

MARYLAND TRANSPORTATION AUTHORITY
BOARD MEETING
THURSDAY, NOVEMBER 20, 2014
I-95 ETL OFFICE
8019 CORPORATE DRIVE, SUITE F, WHITE MARSH, MD 21236

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 – by telephone

STAFF ATTENDING:

David Chapin
Donna DiCerbo
Trudy Edwards
David Ferrara
Patrick Fleming
Gordon Garrettson
Sherita Harrison
Jaclyn Hartman
Meshelle Howard
Doug Hutcheson
Col. Mike Kundrat
Derek Jones
David LaBella
Jeanne Marriott
Kimberly Millender, Esquire
Det. Vernon Morrow
Deborah Sharpless
Dennis Simpson
Cheryl Sparks
Christina Thompson
Dan Williams

OTHERS ATTENDING:

Daniel Doty, Esq.
Stacy Morin, AECOM

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

APPROVAL – OPEN SESSION MINUTES OF OCTOBER 23, 2014

Upon motion by Member A. Bradley Mims and seconded by Member Mary Beyer Halsey, the Open Session meeting minutes of the MDTA Board Meeting held on October 23, 2014 were unanimously approved.

APPROVAL – INVESTMENT POLICY

Ms. Jaclyn Hartman presented and requested approval of the required annual review of the Investment Policy. Following a review by the Investment Committee on November 5, including input from the two financial advisory firms, no changes to the Investment Policy were recommended. The unchanged policy was reviewed and recommended for approval by the Finance Committee at its November 12th meeting.

Upon motion by Member Halsey and seconded by Member Arthur Hock, the Members unanimously approved the Investment Policy with no changes.

APPROVAL – REVENUE REQUIREMENTS FOR FISCAL YEAR (FY) 2015-2020

Ms. Hartman presented and requested approval of the Revenue Policy for FY 2015-2020. This policy requires that at least every two years, MDTA review toll rates, service and administrative fees, frequency of use programs and commuter programs to ensure they are reasonable and appropriate to meet the revenue requirements for MDTA’s financial obligations. MDTA will remain above its financial goals and Trust Agreement rate covenant throughout the FY2015-2020 forecast period. The MDTA has two financial goals: unencumbered cash should be above or equal to \$350 million and net revenues should be at least 2.0 times annual debt service. MDTA covenants in its Trust Agreement that net revenues will be at least 1.0 times the sum of: a) 120% of annual debt service; and b) budgeted deposits to the Maintenance and Operations account.

Upon motion by Member Halsey and seconded by Member Hock, the Members unanimously approved the Revenue Policy for Fiscal Year 2015-2020.

APPROVAL – FINANCIAL FORECAST

Mr. David Chapin requested approval for a financial forecast reflecting the proposed Final Fiscal Year (FY) 2015-2020 Consolidated Transportation Program (CTP) and Preliminary FY 2016 operating budget.

Chairman Smith inquired about the required timing for this item and then requested that this item be deferred to the December Board Meeting.

APPROVAL – FISCAL YEAR 2016 PRELIMINARY OPERATING BUDGET

Ms. Christina Thompson requested approval for the Preliminary Operating Budget for the MDTA. The Preliminary Budget will be submitted to the Legislature. The Trust Agreement requires the approval of a final budget on or before the first day of July. This item was reviewed by the Finance Committee and recommended for approval.

The FY2016 Preliminary Operating Budget amounts to \$283,490,588, which represents a decrease of \$1,563,899 of the FY2015 budget of \$285,054,487. The costs incurred for police services at the Port and BWI Airport are reimbursable to the Authority from the Maryland Port Administration (MPA) and the Maryland Aviation Administration (MAA) and amount to \$24,931,112 of the budget.

Upon motion by Member Halsey and seconded by Member Katrina Dennis, the Members unanimously approved the FY2015 Preliminary Budget of \$283,490,588 contingent on small adjustments per the Department of Budget and Management.

APPROVAL – FINAL FISCAL YEAR 2015-2020 CONSOLIDATED TRANSPORTATION PROGRAM

Mr. Dennis Simpson and Ms. Jeanne Marriott requested approval for the Final Fiscal Year (FY) 2015-2020 Consolidated Transportation Program (CTP). The final CTP was presented to the Capital Committee and Finance Committee and recommended for approval.

The overall final six-year CTP increased by \$153.4 million from the draft CTP. This increase is comprised of a \$320.5 million increase in projects offset by a \$167.2 million decrease in allocated reserves. The FY 2014 actual expenditure was \$359.4 million compared to the projected expenditure of \$376.8 million, a reduction of \$17.4 million in expenditure for a spend rate of 95% as compared to the draft FY 2015-2020 CTP. The FY 2014 unspent budget (\$17.4 million) will be rolled over into the final FY 2015-2020 CTP.

Upon motion by Member William Calhoun and seconded by Member Mims, the Members unanimously approved the Fiscal Year 2015-2020 Consolidated Transportation Program in the amount of \$2,002,879,000.

APPROVAL – CODE OF MARYLAND REGULATIONS (COMAR)

Mr. Patrick Fleming requested approval for certain updates to Authority regulations needed for current business practices, statutory definitions, etc. These proposed changes were presented to the Capital and Finance Committee meetings and recommended for approval.

11.07.02 – Vehicle Size and Width Restrictions – Changes are proposed to make the regulations consistent with current business practices.

11.07.05 – Public Notice of Toll Schedule Revisions – Changes are proposed to make regulations’ definitions consistent with statute and to clean up redundant language.

11.07.10 – Parking on Maryland Transportation Authority Property – Changes are proposed to make regulations’ definitions consistent with statute and eliminate the regulations related to Violations and Penalties. In order to issue citations for violations, a process for appeal to the District Court needs to be established. It has been determined that the value of the civil parking violation penalty received is not worth the expense of establishing and maintaining such an appeal process.

11.07.11 – Public Use of Interstate 95 Service Plazas – Changes are proposed to allow the MDTA as an agency to enforce parking restrictions, not just a singular person; change language to update an obsolete term and to remove the civil citation for the infractions on the service plazas. In order to issue civil citations, a process for appeal to the District Court needs to be received is not worth the expense of establishing and maintaining such an appeal process.

Upon motion by Member Mims and seconded by Member Calhoun, the Members unanimously approved the recommended Code of Maryland Regulations as outlined.

APPROVAL CONTRACT – AWARD

- **CONTRACT NO. KH 2705-000-006R CLEANING AND PAINTING STRUCTURAL STEEL AND MISCELLANEOUS REPAIRS TO BRIDGE ON I-95 OVER THE SUSQUEHANNA RIVER**

Ms. Donna DiCerbo requested approval for Contract KH 2705-000-006R Cleaning and Painting Structural Steel and Miscellaneous Repairs to Bridge on I-95 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 Millard E. Tydings Bridge, located on Interstate I-95 (John F. Kennedy Memorial Highway) over the Susquehanna River in Harford and Cecil Counties. The scope of work includes cleaning and painting seams and crevices of built-up truss structural members, zone and spot cleaning and painting corroded surfaces, providing for all necessary Maintenance of Traffic (MOT), and completing miscellaneous structural repairs as directed by the Engineer. An allowance of \$250,000 was included in the Invitation for Bids (IFB) for Miscellaneous Structure Repairs which will only be used if necessary and will not be used without prior approval of the Construction Manager.

Seven (7) bids were received ranging from 12.23% to 31.24% above the Engineers Estimate of \$7,579,851. Blastech Enterprises, Inc., is the lowest responsive and responsible bidder. As its bid was twelve point twenty-three percent (12.23%) over the Engineer’s Estimate, a bid justification was conducted. Blastech Enterprises, Inc.’s bid was determined to be fair and reasonable.

The contract contains a Minority Business Enterprise (MBE) participation goal of Twenty-Six Percent (26%) with sub-goals of Seven Percent (7%) for African American-owned companies and Four Percent (4%) for Asian American-owned companies; and a One Percent (1%) Veteran-owned Small Business Enterprise (VSBE) goal. Blastech Enterprises, Inc. submitted MBE and VSBE plans that meet the goals.

Upon motion by Member Calhoun and seconded by Member Mims the Members unanimously approved Contract No. KH 2705-000-006R Cleaning and Painting Structural Steel and Miscellaneous Repairs to Bridge on I-95 over the Susquehanna River to Blastech Enterprises, Inc. in the amount of \$8,506,536.

- **CONTRACT NO. FT 2743-000-006 STRUCTURAL REPAIRS TO I-95 BRIDGES NORTH OF FORT McHENRY TUNNEL**

Ms. DiCerbo requested approval for Contract No. FT 2743-000-006 Structural Repairs to I-95 Bridges North of Fort McHenry Tunnel. This item was reviewed by the Capital Committee and recommended for approval.

The work to be performed under this contract is located on I-95, north of the Fort McHenry Tunnel from south of Kane Street to north of Herring Run in Baltimore City and includes the following: 1) Installation, maintenance, resetting, and removal of all Maintenance of Traffic measures as detailed in the Specifications and/or as directed by the Engineer. 2) Spall/delaminated area repairs to the bridge deck soffits as detailed in the Plans and/or as directed by the Engineer. 3) Spall/delamination area repairs to the bridge parapets as detailed in the Plans and/or as directed by the Engineer. 4) Spall/delamination area repairs to the bridge substructure units as detailed in the Plans and/or as directed by the Engineer. 5) Concrete crack repair by epoxy injection as detailed in the Plans and/or as directed by the Engineer. 6) Spall/delamination area repairs to the bridge bearing pedestals as detailed in the Plans and/or directed by the Engineer. 7) Repair, replace, and cleanout the existing bridge drainage system throughout the bridges associated with this Contract. Work will include flushing the drainage systems, replacing any currently damaged piping, replacing missing sections of the drainage system, replace broken scupper grates, and resetting or replacing misaligned sections of the drainage system, as described in the Contract Documents and/or as directed by the Engineer. 8) Replace loose or missing high strength bolts in the girder splices and diaphragm/lateral bracing connections as detailed in the Plans and/or as directed by the Engineer. 9) Install steel plate repairs to the intermediate stiffeners which have areas of section loss as detailed in the Plans and/or as directed by the Engineer. 10) Re-weld welded connections which have cracked on the end diaphragm members. 11) Reset existing rocker bearings which are currently over rotated as detailed in the Plans and/or as directed by the Engineer. 12) Replace existing bridge deck joint seals with performed silicone joint seals as detailed in the Plans and/or as directed by the Engineer. 13) Install drainage troughs at locations where deck joint seals are to be replaced. 14) Repair/modify loose damage bridge deck finger joints at Pier 5 for Bridge Nos. BCW59601 and BCW59602.

An allowance of \$250,000 was included in the Invitation for Bids (IFB) for Miscellaneous Repairs and will only be used if necessary and will not be used without prior approval of the Engineer.

Four bids were received ranging from 23.49% to 43.07% above the Engineer's Estimate. M.D. Miller Inc. (The Marksmen Co.) is the lowest responsive and responsible bidder. As its bid was twenty-three point forty-nine percent (23.49%) above the Engineer's Estimate of \$2,725,350, a bid justification was conducted. M.D. Miller Inc.'s (The Marksmen Co.) bid was determined to be fair and reasonable.

This contract contained a Minority Business Enterprise (MBE) participation goal of Thirty Percent (30%) with sub-goals of Seven Percent (7%) for African American-owned companies and Four Percent (4%) for Asian American-owned companies; and One Percent (1%) Veteran-owned Small Business Enterprise (VSBE) goal. M.D. Miller Inc.'s (The Marksmen Co.) submitted MBE and VSBE plans that meet the goals.

Upon motion by Member Katrina Dennis, Esq. and seconded by Member Calhoun, the Members unanimously approved Contract No. FT 2743-000-006 Structural Repairs to I-95 Bridges North of Fort McHenry Tunnel to M.D. Miller, Inc. (The Marksmen Company), in the amount of \$3,569,125.

- **CONTRACT NO. PB 2773-000-006 MDTA HEADQUARTERS FIRST FLOOR RENOVATION**

Ms. DiCerbo requested approval for Contract No. PB 2773-000-006 MDTA Headquarters First Floor Renovation. This item was reviewed by the Capital Committee and recommended for approval.

The work to be performed under this contract is located at the Maryland Transportation Authority Headquarters Building located at 2310 Broening Highway, Baltimore, MD, Point Breeze Office Complex. The scope of work includes new interior partitions, new floor, wall, and ceiling finishes, new doors and frames, new lighting, new mechanical HVAC distribution, electrical, telecommunications distribution, new plumbing fixtures, restroom partitions, and accessories.

Allowance items totaling \$305,800 were included in the Invitation for Bids for the provision of an Industrial Hygienist and Miscellaneous Construction that may be determined necessary by the Project Engineer during the construction period. These items will only be used if necessary and will not be used without prior approval of the Construction Manager.

Nine bids were received ranging from 19.51% above to 15.98% below the Engineer's Estimate. Tech Contracting Co. Inc. is the lowest responsive and responsible bidder. As its bid was fifteen point ninety-eight percent (15.98%) under the Engineer's Estimate of \$3,143,714.57, a bid justification was conducted and Tech Contracting Co. Inc.'s bid was determined to be fair and reasonable.

The contract contained a MBE participation goal of Thirty Percent (30%) with sub-goals of Seven Percent (7%) for African American-owned companies and Four Percent (4%) for Asian American-owned companies; and One-half Percent (0.5%) Veteran-owned Small Business Enterprise (VSBE) goal. Tech Contracting Co. Inc. submitted an MBE plan that exceeds the goal; and a VSBE plan that meets the goal. In addition, Tech Contracting Co. Inc. is also a certified Small Business.

Upon motion by Member Calhoun and seconded by Member Mims, the Members unanimously approved Contract No. PB 2773-000-006 MDTA Headquarters First Floor Renovation to Tech Contracting Co. Inc., in the amount of \$2,641,502.

- **CONTRACT NO. MA 2748-000-001/6 ON-CALL ELECTRICAL AND ITS REPAIR AND SERVICES**

Ms. DiCerbo requested approval for Contract No. MA 2748-000-001/6, On-Call Electrical and ITS Repair and Services. This item was reviewed by the Capital Committee and was recommended for approval.

The scope of work includes providing the labor, equipment, and materials necessary in performing miscellaneous electrical, ITS and other types of repairs, upgrades, replacements, and new construction as directed by the Engineer and an on-call or task-based manner. This work may be required on any MDTA assets (bridges, tunnels, highways, buildings, and all appurtenances) at any of the Authority's facilities. The work to be performed under this contract is located at the City of Annapolis, Anne Arundel County, Harford County, King George County, VA, New Castle County, DE, Queen Anne's County, Montgomery County, Prince George's County, Talbot County and Kent County. An allowance of \$1,004,999 was included in the Invitation for Bids (IFB) for miscellaneous materials, specialty equipment, specialty subcontractors and utility services. These items will only be used if necessary and will not be used without prior approval of the Engineer.

Three (3) bids were received. The MDTA advertised this contract as a multi-award and reserved the right to award up to three (3) contracts with a not-to-exceed amount of \$9 million to the bidders with the lowest responsive and responsible bids. A separate task order for each specific on-call project will be initiated for each task required to be performed under the contract.

The responsive and responsible Bid results were as follows:

Dvorak, LLC and Conduit Constructor, LLC (Joint Venture) - \$3,440,134.99;
Brawner Builders, Inc. - \$3,611,849.99;
Intelect Corp. - \$4,662,034.06

Dvorak, LLC and Conduit Constructor, LLC, A Joint Venture (JV) is the lowest responsive and responsible bidder in the amount of \$5,000,000,000, and is recommended for award of Contract A. As its bid was thirteen point eight zero percent (13.80%) higher than the Engineer's Estimate of \$3,022,875, a bid justification was conducted and the bid was determined to be fair and reasonable.

Brawner Builders, Inc. is the second lowest responsive and responsible bidder in the amount of \$4,000,000,000, and is recommended for award of Contract B. As its bid was nineteen point forty-eight percent (19.48%) higher than the Engineer's estimate, a bid justification was conducted and the bid was determined to be fair and reasonable.

The contract contained a Minority Business Enterprise (MBE) participation goal of Twenty-Seven percent (27%) with sub-goals of Seven Percent (7%) for African American-owned companies and Four Percent (4%) for Asian American-owned companies; and one-half Percent (0.5%) Veteran-owned Small Business Enterprise (VSBE) goal. Both Dvorack, LLC and Conduit Constructor, LLC (JV) and Brawner Builders, Inc. submitted MBE and VSBE plans that meet the goals.

Upon motion by Member Calhoun and seconded by Member Dennis, the Members unanimously approved Dvorak, LLC and Conduit Constructor, LLC (JV), for Contract A in the amount of \$5,000,000,000; and Brawner Builders, Inc., for Contract B in the amount of \$4,000,000,000.

Member William Hellmann and Doug Hutcheson recused themselves from the next item and left the meeting.

APPROVAL – CONTRACT NO. MDTA 2013-03/AE 2853-000-001/6 ELECTRONIC TOLL COLLECTION (ETL) SYSTEM SERVICES

Ms. DiCerbo requested approval for Project No. MDTA 2013-03 Contract No. AE 2853-000-001/6. This Contract was reviewed by the Capital Committee and recommended for approval. Approval of this contract is contingent upon approval of the Transportation Professional Services Selection Board (TPSSB) and the Board of Public Works (BPW).

The scope of services provided under this Contract includes but is not limited to Project Management and Design Services such as: Toll system planning and design; Attendance and participation at monthly, weekly, or as-needed progress and status meetings to include providing meeting minutes, general contract administration, project management support and coordination services; Review and comment upon design documents, and detailed design documents submitted by the Electronic Toll Collection System Contractor; Inspection of the physical installation, software, machine configuration, network configuration, and other related equipment; Review of scheduled, including CPM type schedules, for delays, changes, and other project impacts; Periodic review of operations manuals and other deliverable documents and verification of compliance with the specifications; Review and verification of network security; Independent Validation and Verification of requirements, and systems; Participation in testing programs for any, and possibly all aspects of the system; Traffic and revenue forecasting for toll facilities; Analysis of proposed changes in operations or systems design for impacts, potentially unanticipated, to other components of operations and design; Analysis of toll classification and toll rates; Industry research; and Investigation of system design and implementation issues to identify any needs for improvements or changes; Ability to perform traffic modeling and simulation is desired; The Consultant shall also provide, as requested by the MDTA, miscellaneous design, analysis, and/or consultation services.

Assignments may include, but are not limited to, investigating contractor claims; designing changes or modification to the systems; designing emergency repairs; or any other design work that may be required to support the Toll Systems; and working with scheduled in Microsoft Project or Primavera formats. Presentations typically utilizing Microsoft PowerPoint are required. Reports rendered into electronic format using Adobe PDF are required. Ability to work in other applications is desired and includes, but is not limited to Visio and Google Earth.

The one (1) task-based contract will be a cost plus fixed fee Contract, valued at a Not-to-Exceed cost of Six Million Dollars (\$6,000,000,000). The project was initially approved by Secretary of Transportation, James T. Smith, Jr. on March 20, 2013 and subsequently revised and approved by Secretary Smith on March 7, 2014.

The Minority Business Enterprise (MBE) participation goal for this contract is Seven (7%) without sub-goals. The prime contractor has submitted an MBE plan that meets the goal.

The firm selected for award of Contract No. AE 2853-000-001/6 in the amount of \$6,000,000,000 is Jacobs Engineering Group, Inc. Its sub-consultants are: Skyline Technical Solutions; CDM Smith; Plexus Installations – MBE; Sabra, Wang and Associates – MBE; and Transtech Engineering Consultants – MBE. The recommended firm has committed to the established MBE goal.

Upon motion by Member Hock and seconded by Member Halsey, the Members unanimously approved Contract No. MDTA 2013-03/AE 2853-000-001/6 Electronic Toll Collection (ETL) System Services in the amount of \$6,000,000.

Member Hellmann and Mr. Hutcheson rejoined the meeting.

APPROVAL – BASIL LITIGATION

Ms. Kimberly Millender, Esq. requested approval to pay the judgments entered in the pending litigation in U.S. District Court filed by Renee Basil against the MDTA and former Officer M. Noel in the verdict amount of \$127,146 plus interest.

Upon motion by Member Calhoun and seconded by Member Mims, the Members unanimously approved the payment of the verdict amounts.

UPDATE – I-95 EXPRESS TOLL LANE OPENING ACTIVITIES

Ms. Cheryl Sparks and Mr. Dennis Simpson presented to the MDTA Board a summary of the various components of the opening activities for the I-95 ETL Lanes.

At 9:54 a.m. upon motion by Member Dennis and seconded by Member Hock, the Members unanimously voted to move into Closed Session pursuant to Section 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to discuss a) pending litigation in federal court in the matter filed by Renee Basil; and b) potential litigation related to MDTA Contract No. BB 2512-000-006. The following persons were present during the Closed Session: James T. Smith, Jr., Chairman, Rev. Dr. William Calhoun, Katrina Dennis, Esq., Mary Beyer-Halsey, William K. Hellmann, Arthur Hock, A. Bradley Mims, Michael Whitson (by telephone), Trudy Edwards, Dave Ferrara, Doug Hutcheson, Derek Jones, Kimberly Millender, Esquire, Deborah Sharpless, Cheryl Sparks, and Dan Williams.

RATIFICATION OF ACTIONS TAKEN DURING CLOSED SESSION

Upon motion by Member Michael Whitson and seconded by Member Katrina Dennis, Esq., the Members ratified their unanimous votes in Closed Session to approve up a potential settlement of attorney's fees for the Renee Basil litigation; and a negotiated settlement in the amount of \$5,611,621 and an increase in the delegated authority from \$2,774,293.43 or 16.67% to \$7,940,126.99 or 47.95% to Blastech Enterprises, Inc., for Contract No. BB 2512-000-006 Cleaning and Painting at the Westbound Bay Bridge US 50 over the Chesapeake Bay, making the revised authorized budget of \$24,497,926.99.

At 10:05 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.

There being no further business, the meeting of the MDTA Board was adjourned by general consensus at 10:05 a.m.

The next MDTA Board Meeting will be held on December 18, 2014 at 9:00 a.m. at the Point Breeze Headquarters, 2310 Broening Highway, Baltimore, Maryland 21224.

APPROVED AND CONCURRED IN:

James T. Smith, Jr.



MARYLAND TRANSPORTATION AUTHORITY

STATEMENT FOR CLOSING A MEETING

LOCATION: Maryland Transportation Authority
ETL Offices
8019 Corporate Drive
White Marsh, Maryland 21236

DATE: November 20, 2014

TIME: 9:00 a.m.

MOTION BY: K. Dennis

SECONDED BY: A. Hock

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

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

Page 2

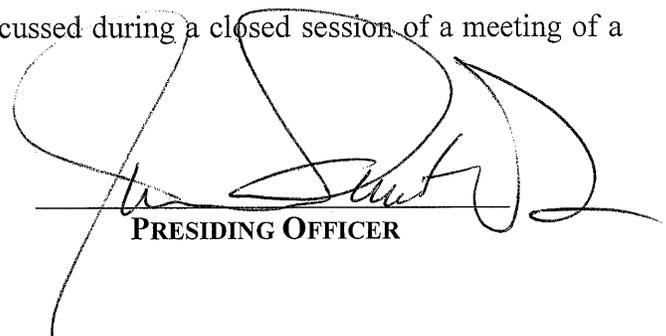
- (5) [] To consider the investment of public funds.
- (6) [] To consider the marketing of public securities.
- (7) [] To consult with counsel to obtain legal advice.
- (8) [X] To consult with staff, consultants, or other individuals about pending or potential litigation.
- (9) [] To conduct collective 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 3-305(b)(8) of the General Provisions Article of the Annotated Code of Maryland to discuss a) pending litigation in federal court in the matter filed by Renee Basil; and b) potential litigation related to MDTA Contract No. BB-2512-000-006.

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