

MARYLAND TRANSPORTATION AUTHORITY
RESCHEDULED MARCH BOARD MEETING

THURSDAY, APRIL 4, 2024
9:00 A.M.

2310 BROENING HIGHWAY, BALTIMORE MD 21224
IN-PERSON & LIVESTREAMED OPEN MEETING

OPEN SESSION

Paul J. Wiedefeld, Chairman

MEMBERS ATTENDING:

Dontae Carroll
William H. Cox, Jr.
W. Lee Gaines, Jr.
Mario J. Gangemi
Cynthia D. Penny-Ardinger
Jeffrey S. Rosen
Samuel D. Snead
John F. von Paris

STAFF ATTENDING:

Jeff Davis
Bruce Gartner
James Harkness
Natalie Henson
James Kittleman
Sgt. Brady McCormick
Lt. Col. Corey McKenzie
Kelly Melhem
Kimberly Millender, Esq.
Mary O'Keeffe
Bill Randow
Bradley Ryon
John Sales
Deborah Sharpless
Paul Trentalance

OTHERS ATTENDING:

Samantha Biddle, MDOT Deputy Secretary
Darcy Costello, Reporter, The Baltimore Sun

At 9:00 a.m. Chairman Paul J. Wiedefeld called the meeting of the Maryland Transportation Authority (MDTA) Board to order. The meeting was held in-person at MDTA Headquarters, 2310 Broening Highway, Baltimore MD 21224 and was livestreamed on the MDTA Board Meeting web page.

Prior to starting the day's agenda, Chairman Wiedefeld expressed his heartfelt condolences to the families and colleagues of the six workers who tragically lost their lives in the Francis Scott Key Bridge collapse on Tuesday, March 26th. He led the group in a moment of silence to remember those lost. He then acknowledged the MDTA Police who were first on the scene and whose swift actions resulted in saving several lives and rescuing one survivor. Chairman Wiedefeld thanked Governor Wes Moore for his leadership and he thanked and acknowledged our partners in the Unified Command Center. He then thanked the driving public for their patience and understanding while asking them to be safe, slow down, and keep your eyes on the road.

APPROVAL – OPEN SESSION MEETING MINUTES OF FEBRUARY 29, 2024

Upon motion by Member William H. Cox, Jr. and seconded by Member Dontae Carroll, the open session meeting minutes of the MDTA Board meeting held on February 29, 2024 were unanimously approved.

APPROVAL – CONTRACT AWARD

• **MDTA 2022-02A – Construction Management and Inspection Services**

Mr. Jeffrey Davis requested approval from the MDTA Board to execute Contract No. MDTA 2022-02A – Construction Management and Inspection Services with:

A Morton Thomas & Associates/Wallace Montgomery	AE 3115	\$16,000,000.00
Gannet Fleming	AE 3116	\$16,000,000.00
KCI/STV	AE 3118	\$16,000,000.00
O'Connell & Lawrence/ACTS	AE 3123	\$14,000,000.00
Michael Baker International/Prime AE	AE 3124	\$11,000,000.00
DFI/Pennoni/CES	AE 3126	\$11,000,000.00

Mr. Davis explained the services to be performed under this contract are Construction Management and Inspection (CMI) Services for the MDTA. The consultant shall provide professional Construction Management and Inspection Services related to supplementing and supporting the construction phase of the MDTA Consolidated Transportation Program. The consultants shall perform services in the following general areas: service shall include, but not be limited to; constructability reviews, conduct detailed inspections of all construction work including erosion and sediment control contract compliance, maintenance of traffic, detail materials testing, critical path method cash flow schedules, document control and assist the MDTA's compliance officers with monitoring and enforcement of Minority Business Enterprise goals.

Upon motion by Member Mario J. Gangemi and seconded by Member W. Lee Gaines, Jr., the Members unanimously gave approval to execute Contract No. MDTA 2022-02A – Construction Management and Inspection Services.

UPDATE – FRANCIS SCOTT KEY BRIDGE UPDATE

Mr. Bruce Gartner, Lt. Col. Corey McKenzie, Mr. James Harkness, and Ms. Deborah Sharpless gave an update on the Francis Scott Key Bridge.

Mr. Gartner began by echoing the sentiments of the Chairman with heartfelt condolences to the families of those lost. He then provided an overview of the immediate priorities including recovering the victims to bring closure to the families, opening the shipping channel to restore normal Port operations, and rebuilding the bridge.

He stated he had many people to thank with their help and unwavering assistance since the early morning hours of the incident and the days since including the Secretary/Chairman Paul Wiedefeld, Deputy Secretary Samantha Biddle, SHA Administrator Will Pines, and the Governor's Office as well as the MDTA employees who stepped forward and continue to do whatever is necessary.

He advised the Board that the MDTA has a lot of work ahead with continued deliveries of ongoing projects and developing a team to address all of the issues moving forward. Mr. Gartner noted staff will continue to provide regular reports to the Board on the on-going progress.

Lt. Col. McKenzie thanked the Chairman and Executive Director for their support for the MDTA Police officers and the MDTA Police command staff. He told the Board that on Tuesday, March 26, the MDTA Police faced an unthinkable challenge and that MDTA Police officers and dispatchers responded decisively and professionally. Lt. Col. McKenzie expressed his pride in the MDTA Police staff.

Lt. Col. McKenzie said that MDTA Police Officers immediately stopped additional traffic from entering the bridge which saved many lives. He also noted that the MDTA Police Marine Unit was at the scene within 15 minutes and was able to rescue and save a victim who was floating in the water.

The Lt. Col. explained that the MDTA Police coordinated with local, state, and federal partners and established a command post at the MDTA Police Headquarters and have been working around the clock since then. The MDTA Police has officers supporting the Unified Command, the MDTA Police Marine Unit continues to assist at the collapse site 24 hours a day in all weather, and MDTA Police officers continue to manage the challenges caused by shifting traffic volumes.

Mr. Harkness advised the Board that on March 27 the State received an initial distribution of Emergency Relief funding of \$60 Million from the Biden Administration to pay for initial mobilization, operations, and debris recovery. He stated that Unified Command's operation priorities include recovering the remaining workers to bring closure to their families and clearing the main shipping channel to restore normal operations at the Port.

Mr. Harkness reported that Unified Command commenced cutting operations at the collapse site and continue to remove wreckage from the site. The wreckage is being cut, lifted, and transferred to a barge as weather allows and will then be offloaded and processed at a site on Tradepoint Atlantic. He said that every lifting operation requires engineering analysis to inform salvage operation plans and three salvage teams are surveying sections of the bridge and the M/V Dali for future removal operations. Through an emergency procurement, the MDTA contracted with Skanska to perform the salvage operations.

Mr. Harkness stated that staff continue to actively work with USDOT and the Federal Highway Administration regarding the rebuilding of the bridge. He stated that this initial planning and coordination are placing MDTA in a strong position to build a new bridge using innovative project delivery, design, engineering, and building methods.

Mr. Harkness also said that MDTA is coordinating with the Port, SHA, local jurisdictions, and commercial vehicle partners on traffic impacts. MDTA has enhanced traffic measures in place to help disabled motorists and clear crashes quickly. Traffic impacts are expected to be extensive, as the Key Bridge carried more than 30,000 vehicles per day and was the only way across the Patapsco River for oversized vehicles and vehicles carrying hazardous materials.

Mr. Harkness ended by saying that the I-695 Outer Loop remains closed at Quarantine Road (Exit 1) and the Inner Loop remains closed at Peninsula Expressway (Exit 43). Alternate routes include I-95/Fort McHenry Tunnel and I-895/Baltimore Harbor Tunnel. Any vehicle transporting hazardous materials and oversized vehicles are prohibited in the tunnels and should use the western section of I-695.

Ms. Deborah Sharpless updated the Board on the finances regarding the bridge collapse. She discussed the notifications that were made to the markets and our bondholders through the Electronic Municipal Market Access (EMMA[®]) and to the USDOT related to the MDTA's TIFIA loan for the New Nice Middleton Bridge.

Ms. Sharpless also notified the Board that the Credit Rating Agencies (Fitch, Moody's, and S&P) reconfirmed MDTA's AA rating. Fitch stated that "Fitch affirms Maryland Transportation Authority's transportation facilities project revenues at AA; Outlook Stable." Moodys (Sector Comment) said "Bridge collapse is a credit risk for MDTA with uncertain replacement cost and timing." And S&P stated "MDTA's credit quality not affected by Francis Scott Key Bridge Collapse." She told the Board that staff will continue to have communications with the rating agencies to provide information to minimize uncertainty risk.

Ms. Sharpless also discussed federal funds/emergency relief including the quick release request of Emergency Relief funds for \$60 million issued and approved on March 28, 2024 and received by the State Highway Administration on March 29, 2024. She assured the Board that there is tight coordination between TSO, SHA, and MDTA and that there are numerous ongoing meetings and interactions between MDOT/MDTA and FHWA.

Ms. Sharpless ended by discussing insurance. MDTA's property policy coverage through CHUBB is for \$350 Million with a \$50 Million deductible; further, a claim was filed on March 26, 2024, by the State's Treasurer's Office on behalf of the MDTA. Representatives from the insurance carrier and the State Treasurer's Office conducted a site visit on March 27, 2024 to view the damage to the structure. Ms. Sharpless also noted that MDTA's liability policy coverage through various carriers is for \$150 Million with a \$5 Million deductible; and a claim was filed on March 26, 2024, by the State Treasurer's Office on behalf of the MDTA.

UPDATE – AUDIT COMMITTEE

Member Cynthia D. Penny-Ardinger presented an update on the Audit Committee meeting that took place on March 12, 2024. The Office of Audits is on track to complete the thirteen audits in the Fiscal Year (FY) 2024 Audit Plan. Currently five audits are complete, five are in progress, and three are planned.

The FY 2024 Enterprise-Wide Risk Assessment and Proposed FY 2025 Audit Plan were presented and the Committee discussed and concurred with the Proposed FY 2025 Audit Plan.

Four internal audit reports (Construction Payment Process Analysis & Internal Controls Audit; Controls Over Excess Property Disposals Audit; Career Development Controls Audit; and License Plate Reader Compliance Audit) were presented and the Committee was satisfied with the results of these audits.

UPDATE – LEGISLATIVE SESSION

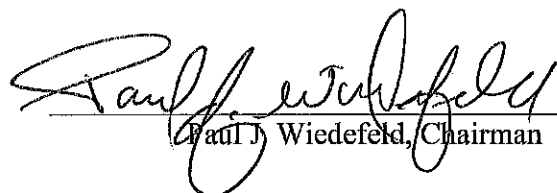
Mr. Bradley Ryon and Mr. James Kittleman gave a brief update to the MDTA Board regarding the bills that have been filed that will have an impact to the MDTA and the number of legislative casework/inquiries that his office has received thus far.

VOTE TO ADJOURN MEETING

There being no further business, upon motion by Member Jeffrey S. Rosen and seconded by Member Dontae Carroll, the Members unanimously voted to adjourn the meeting at 9:42 a.m.

The next MDTA Board Meeting will be held on Thursday, April 25, 2024 at 9:00 a.m. at MDTA, 2310 Broening Highway, Baltimore MD and will be livestreamed on the MDTA Board webpage.

APPROVED AND CONCURRED IN:


Paul J. Wiedefeld, Chairman