre parcel (the “Property”) of land owned by Baltimore City for use by Canton Railroad for a rail yard, lease of the property to Canton Railroad, and 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 documents once finalized. This item was reviewed by the Capital Committee and recommended for approval.

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 the 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 original plan was to purchase the 9.385 acre parcel of land owned by

Baltimore City (the “City”) for a price of \$8,400. 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 required (from the City) is 90 percent or 10 percent if the City agreed to a land swap or sale of the Property to the MDTA for transportation use. After extended discussions with the City and environmental due diligence activities, the Property transactions were presented at the November 24, 2010 MDTA Board meeting.

Baltimore City presented this item to Baltimore City Planning Commission at its 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.

Upon motion by Member Rev. Dr. William Calhoun, Sr. and seconded by Member Mary Halsey, the Members unanimously approved the purchase of the Property in the amount of \$8,400 from Baltimore City for use by Canton Railroad as a rail yard, recognition of up to \$150,000 in due diligence costs representing MDTA’s contribution to the project, to proceed with lease of the property to Canton Railroad, 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 documents once finalized.

APPROVAL – FINAL ACTION TO INCORPORATE THE CHANGES FROM THE EXECUTIVE SECRETARY TO EXECUTIVE DIRECTOR UPDATES TO: PERMITS FOR TOWING ROAD SERVICE (11.07.05); PUBLIC NOTICE OF TOLL SCHEDULE REVISIONS (11.07.09); AND VEHICLE PARKING FACILITIES (11.07.09) CODE OF MARYLAND REGULATIONS (COMAR)

Mr. Patrick Fleming requested approval for changes existing regulations for Permits for Towing, Road Service; Public Notice of Toll Schedule Revisions; and Vehicle Parking Facilities to reflect the change of title from Executive Secretary to Executive Director.

During the December 19, 2013 Board meeting the MDTA Board approved the change of the title of Executive Secretary. The approval included direction to staff to amend any necessary policies, procedures and regulations in order to change the title of the Executive Secretary for the Maryland Transportation Authority to “Executive Director”.

Changes to all regulations that made reference to “Executive Secretary” were drafted and were submitted for public comment in the July 11, 2014 edition of the Maryland Register. These changes included three regulations that are found in chapters under Subtitle 07-Maryland Transportation Authority and three regulations in other Department of Transportation subtitles. No comments were received from the public regarding these proposed regulations during the 30 day comment period, which ended on August 11, 2014.

Upon motion by Member Michael Whitson and seconded by Member Halsey, the Members unanimously approved the final action to update the pertinent regulations under Title 11-Department of Transportation, Subtitle 07-Maryland Transportation Authority.

APPROVAL – DEBT POLICY

Ms. Jaclyn Hartman presented the required annual review of the Debt Management Policies, and requested approval for recommended changes. These Policies were reviewed by the Finance Committee and recommended for approval. There are several changes recommended by Finance staff and in consultation with the MDTA's Office of the Attorney General that are technical corrections or clarifications, specifically as follows:

1. Global title change to Executive Director;
2. GARVEE Bonds clarification in Policy Statement No. 12 in order to conform with the original funding plan in statute that refers to the \$750 million par amount limit as bonds *issued*, and not as bonds outstanding;
3. Variable rate debt clarification in Policy Statement No. 18 to refer to the 15% limit as applying to toll revenue- backed debt *at the time of issuance* and not at any time, which is consistent with the Debt Management Policy of the State Treasurer's Office, and to add that conduit debt limits on variable rate debt will be determined on a case by case basis; and
4. Name change to the Division of Procurement in Policy Statement No. 27.

Upon motion by Member Halsey and seconded by Member Arthur Hock, the Members unanimously approved the recommended changes to the Debt Management Policy as outlined above.

APPROVAL – BOARD RESOLUTION 14-07 – PASSENGER FACILITY CHARGE (PFC) REVENUE BONDS, SERIES 2014

Ms. Jaclyn Hartman, Mr. Jim Walsh and Ms. Merrilyn Williams requested approval to adopt Resolution No. 14-07 to authorize the planning and sale of revenue bonds backed by PFCs on behalf of the Maryland Aviation Administration (MAA), to provide financing for improvements at Baltimore Washington International Thurgood Marshall Airport (BWI Marshall Airport). This item was presented to the Finance Committee and recommended for approval.

Resolution No 14-07 will authorize Finance staff at MDTA, MAA and the Maryland Department of Transportation (MDOT) to commence work on this financing, along with advisors and consultants.

MAA, with the approval of the Secretary of Transportation, has requested that the MDTA issue fixed rate revenue bonds in the estimated amount of \$40 million. The revenue bonds will be secured solely by revenues generated at BWI Marshall Airport and not tolls, fees or any other revenues of the MDTA.

MAA has a major improvement project important to the overall safety, efficiency and growth of the BWI Marshall Airport: the construction of a secure connection between Concourse D and Concourse E (International Terminal) to facilitate passenger traffic and expand international travel (the D/E Connector). The PFC financing of this project is subject to the approval of the Federal Aviation Administration (FAA). The Resolution presented today covers \$40 million of the project costs which are estimated to be in the range of \$125 million. The remaining funds will come from the PFC Facility Improvement Fund (pay-go) and the Transportation Trust Fund.

Maryland Department of Transportation requests that Public Financial Management (PFM) act in the role as primary Financial Advisor under its contract for this bond sale as they have provided support on all of the past PFC Revenue Bond issuances. The Series 2014 Bonds will be sold on a competitive basis. The anticipated credit rating category is single A.

Resolution 14-07 follows the established practice of authorizing the planning and sale of the bonds by providing flexibility to the MDTA Executive Director, CFO and the financing team, but subject to the following parameters:

1. Not to Exceed Par Amount - \$40 million,
2. True Interest Cost - 6% or less,
3. Bond Sale Date
4. Final Maturity Date - within 30 years, and
5. Report of Sale Results - at the first post-sale MDTA meeting.

Upon motion by Member Halsey and seconded by Member Hock, the Members unanimously approved Resolution 14-07 Passenger Facility Charge Revenue Bonds, Series 2014.

Members Mims and Member William Hellman recused themselves for the following approvals and left the meeting.

APPROVAL CONTRACT – AWARD

- **CONTRACT NO. BB 2707-000-006 BAY BRIDGE TOLL PLAZA CONCRETE PAVING REPAIRS**

Ms. Jessica Mettle requested approval for Contract No. BB 2707-000-006 Bay Bridge Concrete Paving Repairs. This item was reviewed by the Capital Committee and recommended for approval.

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 Concrete pavement construction; resurfacing; under drains; patching; removing and installing combination curb and gutter; miscellaneous repairs to underground pedestrian tunnel; replacing existing pavement markings; and maintenance of traffic.

An allowance of \$50,000 was included in the Invitation for Bids (IFB) for Miscellaneous Structure Repairs and/or Construction to Pedestrian Tunnel which will only be used if necessary and will not be used without prior approval of the Construction Manager.

Four (4) responsive bids were received ranging from 14.57% above to 68.78% above the Engineer's Estimate of \$3,140,301.75.

P. Flanigan and Sons, Inc. is the lowest responsive and responsible bidder. As its bid was fourteen point fifty-seven percent (14.57%) higher than the Engineer's Estimate, a bid justification was conducted and the bid was determined to be fair and reasonable. A protest was received and denied with the concurrence of Legal Counsel, and the appeal period has passed. This contract 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 contract was also advertised with a two percent (2%) Veteran-Owned Small Business Enterprise (VSBE) participation goal. P. Flanigan and Sons, Inc. submitted a MBE and a VSBE plan that meet the goals.

Upon motion by Member Calhoun and seconded by Member Katrina Dennis, the Members unanimously approved Contract No. BB 2707-000-006 Bay Bridge Toll Plaza Concrete Paving Repairs in the amount of \$3,598,000.

- **CONTRACT NO. HT 2698-000-006 HVAC REPLACEMENT AT BALTIMORE HARBOR TUNNEL ADMINISTRATION BUILDING**

Ms. Mettle requested approval for Contract No. HT 2698-000-006 HVAC Replacement at Baltimore Harbor Tunnel Administration Building. This item was reviewed by the Capital Committee and recommended for approval.

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 was included in the Invitation for Bids (IFB) for Miscellaneous Construction which will only be used if necessary and will not be used without prior approval of the Construction Manager.

Four (4) responsive bids were received ranging from 13.50% above to 21.32% below the Engineer's Estimate of \$2,278,697.50. Fresh Air Concepts, LLC is the lowest responsive and responsible bidder. As its bid was twenty-one point thirty-two percent (21.32%) below the Engineer's Estimate, a bid justification was conducted and the bid was determined to be fair and reasonable. This solicitation was advertised as a Small Business Reserve (SBR) designated contract with a five percent (5%) Veteran-Owned Small Business Enterprise (VSBE) participation goal. Fresh Air Concepts, LLC is a certified Small Business and submitted a VSBE plan that meets the goal.

Upon motion by Member Calhoun and seconded by Member Hock, the Members unanimously approved Contract No. HT 2698-000-006 HVAC Replacement at Baltimore Harbor Tunnel Administration Building to Fresh Air Concepts, LLC in the amount of \$1,792,802.

Mr. Doug Hutcheson left the meeting for the following approval.

- **CONTRACT NO. MDTA 2013-05B CONTRACT NOS. 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, AE 2817-000-001/6 CONSTRUCTION MANAGEMENT AND INSPECTION**

Ms. Mettle requested approval for Contract Nos. 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. This item was reviewed by the Capital Committee and recommended for approval. Approval of these contracts is contingent upon the approval of the Transportation Professional Services Selection Board (TPSSB) and the Board of Public Works (BPW). This item was reviewed by the Capital Committee and recommended for approval.

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 is not 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, which work 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) to Eleven Million Dollars (\$11,000,000) with a total Not-to-Exceed cost of Eighty Four Million Dollars (\$84,000,000). The project was approved by Secretary of Transportation, James T. Smith, Jr., 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. All of the prime contractors have submitted MBE plans that meet the established participation goals.

The firm selected for award of Contract No. AE 2808-000-001/6 in the amount of \$11,000,000 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 firm selected for award of Contract No. AE 2809-000-001/6 in the amount of \$11,000,000 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 firm selected for award of Contract No. AE 2811-000-001/6 in the amount of \$9,500,000 is Rummel, Klepper & Kahl, LLP, (the third highest rated firm). It 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 firm selected for award of Contract No. AE 2812-000-001/6 in the amount of \$9,500,000 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 firm selected for award of Contract No. AE 2813-000-001/6 in the amount of \$9,000,000 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 firm selected for award of Contract No. AE 2814-000-001/6 in the amount of \$9,000,000 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;
Pennonni Associates, Inc.; and
Specialized Engineering

The firm selected for award of Contract No. AE 2815-000-001/6 in the amount of \$9,000,000 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 firm selected for award of Contract No. AE 2816-000-001/6 in the amount of \$8,000,000 is Century Engineering, Inc./Development Facilitators, Inc./Michael Baker Jr., Inc., a Tri-Venture, (the eighth highest rated firm). Its 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 firm selected for award of Contract No. AE 2817-000-001/6 in the amount of \$8,000,000 is AECOM Technical Services, Inc./URS Corporation/Stantec Consulting Services, Inc., a Tri-Venture, (the ninth highest rated firm). Its 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

Upon motion by Member Calhoun and seconded by Member Whitson, the Members unanimously approved MDTA Contract Nos. (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 for Construction Management and Inspection. Final approval of these contracts is contingent upon the approval of the Transportation Professional Services Selection Board (TPSSB) and the Board of Public Works (BPW).

Member Mims and Member Hellman and Mr. Doug Hutcherson rejoined the meeting.

UPDATE – I-95 TRAVEL PLAZA PUBLIC PRIVATE PARTNERSHIP MARYLAND HOUSE AND CHESAPEAKE HOUSE REDEVELOPMENT

Mr. Percy Dangerfield and Mr. David Greene gave an update on the prevailing wage and Minority Business Enterprise utilization for the Maryland House and Chesapeake House Travel Plazas Redevelopment Project.

Member Katrina Dennis ended her participation in and left the meeting.

At 10:07 a.m. upon motion by Member Mims and seconded by Member Calhoun, the Members unanimously voted to move into Closed Session pursuant to Section 10-508(a)(8) of the State Government Article of the Annotated Code of Maryland to consult with staff, consultants, or other individuals about pending litigation in federal court in the matter filed by Renee Basil. The following persons were present during the Closed Session: James T. Smith, Jr., Chairman, Rev. Dr. William Calhoun, Mary Beyer-Halsey, William K. Hellmann, Arthur Hock, A. Bradley Mims, Michael Whitson, Percy Dangerfield, Trudy Edwards, Bruce Gartner, Colonel Michael Kundrat,, Kimberly Millender, Esquire, Marjorie Nesbitt, Deborah Sharpless and Cheryl Sparks.

At 10:17 a.m. a motion was made by Member Michael Whitson and seconded by Member Calhoun, with the unanimous approval of the Members, to adjourn the Closed Session and return to Open Session.

NO ACTIONS WERE TAKEN DURING CLOSED SESSION

There being no further business, the meeting of the MDTA Board was adjourned by general consensus at 10:18 a.m.

The next MDTA Board Meeting will be held on September 25, 2014 at 9:00 a.m. at MDTA's Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland 21224.

APPROVED AND CONCURRED IN:

James T. Smith, Jr., Chairman



MARYLAND TRANSPORTATION AUTHORITY

STATEMENT FOR CLOSING A MEETING

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

DATE: August 28, 2014

TIME: 9:00 a.m.

MOTION BY: Member Calhoun Mims

SECONDED BY: Member Calhoun

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, Mary Beyer Halsey, A. Bradley Mims, Arthur Hock, William K. Hellmann, P.E., Katrina J. Dennis, Esq., and Chairperson.

STATUTORY AUTHORITY TO CLOSE SESSION
STATE GOVERNMENT ARTICLE, §10-508(a)

- (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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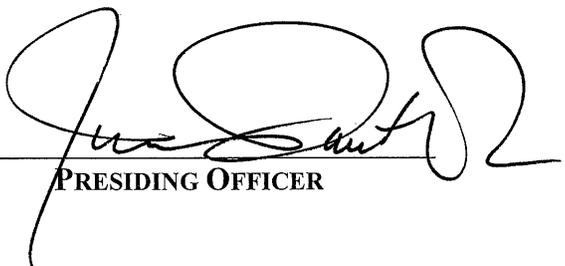
- (5) [] To consider the investment of public funds.
- (6) [] To consider the marketing of public securities.
- (7) [] To consult with counsel to obtain legal advice.
- (8) [X] To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) [] To conduct collective 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 Section 10-508(a)(8) of the State Government Article of the Annotated Code of Maryland to discuss pending litigation in federal court in the matter filed by Renee Basil.

REASON FOR CLOSING:

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


PRESIDING OFFICER